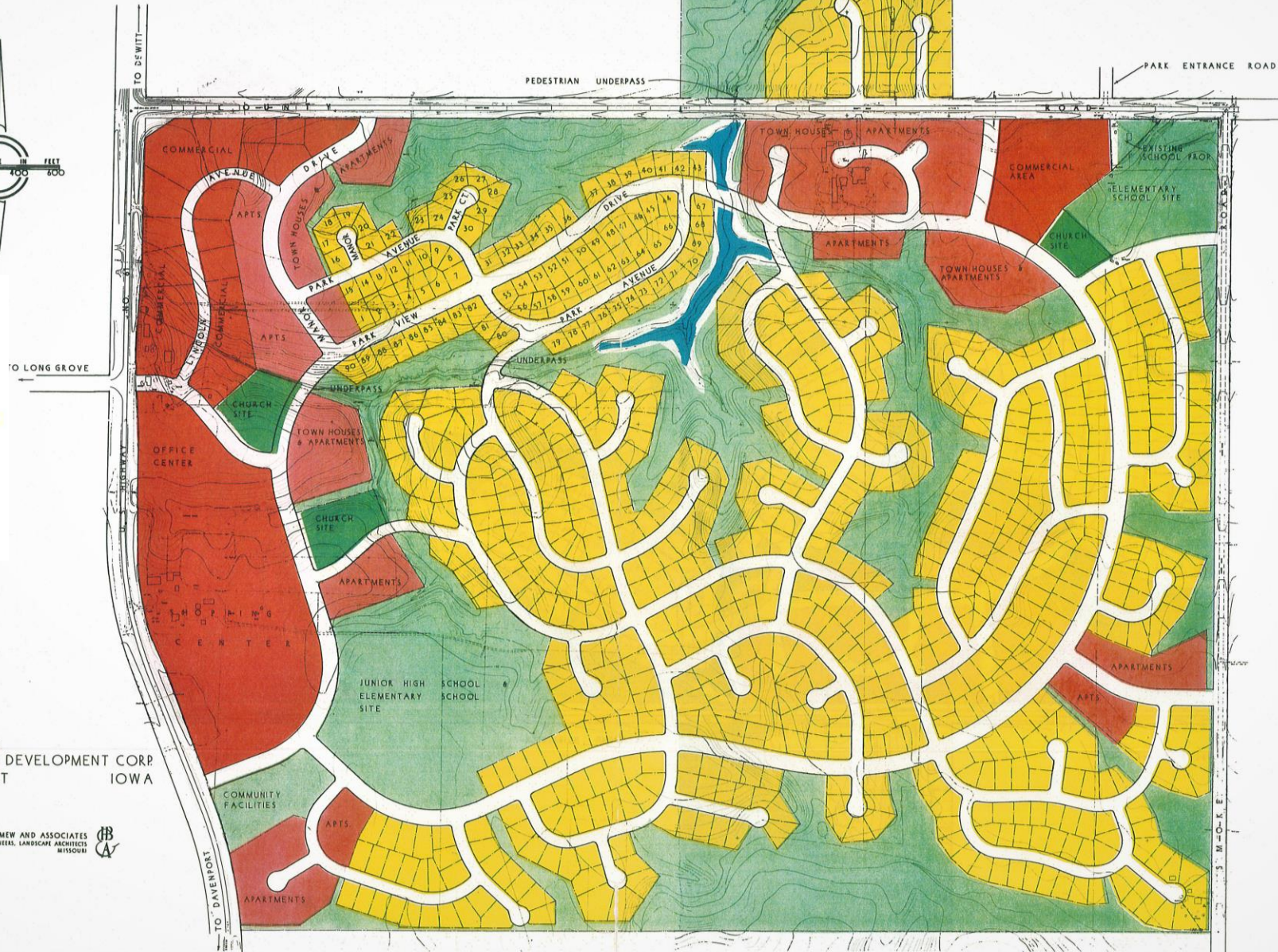
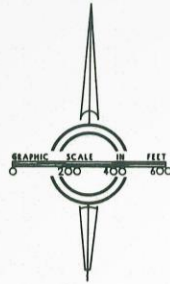


# Park View Rental Regulations Public Input Meeting

Scott County Board of Supervisors  
Wednesday, December 4, 2019 6 PM  
Scott County Library, Eldridge



# PARK VIEW SCOTT COUNTY IOWA Park View Development Plan (1967)



PREPARED FOR:  
PARK VIEW DEVELOPMENT CORP  
DAVENPORT IOWA

PREPARED BY:  
HARLAND BARTHOLOMEW AND ASSOCIATES  
CITY PLANNERS, CIVIL ENGINEERS, LANDSCAPE ARCHITECTS  
SAINT LOUIS, MISSOURI



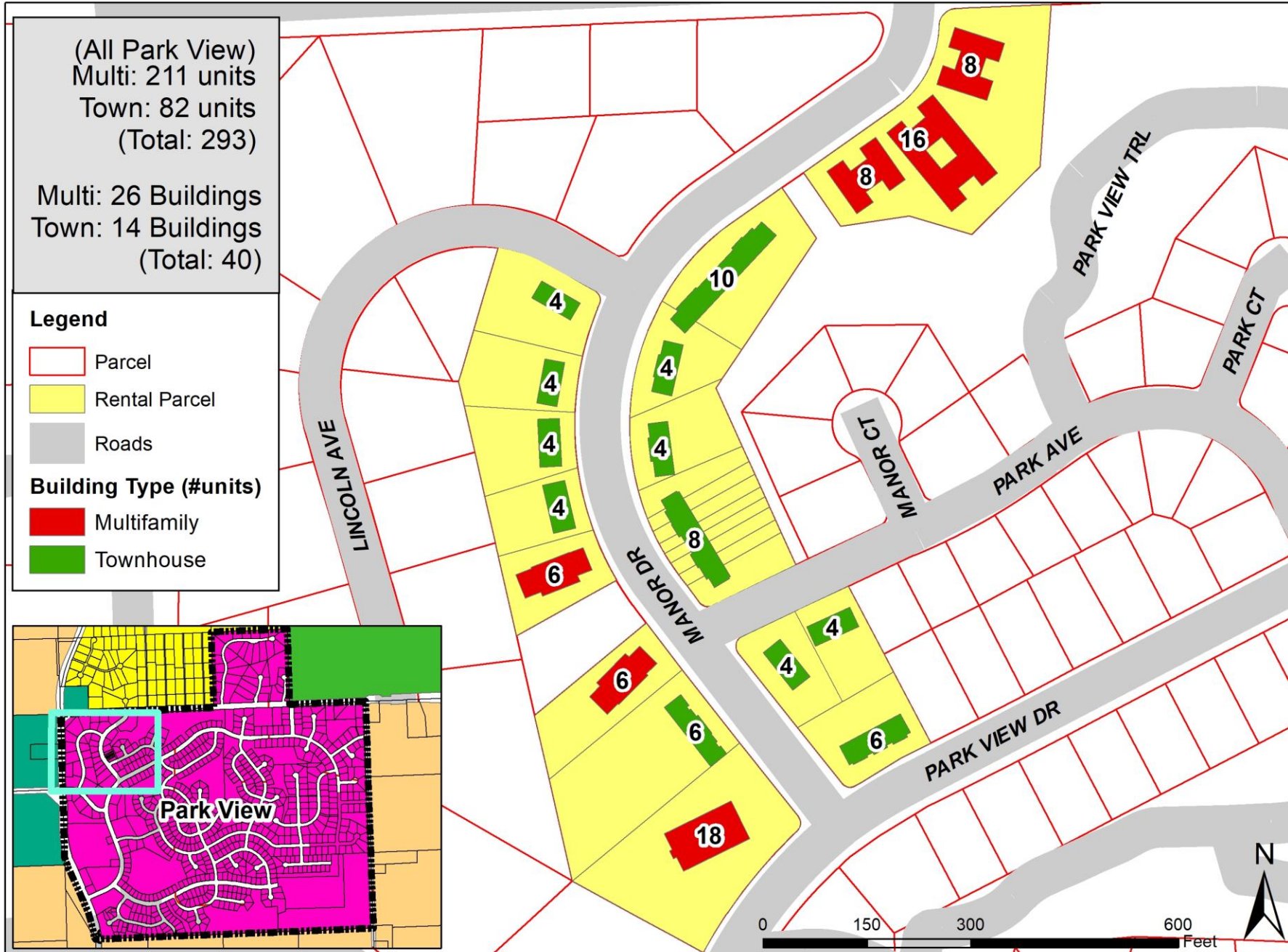
## 10-unit Townhouses



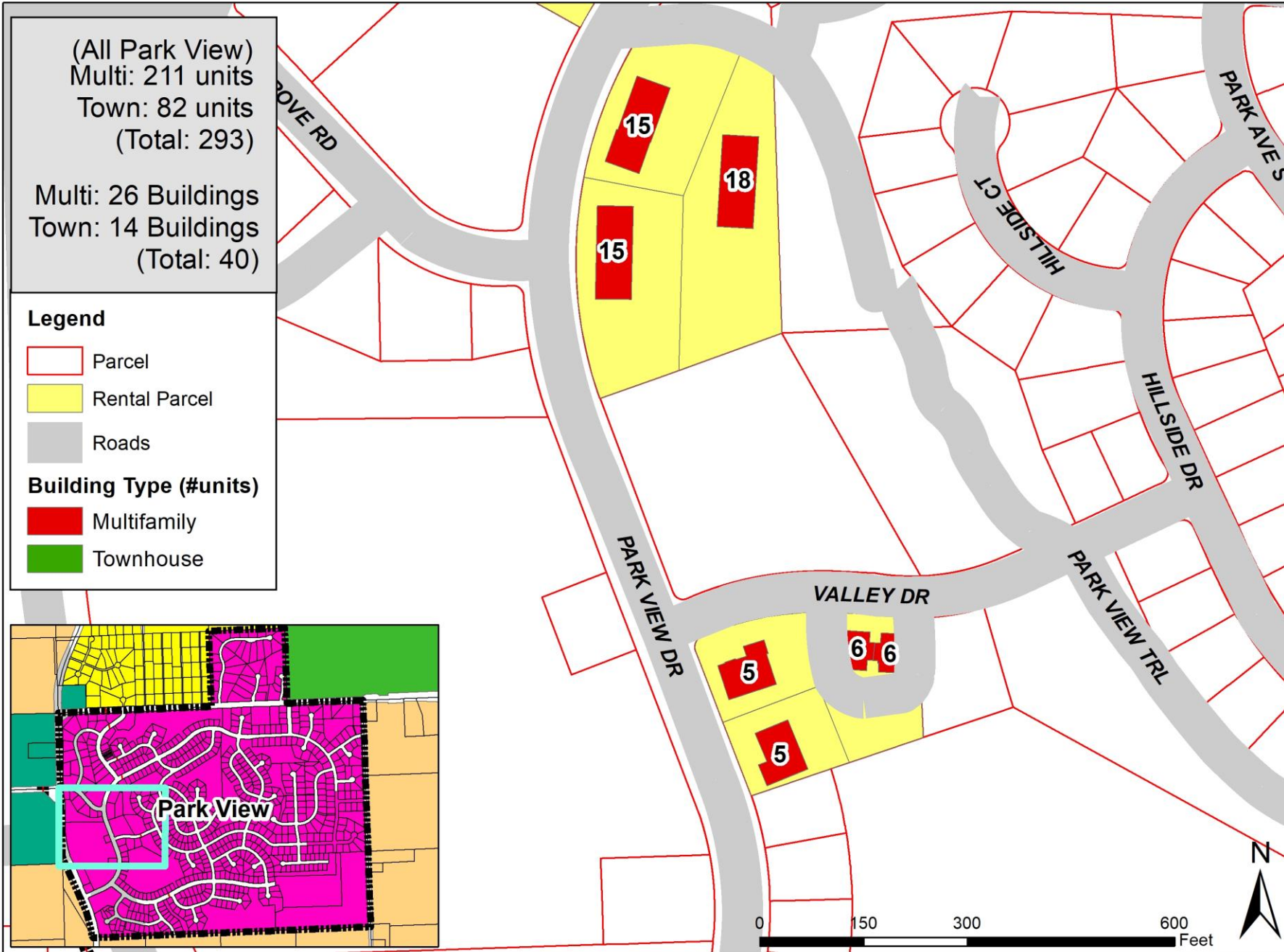
## 15-plex Multi-Family



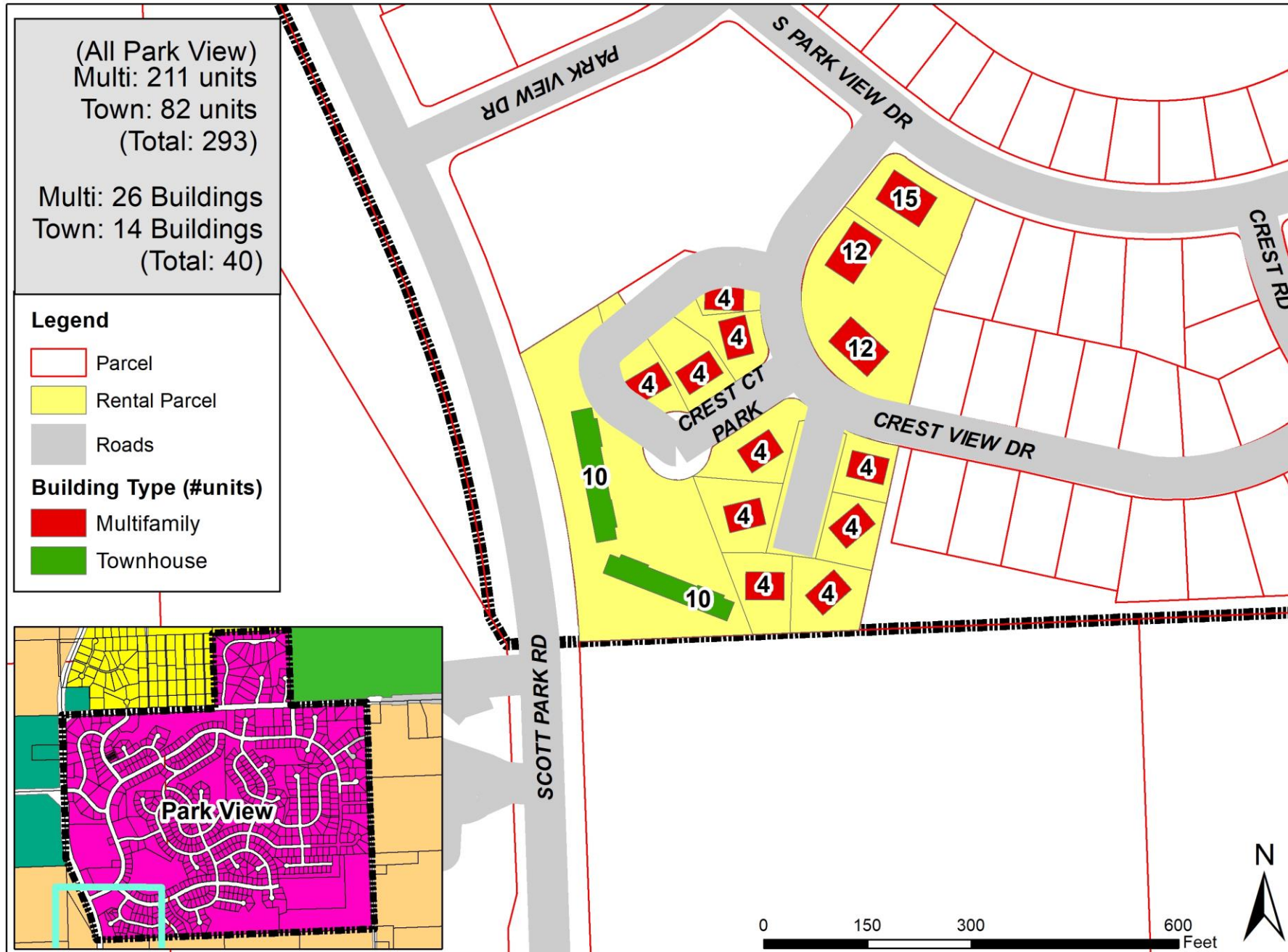
# Park View, Iowa - Rental Housing (North Section)



# Park View, Iowa - Rental Housing (Middle Section)



# Park View, Iowa - Rental Housing (South Section)



# Parameters for Consideration of any Ordinance requiring Rental Inspections and Code Compliance

- ⦿ Administration of such a program
- ⦿ Code requirements
- ⦿ Enforcement



## Administration of such a program:

- ⦿ What Department would accept, process and track the registrations and inspections. (Permit software)
- ⦿ What, if any, additional staffing would be required for such a program. (Expenses)
- ⦿ What fees would be charged for registration, rental permits, and inspections. (Revenues)



# Code Requirements:

- ◉ Adopt sections of the International Property Maintenance Code with local amendments.
- ◉ Regulations would include requirements for:
  - Exterior conditions
  - Maximum occupancy
  - Plumbing, Mechanical and Electrical Systems
  - Fire Safety and access
  - Public Health Nuisances
  - Nuisance activity



## Nuisance Activity:

A Nuisance Activity could be defined as when one or more of the following acts are committed within a period of twelve consecutive months upon a property, or within one thousand feet of the property, by an interested party or their permittee(s):



# Nuisance Activities: (One of more)

- Manufacture or delivery of a controlled substance in violation of Iowa Code Chapter 124;
- Kidnapping as defined in Iowa Code Chapter 710;
- Arson as defined in Iowa Code Chapter 712;
- Burglary as defined in Iowa Code Chapter 713;
- Robbery as defined in Iowa Code Chapter 711;
- Sex abuse as defined in Iowa Code Chapter 709;
- Terrorism as defined in Iowa Code Section 708.6;



## Nuisance Activities: (One or more)

- Willful injury as defined in Iowa Code Section 708.4;
- Sexual exploitation of a minor in violation of Iowa Code Section 728.12;
- Felony gambling in violation of Iowa Code Chapter 725;
- Felony criminal mischief as defined in Iowa Code Chapter 716;
- Animal fighting in violation of Iowa Code Section 717B.7; and
- A single incident of a health code, environmental, or solid waste violation of such a magnitude that it is deemed a nuisance activity by the Code Official.



# Nuisance Activities: (two or more)

- Possession of a controlled substance in violation of Iowa Code Chapter 124;
- Carrying a dangerous weapon as defined in Iowa Code Section 724.4;
- Riot as defined in Iowa Code Section 723.1;
- Serious or aggravated misdemeanor criminal mischief as defined in Iowa Code Chapter 716;
- Prostitution as defined in Iowa Code Section 725.1;
- Serious or aggravated misdemeanor assault as defined in Iowa Code Chapter 708;
- Serious or aggravated misdemeanor theft as defined in Iowa Code Chapter 714;



## Nuisance Activities: (three or more)

- Misdemeanor gambling as defined in Iowa Code Chapter 725;
- False imprisonment as defined in Iowa Code Section 710.7.
- Health code violations;
- Environmental or solid waste violations;
- Unlawful assembly;
- Simple misdemeanor of criminal mischief;
- Simple misdemeanor assault;
- Simple misdemeanor disorderly conduct; and
- Criminal trespass.



# Enforcement:

- ⦿ Corrections required following any inspections.
- ⦿ Other enforcement actions:
  - Nuisance activity
  - Tracking of violations
  - Municipal Infractions, assessment of fines
  - Revocation of rental license



## Other Requirements to be Considered:

- Background checks on tenants (new and/or existing)
- Written leases or rental agreements
- Landlord training
- Other requirements deemed necessary





# Other Scott County cities requiring Rental Inspections and Code Compliance

Working Group met with:

- City of Davenport
- City of Bettendorf
- City of Eldridge

Other Iowa cities contacted:

- City of Muscatine
- City of Oskaloosa
- City of Newton

# Peer Jurisdiction Rental Regulations:

- ◎ City of Davenport, IA
  - Administered by Neighborhood Services Department
  - Inspections conducted on a 2, 3, or 4 year schedule based on history
  - Tenant background checks and landlord training available free of charge
  - Variable fee schedule depending on violation and compliance history
  - Violations include excessive police and fire calls, and criminal activities on the premises or in the area
  - Police Department actively involved in tracking violations with inter-department access of building inspection records

# Peer Jurisdiction Rental Regulations:

## ◎ City of Bettendorf, IA

- Building Department administers rental inspection program
- Set fee schedule for rental license and inspections
- Inspections occur on a 4-year cycle for all rental units
- Additional fees charged for reinspections, verified complaints, and no-show inspections
- Strict enforcement of rental code
- No tracking or penalty for criminal activity on the premises
- Tenant background checks available (not mandatory) at no charge

# Peer Jurisdiction Rental Regulations:

- ◎ City Eldridge, IA
  - Building Department administers rental inspection program
  - Registration is required
  - Rental Permit Required for each unit.
  - Permit Fee every two years
  - Proof of background checks of tenants
  - Proof of written lease
  - Inspections made on a complaint basis as follows:

# Peer Jurisdiction Rental Regulations:

## ○ City Eldridge, IA (cont'd)

- Upon receipt of a signed complaint, filed with Building Inspection;
- A public health, safety or welfare emergency is observed or is reasonably believed to exist;
- A tenant makes a request for an inspection. If a non-emergency inspection is requested by a tenant, the tenant shall provide written notice to the owner per Iowa Code.
- A landlord makes a request for an inspection. A non-emergency inspection may be made following the terms for accessing the unit provided in the lease.
- When a request for a welfare check is made due to concerns for the occupants wellbeing. When making a welfare check, the Eldridge Police Department shall be present and follow protocol established for such occurrences.

# Peer Jurisdiction Rental Regulations:

- City of Muscatine, IA
  - Recently adopted update in 2018
  - Three inspection types:
    - self inspection conducted by owner/agent (annual)
    - city inspection conducted by community services staff (triennial)
    - special inspection conducted by community services staff (complaint basis)
  - Complaints or triennial inspections finding non-compliance carry additional fines

# Peer Jurisdiction Rental Regulations:

- ◎ City of Oskaloosa, IA
  - Recently adopted in 2017
  - Building Inspection Department administers the rental inspection program
  - Private firm conducts inspections on contract with City
  - Coordinates rental inspections with city's nuisance enforcement program
  - Inspections conducted triennially
  - Initial inspections still being completed with priority given to units in worst condition

# Peer Jurisdiction Rental Regulations:

- ◎ City of Newton, IA
  - Recently adopted rental regulation update in 2019
  - Used Oskaloosa's rental regulation adoption as a guide
  - Contracts with same third party to conduct all inspections
  - Inspection fees are paid directly to third party by owner/agent
  - Registration fees (annual) are collected by the city
  - City staff monitor utility billing signups for rental properties to enforce compliance with registration of properties



# Park View Rental Regulations

## Variables for adoption of a Park View Rental Inspection Program

- Staffing and administration of Rental Registration.
  - Collection of registration and inspection fees
  - Permit tracking system to coordinate registration, inspections and violation
  - Alternatives and issues for conducting Rental Inspection
    - Additional P & D staff would be required.
    - Full or part time and likely difficult to fill
    - 28E agreement with Davenport, Bettendorf or Eldridge
    - Contract with private company

# Park View Rental Regulations

## Variables for adoption of a Park View Rental Inspection Program

- ⦿ Enforcement of violations and collection of fines
  - Counties don't have the same legal authority to assess fines on property
  - County Attorney staffing of legal action.

# Park View Rental Regulations

## Next steps →

- **Assess inputs from tonight's meeting**
- **Develop fee schedule**
- **Evaluate staffing needs**
- **Draft ordinance amendments**
- **Conduct Public Hearings**
- **Adopt Ordinance**

# Park View Rental Regulations

Questions?

Comments

[planning@scottcountyiowa.com](mailto:planning@scottcountyiowa.com)

[sheriff@scottcountyiowa.com](mailto:sheriff@scottcountyiowa.com)