

**STAFF REPORT – Text Amendments**  
**Public Hearing Date: October 17, 2024**  
**City Council Meeting: November 4, 2024**

**Case:** TA-2024-05

**Proposed Request:** Text Amendments to The City of Forest Park Zoning Code of Ordinance

**Staff Report Compiled By:** SaVaughn Irons-Kumassah, Principal Planner

**Staff Recommendation:** Approval to amend Zoning Ordinance

**PROPOSED TEXT AMENDMENTS**

- I. The Planning & Community Development Department is proposing a text amendment to the Code of Ordinances. Case # TA-2024-05 includes an amendment to Article S. – Residential Rental Dwelling Unit Inspection and Maintenance Program, Section 8-2-302 Self-Inspections of residential rental dwelling units, modifying the provisions of self-inspections of residential rental dwellings units.

**BACKGROUND**

The Planning & Community Development Department has discovered some areas of the Code of Ordinances that need to be amended for clarity and formal processes. The requested text amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner.

Current Article S. – Residential Rental Dwelling Unit Inspection and Maintenance Program.

Section 8-2-302 Self-Inspections of residential rental dwelling units.

(a) Each owner or operator, on behalf of the owner of residential rental dwelling units is required to conduct an annual self-inspection of the interior and exterior of the property on a form provided by the department of planning and community development. The form shall be submitted to the city along with the annual occupation tax certificate application required pursuant to [section 8-2-305\(a\)](#). For multi-family rental complexes, the code compliance certificate shall cover at least twenty-five (25) percent of the units in multi-family rental dwellings, provided all units shall be inspected, at a minimum, every four (4) years. All units inspected shall be listed individually on the code compliance certificate submitted to the city by the certified building inspector. Furthermore, exterior, and common area inspections shall cover at least fifty (50) percent of the buildings, provided all buildings shall be inspected, at a minimum, every two (2) years. All units inspected shall be listed individually and submitted to the city by the building inspector.

(b) Failure to provide the code compliance certificate as provided herein shall be a violation of this article and is subject to those penalties contained in [section 1-1-8](#).

(c) Further, said failure, upon a judicial determination, shall be a condition constituting probable cause, and may subject said dwelling units to inspection by the city building official and/or the city fire marshal at a fee as determined by the city council that covers all costs of such inspection by the city. Said inspection by the city, if required, shall be at a sole cost of the owner and failure to pay said cost shall result in a lien being placed on the premises as provided for collection of taxes.

(d) If code violations are observed during such inspection, reinspection fees will apply at the time of the re-inspection. The fees are the sole responsibility of the property owner(s). Upon inspection of such dwellings or units, should a building inspector determine that further work is necessary to comply with the minimum standards set forth in the in this Code, an acceptable plan shall be submitted to the building official outlining the time and scope of work necessary to bring the units into compliance. If such plan is accepted by the building official as reasonable and justified, an extension may be granted for up to one year for completion of repairs and compliance with this section. No extension shall be granted if life safety issues are involved, and any such units shall not be leased until brought into compliance. Failure to comply with the accepted plan shall be a violation of this section and is subject to those penalties contained in [section 1-1-8](#) of this Code.

(e) If an inspection is scheduled and entry is thereafter refused or cannot be obtained, the inspector shall have recourse to every remedy provided by law to secure lawful entry and inspect the premises.

(f) Notwithstanding the foregoing, if the inspector has probable cause to believe that the residential rental dwelling unit is so hazardous, unsafe, or dangerous as to require immediate inspection to safeguard the public health or safety, the inspector shall have the right to immediately enter and inspect the premises and may use any reasonable means required to affect the entry and make an inspection.

[\(Ord. No. 22-09](#), § 1(Exh. A), 5-16-2022)

The following text amendments have been proposed:

1. An amendment to Article S. – Residential Rental Dwelling Unit Inspection and Maintenance Program – Section 8-2-302 Self-Inspections of residential rental dwelling units, to amend such section, modifying the provisions of self-inspections of residential rental dwellings units.

This update terminates the ability to conduct annual self-inspections of interior and exterior properties and requires the property owner or his agent to hire a licensed contractor to conduct interior and exterior inspections.

## **ARTICLE S. RESIDENTIAL RENTAL DWELLING UNIT INSPECTION AND MAINTENANCE PROGRAM**

### **Section. 8-2-302 Self- Inspections of residential rental dwelling units.**

*(a) Each owner or operator, on behalf of the owner of residential rental dwelling units is required to hire a licensed contractor/inspector to conduct an annual inspection of the interior and exterior of the property on a form provided by the department of planning and community development. The form shall be submitted to the city along with the annual occupation tax certificate application required pursuant to [Section 8-2-305\(a\)](#). For multi-family rental complexes, the code compliance certificate shall cover at least twenty-five (25) percent of the units in multi-family rental dwellings, provided all units shall be inspected, at a minimum, every four (4) years. All units inspected shall be listed individually on the code compliance certificate submitted to the city by the certified building inspector. Furthermore, exterior, and common area inspections shall cover at least fifty (50) percent of the buildings, provided all buildings shall be inspected, at a minimum, every two (2) years. All units inspected shall be listed individually and submitted to the city by the building inspector:*

*(b) Failure to provide the code compliance certificate as provided herein shall be a violation of this article and is subject to those penalties contained in [Section 1-1-8](#).*

*(c) Further, said failure, upon a judicial determination, shall be a condition constituting probable cause, and may subject said dwelling units to inspection by the city building official and/or the city fire marshal at a fee as determined by the city council that covers all costs of such inspection by the city. Said inspection by the city, if required, shall be at a sole cost of the owner and failure to pay said cost shall result in a lien being placed on the premises as provided for collection of taxes.*

*(d) If code violations are observed during such inspection, reinspection fees will apply at the time of the re-inspection. The fees are the sole responsibility of the property owner(s). Upon inspection of such dwellings or units, should a building inspector determine that further work is necessary to comply with the minimum standards set forth in the in this Code, an acceptable plan shall be submitted to the building official outlining the time and scope of work necessary to bring the units into compliance. If such plan is accepted by the building official as reasonable and justified, an extension may be granted for up to one year for completion of repairs and compliance with this section. No extension shall be granted if life safety issues are involved, and any such units shall not be leased until brought into compliance. Failure to comply with the accepted plan shall be a violation of this section and is subject to those penalties contained in [Section 1-1-8](#) of this Code.*

*(e) If an inspection is scheduled and entry is thereafter refused or cannot be obtained, the inspector shall have recourse to every remedy provided by law to secure lawful entry and inspect the premises.*

*(f) Notwithstanding the foregoing, if the inspector has probable cause to believe that the residential rental dwelling unit is so hazardous, unsafe, or dangerous as to require immediate inspection to safeguard the public health or safety, the inspector shall have the right to immediately enter and inspect the premises and may use any reasonable means required to affect the entry and make an inspection.*

