

ORDINANCE _____

AN ORDINANCE TO CREATE A NEW ARTICLE OF CHAPTER 10 OF THE CODE OF THE CITY OF LAWRENCEVILLE, GEORGIA TO BE KNOWN AND DESIGNATED AS “MULTI-FAMILY RENTAL HOUSING”, TO ESTABLISH MINIMUM MAINTENCE STANDARDS UNDER THE INTERNATIONAL PROPERTY MAINTENANCE CODES, AND FOR OTHER PURPOSES

WHEREAS the city desires to establish reasonable property maintenance standards and conditions for multi-family rental housing for basic equipment, light, ventilation, heating, sanitation, and fire safety and to establish owner, and operator responsibility for code compliance and the safe use of existing structures in the interest of the health, safety, and social and economic welfare of the citizens of the city and the community,

NOW, THEREFORE, BE IT ORDAINED by the mayor and council of the City of Lawrenceville Georgia, and it is hereby ordained by authority of same, as follows:

Section 1:

The Code of Ordinances of the City of Lawrenceville, Georgia is hereby amended by adding a new article to Chapter 10 to be numbered Article VIII and to be titled “Multi-Family Rental Housing”, which article shall read as follows:

ARTICLE VIII. – MULTI-FAMILY RENTAL HOUSING

Sec 10-300. Definitions.

Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building official means the chief building inspector, Code Official as defined in IPMC Chapter 2 Section 202(a) or their designee, for the city.

Certified building inspector means any person inspecting for compliance with this article who is certified pursuant to Section 10-304.

City code means the Code of the City of Lawrenceville, Georgia.

Code compliance certificate means a certificate, executed by a certified building inspector and stating compliance with those minimum standards described in the inspection report attached thereto.

Inspection report means the report attached to the code compliance certificate describing minimum requirements for inspection of each multifamily rental unit in the premises.

Lease means any written agreement which sets forth any and all conditions concerning the use and occupancy of multifamily rental dwellings or multifamily rental units.

Multifamily rental dwelling means any structure, building, or other facility containing four or more multifamily rental units that is leased to a tenant or tenants for use as a home, residence, or sleeping unit. This definition includes, but is not limited to, multiple-family dwellings, multiple-family apartment units, townhomes, boardinghouses, rooming houses, group homes, and flats.

Multifamily rental unit means any one area, room, structure, flat, apartment, or facility of a multifamily rental dwelling that is being leased or rented to only one tenant, group of tenants, or family under one lease, or under terms of joint and severable liability.

Occupant means all tenants, lessees and persons residing within a multifamily rental unit.

Owner means any person, agent, firm, corporation, or other entity having a legal interest in a premises.

Owner-occupied means any part of a structure used as living quarters by the owner of said structure where other parts of the structure are used as multifamily rental units. Example: Two-family dwelling, owner occupies one flat; rooming house, owner occupies one unit.

Premises means any lot or piece of land that includes a multifamily rental dwelling or multifamily rental units.

Sec 10-301. Fee and Certification required.

(a) *Occupational tax.* All owners of multifamily rental dwellings or multifamily rental units within the city that receive income for use of four or more such multifamily rental units and meet the requirements of O.C.G.A. § 48-13-5 for having a location or office within the city shall be subject to an occupational tax as provided in Chapter 34, Article II, Section 34-23 and shall provide to the city, prior to December 31st, a code compliance certificate covering the required multifamily rental units as set forth in subsection (c), below. Said code compliance certificate shall be certified by the owner and the certified building inspector that all multifamily rental units have been inspected and are in compliance with those standards contained in the code compliance certificate and inspection report. Each day after December 31st for which the required compliance certificate has not been submitted shall constitute a new and separate violation of this ordinance. New multifamily rental developments are exempt from the interior

evaluation requirements described herein, provided proper permits are obtained from the city, for five years after the date of the certificate of occupancy issued by the city.

(b) *Inspection.* Upon initial inspection of such multifamily rental dwellings or multifamily rental units, should a certified building inspector determine that further work is necessary to comply with the minimum standards set forth herein, 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 a 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 article. Notwithstanding anything to the contrary contained herein, no extension shall be granted for noncompliance of life safety code issues and any such multifamily rental units containing such noncompliant life safety issues shall not be leased until brought into full compliance with the minimum standards contained in this chapter and re-certification provided to the building official by the owner.

(c) *Code compliance certificate.* Each owner shall submit a code compliance certificate annually, commencing on January 1, 2025, with their occupational tax certificate renewal. Such subsequent code compliance certificate shall cover at least one third of the multifamily rental units on the premises, provided all multifamily rental units contained on the premises shall be inspected, at a minimum, within 36 months. On the 4th and subsequent years, the inspection shall cover at least one half of all multifamily rental units contained on the premises. All multifamily rental units inspected shall be listed individually on the code compliance certificate submitted to the city by the owner.

(d) *Written record of inspection.* Furthermore, each owner shall keep a written record of all inspections for each multifamily rental unit including the date of the inspection, items inspected and all violations, if any, observed. In addition, the most recent copy of the inspection reports for the multifamily rental units shall also be maintained at the premises. Such records shall be presented to the city within ten business days after such request is made in writing to the owner at the contact address listed on the code of compliance certificate. Failure to provide such records shall nullify the code compliance certificate for those multifamily dwelling units included in the request.

(e) *Authority to audit and inspection warrants.* The building official or its designee shall have the authority to inspect the interior of those units that are included in each annual code compliance certificate submitted to the city pursuant to subsection (c) of this section when there is probable cause to believe there has been a violation of this chapter or other applicable code sections. Said inspection may, at the discretion of the building official, include such number of submitted units included in the code compliance certificate as determined by the building official or its designee. Once determined that an audit inspection will be conducted, the building official shall give written notice to the certified building inspector issuing the code compliance certificate, the owner and/or the property management company of the date of the inspection which inspection shall take place, which shall be no sooner than seven days from

the date of the notice and shall be conducted on from 9:00 a.m. to 5:00 p.m. during weekdays, other than nationally recognized holidays. The written notice shall state that the owner and/or property management company shall have the right to refuse the inspection and the building official or designee's right to seek issuance of an inspection warrant in the event of any such refusal. The owner, the certified building inspector or a member of the property management company shall be available to accompany the city building official during the inspection. In the event the owner and/or property management company refuses inspection, the city building official or designee shall have the right to seek issuance of an inspection warrant from a judge of the municipal court in accordance with Section 10-308.

Sec 10-302. Failure to provide code compliance certificate.

(a) Failure to provide the code compliance certificate as provided herein shall be a violation of this chapter and is subject to those penalties contained herein and in Chapter 1, Section 1-16. Penalties of City Code.

(b) Further, said failure, upon a judicial determination, shall be a condition constituting probable cause, and may subject said multifamily rental dwelling or multifamily rental units to inspection by the building official, at a fee as determined by the governing body of the city, that includes all costs of such inspection by the city. Said inspection by the city, if required, shall be performed at the sole cost of the owner and failure to pay said cost shall result in a lien being placed on the premises as provided for in the City Code. Nothing contained in this chapter shall prevent the city from enforcement of the state minimum standard codes as provided in this chapter during the city's inspection of the multifamily rental units.

(c) Failure to pay the occupational tax as provided herein shall be a violation of Chapter 34, Article II, Section 34-23 and is subject to those penalties set forth in Chapter 34, Article II, Section 34-33 and as otherwise provided in the City Code.

Sec 10-303. Penalty for false inspection.

(a) An owner who knowingly furnishes a code compliance certificate to the city which contains a false certification that any multifamily rental dwellings or multifamily rental unit inspected are in compliance with those standards contained in the code compliance certificate shall be guilty of a violation of this chapter for each multifamily rental dwelling or multifamily rental unit for which the code compliance certificate is shown to be false and can be fined by the court for each violation up to \$1,000.00 for each dwelling or unit.

(b) A certified building inspector who knowingly, recklessly, or negligently furnishes an inspection report which contains fraudulent information that a multifamily rental dwelling or multifamily rental unit meets the minimum standards of this chapter, shall be guilty of a violation of this Code, may be subject to the provisions of Chapter 1 Section 1-16 and may be

fined, by the court for each violation up to \$1,000.00 for each dwelling or unit, each dwelling or unit shall constitute a separate offense. In addition, the certified building inspector's right to submit inspection reports to the city shall be suspended for a stated period of time, up to five years.

(c) A property manager who knowingly furnishes a code compliance certificate to the city which contains a false certification that any multifamily rental dwelling or multifamily rental unit inspected are in compliance with those standards contained in the code compliance certificate shall be guilty of a violation of this chapter for each multifamily rental dwelling or multifamily rental unit for which the code compliance certificate is shown to be false and can be fined by the court for each violation up to \$1,000.00 for each dwelling or unit.

Sec. 10-304. Certified building inspector requirements.

All inspectors wishing to submit or participate in the city's multifamily rental housing evaluation program must comply with the following requirements:

(1) The inspector must be a licensed design professional (architect or engineer) or hold one of the following certifications from the International Code Council (ICC): property maintenance and housing inspector, housing rehabilitation inspector, building inspector, building plan examiner or commercial combination inspector.

(2) The inspector must submit a copy of his business license or occupational tax certificate and certificate of insurance of liability insurance.

(3) The inspector must meet with the building official to present the qualifications noted in subsections (1) and (2) of this section for approval prior to performing any inspections pursuant to this chapter. Upon completion of this meeting, an inspector determined to be qualified by the building official will be placed on a list of approved certified building inspectors to be maintained by the city.

(4) From time to time, mandatory meetings will be called by the city building official which all certified building inspectors participating in the program must attend, except as permitted on an individual basis by the building official due to extenuating circumstances. Ample notice will be provided by the city to the contact address provided by the certified building inspector no less than two weeks prior to the date of the meeting.

Sec 10-305. Interior evaluations of multifamily rental units.

Interior evaluations will be conducted to ensure compliance with the International Property Maintenance Code (IPMC), the Life Safety Code (existing provisions) and the International Fire Code (IFC) and other referenced standards contained herein and, at a minimum, will include inspections of the following items. The 2018 International Property Maintenance Code (IPMC)

and the 2018 International Fire Code (IFC), or the latest version of the same as approved and amended by the Georgia Department of Community Affairs, are the referenced codes.

(1) Apartment numbers identification posted in accordance with IPMC section 304.3. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the public or private street or road fronting the multifamily dwelling unit. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

(2) Flooring shall be installed and maintained in accordance with IPMC 305.1

(3) All interior surfaces, including windows and doors, shall be maintained in good, clean, and sanitary condition with no chipping or flaking paint or loose plaster, decayed wood and other defective surface conditions.

(4) Hot and cold water at kitchen baths and laundry rooms is provided in accordance with IPMC section 505.1. Every sink, lavatory, bathtub, or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.

(5) Privacy for bathrooms shall be provided in accordance with IPMC section 503.1. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

(6) Heating facilities are in good working order in accordance with IPMC section 602.2 and 603.1. No unvented heating appliances in sleeping rooms. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section (603.1). All mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition and shall be capable of performing the intended function.

(7) Garbage disposal facilities are in accordance with IPMC section 308. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers. (IPMC 308.3) The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder

in each multifamily rental unit; an approved incinerator unit in the structure available to the occupants in each multifamily dwelling unit; or an approved leak-proof, covered, outside garbage container. (IPMC 308.3.1) The owner of every multifamily rental unit producing garbage shall provide, and at all times cause to be utilized, approved leak-proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

(8) Smoke detector devices shall be provided in accordance with IPMC section 704.6.1.2 Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

a. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.

b. In each room used for sleeping purposes.

c. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

d. Single or multiple-station smoke alarms shall be installed in other groups in accordance with the International Fire Code.

e. Per O.C.G.A. § 25-2-40.

f. For multifamily rental units constructed before 1987: At least one battery operated between the living and sleeping areas.

g. Unless over three or more stories, detectors shall be installed within each multifamily rental unit between living and sleeping areas. Such detectors shall be continuously powered by the building's electrical system. When activated, the detector shall initiate an alarm which is audible in sleeping rooms of that living unit.

h. For multifamily rental units constructed after 1987, detectors must be located on every level and outside of the sleeping area.

i. For multifamily rental units constructed after 2007, detectors must be installed per IPMC including one on every level, outside of the sleeping area and inside of every sleeping room.

(9) Window spaces for light, ventilation, operable and emergency escape shall conform with IPMC sections 304.13.1, 304.13.2, 304.14, 304.18.2, 402.1 and 702.4. (304.13.1) All glazing materials shall be maintained free from cracks and holes. (304.13.2) Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware. (304.14) During the period from April 1 to October 1, every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition. (304.18.2) Operable windows located in whole or in part within six feet (1,828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased, or let shall be equipped with a window sash locking device. (402.1) Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be eight percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than three feet (914 mm) from the exterior of the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room. (702.4) Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following: (i) required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools; (ii) bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

(10) Plumbing facilities to be maintained in a safe working condition in accordance with IPMC section 502.1. Every multifamily rental unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a safe, sanitary, working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

(11) Electrical devices, service equipment and luminaries are in safe working condition with no exposed wires in accordance with IPMC sections 604 and 605. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and IPMC section 605. Multifamily rental units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, improper wiring or installation, deterioration, or damage, or for similar reasons, the defects are to be corrected to eliminate the hazard. (IPMC

Sec.605) All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Every public hall, interior stairway, toilet room, kitchen, bathroom, bedroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire. GFCI devices are provided in required locations dependent on the time of construction, repair, or remodel generally in accordance with the following standards:

- a.1971 Receptacles within 15 feet of pool walls.
- b.1973 All outdoor receptacles.
- c.1975 Bathrooms, 120-volt pool lights, and fountain equipment.
- d.1978 Garage receptacles.
- e.1981 Whirlpools and tubs.
- f.1984 Distance of GFCI protection extended to 20 feet from pool walls.
- g.1987 Unfinished basements.
- h.1987 Kitchen countertop receptacles within six feet of sink.
- i.1990 Crawlspace (with exception for sump pumps or other dedicated equipment).
- j.1993 Wet bar countertops within six feet of sink.
- k.1993 Any receptacle replaced in an area presently requiring GFCI.
- l.1996 All kitchen counters—not just those within six feet of sink.
- m.2005 Receptacles near laundry and utility sinks within six feet.

(12) Door units, jambs and hardware are in good working order in accordance with IPMC sections 304.13, 304.18, 305.3 and 305.6 and required opening protective devices be maintained in an operative condition. In accordance with IPMC section 703.2 (IPMC 304.13), every window, skylight, door, and frame shall be kept in sound condition, good repair, and weather tight. (IPMC 304.18) Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the

occupants and property within. (IPMC 305.3) All interior surfaces, including windows and doors, shall be maintained in good condition. Loose plaster and decayed wood shall be corrected. (IPMC 305.6) Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware. (IPMC 703.4) Required opening protectives shall be maintained in an operative condition. All fire and smoke-stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

(13) Interior stairs, handrails and guards are maintained in a sound condition and good repair in accordance with IPMC sections 305.4, 305.5, and 306.1. (305.4) Every stair, ramp, landing, balcony, porch, deck, or other walking surface shall be maintained in sound condition and good repair. (IPMC 305.5) Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition and repair. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp, or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have handrails. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1,067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces.

(14) Interior floors, walls and ceilings are maintained in good repair, structurally sound and in sanitary condition in accordance with IPMC section 305. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. (IPMC section 305) All structural members shall be maintained structurally sound and be capable of supporting the imposed loads. Defective surface conditions shall be corrected. (IPMC 306.1.1) Every stair, ramp, landing, balcony, porch, deck, or other walking surface shall be maintained in sound condition.

(15) Occupancy limitations per bedroom in accordance with IPMC section 404. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces. A habitable room, other than a kitchen, shall not be less than seven feet (2,134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than three feet (914 mm) between counter fronts and appliances or counter fronts and walls. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than seven feet (2,134 mm).

a. Every bedroom shall comply with the requirements of IPMC sections 404.4.1 through 404.4.5.

b. Area for sleeping purposes. Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m²) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m²) of additional floor area for each occupant thereof. (IPMC 404.4.1)

c. Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces. Exception: Units that contain fewer than two bedrooms. (IPMC 404.4.2)

d. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

e. Kitchens and non-habitable spaces shall not be used for sleeping purposes. (IPMC 404.4.4)

f. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of the International Property Maintenance Code.

g. Multifamily rental units shall not be occupied by more occupants than permitted by the minimum area requirements found in IPMC section 404.5.

(16) Insect and rodent infestation in accordance with IPMC section 309.1. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

(17) Means of egress shall be provided in accordance with IPMC section 702. A safe, continuous, and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code. The required width of aisles in accordance with the International Fire Code shall be unobstructed. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge, or effort, except where the door hardware conforms to that permitted by the International Building Code. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or

force greater than that which is required for normal operation of the escape and rescue opening.

(18) Fire extinguisher shall be present and tagged or inspection current in accordance with IFC 906.1 and NFPA 10 (906.1). Portable fire extinguishers shall be installed in the following locations: (1.) In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies and; (2.) (NFPA 10) Fire extinguishers must be within 75-foot travel distance of the most remote location of a dwelling. (906.2) Portable fire extinguishers shall be selected, installed, and maintained in accordance with this section and NFPA 10.

(19) Sprinkler heads clear and unobstructed. NFPA 25 Sprinkler heads must be free from dust, debris, paint, and obstructions that would otherwise inhibit their operation.

Sec. 10-306. Exterior and publicly accessible evaluation of multifamily properties.

(a) Exterior evaluations will be conducted evaluating for compliance with the latest edition of the International Property Maintenance Code, the Life Safety Code (existing provisions) and the International Fire Code and other referenced standards contained herein.

(b) All premises containing multifamily rental dwellings or multifamily rental units will be subject to an evaluation of the exterior, public and mechanical areas in accordance with policy approved by the city. After the exterior inspection, the owner of the premises will be presented with a report containing the findings of the city's inspection. Compliance must be achieved in a timeframe as specified in the exterior inspection report.

(c) Failure by the owner to properly address the exterior inspection report findings in the timeframe outlined therein as presented shall be a violation of this article and is subject to those penalties provided by the International Property Maintenance Code, allowed by law, contained herein or in Article V- Section 10-118 - Duty of the Property Owner.

Sec. 10-307. Revisions to the International Property Maintenance Code.

The following revisions shall be made to the International Property Maintenance Code:

Section 101.1. Insert: City.

Section 103.5. Insert: As adopted by the city council.

Section 302.4. Insert: 12 inches.

Section 304.14. Insert: April 1 to October 1.

Section 602.3. Insert: October 15 to March 15.

Section 602.4. Insert: October 15 to March 15.

Sec. 10-308. Inspection warrants.

(a) The building official, in addition to other procedures provided by law, may obtain an

inspection warrant under the conditions specified in this section. The warrant shall authorize the building official to conduct a search or inspection of property without the consent of the person whose property is to be searched, or inspected, under the conditions set out in this section. (IPMC 104.3)

(b) Inspection warrants may be issued by any judge of the municipal court when the issuing judge is satisfied that all the following conditions are met:

(1) The person seeking the warrant must establish under oath or affirmation that the property to be inspected is to be inspected as a part of a legally authorized program of inspection which includes that property, or that there is probable cause for believing that there is a condition, object, activity, or circumstance which legally justifies such an inspection of that property;

(2) The issuing judge determines that the issuance of the warrant is authorized by this division and all other applicable law;

(3) The warrant is attached to the affidavit required to be made in order to obtain the warrant;

(4) The warrant describes, either directly or by reference to the affidavit, the property upon which the inspection is to occur and is sufficiently accurate that the executor of the warrant and the owner or possessor of the property can reasonably determine from it the property for which the warrant authorizes a search or inspection.

(5) The warrant indicates the conditions, objects, activities, or circumstances which the search or inspection is intended to check or reveal; and

(6) The warrant refers, in general terms, to the provisions of the Code or state law sought to be enforced.

Section 2:

Any violation of this ordinance shall be subject to the penalties as set forth in Sec. 1-16 of the Code of Ordinances of the City of Lawrenceville, Georgia.

Section 3:

This ordinance shall become effective on February 1, 2024.

Section 4:

All ordinances, regulations, or parts of the same in conflict with this Ordinance are hereby rescinded to the extent of said conflict and only to the extent of said conflict.

Section 5:

If any section, article, paragraph, sentence, clause, phrase, or word in this ordinance, or application thereto any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

IT IS SO ORDAINED this _____ day of January, 2024.

David R. Still, Mayor

Attest:

Karen Pierce, City Clerk