

CHAPTER 4
RENTAL INSPECTIONS

SECTION

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8-401. License Required. It shall be unlawful for any person, persons, partnership, firm or corporation to conduct or operate or cause to be rented either as owner, agent, manager, or lessee, within the city, any rental units used for human habitation without first having obtained a license or temporary certificate to do so as hereinafter provided. A rental unit is a family occupancy in a single residential accommodation, which is arranged, designed, used for, or intended for use as a single family dwelling, duplex, triplex, quadruplex, apartment complex, individual apartment, or sleeping room located in an area zoned as residential or B-2 (Central Business District) under the provisions of Title 11-101; et seq. of the Paris Municipal Code. This ordinance shall not apply to hotels; motels; hospitals; nursing homes; or other rental units used for human habitation, which offer or provide medical or nursing services, if such units are subject to state or federal licensing or regulations concerning safety of the users, patients or tenants.

8-402. Application. Within ninety (90) days after the effective date of this ordinance, the owner of each rental dwelling unit existing on the effective date of this section shall make written application to the building inspector for a license for such use on a form to be provided by the City of Paris, and containing such information as necessary to administer and enforce the provisions of, and insure compliance with, the provisions of this ordinance and all of the building, housing, and utility codes of the City of Paris as provided under the provisions of title 4 of the Paris Municipal Code. The legal owner of record of each rental unit, as hereinbefore defined, constructed after the effective date of this ordinance shall make written application to the building inspector for a license as hereinabove provided prior to any initial occupancy.

8-403. Temporary Certificate. Upon receipt of a completed application for a license, with tender of the appropriate license and inspection fee as hereinafter provided, the building inspector shall issue a "temporary certificate" indicating that a license has been duly applied for, and that such license will be issued or denied after the rental unit has been inspected for compliance with the provisions of this ordinance. A temporary certificate shall authorize continued occupancy of such dwelling and actual existence and use on the effective date of this ordinance, pending the issuance or denial of the applied for license. Structures to be converted to rental usage after the effective date of this section shall not be occupied for human habitation prior to the issuance of a license. In any event, however, the provisions of this section shall have no further force and effect on and after December 31, 1993.

8-404. Issuance of License. Upon completion of the inspection of the building or buildings containing said rental unit, if the building inspector finds the requirements of the provisions of Title 4 of the Paris Municipal Code and the provisions of the zoning ordinance, as found in Title 11, Chapter 101, et seq., of the Paris Municipal Code, have been met, a license certifying such fact shall be issued. If the building inspector finds that the requirements of those provisions of Title 4 and Title 11 have not been met, a written denial specifying the defect shall be transmitted to the applicant. When a license has been denied, expired, suspended or revoked, no further rental or occupancy of the dwelling unit or units then vacant or which may become vacant shall be permitted until a license has been issued. The units within a structure which are in compliance with the provisions of Title 4 may continue to be occupied if units and other portions of the structure which do not comply do not create a hazard to the health and safety to the persons in the occupied units.

8-405. Renewal of License. Unless sooner revoked or suspended for cause, each license shall expire on January 31 of each odd numbered year and may be renewed for two (2) year periods thereafter. A license issued hereunder is transferable for a fee of Ten Dollars (\$10.00) to any person who has acquired ownership of the licensed building for the unexpired portion of the two (2) year term for which it was issued or reissued, provided that the application to transfer such licenses as filed with the building inspector for change of ownership and the license, building, and dwelling units are in compliance with the housing code. A license shall terminate upon failure to apply for its transfer within thirty (30) days of the date of sale or transfer of ownership of the building.

8-406. Enforcement and Inspection. The building inspector shall enforce the provisions of this ordinance and is hereby authorized to make inspections on a scheduled basis or when reason exists to believe the violations of this ordinance has been or is being committed. Provided, however, that the electrical inspection required under the provisions of this ordinance shall be conducted in such manner as is provided for by the provisions of 4-306 of the Paris Municipal Code, for the fee provided for in 4-306, which shall be in addition to any fee provided for in 8-409 hereinbelow, and the licensed inspector designated in 4-306 shall make a report of findings to the Building Inspector to enforce compliance with provisions of this ordinance. If any owner, occupant, or other person in charge of a building or rental unit fails or refuses to permit free access and entry to the structure or premises under that person's control for any inspection pursuant to this ordinance, the building inspector may seek an appropriate court order authorizing such inspection (Ord. #827, 06/03/93).

8-407. Notice of Violation. Whenever the building inspector determines that any building, rental unit, or rooming unit, or the premises surrounding any of these, fails to meet the requirements set forth in this ordinance, or those other ordinances or code sections as adopted by the Board of Commissioners of the City of Paris, Tennessee, where applicable, the building inspector shall issue a notice setting forth the alleged failure and advising the owner, occupant, operator, or agent that such failure must be corrected. The notice shall:

- (a) Be in writing;
- (b) Set for the alleged violation;
- (c) Describe the building, rental unit, or rooming unit, or other premises where the violation is alleged to exist or to have been committed;
- (d) Provide a reasonable time, not to exceed sixty (60) days, for the correction of any alleged violation; and,

(e) Be served on the owner, occupant, operator, and/or agent of the building, rental unit, or rooming unit, personally, or by certified mail, addressed to the last known place or residence of said person or persons. If upon diligent effort to locate such person or persons none can be found, notice may be posted at or near the building, rental unit, or rooming unit, or premises described in said notice.

Whenever an owner, operator or agent of a building, rental unit, or rooming unit, neglects or refuses to make repairs or take other corrective action called for by order or notice of violation issued by the building inspector, the City may undertake such repairs or action, when in its judgment the failure to do so will substantially endanger the public health, safety, or welfare. The cost of such repairs and actions shall be charged against the property in which the violation exists.

8-408. Display of License. Licenses issued under this chapter shall be prominently and publicly displayed on the premises of the rental unit, or produced on the request of a tenant or prospective tenant, and shall be available at reasonable times for inspection.

8-409. Schedule of Fees. At the time of application for the license or license renewal required by this chapter, the city business office shall collect the appropriate license fee and inspection fee in accordance with the following schedule:

Rental Dwelling Units

License Fee	\$10.00 for each building
PLUS	
Inspection fee: 1 to 4 units	\$5.00 per unit
All additional units	\$2.00 per unit

The inspection fee shall be tendered with application for first issuance of a license and biannually thereafter on or before the date of license renewal.

The license fee shall be subject to a one and a half percent (1-1/2%) penalty per month, or any portion thereof, beyond the date due and payable. No refund of license and inspection fee shall be made to those discontinuing operation or who sell, transfer, give, or otherwise dispose of any licensed building or rental unit to another person, firm, partnership, or corporation. If an application is denied, the license fee and inspection fee shall be retained by the City of Paris.

8-410. Suspension or Revocation. Upon failure of a license holder to correct the violations as stated in 8-407, the license shall be revoked by the building inspector. The revoked license may be reinstated upon meeting the requirements of the provisions of this chapter. Issuance of a new license after revocation shall be subject to the payment of the full amount of the applicable fees as provided for in 8-408.

8-411. Appeal. Any person aggrieved by any decision of the building inspector or the building inspector's designee may appeal the decision to the city manager. No formalities shall be required, but a written note or letter shall be provided by the person taking the appeal, informing the city manager of the action taken by the building inspector and the change requested from said action.

8-412. Nuisance. Any violation of this ordinance is declared to be a nuisance, in addition to any other relief provided by this ordinance or the other ordinances of the City of Paris, the City Attorney may apply to a court of competent jurisdiction for an injunction to

prohibit the continuation of any violation of this ordinance. Such application for relief may include seeking a temporary restraining order, temporary injunction, or permanent injunction.

8-413. Report to Commission. At the end of each year following the effective date of this ordinance, the building inspector shall make a comprehensive report to the Board of Commissioners on all activities under this ordinance and shall make such additional reports during interim periods as the Board of Commissioners shall require.

8-414. Penalties. Any person, firm, or corporation violating any provisions of this ordinance shall be fined not less than Fifty Dollars (\$50.00) nor more than Fifty Dollars (\$50.00) for each offense, said fine shall not be deferred, delayed, suspended, or forgiven and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues (Ord. #816, 12/03/92).