

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 28-24

AN ORDINANCE

amending Chapters 2, 6, 22, and 29 of the City Code as it relates to the Housing and Neighborhood Services Department; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 2 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 2-177. Departments listed.

(a) The following city departments have been established:

Community development (section 29-6.1(e)).

Community relations.

Convention and visitors (section 26-82).

Cultural affairs.

Economic development.

Finance (section 2-206).

Fire (section 9-36).

Housing and neighborhood services.

Human resources.

...

SECTION 2. Chapter 6 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 6-72. Amendments.

The code adopted by this article is hereby amended by substituting the following sections in lieu of those sections with corresponding numbers in the code, or, where there is no corresponding section in the code, the following sections shall be enacted as additions to the code:

...

SECTION 103 DEPARTMENT OF HOUSING AND NEIGHBORHOOD SERVICES ~~COMMUNITY DEVELOPMENT~~

103.1 Director. The administration and enforcement of this ordinance shall be the duty of the director of housing and neighborhood services ~~community development~~, who is designated the code official for purposes of this code. The code official is hereby authorized to take such action as may be reasonably necessary to enforce the provisions of this code. Such persons may be appointed and authorized as assistants or representatives of the director as may be necessary to carry out the provisions of this code.

103.1.1 The Division of Building and Site Development and Office of Department of Housing and Neighborhood Services. The persons employed in these offices, may be appointed, by the Director, as assistants to the administration and enforcement of this ordinance and code.

...

SECTION 202 - GENERAL DEFINITIONS

The following definitions shall be added to Section 202:

Building regulations supervisor. The building regulations supervisor or the supervisor's designee.

Director. The director of housing and neighborhood services ~~community development~~.

...

SECTION 3. Chapter 22 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 22-183. Definitions.

Unless otherwise expressly stated, for the purpose of this article, the following terms shall have the meanings indicated:

Agent of the owner. A person who is authorized to act on behalf of the owner, as herein defined, with regard to repairs and maintenance of a dwelling or rooming unit.

...

Director. The director of the department of housing and neighborhood services ~~community development~~ of the city, or the director's authorized representative.

...

Sec. 22-192. Transfer of ownership.

(a) Upon the transfer of record, legal title of any dwelling or portion thereof which has a certificate of compliance or a provisional certificate of compliance, the transferee shall either:

...

(b) If the transfer of title occurs within eighteen (18) months of the last satisfactory city rental inspection, and if there have been no complaints regarding the property, the transferee may cause an existing certificate to be transferred for the unexpired portion of the term for which it was issued upon making written application to the housing and neighborhood services ~~community development~~ department, on forms to be supplied by the community development department, within fifteen (15) days from the date of the transfer of title and upon payment of a ten dollar (\$10.00) transfer fee per building. The application for transfer shall contain the same information and be in the same form as required by section 22-186(b). A transferred certificate of compliance shall not be extended beyond the original expiration date without further inspection.

...

SECTION 4. Chapter 29 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 29-6.2. Regulatory procedures table.

Table 6.2-1: Approval Procedures Table						
H = Public Hearing D = Decision R = Recommendation A = Decision on Appeal DCD = Department of Community Development DPW = Department of Public Works DHNS = Department of Housing and Neighborhood Services Where an Appeal body is not shown, appeal is to the courts						
Procedure	Section 29	Department	Board of Adjustment	Planning & Zoning Commission	Historic Preservation Commission	City Council
Zoning Compliance	6.4(a)	D-DCD	A			
Building Permit	6.4(b)	D-DCD	A			
Demolition Permit	Chapter 6 City Code	D-DCD <u>D-DHNS</u>			R	
Certificate of Occupancy	6.4(c)	D-DCD	A			

...

Sec. 29-6.6. Violations, enforcement, and penalties.

The provisions of this chapter shall be administered and enforced by the director.

(a) *Violations.* It shall be a violation of this chapter to:

...

(b) *Enforcement.*

(1) In order to enforce compliance with this chapter, the director, the director of housing and neighborhood services, and the director of public works, as applicable, are empowered to take the following actions:

(i) Cause a building or premises to be inspected for violations of this chapter, with such inspection occurring during normal business hours unless there is an imminent threat to public health or safety;

(ii) Order in writing that the owner or occupant of the property on which a violation of this chapter is found correct that violation within a reasonable time;

(iii) Take action to prevent or to stop any use of land or structures, construction or repair of structures, or any division of land that constitutes a

violation of this chapter, and/or to prevent the occupancy of the land or structure on which or in which the violation has occurred;

(iv) Revoke or suspend any permit or approval obtained through a false statement or misrepresentation of fact, or if the permit holder fails to comply with the terms or conditions of the permit or approval, with reinstatement of the permit or approval to occur only after the violation of this chapter has been remedied;

(v) Refuse to issue any permit or approval, including but not limited to a building permit or certificate of occupancy, for any land use or structure that would violate this chapter, or that contains an existing violation of this chapter that has not been remedied after notice from the city;

(vi) Remove any unlawful signs on street rights-of-way and property owned by the city;

(vii) Authorize the city's legal officers to file a lawsuit or court proceeding to require compliance with this chapter and/or correction of any violation of this chapter or to require performance of claim damages for any failure to perform duties required by an agreement between the city and a property owner or subdivider related to a permit or approval under this chapter;

(viii) Bring an action to require the owner of any property designated as a landmark or located in a landmark district who performs work in violation of this chapter or the requirements of section 29-2.3(c) to return the landmark or property to its appearance and setting prior to the violation, to the greatest extent practicable, and to impose a "demolition without a permit fee" under chapter 6 of the City Code; and

(ix) Take any action permitted by state law or the city's charter to abate a violation of this chapter that constitutes a nuisance, including without limitation taking those actions listed in sections 12A-201 through 12A-207 (nuisances).

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2024.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor