

**RESOLUTION NO. 2016-07**

**A RESOLUTION OF THE CITY OF COATESVILLE, CHESTER COUNTY, PENNSYLVANIA TO AMEND FEE SCHEDULE ATTACHED TO ORDINANCE NO. 1471-2016 TO CORRECT TYPOGRAPHICAL ERRORS IN THE HOUSING STANDARDS & RENTAL INSPECTIONS CHAPTER, SECTIONS 2 & 3 (AND CLARIFICATION AS TO SUPPORTING INFORMATION PROVIDED IN SECTION 1 RELATING TO A REQUIRED LEASE BEING SUPPLIED)AND ADDING PROCEDURAL REQUIREMENTS FOR A “TENANT GENERATED COMPLAINT INSPECTION”**

**WHEREAS,** The City of Coatesville, a Third Class City and Home Rule Municipality located in Chester County, Pennsylvania (hereinafter the “City”), has enacted Ordinance 1476-2016 revising the fees for code enforcement and inspection work in the City and identifying a Fee structure for same attached as Exhibit “A” to the said ordinance - and permitting amendment thereto by Resolution of City Council; and,

**WHEREAS,** typographical errors have been identified in Sections 2. and 3. of the “Housing Standards & Rental Inspections Chapter”, where there was reference to an “Annual License fee” which should have referred to “an Inspection fee” and that said provisions are to be corrected with the word “Inspection” replacing “Annual License” under Section 2. and Section and 3 as just referenced; and,

**WHEREAS,** In section 1 there is reference to a “copy of the lease required” and the City wishes to clarify that if such is provided - all personal data is to be deleted - and that as an alternative, a certification can be provided as to tenants (or other information required by the Codes Department); and,

**WHEREAS,** at the time of passage the City Council identified that with respect to a “tenant generated complaint” under Section 1 of “Housing Standards & Rental Inspections” that procedural changes needed to be made as this provision permits the possibility of false complaints and self created inspection failings by the tenant; and,

**WHEREAS,** in order to address this possible abuse in a “tenant generated complaint”, the City Council determined that there needed to be a procedural requirement that prior to any such inspection the “Landlord must first be supplied with notice from the tenant and an opportunity to cure the identified defect in the premises and that no tenant generated complaint will be pursued until after such notice had been established (and opportunity to cure). If, after such notice is established and the complaint is found to be without merit, the inspection fee shall be assessed to the tenant making the complaint. However, if the inspector finds defects warranting corrections by the Landlord, then the fee for the inspection shall be assessed to the Landlord.”

**NOW, THEREFORE, AND IN CONSIDERATION OF THE FOREGOING, IT IS HEREBY RESOLVED** that the changes as referenced in the recitals hereto are to be made to the Fee Schedule attached to Ordinance No. 1471-2016 as Exhibit "A", it being specifically understood that said amendments are permissible by Resolution pursuant to the specific terms of the Ordinance, to wit: "Annual License" fee is corrected to refer to "Inspection" fee in sections 2 and 3 of the Housing Standards & Rental Inspections Chapter and in Section 1 thereto the copy of the lease requirement is clarified (to avoid the release of private information). In addition, the procedural requirements for a "tenant generated complaint inspection" are amended all of which such changes are set forth in the attached Exhibit "A".

**IN WITNESS WHEREOF**, the Council of the City of Coatesville has adopted and enacted this Resolution this 14<sup>th</sup> day of March, 2016.

  
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Linda Lavender-Norris, Council President

ATTEST:

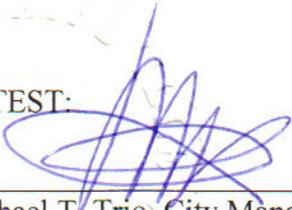
  
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Michael T. Trio, City Manager

EXHIBIT "A"

Housing Standards & Rental  
Inspections, Chapter

<b>Section 1.</b>	<b>Housing/Rental Inspections, Single Units</b>		
	Biennial Inspection fee or other required inspection, inclusive of up to 1 Re-inspection	\$66.00	Copy of the lease required (with personal data deleted) <u>or</u> certification as to tenants (and other information required by Codes Department)
	Tenant generated complaint inspection	\$66.00	Fee assessed to Land or Tenant as applicable*
	Re-inspection per unit	\$30.00 (residential SFD, \$50.00 (commercial multi-family unit).	Fee assessed to Landlord
<b>Section 2.</b>	<b>Rooming House &amp; Hotel(s)</b>		
	Inspection fee, inclusive of up to 1 inspection per unit	\$66.00 per unit	
	Re-inspection per unit	\$30.00 per unit	
	Rooming House Base Fee	\$300.00	\$300.00 per year for each structure and use and one follow-up. \$40.00 for third inspection and \$40.00 for every subsequent inspection.
<b>Section 3.</b>	<b>Multi Family Apartment Building</b>		
	Inspection fee, inclusive of up to 1 inspection per unit	\$66.00 per unit	
	Re-inspection per unit	\$30.00 per unit	

\*Landlord must first be supplied in writing with notice from the tenant and an opportunity to cure the identified defect in the premises. No tenant generated complaint will be pursued until after such notice had been established (and opportunity to cure). If, after such notice is established and the complaint is found to be without merit, the inspection fee shall be assessed to the tenant making the complaint. However, if the inspector finds defects warranting corrections by the Landlord, then the fee for the inspection shall be assessed to the Landlord.