

# Rental Property Maintenance Program Review

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City of Sturgis  
February 2012



## **Topic: Registration, Inspection Schedule, and Fees**

**Relevant Questions: # 1, 2, 3, 4**

**Current Practice:** The City of Sturgis has approximately 1600 rental units with one Inspector who inspects each unit at least once every two years. Each unit is required to register on a bi-yearly basis, unless there is a change in status. To register a single family unit a fee of \$25 must be paid, with an additional \$10 for each extra unit. When a unit is inspected a fee of \$40 is charged to cover the first 4 units, an additional \$10 is charged for each additional unit. The current funding gap between revenue from registrations and inspections and the cost of the property maintenance inspector is approximately \$24,000; the gap between revenues and total program expenses is approximately \$51,000.

### **Reference Communities:**

Most communities surveyed employ one FTE inspector for 2,000 or so units; in some cases significantly more than 2,000. Registration and inspection schedules vary among the communities. Some take a minimal approach, never registering homes or registering once, while others require annual registration. In some communities, inspection is minimized and handled only on a complaint basis, however, inspection frequency is typically every two or three years. A few communities inspect annually.

Fees for registration and inspection vary widely. The chart below shows the current Sturgis costs, highest cost, lowest cost, and average cost of survey communities for rental registration/inspection over 6 years for a number of scenarios.

### **Rental Registration and Inspection Costs**

	6 yrs (1 unit)	6 yrs (4 unit)	6 yrs (10 unit)	6 yrs (50 unit)	6 yrs (120 unit)
<b>Sturgis Current</b>	<b>\$195</b>	<b>\$315</b>	<b>\$465</b>	<b>\$1,665</b>	<b>\$7,245</b>
Highest (Mount Clemens)	\$360	\$1,440	\$3,600	\$18,000	\$43,200
Lowest* (Coldwater)	\$15	\$33	\$69	\$309	\$243
Average (17 communities)	\$172	\$552	\$1,295	\$5,969	\$14,252

\* Three communities charge no fees: Ludington, Hillsdale, and Dowagiac

	1 yr Avg. (1 unit)	1 yr Avg. (4 unit)	1 yr Avg. (10 unit)	1 yr Avg. (50 unit)	1 yr Avg. (120 unit)
<b>Sturgis Current</b>	<b>\$32.50</b>	<b>\$52.50</b>	<b>\$77.50</b>	<b>\$277.50</b>	<b>\$1,207.50</b>
Highest (Mount Clemens)	\$60	\$240	\$600	\$3,000	\$7,200
Lowest* (Coldwater)	\$2.50	\$5.50	\$11.50	\$51.50	\$40.50
Average (17 communities)	\$28.67	\$92.00	\$215.83	\$994.83	\$2,375.34

\* Three communities charge no fees: Ludington, Hillsdale, and Dowagiac

## **Topic: Registration, Inspection Schedule, and Fees (con't)**

### **Best Practices Alternatives/Recommendation:**

A number of communities, including Ludington, Howell, and Dowagiac take a very minimalist approach to rental code enforcement that includes no regular registration or inspections. Hillsdale requires a one-time registration good until tenancy changes; Ludington and Dowagiac include no registration and only complaint-based inspections. This system would keep expenses and time spent to a minimum, but would not provide a systematic way to ensure properties were safe and provided good living conditions.

Alpena and Coldwater also take a minimal approach to their fees; the City of Alpena has free registration and gives one free inspection; the fee for subsequent re-inspections however is \$65 per unit. Coldwater charges \$5.00 for the first unit and \$2.00 for each additional unit for registration as well as giving two free inspections before charging. While fees are minimal, the program is not; regular registration and inspections still take place. The theory behind these systems appears to be emphasis on compliance; by limiting the fees, but not necessarily the inspections, it is believed that the money landlords save can be used to improve the rental property and address issues. This system entails the personnel and financial resources of a full program, but limits revenue to the City that can offset these costs.

Several cities in the survey instituted annual registration and/or inspections. For example, Niles registers and inspects their rentals every year. Registrations are due on a date specified during the year and for any registration received after the established due date the cost of registration doubles. In addition to providing a steady yearly revenue stream, an annual registration program would also ensure the most up-to-date information on rental units and owner/tenant contact information. Possible downsides include added administration of the yearly registration process. Mount Clemens uses an 18 month inspection schedule; such a schedule would reduce the time between inspections, but not create the investigative burden of yearly inspection.

Average costs for registration and inspection in the survey communities are significantly higher than the City's current costs, except for single-unit rental properties.

Based on the survey information and current state of revenues and expenses, adjustment to registration and inspection fees is recommended. Several possible methodologies could be used in this process, including minimal impact, average of like communities, or full cost recovery. Based on the gap between current rates and the averaged of surveyed communities, staff would initially recommend an update which brings fees to an approximation of this average.

Several cost-structure designs can achieve this. A structure that includes yearly registration would be beneficial to ensure up-to-date information on the owners and tenants of City rental properties; in this case registration costs should be kept minimal (but charged on a yearly basis) and inspection costs increased slightly. A variety of fee structure scenarios have been included at the end of this section.

## **Topic: Registration, Inspection Schedule, and Fees (con't)**

Based on information from other communities, a base standard of bi-annual or every-18 month inspections is recommended, with the possibility for alterations to the schedule as an incentive/disincentive based on inspection results (as seen in Coldwater). For example, with consistent compliance by a landlord, an every 2 year inspection could move to every 3 or 4 years. Vice versa, if landlords fail to meet compliance goals, they could be put on “probation” taking an every 2 year inspection to an annual inspection until the unit passes inspection consistently and without serious violations.

Based on staffing levels reported by other survey communities, the City of Sturgis is neither under- nor over-staffed.

### **Recommendations / Considerations Summary**

- **Adjust registration and inspection fees**
- **Consider annual registration**
- **Consider incentive/probation system for inspections**

## Fee Structure

City Name	Population	# of Units	Registration Fee	Inspection Fee	Registration Frequency	Inspection Frequency
<b>Sturgis</b>	<b>10,994</b>	<b>1,600</b>	<b>\$25 for first unit, \$10 for each additional</b>	<b>\$40 for four units, \$10 for additional units</b>	<b>2 years</b>	<b>2 years</b>
<b>Alpena</b>	10,483	1,690	Free	\$65 per unit	Once	3 years
<b>Ann Arbor*</b>	113,934	48,000	\$25 per building	\$100 per unit (1-2 Units) \$60 per unit (3-30 Units) \$45 per unit (31 or more Units)	2.5 years	2.5 years
<b>Big Rapids</b>	10,601	2,019	Free	\$40 for first unit, \$30 for additional units	Once	annually
<b>Cadillac</b>	10,355	1,100	\$25 for first unit, \$15 for each additional	2 free inspections per unit with registration, then \$50 per inspection	3 years	3 years
<b>Coldwater</b>	10,945	2,196	\$5 for first unit, \$2 for each additional	2 free inspections per unit with registration, then \$40 per inspection	2 years	2 years
<b>Dowagiac</b>	5,879	800	\$0	\$0	Never	complaint based
<b>Grand Haven</b>	10,412	1,554	\$35 per unit; \$10 late fee	2 free inspections per unit with registration, then \$40 per inspection	annually	3 years
<b>Hillsdale</b>	8,305	600+	\$0	\$0	occupancy permit renewed in 2 years, then good until tenancy changes	
<b>Howell</b>	9,489	1,876	\$25	\$0	annually	complaint based
<b>Kalamazoo*</b>	74,262	16,000	\$100 per property, plus \$1 for each unit	\$40 per unit; \$60 if past registration	annually	20 to 40 months
<b>Lake Isabella</b>	1,681	50	\$20 per unit	\$0	annually	3 years
<b>Ludington</b>	8,076	1,260	\$0	\$0	never	complaint based
<b>Mount Clemens</b>	16,314	4,000	\$60 per unit	\$0	annually	1.5 years
<b>Niles</b>	11,600	2,500	\$25 per property, plus \$14 for each unit	\$0	annually	annually
<b>Paw Paw</b>	3,447	792	\$0	\$50 per unit, includes re-inspection	once	3 years
<b>Three Rivers</b> (Cornerstone Inspection Services)	7,811	1,200	\$25	\$100 per unit (1-2 Units) \$80 per unit (3-4 Units) \$60 per unit (5-11 Units) \$40.00 per unit (12-20 Units) \$30.00 per unit (21 + Units)	annually	2 years
<b>Wixom</b>	13,498	3,846	\$75	\$85 per unit	3 years	3 years

# Cost Comparison

City Name	Population	# of Units	Total Cost	Total Cost	Total Cost	Total Cost	Total Cost	6 Years	6 Years	6 Years	6 Years	6 Years
			6 yrs (1 unit)	6 yrs (4 unit)	6 yrs (10 unit)	6 yrs (50 unit)	6 yrs (120 unit)	Per Unit (1 unit)	Per Unit (4 unit)	Per Unit (10 unit)	Per Unit (50 unit)	Per Unit (120 unit)
Sturgis	10,994	1,600	\$195	\$285	\$645	\$3,045	\$7,245	\$195	\$71	\$65	\$61	\$60
Alpena	10,483	1,690	\$130	\$520	\$1,300	\$6,500	\$15,600	\$130	\$130	\$130	\$130	\$130
Ann Arbor*	113,934	48,000	\$313	\$663	\$1,563	\$5,688	\$13,563	\$313	\$166	\$156	\$114	\$113
Big Rapids	10,601	2,019	\$240	\$780	\$1,860	\$9,060	\$21,660	\$240	\$195	\$186	\$181	\$181
Cadillac	10,355	1,100	\$50	\$140	\$320	\$1,520	\$3,620	\$50	\$35	\$32	\$30	\$30
Coldwater	10,945	2,196	\$15	\$33	\$69	\$309	\$243	\$15	\$8	\$7	\$6	\$2
Dowagiac	5,879	800	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Grand Haven	10,412	1,554	\$210	\$840	\$2,100	\$10,500	\$25,200	\$210	\$210	\$210	\$210	\$210
Hillsdale	8,305	600+	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Howell	9,489	1,876	\$150	\$600	\$1,500	\$7,500	\$18,000	\$150	\$150	\$150	\$150	\$150
Kalamazoo*	74,262	16,000	\$226	\$604	\$1,360	\$6,400	\$15,220	\$226	\$151	\$136	\$128	\$127
Lake Isabella	1,681	50	\$120	\$480	\$1,200	\$6,000	\$14,400	\$120	\$120	\$120	\$120	\$120
Ludington	8,076	1,260	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Mount Clemens	16,314	4,000	\$360	\$1,440	\$3,600	\$18,000	\$43,200	\$360	\$360	\$360	\$360	\$360
Niles	11,600	2,500	\$234	\$486	\$990	\$4,350	\$10,230	\$234	\$122	\$99	\$87	\$85
Paw Paw	3,447	792	\$100	\$400	\$1,000	\$5,000	\$12,000	\$100	\$100	\$100	\$100	\$100
Three Rivers (Cornerstone Inspection Services)	7,811	1,200	\$450	\$1,560	\$3,300	\$12,000	\$28,800	\$450	\$390	\$330	\$240	\$240
Wixom	13,498	3,846	\$320	\$830	\$1,850	\$8,650	\$20,550	\$320	\$208	\$185	\$173	\$171
Average			\$172	\$552	\$1,295	\$5,969	\$14,252	\$172	\$138	\$129	\$119	\$119

# Sturgis Fee What-If Scenarios

	Registration Fee	Inspection Fee	Registration Frequency	Inspection Frequency	Total Cost 6 yrs (1 unit)	Total Cost 6 yrs (4 unit)	Total Cost 6 yrs (10 unit)	Total Cost 6 yrs (50 unit)	Total Cost 6 yrs (120 unit)	6 Years Per Unit (1 unit)	6 Years Per Unit (4 unit)	6 Years Per Unit (10 unit)	6 Years Per Unit (50 unit)	6 Years Per Unit (120 unit)
a	\$25 for first unit, \$10 for additional units	\$40 for first two units, \$15 for additional units	2 years	2 years	\$195	\$375	\$825	\$3,825	\$9,075	\$195	\$94	\$83	\$77	\$76
b	\$25 for first unit, \$10 for additional units	\$50 for first four units, \$20 for additional units	2 years	2 years	\$225	\$315	\$855	\$4,455	\$10,755	\$225	\$79	\$86	\$89	\$90
c	\$35 for first unit, \$15 for additional units	\$40 for first two units, \$15 for additional units	2 years	2 years	\$225	\$450	\$990	\$4,590	\$10,890	\$225	\$113	\$99	\$92	\$91
d	\$5 per unit	\$50 for first unit, \$15 for additional units	annually	2 years	\$180	\$405	\$1,455	\$3,855	\$9,105	\$180	\$101	\$146	\$77	\$76
e	\$5 per unit	\$50 for first two units, \$25 for additional units	annually	2 years	\$180	\$390	\$1,530	\$4,530	\$10,830	\$180	\$98	\$153	\$91	\$90
f	\$25 per building	\$50 for first four units, \$20 for additional units	annually	2 years	\$300	\$300	\$660	\$3,060	\$7,260	\$300	\$75	\$66	\$61	\$61
<b>Sturgis Current</b>														
	\$25 for first unit, \$10 for each additional	\$40 for four units, \$10 for additional units	2 years	2 years	\$195	\$285	\$645	\$3,045	\$7,245	\$195	\$71	\$65	\$61	\$60
<b>Average of surveyed communities</b>					\$172	\$552	\$1,295	\$5,969	\$14,252	\$172	\$138	\$129	\$119	\$119



## **Topic: Property Maintenance Code and Inspection System**

**Relevant Questions: # 5, 6, 7**

**Current Practice:** *The City's current property maintenance code is the BOCA National Property Maintenance Code of 1996. When in the field the Code Official will make notes on paper of any infractions and later enters the data into a BOCA program in order to send the landlord a summary of the inspection report. Together with the BOCA program the City of Sturgis also employs a BS&A program to keep track of building and zoning issues.*

### **Reference Communities:**

The bulk of surveyed communities utilize the International Property Maintenance Code (IPMC) as the basis of their enforcement efforts; most use the 2009 version of the code, although a handful utilize the 2006 version.

For record keeping, most communities utilize a paper checklist and/or notes during inspection which are inputted into a computer program once back at the office. The most common computer system used for rental property maintenance records is BS&A.

### **Best Practices/Recommendation:**

A solid majority of communities use some version of the IPMC as the basis for their code enforcement, although some communities (Ann Arbor, Three Rivers, Howell) use tailor-made local ordinances. While this provides for community-specific standards, the time and effort to develop and update a new and unique set of standards would be resource-intensive.

Most communities use a paper checklist or notes system in the field and later input data into a computerized system. However some communities (Coldwater, Kalamazoo, Ann Arbor and Grand Haven) use electronic tablets which reduce the amount of data entry necessary.

BS&A is far and away the most popular computer program used for tracking and storing property maintenance data, with only one other system noted in the survey (TrackIt, used by Ann Arbor). As BS&A is used by other City of Sturgis departments, including the building and assessing departments, it seems to be a logical choice for property maintenance software.

Based on the survey results, staff recommends updating the property maintenance code to the most current version of the IPMC; this update would necessitate an ordinance amendment, which would ideally be structured to ensure the latest version of the IPMC was always utilized.

Use of an electronic tablet system for inspection notes should be closely investigated, as data entry time could be reduced. Staff recommends at the very least that an updated software system for the property maintenance department be implemented, as the existing computer software is well out-of-date. BS&A seems to be the logical choice given its wide-spread adoption by other communities and the synergy created with other City departments running BS&A software.

## **Topic: Property Maintenance Code and Inspection System (con't)**

### **Recommendations / Considerations Summary**

- Convert to BS&A software system for property maintenance tracking
- Update property maintenance code to most current version of IPMC and amend City Ordinances as necessary
- Consider use of tablet computer for property maintenance inspections

## Property Maintenance Code and Inspection System

City Name	Number of Inspectors	P.M. Code	Computer System	In Field Reports
Sturgis	1	IPMC, 2000	BS&A	Check Sheet
Alpena	2	IPMC, 2006	BS&A + Microsoft Access	Check Sheet
Ann Arbor*	3 inspectors, 2 others in dept	Local ordinance	TRAKiT	e-Tablet
Big Rapids	1	IPMC, 2006	Microsoft Access	Check Sheet
Cadillac	9 (FD staff)	IPMC, 2009	yes (not identified)	Check Sheet
Coldwater	1	IPMC, 2009	BS&A	e-Tablet
Dowagiac	1 bldg insp. 1 code officer PT	IPMC, 2009	BS&A	Written notes
Grand Haven	2 Bldg Officials	IPMC, 2009	BS&A + Microsoft Access	e-Tablet
Hillsdale	1 Admin +4 part time	IPMC 2009	BS&A	Paper Checklist
Howell	0 FTE	Local ordinance 2007	BS&A	Paper Checklist
Kalamazoo*	7	Local ordinance	BS&A	e-Tablet
Lake Isabella	1 part time	IPMC	n/a	Check Sheet
Ludington	1	IPMC, 2000	BS&A	Written notes
Mount Clemens	1	IPMC, 2009	BS&A	Written notes
Niles	1 but up to 3	IPMC, 2006	BS&A	Written notes
Paw Paw	1	IPMC, 2006	Paper Files	Written notes
Three Rivers (Cornerstone Inspection Services)	2	Local ordinance	Yes (not specified)	Paper Checklist
Wixom	1	IPMC, 2006	n/a	Written notes



## **Topic: Landlord and Tenant Education**

**Relevant Questions: #8, 9**

**Current Practice:** *The only information sent out to landlords and tenants is the notice for inspection and registration of the unit. If the landlord or tenant request, there is an inspection check sheet available at the City Hall, and staff will answer questions about the program as they arise. Those interested in rental properties can view a printed list of properties in the City offices. No other information or formal educational efforts are provided.*

### **Reference Communities:**

Several communities provide information on their property maintenance / rental programs online or in brochure format. Others provide information on rental properties themselves, typically by FOIA request. Few communities offer special property maintenance training or workshops. A handful of communities noted that staff will attend local landlord association meetings on a regular or periodic basis.

### **Best Practices/Recommendation:**

Several communities surveyed offered information online and in brochure format about their property maintenance program or general landlord/tenant guides. Some communities, such as Ann Arbor and Kalamazoo provided detailed information and helpful links on their websites.

Others, such as Big Rapids, Cadillac, Coldwater, and Lake Isabella have developed brochures or guides for landlords and tenants about the rental and inspection process. Niles provides a copy of the State's landlord/tenant rights guide to new renters and rental property owners.

The City of Sturgis currently provides some information to landlords and tenants, including a checklist for inspection. More comprehensive information could be developed and provided online and in brochure form.

In surveyed communities, information on rental properties and landlords is typically made available to citizens by FOIA request. Kalamazoo has a searchable database through BS&A for its rental properties. Sturgis should explore the possibility of implementing searchable rental property info through BS&A similar to Kalamazoo. This would offer a more modern process than the current paper listing in the office and allow for research outside of City Hall by potential tenants. Information provided is similar in nature to the existing property database used by the City.

Only Alpena had any form of training or workshop available; they led a Lead Paint Awareness training course through HUD's-work wet, safe, smart class; it appears, however, that this was discontinued when new Federal regulations were enacted. Niles reported doing informal "lectures" to new landlords on rental property maintenance and Wixom meets with its Landlords one on one to explain the PM program. Currently the City does talk informally with new landlords, but a more formal appointment and discussion system could be implemented to standardize the process and ensure information is being provided consistently.

## **Topic: Landlord and Tenant Education (con't)**

Big Rapids, Cadillac, and Dowagiac had City staff that attended local Landlord Association meetings on a regular or periodic basis. The St. Joseph County Landlord Association is the most local agency of this type in the Sturgis area. Currently City staff will meet with the Association if requested or if significant issues arise. Developing closer ties between Community Development staff and this Association may be prudent as a way to stay abreast of developing issues and have a means of cooperative effort to address existing problems.

### **Recommendations / Considerations Summary**

- **Consider developing, updating or posting to the web more property maintenance information**
- **Consider development of searchable property maintenance database through BS&A**
- **Consider formalizing current practice of talking with new landlords about property maintenance program**

## Landlord and Tenant Education

City Name	Disseminate PM Info?	Offer PM Training/Workshops?
Sturgis	Notices for inspection and registration are sent out; on request, an inspection check sheet is available. Those interested in rental properties can view a printed list at City offices	None
Alpena	To owner or occupant for free - others through FOIA. All property info is released, owner info as allowed by law	Lead paint awareness training - HUD work wet, safe, smart class. This was discontinued when the new EPA-RRP law was enacted.
Ann Arbor*	Provides list of landlords; several resources for landlords and tenants online	Info not available
Big Rapids	Maintenance Code and Landlord Practical Guide available on website	City meets with the Big Rapids Property Owners Association on a monthly basis.
Cadillac	Info brochure is available on registration and inspection process	Community Development staff periodically attends Landlord association meetings
Coldwater	New rentals given summary of Prop Main Code highlighting areas of concern/what inspectors look for	None
Dowagiac	No	CE staff attend monthly landlord association meeting ~twice a year.
Grand Haven	No	None
Hillsdale	Reports, letters, & follow correspondence	None
Howell	Only via FOIA	None
Kalamazoo*	Provides info online on program; search of rental properties by address or agent available through BS&A	Info not available
Lake Isabella	All info subject to FOIA; brochure on rental housing inspection program	None
Ludington	Property Maintenance Code is online, website informational page on rules and regulations related to codes and enforcement	None
Mount Clemens	Under FOIA; all but personal information	None
Niles	Year end report provided to City administration. Provides some information on City website	No; provides landlord/tenant rights book from State to new landlords with an informal "lecture" and contact information.
Paw Paw	No	None
Three Rivers (Cornerstone Inspection Services)	Copy of City Code is available	None
Wixom	All violations and repairs	Meet with landlords one-on-one to explain the program





## **Topic: Enforcement and Penalties**

### **Relevant Questions: # 10, 11, 12**

**Current Practice:** *When a unit is found to be not compliant with the minimum standards set forth by the City's adopted code, the City sends notification and sets a timeline for repairs. In the case of health and safety issues, landlords are given 24 hours to correct. For other issues, the landlord typically has 30 days to show they are attempting to rectify the situation; they can apply for and may be granted an extra 30 days to allow for the licensed contractor to complete the job. After this period, if the situation is not yet rectified a fine of \$250 will be assessed to the landlord. The landlord is ultimately responsible for any issue of noncompliance, but may complain against a tenant if issues are caused by tenant (i.e. batteries removed from smoke detectors). After the fine has been assessed there is another 30 day period before the next fine of \$250 at which point if the unit is still not in compliance the inspector will continue to fine the landlord until the issue is fixed. Code enforcement issues such as long grass have a different procedure that can include escalating penalties for multiple offenses.*

### **Reference Communities:**

Communities surveyed had various procedures and timeframes for handling violations and a range of fines and penalties. Both procedures and penalties varied for code enforcement/nuisance issues versus property maintenance issues. Several communities utilized escalating penalties for multiple or continued offenses.

In most cases, responsibility for violations was split based on the type of violation.

Landlords/property owners were typically held liable for property maintenance issues, while many communities held tenants responsible for nuisance issues under their control such as junk vehicles or trash. In cases where tenants were held responsible, landlords would be notified or if the situation not addressed, eventually held responsible for costs via a lien on the property.

### **Best Practices/Recommendation:**

Various procedures were utilized for violations. In Coldwater and Ludington, "fix-it" tickets were issued which provided a timeframe to address issues within which the ticket can be voided if the problem is solved. For example, Coldwater gives a 48-hr notice to comply. Failing to do so results in a 10-day municipal civil infraction (meaning ticket will be voided if complied w/ in 10-days). After 10-days, the house is posted "uninhabitable", the ticket goes to court and a judge/magistrate will make a ruling (usually a brief timeline for court-ordered compliance along with a fine). If violation pertains to outside nuisance ordinance (junk, grass, vehicle storage, etc.) they issue a 10-day notice and then abate (hire correction and bill to taxes) with a \$25 fine.

Ludington enforces their long grass ordinance by providing the owner a one-time-a-year 10-day warning after which grass is cut at owner's expense. Niles uses an independent contractor selected via bid every three years for grass enforcement. They are provided a list of properties to address and must take before and after pictures of the yard. CE officers utilize "MOW IMMEDIATELY" tags for some homes. Wixom puts a notice in the newspaper every March to remind citizens of the tall grass

## **Topic: Enforcement and Penalties (con't)**

ordinance, then a property owner gets one warning before the city cuts the grass and charges the overtime and equipment to the owner.

Lake Isabella will, following multiple notices without action, create a single-parcel special assessment district to abate a nuisance and bill the owner.

Fees ranged from \$25.00 to \$500.00 in surveyed communities depending on the issues and severity. Many used a system of escalating penalties. These penalties and systems are in line with current City of Sturgis practices.

Based on the surveys, City practices for enforcement are similar in nature to those of other communities. The City's timeframe of 30+30 days for major repairs is not drastically out of line with what was reported by other communities. The City could consider a system similar to Coldwater's use of "fix-it" tickets followed by posting a property uninhabitable as a way to improve compliance. For example, the City could issue a 30 day fix-it ticket of \$125.00 for property maintenance repairs that would only be voided with significant proof of either completed repair or progress towards repair. At that point staff could issue a reasonable extension or a second \$250.00 fix-it ticket that would be voided on successful completion of repairs.

For less serious repairs or issues, shorter time frames for compliance are recommended to help bring resolution to issues. For example, use of one-time per year notices in the paper or through typical notification (letters to offending properties) could be used to help ensure timely addressing of long grass. With the one-time notice, subsequent long grass issues could be abated and billed immediately without wasting staff time on contacts; despite other communities using this method, a legal review of this system would be recommended.

The City of Sturgis generally handles all rental-based complaints (property maintenance and code enforcement) through the landlord / property owner. If an issue is under control of the tenant (trash, taking batteries out of smoke detectors) a landlord may issue a complaint against the tenant with property maintenance, with the tenant then held responsible. This is different from most (but not all) surveyed communities, who depending on the violation may initially hold the landlord or tenant responsible. Some communities initially hold a tenant responsible for nuisances, but notify the landlord who will ultimately be impacted if a lien is placed on the property. The City's current practice of holding the landlord responsible in all cases may provide the best avenue for compliance. The onus is on the landlord to hold the tenant responsible, while ensuring the City of compliance or payment for hired compliance through the landlord.

### **Recommendations / Considerations Summary**

- **Consider use of fix-it tickets to improve compliance on property maintenance violations**
- **Develop shorter time frames for compliance on less serious issues**
- **Consider use of one-time notices for long grass to shorten maintenance timeframes**

# Enforcement and Penalties

City Name	Days to Correct Ordinance Violation	Fines and Penalties	Escalating Penalties?	Who Bears Responsibility?	Other Incent / Disincentive
<b>Sturgis</b>	30 Days for Property Maintenance; health and safety issues 24 hours. 30 day extension possible, depending on circumstances. Code enforcement issues vary	\$250 fine if not in compliance following 30 days (or end of extension). Code enforcement issues vary	Yes, used for some code enforcement issues such as long grass	Landlord first. If landlord complains about re-occurring, tenant issue, tenant may be ticketed	N
<b>Alpena</b>	5 days (depending on severity) for grass; serious interior violations may result in closing a unit	Compliance or ticket issued	Up to judge	Owner and tenant each for things in their control (tenant = grass, trash, etc.)	Rental rehab programs; up to \$14,999.00 per unit with 25% match MSHDA grants
<b>Ann Arbor*</b>	30 day response period followed by set corrective length; if appealed and lost by owner, 180 days to correct	\$50 to \$500 depending on severity	Following second re-inspection, if not corrected home posted uninhabitable	-	-
<b>Big Rapids</b>	30 Days	\$50 to \$500 depending on severity; 3 warnings in 9 month and Public Safety will padlock property	Y	Owner for prop maint.; tenant for blight & other	Community award issued for renovations
<b>Cadillac</b>	None; non-compliance a Misdemeanor	non-compliance a Misdemeanor; citation, fees assessed by court	N/A	Owner; tenant if vehicle-based	N
<b>Coldwater</b>	48 hours then 10-day civil infrac (if corrected, voided); posted uninhabitable; for nuisance, 10-day then correct and fine	\$25	Y \$50-\$100 for 2nd; court-assessed for 3rd	Owner; limited exceptions for sanitation, etc.; for nuisances tenant is responsible, but owner is notified because lien would be on house	Landlords who pass their 1st anniv. Inspect w/o violations are eligible for a 2-year extension of their Certificate w/o inspection or registration fees. Passing 60-day re-inspect qualifies them for a 1-year extension.
<b>Dowagiac</b>	Various, set by notification letter	N	N/A	Landlord	N
<b>Grand Haven</b>	Various, set by notification letter	Citations \$50; Prop. Maintenance \$250	Y 2nd is \$150, 3rd is \$300	Landlord; tenant for vehicle first, then landlord	N

City Name	Days to Correct Ordinance Violation	Fines and Penalties	Escalating Penalties?	Who Bears Responsibility?	Other Incent / Disincentive
<b>Hillsdale</b>	Various; 5 days grass, 14 days trash	\$25	Y \$50 for 2nd, \$100 for 3rd	Owner; Tenant for interior trash	N
<b>Howell</b>	Grass 7 days; property inspection 60 days	\$50	Y \$250 for 2nd	Owner for prop maint.; tenant for other	N
<b>Kalamazoo*</b>	Dependent on violation (Property maintenance); may appeal to Housing Board of Appeals for extension	Minimum \$150, minimum \$300 if health and safety issue	-	Landlord or tenant depending on violation	40 month certificate of occupancy if they meet criteria such as no violations, renewing certifications, being responsive to tenant issues, and not having enforcement letters
<b>Lake Isabella</b>	Two notices of decreased timeframe for correction. If no action, create a single parcel special assessment distric to abate nuisance and bill owner	\$100, \$200, \$300	Y	Landlord	After passing inspection, follow-ups waived if they submit a copy of an approved HUD or MSHDA inspection
<b>Ludington</b>	30-Day Fix-It for junk/trash, once yearly notice for grass (10 days) after, cut & charge; other, depend on situation	\$250 for 2nd offense, escalating penalties from there	Y \$250 for 2nd offense; \$500 + costs for 3rd offense	Property Owner	Depending on nature of offense CE officer will extend period of time for compliance
<b>Mount Clemens</b>	60 Days to address issues	Misdemeanor - \$500 or 90 days	No	landlord	N
<b>Niles</b>	cut at 10" and send invoice	\$25 admin on grass; ?	Y	Depends on situation	N
<b>Paw Paw</b>	not specified; give notice and then correction by Village if needed	\$75 mowing	Y Mowing 2nd =\$150, 3rd=\$300	Landlord	N
<b>Three Rivers</b> (Cornerstone Inspection Services)	-	\$70 enforce. Letter \$100 Notice to Vacate \$100 for complaint invest.	-	Both	N
<b>Wixom</b>	one violation notice & cut/charge	Judge sets violation fees, \$54 for investigation	N	landlord	self certification program for over 30 units, inspect 10% to verify, good for 3 years. Does not exempt annual "life/safety" inspections

## **Topic: Codes and Regulations**

**Relevant Questions:** # 14, 15, 16, 17, 18, 19

**Current Practice:** *The City enforces regulations on a number of issues including noise, garbage screening, minimum parking spaces, number of dogs, abandoned vehicles, and overcrowding.*

- *General noise regulations: It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the city. Specific regulations for certain noises, including a distance standard for noise from vehicles. Noise regulations are the same for all citizens.*
- *No residence can have more than 2 dogs. Standard is same for rentals and owner-occupied housing.*
- *Unlicensed or inoperable vehicles are considered rubbish and cannot be stored outside.*
- *Zoning provides requirements for storage of trash and rubbish, included approved containers, storage location (depending on district; not outside for residential) and screening for dumpsters and large items.*
- *Residential single family houses must have 2 parking spaces; multiple-family units must have 2 parking spaces for each dwelling unit having 2 or less bedrooms and 2 1/2 parking spaces for each dwelling unit having 3 or more bedrooms.*
- *The standards used to define overcrowding are defined by the Michigan Building code which states the living area requirements per occupant. It is assessed on a complaint basis.*

*The City does not currently track abandoned or vacant properties.*

### **Reference Communities:**

- *Most communities have a noise ordinance of some type, but do not provide special enforcement for rental properties. Several survey community ordinances are based on a set decibel level to trigger enforcement.*
- *Limits on dogs within the surveyed communities were enforced community-wide, without special limits for rental properties. Most communities reported no limit, those that did limited the number of dogs to 3.*
- *Most communities had screen and container requirements for trash similar to the City of Sturgis. Screening was required for multi-family housing units in many communities and for most, all properties needed closed containers and typically, storage in the side or rear yard.*
- *Vehicle violations were mostly similar to the City of Sturgis; unlicensed or inoperable vehicles were prohibited.*
- *Parking space requirements varied somewhat based on the community, most required 1-2 parking spaces per dwelling unit depending on type and whether the rental is existing or new.*
- *Most communities utilize their code standard to define overcrowding, with enforcement complaint-based.*

*Most of the surveyed communities did not track abandoned or vacant properties.*

## **Topic: Codes and Regulations (con't)**

### **Best Practices/Recommendation:**

**NOISE:** For noise violations the City of Big Rapids enforces a Padlock Ordinance which gives a property 3 warnings before the department of Public Safety padlocks the property. A similar system could be explored for Sturgis, but does not offer a better method for assessing when a property is “noisy” or ensuring police can easily enforce the prohibition.

**DOGS:** No community among those surveyed had a separate standard for rentals regarding the number of animals housed. Most communities did not have a limit, and those that did were less strict than the City of Sturgis. Further recommendations and best practices on this issue can be found in the “Animal Limitations within the City” issue analysis completed by City staff in 2010.

**TRASH:** Standards for trash storage and screening were largely the same in the surveyed communities as in Sturgis. Depending on zoning, screening and/or covered containers were required. In general, The City’s storage and screening requirements were as strict as or more strict than surveyed communities. The City of Niles encourages landlords to pay for the trash service to help ensure there aren’t any issues with collection. The City of Sturgis could consider making similar recommendations as part of their communication with new landlords, or consider requiring landlords to provide proof of trash service for their rentals in order to be registered.

**JUNK VEHICLES:** Most communities addressed vehicles on a similar basis to the City of Sturgis; if inoperable or unlicensed, action would be taken. No unique or best practices were identified, no changes are recommended.

**MINIMUM PARKING SPACES:** Communities used varying standards. Most specified a simple two spaces per dwelling unit; others defined the number of spaces per bedroom. Based on the survey communities, the City’s current practice for new properties is as strict as or more strict than most.

**OVERCROWDING:** Most communities used their property maintenance codes to define occupancy limits for overcrowding and limited enforcement to complaint-based inspections. Grand Haven sets the occupancy limit for each unit at the time of inspection and forbids advertising the property over the occupancy limit. Several communities reported not having an overcrowding issue.

**VACANT AND ABANDONED PROPERTIES:** Vacant and abandoned properties were not monitored by many of the surveyed communities. Cadillac maintains a list of condemned structures that is periodically checked to verify vacant/secure status. Ludington tracks vacant properties through the Assessing Department and Utility billing. Wixom creates a Foreclosure Watch list to keep track of vacant/abandoned properties. A listing of vacant or abandoned properties could be a useful tool for Police and Code Enforcement staff members to monitor homes for vandalism or other code issues. An ad-hoc system of listing utility shutoffs and monitoring foreclosed properties could be used.

## **Topic: Codes and Regulations (con't)**

### **Recommendations / Considerations Summary**

- Re-consider recommendations from “Animal Limitations within the City” issue analysis on number of animals
- Consider encouraging landlords to pay for trash service at properties
- Consider requiring landlords to provide proof of trash service as condition of rental registration
- Consider developing list of utility shutoffs and known foreclosed, vacant properties

## Codes and Regulations

City Name	Max # of dogs	Noise Policy	Min. Parking Space per Unit	Garbage Screening Required?	Track Abandoned / Vacant	Overcrowding?
<b>Sturgis</b>	2	General noise policy with specific regulations for some noises, such as cars. No special enforcement	Residential: 2 parking spaces; Multiple-family: 2 spaces per dwelling unit having 2 or less bedrooms & 2 1/2 parking spaces for each dwelling unit having 3 or more bedrooms.	Requirements for storage of trash and rubbish, included approved containers, storage location (depending on district) and screening for dumpsters and large items.	N	Overcrowding standards defined by the Michigan Building code. It is assessed on a complaint basis.
<b>Alpena</b>	3	No spec. Enforcement	1 space for existing units; 2 for new units	Dumpsters must be screened from street view or have cans with lids kept in side/back yard	No	Visual inspection; has not been issue IPMC standard
<b>Big Rapids</b>	3 adults	3 warnings in 9 month and Public Safety will padlock property	1 space per bedroom +1 per unit	N	N Neighbor notification	monitored
<b>Cadillac</b>	N	No spec. Enforcement	2 per dwelling unit	stored in enclosed building; container if outside	list of condemned structures, periodically checked	IPMC 2009 standards
<b>Coldwater</b>	N/A	db based, witnessed by officer to enforce No spec. enforce.	1 per dwelling unit + 1/2 per bedroom	Six-foot of screening enclosure is required for storage of junk when visible in residential areas	N	Uses minimum Sq. Ft.
<b>Dowagiac</b>	N/A	No spec. Enforcement	2 per dwelling unit	must be maintained at rear of property	N	# of bedrooms
<b>Grand Haven</b>	3 adults	No spec. Enforcement	2 per dwelling unit	New multi-family devel. 6' masonry wall to match façade, others None	N	Occupancy set at time of registration; cannot advert for occupancy over limit
<b>Hillsdale</b>	3 adults	50 db @ Property Line; No Spec. enforce	varies on base zoning	N	Y	Room size, no program
<b>Howell</b>	N	No spec. Enforcement	1 per dwelling + 1 per 10 dwelling; no front yard parking	Contains to be screened with fence/wall at least 6 ft. tall, or 1 ft. taller than dumpster; gate on one side	assessing and neighbor complaints	Used once; number of sleeping spaces
<b>Lake Isabella</b>	N/A	No spec. Enforcement	2 spaces of 10' X 20'	Screening requirements	No	max occupancy based on room size



City Name	Max # of dogs	Noise Policy	Min. Parking Space per Unit	Garbage Screening Required?	Track Abandoned / Vacant	Overcrowding?
<b>Ludington</b>	N/A	disturbing the peace language, no spec. enforcement	2 per dwelling unit	N	Assessing and utility billing	complaint only basis
<b>Mount Clemens</b>	N/A	No spec. Enforcement	-	Trash containers with tight fitting lids	-	Based on code
<b>Niles</b>	4	db based, No spec. enforce.	2 per dwelling unit	trash receptacle out for 24 hours, must be in sealed container	N	Based on code; case by case, complaint basis
<b>Paw Paw</b>	N/A	No spec. Enforcement	2 spaces per bedroom	Comercial/Indust. Must be screened, over 4 units are commercial	by utility shutoffs	complaint only basis
<b>Three Rivers</b> (Cornerstone Inspection Services)	N/A	No spec. Enforcement	2 off-street spaces	must be in side or rear yard out of sight from public ROW	-	Based on code; rental inspector enforces
<b>Wixom</b>	N/A	No spec. Enforcement	1&2 family residential, 2 per unit, multi family res = 1.5 per unit with 1 bedroom and 2 per unit with 2 or more bedrooms	screening required matching façade of main building	Y foreclosure watch list	IPMC standards, 7 Sq ft per person



## **Topic: Other Elements**

### **Relevant Questions: # 20 & 21**

#### **Best Practices/Recommendation:**

Several surveyed communities, including Alpena and Ludington, report helping to administer MSHDA rental rehab grants for rental property owners. For the City of Sturgis, the Sturgis Neighborhood Program, supported by the City, currently makes use of this grant program.

Cadillac works with Habitat for Humanity, Cadillac Housing Commission, and the Northwest Michigan Community Action Agency on matter of housing maintenance and rehab for low and moderate income residents. The City of Sturgis should, to the extent possible, continue working with Habitat for Humanity and the Sturgis Neighborhood program to develop housing options for affordable, owner-occupied housing.

Wixom makes a point of landlord / tenant (and resident) education as a method to reduce reoccurring issues with property maintenance and code violations. Grand Haven uses a “strong communication” philosophy; this includes annual reminders on registration as well as notices and code enforcement completed by a member of the police department. They feel this gets better compliance. A more targeted communication and education program by Sturgis could be beneficial; such a program could work around a yearly registration process, as recommended above.

Coldwater approaches Property Maintenance with the theory that the best way to influence Landlords is to make them aware of the fines that could be imposed, but allow them every opportunity to rectify the situation before the fine is enforced. The purpose is to urge homeowners to put funds into improvements. One possible spin off of this for the City of Sturgis would be to waive registration or other fees for landlords proven to have made a significant investment in their property (building permit/contractor used for renovations, only improvements not mandated by inspection).

The cities of Niles and Cadillac have the utility department verify a property is registered as a rental prior to allowing a tenant to get service in their name. Similar communication takes place in Sturgis between departments, but could benefit from a computerized system with comprehensive records.

Big Rapids meets with community groups to identify problems in property maintenance and ways to solve them. Similarly, an ad-hoc committee on property maintenance could be beneficial to the City of Sturgis in addressing issues with the program.

#### **Recommendations / Considerations Summary**

- **Continue work with Sturgis Neighborhood Program / Habitat for Humanity on housing issues**
- **Develop more targeted communication process with landlords and tenants**
- **Consider building improvement incentive for landlords**
- **Improve existing systems for verifying rental status at utility sign-up**
- **Consider development of ad-hoc committee on property maintenance / code enforcement**



# Sample Survey



How many rental units are within your unit of government (city, village, etc.)?	
How often does each rental unit get: <ul style="list-style-type: none"> <li>Registered?</li> <li>Inspected?</li> </ul>	
What are your fees for: <ul style="list-style-type: none"> <li>Unit registration?</li> <li>Unit inspection?</li> <li>Re-inspection?</li> </ul>	
How many inspectors does your local government employ to enforce your rental property maintenance program?	
How do your inspectors create and enter reports while on unit inspections?	
How does your local government maintain information and track the location and history of rental units (hard files, computer software, etc.)?	
Which Rental Property Maintenance Code is enforced by your local government? (Please include year of the code; i.e. BOCA 1996)	

Does your property maintenance program disseminate rental property maintenance information? If yes, what information is provided?	
Does your local government offer any training/workshops for landlords to maintain quality rental units? If so, please explain.	
Please explain the ordinance enforcement process after a unit is discovered to be noncompliant with local ordinances. At what point does the city force correction (i.e. hire a lawn service and charge the bill to the owner for long grass).	
Who bears the responsibility for compliance; the landlord/agent or the tenant?  Are there ordinances that require compliance and subsequent penalties for tenants (i.e. inoperable vehicles, long grass, garbage, rubbish, etc.)?	
What types of fines and penalties do you have for: <ul style="list-style-type: none"> <li>• Nuisance Inspections</li> <li>• Violations</li> <li>• Do you have escalating penalties for reoccurring violations? If yes, please explain.</li> </ul>	
Does your community provide any incentives or disincentives for landlords to stay in compliance, other than fines (i.e. longer period between inspections for “clean” inspections)? If so, what are they?	
What are your community’s rules and regulations regarding noise issues? Do you have any special standards or regulations for rental properties or multiple-family housing in contrast to single-family homes? Please explain.	



Does your local government maintain a different standard for dogs in rentals or multiple-family housing than in owner occupied or single-family units? What is the standard(s)?	
What is the minimum space for parking required per rental unit? What does it take for a vehicle to be designated a public nuisance?	
What are your community's rules and regulations regarding the visibility or screening of garbage receptacles for rental properties?	
What tools and standards do inspectors use to identify overcrowding? How are standards enforced?	
Does your local government have a system in place to track vacant or abandoned residential properties?	
Does your local government collaborate with private business, nonprofits, or members of the community to improve the quality of housing and/or rental properties? Please explain.	
What other best practices, ordinances, or techniques does your community utilize that you feel makes your property maintenance program more successful?	

City Name:

Contact Name:

Phone #:

Email:

*\*If available, please attach inspection check list to this questionnaire*

# Issue Analysis



# PROJECT / ISSUE ANALYSIS REPORT

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DATE: October 22, 2010  
DEPARTMENT: City Manager's Office  
PREPARING STAFF MEMBER: Andrew Kuk

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## Animal Limitations within the City

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### ***Executive Summary***

At the August 25<sup>th</sup> City Commission meeting, interest was expressed by the Commission in information on how other communities handle limits on the number of animals in multi-family housing situations. This Issue Analysis provides a review of different ordinances in place across the country and how they deal with limits on the number of animals in a residence. Research found that some communities do place more strict limits on the number of animals in multiple family housing.

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### ***Background***

In response to an animal attack in 2009, the City Commission requested that City staff review possible changes to the City's animal control ordinance to deal with pit bull dogs. Staff prepared and presented to the Commission recommended changes to the ordinance addressing dangerous animals; these changes were reviewed and approved earlier this year.

Since that time, additional incidents and citizen complaints have prompted the Commission to ask for further investigation of ways to tighten the animal control ordinance. Most recently, concern was expressed about the current limit on dogs in the City (2 dogs per residence; more qualifies as a kennel which is not allowed within City limits), particularly in multi-family residences where each unit could have up to two dogs. City staff was asked to look into how other communities handle limits on animals in multi-family units.

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### ***Citizen Input***

None at this time.

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### ***Alternatives***

Staff reviewed ordinances from a number of communities throughout the country which dealt with limits on the number of animals, particularly in regard to multi-family housing (the MML was contacted for Michigan-based information on this issue and none was available). Selections from several of these ordinances are included with this analysis, with relevant sections highlighted. Each alternative lists information on an area found by staff to be relevant to the question at hand.

1. Combined limits on the number of animals in a residence (dogs and cats)
2. Tiered limits on the number of animals based on the type of residence
3. Animal limit with a permitting process for owners requesting more than the set limit
4. Prohibition of dangerous animals in multi-family residences

*(Number of list items as needed; should be more than 1)*

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## ***Analysis***

### **Alternative 1: Combined limits on the number of animals in a residence (dogs and cats)**

Some of the ordinances reviewed by staff set the limits for animals differently than is currently handled by the City. Under the City's current ordinance language:

"No person, group of persons, association or corporation shall keep, operate, or maintain a dog kennel within the limits of the city. A dog kennel, as used in this section means any establishment wherein or whereon more than two dogs are owned, kept, or harbored. This section shall not apply to the owning, keeping, or harboring of any dog pups until they attain the age of four months."

This language limits the number of dogs a person or group may keep to two; the City currently does not place a limit on the number of cats which may be kept at a residence.

Many of the ordinances reviewed by City staff placed limits on the number of dogs as well as the number of cats which could be legally kept at a residence. Often, these ordinances would provide a limit to the number of dogs, cats, and combined number of animals which could be legally kept. For example, a community might restrict residents to a limit of at most 2 dogs, at most 4 cats, and at most 5 total animals per residential unit.

In looking at numerous ordinances limiting the number of dogs, in general most communities placed their limit somewhere between two and four dogs per residential unit. Current City of Sturgis policy is thus in line with many communities, if on the strict end of common range of regulation. It might be beneficial to consider a limit on the number of cats while reviewing the limits on the number of dogs.

### **Alternative 2: Tiered limits on the number of animals based on the type of residence**

Several communities have placed tiered limits on the number of animals allowed to be kept by a resident or family. In the case of counties or larger communities, lot size is used as a method of delineation (more than 2 acres is one limit, 2 acres to 1 acre is another, 1 acre or less is a third, etc.).

Other communities used a more simple structure where single family residences, owned or rented, have one limit, while multi-family residences (townhouses, apartments, duplexes, triplexes, etc.) have a separate and lower limit. One ordinance used the sharing of a common wall with a second residential unit as the definition of what would qualify as a multi-family residence; others utilized lot size or more general standards to differentiate between limit tiers.

### **Alternative 3: Animal limit with a permitting process for owners requesting more than the set limit**

Some communities chose to set a limit for the number of animals at a residence, with the option for owners to apply for a permit which allowed them to keep more than this limit. These permits, referred to in many cases as a “hobby kennel license” or kennel license, allows residents who either currently have more animals than a limit change would allow or who wish to have more animals than the limit allows the opportunity to have them.

Different communities handled the requests differently, but many required registration of all the animals, paperwork ensuring proper shots and/or neutering and spaying had occurred, as well as a small fee. In at least one case, granting of a permit was not automatic and relied on an inspection to ensure adequate conditions. One policy statement discussed how this process could be used to ensure those owners wishing to have more than the set limit were responsible owners.

### **Alternative 4: Prohibition of dangerous animals in multi-family residences**

One community addressed what the City of Sturgis refers to in our ordinance as “dangerous animals” differently for multi-family housing than single family housing. This community prohibited owners with an animal defined as dangerous from being kept in a multi-family housing situation. It would seem logical that while an animal registered as dangerous could be controlled at a single family residence within the limits set by ordinance, that it is a greater risk for such an animal to be housed in a multi-family unit where some spaces are shared and residents are in close quarters.

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## ***Recommendation***

Unlike other Issue Analyses, the staff recommendation will combine elements of several alternatives. Based on the communities and ordinances reviewed, if the Commission wishes to move forward with greater restrictions on animals within the City, recommendations would be:

1. Establish a limit on the number of cats as well as the number of dogs; preferably with a cumulative limit on the number of animals.
2. Establish a tiered system for limiting the number of animals; for dogs, 2 per single family residence with 1 per multi-family unit seems in line with other communities, if on the stricter side of the range.
3. Prohibit animals registered as dangerous from multi-family residences.

Other considerations for the Commission which were brought up as part of research but not fully explored in this analysis would be the possible use of a grandfather clause or other mechanism such as hobby kennel licenses or permits that would allow those residents which would fall under more strict limits than are currently in place to have a way to keep the animals they currently have.

Articles from many communities considering these actions found citizen resistance to the changes, particularly when it would mean some residents having to give up their animals.

Having a way for owners, particularly the responsible owners, to keep their pets would help limit some of the resistance to potential policy changes.

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### ***Action Plan***

Staff recommends that following Commission discussion, should the Commission still wish to explore changes to the ordinance, that alternatives be developed and a survey of residents be taken. From there future discussion and then changes to the ordinance could be completed.

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### ***Signed and Reviewed***

PREPARING STAFF MEMBER



Andrew Kuk  
Assistant to the City Manager

CITY MANAGER REVIEWED

Michael L. Hughes  
City Manager