City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601

Legislation Details (With Text)

File #:	200249.	**Version:**	1	**Name:**	
Type:	Ordinance			**Status:**	Adopted
File created:	8/19/2020			**In control:**	City Attorney
On agenda:	9/3/2020			**Final action:**	9/17/2020

Title: Ordinance Repealing the Landlord Permit Program and Creating the Residential Rental Unit Permit and Inspection Program (B)

ORDINANCE NO. 200249

An ordinance of the City of Gainesville, Florida, related to the regulation of residential rental units; amending Chapter 14.5 titled "Miscellaneous Business Regulations" of the City Code of Ordinances by repealing the existing Article I titled "Landlord Permits" and creating a new Article I titled "Residential Rental Unit Permits"; amending Appendix A. titled "Schedule of Fees, Rates and Charges" by repealing the existing Landlord Permit fees and creating new Residential Rental Unit Permit fees; amending Sec. 2-339 titled "Applicable codes and ordinances" within Division 6, Article V of Chapter 2; amending Sec. 2-377 titled "Applicability; jurisdiction" within Division 8, Article V of Chapter 2; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing effective dates.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 200249_draft ordinance_20200903.pdf, 2. 200247_Public Comment_Gainesville Fiscal Analysis (Legistar 180958) (8.12.20)_20200903.pdf, 3. 200249_revised draft ordinance_20200917.pdf, 4. 200249_Simmons Memo_20200916.pdf, 5. 200249_Ordinance_20200917.pdf

Date	Ver.	Action By	Action	Result
9/17/2020	1	City Commission	Adopted on Final Reading (Ordinance)	Pass
9/3/2020	1	City Commission	Adopted on First Reading, as amended (Ordinance)	Pass

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The City Commission discuss the draft ordinance and take action deemed appropriate.

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One of the recommendations of the Rental Housing Subcommittee was to create a rental housing code that would require an annual permit, inspections and minimum energy efficiency, life safety and property maintenance standards be met with respect to residential rental units within the City (excluding Public Lodging Establishments as defined by and regulated under State law.) On July 25, 2019, the General Policy Committee moved all recommendations of the Rental Housing Subcommittee to the City Commission and directed the City Attorney to draft an ordinance to be brought to the Commission for discussion. The City Manager, City Attorney, Code Enforcement (now Sustainable Development) and GRU Energy Efficiency staff worked together to draft an ordinance that was discussed by the Commission at its Regular Meeting on July 16, 2020. At that meeting, the Commission directed the ordinance be scheduled for first reading on August 20th, with the following revisions:
Add that the City shall conduct an Energy Efficiency rating system of each unit every 8 years. That the rating system shall be HES system or equivalent rating system with duct testing.
Change Page 14, section a, landlords have to give an energy efficiency rating sheet and other required materials available to tenants either electronically or in print before the signing of the lease
Change Page 15 and Page 16 - under Energy Efficiency section c, under 14.5-4 Living Standards: (a) R-19 by October 2021 and R-30 in 5 years (2026), (m)Programmable thermostat connected to HVAC within 5 years, and (h) toilets 1.6 gal/flush in 5 years(2026), volume reduction devices can be used to bring down to 3 gals.
Change Page 15 (Living Standards) living standards start October 1, 2020 for section a and b, energy efficiency section c October 2021.
Add City shall create a mediation program to deal with rental property issues by October 1, 2021.
Add the City Commission shall review the standards every 4 years starting in 2025.
Section 14.5-5 Inspections Page 17 add more wording to (b) the city may conduct inspections outside the required 4 year cycle.

The draft ordinance includes the Commission requested revisions, with the following exceptions:
1) The owner is required to obtain an Energy Efficiency Rating Report (at least every 8 years) and provide it to the City with the permit application.
2) The life safety requirements (fire extinguisher and carbon monoxide alarm) have been deleted, as those were incorporated into the International Property Maintenance Code requirements (which is proposed for adoption by separate Ordinance No. 200247, as it applies to more than just residential rental units) and will become effective on January 1, 2021 to allow staff time to disseminate educational information and encourage voluntary compliance.
3) A mediation program is not appropriate for inclusion in a regulatory ordinance. The Commission will need to provide more direction regarding what they desire to accomplish with a mediation program and staff can report back on resources that might already be available in the community or what city department might be most appropriate to manage such a program and provide a budget estimate for same.
4) It is not appropriate to include in a regulatory ordinance a requirement that binds future Commissions to review the Rental Housing requirements every four years.
Staff estimates this new regulatory program will require 11 new FTEs with an annual budget of $1,813,369. Based on the estimated number of regulated rental units, staff has set the permit fee at $170 per unit to cover the budget for this program.