

RENTAL HOUSING COMMISSION
Thursday, June 17, 2004
Durham Town Hall – Council Chambers
4:00 PM

The meeting was brought to order at 4:05 pm in the Council Chambers. Board members in attendance were Ken Barrows, Megan Brady, Brett Mongeon, Rory Sheehan, Mark Morong, Paul Berton, Perry Bryant, and Rene Kelley. Mark Morong filled in for Mark Henderson as Chairperson.

Members of the public were present and a record of that will be available with these minutes in the office of the town administrator.

Town Administrator, Todd Selig, made a presentation of the DRAFT of the proposed Disorderly House Ordinance. He explained the history and process behind this document and the DRAFT of the proposed Assembly Permit Ordinance. He explained that he has been in contact with the town's attorney, but that the documents were far from finalized.

Concerning the Disorderly House Ordinance (DHO), Todd explained that the intent was to get the landlord involved in the process of correcting problems the town has with tenant behavior at some properties around town. He explained the progressive fine system that he is suggesting. Todd also asked for direction in incorporating language for unsightly trash, in involving the RHC in the process, and in providing a "safety valve" to abate fines being levied against landlord who were cooperating with the town by initiating eviction of problem tenants.

- Perry Bryant voiced his objections to landlords being held liable for the behavior of their tenants and thought that any consequences should be placed directly on the violator.

- Mrs. Coburn asked if a tenant registry could be established.

- Anne Marie Harris thought that only the bad landlords would object to a registry.

- Todd Selig reviewed the past legal challenges that have been raised in the past when a registry was proposed.

- There was discussion on how to integrate trash into the DHO. We already have Solid Waste ordinances dealing with trash on a property.

- It was suggested that, perhaps, trash could be one of several criteria that would be used to define a disorderly house and that it might take several criteria to define a disorderly house.

- It was clarified that the DHO would apply equally to all properties in town.

- There was consensus that a review board with the power to pardon landlords who appeal a decision would be a good idea. Todd suggested the RHC take this role and it was met with very subdued enthusiasm.

Todd made a presentation on the DRAFT of the proposed Assembly Permit Ordinance (APO) with background and reasoning behind the proposal.

- It was asked if this could be focused on non-owner occupied properties.
- It was asked if the APO could be written to only be in effect after 9 pm.
- It was asked if the APO could be written to apply only to events with alcohol.
- There was no major objection to the number 50 persons being used as the threshold for violation.
- There were suggestions that be required to pull the permit 30 days before the event was too long and should be shortened. There was also discussion around the police being able to write a permit on the spot if the property owner was present.
- The 21 years age limit for holding a permit was questioned and discussed.

The were objections from some board members in supporting the APO at all, however it was agreed that the board would like to look at the APO after Todd answers a few questions and reworks it.

NEW BUSINESS

Perry Bryant brought up that, at the next meeting, he would like a discussion about the misuse of dumpsters and what to do about it.

The date of the next meeting was set at July 8, 2004. Todd said that he would have revised drafts of these proposals by that time.

This member left the meeting at 5:30, so if there was any other significant business conducted, perhaps someone could add it to these minutes.

Respectfully Submitted
Mark Morong