

Housing Standards Ordinance – At a Glance

Enforcing Authority:	The Fire Chief. Although the day to day operations of the program can be delegated to his/her staff, he/she is ultimately responsible for the administration of the program.
Powers of Enforcement Authority:	The program allows the Town, under the direction of the Fire Chief, to pursue increasing the safety of rental properties through inspections and enforcement as permitted per state statute. It also allows the Town to defray the costs of such a program through the implementation of fees. Fines may also be levied in cases where rental property owners fail to show good faith effort to meet the state's minimum standards for such properties
Minimum Standards:	Violations include (in general): dangerous defects; lack of adequate ventilation, light, or sanitary facilities; uncleanliness; overcrowding or lack of ingress and egress; inadequate drainage; violations of health, fire, or safety regulations; insect or rodent infestation; defective plumbing or electrical components; wall or roof leaks; falling plaster from walls or ceilings; dangerous holes in walls, floors, or ceilings; structurally unsound porches, stairs, or railings; excessive accumulation of garbage or rubbish in common areas; inadequate supply of water or malfunctioning water heater; gas leaks or defective pilot lights; lack of proper heating or malfunctioning heating systems.
Inspections:	<p>Every residential rental property shall be inspected once every two years. Additional inspections may occur upon receipt of complaint or petition regarding the property and whenever a property changes ownership. Existing properties wishing to change property use to rental housing must successfully pass inspection and obtain a certificate from the Fire Department prior to renting. Newly constructed residential rental properties do not need to request an inspection within two years from the date of issuance of the certificate of occupancy.</p> <p>All owners of residential rental properties shall identify the property and request an inspection in writing from the Fire Department of all of their residential rental properties and dwelling units within 60 days of adoption of this ordinance.</p> <p>Any residential rental property owner who fails to request the inspection within the specified time frame shall be subject to a \$1,000 civil penalty.</p>
Enforcement Process:	Initiated by either the Fire Chief when an inspection of the property reveals such a need or by petition of ten or more citizens charging that a

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dwelling is unfit for human habitation. Service of the complaint would be made in person or by registered mail indicating a hearing before the Fire Chief between ten and thirty days from the date of service. The Chief will submit his findings and ruling in writing to the owner and, if applicable, explain what must be done to comply with the requirements and a reasonable timeframe. Depending on the circumstances the Chief may order the building vacated, or if the costs of repair are unreasonable in relation to the value of the dwelling he/she may order the building removed or demolished within a set time.

- Appeals:** If aggrieved by the Fire Chief's order, the owner may appeal to the Town Council. This hearing would also be held between ten and thirty days from the date of notice to both the Fire Chief and the owner.
- Superior Court:** If the owner fails to comply with the order, the Fire Chief may file a petition in the Strafford County Superior Court.
- Liens:** Liens against the real property may be levied if the Fire Chief incurs costs pursuant to an order from the superior court or from fines stemming from the minimum standards of this ordinance.
- Fees:** Standard fees are collected upon scheduling of the residential rental property inspection. Each property is subject to a fee as determined by the Town Council. When more than one dwelling unit is on a property, a fee is added for each additional dwelling unit on that property.
- Additional fees are implemented when it is found that violations cited on the first inspection have not been reasonably or properly corrected.
- There is also a fee for residential rental properties that meet the requirements for self-certification.