

Article IV -- HOUSING - Rental Unit Registration

(Article IV added 5/16/2017)

Sec. 6.116. GENERAL PROVISIONS

Sec. 6.116.1. Authority.

(a) The Select Board has enacted this Ordinance under the authority granted to the Town through its Charter and under the authority granted to all Vermont municipalities under Title 24 Vermont Statutes Annotated (V.S.A.), Chapter 123, and 9 V.S.A. Chapter 77, to regulate Municipal Housing Codes.

Sec. 6.116.2. Purpose.

(a) The purpose of this Ordinance is to protect, preserve and promote the health, safety, and welfare of all citizens of the Town of St. Johnsbury through establishment of enforceable minimum rental housing standards. The intent of this Ordinance is to establish a Rental Unit registration process through which the Town can fulfill an inspection process that will ensure that rental units throughout the Town meet the standards outlined in Chapter 6.0 Minimum Housing Standards.

Sec. 6.116.3. Severability.

(a) If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this Ordinance.

Sec. 6.116.4. Effective Date of Ordinance.

(a) Amendments to this Ordinance shall be effective twenty (20) calendar days after the adoption (by majority vote of Select Board) and shall remain in effect until repealed or amended in accordance with the Town of St. Johnsbury Charter.

Sec. 6.116.5 Designation of Effect. (a) This Ordinance shall constitute a civil ordinance within the meaning of 24 V.S.A. Chapter 123.

Sec. 6.117.. DEFINITIONS

Sec. 6.117.1. Definitions.

(a) For the purposes of this chapter, definitions of the terms, phrases, words and their derivations shall be as defined in Section 6.3 of the Town of St. Johnsbury Code of Civil Ordinances. Otherwise, the following listed words shall have the meanings indicated:

OWNER OCCUPIED: A property in which the owner has established primary residency.

DWELLING UNIT: A building or a part of a building that is used as a home or residence, with one or more rooms including kitchen designed as a unit for occupancy by one family for the purpose of cooking, living and sleeping; or, having one or more rooms used as sleeping units with shared access to common areas including a kitchen designed to accommodate unrelated individuals for the purpose of cooking, living and sleeping

RENTAL UNIT: A dwelling unit that is not owner occupied, and is occupied for longer than thirty (30) consecutive days; including but not limited to occupancies at hotels, motels, homeless shelters and other lodging accommodations.

RENT: All considerations to be made to or for the benefit of the owner under the rental agreement, not including security deposits.

RENTAL AGREEMENT: All agreements, written or oral, embodying terms and conditions concerning the use and occupancy of a dwelling unit or premises.

TENANT: Any person entitled under a rental agreement to occupy a residential dwelling unit to the exclusion of others, or any persons occupying a rental unit as a permanent residence.

Sec. 6.118.. REGISTRATION PROCEDURES

Sec. 6.118.1. Registration Requirements.

(a) The owner of all rental units shall be required to have on file with the Planning and Zoning Department, on or before July 1st of each year, a current and valid registration;

(b) All fees shall be paid annually and in full to the Town of St. Johnsbury for each rental unit;

(c) The owner must provide the following information on the Rental Unit Registration Form that is filed with the Planning and Zoning Department annually on or before July 1st:

- (1) The address of the building within which rental unit(s) exist;
- (2) The name(s), address(es) and phone number(s) of the property owner(s);
- (3) The name, address, and phone number of any managing agent;
- (4) The name(s), address(es), and phone number(s) of any emergency contact(s) for this building;
- (5) The number of rental units at the building address and the identifier for each unit (e.g. unit 1, 2, 3; unit A, B, C; unit 1a, 2a, 3a); and
- (6) Any other information deemed appropriate to administer Chapter 6 Rental Housing Minimum Standards Ordinance;

(e) Registrations are in effect from July 1st through June 30th of the following year;

(f) The owner of any rental unit shall have a continuing obligation to notify the Planning and Zoning Department of any changes in the information required above during the effective registration period;

(g) Upon purchase or transfer of property containing rental units, the purchaser(s) shall file an updated Rental Unit Registration Form with the Planning and Zoning Department within 30 days of transfer of ownership to ensure all information is current and correct;

(h) Prior to occupancy of any newly constructed rental unit or conversion of use to a rental unit, the owner shall file the above referenced forms in subsection (d) above;

(i) All fees shall be paid prior to occupancy being granted, and shall be due for the current year;

(j) All motel and hotel manager units shall be registered and pay the appropriate annual fees;

(k) Extended stay rental units within hotels, motels or other buildings, as defined in the Town of St. Johnsbury Code of Ordinance that may be occupied during the program year shall be registered and pay the appropriate annual fees;

(l) It shall be a violation of the Town's Housing Codes for the owner of any non-exempted rental unit within the Town to fail to register the rental unit as required by this Ordinance.

Sec. 6.118.2. Exemptions.

(a) The following properties shall be exempt from registration, fees and/or inspections:

(1) The following are exempt from registration, fees and inspections:

- (i) A unit that is currently maintained as part of a nursing, rest or convalescent home licensed and inspected by the state;
- (ii) Owner occupied single family home;
- (iii) A rental unit that is occupied for less than thirty (30) consecutive days in a calendar year;
- (iv) A rental unit that is occupied less than thirty consecutive (30) days by the same tenant(s) and the rental unit is not the current primary residence of a tenant.

(b) The following are exempt from fees, but must still register and be inspected:

(1) Owner occupied unit of a multi-family dwelling:

- (i) Inspection requirements are for fire and life safety requirements only, as adopted by the VT Dept. of Safety.

Sec. 6.118.3. Registration Renewal Procedures.

- (a) Notices of registration will be sent to all multi-family and rented single family dwellings on an annual basis regardless of current occupancy or current state of compliance;
- (b) Notices will be sent via USPS mail to the owner of each building no less than 30 days prior to the July 1st deadline to register the building.

Sec. 6.118.4. Fees.

- (a) The rates for any rental unit registration fee shall be designated by the Town Manager and adopted by the Select Board, and upon adoption of the rates, the Select Board shall publish in

the local newspaper the rate change thirty (30) days prior to the effective date of the rate change;

(b) Annual Fees shall be pro-rated on a monthly basis

(c) Annual Fees shall be in effect from July 1st to June 30th and shall transfer with the property.

Sec. 6.118.5. Records.

(a) Records, including registration reports, inspection reports, records of complaints or other Orders shall be available for public inspection at the Planning and Zoning Office.

Sec. 6.118.6. Enforcement and Penalties

(a) Failure to register rental units by July 1st is a violation of Chapter 6 Housing and will result in a 1% per day penalty for each day the registration is not filed.