

AGENDA – WORKSHOP OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, JUNE 3, 2013, AT 6:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. PURPOSE OF THE WORKSHOP:

- 1. COUNCIL INPUT AND DISCUSSION:** REGARDING PROPOSED RENTAL PROPERTY LICENSING AND INSPECTION PROGRAM. *Ms. Lata Krishnarao, Director of Community Development.*
- 2. COUNCIL INPUT AND DISCUSSION:** REGARDING COMMERCIAL/INDUSTRIAL SEWER USE CREDIT. *Ms. Claire Bogard, Director of Finance.*

III. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1840 prior to the meeting so that appropriate arrangements can be made.

Workshop Item No. 1

1. **COUNCIL INPUT AND DISCUSSION:** REGARDING PROPOSED RENTAL PROPERTY LICENSING AND INSPECTION PROGRAM.
Ms. Lata Krishnarao, Director of Community Development.

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: June 3, 2013	ITEM NO.: Workshop Item No. 1
DATE SUBMITTED: May 23, 2013	DEPARTMENT OF ORIGIN: Community Development.
PREPARED BY: Marisa Vazquez	PRESENTOR: Lata Krishnarao
REVIEWED BY: Mike Hodge	REVIEW DATE: May 24, 2013
SUBJECT: Proposed Rental Property Licensing and Inspection Program	
EXHIBITS: Revenue estimates; map showing the location of rental properties; draft of the Residential Rental Property License and Inspection Program; and draft of Multi-Unit Rental License and Inspection Program	
EXPENDITURE REQUIRED: AMOUNT AVAILABLE: ACCOUNT NO.:	AMOUNT BUDGETED: PROJECT NO.:
ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.: PROJECT NO.:	
To be completed by Department: <input type="checkbox"/> Finance <input type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

This is a request to consider introduction of a property inspection program for all residential rental properties in Pearland. In an effort to provide a superior environment for citizens, business owners, and visitors, the Health and Environmental Services department is proposing a Rental Property Licensing and Inspection Program for the City of Pearland. This program's goal is to ensure that properties are maintained per city code and ordinances. This program will help the City of Pearland staff work with tenants, landlords, and property managers to encourage prompt and voluntary compliance of violations. This in turn will ensure that properties are maintained in good condition, individual and business investments are protected and make Pearland a healthy and attractive place for residents and visitors to enjoy.

According to the 2010 census, City of Pearland had a total of 33,169 housing units. Based on city records, there are a total of 8,577 rental units, amounting to 26% of the total housing units. Of those, 6,232 units are located within multi-unit (2 or more units) structures, and 2,345 are in

single family structures. While the multi-unit housing is located within 23 complexes in the city, the single family rental units are scattered all over the city, as shown in the attached map.

This program will require registration of all rental units and annual licensing of the properties. Part of the licensing process will include inspections of the property. The program proposes an annual fee of \$80.00 per year for single family rental properties, and \$80.00 base fees plus \$8.50 per unit for multi-unit properties. The details of the revenue estimates are attached to this request. The Rental Property Licensing and Inspection Program's revenue will cover all aspects of the program, including the two new positions, and will result in estimated annual revenue of \$87,000 the first year and \$130,000 in the subsequent years.

This program will be managed by the Senior Health & Code Enforcement Officer. Two new Rental Property Inspectors, who will report to the Sr. Health & Code Officer, will administer the program. The inspectors will keep a record of rental properties, licenses, and inspection logs. The inspector will conduct both exterior and interior inspections and will work with residents, property owners and managers on abating the violations. The inspector will also respond to citizen complaints. Starting with the areas with oldest structures, the inspectors will ensure that all structures are inspected on rotation.

Rental Inspection Programs have been introduced in a number of cities in our state and the country. Some of the surrounding cities that have such programs are Sugarland and Missouri City. The reasons why this program has been considered beneficial are:

- The program provides for continued maintenance and preservation of the City's housing stock.
- The program protects the health and safety of residents through systematic inspection of rental housing throughout the City.
- The program improves or maintains the quality of rental housing and eliminates blight caused by inadequate maintenance and upkeep.
- The program helps to maintain property values and quality of life, especially as neighborhoods and structures age.
- The program benefits landlords as they are notified of the condition of their properties and other life safety issues that might result in bodily harm to residents or cause structural damage, thereby assisting them in taking timely action.

In some cities, the program has had some opposition from rental property owners, who have stated that:

- The regular calendar of inspections is burdensome to the owner.
- The license fee and inspection fee, is passed on to tenants, which results in an increase in rents.
- The program requirement reduces potential profits during the repair period and also during the time for property recertification. Owners must address the property deficiencies and undergo re-inspection before renting or leasing the unit.

It is staff's belief that this program will ensure that all properties are maintained in a manner that encourages safety and health of the residents, foster community pride, maintain neighborhood integrity, uphold property values, and preserve City's housing stock. The program will also assist landlords in maintaining their properties.

Revenue estimates, a map showing the location of rental properties, and drafts of both the Residential Rental Property License and Inspection Program and Multi-Unit Rental License and

Revised 2007-01-09

Inspection Program packets are attached.

RECOMMENDED ACTION

Consider the proposal.

City of Pearland

Multi-Unit Rental License & Inspection Program

A Guide for Tenants, Landlords, Property managers, and the Community

DRAFT

Health and Environmental Services Department
3523 Liberty Drive, Pearland, TX 77581
281.652.1766 Office 281.652.1702 Fax
www.rentalpropertyinspectionprogram@ci.pearland.tx.us

Dear Property Owners, Property Managers, and Tenants,

The City of Pearland strives to provide a superior environment for citizens, business owners, and visitors by ensuring that all properties are maintained in a manner that encourages community pride, neighborhood integrity, public health, and maintains property values. Therefore, the city has put together a Rental Property Licensing and Inspection Program to ensure that properties are maintained per city code and ordinances. This information guide will help the City of Pearland staff to work with tenants, landlords, and property managers to encourage prompt and voluntary compliance of violations. This promotes maintenance of properties in good condition, protects individual and business investments, and makes Pearland a healthy and attractive place for residents and visitors to enjoy.

Thank you in advance for helping to make the City of Pearland an exceptional place.

Lata Krishnarao
Director of Community
Development

Marisa Vazquez
Sr. Health & Code Enforcement
Officer

How the Program Works

The Multi-Unit Rental License and Inspection Program is used to ensure the safe occupancy of the property. Each multi-unit complex will have an annual exterior and interior inspection performed by the city.

Note: For the purpose of this program, a multi-unit rental property includes two or more residential units in a structure.

Rental property owners are required to apply for and obtain an annual license beginning January 1, 2014. The fee is \$80.00 plus \$8.50 per unit.

Steps for applying for the license

Step 1: Apply for license

Applications are available:

1. At the permits department at 3523 Liberty Dr., Pearland, TX 77581
2. Online at www.cityofpearland.com

Applications can be submitted along with payment to the City by:

1. Mail
2. In person at the permits department
3. Online with a credit card.

(The submitted application packet must include; the completed application form, a self-check list, and fees.)

Application Review:

1. Applications will be reviewed for completeness. (please submit a legible and completed application)
2. After receipt and approval of the application, an inspection will be scheduled with the property owner, Management Company, and /or tenant.

Step 2: Property Inspection

Exterior:

The exterior inspection is performed to provide an assessment of the property's structures, grounds, and general conditions of the property. Here are some of the areas we will be looking at during the exterior inspection.

1. Grounds:

- High grass and weeds (Must be under 12 inches in height)
- Free of debris, junk vehicles, open storage, etc.
- Unsanitary Conditions (refuse garbage, stagnant water, etc.)
- Common areas include: Parks/ Playgrounds; equipment must be maintained in good condition and grounds clear of hazards to the public. Pools/Fences; pools must be properly maintained and in fenced with self-latching gate doors. (Fencing installed per city code)
- Junk Vehicles (inoperable, no inspection or registration, flats, etc.)

2. Structures:

- Roof (missing shingles, sagging rafters, damage, etc.)
- Foundation (significant settling or cracks)
- Windows and Doors (all windows and doors must be in good and secure condition i.e. no missing or broken windows and doors)
- Exterior finishes (rotten/ missing siding, unfinished surfaces, peeling paint, etc.)

Interior:

The City of Pearland will conduct an interior inspection annually or at the request of a tenant. At the time of annual inspection, the City will inspect all vacant units up to 5% of the total number of units. Here are some of the things that the inspector will be looking at during the interior inspection:

- Structure: Conditions must not constitute a threat to the health and safety of tenants. (Ex: Holes in walls and or ceilings, obvious structural failures, bucking floors and or ceilings.)
- Foundation: Indications of foundation failure. (Ex: Sticking doors/ windows, cracks in walls, door frames, floors, etc.)
- Safety devices: If and where required must be operable. (Ex: Locks, latches, smoke detectors.)
- Plumbing: All plumbing must operate efficiently to protect tenant health and safety. (Ex: Water heater, traps, and drains.)
- Electrical: All electrical wiring and circuits must be installed safely and in conformance with all applicable codes. (Ex: Check outlets for proper GFCI protection, check outlets for reverse polarity, check for appropriately installed breakers, etc.)
- Mechanical: All A/C units and heaters are working properly, installed per specs and in accordance to the code.
- Health & Sanitation: Conditions must not constitute a threat to health and safety of tenants. (Ex: No evidence of rodents, insects, water penetration, mold, etc.)

If the property fails either exterior or interior inspection, the Property owner is responsible for ensuring that the noted violations are corrected within the following timeframes:

1. Life safety violations (imminent threat of injury or death): Must be isolated immediately from the Tenant and repaired within a reasonable time period.
2. Critical violations (potential threat to health or safety): Must be isolated from the tenant within 72 hours and repaired within a reasonable time period.

After the violation(s) is corrected, the city will re-inspect the property to verify that corrections have been made. The initial inspection and the first re-inspection are provided at no additional cost to the applicant. Second and subsequent re-inspections will be assessed a fee of \$50.00 per inspection.

* It is the owner's responsibility to call in for the re-inspect and to pay any fees applicable.

Step 3: Issue license

Once the application and property pass all required reviews and inspections, the City will issue the property owner a license to operate the property as a rental property. The license is good for one year from the date of issuance.

Step 4: License renewal

All licenses are valid for one year from the date of issuance. Please check your license frequently to ensure that it is current. You may renew your license up to 60 days in advance of the license expiration.

The renewed license will start the day the prior license expires. Properties with expired or revoked licenses can be fined up to \$_____ per day.

Note: License revocation; A license may be revoked when violations are not corrected in a timely manner.

IMPORTANT INFORMATION FOR RENTING TO REGISTERED SEX OFFENDERS

Under the City of Pearland Code of Ordinances, Chapter 20, Article V, Sec 20-84- Property owners prohibited from allowing sex offenders to establish or maintain residency; penalty, it is unlawful for a property owner to knowingly allow a person who is prohibited from establishing a permanent residence or temporary residence pursuant to the terms of this chapter to establish or maintain a permanent residence or temporary residence on his or her property if such property is located within one thousand (1000) feet, as defined in subsection 20-72(c), of any premises where children commonly gather, including a playground, school, day care facility, video arcade facility, public or private youth center, or public swimming pool, as those terms are defined in V.T.C.A., Health and Safety Code 481.134. It shall be prima facie evidence that this section applies to such a person if the person's record appears on the database and the database indicates that the victim was less than sixteen (16) years of age.

Each day that a property owner allows a permanent residence or temporary residence to be maintained in violation of subsection 20-74 (b) shall constitute a separate violation. Any property owner violating a provision of this chapter shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine in accordance with the general penalty section 1-11 of this code.

It is the responsibility of the property owner to properly screen potential tenants to ensure compliance with this ordinance. Please consult the City of Pearland's Ordinances or the Pearland Police Department at 281.997.1100 if you have any questions.

A free search is available on the State website at:
<https://records.txdps.state.tx.us/DPS>

Click on the Public Sex Offender Search Category

INFORMATION ON THE FAIR HOUSING ACT

Title VIII of the Civil Rights Act of 1968 (The Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color , national origin, religion, sex, familial status, and disability. Please remember this legislation as you rent properties in the City of Pearland.

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City of Pearland- Adoption of 2006 IMPC	8
Application Form	Attached

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APPLICATION FOR MULTI-UNIT RENTAL PROPERTY LICENSE

INCOMPLETE OR NON-LEGIBLE APPLICATIONS WILL NOT BE ACCEPTED.

Property Information (Required)

Name of Property: _____
 Address: _____ City _____ State _____ Zip _____
 Office on site? Yes _____ No _____ Website/Email address _____
 Total Number of Buildings: _____ Total Number of Units: _____ Year Built: _____

Management Company, Operator, Contact person, or Agent (Required)

Check one: Mgmt. Co. _____ Operator _____ Contact person _____ Agent _____
 Name: _____
 Address: _____ City _____ State _____ Zip _____
 Phone: _____ Fax: _____ Email: _____

Property Owner Information (Required)

Check One: Sole Proprietor _____ Partnership _____ Corp. _____ Trust _____ Other _____
 Property owner's name: _____
 Owner's Address: _____ City _____ State _____ Zip _____
 Owner's Number: _____ Fax: _____ Email: _____
 Driver's License Number: _____ Issuing State: _____

THE UNDERSIGNED HEREBY CERTIFIES THAT THE INFORMATION PROVIDED ON THIS APPLICATION FORM AND IN ANY SUPPORTING DOCUMENTATION SUBMITTED HERewith IS TRUE AND CORRECT. IF SIGNED BY AN AGENT OF THE PROPERTY OWNER, THE AGENT CERTIFIES UNDER PERNALTY OF PERJURY THAT HE/SHE WAS AUTHORIZED BY SAID OWNER TO SUBMIT THIS APPLICATION.

Print Name Signature Date

Fees are \$80.00 plus \$8.50 per unit.

\$80.00 + \$8.50 per unit X _____ (Total number of rental units) = \$ _____ (amount due)

FOR OFFICE USE ONLY

Received by: _____ Date: _____ Inspection Completed by: _____
 Application approved: Yes _____ No _____ License # _____

MAIL COMPLETED APPLICATION AND CHECK OR MONEY ORDER FOR THE AMOUNT DUE PAYABLE TO:

City of Pearland Rental Property Inspection Program
3519 Liberty Dr., Pearland, TX 77581

For questions, please call 281-652-1647 or email us at www.rentalinspectionprogram@ci.pearland.tx.us

City of Pearland adoption of the 2006 International Property Maintenance Code

Sec. 7-61. - Standard code—Adopted; conflicting provisions.

For the purpose of requiring the repair or demolition of those buildings which are dilapidated, substandard or unfit for human habitation and which constitute a hazard to the health, safety and welfare of the citizens of the city, and for the purpose of establishing minimum standards for the continued use and occupancy of such structures, to apply to buildings regardless of when constructed, there is hereby adopted and incorporated herein by reference as the ICC Property Maintenance Code, 2006 Edition. In the event of a conflict between any provision of the Property Maintenance Code adopted by this article and any other applicable provisions of state law or city ordinance, rule or regulation, the provisions of this Code of Ordinances, state law, or city rules and regulations shall control.

(Ord. No. 519, § 2, 8-11-86; Ord. No. 867, § 2, 8-24-98; Ord. No. 1296-2010, § 1, 4-12-10)

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Contact Information

To ask questions relating to this program, schedule an inspection, or request an application, please contact us at the numbers below during our regular business hours 7:30am – 5:30pm Mon-Fri.

By Phone: 281.652.1647

By Fax: 281.652.1702

Email: rentalprogram@ci.pearland.tx.us

Website: www.cityofpearland.com

In person: City of Pearland
Health & Environmental Services Department
3523 Liberty Drive
Pearland, TX 77581

City of Pearland

Residential Rental Property License & Inspection Program

A Guide for Tenants, Landlords, Property managers, and the Community

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Health and Environmental Services Department
3523 Liberty Drive, Pearland, TX 77581
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Thank you in advance for helping to make the City of Pearland an exceptional place.

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About the program

The City of Pearland's Rental Licensing and Inspection Program is used to ensure the safe occupancy of the property and that rental properties are conforming to the same property maintenance standards as owner occupied homes within the city.

If you own any rental property in the City of Pearland, as the property owner you will be asked to meet the following requirements;

1. Annually filing an application for a rental license and paying an \$80.00 licensing fee.
2. Filling out a Rental Self Certification form and attaching it to the application.
3. Maintaining your property in compliance with all city codes relating to health, sanitation, and property maintenance.
4. Remedying any violation of city codes found on your property.

You will need to submit an application for a Rental License along with the Rental self-checklist certification and pay the fee as soon as possible. Owners of unlicensed rental properties can be fined for each day that the unit is rented without a license. Water service will also not be provided to rental properties not having a license.

Once the City receives your application, we will conduct an inspection of the exterior and grounds of your property to ensure that it is in compliance. If no violations are found, the City will issue a license to continue operating your property as a rental unit. If violations are discovered, the City will work with you to establish a schedule for the remediation of the violations and may conduct interior inspections prior to the issuance of the rental license.

The City of Pearland is committed to working with you to ensure that your property complies with all applicable standards. If you have any questions or concerns, please contact the Rental Licensing program at () - Or send us an email at rentalprogram@ci.pearland.tx.us

Contact Information

To ask questions relating to this program, schedule an inspection, or request and application, please contact us at the numbers below during our regular business hours 7:30am – 5:30pm Mon-Fri.

By Phone: 281.652.1647

By Fax: 281.652.1702

Email: rentalprogram@ci.pearland.tx.us

Website: www.cityofpearlan.com

In person: City of Pearland
Health & Environmental Services Department
3523 Liberty Drive
Pearland, TX 77581

How the program works

The Residential Rental Licensing and Inspection Program is a process that requires the owner of a rental property to obtain a rental license.

Note: This program applies to single family residential structures.

Single family residential structures include but are not limited to single family homes, trailer homes, and mobile homes.

Each unit will have an exterior inspection performed annually in any of the following situations:

- a. at the time of licensing.
- b. at the time of renewals.
- c. anytime a violation is brought to our attention.

Each unit will have an interior inspection performed in any of the following situations:

- a. If vacant, at the time of licensing.
- b. If an inspector notes the exterior with several violations and may have reason to believe there may also be interior violations.
- c. as requested by the tenant.

Application Process:

All rental property owners are required to obtain a rental property license annually through the City of Pearland. In addition, all owners of rental property are required to perform a self-inspection of their rental units on an annual basis being due upon annual registration. The self-inspection is composed of a checklist of items, (i.e. foundation, plumbing, electrical, etc.) that the owner verifies meet city standards.

Step 1: Apply for license

Applications are available:

1. At the permits department 3523 Liberty Dr., Pearland, TX 77581
2. Online at www.cityofpearland.com

(The application packet includes the application form, a self-check list, and check for fees.)

Applications can be submitted along with rental self-checklist and payment to the city by:

1. Mail
2. In person at the City of Pearland's permits department.
3. Online with a credit card.

Application review:

1. Applications will be checked for completeness.
2. If approved, an inspection will be scheduled with the property owner and/or tenant.

Step 2: Property inspection

After receipt of the completed application packet for the rental license or renewal license, an inspection will be scheduled.

Exterior:

The exterior inspection is performed to provide an assessment of the property's structures, grounds, and general condition of the property. Here are some of the areas we will be looking at during the exterior inspection.

Grounds:

- High weeds and grass must be under 12 inches
- Open storage
- Unsanitary conditions (garbage, refuse, stagnant water, etc.)
- Junk vehicles (inoperable, no registration or inspection, flat tires, etc.)
- Fences must be in good repair, not leaning or collapsed
- Pools must be properly maintained and proper fencing required.

Structure:

- Roof (damaged, missing shingles, sagging rafters, etc.)
- Foundation (significant settling or cracks)
- Windows and Doors (all windows and doors must be in good and secure condition. i.e. no missing or broken windows and doors)
- Exterior finishes (rotten/ missing siding, unfinished surfaces, peeling paint, etc.)

Interior:

The City of Pearland will conduct an interior inspection when the property is vacant, if there is probable cause (a condition on the exterior that indicates serious health or safety issues may exist inside the dwelling unit), or at the request of the tenant. Here are some of the things we'll be looking for during the interior inspection:

- Health & Sanitation: - Conditions must not constitute a threat to health and safety of tenants. (Ex: Mold, insects, rodents, water penetration)
- Safety devices: If required, must be operable. (Ex: Locks, latches, smoke detectors, fire extinguishers).
- Structure: Conditions must not constitute a threat to the health and safety of tenants. (Ex: Holes in walls and or ceilings, obvious structural failures, buckling floors and or ceilings.
- Foundation: Indications of foundation failure. (Ex: Sticking doors/ windows, cracks in walls, door frames, floors, etc.).
- Plumbing: All plumbing must operate efficiently to protect tenant health and safety. (Ex: traps, water heater, test drains).

- Electrical: All electrical wiring and circuits must be installed safely and in conformance with all applicable codes. (Ex: Check outlets for proper GFCI protection, check outlets for reverse polarity, check for appropriately installed breakers).
- Mechanical: All A/C units and heaters are working properly, installed per specs and in accordance to the code.

If the property fails either the exterior or interior inspection, the Property Owner is responsible for ensuring that noted violations are corrected with the following timeframes:

1. Life safety violations (imminent threat of injury or death): Must be isolated immediately from the tenant and repaired within a reasonable time period.
2. Critical violations (potential threat to health or safety): Must be isolated from the tenant within 72 hours and repaired within a reasonable time period.

After the violation is corrected, the city will re-inspect the property to verify that the violation has been corrected. The initial inspection and the first re-inspection are provided at no additional cost to the applicant. Second and subsequent re-inspections will be assessed a fee of \$50.00 per inspection.

Step 3: Issue license

Once the application and property pass all required reviews and inspections, the City will issue the property owner a license to operate the property as a rental unit. The license is good for one year from the date of issuance.

Step 4 License renewal

All licenses are valid for one year from the date of issuance. Please check your license periodically to ensure that it is current. You may renew your license up to 60 days in advance of license expiration. The renewed license will start the day the prior license expires. We encourage licensees to apply for renewals at least 30 days before license expiration. Properties with expired or revoked licenses can be fined up to \$500.00 per day.

Note: Licensing Revocation;

A property rental license may be revoked if violations are not corrected in a timely manner.

APPLYING FOR WATER SERVICE FOR RENTAL PROPERTIES

Water services will not be provided by the City of Pearland on any rental unit that has not obtained a Residential Rental Property License.

When renting to tenants, the property owner must notify the City by applying for a license and scheduling an inspection. If the property owner fails to obtain the rental license prior to the tenant applying for water services, the tenant will be denied services until the owner applies and pays for the license fee.

Please advise your tenant that he or she will need the Residential Rental Property License number issued to that address at time of application for water services.

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INFORMATION ON THE FAIR HOUSING ACT

Title VIII of the Civil Rights Act of 1968 (The Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color , national origin, religion, sex, familial status, and disability. Please remember this legislation as you rent properties in the City of Pearland.

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IMPORTANT INFORMATION FOR RENTING TO REGISTERED SEX OFFENDERS

Under the City of Pearland Code of Ordinances, Chapter 20, Article V, Sec 20-84- Property owners prohibited from allowing sex offenders to establish or maintain residency; penalty, it is unlawful for a property owner to knowingly allow a person who is prohibited from establishing a permanent residence or temporary residence pursuant to the terms of this chapter to establish or maintain a permanent residence or temporary residence on his or her property if such property is located within one thousand (1000) feet, as defined in subsection 20-72(c), of any premises where children commonly gather, including a playground, school, day care facility, video arcade facility, public or private youth center, or public swimming pool, as those terms are defined in V.T.C.A., Health and Safety Code 481.134. It shall be prima facie evidence that this section applies to such a person if the person's record appears on the database and the database indicates that the victim was less than sixteen (16) years of age.

Each day that a property owner allows a permanent residence or temporary residence to be maintained in violation of subsection 20-74 (b) shall constitute a separate violation. Any property owner violating a provision of this chapter shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine in accordance with the general penalty section 1-11 of this code.

It is the responsibility of the property owner to properly screen potential tenants to ensure compliance with this ordinance. Please consult the City of Pearland's Ordinances or the Pearland Police Department at 281.997.1100 if you have any questions.

A free search is available on the State website at:
<https://records.txdps.state.tx.us/DPS>

Click on the Public Sex Offender Search Category

City of Pearland adoption of the 2006 International Property Maintenance Code

Sec. 7-61. - Standard code—Adopted; conflicting provisions.

For the purpose of requiring the repair or demolition of those buildings which are dilapidated, substandard or unfit for human habitation and which constitute a hazard to the health, safety and welfare of the citizens of the city, and for the purpose of establishing minimum standards for the continued use and occupancy of such structures, to apply to buildings regardless of when constructed, there is hereby adopted and incorporated herein by reference as the ICC Property Maintenance Code, 2006 Edition. In the event of a conflict between any provision of the Property Maintenance Code adopted by this article and any other applicable provisions of state law or city ordinance, rule or regulation, the provisions of this Code of Ordinances, state law, or city rules and regulations shall control.

(Ord. No. 519, § 2, 8-11-86; Ord. No. 867, § 2, 8-24-98; Ord. No. 1296-2010, § 1, 4-12-10)

Frequently Asked Questions

Q) When did the Residential Rental Property and Inspection Program begin?

A) The Residential Rental Property License Ordinance was adopted by the City Council on _____ (Ord. _____)

Q) What is the benefit of this program?

A) This program provides a benefit to the tenant, owner, and community. It ensures that tenants have a safe and sanitary condition to live in. The owner benefits from having maintenance issues addressed before they become serious costly repairs. Furthermore, owners that reside out of the area will benefit from having their properties inspected annually. The community will benefit because this will preserve and improve rental properties and, as a result, our neighborhoods.

Q) Are my tax dollars paying for this program?

A) No. Rental property owners pay a license fee that pays for all aspect of the program.

Q) Do I have to obtain a license and have my rental property inspected each year?

A) Yes. All rental properties must obtain a license and receive an exterior inspection annually.

Q) What happens if I fail to obtain my rental property license?

A) Rental properties without a license are subject to a fine up to \$_____ per offense. Each day can be considered a separate offense.

Q) Does this program apply to all rental properties?

A) Yes

Q) Do I have to schedule the inspection?

A) Exterior inspections do not need to be scheduled. The City will coordinate interior inspections with the tenant or owner. Please contact the City at 281.652.1647 to schedule an interior inspection.

Q) The application asks for information about several property owners. Does all of it need to be filled out?

A) Yes. The application must be complete in order to be processed.



APPLICATION FOR RESIDENTIAL RENTAL PROPERTY LICENSE

CITY OF PEARLAND RENTAL PROPERTY INSPECTION PROGRAM

INCOMPLETE OR NON-LEGIBLE APPLICATIONS WILL NOT BE ACCEPTED.

Address of Rental Property: _____ Renewal: Yes ___ No ___
 Vacant: Yes ___ No ___

OWNER INFORMATION

(A) INDIVIDUAL OWNER			(B) COMPANY, CORPORATION, PARTNERSHIP (IF APPLICABLE)		
Name:			Name:		
Mailing address:		Box/Unit/Apt:	Mailing Address:		Box / Suite #
City:			City:		
State:		Zip:	State:		Zip:
Date of Birth:		Contact Representative/ Agent Name:			
Driver's License #:		DL# / Issuing state:		Date of Birth:	
DL issuing State:		Mailing address of representative or agent:			
Primary Phone #:		Primary Phone #:			
Secondary Phone #:		Secondary Phone #:			
Fax Number:		Fax Number:			
E-Mail Address:		E-Mail Address:			

PROPERTY MANAGEMENT COMPANY OR EMERGENCY CONTACT INFORMATION

Property Management Company/ Emergency Contact: _____

Address: _____ City: _____ Zip: _____

Primary Phone #: _____ Secondary Phone #: _____ Email Address: _____

THE UNDERSIGNED HEREBY CERTIFIES THAT THE INFORMATION PROVIDED ON THIS APPLICATION FORM AND IN ANY SUPPORTING DOCUMENTATION SUBMITTED HERewith IS TRUE AND CORRECT, IF SIGNED BY AN AGENT OF THE PROPERTY OWNER, THE AGENT CERTIFIES UNDER PENALTY OF PERJURY THAT HE/SHE WAS AUTHORIZED BY SAID OWNER TO SUBMIT THIS APPLICATION.

Owner or Agent Signature _____ **Title** _____ **Date** _____

FOR OFFICE USE ONLY

Received by: _____ **Date:** _____ **Property Inspection Completed: Exterior** _____ **Interior** _____

Inspection: Approved _____ **Denied** _____ **License #** _____

MAIL COMPLETED APPLICATION AND CHECK OR MONEY ORDER IN THE AMOUNT OF \$80.00 PAYABLE TO:

City of Pearland Rental Property Inspection Program
 3519 Liberty Dr., Pearland, TX 77581

For questions, please call 281-652-1647 or email us at www.rentalinspectionprogram@ci.pearland.tx.us

The City of Pearland Rental Licensing and Inspection Program Revenue Estimates

The City of Pearland currently has 25 multi-family complexes with approximately 6232 units. Our Utility Billing department has confirmed that the city currently has 2345 single family residential rental properties.

Note: Apartment interior inspections are only performed up to 5% of vacant units unless complaint based.

Proposed fees for single family residential rental properties are \$ 80.00 per year.
Proposed fees for multi-family residential rental properties are \$80.00 + \$8.50 per unit per year.

Revenue estimate for single family rental is $2345 \times \$80.00 = \$187,600$

Revenue estimate for multi-family rental is $25 \text{ complexes} \times \$80.00 = \$2000 + (6232 \times \$8.50 \text{ per unit}) = 54,972$

$\$54,972 + \$187,600 = \text{Total revenue estimated at } \$242,572$

We will require two fulltime licensed TREC inspectors to perform the inspections and re-inspections for this program. The inspectors will ensure licenses are current, do annual and random inspections of interior and exterior residential and multi-family properties, and will do complaint based inspections. Estimated inspections per year are about 3500 for two staff.

(This includes 2345 single family units, 25 complexes, about 5% of total units are 430, about 20% follow up inspections is 560, and an estimate of complaint based inspections of about 140. Exterior complaint based inspections will also be handled with assistance from the current code officers.

Salary calculations (assuming \$20/hr.) $2 \text{ persons} \times \$20/\text{hr.} \times 2080\text{hrs} = \$83,200$ (\$41,600 each)

Benefits for 2 fulltime employee at \$20/hr. = \$29,120 (14,560 each)

$\text{Net revenue} = \$242,572 - \$112,320 = \$130,252$

One time expenditures for two new positions of licensed TREC inspector.

Vehicle $(\$18,725 \times 2) = \$37,450$

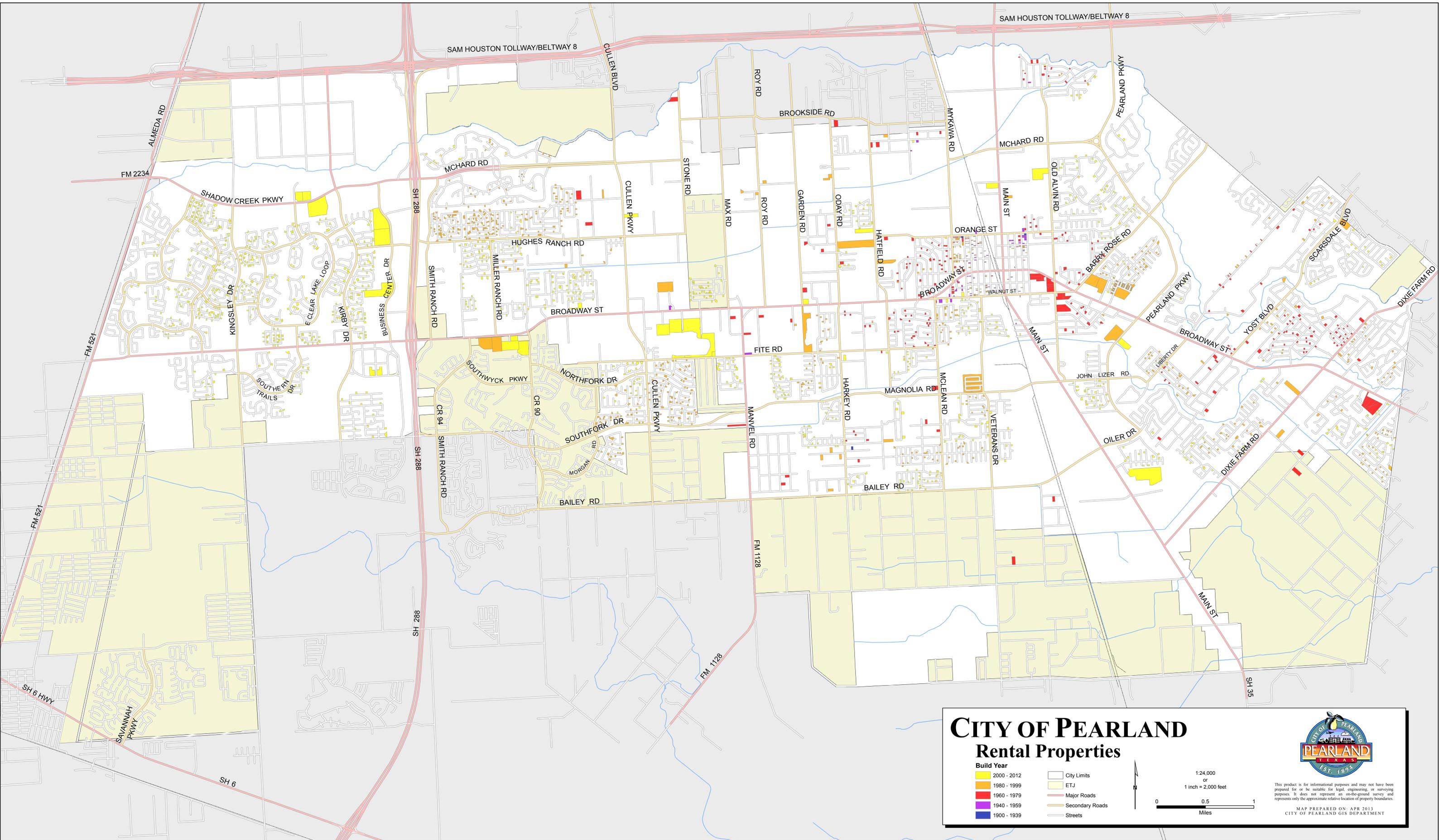
Furniture $(\$1500 \times 2) = \$3,000$

Tablets $(\$1000 \times 2) = \$2,000$ (Window 8 tablets to instead of Desktop computers)

Printers $(\$300 \times 2) = \600 (Mobile printers)

Cell Phones $(\$75 \times 2) = \150

Total = \$43,200

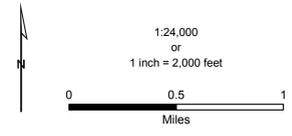


CITY OF PEARLAND

Rental Properties

- Build Year**
- 2000 - 2012
 - 1980 - 1999
 - 1960 - 1979
 - 1940 - 1959
 - 1900 - 1939

- City Limits
- ETJ
- Major Roads
- Secondary Roads
- Streets



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

MAP PREPARED ON: APR 2013
CITY OF PEARLAND GIS DEPARTMENT

Workshop Item No. 2

2. **COUNCIL INPUT AND DISCUSSION:** REGARDING COMMERCIAL/INDUSTRIAL SEWER USE CREDIT. *Ms. Claire Bogard, Director of Finance.*

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF:	June 3, 2013	ITEM NO.:	Workshop Item No. 2
DATE SUBMITTED:	May 24, 2013	DEPT. OF ORIGIN:	Finance
PREPARED BY:	Claire Bogard	PRESENTOR:	Claire Bogard
REVIEWED BY:	Bill Eisen	REVIEW DATE:	5/28/13
SUBJECT: Workshop – Commercial/Industrial Sewer Use Credit			
EXHIBITS: Commercial/Industrial Sewer Use Credit Program Sewer Use Credit Application			
FUNDING:			
<input type="checkbox"/> Grant <input type="checkbox"/> Developer/Other <input type="checkbox"/> Cash <input type="checkbox"/> Bonds To Be Sold <input type="checkbox"/> Bonds- Sold <input type="checkbox"/> L/P – Sold <input type="checkbox"/> L/P – To Be Sold			
EXPENDITURE REQUIRED: N/A		AMOUNT BUDGETED: N/A	
AMOUNT AVAILABLE:		PROJECT NO.:	
ACCOUNT NO.:			
ADDITIONAL APPROPRIATION REQUIRED:			
ACCOUNT NO.:			
PROJECT NO.:			
To be completed by Department:			
<input checked="" type="checkbox"/> Finance	<input type="checkbox"/> Legal	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution

EXECUTIVE SUMMARY

BACKGROUND

The City has been approached by a few businesses regarding the possibility of a sewer use credit program. The purpose of such a program allows commercial users an opportunity to receive a reduction in sewer charges for metered water that does not enter the sanitary sewer system. Currently commercial customer's sewer charges are based at 100% of metered water used, excluding separate irrigation meters. However, there are some instances where the water is not returned to the sewer system, such as in cooling towers, chillers and in product use to name a few.

The program would allow for those customers that qualify to install a separate sub-meter dedicated to metering water that does not enter the sewer system. Utility Billing would then calculate a credit on the customer's bill based on the difference between the meter and the sub-meter. There would be appropriate fees involved for City time and expense in reviewing and administering the program.

Staff will present the program at the workshop. If Council concurs, staff would update the Fee Ordinance for Council approval at a June regular meeting.

RECOMMENDED ACTION

Conduct workshop on Commercial/Industrial Sewer Use Credit Program.

**CITY OF PEARLAND
COMMERCIAL/INDUSTRIAL SEWER USE
CREDIT PROGRAM**

This is a voluntary program and is intended to provide guidance to customers that wish to obtain credit for water that does not enter the City of Pearland sanitary sewer system.

A sewer use credit is available to commercial customers who use water that is consumed or lost in product/production or through evaporation, as illustrated by, but not limited to, cooling towers, boilers, manufacturing or food products. Irrigation use is not included as customers can purchase a separate irrigation meter.

Customers eligible for the credit must meet all of the following conditions:

1. Have a metered water account with the City
2. Be a named customer on the account
3. Be able to clearly demonstrate in the application that more than 25% of water supplied to your property will not or cannot be returned as wastewater to our public sewer and must be year round vs. seasonal; and
4. At the customer's sole expense, install meters or other liquid measuring devices that are accurate and approved by the City to continuously measure:
 - a. Total wastewater discharged directly into the wastewater system from the premises: or
 - b. The amount of water used that is not returned to the wastewater system

SUB-METERING REQUIREMENTS

A licensed Engineer or a licensed and bonded plumbing contractor should be consulted on the proper design, location and installation of any sub-meters needed to clearly and accurately determine the amount of water that is consumed or lost, and not returned to the sewer system. It is the customer's responsibility to insure that all work performed as a part of this program meets building and plumbing codes. A building/plumbing permit will be required from the City. It is the customer's or contractor's responsibility to obtain any and all permits for the installation of the sub-meters, and any necessary back flow prevention devices prior to the commencement of any plumbing work. The City's permit office is located at 3523 Liberty Drive, Pearland, TX 77581 and may be reached at 281-652-1638

1. All sub-meters shall be located in an area accessible to City staff.
2. All sub-meters shall be purchased from the City of Pearland. The City currently uses Neptune meters and R900i registers.
3. Sub-meters must be replaced to ensure accurate readings as follows:
 - a. 5/8" to 2" meters – at 10 years of use
 - b. Sub-meters larger than 2" - at 15 years of use

- c. Or in either case if there have been repeated repairs on the sub-meter and testing indicates a reading of 90% or below or 110% and higher.

Additional Cooling Tower Requirements

Based upon processes, cooling towers may either have one sub-meter or two sub-meters; one on the make-up line and one on the blow-down line. Overflows or “blow downs” must be maintained in good working order. No over-spray will be allowed. No drains or hose connections will be allowed between the sub-meter and the discharge meter.

For applicants claiming the need for one sub-meter, the application must include a description of the process used for 100% evaporation and how repairs and cleaning of the towers will take place that will not result in discharge into the City’s sanitary sewer.

INSPECTIONS and REPAIRS

The City shall have the right to inspect the sub-meters in order to verify that they are functioning properly and to verify accuracy of the readings. Ingress and egress rights to any sub-meters for reading and/or inspection will not be unreasonably withheld during working hours Monday through Friday 8:00am to 5:00pm.

- 1. All equipment is subject to inspection after installation
- 2. To assure accuracy, the sub-meters will be tested and inspected once every 12 months by the City for a fee based on size of meter as follows:

5/8” – 8”	\$225	above 8”	\$275
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City uses sub-contractor to tests meters and fee may change based on cost to City. If repairs need to be performed upon testing, the charge will be labor plus parts.

- 3. If a water sub-meter(s) or meter interface unit (MIU) is defective or malfunctioning, the City shall be notified within two business days. The City will inspect and make repairs, to be charged to customer. (Labor plus parts)
- 4. Failure to report defective or malfunctioning sub-meter or MIUS’s within the specified time period shall result in the loss of the sewer use credit, until the City is notified and repairs are made and the sub-meter is functioning properly.

BILLINGS and CREDITS

Sewer use credits will only be calculated based on actual readings from approved sub-meters or other liquid measuring devices approved by the City. Sewer use credits will be calculated based upon the difference between the main meter and the sub-meter. In the case of cooling towers with blowdown sub-meter, sewer use credits will be calculated based upon the difference between the sub-metered feed water and the sub-metered blow down discharge water.

The City, via its drive-by reading system, will read the sub-meters, where they can be read and calculate the credit on the monthly bill. Where/when the readings cannot be read, the customer must manually read the meters, record the data on the sub-meter read form provided by the City and return it within two days of the specified read date, by fax to 281-652-1700 or by email to_____. The City will not accept estimated reads.

Failure to submit the readings within the two days may result in the credit being delayed until the following month. Readings that are submitted more than a month late may result in the loss of the credit for that month. Continued failure to submit on a timely basis could result in dismissal from the program.

The amount of the credit will be based on sewer rates set by Ordinance by City Council in any given year. Rates are subject to change.

NO PORTION OF THE WATER MEASURED BY THE SUB-METERS SHALL BE DISCHARGED INTO THE STORM SEWER SYSTEM; AS SUCH DISCHARGE MAY BE ILLEGAL UNDER THE PROVISIONS OF THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM.

APPLICATION

In order to participate in the program, customers must apply to the program via the City's application form. Application forms can be obtained two ways:

1. On the City's website www.cityofpearland.com, click on
2. Call 281-652-1602 and the form will be e-mailed back to you

Fill out form and attach all required information. Information includes:

1. General description of the company and the products
2. Specific description of the processes or components proposed for sewer use credits via sub-metering.
3. Average water use for the entire facility

4. Calculations demonstrating that over 25% of total water use is lost to evaporation or product use, and therefore not returned to the sewer system,
5. Drawing or schematic of the plumbing with proposed meter and sub-meter locations, water discharge points, location of equipment, etc.
6. Customer/Company name and address
7. Customer contact (phone number and e-mail address)

Please see application for full list of requirements. Submit application and fee to:

City of Pearland
Utility Billing Department
3519 Liberty Drive
Pearland, TX 77581

Upon receipt, the City will review the application form and all attachments. The City will then contact you within 10 working days regarding the status of the application. More information, clarification, or a site visit may be needed before the application is deemed complete.

Once approved, the applicant may proceed with the installation of the new sub-meters consistent with the application. Be sure to obtain all permits required. After meter installation is complete, you must contact the City at 281-652-1603 to verify and inspect the meter and to get initial reads from the meters. Sewer use credit approval to perform work is good for 6 months from approval date.

There will be an application fee of \$500 for the cost of review and first inspection. Any delinquent water bills must be paid at the time of application. There will also be a monthly administrative fee of \$50 that will be charged to your water account to recoup the cost of administering your monthly credit as well as an annual fee for sub-meter testing and inspection based on size of meter.

General description of products produced or services rendered?

Specific description of the processes or components proposed for sewer use credits.

If you are requesting sewer credit for cooling tower with 100% evaporation and only one sub-meter on the make-up line, please explain the processes that allow for 100% evaporation as well as how cleaning and repairing of the cooling tower will be handled to ensure that no water will be returned to the wastewater system?

Attach calculations demonstrating the percent of facility's proposed sub-metered water use that is not returned to the sewer.

Attach plan view drawings or sketches showing the location of the components/facilities proposed for sewer use credit.

Attach a drawing or schematic of the building plumbing with the proposed and/or existing meter location(s) and water discharge points clearly labeled. The schematic does not need to include all interior building plumbing but it does need to clearly denote the outside public water and sewer service connections and meters, location of the service line backflow prevention device(s), floor plan showing location of the cooling towers, equipment/product line for which credit is requested, sub-meter location(s), and size of drain lines.

- Provide sizes of meters, including sub-meters as the City must ascertain if appropriately sized for the applicants systems.

Does this facility obtain water by private well or sources other than the City of Pearland?
 _____ Yes _____ No If yes, describe:

Does this facility hold any environmental permits? _____ Yes _____ No
 If yes, please list below:

<u>Agency</u>	<u>Number</u>
_____	_____
_____	_____
_____	_____

SIGNATURES

Certification Statement, to be completed by an authorized representative:

I have personally examined and am familiar with the information submitted in the document and attachments. I certify that the submitted information is true, accurate, and complete:

Printed Name of Representative	Title
Signature	Date

The City will review the application form and all attached information provided. If more information or clarification is needed, the City will contact you, including a possible site visit.

Upon approval, you may proceed with the installation of the new meters according to the sketch and diagram provided in the approved application form. Meters and MIU’s must be obtained from the City of Pearland. Be sure to obtain all permits required. After meter installation is complete, you must contact the City at 281-652-1602 to verify and inspect installation and to get initial reads from the meters.

A \$500 application fee will be required at time of submission. Any delinquent water bills must be paid in full at the time of application. If approved, there will also be a monthly administrative charge of \$50 to administer the program as well as an annual inspection and testing fee for each sub-meter based on size of each sub-meter.

Mail application and all attachments to:

City of Pearland
Utility Billing Manager
3519 Liberty Dr.
Pearland, TX 77581