

CHAPTER 1371  
Rental License/Certification of Occupancy

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1371.01 DEFINITION

(a) "Agent" or "Person in Charge" means any individual, person, firm, partnership, corporation or company acting on behalf of the property owner of a residential rental.

(b) "Building Official" shall mean the Building Commissioner of the City of Rocky River.

(c) "Rental Unit" shall mean the occupancy of a living unit by persons who are not the owners of that unit. If the unit is one owned by a corporation or partnership and the occupier is less than fifty percent (50%) owner of the unit, an inspection and Certificate of Occupancy will be required.

1371.02 RENTAL LICENSE/CERTIFICATE OF OCCUPANCY

(a) REQUIRED - On and after July 1, 1985, no owner, agent, or person in charge of any building or unit thereof shall rent or lease such building or any part thereof for residential occupancy, nor shall a person occupy such building unless the owner thereof holds a Rental License/Certificate of Occupancy issued by the Building Officials, which certificate has not expired, been revoked or otherwise become null and void.

(b) ISSUANCE

(1) Application for a Rental License/Certificate of Occupancy required by the provisions of this Chapter shall be made by supplying the information and data to determine compliance with applicable laws, ordinances, rules and regulations for the existing use or occupancy or the intended use or occupancy on forms, supplied by the Building Official. Upon completion of such application and submission of the required fee, the Building Official shall issue a Rental License.

Upon obtaining a Rental License, the owner, agent or person in charge of any building or unit thereof shall comply with the provisions of this Chapter to obtain a Certificate of Occupancy.

(2) The Building Official may cause a general inspection of the building and premises to be made.

(3) If it is found that a building and premise is in compliance with the provisions of Section 1370.05 through and including 1370.13 Property Maintenance Code of the Codified Ordinances, and all other laws, ordinances, rules and regulations applicable thereto, the Building Official shall issue a Certificate of Occupancy for such building and the rental units thereon which shall contain the following information:

aa. The street address of the building and/or accessory buildings, if any.

bb. The name and street address of the owner/agent. Post office boxes may be used in addition to the required street address.

(4) The Rental License/Certificate of Occupancy shall be valid for a period of twelve (12) months.

(5) The Building Official shall have the power to revoke a Rental License/Certificate of Occupancy if any false statement shall be made by the applicant in connection with the issuance of such certificate, or for the noncompliance of a building or rental unit thereof with the requirements of this Chapter, or the owner, agent or person in charge of a building or rental unit thereof shall refuse to comply with any provision of this Chapter.  
(Ord. No. 143-04. Passed 12/12/04.)

#### 1371.03 DATE OF APPLICATION

The owner of a building or rental unit thereof requiring a Rental License/Certificate of Occupancy shall apply for such Rental License/Certificate of Occupancy upon forms provided by the Building Official if such building or rental unit thereof is proposed to be occupied or will be available for occupancy. The Rental License/Certificate of Occupancy shall be issued for a period of twelve (12) months. Failure to so apply will be deemed to be a violation of this Chapter and will subject the owner of the building or rental unit thereof to the legal action and penalty prescribed in Section 1371.99 hereof.  
(Ord. No. 144-04. Passed 12/13/04.)

#### 1371.04 POSTING OF CERTIFICATE

The owner, agent or person-in-charge of a building or rental unit used for residential occupancy shall retain and furnish upon request a copy of the Rental License/Certificate of Occupancy to the tenant or lesser of the rental unit.



### 1371.05 FEES, AND RENTAL LICENSE/CERTIFICATE OF OCCUPANCY

(a) All rental units including but not limited to single family buildings or residential units within condominium buildings shall pay a following fee for a Rental License/Certificate of Occupancy. The fees cover the twelve (12) month period.

One Rental Unit . . . . .	\$50.00
Two Rental Units . . . . .	\$80.00
Three or More . . . . .	\$100.00 for first three units and \$20.00 for each unit over the first three

(b) Any Rental License/Certificate of Occupancy issued under this Chapter shall be valid for a period of twelve (12) months from the application date unless said Occupancy Permit is revoked under the provisions of this Chapter.

(c) Reinspection Fee: The initial inspection and a maximum of two reinspections are included in the application fee paid to the City for the Rental License/Certificate of Occupancy. Any subsequent reinspection will require a reinspection fee of Forty (40) Dollars.

(d) Charge for late payment will be required if payment of the Rental License/Certificate of Occupancy is not received within forty (40) days (includes a ten [10] day grace period) from the application date. A late charge fee of Ten (10) Dollars will be assessed every ten (10) days thereafter, per unit. (Ord. No. 145-04. Passed 12/13/04.)

### 1371.06 REPORTS AND REINSPECTION

(a) Upon completion of an inspection, an inspection report will be issued to the agent/owner of the rental property within three (3) weeks.

(b) Violations enumerated in the inspection report shall be abated within thirty (30) days from the date of the inspection report. A reinspection shall be required to verify that the violations have been corrected. Property owners shall contact the Building Official to schedule the required inspection.

(c) Failure to correct the violations within thirty (30) days from the inspection report date shall constitute a violation of this Chapter. Upon request, the Building Official may grant additional time necessary to correct the violations.

(d) Reinspection fees appear in Section 1371.05(c).

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1371.07 CHANGES - NEW RENTAL LICENSE/CERTIFICATE OF OCCUPANCY AND FEES

(a) In the event that there is a change in the resident owner or agent or non-resident owner or agent shown on the Rental License/Certificate of Occupancy, the owner shall notify the Building Official, in writing, within thirty (30) days from such change, giving the name and address of the new resident owner or agent or non-resident owner or agent. Failure to so notify the Building Official within the specified time shall constitute a violation of this Chapter and will require the new owner or agent to reapply for a new Rental License/Certificate of Occupancy.

(b) In the event there is a change in ownership of record, the Rental License/Certificate of Occupancy issued under the provisions of this Chapter to the former owner shall be null and void. A new Rental License/Certificate of Occupancy shall be applied for not more than thirty (30) days after such change in ownership has occurred. Application forms shall be obtained from the Building Official. Such new Certificate shall expire on the same date as that of the Certificate which it replaced. There shall be no fee charged for said change, if made within said prescribed time limit.

(c) Any change in the nature or extent of the use of occupancy as specified in the Rental License/Certificate of Occupancy shall render the Rental License/Certificate of Occupancy null and void upon the happening of such change. No such change is permissible under this Chapter unless such change has been approved by the proper City authorities, and unless a new Rental License/Certificate of Occupancy incorporating such change has been issued. Any such change without the approval of the proper City authorities will subject the owner, operator or agency to the penalties provided in Section 1371.99 hereof. The new Certificate shall expire on the same date as that of the Certificate which it replaces.

1371.99 PENALTY; LEGAL ACTION

(a) Whoever violates any provision of this Chapter or any rule or regulation promulgated thereunder or fails to comply therewith or with any written notice or written order issued thereunder shall be guilty of a first degree misdemeanor subject to a maximum fine of One Thousand Dollars (\$1,000) or a maximum imprisonment term of six (6) months, or both, with the special restriction that each violation shall result in at least a minimum fine of Two Hundred Fifty Dollars (\$250.00).

(Ord. No. 153-04. Passed 12/13/04.)

(b) The imposition of any penalty as provided for in this Chapter shall not preclude the Director of Law from instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful repair or maintenance, to

restrain, correct or abate a violation, to prevent the occupancy of a building, or premises, or to require compliance with the provisions of this Chapter or other applicable laws, ordinances, rules or regulations or in the orders or determinations of the Building Official, the Director of Public Safety-Service or the Board of Zoning and Building Appeals.

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