



CITY OF WATERVILLE

CITY COUNCIL

ORDINANCE 54-2023

Effective Date: 4/11/23

ADOPT a Rental Housing Registration Ordinance

BE IT ENACTED by the City Council of the City of Waterville, as follows:

THAT the attached Rental Housing Registration Ordinance be adopted.

IN THE CITY COUNCIL,

March 7, 2023 First Reading and Accepted.

March 21, 2023 Second Reading and Adopted.

Patti Dubois, City Clerk

APPROVED:

J. Coelho, Mayor

RESIDENTIAL RENTAL REGISTRATION ORDINANCE

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Sec. 1. Purpose; intent.

The City has many residential rental buildings, many of which are older and present property owners and managers significant challenges regarding upkeep and maintenance. The number of real estate proprietorships, partnerships, and corporations that own buildings in the City, sometimes managed through property management companies, creates challenges to the proper enforcement of the City's fire, building, and property maintenance codes, all of which are designed to ensure the public safety and welfare of residents.

The purpose of this ordinance is to: identify current ownership of these buildings; ensure the City has access to contact information on those responsible for maintaining them, as well as the individual who is responsible for responding to emergencies; provide basic information on these buildings to allow the City to effectively develop and implement housing policies and programs; and provide residents, including both owners and renters, accurate, complete, and transparent data about the City's residential rental housing stock. Information priorities include:

- (a) Accurate, up-to-date, and complete ownership, management, and contact information for every residential rental building.
- (b) An accurate inventory of dwelling unit quantity and configuration.
- (c) Expedite the efficient delivery of public safety services provided by the fire, police and code departments.

Sec. 2. Definitions.

The following words and terms, when used in this ordinance, have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this ordinance, which are defined in ordinances or statutes adopted by reference, have the meanings ascribed to them in those ordinances or statutes.

Dwelling Unit: A room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one family at a time, and containing cooking, sleeping, and toilet facilities. The term includes individual condominium, cooperative and townhouse units, and mobile homes. It also includes units that contain cooking, sleeping, and toilet facilities regardless of the time period rented. Recreational vehicles are not residential dwelling units.

Emergency Contact: The individual who responds to emergency after hour calls from tenants and public safety personnel.

Legal Owner: The individual or legal entity (such as an LLC or LP) holding the title to the property.

Property Management Company: An individual or business entity (which may be the Building Owner, or a party that has no ownership stake in a property) that serves as property manager on behalf of and at the direction of the Legal Owner.

Property Manager: An individual or business entity who coordinates maintenance and repairs of the real property, facilitates communication with tenants, and handles routine matters involving the property. The Property Manager serves as the primary contact for the City, its inspectors, and tenants.

Rent: Payments made for the use of a premises, including, but not limited to, money, services, trade, or a combination thereof; or the sharing of housing expenses with persons not part of the

homeowner's immediate family.

Residential Rental Building: A building containing one or more dwelling units offered for residential use and occupancy on a lease or other type of rental agreement.

Sec. 3. Applicability; exceptions.

- (a) The provisions of this ordinance apply to all Residential Rental Buildings except as noted in (b).
- (b) The provisions of this article do not apply to college dormitories located on college campuses; boarding and lodging houses, hotels, motels, or bed and breakfasts; hospitals; convalescent, rest, or nursing homes; residential care or congregate care facilities, or other institutional beds or rooms used for medical or mental health treatment services otherwise licensed by the City or state; mobile home parks; or such other buildings that are separately licensed by the City or the State of Maine.

Sec. 4. Voluntary Registration.

All owners of residential dwelling buildings are expected to register their property with the Waterville Fire Department through the City of Waterville's registration portal. The Fire Department shall make this information available to the Police Department and Code Enforcement. The information requested includes:

- Name and mailing address of legal owner
- Property manager contact information
- Emergency contact information
- Property street address
- Number of units in the building
- Information on fire alarm and sprinkler systems, if applicable

A registration certificate will be issued to the Legal Owner or designee of the building named on

A completed registration shall be submitted through the City's registration portal and shall include the following information:

- (a) Name, mailing address of the Legal Owner or owners of the building.
- (b) Name, mailing address, primary telephone number of the Property Manager of the building. This is the individual with whom the City will schedule inspections where appropriate and who coordinates maintaining the building, including responding to emergencies occurring during business hours. This individual may be the Legal Owner.
- (c) Emergency Contact. The name, mailing address, primary telephone number for the individual who will be the City's primary contact for after-hours emergencies at the building.
- (d) Street address of the building.
- (e) Number and type of dwelling units within the building. For each building, the number of floors, and the number of units shall be provided.
- (f) Whether the building has a monitored or supervised fire alarm or sprinkler system.

Upon receipt of the information, the City shall issue the registration certificate.

All Residential Rental Buildings are expected to be registered by October 31, 2023. If 90% of Residential Rental Buildings are not registered by October 31 of any given year, the City shall consider a mandatory Rental Registration Ordinance to include fees and/or fines.

Sec.7. Information Report

Annually the Fire Department shall give a report to the City Council containing aggregate information on the number of units registered, the number of buildings registered, the number of landlords registered and such other aggregate information as the Fire Department deems appropriate. Such report shall not include personal information on those registering.

Sec. 8. Severability.

If any clause, sentence, paragraph, section, article, or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.