

Introduced by McDavid

First Reading 12-17-12

Second Reading 1-7-13

Ordinance No. 021558

Council Bill No. B 360-12 A

**AN ORDINANCE**

amending Chapters 13 and 22 of the City Code as they relate to the duty of real estate agents, landlords and others to disclose occupancy limitations under the zoning code; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 13 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

**ARTICLE VI. ~~RESERVED~~ REAL ESTATE AGENTS, REAL ESTATE BROKERS AND PROPERTY MANAGERS**

Sec. 13-156. Real estate agents, real estate brokers and property managers; duties.

Real estate agents, real estate brokers and property managers shall provide to the buyer or lessee of any residential property that the agent, broker or manager sells or leases, information regarding the zoning district in which the property is located and the applicable occupancy limitations contained in chapter 29.

Secs. 13-~~156-157~~ – 13-185. Reserved.

SECTION 2. Chapter 22 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 22-184. - Certificate of compliance and notice of occupancy limitations ~~required; display.~~

(a) It shall be unlawful to operate within the city any apartment house, rooming house, two-family dwelling, or single rental unit without a current certificate of compliance, ~~displayed in full view in the lobby, vestibule or other prominent common area of the~~

~~apartment house, rooming house, two-family dwelling or single rental unit which is open to the public or to all occupants, and if there be no such area then such~~ The certificate of compliance shall be displayed in the office of the manager or in each dwelling unit or rooming unit.

(b) It shall be unlawful for any person to lease or sublease any apartment house, rooming house, two-family dwelling or single rental unit without first providing to the lessee or sublessee notice of the zoning district in which the property is located and the applicable occupancy limitations under chapter 29. The notice shall either be contained in the written lease or shall be on a zoning occupancy disclosure form provided by the director and signed by the lessor and each lessee. All current zoning occupancy disclosure forms and leases for the property shall be maintained in the office of the manager.

(c) It shall be unlawful for any owner, operator, agent or property manager of a rental unit to fail to immediately exhibit, upon request by a police officer or city inspector investigating any code violation, all lease, rental payment, tenant information and the zoning occupancy disclosure form pertaining to the unit. No person shall be found guilty of violating this subsection if the person demonstrates to the city that the person met the disclosure requirements of this section at the time of the alleged violation by producing the properly executed documentation within seven (7) days of the date of the alleged violation.

SECTION 3. This ordinance shall apply only to new or renewal leases entered into on or after February 1, 2013.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this 7th day of January, 2013.

ATTEST:

  
\_\_\_\_\_  
City Clerk

  
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Mayor and Presiding Officer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Counselor