

\$15.00

RRIC

Residential Rental Inspection Code

of the City of Ridgeland

Adopted November 15,

2022

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CHAPTER 1 ADMINISTRATION

SECTION

101

GENERAL

101.1 Title. These regulations shall be known as the *Residential Rental Inspection Code of the City of Ridgeland*, hereinafter referred to as "this code" or "RRIC."

101.2 Scope. The provisions of this code shall apply to all residential rental properties and premises and constitute minimum requirements and standards and penalties.

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare in so far as they are affected by the initial and continued occupancy and maintenance of residential rental structures and premises. Existing residential rental structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

101.5 Failure to Enforce Code. Failure to enforce any provisions or regulations of this Code shall not constitute a waiver or imply that the action is legal or prevent enforcement in the future.

SECTION

102

APPLICABILITY

102.1 General. The provisions of this code shall apply to all matters affecting or relating to residential rental structures and premises, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's Operator or designated agent (excluding the tenant) shall be responsible for the maintenance of buildings, structures and premises.

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *City of Ridgeland Zoning Ordinance, The Property Maintenance Code of the City of Ridgeland, International*

Residential Building Code, International Building Code, International Fuel Gas Code, International Mechanical Code and/or the National Electrical Code, as adopted by the City of Ridgeland.

102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the City of Ridgeland or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and/or insanitary.

102.5 Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions or applicable Code or Ordinance adopted by the City of Ridgeland, whichever is more restrictive.

102.6 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Section 102.3 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

102.7 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the Code Official.

102.8 Short-term Residential Rental Limitations. Any occupancy of such Dwelling Unit must be for a period of greater than thirty days. A Short-term Rental License is required for the rental of any Dwelling Unit for a period of less than three months. Exception: A month-to-month lease shall be allowed following the completion of a lease agreement that exceeds the Short-term Residential Rental Limitation provided that the occupant is the same person(s) listed on the original lease and registration previously filed with the City of Ridgeland.

SECTION

103

**COMMUNITY DEVELOPMENT DIVISION OF THE PUBLIC
WORKS DEPARTMENT**

103.1 General. The Community Development Division of the Public Works Department shall enforce the requirements of this Ordinance.

103.2 Liability. The Code Official, Officer or Employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the City of Ridgeland until the final termination of the proceedings. The Code Official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of

the Public Works Department, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

103.3 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be in accordance with the Fees identified in this Ordinance. Fees listed in this Code shall supersede fees that may be listed in other ordinances adopted by the City of Ridgeland.

SECTION

104

DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The Code Official shall enforce the provisions of this code.

104.2 Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

104.3 Inspections. The Code Official shall make all of the required inspections, or shall accept reports, if authorized by the code official, of inspection by approved agencies, if any, or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.4 Right of entry. The Code Official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

104.5 Identification. The Code Official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Notices and orders. The Code Official shall issue all necessary notices or orders to ensure compliance with this code.

104.7 Department records. Record shall be kept in accordance with Mississippi Law for the period required for retention of public records.

APPROVAL

105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the Code Official shall have the authority to grant modifications in writing for individual cases, provided the Code Official shall first find that special circumstances makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements.

105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the Code Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the Code Official shall have the authority to require tests to be made as evidence of compliance at no expense to the City of Ridgeland.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Code Official shall be permitted to approve appropriate testing procedures performed by an approved agency.

105.3.2 Test reports. Reports of tests shall be retained by the Code Official for the period required for retention of public records.

105.4 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved.

VIOLATIONS

106.1 Unlawful acts. It shall be unlawful for a person, firm, or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of Violation. The Code Official shall serve a notice of violation or order in accordance with Section 107 for violations that require a reasonable time to correct. Notice is

not required for the failure to obtain a Rental License, and a citation may be issued without further notice.

106.3 Prosecution of violation. Any person or entity failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction in accordance with §21-23-7. If the notice of violation is not resolved within a reasonable time period as set by the judge, and at the discretion of the judge, the judge may simultaneously authorize the City of Ridgeland, at its request, the option to remedy the violation itself, through the use of its own employees or its contractors, without further notice should the defendant fail to fully do so within the time period set by the judge. Subsequent to the City of Ridgeland and/or its contractors remedying the violation, the City of Ridgeland may petition the court to assess documented clean up (or repair) costs to the defendant, and, if, following a hearing on such petition, the judge determines (a) the violations were not remedied by the defendant within the time required by the Ridgeland Municipal Court, (b) that the City of Ridgeland and/or its contractors remedied the violation itself after such time period expired and (c) that the costs incurred by the City of Ridgeland were reasonable, the court may assess the costs to the defendant as a judgement, which may be enrolled in the office of the Madison County Circuit Clerk.

106.4 Violation penalties. Except as otherwise noted in this section, any person, individual, corporation, company, partnership, association or any other entity failing to comply with this code or any of the requirements thereof or otherwise violating this code or any of its provisions shall, after notice and a reasonable time to correct said violation(s), pay a fine not exceeding One Thousand Dollars (\$1,000) or imprisonment not exceeding 90 days, or both, for each violation and each day thereafter that said violation(s) remain uncorrected shall constitute separate offense(s) punishable by separate fine(s) not exceeding One Thousand Dollars (\$1000) or imprisonment not exceeding 90 days, or both, pursuant to §21-13-1 and 21-17-5, Mississippi Code of 1972, or other applicable statutes. For the purposes of this ordinance, the term “a reasonable time to correct” shall be the same as included in the correction order required under section 107.2.4 unless separately identified by a judge pursuant to section 106.3 of this Code. Penalties may be imposed for Failure to obtain a Rental License or pass Inspection prior to occupancy or for repeat violations. Penalties may be imposed for repeat violations without providing an additional time period to correct the violation.

106.5 Liens. If the Owner’s surety as required in §114 is insufficient to satisfy costs and penalties as set forth in §§ 106.3 and 106.4, such costs and penalties may be assessed against the real estate for which such costs and penalties were incurred. Such lien shall be second only to tax liens, and the amount thereof shall bear interest at the rate of eight per cent per annum for costs from the date of payment by the City of such costs. The City may institute foreclosure on such lien to recover said costs and penalties.

106.6 Other penalties and remedies. The City shall impose for said violation(s) all other penalties and have access to any other remedies available under the law to correct the conditions giving rise to the violation(s) of this code.

106.7 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, cor-

rect or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

SECTION

107

NOTICES AND ORDERS

107.1 Notice to person responsible. Unless the violation is exempt from notice requirements, whenever the Code Official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.1.

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit, structure, or premises into compliance with the provisions of this code.
5. Inform the property owner of the right to appeal as set forth in Section 111 of this Code.

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally to the Owner or Operator on file with the City of Ridgeland or Manager on duty; or
2. Sent by certified or first-class mail addressed to the last known address provided by the Owner or Operator at time of registration; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

107.5 Transfer of ownership. It shall be unlawful for the owner of any residential rental dwelling unit, structure, or property who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

SECTION

108

UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. When a structure or equipment is found by the Code Official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of the Property Maintenance Code of the City of Ridgeland.

SECTION

109

EMERGENCY MEASURES

109.1 General. In the event that emergency measures need to be taken by the City of Ridgeland, the provisions of the Property Maintenance Code shall govern.

SECTION

110

DEMOLITION

110.1 General. In the event that demolition needs to be ordered by the City of Ridgeland, the provisions of the Property Maintenance Code shall govern.

SECTION

111

MEANS OF APPEAL

111.1 Application for appeal. Any person or entity directly affected by a decision of the Code Official or a notice or order issued under this code shall have the right to appeal to the Board of Aldermen, provided that a written application for appeal is filed with the City Clerk within 10 calendar days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

111.2 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the Code Official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than a majority of the board membership.

111.2.1 Procedure. The board shall adopt and make available to the public through the City Clerk procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

111.3 Postponed hearing. When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

111.4 Board decision. The board shall modify or reverse the decision of the Code Official only by a concurring vote of a majority of the total number of board members.

111.4.1 Records and copies. The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the Code Official.

111.4.2 Administration. The Code Official shall take immediate action in accordance with the decision of the board.

111.5 Court review. Any person aggrieved by the decision of the Mayor and Board of Aldermen of the City of Ridgeland may appeal pursuant to Miss Code Annotated §11-51-75,

111.6 Stays of enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the Board of Aldermen and if appealed therefrom, the Circuit Court.

SECTION

112

RENTAL LICENSE

112.1 Rental License required. It shall be unlawful for any person or entity to own, operate, manage, or maintain Residential Rental Property in the City of Ridgeland as defined by this Ordinance without a current and valid Rental License having been issued for such Residential Rental Property. Any person or entity owning, operating, managing, or maintaining Residential Rental Property in the City of Ridgeland shall obtain a Rental License for each separate location.

112.2 Registration and Application. All persons or companies that own Residential Rental Property in the City of Ridgeland as defined by this Ordinance shall register the Residential Rental Property(ies) with the City of Ridgeland using forms as adopted by the Community Development Department.

112.2.1 Application Requirements. In order for Applications for Registration to be valid, all of the following information shall be provided and maintained current with the City of Ridgeland.

112.2.1.1 Street address of the Residential Rental Property. Single Family Houses, Duplexes, and Townhomes shall submit a separate application for each Dwelling Unit. Multi-family Dwelling Complexes shall submit one application for the entire complex as long as the property is under one ownership. If the Multi-family Dwelling Complex or units are owned by multiple owners, each owner shall submit an application for the portion owned. Multi-family Dwelling Complexes owned by a single legal entity shall submit one application for the entire complex as long as the property is under the ownership of one legal entity.

112.2.1.2 The name, physical and mailing address, telephone number, and email

address of each Owner within the Same Ownership of the entity owning the Dwelling Unit or Apartment Complex.

- 112.2.1.3 If the Owner is utilizing an Operator for the management of the Residential Rental Dwelling, the name, address, telephone number, and email address of the Operator, Owner's Agent, or Management company.
- 112.2.1.4 The name of the occupant(s) authorized to reside at the Residential Rental Property. Multi-family Dwelling Complex applicants shall submit a current rent roll as an attachment.
- 112.2.1.5 Proof of surety as required by Section 114 of this Code.
- 112.2.1.6 Payment of the \$50 Application Fee.

112.2.2 Verification of Information Provided. The City of Ridgeland reserves the right to review a lease agreement in order to verify information that may be unclear or disputed. An application may be deemed incomplete without verification.

112.2.3 Duration. The Initial Rental License shall be valid for the remainder of the calendar year through December 31 of the initial license year. An Annual Rental License shall be valid from January 1 through December 31 of each year. An application for renewal may be filed within thirty (30) days prior to the expiration date. The responsibility to file the Application in a timely manner rests with the property owner.

112.2.4 Updates Required. If, subsequent to the issuance of an Initial or Annual Rental License, the Residential Rental Property for which such Rental License was issued has a change(s) in the circumstances that result in a change of information provided on the Application, the Owner shall update the Application within thirty (30) days of the change(s). When there is an occupancy change between the registration anniversaries, the City of Ridgeland will update the Owner's Rental License with the information provided by the Owner on the order requesting an inspection prior to the occupancy change.

SECTION

113

RENTAL INSPECTIONS

113.1 General. All Residential Rental Property in the City of Ridgeland shall comply with this section.

113.2 Residential Rental Property. All persons or companies that own Residential Rental Property in the City of Ridgeland, shall cause each unit to PASS inspection every time the unit is vacated and prior to re-occupancy by another Tenant. The criteria for inspection will be the provisions of this Ordinance. A *Summary Checklist for Inspection of a Residential Rental Property* is included in this Ordinance as Appendix 'A'. In instances where the *Summary Checklist for Inspection of a Residential Rental Property* differs from the provisions of this Ordinance, the

provisions of this Ordinance shall govern. Owners, Managers, or the Owner's Agent are required to order the inspection once the unit is ready for inspection. The City of Ridgeland will make every effort to perform the inspection within 2 working days, except in the event where a 3rd party inspector is used for an Occupied Inspection. The City of Ridgeland will make every effort to have inspections by a 3rd party inspector performed within 5 working days.

113.3 Rental Inspection Fee. Each inspection and re-inspection shall be subject to the payment of a \$50 inspection fee in advance of the inspection.

113.4 Transfer to a Roommate. It shall be unlawful for an Owner to update a Rental License Application for the purposes of transferring occupancy and/or utilities to a roommate unless said roommate has been on the Application on file for the same unit with the City of Ridgeland for more than 6 months prior to the updated Application.

113.5 Violations. Failure to have the required units pass inspection prior to re-occupancy is a strict violation and is punishable in accordance with Section 106 of this Ordinance. Additionally, the transfer of electrical service or water service from the owner's account to the tenants account will not occur until the Residential Rental Property is in compliance with the provisions of this Ordinance. Additionally, water service may be disconnected or refused for failure to comply with the requirements of this Ordinance.

113.6 Occupied Inspections. Occupied Inspections and Occupied Re-inspections by the City of Ridgeland are prohibited unless prior authorization is given by the Code Official or his designee. If a situation arises that causes an unavoidable need for an occupied inspection, the Owner can request to secure a 3rd party inspection through the City of Ridgeland's preferred Vendor List for a fee of \$650 per inspection per unit payable to the City of Ridgeland who will pay the 3rd party inspector. The 3rd party inspector will provide a report to both parties and the corrections must be made. Residential Rental Properties that fail inspections or re-inspections, must be re-inspected by the same 3rd party inspector. The owner must pay \$450 for a re-inspection by the 3rd party vendor prior to each re-inspection. If the condition of the occupied Residential Rental Property is in poor condition as reported by the 3rd party inspector, the City of Ridgeland reserves the right to order that the Residential Rental Property be vacated until such time all violations are resolved. Also, if the Owner fails to make timely repairs, the City of Ridgeland reserves the right to order that the Residential Rental Property be vacated until such time all violations are resolved. If the unit is vacated, the normal fees for inspections shall apply going forward from the moment the unit is vacated.

113.7 Complaints. Occupants of Residential Rental Property in Ridgeland are encouraged to address their complaints directly to the Owner or Operator. In the event that the occupant is unable to convince the Owner or Operator to repair an issue(s) with the Residential Rental Property, or the occupant is unable to contact the Owner or Operator to report the issue, or if the occupant prefers not to contact the Owner or Operator, occupants may contact the Community Development Department to report a possible violation. The City of Ridgeland will attempt to address the issue with the Owner or Operator if a violation is evident and may choose to issue an official notice to correct violations if the violation is not resolved in a timely manner. If inspection(s) are required, the City of Ridgeland reserves the right to assess

inspection and re-inspection fees, including inspections by 3rd party inspectors for occupied inspections.

SECTION

114

ASSURANCES AND RESPONSIBILITY

114.1 General. All Residential Rental Property in the City of Ridgeland shall comply with this section.

114.2 Minimum Terms. Any occupancy of a Residential Rental Unit shall be for a minimum term of 30 days. A license issued by the Mayor and Board of Aldermen is required for any occupancy of a Residential Rental Unit for a term less than 3 months, and a new license is required each time there is an occupant change prior to re-occupancy.

114.3 Residential Rental Property Assurance. All persons or companies that own single family dwellings, two family dwellings, townhome, other residential rental, or apartments for the purpose of rent or lease in the City of Ridgeland, shall provide financial assurance in order to be permitted to rent or lease residential rental property in the City of Ridgeland per sections 114.4 or 114.5.

114.4. Single Family, Two-Family, Townhome, or Other Residential Rental Property Bond Requirement, excluding Multi-Family Rental Property. All persons or companies that own single family dwellings, two family dwellings, townhomes, or other residential rental property, excluding Multi-Family Rental Property, for the purpose of rent or lease in the City of Ridgeland, shall provide financial assurance in the form of a \$15,000 Bond per dwelling unit on file with the City of Ridgeland in order to be permitted to rent or lease Residential Rental Property in the City of Ridgeland. Said Bond shall provide surety for all sums owing for each and every violation of this Code, including costs and penalties as set forth in Section 106.

114.5. Multi-Family Rental Property Bond Requirement. All persons or companies that own multi-family dwelling units or apartments for the purpose of rent or lease in the City of Ridgeland, shall provide financial assurance in the form of an Original Bond on file with the City of Ridgeland in order to be permitted to rent or lease residential rental property in the City of Ridgeland. Said Bond shall provide surety for all sums owing for each and every violation of this Code, including costs and penalties as set forth in Section 106.

114.5.1 Application. The owner or management agent shall complete a registration application annually at which time, the owner must state the current number of dwelling units. The City of Ridgeland reserves the right to verify the contents of the application.

114.5.2 Calculation. The City of Ridgeland will provide the owner or management agent the calculated cost of the required bond. Bonds will be calculated based on the actual number of dwelling units covered by the application times \$1,000 per dwelling unit, not to exceed \$50,000 total.

114.6 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with the requirements of this Ordinance. A person or entity shall not permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this Ordinance. Occupants of a Residential Rental Property are responsible for keeping it in a clean, sanitary and safe condition. The Owner of a Residential Rental Property is responsible for the general maintenance of the property, and the Owner shall become responsible for the Tenants actions or inactions once the City gives notice to the Owner or Operator of violations that have not been addressed by the Tenant.

114.7. Local Requirement. If the owner of a Single Family House(s), Duplex(es), Townhome(s), or any other Dwelling type other than an Apartment Complex does not live within Madison, Hinds, or Rankin County, the owner shall be represented by an Operator who shall be designated to receive notices and services of process and who is authorized to grant consent for the City to inspect the Residential Rental Property pursuant to Section 113 of this Code. Apartment Complexes shall be represented by a Manager that is located at the property.

SECTION

115

UTILITIES

115.1 General. All Residential Rental Property in the City of Ridgeland shall comply with this section.

115.2 Utilities. Water and Electrical Service shall remain in the tenant's or tenants' name or names for the entire duration that the Residential Rental Property is occupied by the tenant or tenants. Owners or owner's agent shall put the Water and Electrical Service in the owner's or owner's agent's name when the Residential Rental Property is not occupied. No inspection or re-inspection can be performed without Water and Electrical Service active.

115.3 Delay of Transfer. Owners or owner's agent of multiple Single Family, Two-Family, Townhome, Multi-family, or Other Residential Rental Property that do not comply with the requirements of this Ordinance may experience a delay in the transfer of Water and/or Electrical Service until compliance is reached.

115.4 Responsibility for Past Due Water Bills. Owners of Residential Rental Property shall remain responsible for past due water bills for their tenant's usage prior to the City transferring billing to another occupant or back to the owner or owner's agent.

CHAPTER 2 DEFINITIONS

SECTION

201

GENERAL

201.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *City of Ridgeland Zoning Ordinance, the Property Maintenance Code of the City of Ridgeland, International Building Code, International Fire Code, Official Zoning Ordinance of the City of Ridgeland, International Plumbing Code, International Mechanical Code or the National Electrical Code*, such terms shall have the meanings ascribed to them as stated in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

201.5 Parts. Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit," "housekeeping unit" or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."

SECTION

202

GENERAL DEFINITIONS

APARTMENT. A dwelling unit located in a multi-family structure for occupancy by one family only, either rented or leased to the occupants.

APPROVED. Approved by the Code Official.

BASEMENT. That portion of a building which is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

CODE OFFICIAL. The official who is charged with the administration and enforcement of this code, or any duly authorized representative or designee.

CONDEMN. To adjudge unfit for occupancy.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

EXTERIOR PROPERTY. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

EXTERMINATION. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping, or by any other approved pest elimination methods.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking, bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

HOUSEKEEPING UNIT. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

INOPERABLE MOTOR VEHICLE. A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

LABELED. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

LET FOR OCCUPANCY OR LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

MANAGER. A person who controls the activities, business dealings, and other aspects on behalf of an Owner for a particular property(ies).

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OCCUPIED. The presence of any person or possessions within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy. Also known as Owner's Agent or Management Company. An Operator must be a Commercial Real Estate Broker located with Madison, Hinds, or Rankin County.

OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the State of Mississippi, Madison County or the City of Ridgeland as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

RESIDENTIAL RENTAL PROPERTY. Residential Rental Property is defined as a dwelling unit, structure(s), and property that is (1) rented, leased, or occupied by a non-fee simple owner pursuant to any lease or rental agreement, or (2) rented, leased or occupied by any non-fee simple owner pursuant to any lease-purchase, any contract for sale, any contract for deed, or any other instrument purporting to transfer ownership of property where the transfer of title is delayed. Residential Rental Property is further defined as an Apartment Unit and premises, a room for rent, a rental house and premises, a rental Townhouse and premises, a rental Duplex and premises, rental Mobile Home, and residential rental units in a Mixed Use

Building or development.

ROOMMATE. An individual that is included in the lease filed with the City of Ridgeland and included on the Application for the Rental License.

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH. Combustible and noncombustible waste materials, except garbage: the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, and dust and other similar materials.

SHORT-TERM RENTAL LICENSE. A license provided by the Mayor and Board of Aldermen.

SLEEPING UNIT. A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

STRUCTURE. That which is built or constructed or a portion thereof.

TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

YARD. An open space on the same lot with a structure.

CHAPTER 3 GENERAL REQUIREMENTS

SECTION

301

GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment, and exterior property.

301.2 Checklist. A *Summary Checklist for Inspection of a Residential Rental Property* is included in this Ordinance as Appendix 'A'. In instances where the *Summary Checklist for Inspection of a Residential Rental Property* differs from the provisions of this Ordinance, the provisions of this Ordinance shall govern.

301.3 The Property Maintenance Code of the City of Ridgeland. Chapters 3 through 8 of *The Property Maintenance Code of the City of Ridgeland* are hereby incorporated by reference in order to establish the maintenance, safety, and occupancy requirements of this Ordinance.

APPENDIX 'A'

A full size version of the *Summary Checklist for Inspection of a Residential Rental Property* can be obtained by contacting the Community Development Division at (601) 856-3877.

Summary Checklist for Inspection of a Residential Rental Property **

KITCHEN

- ☐ Are required appliances installed, secured, and working?
- ☐ Is the vent hood fan and light working above the stove; with the filter installed?
- ☐ Does the dishwasher discharge line have a "high-loop" or installed through an air gap?
- ☐ Outlets in the kitchen:
 - ☐ If serving a kitchen counter, is the receptacle GFCI protected?
 - ☐ If being repaired/replaced, does the receptacle, now, need to be GFCI protected?
 - ☐ If a receptacle is GFCI protected, are the other necessary receptacles also protected?
- ☐ Does the faucet and sink operate and drain, with no leaks?
- ☐ Are the sink and countertops sealed water tight?

BATHROOMS

- ☐ Are all receptacles in the bathroom GFCI protected?
- ☐ Do the doors latch and lock for privacy?
- ☐ Is the exhaust fan secured and working? If no exhaust fan, is there a window present and operable?
- ☐ Is the toilet:
 - ☐ Secure at the base; without wobble?
 - ☐ Sealed water-tight at the floor?
 - ☐ Functioning as intended; without leaks?
- ☐ Bathtub/Shower:
 - ☐ Is there a means to plug the drain for a bath to be filled?
 - ☐ Does the valve, tub spout, shower head, and drain work?
 - ☐ Are the shower head, valves, and tub spouts leak free?
- ☐ Lavatories:
 - ☐ Does the faucet and drain work, without leaks?
 - ☐ Is there a means to plug the drain to allow the sink to be filled?
- ☐ Is water tight-sealant applied:
 - ☐ At the base of the toilet?
 - ☐ Around, and at the base, of the tub AND tub surround joints?
 - ☐ Around the lavatory and counter top?

LAUNDRY ROOM

- ☐ Is the washing machine box:
 - ☐ Secure and sealed with no gaps?
 - ☐ Are the valves working, with no leaks?
 - ☐ Are old hoses, not in use, removed from valves?
- ☐ Does the dryer duct:
 - ☐ Have rigid metal piping (passing through the floor, wall, or ceiling) and secured?
 - ☐ Have a back-draft damper installed at the discharge?
- ☐ If washer and dryers are supplied, are they installed and functioning?

GAS APPLIANCES

- ☐ Is the gas piping secure?
- ☐ Is there a gas valve in the same room as the appliance, within 6 feet?
- ☐ Is the exhaust piping attached securely to the appliance or draft hood?
- ☐ Is there proper clearance around the appliance/exhaust from combustibles?
- ☐ Is there sufficient combustible air to supply the appliance?
- ☐ If located in an uninhabitable room, is the exhaust piping B-VENT?
- ☐ Are the flashing, storm collar and roof cap installed properly at the exterior termination?

WATER HEATERS

- ☐ If being replaced, or recently replaced, does the water heater have a pan under it?
- ☐ Is the pan of sufficient size to serve the water heater?
- ☐ Is the relief valve piping:
 - ☐ Piped to drain with gravity and not piped upwards or trapped?
 - ☐ Full sized and not restricted? If using PEX, is it one size bigger?
 - ☐ Serving ONLY the water heater and has no tees?
- ☐ Is the wiring installed correctly with the ground connected?
- ☐ If located in a garage/carport (or accessory room) and is gas fired, is the ignition source lifted 18 inches

****This checklist is intended to help identify and correct commonly found violations BEFORE an inspection is scheduled; however, this is not a complete list of requirements. For the full requirements, please reference the Residential Rental Inspection Code of the City of Ridgeland. This can be found at www.ridgelandms.org. Some items on this list may not apply to every property. Questions? Call 601-856-3877.**

APPENDIX 'A' (Continued)

A full size version of the *Summary Checklist for Inspection of a Residential Rental Property* can be obtained by contacting the Community Development Division at (601) 856-3877.

Summary Checklist for Inspection of a Residential Rental Property **

BEDROOMS

- ☐ Do the doors latch and lock for privacy?
- ☐ If applicable, are all outlets AFCI protected?

ATTIC SPACE

- ☐ Are all wiring, piping, and other obstructions crossing attic walkway and storage secure?
- ☐ Are all the decking for walkways and storage secure with no damage?
- ☐ If applicable, are attic exhaust fans working?
- ☐ Does the attic ventilation have 1/4 inch max openings via mesh or other approved material?
- ☐ Is the attic access ladder secure and undamaged?
- ☐ Is there any evidence of rodents or pests?
- ☐ Are the roofing components (rafters, purlins, collar ties, decking, etc.) in safe condition?

FIREPLACES

- ☐ Is the hearth and hearth extension secure and damage free?
- ☐ Is the hearth extension made of concrete, masonry, or tile?
- ☐ Is the fire box in working condition; free from damage?
- ☐ Is it clean?
- ☐ Is the damper functioning?
- ☐ If applicable, does the ash pit and cleanout cover open and close?
- ☐ If gas, is there a gas key available for operation?
- ☐ Are all required clearances from combustible materials maintained?

AIR CONDITIONING AND HEATING

- ☐ Is the unit heating and cooling?
- ☐ Is the air filter installed? Is it clean?
- ☐ Is the suction line on the refrigerant line-set fully insulated?
- ☐ Is the condensation drain piped and in a way that does not cause a nuisance?
- ☐ If gas, is the piping hard-piped, or protected, through the HVAC housing?

PROPERTY EXTERIOR

- ☐ Are the outlets secure, GFCI Protected, and in a weather-tight cover?
- ☐ If applicable, is the decking free from tripping/fall hazards and structurally stable?
- ☐ Are the barriers/fences secure and standing upright? Gates working and latching?
- ☐ Are garage doors working properly? Receptacles in garage (and accessory rooms) GFCI?
- ☐ Are all hose bibs working, without leaks?
- ☐ Are all exterior building penetrations sealed?
- ☐ Are all exterior walls, roof, soffit, windows, etc free from damage?
- ☐ Is the property free from falling tree/branch hazards?
- ☐ Does the yard have proper drainage and free from holes/wash-outs?
- ☐ Are the "weeds" maintained?

GENERAL

- | | |
|--|--|
| <input type="checkbox"/> All exposed wiring is protected | <input type="checkbox"/> All outlet covers are installed and secured |
| <input type="checkbox"/> Electrical panels are fully labeled | <input type="checkbox"/> Smoke alarms sound when tested with smoke |
| <input type="checkbox"/> All wire splicings are contained | <input type="checkbox"/> No signs of moisture or water damage |
| <input type="checkbox"/> All receptacles work properly | <input type="checkbox"/> Paint is complete and dry BEFORE inspection |
| <input type="checkbox"/> All doors open, close, and latch easily | <input type="checkbox"/> Counter top and bath tub refinishing is dry |
| <input type="checkbox"/> Property is clean and move-in ready | <input type="checkbox"/> Apartment number is posted on/near door entry |
| <input type="checkbox"/> All windows are opening, closing, and locking properly without any tricks or straining required. | |
| <input type="checkbox"/> Fire extinguishers are charged, easily located, and have certifications up-to-date (if applicable). | |
| <input type="checkbox"/> Building identification is permanently attached to the building and visible from the road. | |
| <input type="checkbox"/> All ceiling fans, lights, and switches are secure and working. | |
| <input type="checkbox"/> All stairs/steps, hand rails, and barriers are secure and free from movement. | |
| <input type="checkbox"/> All glass (windows, mirrors, etc.) are free from chips, breaks, cracks, and sharp edges. | |
| <input type="checkbox"/> Wiring sheathing is fully entering the appliance housings with clamp securing to the sheathing, not wire. | |
| <input type="checkbox"/> All flooring is complete with no tears, cuts, holes, or other damage. Proper flooring transitions are used. | |

****This checklist is intended to help identify and correct commonly found violations BEFORE an inspection is scheduled; however, this is not a complete list of requirements. For the full requirements, please reference the Residential Rental Inspection Code of the City of Ridgeland. This can be found at www.ridgelandms.org. Some items on this list may not apply to every property. Questions? Call 601-856-3877.**