

COMMISSIONERS OF OXFORD

Ordinance No. 1617

Introduced by: _____

Date: _____

AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND THE OXFORD TOWN CODE TO ADD CHAPTER 19 TITLED “RESIDENTIAL RENTAL HOUSING LICENSE AND INSPECTION” TO ESTABLISH A LICENSING AND INSPECTION PROGRAM FOR RESIDENTIAL RENTAL DWELLING UNITS WITHIN THE TOWN OF OXFORD

Introduced, read first time, ordered posted, and public hearing scheduled on _____ at 6:00 p.m. at the Oxford Town Meeting Room, Market Street, Oxford, Maryland 21654.

By Order _____
Town Clerk

I hereby certify that the foregoing Ordinance Number _____ of the Town of Oxford was duly read, advertised, and enacted in accordance with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2016.

Attest: _____
Cheryl Lewis, Clerk/Treasurer
Town of Oxford

COMMISSIONERS OF OXFORD

ORDINANCE NUMBER 1617

INTRODUCED BY: _____

DATE OF INTRODUCTION: _____

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WHEREAS, the Town of Oxford is authorized by the Maryland Code Ann. Local Government Article § 5-202 to adopt such ordinances not contrary to the Constitution of Maryland, public general law, or public local law as it deems necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the municipality; and

WHEREAS, the Commissioners of Oxford are authorized to provide for the publication and codification of all laws, ordinances, resolutions, or regulations adopted by the municipality; and

WHEREAS, the Commissioners of Oxford desire to amend the Town Code by the addition of Chapter 19 to provide for a licensing and inspection program for all residential rental dwelling units within the Town of Oxford. The purpose of this section is to protect the health, safety and welfare of the Town residents and to prevent deterioration of the housing stock in the Town.

NOW, THEREFORE, the Commissioners of Oxford hereby ordain as follows:

Section 1. The Oxford Town Code is hereby amended to reflect the addition of Chapter 19 as follows:

CHAPTER 19. RESIDENTIAL RENTAL HOUSING LICENSE AND INSPECTION

- 19.1 Definition and word usage.
- 19.2 Rental operating license required.
- 19.3 Inspections.
- 19.4 Revocation or Denial of License; Injunction.

- 19.5 License renewal.
- 19.6 Display of Licenses.
- 19.7 Fees.
- 19.8 Rental Units Exempt from Chapter
- 19.9 Violations and penalties.

Section 19.1 Definition and word usage.

As used in this chapter, the following terms have the meanings indicated.

Residential Rental Dwelling Unit – Any building or portion of a building in which a person resides in which consideration of money or other goods or services are paid or provided to the owner of such building, or the owner’s authorized representative or other tenant. This definition shall include the letting or rental of any single-family residential dwelling unit, or multi-family residential dwelling unit.

Person – Any individual, proprietorship, partnership, corporation, association, or other legal entity.

Section 19.2 Rental operating license required.

A. It shall be unlawful for any person to let any residential rental dwelling unit within the Town without first having obtained a license for said unit as hereinafter provided.

B. Within sixty (60) days after the effective date of this ordinance, the legal owner of record shall make written application to the Town for a rental unit license upon such form or forms as the Town shall from time to time designate. Such application shall be submitted together with a non-refundable rental license fee, as approved and authorized by the Commissioners of Oxford.

Section 19.3 Inspections.

A. Prior to the issuance of a license, all residential rental properties shall be subject to an inspection by the Town’s designated code enforcement officer, or other designee, to ensure that the property is in conformance with the Town Code and applicable ordinances, laws or other regulations. The Town shall also have the right to inspect in the event of a complaint.

B. If an inspection reveals a violation of an applicable provision of the Town Code, including any building code, property maintenance code or minimum livability code in effect within the Town limits, the code enforcement officer shall provide written notification to the owner and to the occupant of the rental unit. The notice shall contain a time period within which the violation is to be corrected, which period shall be a minimum of ten (10) days unless the violation involves an immediate threat to health or safety, whereupon a shorter

time frame may be specified by the town's enforcement officer. The code enforcement officer shall reinspect the premises to confirm that the violations have been corrected.

Section 19.4 Revocation or Denial of License; Injunction. A license may be revoked or denied by the code enforcement officer if an owner, after the passage of the notice period described in the previous section, fails to eliminate violations of the Town Code. Revocation or denial of a license shall be in addition to, and not in substitution for, such other penalties as may be provided for said violations elsewhere in this Code or by State law. In addition to any other remedy which may be available in the event of a violation of the provisions of this chapter, the Town's designated code enforcement officer may seek an injunction to prevent the renting, or offering to rent, of rental dwelling units in the Town which do not have a license issued in accordance with this section.

Section 19.5 License Renewal. Licenses shall expire two (2) years from the date of issuance, and are renewable every two years. Applications for renewal shall be made at least sixty (60) days prior to the expiration date.

Section 19.6 Display of Licenses. Licenses issued under this chapter shall be produced on the demand of a tenant or prospective tenant and shall be made available at reasonable times for examination by an authorized agent of the Town.

Section 19.7 Fees. The Commissioners of Oxford are hereby authorized to enact a resolution establishing a schedule of license, inspection, and reinspection fees pertaining to the administration of this chapter. Any unpaid license fee or reinspection fee shall be subject to interest and penalties as periodically established by the Oxford Commissioners for unpaid sums due to the Town.

Section 19.8 Residential Rental Units Exempt from Chapter.

A. The provisions of this Chapter shall not apply to Short Term Rentals, as defined and regulated by Chapter 20.

B. The provisions of this Chapter shall not apply to a rental unit occupied by an immediate family member of the owner or the owner's spouse, parents, children, grandparents, grandchildren, sibling, aunt, uncle, or first cousins, including adopted, half, and step family members.

Section 19.8 Violations and Penalties. Any violation of this Chapter 19 shall be considered a municipal infraction and any person violating any provision of this section shall be assessed a fine of \$100 for the first infraction, and up to \$200 for each subsequent infraction. Each separate violation shall constitute a separate offense.

Section 2. This Ordinance shall take effect on the ____ day of _____, 2016.

Section 2: This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

ENACTED this _____ day of _____, 2016.

COMMISSIONERS OF OXFORD:

Gordon Graves, President

Carole Abruzzese, Commissioner

Gordon Fronk, Commissioner

I hereby certify that the foregoing Ordinance Number 1617 of the Town of Oxford was duly read, advertised, and enacted with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2016.

ATTEST:

Cheryl Lewis
Clerk-Treasurer