

ORDINANCE CONCERNING CERTIFICATES OF COMPLIANCE FOR RENTAL DWELLINGS OR DWELLING UNITS IN THE TOWN OF PLAINVILLE THAT MAY BECOME VACANT

SECTION 1. PROVISIONS AND DEFINITIONS. Provisions and definitions set forth in Section 1 and 2 of the Housing Code of the Town of Plainville are incorporated herein. For the purposes of this ordinance, “dwelling” shall include all dwellings or dwelling units, and “Enforcement Officer” shall refer to the Housing Code Enforcement Officer, or his designee, for the Town of Plainville.

SECTION 2. INSPECTIONS. No owner or agent in charge of a dwelling offered for rent, other than in a rooming house, motel or hotel, shall allow any person to occupy the same as a tenant, lessee, or licensee, with or without valuable consideration, unless said dwelling shall have been inspected subsequent to its most recent occupancy and prior to any new occupancy, and determined to be in compliance with all the provisions of the Housing Code of the Town of Plainville, as evidenced by a Certificate of Compliance issued by the Enforcement Officer.

SECTION 3. EXCEPTIONS. Notwithstanding other provisions of this ordinance, no owner or agent need apply for inspection nor solicit Certificate of Compliance covering any dwelling in a building under five (5) years of age. Notwithstanding other provisions of this ordinance, no owner or agent need apply for inspection nor solicit Certificate of Compliance covering the same dwelling more frequently than once every one (1) year.

SECTION 4. CONDITIONS FOR ISSUANCE OF CERTIFICATE OF COMPLIANCE. Upon request of the owner or agent authorized to rent a dwelling (hereinafter referred to as Applicant), the Enforcement Officer will be available at a reasonable appointed time within forty-eight (48) hours, agreed upon by himself and the applicant, or later, if applicant requests, to inspect such dwelling. If such inspection establishes that the dwelling complies with the standards of the Housing Code, the Enforcement Officer shall issue a Certificate of Compliance for said dwelling. Two copies of the Certificate of Compliance shall be mailed or handed to the applicant; one copy shall be posted by the owner or his agent inside the dwelling, and shall not be removed by, or at the direction of anyone, without the approval of the Enforcement Officer; and a third copy shall be kept on file in the Office of the Housing/Health Department of the Town of Plainville.

SECTION 5. MEANING OF CERTIFICATE OF COMPLIANCE. Issuance of a Certificate of Compliance shall not constitute a waiver of any requirements of the Housing Code of the Town of Plainville. The Certificate of Compliance shall not be an admission of liability on the part of the Enforcement Officer or the Town of Plainville as to the condition of the dwelling.

SECTION 6. FIRST REINSPECTION. If said dwelling or dwelling unit does not comply with the Housing Code, the Enforcement Officer shall furnish the applicant with a written list of the specific violations which would have to be corrected before a Certificate of Compliance could be issued for the dwelling. Upon the representation of the applicant that the listed violations have been corrected, and upon the payment of the first reinspection fee, the Enforcement Officer shall reinspect said dwelling and issue a Certificate of Compliance or present applicant with further list of violations as above provided.

SECTION 7. SUBSEQUENT REINSPECTIONS. Whenever any subsequent reinspections are required for any reason whatsoever, the fee listed for subsequent reinspections shall be paid for each such reinspection before a Certificate of Compliance shall be issued.

SECTION 8. TEMPORARY WAIVERS. Any applicant who is delayed in correcting violations necessary to entitle him to a Certificate of Compliance, and who has a written contract for the performance of the work necessary for compliance, may petition the Enforcement Officer in writing for a temporary waiver of compliance. There shall be no fee required for a temporary waiver. The petition shall contain the information which is reasonably necessary for the Enforcement Officer to make a decision, and shall include a written and signed statement by the person or corporation under contract, specifying the dates of beginning and completion of the work. If the Enforcement Officer shall find (1) the delay in the correction of the violation is reasonable, taking into consideration the availability of persons to do the work and the current work load; and (2) the work can reasonably be undertaken and completed while the premises are occupied (or, that appropriate provision has been made for housing the tenant elsewhere during the period when the dwelling will not be habitable), the Enforcement Officer shall issue a temporary waiver of compliance, expiring on the date when the corrections should be completed. The applicant shall, on or before said date, request a reinspection and pay the reinspection fee. The Enforcement Officer shall reinspect said dwelling and issue the Certificate of Compliance, or list any remaining violations as above provided.

SECTION 9. APPEAL. Any applicant aggrieved by the decision or action of the Enforcement Officer may appeal to the Housing Code Appeals Board, in accordance with the provisions and procedures of Section 3.04, 3.05, 3.06, 3.07, 3.08 and 3.09 of the Housing Code of the Town of Plainville. The Housing Code Appeals Board shall have the powers set forth in said sections.

SECTION 10. PENALTY. Any owner or agent who shall let for occupancy any dwelling which has become vacant without first securing a Certificate of Compliance from the Enforcement Officer, shall be guilty of a misdemeanor punishable by a fine of not less than fifty (50) nor more than ninety-nine (99) dollars. Each day that occupancy continues without owner or agent securing Certificate of Compliance shall constitute a separate offense.

SECTION 11. FEE SCHEDULE.

Initial inspection	No fee
First reinspection	\$5.00
Subsequent reinspections	\$10.00

Adopted by Town Council December 15, 1969 Amended June 7,1982