

1 **ORDINANCE NO. _____**

2
3 **AN ORDINANCE TO AMEND PORTIONS OF CHAPTER 8, ARTICLE IX,**
4 **§§ 577-586 OF THE REVISED CODE OF ORDINANCES (1988) OF THE**
5 **CITY OF LITTLE ROCK, ARKANSAS, AS TO A SYSTEMATIC RENTAL**
6 **INSPECTION PROGRAM; AND FOR OTHER PURPOSES.**

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8 **WHEREAS**, the City of Little Rock, Arkansas, instituted a Systematic Rental Inspection Program
9 pursuant to Little Rock, Ark., Ordinance No. 16,659 (May 17, 1994); and,

10 **WHEREAS**, it has been determined that certain amendments are necessary in order to more efficiently
11 enforce these provisions while at the same time recognizing the protection given to real property under the
12 Arkansas Constitution.

13 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY**
14 **OF LITTLE ROCK, ARKANSAS:**

15 **Section 1.** Little Rock, Ark., Rev. Code § 8-577 (1988) is hereby amended to read as follows:

16 **Implementation of a Systematic and Random Rental Inspection Program**

17 The City of Little Rock hereby institutes a Systematic Rental Inspection Program that will
18 ensure that all rental housing units within the city are inspected over time. Staff will provide the
19 owner or local agent a Notice to Comply request on each attempt to inspect a specific property.
20 Failure to comply with this Notice to Comply may result in further enforcement action which can
21 include legal action in a court of competent jurisdiction, and the service of any process in
22 accordance with Arkansas State Law.

23 **Section 2.** Little Rock, Ark., Rev. Code § 8-581 (1988) is hereby amended to read as follows:

24 **Section 8-581 – Systematic Inspections and Rental Inspection Goals**

25 Systematic and random inspection of 20% of the total number of registered rental units shall
26 occur annually. In doing so:

27 (a) The City of Little Rock shall use the total registered rental units annually as selected
28 by the City Manager, or designee, and shall, to the extent possible, include an in-
29 spection proportionally of the various categories of rental units. A residential rental
30 complex with multiple buildings shall be inspected initially based upon a random
31 sampling of at least 20% of the units, with equal percentages of units inspected in
32 each building with a minimum of one (1)-unit per building.

33 (b) This random systematic inspection shall not apply to the first five (5) years for
34 newly-constructed residential rental facilities that have received a Certificate of

1 Occupancy for each building within the twelve (12)-month period prior to the first
2 occupancy;

- 3 i. Nothing in this Subsection precludes any inspection based upon a
4 complaint or the appearance of a health or safety violation;
- 5 ii. This provision applies only if inspections of the newly-constructed
6 residential rental facilities have been conducted in accordance with the
7 applicable provisions of Section 8-582;
- 8 iii. Notwithstanding any other provision of this Section, the City shall review
9 for acceptance any Inspection Report from a State or Federal Agency of a
10 residential rental facility that has received Federal Funds, and is required
11 to have such an inspection performed by the funding entity, provided
12 nothing prohibits an additional inspection in accordance with the relevant
13 provisions of Section 8-582 of this Code.

14 **Section 3.** Little Rock, Ark., Rev. Code § 8-582 (1988) is hereby amended to read as follows:

15 In addition to the systematic random inspections outlined above, each rental housing unit shall
16 be subject to more frequent inspections upon the following events:

- 17 (1) The owner or manager of the property requests an inspection of the unit upon notice
18 to the District Supervisor; or,
- 19 (2) The City receives a complaint regarding the condition of the unit and inspection or
20 re-inspection is necessary; or,
- 21 (3) The unit is affected by fire, vandalism, storm or other natural disaster; or,
- 22 (4) Title to the unit is conveyed or otherwise transferred, either voluntarily or
23 involuntarily, to another party.

24 **Section 4.** Little Rock, Ark., Rev. Code § 8-586 (1988) is hereby amended to read as follows:

25 The Building Official shall prepare a report each year concerning the administration of the
26 Rental Inspection Program. The Annual Report shall describe the number of inspections
27 performed, the corrections made as a result of such inspections, and any enforcement actions taken.
28 This detailed Annual Report shall be submitted to the City Manager in March of each year and
29 shall identify the rental units inspected, the size of a residential rental complex if a complex is
30 inspected, the main address of the rental unit, and a copy of the Certificate of Compliance.

31 **Section 5. *Severability.*** In the event any section, subsection, subdivision, paragraph, subparagraph,
32 item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or
33 unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this
34 ordinance, as if such invalid or unconstitutional provision was not originally a part of this ordinance.

1 **Section 6. *Repealer.*** All ordinances, resolutions, bylaws, and other matters inconsistent with this
2 ordinance are hereby repealed to the extent of such inconsistency.

3 **Section 7.** *This ordinance shall not take effect and be in full force until January 1, 2020.*

4 **PASSED: September 17, 2019**

5 **ATTEST:**

APPROVED:

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9 **Susan Langley, City Clerk**

_____ **Frank Scott, Jr., Mayor**

9 **APPROVED AS TO LEGAL FORM:**

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13 **Thomas M. Carpenter, City Attorney**

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