Chapter 7 –MINIMUM HOUSING STANDARDS

(Entire Chapter amended Ord. No. 1965-8, 11/16/65; 2002-04, 1/08/03; 2003-02, 9/16/03; 2005- 01, 8/18/05; 2007-01, 8/03/07; 2013-06, 12/17/13; 2019-07, 09/10/19; 2021-02, 05/04/21; 2024-02 10/12/24)

ARTICLE I. GENERAL PROVISIONS

Sec. 7-1. Authority.

(a) The City Council has enacted this Ordinance under the authority granted to the City through its Charter and under the authority granted to all Vermont municipalities under Title 24 Vermont Statutes Annotated (V.S.A.), Chapter 123, and 9 V.S.A. Chapter 77, to regulate Municipal Housing Codes.

Sec. 7-2. Purpose.

(a) The purpose of this Ordinance is to protect, preserve and promote the health, safety, and welfare of all residents of the City of Barre through establishment of enforceable minimum rental housing standards. The intent of this Ordinance is to establish a set of minimum standards and an inspection process that will ensure that rental units throughout the City meet the standards outlined. Additionally, this Ordinance establishes a complaint process that is equitable to both the landlord and tenant alike. (Ord. No. 2024-02, 10/12/24)

Sec. 7-3. Vermont Fire & Building Safety Code Adopted – permits required.

(a) The City hereby adopts the most recent edition of the Vermont Fire & Building Safety Code, as adopted by the Vermont Agency of Public Safety, for the purposes of establishing rules and regulations as the minimum fire safety requirements for all rental units. Such code will be made available upon request and may be posted on the City website. (Ord. No. 2024-02, 10/12/24)

(b) Projects within a Rental Property or Apartment Building having three or more units that includes: new construction, alterations, renovations or the installation of fixtures, requires a Barre City Building Permit, and a Barre City Electrical Permit. Electrical work must be performed by a Vermont Licensed Electrician. (Ord. No. 2024-02, 10/12/24)

(c) Projects within a Duplex (2-family) or a Rental single-family home that includes: new construction, alterations, renovations or the installation of fixtures requires a Barre City Building Permit, and a Barre City Electrical Permit. (Ord. No. 2024-02, 10/12/24)

Sec. 7-4. Severability.

(a) If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this Ordinance.

Sec. 7-5. Effective Date of Ordinance.

(a) Amendments to this Ordinance shall be effective fourteen (14) calendar days after the adoption (by majority vote of City Council) and shall remain in effect until repealed or amended in accordance with the Barre City Charter (Sec. 107 and 108). (Ord. No. 2019-07, 09/10/19)

Sec. 7-6. Designation of Effect.

(a) This Ordinance shall constitute a civil ordinance within the meaning of 24 V.S.A. Chapter 123.

ARTICLE II. DEFINITIONS

Sec. 7-7. Definitions.

(a) For the purposes of this Ordinance, definitions of the terms, phrases, words and their derivations shall be as defined in Chapter 1, Section 1-2 of the Code of Ordinances, the City of Barre, Vermont. Otherwise, the following listed words shall have the meanings indicated:

OWNER OCCUPIED: A property in which the owner has established primary residency.

DWELLING UNIT: A building or a part of a building that is used as a home, residence, or sleeping area by one or more persons.

RENT: All considerations to be made to or for the benefit of the owner under the rental agreement, not including security deposits.

RENTAL AGREEMENT: All agreements, written or oral, embodying terms and conditions concerning the use and occupancy of a dwelling unit or premises.

RENTAL UNIT: A dwelling unit that is not owner occupied, and is occupied for longer than thirty (30) consecutive days; including but not limited to occupancies at hotels, motels, homeless shelters and other accommodations.

TENANT: Any person entitled under a rental agreement to occupy a residential dwelling unit to the exclusion of others, or any persons occupying a rental unit as a permanent residence.

FRIVOLOUS: Not having any serious purpose of value; thoughtless, ill-considered, nonserious, insubstantial, trivial, pointless, valueless. (Ord. No. 2024-02, 10/12/24)

ARTICLE III. ADMINISTRATION, APPEALS & ENFORCEMENT

Sec. 7-8. Duties and Powers of the Chief Inspector.

(a) The Fire Chief shall be the Chief Inspector and shall be authorized and directed to administer and enforce the provisions of this Ordinance. The Chief Inspector shall have the authority to render interpretations of the codes in compliance with the intent of this Ordinance and 24 V.S.A. Chapter 123;

(b) The Chief Inspector may delegate their authority to any Code Enforcement Officer, or trained inspector. (Ord. No. 2024-02, 10/12/24)

Sec. 7-9. Duties and Powers of the Code Enforcement Officers.

(a) The Barre City Fire Department Inspection/Code Enforcement Officer(s) shall be responsible for the administration of this Ordinance. (Ord. No. 2019-07, 09/10/19)

(b) The Officer may enter, examine and survey all rental units that are subject to routine and emergency inspections of this Ordinance in accordance with Section 7-18. (Ord. No. 2019- 07, 09/10/19)

Sec. 7-10. Written Documentation and Issued Orders.

(a) Where an inspection indicates that a violation of this Ordinance exists, the Officer shall issue written documentation notifying the party responsible of the existence of the violation(s) and the measure(s) required to correct or eliminate it. At the direction of the Officer, the documentation may require the violations to be corrected, or significant action taken to begin corrections, within a defined number of business days or require that the premises be vacated and secured until the rental unit meets the standards of this Ordinance. The written documentation shall be based on a finding that the premises are a danger to the health, welfare or safety of the tenants of the general public and a violation of the Minimum Housing Standards. Written documentation may further direct: (Ord. No. 2024-02, 10/12/24)

(1) That the rental unit be repaired so that it meets the standards of this Ordinance;

(2) That the rental unit is unfit or unsafe for human habitation because it constitutes a serious danger to the health, welfare and safety of the tenants or the general public, and the rental unit be vacated and secured until the unit is repaired and inspected so that it meets the standards of this Ordinance; (Ord. No. 2024-02, 10/12/24)

(3) That the rental unit is unfit for human habitation because it constitutes a danger to the health, welfare, or safety of the tenants or the general public, and that the rental unit be demolished pursuant to the provision of 24 VSA § 3114. (Ord. No. 2024-02, 10/12/24)

(b) When the responsible party has failed to take corrective action outlined in any written documentation, an Order may be issued by the Officer. (Ord. No. 2024-02, 10/12/24)

(1) The written Order shall state:

(i) That a violation exists;

(ii) The measure(s) required to correct or eliminate the violation(s);

(iii) A compliance date for which such violation(s) shall be corrected;

(iv) Appeal rights; and

(v) Penalties for non-compliance. (Ord. No. 2024-02, 10/12/24)

(c) When the Officer investigates and issues an Order, such Order shall be sent to the owner, and if applicable, the tenant of the rental unit; (Ord. No. 2019-07, 09/10/19)

(d) Orders shall be sent by one or more of the following means:

(i) Email; or (Ord. No. 2021-02, 05/04/21)

(ii) United States Postal Service (USPS) Certified Mail Return Receipt Requested; or

(iii) Hand Delivery. (Ord. No. 2024-02, 10/12/24)

(e) If an Order cannot be delivered by the means listed above in Sec. 7-10(d), the Order shall be (i) posted in a conspicuous place on the dwelling or (ii) in the building in which the rental unit is located; (Ord. No. 2024-02, 10/12/24)

(f) Orders become effective immediately unless mailed via USPS Certified Mail. If mailed, the Order will take effect on the date of receipt indicated on the return receipt; (Ord. No. 2024-02, 10/12/24)

(g) All Orders shall be recorded in the municipal land records and a fee assessed when the owner of record cannot be contacted for receipt thereof, and the Order shall thereby be effective against any purchaser, mortgagee, attaching creditor, lien holder or other person whose claim or interest in the property arises subsequent to the recording of the Order; (Ord. No. 2019-07, 09/10/19; Ord. No. 2021-02, 05/04/21; Ord. No. 2024-02, 10/12/24)

(h) When an Order is complied with and any related assessed penalties are paid in full, the Officer shall record an Order removal or cancellation in the municipal land records. (Ord. No. 2019-07, 09-10-19; Ord. No. 2021-02, 05/04/21; Ord. No. 2024-02, 10/12/24)

Sec. 7-11. Appeals.

(a) Written notice of appeal shall be submitted to the Chief Inspector within ten (10) business days of the effective date of the Order(s); (Ord. No. 2024-02, 10/12/24)

(b) The Chief Inspector shall review the appeal and all related documentation and make a written determination within twenty (20) business days of receipt of an appeal;

(c) Any person aggrieved by any decision of the Chief Inspector may appeal a decision by instituting relief in Superior Court under V.R.C.P. 74; (Ord. No. 2019-07, 09/10/19)

(d) When an owner and/or tenant appeals an action of the Officer, the inspector shall not be prevented from completing the inspection of the rental unit and issuing any necessary Orders. When an appeal is filed, the Orders issued will be stayed pending resolution of the appeal, unless the enforcing Officer certifies after notice of the appeal has been sent to them, that, by reason of facts stated in the certificate, a stay would cause a serious hazard or imminent peril to the health or safety of the occupants of a dwelling or the public. (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)

Sec. 7-12. Enforcement and Penalties.

(a) The Chief Inspector and/or their delegates or any certified Vermont Law Enforcement Officer shall issue, or direct to have issued, Municipal Complaints and pursue enforcement before the Judicial Bureau in accordance with the provisions of 24 VSA §1974a and §1977 with penalties as prescribed below: (Ord. No. 2024-02, 10/12/24)

(1) The Officer shall be required to issue an Order on the property owner for any violations of this Ordinance or the adopted codes. Where the property owner fails to remedy a violation to the satisfaction of the Officer, the Officer may bring appropriate action to enforce the provisions of this Ordinance. Enforcement may be by any means allowed under state law including, but not limited to: (Ord. No. 2019-07, 09/10/19)

(i) First offense. A first offense of this Ordinance shall be punishable by a fine of two hundred fifty dollars ($250.00); the waiver fine shall be one hundred dollars ($100.00);

(ii) Second offenses. Any second offense of the same provision of the bylaws within a twenty-four month period shall be punishable by a fine of three hundred dollars ($300.00); the waiver fine shall be two hundred dollars ($250.00).

(iii) Third offenses within a twenty-four-month period shall be punishable by a fine of five hundred dollars ($500.00); the waiver fine shall be two hundred fifty dollars ($250.00).

(iv) Fourth and subsequent offenses in a twenty-four-month period shall be punishable by a fine of eight hundred dollars ($800.00) per offense; the waiver fine shall be four hundred dollars ($400.00) per offense.

(v) In the event of natural disasters with approval of the City Manager, the Officer may grant extensions for properties to become compliant only in the absence of serious safety and health concerns as determined by the Officer. (Ord. No. 2024-02, 10/12/24)

(2) The Officer may notify the City Attorney who shall bring suit in the name of the municipality to enforce such Order. Such suit may be brought in any appropriate court of competent jurisdiction. The City may seek a temporary injunction or Order in any such proceedings. The court may award costs of suit including reasonable attorney fees. (Ord. No. 2024-02, 10/12/24)

(b) Each day that a violation continues shall constitute a separate violation and/or offense;

(c) Where the Officer finds that a violation(s) is to such a degree that a dwelling is declared unsafe, or that significant corrective action has not been taken within the timeframe provided, the Officer may suspend occupancy of a unit(s) and require the relocation of the rental unit's occupants, subject to section 7-22, until such time as the rental units meet the Minimum Housing Standards as outlined in this Ordinance; (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)

Sec. 7-13. Fees.

(a) The fee for any registration and re-inspection fee shall be designated by the City Council, and upon adoption of the rates, the Council shall publish in the local newspaper the rate change thirty (30) days prior to the effective date of the rate change;

(b) A rental unit for which a fee is required by this Ordinance, but has not been paid, shall be in violation of this Ordinance and subject to the following penalties; (Ord. No. 2024-02, 10/12/24)

(1) If the unit has been previously issued a Certificate of Compliance, the landlord shall be subject a penalty of ten percent (10%) delinquency charge and a one percent (1%) additional charge per month until the fee has been paid in full;

(2) If a unit has not been previously issued a Certificate of Compliance, the landlord shall be subject to a penalty of ten percent (10%) delinquency charge for the first thirty (30) calendar days and then subject to the penalties as outline in Section 7- 12 of this Ordinance. (Ord. No. 2024-02, 10/12/24)

Sec. 7-14. Records.

(a) Records, including inspection reports, records of complaints or other Orders shall be available for public inspection in City Hall, subject to any statutory exemptions contained in the State's public records act; (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)

(1) Owners and/or designated managing agent shall receive a copy of the inspection report within ten (10) business days of the completion of the inspection. Inspection reports shall be emailed to the designated recipient unless paper copies are requested; and

(2) To obtain copies of inspection reports, records of complaints or other Orders, requests must be made in writing to the Officer and applicable records fee paid in full. (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)

ARTICLE IV. REGISTRATION AND INSPECTION PROCEDURES

Sec. 7-15. Registration Requirements.

(a) The owner of all rental units shall be required to have on file with the City, on or before July 1 of each year, an accurate and valid registration/invoice form; (Ord. No. 2019-07, 09/10/19)

(b) All fees shall be paid annually and in full to the City of Barre for each rental unit;

(c) In the event the State of Vermont adopts a comparable program, only one fee will be charged commencing the July 1 following the effective date of such state program; (Ord. No. 2024-02, 10/12/24)

(d) The owner must provide the following information to the City: (Ord. No. 2019-07, 09/10/19)

(1) The address of the rental unit;

(2) The number of rental units at that address;

(3) The name(s), address(es), email address(es), and phone number(s) of the property owner;

(4) The name, address(es), email address(es), and phone number(s) of any managing agent;

(5) The name(s), address(es), email address(es), and phone number(s) of any emergency contact(s) for this rental unit; and

(6) Any other information the Chief Inspector deems appropriate to administer this Program. (Ord. No. 2024-02, 10/12/24)

(e) The owner of a rental unit shall have a continuing obligation to notify the City of any changes in the information required above during the period between the required annual invoicing; (Ord. No. 2019-07, 09/10/19)

(f) Upon purchase or transfer of property containing rental units, the purchaser(s) shall update the City file to ensure all information is correct; (Ord. No. 2019-07, 09/10/19)

(g) Prior to occupancy of any newly constructed rental unit or conversion of use to a rental unit, the owner must register the unit pursuant to this Section and receive a Certificate of Compliance pursuant to Section 7-21; (Ord. No. 2024-02, 10/12/24)

(h) All fees must be paid in full prior to occupancy being granted, and shall be due for the current year; (Ord. No. 2021-02, 05/04/21)

(i) All motel and hotel manager units shall be registered with the City and pay the applicable fees annually; (Ord. No. 2024-02, 10/12/24)

(j) Units defined under the Lodging Section of the Use Table in the Barre City Unified Development Ordinance that may be occupied during the program year shall be registered with the City and pay the applicable fees annually; (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)

(k) It shall be a violation of the City's Minimum Housing Standards for the owner of any rental unit within the City to fail to register a rental unit as required by this Ordinance.

Sec. 7-16. Exemptions.

(a) The following properties shall be exempt from registration, fees and/or inspections:

(1) The following are exempt from registration, fees and inspections:

(i) A unit that is currently maintained as part of a nursing, rest or convalescent home licensed and inspected by the state;

(ii) Owner occupied single family home;

(iii) A rental unit that is occupied for less than thirty (30) consecutive days; and

(iv) A unit that is occupied less than thirty (30) days by the same tenant(s) in a hotel and motel room.

(b) The following are exempt from fees, but must still register and be inspected:

(1) Owner occupied unit of a duplex and multi-family dwelling:

(i) Inspection requirements are for fire and life safety requirements only, as adopted by the Vermont Agency of Public Safety. (Ord. No. 2021-02, 05/04/21; Ord. No. 2024-02, 10/12/24)

Sec. 7-17. Invoice Procedures.

(a) Invoices will be sent to all duplex, multi-family occupancies and rented single family homes on an annual basis regardless of current occupancy. (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)

(1) Units currently vacant and remaining vacant throughout the current Program year shall receive an invoice to confirm occupancy status.

Sec. 7-18. Inspection Procedures

(a) The Officer shall make periodic inspections of rental units within the City unless exempted as indicated above; (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)

(b) The Officer may enter, examine and survey all rental units within the City that are subject to periodic inspections pursuant to this Ordinance at any reasonable time between the hours of 8 am to 5 pm, or a time that is mutually agreed upon between the owner and the Officer; (Ord. No. 2019-07, 09/10/19)

(c) The owner and tenant(s) shall cooperate with the Officer so that such inspections shall be made so as to cause the least inconvenience to the owner(s) or occupant(s) of the rental unit; (Ord. No. 2019-07, 09/10/19)

(d) If the Officer has reason to believe that an emergency situation exists tending to create an immediate danger to the health, welfare, or safety of the tenants of a rental unit, or the general public, they may enter, examine and survey the unit at any time; (Ord. No. 2019- 07, 09/10/19)

(e) The Officer shall notify the owner of a rental unit by either telephone, text message, or in writing, including via email, of their intent to schedule an inspection; (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)

(f) Upon receipt of an inspection schedule request, the owner shall contact the Officer to arrange for the inspection; (Ord. No. 2019-07, 09/10/19)

(g) Once scheduled, the owner shall provide the tenant(s) with notice of an inspection not less than forty-eight (48) hours prior to the actual inspection being performed, as provided in 9 VSA §4460; and

(h) During the inspection, the owner or designated representative shall be present to provide access to the rental unit(s).

Sec. 7-19. Complaint Procedures.

(a) The public, owners and tenants of any property in the City of Barre may file a complaint to the Officer of violations under this Ordinance and all such complaints shall be investigated accordingly; (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)

(b) In order to initiate a complaint against an owner or tenant, the complainant must;

(i) First attempt to notify the landlord in writing, (Ord. No. 2021-02, 05/04/21; Ord. No. 2024-02, 10/12/24)

(ii) If no response is received within 72 hours, complete the on-line Complaint Form on the City website, or complete and sign a paper copy of the City of Barre Complaint Form. Complaints must be signed and dated in order to be investigated; (Ord. No. 2019-07, 09/10/19; Ord. No. 2021-02, 05/04/21; Ord. No. 2024-02, 10/12/24)

(c) The Officer shall investigate each complaint received within seven (7) business days of its receipt to determine if violations exist and to commence corrective actions; (Ord. No. 2019- 07, 09-10-19)

(d) There shall be a written record of each complaint, the findings of the investigation and the action taken, if any;

(e) If no action is needed to be taken at the time of inspection, this finding shall be noted on the written record and the complaint will be closed; and

(f) Frivolous complaints shall be a violation of this Ordinance. A frivolous complaint shall be one where there is no basis for the complaint outlined within this Ordinance, and this is known to the complainant at the time. As a violation, frivolous complaints may be subject to Municipal Complaints as outlined in Sec 7-12 Enforcement and Penalties of this ordinance. (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)

Sec. 7-20. Minimum Standards.

(a) No dwelling unit unless exempt as defined in Section 7-16, shall be occupied that does not comply with the minimum standards as follows in this Section;

(b) A dwelling unit must meet the following: (Ord. No. 2019-07, 09/10/19)

(1) Unit size. The minimum size of a dwelling unit must not be less than:

(i) 150 square feet for a studio or efficiency unit (one open living area that includes cooking, living and sleeping quarters, as well as sanitation facilities, which no more than three persons can occupy as tenants; (Ord. No. 2021-02, 05/04/21)

(ii) 220 square feet for a one-bedroom unit, which no more than three persons can occupy as tenants; or (Ord. No. 2021-02, 05/04/21)

(iii) 220 square feet plus an additional 70 square feet for each additional bedroom (290 sf for a two-bedroom, 360 sf for a three-bedroom, etc.). No more than two persons shall occupy each bedroom space as tenants. (Ord. No. 2021-02, 05/04/21)

(2) Cooking and Sanitation Facilities. All dwelling units must have safe, functioning cooking and sanitation facilities in accordance with the following: (Ord. No. 2019- 07, 09/10/19)

(i) A dwelling unit must contain permanent bathroom facilities consisting at the minimum of a toilet, sink, and shower or bathtub. The toilet and shower or bathtub must be within a room or enclosure that is fully separated from other living spaces by walls and one or more doors; and

(ii) A dwelling unit must contain permanent kitchen facilities. A kitchen must be a room or portion of a room in which there is a sink, refrigerator, and one or more appliances for heating food. (Ord. No. 2024-02, 10/12/24)

(c) Minimum Housing Standards

(1) The most recent edition of the Vermont Residential Rental Housing Health & Safety Code adopted by the Vermont Department of Public Safety shall be adopted as the Minimum Housing Standard for the City of Barre. Such code shall be made available upon request and may be posted on the City's official website. (Ord. No. 2024-02, 10/12/24)

(d) Fire Protection System

(1) All required fire protection systems and equipment including fire alarms, fire suppression systems, standpipe systems and fire extinguishers shall be maintained in proper operating condition at all times. Owners are responsible for the installation of these fire protection systems and equipment, and the completion of annual inspections by Technically Qualified Persons (TQP) as determined by the Vermont Division of Fire Safety; (Ord. No. 2024-02, 10/12/24)

(2) Tenants shall be responsible to notify the owner of any equipment system deficiencies or failures; and

(3) An annually inspected fire extinguisher shall be required in all rental units. Extinguishers must be properly mounted and in close proximity to the primary exit in accordance with the most current National Fire Protection Association consensus standards. (Ord. No. 2024-02, 10/12/24)

(e) Smoke Detectors

(1) Smoke detector(s) shall be installed in accordance with the most recently adopted edition of the Vermont Fire & Building Safety Code; (Ord. No. 2024-02, 10/12/24)

(2) Owners are responsible for the installation of the smoke detectors, the replacement of batteries, and the replacement of broken or damaged smoke detectors, and for conducting annual documented testing to ensure the detectors are both present and operational. Smoke detectors must be U.L. listed or otherwise approved by a recognized testing agency; (Ord. No. 2024-02, 10/12/24)

(3) The requirements for monthly testing in accordance with NFPA 720 shall also apply and may be accomplished by the owner or tenant;

(4) Smoke detectors found disabled during an inspection shall constitute a violation of this Ordinance and the responsible party will be subject to the penalties outlined in Section 7-12 and the responsible party for the disabled detector shall be the tenant unless it can be proven that the owner knowingly disabled a smoke detector and failed to replace it within a 24-hour period.

(f) Carbon Monoxide (CO) Detectors

(1) CO detector(s) shall be installed in dwelling units in accordance with the most recently adopted Vermont Fire & Building Safety Code. CO detector(s) shall be installed outside of each sleeping area in the immediate vicinity of the bedrooms; (Ord. No. 2024-02, 10/12/24)

(2) Any bedroom that contains a fuel-burning appliance shall be required to have additional CO detection inside the sleeping area;

(3) Owners are responsible for the installation of the CO detectors, the replacement of batteries, and the replacement of broken or damaged CO detectors and for conducting annual documented testing to ensure the CO detectors are both present and operational. CO detectors must be U.L. listed or otherwise approved by a recognized testing agency; (Ord. No. 2024-02, 10/12/24)

(4) The requirements for monthly testing in accordance with NFPA 720 shall also apply and may be accomplished by the owner or tenant;

(5) CO detectors found disabled during an inspection shall constitute a violation of this Ordinance and the responsible party will be subject to the penalties outlined in Section 7-12 and the responsible party for the disabled detector shall be the tenant unless it can be proven that the owner knowingly disabled a smoke detector and failed to replace it within a 24-hour period. (Ord. No. 2024-02, 10/12/24)

(g) Interpretation and Relationship to Other Fire Protection and Life Safety Code Requirements

(1) The requirements set out in subsections (b) – (f) are minimum requirements for existing rental units regardless of age, years in service or type of dwelling. More stringent standards may take effect where the dwelling use is altered as in the case of dormitory or rooming house uses or where substantial renovations, remodeling or new construction requires the application of specific additional standards for that type of use or construction. Conformance with the requirements of this section does not in any way limit the application of additional requirements where applicable.

(h) General Conditions

(1) Every supplied appliance, plumbing fixture, heating device or system, or utility which is required under this Ordinance, and every chimney and smoke pipe shall be so constructed, and installed by appropriately qualified personnel in accordance with the provisions of the most recently adopted edition of the Vermont Building & Safety Code, as adopted by the Vermont Agency of Public Safety, or appropriately qualified personnel as may be allowed by law. (Ord. No. 2021-02, 05/04/21; Ord. No. 2024-02, 10/12/24)

(i) Sanitation

(1) Every tenant of a rental unit shall dispose of all rubbish, ashes, garbage and other organic waste in a clean and sanitary manner by placing it in the provided, approved storage or disposal facilities;

(2) Every owner of a rental unit or units shall provide common storage or disposal facilities for garbage, rubbish and recyclables. Said common facilities shall be properly sized to eliminate overloading and improper disposal and properly covered and isolated from the general environment so as not to be a public nuisance or hazard, placed in a location on the property that does not interfere with pedestrian and/or vehicular traffic, and properly maintained. The owner shall be further responsible for placing out for collection all common garbage and rubbish containers and for

providing for collection of refuse on a not less that weekly basis, and in accordance with the Barre City Trash Ordinance. (Ord. No. 2024-02, 10/12/24)

(j) Premises to be Kept Clean and Sanitary

(1) Every tenant of a rental unit shall maintain, in a clean and sanitary condition, that part of the rental unit and yard which they occupy and control and shall be responsible for the reasonable care and cleanliness of supplied facilities including plumbing and cooking equipment; (Ord. No. 2024-02, 10/12/24)

(2) Every owner or their agent of a rental unit or units shall maintain the shared or public areas of the rental unit or units or yard in a clean and sanitary condition. (Ord. No. 2024-02, 10/12/24)

(k) Transfer of Responsibility

(1) No rental agreement shall relieve either the owner or tenant of their direct responsibility under this Ordinance.

(l) Responsibility of Owners of Vacant Buildings

(1) Should any building with dwelling units become vacant, all requirements under Chapter 23 of the Code of Ordinances of the City of Barre (Vacant Buildings) shall apply. (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)

7-21 Certificate of Compliance

(a) It shall be a violation of the Minimum Housing Standards for the owner of a dwelling unit that is subject to inspection pursuant to this Ordinance to rent, offer for rent, or allow any person(s) to occupy any rental unit without a Certificate of Compliance;

(b) Upon completion of the inspection of a rental unit, if the unit is found to be compliant, the Officer shall issue a Certificate of Compliance which shall expire four (4) years from the date of issuance; (Ord. No. 2019-07, 09/10/19)

(c) If, upon completion of the initial inspection, the rental unit was found not to be in compliance with any of the standards within this Ordinance, an Order(s) will be issued to bring the rental unit into compliance; (Ord. No. 2024-02, 10/12/24)

(d) The Certificate of Compliance shall be withheld until all violations have been rectified, and all related fines have been paid; (Ord. No. 2024-02, 10/12/24)

(e) Nothing in this section shall preclude the inspection of said rental units more frequently than the term of the Certificate of Compliance, based upon written and signed complaints received;

(f) A Certificate of Compliance may be revoked if a subsequent inspection finds that any rental unit is no longer in compliance with the provisions of the Minimum Housing Standards;

(g) Upon the request of an existing or prospective tenant, the owner or the owner’s agent shall produce the Certificate of Compliance.

ARTICLE V. SPECIAL PROVISIONS

Sec. 7-22. Relocation Service.

(a) In the event that any person(s) is displaced from a rental unit by enforcement of this Ordinance, unless it is reasonably determined by the enforcing agency that the tenant is responsible for the circumstance(s) that led to the order for relocation, the owner shall be responsible for paying the cost of relocation of the displaced person(s) for the duration of the repairs. (Ord. No. 2019-07, 09/10/19; Ord. No. 2024-02, 10/12/24)