

The Irmo Town Code, Chapter 11 outlines the rental property regulations. Landlords/Owners are required to register each residential rental property and pay a \$150 license fee for each property per year. License fee payments received after April 15th will be assessed a late penalty fee of \$500.00. If you no longer own this property, please submit proof that it has been sold. Mail completed registration form and payment to: Town of Irmo, P.O. Box 406, Irmo, SC 29063.

TOWN OF IRMO

Chapter 11 - RENTAL PROPERTY REGISTRATION AND REGULATIONS

Sec. 11-1. - Definitions.

The following terms shall have the meanings shown in this section. Where terms are not defined such terms shall have ordinarily accepted meaning such as the context implies.

Occupant - A family as defined by the Town of Irmo Zoning Ordinance or one or more individuals. A family of related persons shall be counted as one occupant.

Offense - Any violation of local, state, or federal statutes or ordinances which result in a forfeiture of bond; plea of guilty; plea of no contest; acceptance into pre-trial intervention, alcohol education program or a determination of guilt by a court or a jury. For purposes of this chapter, all violations for which charges are made during one response by law enforcement officers which result in a forfeiture of bond; acceptance into a pre-trial intervention program; alcohol education program; conviction; or plea of guilty or no contest, collectively shall be deemed one offense.

Owner - Any person, firm or corporation having a legal or equitable title in the property; or any record title holder.

Residential rental unit – Portion of a dwelling for which consideration is being given to an owner, agent, or manager for use or occupancy. Whenever the words "rental unit" are stated in this Code, they shall be construed as though they were followed by the words "or any part thereof."

Violation - Breach of law.

Total Occupancy – Total number of people allowed to be living under one roof (not to exceed 10 people)

Sec. 11-2. - License required.

No owner shall operate any residential rental unit unless that owner holds a current rental license issued by the Town of Irmo for the residential rental unit named therein. Licenses are not transferable from any owner to another. The license year shall begin on January 1 and end on December 31. **The required license fee may be paid beginning January 1 and must be renewed by April 15 each year. Each residential unit must have a separate registration.**

Sec. 11-3. - Application.

Applications to operate a residential rental unit and for renewal shall be on a form provided by the Town of Irmo. Such form shall set forth the owner's name, address, and telephone number; the residential rental unit address; and the name of the person, firm or corporation responsible for the care and maintenance of the building.

Sec. 11-4. - Issuance or refusal of rental permit.

The Town of Irmo shall issue a rental permit for rental housing to an applicant upon proof of the following:

- (1) The owner occupant and premises are in good standing with the town;
- (2) All fees have been paid as required by the chapter; and
- (3) The residential rental unit is in compliance with the chapter.

Sec. 11-5. - Property owner and occupant.

- (a) The Zoning Clerk and Town Administrator shall be notified in writing if there is a change of owner.
- (b) The property owner and the occupants shall maintain their residential rental units in compliance with the town codes and in compliance with this chapter.
- (c) The property owner and the occupants shall be liable for occupancy violations within their rental residences.

Sec. 11-6. - Offenses.

An "offense" shall include a violation of any federal, state, or local ordinance. It shall also include a failure to meet the standard for residential rental units set forth in this chapter.

Sec. 11-7. - Revocation.

If any property has three (3) violations within any year, the Zoning Clerk and Town Administrator shall notify the owner of this fact. Upon conviction of the third violation in any calendar year, the Zoning Clerk and Town Administrator shall revoke the license of the owner.

Upon revocation of the license, the owner may no longer rent the premises for residential purposes.

Upon receipt of notice of revocation, the owner may within ten (10) days apply to the Town Council for an appellate review of the decision to revoke the license.

Upon receipt of any appeal of a revocation, the Town Council shall hear the matter and render such decision as it deems proper under the circumstances. The property may continue to be rented during any appeal period. The decision of council on any appeal shall be final.

When a license is revoked pursuant to this chapter, it shall not be renewed or reissued to the owner except upon petition of the owner to Town Council and upon approval of Town Council.

Sec. 11-8. - Change of ownership.

Any person, firm or corporation who has purchased or has a legally binding contract to purchase a property with a revoked rental housing permit may apply for a new permit.

Sec. 11-9. - Offenses.

Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor and shall be subject to a fine of up to \$1,087.50 or imprisoned up to thirty (30) days or both. Each day of violation shall be deemed a separate offense. Prior to issuing a citation for violation of this section, the person to be charged must first be given notice of the violation and a 15-day abatement period in which to cure the violation. Notice shall be sufficient when placed in the United States mail addressed to the owner of the property or to the occupant of the property at the property address. Notice shall also be sufficient if made by personal service or delivery. The 15-day abatement period shall begin on the date of mailing or personal delivery.

Sec. 11-10. - License fee.

- (a) Effective January 1, 2021 the annual license fee shall be \$150.00 per dwelling. The fee will increase to \$250.00 per dwelling, effective January 1, 2022. All registration fees are due before April 15th of each calendar year and failure to register by the deadline will result in a penalty of \$500.00.
- (b) The annual license fee shall be waived, for one (1) year, for one (1) dwelling if the owner lived in the dwelling as their primary residence prior to home being vacated and permitted as a rental home.
- (c) If the property owner has more than five (5) rental units than he/she is required to obtain a business license from the Town.

Sec. 11-11. - Severability.

The provisions of this chapter are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this chapter. It is hereby declared that the intent of the council is that this chapter would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision has not been included herein.

Sec. 11-12. - Standards for residential rental unit.

For purposes of this chapter, the following standards apply to residential rental units and must be met prior to a permit being issued and at all times thereafter. The landlord, owner, property management personnel are responsible for informing and providing these standards to their tenants. Town sponsored inspectors will have the authority to certify that rental properties meet the IPMC standards for both the interior and exterior of the dwelling. Any and all violations will be abated and corrected in the timeframe allotted. Failure to correct the deficiencies will result in the loss of the rental permit until corrected.

- (1) **Trash Cans / Storage of Solid Waste.** Roll carts will only be placed at the street on pickup days and are removed from the street each evening in accordance with town code.

- (2) **Environmental.** Weeds, undergrowth, trash, garbage, stagnant water, abandoned vehicles or other household items, and other matter deleterious to good health and public sanitation shall be removed.
- (3) **Doors / Windows.** Individual dwelling units must have access directly to the outside or to a common corridor. Sleeping rooms must have at least one five-square foot operational window, or an exterior door that is operable from the inside. Exterior windows must be free of defects, capable of opening and closing, and have working locks.
- (4) **Roofs / Gutters.** Roofs must cover the entire floor plan of the house. Any damage to the roof must be repaired within ninety (90) days of incident; damaged roofs may be covered with tarp or other temporary device and such device may be maintained for not more than ninety (90) days. Standard roofing materials are to be used for repair. Any gutters are to be firmly attached to the roof and appropriate sections are to be connected.
- (5) **Stairs, Rails, Porches, Decks.** A handrail is required for four or more stairs. Guardrails are required on decks over thirty (30) inches above grade. Porches and decks shall not have apparent structural damage or broken or missing rails or steps.
- (6) **Fences / Walls.** Fences and walls must be maintained to builder standards and cannot lean, have parts missing, they also may not have parts that are loose or unstable, need paint or have cracks that need patching.
- (7) **Swimming Pools / Spas.** Swimming pools and spas shall be enclosed and include a self-closing and self-latching gate of forty-eight (48) inches minimum height. Pools must be maintained with clean water (stagnation and/or fungus must be removed) or the pool must be drained.
- (8) **Evidence of Infestation.** Premises shall appear free of rats, mice, roaches or other vermin.
- (9) **Parking Spaces.** There shall be at least one (1) all weathered surfaced parking space per vehicle. The parking surface material shall be concrete, asphalt or contained gravel surface, and no more than four (4) vehicles will be permitted in the front area of the residence.
- (10) **Grass Height.** Grass and weed height will not exceed eight (8) inches when measured with the ruler on the ground. All lawns must be properly landscaped and maintained. Inspections for compliance will begin with normal rental renewals after January 1, 2019; inspections will include properties registering for the first time. Inspections will be performed by the Zoning Administrator or his/her designated representative.
- (11) **Vehicles.** Unlicensed and/or unregistered vehicles are not permitted to be parked in the front or side of any dwelling (includes parking areas, driveways and yards).
- (12) **Tree Debris.** Fallen and/or broken limbs must be removed from the yard and placed at the curb, in the yard, not in the road or on public sidewalk for pickup by the trash collector (trash collector requirements regarding width and length must be adhered to).
- (13) **Leaves.** Must be bagged, placed at the curb, in the yard, not in the road or on public sidewalk, for pickup by trash collector.
- (14) **Garages.** Garage doors shall be maintained in a fully functional condition. They shall be maintained free of rot, decay. Garage door glass shall be replaced if cracked or broken. Garages shall be used only for the storage of vehicles or yard maintenance equipment. Provided, however, garages may be used for the storage of other items so long as the content of the garage is not visible from the street or from public view.
- (15) **Storm Doors / Windows.** Storm doors and windows shall be maintained in a fully functional condition. Broken or cracked glass shall be replaced, and such items shall not be allowed to rust or to be inadequately affixed to the property.
- (16) **Siding.** Exterior siding shall be maintained so as to remain properly affixed to the structure in accord with accepted building standards. External siding shall not be allowed to rot, or decay and must be properly painted with no peeling paint.
- (17) **Boats / Recreational Vehicles.** Boats, recreational vehicles, motor homes, campers and travel trailers shall not be stored at any residential rental dwelling (exception is back yard). However, these vehicles can be parked on a concrete driveway for not more than two (2) days for cleaning, washing, loading, unloading or repairing. Recreational vehicles may not be parked in street for more than 24-hours (subject to safety conditions).
- (18) **Stumps.** Stumps from trees which have fallen, or which have been cut shall be removed within thirty (30) days from the time the tree falls or is cut.
- (19) **Parking.** Cars may not be parked in front or side yards except on paved areas designed for the parking of vehicles.

- (20) **Occupancy.** No more than one-family (defined as an individual; or persons related by blood or marriage living together; or group of individuals, not more than three (3) unless related by blood or marriage in single housekeeping unit) may live in a rental home zoned for single-family residential. No more than ten (10) people may live in any residential rental dwelling (exceptions may be granted by the Town Administrator).
- (21) **Utilities.** Any occupied residential rental dwelling must at all times have water, sewer and electrical services connected to the proper provider or shall be deemed unrentable. It shall be the responsibility of the property owner to ensure that each dwelling has sewer service, and the failure to do so will result in a fine no less than \$500.00 along with the requirement to clean-up all illicit discharges and hold harmless the Town of Irmo in any health or pollution issues.