

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 240575

Amending Chapter 34, Code of Ordinances by repealing Section 34-834 and enacting in lieu thereof a new section of like number and subject matter.

WHEREAS, Kansas City has experienced unprecedented heat waves in recent years; and

WHEREAS, extreme heat places children, seniors, and renters in multi-unit buildings at a disproportionate risk of health issues; and

WHEREAS, the City Council believes City staff should be notified of extended outages in order to take steps to protect the health and safety of Kansas City residents; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 34, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 34-834 and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 34-834. Duties of permit holder.


Upon receipt of a permit issued by the director, in order to retain the permit, the permit holder shall:

- (1) Comply with all provisions of this article and the rules and regulations promulgated by the director, as such provisions, rules and regulations may be amended from time to time, and also each and every condition and requirement endorsed upon such permit or any renewal thereof issued, as such conditions and requirements may be amended by the director;
- (2) Immediately notify the director if a life-threatening violation may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, sewage backup, gross insanitary occurrence or condition, or other circumstance that may endanger health;
- (3) Immediately notify the director of an HVAC outage of an existing system that has lasted more than twelve hours in multi-unit apartment complexes;
- (4) Subject to subsection 34-846(d), allow representatives of the director access to the rental property for inspections and in emergencies when a life threatening violation may exist;
- (5) Comply with directives of the director including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the director in regard to the permit holder's rental property, or in response to community emergencies;

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- (6) Accept notices issued and served by the director according to law;
- (7) Be subject to the regulatory, civil, injunctive, and criminal remedies authorized in law for failure to comply with this article or a directive of the director, including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives; and
- (8) Submit annual permit review documentation and health and safety inspection report that is in compliance with the requirements of the director with appropriate fee as required by director. No person shall submit a materially inaccurate inspection report.
- (9) Within 60 days following:
 - a. Issuance of a permit or permit renewal by the director; and
 - b. The commencement of a new tenancy, either:
 1. Furnish a full copy of the permit to each tenant subject to the permit, or
 2. For the full remaining term of the permit period post a full copy of the permit at the rental property in a conspicuous location reasonably calculated to come to the attention of each tenant subject to the permit.

Approved as to form:

for


Joseph A. Guarino
Senior Associate City Attorney



Authenticated as Passed



Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

JUL 18 2024

Date Passed

COMPARED VERSION
COMMITTEE SUBSTITUTE TO ORIGINAL ORDINANCE

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 240575

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WHEREAS, Kansas City has experienced unprecedented heat waves in recent years; and

WHEREAS, extreme heat places children, seniors, and renters in multi-unit buildings at a disproportionate risk of health issues; and

WHEREAS, ~~a functioning HVAC system is necessary to mitigate such health risks in large, multi-unit buildings; and~~

~~WHEREAS,~~ the City Council believes City staff should be notified of extended, ~~system-wide~~ outages in order to take steps to protect the health and safety of Kansas City residents; NOW, THEREFORE,

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- (2) Immediately notify the director if a life-threatening violation may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, sewage backup, gross insanitary occurrence or condition, or other circumstance that may endanger health;
- (3) Immediately notify the director of ~~a system-wide~~ an existing system HVAC outage of an existing system that has lasted more than twelve hours in multi-unit apartment complexes;

- (4) Subject to subsection 34-846(d), allow representatives of the director access to the rental property for inspections and in emergencies when a life threatening violation may exist;
- (5) Comply with directives of the director including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the director in regard to the permit holder's rental property, or in response to community emergencies;
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Approved as to form:

Joseph A. Guarino
Senior Associate City Attorney



File #: TMP-4457

240575

ORDINANCE NO. TMP-4457

Amending Chapter 34, Code of Ordinances by repealing Section 34-834 and enacting in lieu thereof a new section of like number and subject matter.

WHEREAS, Kansas City has experienced unprecedented heat waves in recent years; and

WHEREAS, extreme heat places children, seniors, and renters in multi-unit buildings at a disproportionate risk of health issues; and

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- (2) Immediately notify the director if a life-threatening violation may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, sewage backup, gross insanitary occurrence or condition, or other circumstance that may endanger health;

- (3) Immediately notify the director of a system-wide HVAC outage that has lasted more than twelve hours in multi-unit apartment complexes;
- (4) Subject to subsection 34-846(d), allow representatives of the director access to the rental property for inspections and in emergencies when a life threatening violation may exist;
- (5) Comply with directives of the director including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the director in regard to the permit holder's rental property, or in response to community emergencies;
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Approved as to form:


Joseph A. Guarino
Senior Associate City Attorney

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. TMP-4457

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- (2) ~~(2)~~—Immediately notify the director if a life-threatening violation may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, sewage backup, gross insanitary occurrence or condition, or other circumstance that may endanger health;
- (3) ~~(3)~~—Immediately notify the director of a system-wide HVAC outage that has lasted more than twelve hours in multi-unit apartment complexes;

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(5) ~~(4)~~—Comply with directives of the director including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the director in regard to the permit holder's rental property, or in response to community emergencies;

(6) ~~(5)~~—Accept notices issued and served by the director according to law;

(7) ~~(6)~~—Be subject to the regulatory, civil, injunctive, and criminal remedies authorized in law for failure to comply with this article or a directive of the director, including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives; and

(8) ~~(7)~~—Submit annual permit review documentation and health and safety inspection report that is in compliance with the requirements of the director with appropriate fee as required by director. No person shall submit a materially inaccurate inspection report.

(9) ~~(8)~~—Within 60 days following:

a. ___ Issuance of a permit or permit renewal by the director; and

b. ___ The commencement of a new tenancy, either:

1. ___ Furnish a full copy of the permit to ~~the~~ each tenant subject to the permit, or

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Joseph A. Guarino
Senior Associate City Attorney

PROCEDURE TO INTRODUCE AN ORDINANCE NOT ON THE DOCKET

COUNCILMAN REA: I request that the Clerk receive, docket and read an ordinance prepared too late to be on today's docket.

MAYOR: The Clerk will receive the ordinance, assign a number, and read the title.

(CLERK ASSIGNS NUMBER AND READS ORDINANCE TITLE)

MAYOR: Referred to the Finance, Governance and Public Safety Committee.
