

INTRODUCED: June 23, 2025

AN ORDINANCE No. 2025-161

To amend ch. 5 of the City Code by adding therein a new art. VI, consisting of §§ 5-160 – 5-167, for the purpose of establishing a residential rental inspection program.

Patron – Mayor Avula

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUL 28 2025 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Chapter 5 of the Code of the City of Richmond (2020) be and hereby is amended by **adding therein** a new article numbered VI, consisting of sections numbered 5-160 through 5-167 as follows:

ARTICLE VI

RESIDENTIAL RENTAL INSPECTION PROGRAM

Sec. 5-160. Purpose.

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

The purpose of this article is to help the City ensure, in a manner consistent with general law and the authority set forth in Code of Virginia § 36-105.1:1., that residential rental dwelling units are safe, decent, sanitary, and compliant with the Building Code.

Sec. 5-161. Relationship to other laws.

Nothing in this article shall be construed to:

- (a) Affect the rights or obligations of landlords or tenants under the provisions of chapter 12 (Code of Virginia § 55.1-1200, et seq.) or chapter 14 (Code of Virginia § 55.1-1400 et seq.) of title 55.1 of the Code of Virginia, as amended;
- (b) Alter the duties or responsibilities of the Building Official or the Building Department, under the Code of Virginia or this chapter, to enforce the Building Code; or
- (c) Relieve or exempt any person from complying with the Building Code.

Sec. 5-162. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building Code means the Uniform Statewide Building Code and building regulations adopted and promulgated pursuant thereto.

Building regulations means any law, rule, resolution, regulation, ordinance, or code, general or special, or compilation thereof, enacted or adopted by the Commonwealth or the City, including by any departments, boards, bureaus, commissions, or other agencies thereof, relating to construction, reconstruction, alteration, conversion, repair, maintenance, or use of structures and buildings and installation of equipment therein. “Building regulations” does not include zoning ordinances or other land use controls that do not affect the manner of construction or materials to be used in the erection, alteration, or repair of a building or structure.

Dwelling unit means a building or structure or part thereof that is used for a home or residence by one or more persons who maintain a household.

Owner means the person shown on the current real estate assessment books or current real estate assessment records.

Rental inspection district means a Council-established district that is comprised of specified, contiguous parcels of real estate, that is subject to, and created in accordance with and to achieve the purpose of, this article.

Residential rental dwelling unit means a dwelling unit that is leased or rented to one or more tenants. A dwelling unit occupied in part by the owner thereof shall not be construed to be a residential rental dwelling unit unless a tenant occupies a part of the dwelling unit which has its own cooking and sleeping areas, and a bathroom.

Sec. 5-163. Designation of rental inspection districts.

(a) Creation. The Council may establish rental inspection districts by so designating any area of the City in which the Council finds that all of the following criteria are met:

(1) There is a need to protect the public health, safety and welfare of the occupants of residential rental dwelling units;

(2) Residential rental dwelling units are either (a) blighted or in the process of deteriorating, or (b) in need of inspection by the Building Department to prevent deterioration, taking into account the number, age and condition of such units; and

(3) The inspection of residential rental dwelling units is necessary to maintain safe, decent and sanitary living conditions for tenants and other residents.

(b) Considerations for district designation The Council may consider, among other things, the following in determining whether an area meets the rental inspection district criteria listed in paragraph (a) above:

(1) The number of Building Code or health code violations in the previous 48 months;

(2) The number of incidents resulting in a response from police, fire, or other public safety or emergency service agencies in the previous 48 months; or

(3) The number of tenants of residential rental dwelling units who have petitioned, in writing, the Building Official to address conditions of such dwelling units causing detriment to their health, safety, and well-being.

(c) Public notice. Before adopting a rental inspection ordinance and establishing a rental inspection district or an amendment to either, the Council shall hold a public hearing on the proposed ordinance. Notice of the hearing shall be published once a week for two successive weeks in a newspaper published or having general circulation in the locality.

(d) Notification of district designation. Upon establishment of any rental inspection district pursuant to this article, the Building Department shall make reasonable efforts to provide the following to all owners of residential rental dwelling units within the rental inspection district, or to such owners' designated managing agents: (i) written notice of establishment of the rental inspection district; (ii) information about and an explanation of this article and such owners' responsibilities hereunder.

(e) Expiration. A rental inspection district established under this section shall expire and become null and void 10 years from the date that the Council establishes it. Nothing shall prohibit the governing body from (i) reestablishing an expired rental inspection district or (ii)

modifying the bounds of an existing rental inspection district prior to its expiration. Such modification of an existing rental inspection district shall not affect the original expiration date of that district.

(f) Limitations. Nothing in this section shall be construed to authorize one or more City-wide rental inspection districts.

Sec. 5-164. Districts.

All rental inspection districts established under this article shall be shown on the City's Rental Inspection District Map, which map shall consist of data maintained within the City's Geographic Information System and, together with all explanatory matter contained thereon, is hereby declared to be a part of this article.

The rules applicable to the City's official zoning map in sections 30-210, 30-220, and 30-230.1-30-230.6, governing map preservation, copies, and interpretation, shall likewise apply to the Rental Inspection District Map. In the event the Rental Inspection District Map shows a rental inspection district that has expired under the terms of this article, such district shall be expired.

Sec. 5-165. Inspections authorized.

(a) Initial inspection. No sooner than 90 days after the establishment of a rental inspection district, the Building Official may, in conjunction with written notifications provided for in section 5-163(c), inspect a dwelling unit in such district to determine the following:

- (1) If such dwelling unit is being used for residential rental purposes, and
- (2) If such dwelling unit complies with the provisions of the Building Code that affect safe, decent, and sanitary living conditions for a tenant of such dwelling unit.

(b) Periodic inspection. Following the initial inspection of a residential rental dwelling unit within a rental inspection district, and if the Building Official has not provided the owner of

such dwelling unit an exemption under section 5-166 below, the Building Official may perform a periodic inspection of the dwelling unit no more than once each calendar year to determine if the dwelling unit complies with the provisions of the Building Code that affect safe, decent, and sanitary living conditions for a tenant of such dwelling unit.

(c) Property transfer inspection. After the sale of a residential rental dwelling unit in a rental inspection district, the Building Official may perform a periodic inspection of such dwelling unit, as described in section 5-165(b) above and notwithstanding any exemption granted a prior owner of such dwelling unit, to determine if such dwelling unit complies with the provisions of the Building Code that affect safe, decent, and sanitary living conditions for a tenant of such dwelling unit.

(d) Follow-up inspection. Upon an initial or periodic inspection of a residential rental dwelling unit subject to this article, the Building Official has the authority under the Building Code to require the owner of the dwelling unit to submit to such follow-up inspections of the dwelling unit as the Building Official deems necessary, until such time as the dwelling unit is brought into compliance with the provisions of the Building Code that affect safe, decent, and sanitary living conditions for a tenant of such dwelling unit.

(e) Multifamily development inspection. For a multifamily development with more than 10 dwelling units, inclusive of all buildings in such development, any inspection described in this section 5-165 shall not include less than two or more than ten percent of the total number of dwelling units in such development. If the Building Official determines upon such initial or periodic inspection that there are violations of the Building Code that affect the safe, decent, and sanitary living conditions for the tenants of such development, the Building Official may inspect as many dwelling units within the development as necessary to enforce the Building Code. The

Building Official shall not charge a fee, as described in section 5-167 below, for the inspection of more than 10 dwelling units of a multifamily development inspected under this paragraph, unless such inspection reveals a violation of the Building Code that affects safe, decent, and sanitary living conditions for the tenants of such development, in which case the Building Official may charge a fee based upon a charge per dwelling unit inspected.

Sec. 5-166. Exemptions.

(a) New dwelling units. The Building Official shall grant the owner of a residential rental dwelling unit an exemption from the provisions of this article for a period of 48 months from the date the Building Official issues a certificate of occupancy for such dwelling unit.

(b) Compliant dwelling units. The Building Official shall grant the owner of a residential rental dwelling unit an exemption from the provisions of this article for a period of 48 months from the date of an initial or periodic inspection of such dwelling unit in which the Building Official finds no violation of the Building Code that affects the safe, decent, and sanitary living conditions for any tenant of such dwelling unit.

(c) Revocation. The Building Official may revoke an exemption previously granted under this section for any residential rental dwelling unit that becomes in violation of the Building Code during the exemption period.

Sec. 5-167. Administration.

(a) Fees. There shall be no fee for an initial or periodic inspection. The fee for a follow-up inspection of any one dwelling unit shall be the same as a reinspection fee for failure to correct violations previously cited, as set forth in section 5-5 of the City Code.

(b) Violations. Penalties for violation of this section shall be the same as the penalties provided in the Building Code.

§ 2. This ordinance shall be in force and effect upon adoption.



City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: 5 March 2025

TO: The Honorable Members of City Council

THROUGH: The Honorable Dr. Danny Avula, Mayor

THROUGH: Sabrina Joy-Hogg, Interim Chief Administrative Officer

THROUGH: Sharon L. Ebert, DCAO for Economic Development and Planning

FROM: Kevin J. Vonck, Director, Planning and Development Review

RE: To amend and reordain City Code, by adding Article VI. – Residential Rental Inspection Program to Chapter 5 – Buildings and Building Regulations.

ORD. OR RES. No. ###

PURPOSE: To establish a Residential Rental Inspection Program (RRIP) that promotes safe, decent, and sanitary housing in residential rental dwelling units, in a manner consistent with general law and authority set forth in § 36-105.1:1. Code of Virginia.

BACKGROUND: A RRIP allows City Council to establish one (1) or more geographical rental inspection districts when it finds that there is a need to protect the public health, safety, and welfare of the occupants of residential rental dwelling units that are blighted, in the process of deteriorating, or warrant inspection by the building official to prevent blight or deterioration. In making its determination, City Council could consider:

- Number of building code or health code violations in the previous forty-eight (48) months;
- Number of incidents requiring public safety or emergency service response in the previous forty-eight (48) months; or
- Number of tenants of residential rental dwelling units who have petitioned, in writing, the Commissioner of Buildings to address conditions of such dwelling units causing detriment to their health, safety, and well-being.

The establishment of a RRIP authorizes the Commissioner of Buildings (or his/her designees) to proactively inspect residential rental dwelling units periodically and upon property transfer. For

complexes of ten (10) or more units; the Commissioner may inspect up to ten percent (10%) of total units. New and compliant dwelling units are then exempt from periodic and transfer inspections for forty-eight (48) months. The RRIP does not negate ability of Commissioner of Buildings to respond to tenant (or citizen) complaints withing such districts.

COMMUNITY ENGAGEMENT: Over the last two years, staff has discussed the proposed legislation with civic associations, the Home Building Association of Richmond, Richmond and Henrico Health Districts, Virginia Apartment Management Association, Virginia Organizing, and Virginia State Conference NAACP, in addition to several individual property owners and landlords.

STRATEGIC INITATIVES AND OTHER GOVERNMENTAL: This legislation helps implement *One Richmond: An Equitable Affordable Housing Plan* (2022) and *Richmond 300* (2020). This legislation aligns with Mayor Avula's priorities for thriving neighborhoods, thriving families, thriving and inclusive communities, and a thriving and sustainable built environment.

FISCAL IMPACT: None as proposed. When Council elects to create a rental inspection district, it may require PDR to hire additional PMCE inspectors, depending on the number of residential rental dwelling units located inside such district. Additional personnel expenditures may be offset by fees levied against properties requiring reinspection.

DESIRED EFFECTIVE DATE: upon adoption

REQUESTED INTRODUCTION DATE: Tuesday, 9 June 2025

CITY COUNCIL PUBLIC HEARING DATE: Monday, 23 June 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing and Transportation Standing Committee: Tuesday, 17 June 2025

AFFECTED AGENCIES: Planning and Development Review, City Attorney

RELATIONSHIP TO EXISTING ORD. OR RES.: RES. 2023-R006: To request that the Chief Administrative Officer develop a program that establishes one or more rental inspection districts and requires inspection of residential real estate dwelling units within such districts pursuant to Va. Code § 36-105.1:1 and to submit a proposed ordinance setting forth the particulars of such program to the Council.

ATTACHMENTS: none

STAFF: Kevin J. Vonck, Director, PDR | kevin.vonck@rva.gov | 804-646-3741

