

**RESOLUTION AUTHORIZING PERIODIC INSPECTIONS OF
RESIDENTIAL RENTAL BUILDINGS IN DESIGNATED GEOGRAPHIC
AREA**

Whereas, council having considered the substance of this resolution at a public hearing held on 2/20/12;

Whereas, G.S. 160A-424(b) provides that a city may require periodic inspections of residential buildings as part of a targeted effort within a geographic area that has been designated by the council;

Whereas, city code section 10-363 provides that the city requires periodic inspections of residential buildings or structures as part of a targeted effort within the geographic areas specified by council;

Whereas, the Department of Neighborhood Improvement Services (“NIS”) reports that most housing code violations are found on residential rental properties;

Whereas, NIS recommends that the geographic area within the city with the most documented code violations and crime incidents be selected for targeted periodic inspections and council adopts this recommendation;

Whereas, NIS has determined, and the council finds, that the majority of verified violations of the housing code, unsafe building law or other codes and documented crime incidents during the prior one-year period occurred in the designated geographic area on the attached map;

Whereas, the attached map includes the following caption “**Rental Inspection Designated Area**” and is labeled as **Exhibit A**;

Whereas, the map of the **Rental Inspection Designated Area** referenced above may hereafter be referred to as “map (**Exhibit A**)”;

Whereas, the map (**Exhibit A**) shows the geographic area that council has designated for periodic inspections;

Whereas, the city administration certifies that notice has been provided to owners and residents of properties in the affected area about this inspection program targeting rental residential buildings in certain geographic areas;

Whereas, it is in the public interest to conduct periodic inspections of residential rental properties in areas with high incidents of code violations and crime because such a program is a proactive manner of identifying housing code violations;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DURHAM:

Section 1. The map of the **Rental Inspection Designated Area** labeled as **Exhibit A** is attached to this resolution, incorporated by reference and made a part of this resolution.

Section 2. Description of Area. The entire shaded yellow area outlined in red on the map (**Exhibit A**) is the designated geographic area within the city where periodic inspections will occur. This designated geographic area is further described as the area on the map (**Exhibit A**) being bound by the following streets: I-85N, Avondale Dr., E. Geer St., N. Miami Blvd., S. Miami Blvd., East End Ave., Duane St., Ellis Rd., Riddle Rd., Fayetteville St., E. Cornwallis Rd., W. Cornwallis Rd., Chapel Hill Rd., Anderson St., Fifteenth St., Oakland Ave., and Albany St.

Section 3. All residential rental properties within the designated geographic area on the map (**Exhibit A**) are subject to periodic inspections pursuant to G.S. 160A-424(b) and Article VIII, Chap. 10. of the code.

Section 4. The city manager shall implement a program to carry out this resolution and any other provisions required by G.S. 160A-424(b). This resolution shall be a part of the program adopted by the city manager.

Section 5. This resolution and the program referenced herein to be adopted by the city manager may be used to obtain an administrative inspection warrant pursuant to G.S. 15-27.2 to inspect a residential rental property within the above identified designated geographic area.

Section 6. The city manager shall designate the housing code administrator or housing inspector to carry out the program referenced above.

Section 7. This resolution shall be effective upon passage.