



## CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council

**From:** John Betten, Director of Public Safety  
Ted Shekell, Planning Director  
Walter Denton, City Administrator

**Date:** December 7, 2009

**Subject:** Ordinance No. \_\_\_\_\_: An Ordinance Known as "Residential Rental License Program" – **First Reading**

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**List of committees that have reviewed:** For the First Reading, The Community Development Committee reviewed and voted 4-0 to approve the program at its November 23, 2009 meeting.

There was discussion previously regarding whether the ordinance applied to renting of individual mobile home lots, which initially it did not. That suggestion is important and has been added to the ordinance. Mobile Home Parks are also covered by this ordinance.

Staff met with several landlords and property management company representatives to present the program to them and get their input. The meeting was very productive, and they fully supported the program and its goals. Their input was clear regarding their desire for the program to be streamlined and efficient, to minimize paperwork and not have any duplication of inspections with the existing occupancy inspection program, and to utilize electronic technology as much as possible (i.e, the renewal of licenses), including the use of electronic payment options.

Implementation of the program will take some time for two main reasons. First, internally, we will need to add some electronic functions to our permitting, licensing, and payment systems and organize both the PD and PZ to handle the additional responsibilities. Secondly, externally, there we will need to work with the rental community on organizing the training, having the landlords include the Crime-Free lease addendum to their leases when they come up for renewal, etc.

### **Background and Program Summary:**

To help maintain the safety, value, and stability of the rental properties in O'Fallon, and the neighborhoods they are located in, we are proposing an ordinance that would create the Crime Free Multi-Family Housing Program. The program consists of two phases (landlord and/or manager training and environmental inspection) that must be completed under the supervision of the O'Fallon police department. Property managers can become individually certified after completing training in each phase and the property becomes certified upon successful

completion of both phases. The anticipated benefits are reduced police calls for service, a more stable resident base, and reduced exposure to civil liability. The program is separate and distinct from Code Enforcement and the occupancy permit process but will work very closely with that program to ensure consistency of enforcement. The program will look specifically at public safety factors, not property maintenance code items. The Planning and Zoning Department will provide administrative and licensing support to the PD for the program.

***Crime Free Multi-Housing Program Benefits:***

- A stable, more satisfied tenant base. Increased demand for rental units with a reputation for active management
- Lower maintenance and repair costs. Increased property values
- Improved personal safety for tenants, landlords, and managers

***Phase I - Management Training (8-Hours) Taught by the Police***

1. Crime Prevention Theory
2. CPTED Theory (Physical Security)
3. Benefits of Resident Screening
4. Lease Agreements and Eviction Issues
5. [Crime Free Lease Addendum](#) **KEY COMPONENT**
6. Key Control and Master Key Use
7. On-Going Security Management Monitoring and Responding to Criminal Activity
8. Gangs, Drugs Activity, and Crime Prevention
9. Legal Warnings, Notices & Evictions Working Smarter With the Police Fire and Life Safety Training Community Awareness

***Phase II - CPTED - Survey by the Police***

1. Crime Prevention Through Environmental Design Survey (CPTED)
2. Minimum door, window, and lock standards compliance inspection
3. Minimum exterior lighting standards evaluation
4. Key Control procedures evaluation
5. Landscape maintenance standards compliance

**Legal Considerations, if any:** None

**Budget Impact:** The proposal is to charge \$50.00 per residential rental unit (single family homes included). With an estimated 3,500 rental units in O'Fallon, we believe the program will generate approximately \$175,000 in revenue to cover anticipated program costs. The program will be administered out of the O'Fallon Police Department, with the Planning and Zoning Department providing administrative and licensing support to PD. Regardless of the revenue, we believe that the future of our housing market suggests this program be implemented as soon as is practical.

**Staff Recommendation:** Attached is an ordinance creating the program drafted by attorney Dan Vogel, with the input and coordination of the Police and Planning/Zoning Departments. We also sought input from property managers and owners in O'Fallon that would be affected by this proposal. Staff recommends creation of the program and approval of the draft ordinance as presented.