

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH ADOPTING A  
GOOD LANDLORD PROGRAM.**

*WHEREAS*, the Hurricane City Council is duly authorized to create legislation to govern Hurricane City; and

*WHEREAS*, it is in the best interest of the community to promote education of landlord-tenant law and foster beneficial relationships between landlords and tenants; and

*WHEREAS*, the Hurricane City Council finds that this ordinance will provide and promote such education and relationships,

**BE IT HEREBY ORDAINED** by the City Council of Hurricane, Utah that following chapter be added to Hurricane City Code to read as follows:

**3-13 Hurricane City Good Landlord Program**

**Sec. 3-13-1: Purpose**

A. The purpose of this section is to provide a financial incentive for landlords to attend training, treat tenants fairly and in keeping with applicable laws, keep their properties free of crime, and have properties comply with the Hurricane City zoning and nuisance codes.

**Sec. 3-13-2 Policies and Qualifications**

A. Any landlord owning one or more long-term rental and meeting this chapter's requirements may apply for admission to the Good Landlord Program.

B. Qualifications: Each applicant that meets the following requirements shall qualify to be admitted to the program.

1. Complete an application that contains:
  - a. Full name;
  - b. Date of birth;
  - c. List of properties owned;
  - d. A report from the Fire Marshal or their representative of a fire inspection and evidence of any correction made by the property owner to comply with any findings or requirements found within the report;
  - e. A certificate from a training program as described in this chapter.
2. Complete a four (4) hour training program as required by this chapter.
3. Complete a four (4) hour training program every three (3) years.
4. Inspection of the residence every other year by the local fire marshal or their representative.

**Sec. 3-13-3 Content of Training Program**

A. Content. The training program required in this chapter shall provide training regarding best management practices, fair housing law, applicable city ordinance requirements, steps to reduce crime, and any other subject deemed appropriate by the mayor which is consistent with the purpose of this chapter.

B. Trainers. The training program required by this chapter may, as determined by the City Recorder, be taught by city personnel or other persons or entities with expertise in the subject matter required under subsection A of this section. A person who completes a training program that includes some or all of the content required under subsection A of this section may, as approved by the City Recorder, shall receive credit for the training required by this chapter. The City shall accept training programs offered by other municipalities within the state that meet these requirements.

#### **Sec. 3-13-4 Completion of Training and Qualifying Applicants**

A. First-Time Applicants: First-time applicants under the program shall complete the required training contained within this chapter and all other requirements in 3-13-2 prior to qualification.

B. License: The City shall waive the business license fee for qualified applicants for long-term rental businesses owned by the applicants during the periods that the applicants qualify.

#### **Sec. 3-13-5 Disqualification**

A. Applicants who qualified and were approved for this program shall be disqualified if found to violate any or a combination of the following:

1. Failure to pay or renew a business license.
2. Law enforcement responses to a property owned by the applicant and regarding criminal activity at the property three (3) or more times within any one (1) year period.
3. Failure to comply with a notice issued by a City Police Officer or Code Enforcement Officer regarding a violation of City, State, or Federal law on the property.
4. Failure to maintain the rental dwelling in compliance with Hurricane City Codes.
5. Failure to comply with Fire Code after the proper notice was given by the Fire Marshall or their representative.
6. Renting the property as a short-term rental or transient lodging facility.
7. Other violation of the Hurricane City Code.

B. Finding of Noncompliance:

1. If it is determined that an applicant or rental dwelling has not complied with the requirements of this chapter, the City Recorder shall send the property owner notice of removal from the program.
2. The property owner shall have 30 days to correct any violations of the City Code or requirements within this chapter. The property owner shall not be disqualified if they can provide evidence of correction of the violation within the given time period.
3. If the property owner fails to comply, the property owner will be required to pay any waived licensing fees for that year.

C. Readmission. After disqualification, a property owner may reapply to the program the next licensing year only if the owner has corrected the problems leading to

disqualification. The burden shall be on the property owner to provide evidence that all outstanding violations have been corrected and the applicant qualifies to be admitted back into the program.

C. Appeal. Upon payment of an appeal fee of \$250, the property owner may appeal a decision by the City Recorder to remove them from the Good Landlord Program with the City's Civil Hearing Officer as established in 1-4-5.

**Sec. 3-13-6 Adoption of rules and regulations**

A. The City Recorder may adopt rules and procedures, create forms, issue letters, and take all other necessary steps to implement and enforce the provisions within this chapter.

**NOW THEREFORE, BE IT ORDAINED BY THE HURRICANE CITY COUNCIL OF HURRICANE CITY, UTAH THAT:**

1. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
2. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hurricane City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

PASSED AND APPROVED this 15<sup>th</sup> day of June, 2023



Hurricane City

Nanette Billings  
Nanette Billings, Mayor

Attest:

Cindy Beteag  
Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 15<sup>th</sup> day of June, 2023. Whereupon a motion to adopt and approve said Resolution was made by Joseph Prete and seconded by Kevin Thomas. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	<u>X</u>	—	—	—
David Sanders	<u>X</u>	—	—	—
David Hirschi	<u>X</u>	—	—	—
Kevin Thomas	<u>X</u>	—	—	—
Doug Heideman	<u>X</u>	—	—	—

  
Cindy Beteag, Recorder