

TOWN OF ST. JOHNSBURY

NOTICE OF PUBLIC HEARING

Notice is hereby given to the residents of the Town of St. Johnsbury that the St. Johnsbury Select Board will hold a public hearing at the Welcome Center, 51 Depot Square, St. Johnsbury, Vermont on Wednesday, July 12, 2017 at 5:00 PM. The hearing will be held for public review of and comment on amendments to Zoning By-laws and the Civil Code of Ordinances pursuant to Title 24 VSA, Ch. 117 §§ 4441-4444.

The purposes of the proposed Zoning By-law amendments are to:

1. Add definitions for Self-Storage Unit, Freight Storage Containers, Pet Services, and Veterinary Services:
 - A. **Self-Storage Unit:** A facility where secured areas in a structure are rented to individuals or businesses for non-hazardous and non-perishable goods; secured areas not to exceed 3,000 cubic feet. Proposed permitting: Conditional in Mixed-Use, Industrial, and Commercial.
 - B. **Freight Storage Containers:** Freight storage containers shall include containers unregistered for transportation use; but not limited to box trailers, flat bed trailers, storage boxes or utility trailers. They may be with or without wheels. Special Uses added to Section 443.
 - C. **Pet Services:** This comprises establishments primarily engaged in providing pet care services (except veterinary), such as boarding, grooming, sitting, and training pets. Examples include: Animal grooming services, animal shelters, boarding services for pets, dog pounds, guard dog training services, guide dog training services, kennels or pet boarding, and pet obedience training services. Proposed permitting: Conditional in residential and mixed use; Permitted in Rural, Industrial and Commercial.
 - D. **Veterinary Services:** This comprises establishments of licensed veterinary practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery for animals, and establishments primarily engaged in providing testing services for licensed veterinary practitioners. Examples include: Animal hospitals, veterinary clinics, veterinarian offices, and veterinary testing laboratories. Proposed permitting: Conditional in Mixed Use; Permitted in Rural Lands, Health Services, Industrial and Commercial.
2. Add Special Uses **Section 443** to describe more specific uses for Freight Storage Containers:

Section 443: Freight Storage Containers

A limit of one freight storage container may be parked on an owner's property in residential districts provided that:

- a) It is parked to meet setback requirements

- b) A temporary permit is required and valid for one calendar year. Temporary structures must be in places designated for vehicle storage such as driveways.
- c) After one year, the owner must receive permitting for the freight storage container as a permanent and taxable accessory structure.
- d) Permanent freight storage container structures are only allowed in back yards.

Code of Civil Ordinance proposed changes to Chapter 6:

Clarify the responsibilities of the Town Health Officer, Code Compliance Officer and Zoning Administrator with the following amendments:

Sec. 6-10. VACANT BUILDING PERMIT AND STANDARDS

- a) Any building vacant for more than 120 days requires a permit. Application by the owner of a vacant building or structure for a vacant building permit shall be made on a form provided by the Zoning Administrator. Applicants shall disclose all measures to be taken to ensure that the building will be kept weather-tight and secure from trespassers, safe for entry by police officers and firefighters in times of exigent circumstances or emergency, and together with its premises be free from nuisance and in good order in conformance with the building owner obligations (see Section 6- 5).
- b) Upon and at the time of application, the owner of a vacant building or structure shall arrange for an inspection of the premises by the Health Officer and the appropriate police and fire officials. The purpose of such inspection is to determine and ensure the structural integrity of the building, the repairs necessary to ensure its structural integrity, that it will be safe for entry by police officers and firefighters in times of exigent circumstances or emergency, that the building and its contents do not present a hazard to the public during the time that the building remains vacant, and that the building or structure is following the standards of this Ordinance.
- c) If the Health Officer has reason to believe that an emergency situation exists tending to create an immediate danger to the health, safety or welfare of the general public, no notification or warrant shall be necessary and the Health Officer shall enter and inspect the premises pursuant to Section 6-7 of this Ordinance.
- d) The Zoning Administrator shall provide the Health Officer and the St. Johnsbury Police Department or the Vermont State Police with copies of vacant building permits at the time of issuance.
- e) The Health Officer, upon inspection, shall issue any order for work needed to:
 - 1) Adequately protect the building from intrusion by trespassers and from deterioration by the weather in accordance with the standards set forth in this Ordinance.
 - 2) Ensure that allowing the building to remain will not be detrimental to the public health, safety and welfare, will not unreasonably interfere with the reasonable and lawful use

and enjoyment of other premises within the neighborhood, and will not pose an extraordinary hazard to police officers or firefighters entering the premises in times of emergency.

- 3) When issuing such orders, the Town Health Officer shall specify the time for completion of the work. The Order shall act as an interim vacant building permit, the duration of which shall be for the time set forth in the Town Health Officer's order. No interim permit shall be effective for a period of more than ninety (90) days. All work done pursuant to this article shall be done in compliance with the applicable building, fire prevention, and zoning statutes and ordinances.
- 4) The Zoning Administrator shall issue a vacant building permit upon his or her satisfaction that the building has been inspected and is in compliance with the standards set forth in this Ordinance, and that the building is adequately protected from intrusion by trespassers and from deterioration by the weather. This permit shall be effective for a period of three hundred sixty-five (365) days.
- 5) A vacant building or structure shall be deemed adequately protected from intrusion by trespassers and from deterioration by the weather if it satisfies the building maintenance standards in Section 5(A) of this Ordinance.

Sec. 6-11. FEES.

- a. A fee of one hundred dollars (\$100.00) shall be charged for a vacant building permit or interim permit. This one-hundred dollar fee shall also be charged upon the renewal of such permits. The fee is to be paid at the time of application or renewal. No permit shall be issued prior to payment of the permit or renewal fee.
- b. Upon a showing that the building or structure is being actively marketed for sale or lease and maintained pursuant to its vacant building permit or renewal thereof, the Zoning Administrator shall waive the fee. The waiver of the permit fee for the active marketing and maintenance of the building or structure shall be for a period of twelve (12) months from the time the fee first becomes due. This waiver may be extended for an additional year for such buildings only if the owner (i) continues to show that the building or structure is being actively marketed for sale and maintained and (ii) discloses the details of how the building was actively marketed for sale during the waiver year (i.e., offers, appraisals, or consultants engaged). Upon the expiration of the initial twelve-month period or its extension, the fee shall be charged.
- c. When a building is in need of substantial rehabilitation, as determined by the Health Officer, to comply with the obligations and standards set forth in this Ordinance, the owner must: (a) developed and submitted a statement of intent, scope of work which meets the applicable building and zoning standards and the obligations and standards set forth in this article, and a reasonable schedule for the completion of the work, approved by the Zoning Administrator, and (b)

secured all necessary building and zoning permits.

- d. If an owner has secured all the duly required permits to demolish the building or structure, the fee may be waived.

Article II

Sec. 6-30. Responsibilities of owners.

(a) Responsibilities of owners shall be the same as set forth in the state health regulations, Chapter 5, Environmental Health, subchapter 16, Rental Housing Health Code under Responsibilities of Owners, General, Sanitation Utilities, Transfer of Responsibilities. (Ord. of 12-11-78, § 13-01)

(b) Registration of all rental units as defined in Article IV – Housing: Rental Unit Registration

Sec. 6-47. Enforcement.

This article shall be administered and enforced by the Code Compliance Officer and such other persons as the board of health may from time to time designate, under the general supervision of the board of selectmen, acting in their capacity as the board of health.

(Ord. of 12-11-78, §3-01)

In addition to any other powers and duties of the Code Compliance Officer, he shall:

(a) Make inspections, by request of a landlord or tenant, of all premises in the town within the scope of this housing code;

(b) Issue, in writing, notices directing the remedying of conditions found to exist in or on any premises not conforming with the requirements of this housing code;

(c) Keep a record of all inspections, complaints and violations found in the course of performing his duties;

(d) Cooperate with other municipal, governmental and private agencies engaged in the study of improvement of housing conditions.

(Ord. of 12-11-78, §3-02)

All inspections and enforcement shall be conducted in accordance with Article III – Housing: Compliance and Enforcement

Sec. 6.50 deleted and moved to Article IV

Article III -- Housing Code Compliance and Enforcement

Sec. 6.102. DEFINITIONS

. (a) For the purposes of this chapter, definitions of the terms, phrases, words and their derivations shall be as defined in Section 6.3 of the Town of St. Johnsbury Code of Civil Ordinances. Otherwise, the following listed words shall have the meanings indicated:

OWNER OCCUPIED: A property in which the owner has established primary residency.

DWELLING UNIT: A building or a part of a building that is used as a home or residence, with one or more rooms including kitchen designed as a unit for occupancy by one family for the purpose of cooking, living and sleeping or, having one or more rooms used as sleeping units with shared access to common areas including a kitchen designed to accommodate unrelated individuals for the purpose of cooking, living and sleeping

RENTAL UNIT: A dwelling unit that is not owner occupied, and is occupied for longer than thirty (30) consecutive days; including but not limited to occupancies at hotels, motels, homeless shelters and other accommodations.

RENTAL AGREEMENT: All agreements, written or oral, embodying terms and conditions concerning the use and occupancy of a dwelling unit or premises.

RENT: All considerations to be made to or for the benefit of the owner under the rental agreement, not including security deposits.

TENANT: Any person entitled under a rental agreement to occupy a dwelling unit to the exclusion of others, or any persons occupying a rental unit as a permanent residence.

Sec. 6.103. ADMINISTRATION, APPEALS & ENFORCEMENT

Sec. 6.104. Duties and Powers of the Code Compliance Officer (a) The St. Johnsbury Town Manager shall appoint the Fire Chief as the Town Health Inspector, and a Code Compliance Officer who shall hereby be authorized and directed to administer and enforce the provisions of the adopted Housing codes. The Town Health Inspector and the Code Compliance Officer shall have the authority to render interpretations of the codes. Such interpretations, policies and procedures shall be in compliance with the intent of the adopted codes and 24 V.S.A. Chapter 123;

(b) The Code Compliance Officer may delegate this authority to any trained inspector.

Sec. 6.105. Duties and Powers of the Code Compliance Officer

(a) The Town of St. Johnsbury Code Compliance Officer shall be responsible for the administration of this Ordinance;

(b) The Officer may enter, examine and survey all rental units that are subject to routine, complaint based, and emergency inspections of this Ordinance in accordance with Section 6-1.15.

(c) The routine inspection schedule will be set by the Town Manger.

Sec. 6.106. Written Documentation and Issued Orders.

(a) Where an inspection indicates that a violation of this Ordinance exists, the Code Compliance Officer shall issue written documentation notifying the party responsible of the existence of the violation(s) and the measure(s) required to correct or eliminate it. At the direction of the Code Compliance Officer, the documentation may require the violations to be corrected, or significant action taken to begin corrections, within a defined number of business days or require that the premises be vacated and secured until the rental unit meets the standards of this chapter. The written documentation shall be based on a finding that the premises are a danger to the health, welfare or safety of the tenants or the general public and a violation of the Minimum Housing Standards. Written documentation may further direct:

- (1) That the rental unit(s) be repaired so that they meet the standards of this chapter;
- (2) That the rental unit is unfit or unsafe for human habitation because it constitutes a imminent danger to the health, welfare and safety of the tenants or the general public, and the rental unit be vacated and secured until the unit is repaired so that it meets the standards of this chapter;
- (3) That the rental unit is unfit for human habitation because it constitutes a danger to the health, welfare, or safety of the tenants or the general public, and that the rental unit be demolished pursuant to the provision of § VSA 24-3114.

(b) When the responsible party has failed to take corrective action of any written documentation, an Order may be issued by the Town. The written order shall state:

- (i) That a violation exists;
- (ii) The measure(s) required to correct or eliminate the violation(s);
- (iii) A compliance date for which such violation(s) shall be corrected;
- (iv) Appeal rights;
- (v) Penalties for non-compliance.

(c) When the Town Code Compliance Officer investigates, and issues an Order, such Order shall be sent to the owner, and if applicable, the tenant of the rental unit;

(d) Orders shall be sent by one or more of the following means:

- United States Postal Service (USPS) Certified Mail Return Receipt Requested; or
- Hand Delivery.

(e) Orders become effective immediately if hand delivered. If mailed, the Order will take effect three (3) business days from the date the Order is issued;

(f) An Order shall be recorded in the municipal land records, and the Order shall thereby be effective against any purchaser, mortgagee, attaching creditor, lien holder or other person whose claim or interest in the property arises after the recording of the Order;

(g) When an Order is cured and any related assessed penalties are paid, the Town shall record an Order removal or cancellation in the municipal land records.

Sec. 6-106.2. Dwellings unfit for habitation, etc.; procedure for abatement.

(a) Whenever it appears to the Code Compliance Officer that any dwelling is unfit for human habitation or that a violation of the housing code exists, the Code Compliance Officer shall, if his preliminary investigation discloses a basis for such charges, give written notice of violations to the owner and all parties in interest in such premises and give a reasonable time not exceeding sixty (60) days for the correction thereof. If the matter is not corrected, the Code Compliance Officer shall issue and cause to be served upon the owner and parties in interest in such premises a complaint stating the charges and containing a notice that a hearing will be held before the Housing Board of Review pertaining to the complaint. A copy of the complaint shall be filed with the town attorney and the town manager.

(b) If after such hearing, the Housing Board of Review determines that the dwelling under consideration is unfit for human habitation or that a violation of the housing code exists, the Board shall state in writing the findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order to repair or close the dwelling within the time specified in the order which shall not be more than sixty (60) days.

(c) If the owner fails to comply with an order issued by the Housing Board of Review under the provisions of this section, to repair or close a dwelling, the owner shall be subject to the penalties set forth in 18 V.S.A. 609, 610, 610(A), 614, and 616.

(Ord. of 12-11-78, §3-04)

Sec. 6.107. Appeals.

(a) Written notice of appeal shall be submitted to the Housing Board of Review within ten (10) business days of the date of the Order(s);

(b) The Housing Board of Review as provided in 24 V.S.A. 5005 shall review the appeal and all related documentation and make a written determination within twenty (20) business days of receipt of an appeal;

(c) The aggrieved party may further appeal to the Select Board within seven (7) business days of the date of the Housing Board of Review findings in accordance with 24 V.S.A. §5005;

(d) Any person including the enforcement officer, aggrieved by any decision of the Select Board may appeal to The Superior Court, in accordance with 24 V.S.A. §5506;

(e) When an owner/tenant appeals an action of the Code Compliance Officer, the Code Compliance Officer shall not be prevented from completing the inspection of the rental unit and issuing any necessary Orders. When an appeal is filed, the Orders issued will be stayed pending resolution of the appeal, unless the Orders issued are to correct life-threatening issues which will not be stayed.

Sec. 6.108. Enforcement and Penalties.

(a) The Code Compliance Officer and/or his/her delegates or any certified Vermont Law Enforcement Officer shall be the designated Enforcement Officer. They shall issue, or direct to have issued, Municipal Complaints and pursue enforcement before the Judicial Bureau in accordance with the provisions of 24 VSA §1974a and §1977 with penalties as prescribed below:

(b) The Code Compliance Officer shall be required to issue an Order on the person or party responsible for any violations of this Ordinance or the adopted codes. Where the party fails to remedy a violation to the satisfaction of the Code Compliance Officer, the Code Compliance Officer may bring appropriate action to enforce the provisions of this Ordinance.

Enforcement may be by any means allowed under state law including, but not limited to:

(i) First offense. A first offense of this Ordinance shall be punishable by a fine of one hundred dollars (\$100.00); the waiver fine shall be \$50 dollars (\$50.00);

(ii) Second and subsequent offenses. Any second offense of the same provision of the bylaws within a twelve-month period shall be punishable by a fine of two hundred dollars (\$200.00); the waiver fine shall be one hundred dollars (\$100.00).

(c) The Code Compliance Officer may notify the Town Attorney who shall bring suit in the name of the municipality to enforce such Order. Such suit may be brought in any court of competent jurisdiction appropriate. The Town may seek a temporary injunction or Order in any such proceedings. The court may award costs of suit including reasonable attorney fees.

(d) Each day that a violation continues shall constitute a separate offense;

(e) Where the Code Compliance Officer finds that a violation(s) is to such a degree that a dwelling is declared unsafe, or that significant corrective action has not been taken within the timeframe provided, the Office may suspend occupancy ("Order") of a unit or units and require the relocation of the occupants until such time as the rental unit meet the Housing Codes as outlined in this Ordinance;

Sec. 6.109. Fees.

The rates for any inspection fee shall be designated by the Town Manager and adopted by the Select Board, and upon adoption of the rates, the Select Board shall publish in the local newspaper the rate change thirty (30) days prior to the effective date of the rate change;

Sec. 6.110. Records.

Records, including inspection reports, records of complaints or other Orders shall be available for public inspection at the Planning and Zoning Department;

- (1) Owners and/or a designated managing agent shall receive a copy of the inspection report within ten (10) business days of the completion of the inspection. Inspection reports shall be emailed to the designated recipient unless paper copies are requested or the recipient does not use email;
- (2) To obtain copies of inspection reports, records of complaints or other Orders, requests must be made in writing to the Planning and Zoning Department and the designated records fee paid in full.

Sec. 6.111. INSPECTION Protocol

- (a) It shall be a violation of the Town's Minimum Housing Standards for the owner of any rental unit within the Town to fail to register a rental unit as required by Article IV Housing: Registration of Rental Units.
- (b) Inspection requirements are for fire and life safety requirements only, as adopted by the Vermont Department of Safety.

Sec. 6.112. Inspection Procedures.

- (a) The Code Compliance Officer shall make periodic inspections of all registered rental units within the Town;
- (b) The Code Compliance Officer may enter, examine and survey all rental units within the Town that are subject to periodic inspections pursuant to this Ordinance at any reasonable time between the hours of 8 am to 5 pm, or a time that is mutually agreed upon between the owner and the Town;
- (c) The owner and tenant(s) shall cooperate with the Town so that such inspections shall be made so as to cause the least inconvenience to the owner(s) or occupant(s) of the rental unit(s);
- (d) If the Code Compliance Officer has reason to believe that an emergency situation exists tending to create an immediate danger to the health, welfare, or safety of the tenants of a rental unit, or the general public, they may enter, examine and survey the unit at any time;
- (e) The Code Compliance Officer shall notify the owner of a rental unit by either telephone or in writing of its intent to schedule an inspection;
- (f) Upon receipt of an inspection schedule request, the owner or their agent shall contact the Code Compliance Officer within fifteen (15) days to respond and to arrange the date and time for the inspection;
- (g) Once scheduled, the owner shall provide the tenant(s) with notice of an inspection not less than forty-eight (48) hours prior to the actual inspection being performed, as provided in 9 VSA §4460;
- (h) During the inspection, the owner or their designated representative shall be present to provide access to the rental unit(s).

Sec. 6.113. Complaint Procedures.

(a) It is expressly provided that the public, owners and tenants of any property in the Town of St. Johnsbury may file a complaint to the Code Compliance Officer of violations under this Ordinance and all such complaints shall be treated accordingly;

(b) To initiate a complaint against an owner or tenant, the complainant must first complete and sign a Town of St. Johnsbury Code Complaint Form. A copy of which can be found at the Town Clerk's office, at the Planning and Zoning Office or on the Town Website www.stjvt.com. Complaints must be signed and dated in order to be investigated;

(c) The Code Compliance Officer shall investigate each complaint received within seven (7) business days of its receipt to determine if violations exist and to commence corrective actions;

(d) There shall be a written record of each complaint, the findings of the investigation and the action taken, if any;

(e) If no action is required to be taken at the time of inspection, this finding shall be noted on the written record and the complaint will be closed;

(f) Frivolous complaints shall be a violation of this Ordinance. A frivolous complaint shall be one for which there is no good faith basis for the complaint outlined within this Ordinance, and this is known to the complainant at the time.

Sec. 6.114. SPECIAL PROVISIONS

Sec. 6.115. Relocation Service. (a) If any person is displaced from a rental unit by enforcement of this chapter, the party determined to have caused the unsafe condition shall be responsible for paying the cost of relocation of the displaced person(s) at the most economical local facility available as approved by the Town, for up to twenty-nine (29) days.

Article IV -- HOUSING - Rental Unit Registration

(Article IV added 5/16/2017)

Sec. 6.116. GENERAL PROVISIONS

Sec. 6.116.1. Authority.

(a) The Select Board has enacted this Ordinance under the authority granted to the Town through its Charter and under the authority granted to all Vermont municipalities under Title 24 Vermont Statutes Annotated (V.S.A.), Chapter 123, and 9 V.S.A. Chapter 77, to regulate Municipal Housing Codes.

Sec. 6.116.2. Purpose.

The purpose of this Ordinance is to protect, preserve and promote the health, safety, and welfare of all citizens of the Town of St. Johnsbury through establishment of enforceable minimum rental housing standards. The intent of this Ordinance is to establish a Rental Unit registration process through which the Town can fulfill an inspection process that will ensure that rental units throughout the Town meet the standards outlined in Chapter 6.0 Minimum Housing Standards.

Sec. 6.116.3. Severability.

If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this Ordinance.

Sec. 6.116.4. Effective Date of Ordinance.

Amendments to this Ordinance shall be effective twenty (20) calendar days after the adoption (by majority vote of Select Board) and shall remain in effect until repealed or amended in accordance with the Town of St. Johnsbury Charter.

Sec. 6.116.5 Designation of Effect.

This Ordinance shall constitute a civil ordinance within the meaning of 24 V.S.A. Chapter 123.

Sec. 6.117. DEFINITIONS

Sec. 6.117.1. Definitions.

For the purposes of this chapter, definitions of the terms, phrases, words and their derivations shall be as defined in Section 6.3 of the Town of St. Johnsbury Code of Civil Ordinances. Otherwise, the following listed words shall have the meanings indicated:

OWNER OCCUPIED: A property in which the owner has established primary residency.

DWELLING UNIT: A building or a part of a building that is used as a home or residence, with one or more rooms including kitchen designed as a unit for occupancy by one family for the purpose of cooking, living and sleeping; or, having one or more rooms used as sleeping units with shared access to common areas including a kitchen designed to accommodate unrelated individuals for the purpose of cooking, living and sleeping

RENT: All considerations to be made to or for the benefit of the owner under the rental agreement, not including security deposits.

RENTAL AGREEMENT: All agreements, written or oral, embodying terms and conditions concerning the use and occupancy of a dwelling unit or premises.

RENTAL UNIT: A dwelling unit that is not owner occupied, and is occupied for longer than thirty (30) consecutive days; including but not limited to occupancies at hotels, motels, homeless shelters and other lodging accommodations.

TENANT: Any person entitled under a rental agreement to occupy a residential dwelling unit to the exclusion of others, or any persons occupying a rental unit as a permanent residence.

Sec. 6.118. REGISTRATION PROCEDURES ;

Sec. 6. 118.1 Requirements

(a) The owner of all rental units shall be required to have on file with the Planning and Zoning Department, on or before July 1st of each year, a current and valid registration;

(b) All fees shall be paid annually and in full to the Town of St. Johnsbury for each rental unit;

(c) The Town will collect the following information on the Rental Unit Registration Form that is filed with the Planning and Zoning Department annually on or before July 1st:

- (1) The address of the building within which rental unit(s) exist;
- (2) The name(s), address(es) and phone number(s) of the property owner(s);
- (3) The name, address, and phone number of any managing agent;
- (4) The name(s), address(es), and phone number(s) of any emergency contact(s) for this building;
- (5) The number of rental units at the building address and the identifier for each unit (e.g. unit 1, 2, 3; unit A, B, C; unit 1a, 2a, 3a); and
- (6) Any other information deemed appropriate to administer Chapter 6 Rental Housing Minimum Standards Ordinance;

(d) Registrations are in effect from July 1st through June 30th of the following year;

(e) The owner of any rental unit shall have a continuing obligation to notify the Planning and Zoning Department of any changes in the information required above during the effective registration period;

(f) Upon purchase or transfer of property containing rental units, the purchaser(s) shall file an updated Rental Unit Registration Form with the Planning and Zoning Department within 30 days of transfer of ownership to ensure all information is current and correct;

(g) Prior to occupancy of any newly constructed rental unit or conversion of use to a rental unit, the owner shall file the above referenced forms in subsection (d) above;

(h) All motel and hotel manager units shall be registered and pay the appropriate annual fees;

(i) Extended stay rental units within hotels, motels or other buildings, as defined in the Town of St. Johnsbury Code of Ordinance that may be occupied during the program year shall be registered and pay the appropriate annual fees;

(j) It shall be a violation of the Town's Housing Codes for the owner of any non-exempted rental unit within the Town to fail to register the rental unit as required by this Ordinance.

Sec. 6.118.2. Exemptions.

(a) The following properties shall be exempt from registration, fees and/or inspections:

- (i) There will be no fees for the FY 2017-2018
- (ii) A unit that is currently maintained as part of a nursing, rest or convalescent home licensed and inspected by the state;
- (iii) Owner occupied single family home;
- (iv) A rental unit that is occupied for less than thirty (30) consecutive days in a calendar year;
- (v) A rental unit that is occupied less than thirty consecutive (30) days by the same tenant(s) and the rental unit is not the current primary residence of a tenant.

(b) The following are exempt from fees, but must still register and be inspected:

Owner occupied unit of a multi-family dwelling: Inspection requirements are for fire and life safety requirements only, as adopted by the VT Dept. of Safety.

Sec. 6.118.3. Registration Renewal Procedures.

- (a) Notices of registration will be sent to all multi-family and rented single family dwellings on an annual basis regardless of current occupancy or current state of compliance;
- (b) Notices will be sent via USPS mail to the owner of each building no less than 30 days prior to the July 1st deadline to register the building.

Sec. 6.118.4. Fees.

- (a) The rates for any rental unit registration fee shall be designated by the Town Manager and adopted by the Select Board, and upon adoption of the rates, the Select Board shall publish in the local newspaper the rate change thirty (30) days prior to the effective date of the rate change;
- (b) Annual Fees shall be pro-rated on a monthly basis
- (c) Annual Fees shall be in effect from July 1st to June 30th and shall transfer with the property.

Sec. 6.118.5. Records.

Records, including registration reports, inspection reports, records of complaints or other Orders shall be available for public inspection at the Planning and Zoning Office.

Sec. 6.118.6. Enforcement and Penalties

Failure to register rental units by July 1st is a violation of Chapter 6 Housing and will result in a 1% per day penalty for each day the registration is not filed.

Planning Commission Public Hearing: Held Tuesday, June 6, 2017 at 7:00 PM St. Johnsbury Welcome Center. Passed by the Planning Commission to be sent to the St. Johnsbury Select Board on June 20, 2017. Date established by the Select Board at regular meeting on Monday, June 26, 2017.

Dated in St. Johnsbury, Vermont June 27, 2017