Ordinance No.

Amending Section 90-16 of the Municipal Code with respect to certificates of occupancy

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Section 90-16 of the Municipal Code, as amended, is hereby further amended by adding a new subsection B(3) to read in its entirety as follows:

(3)   The Commissioner may waive the requirement for an interior inspection prior to the issuance of a certificate of occupancy for a one-family dwelling where the following criteria have been met:
(a)   The property must be a one-family dwelling; and
(b)   No one under the age of six either resides or is provided day care at the subject dwelling; and
(c)   The subject dwelling has passed a lead dust wipe test within sixty (60) days prior to the certificate of occupancy application date; and
(d)   There are no exterior code violations on the subject premises; and
(e)   The legal occupant submits a completed notarized affidavit on a form provided by the City.

Section 2. Section 90-16 of the Municipal Code as amended is hereby further amended by renumbering current subsection B(3) as follows:

(3 4)   The Commissioner shall issue or deny the waiver within 10 business days of receipt of a written request

Section 3. Section 90-16, Certificates of occupancy, is hereby amended by adding a new paragraph (d) to subsection H(1) to read in its entirety as follows:

(d)   A certificate of occupancy for a one-family dwelling not occupied by the owner, or the spouse, child, parent or sibling of the owner, issued on or after _____ **[the ordinance's effective date to be specified in Section 4]** without an interior inspection in accordance with Subsection B(3), shall remain valid for a period of three years from the date of issuance, unless sooner terminated by the occurrence of any of the events enumerated in Subsection A(2)(a) or (b) or the failure of the dwelling to remain in substantial compliance with the provisions of this chapter and all other applicable laws, ordinances and rules.

Section 4. This ordinance shall take effect _____.

Strikeout indicates deleted text, new text is underlined