

**CITY OF NEWTON
RENTAL HOUSING CODE**

ARTICLE I. TITLE AND PURPOSE

Sec. 76-1. Title.

This ordinance shall hereby be entitled the City of Newton Rental Housing Code and shall hereafter be referred to and known under such title.

Sec. 76-2. Purpose.

This ordinance has been prepared to apply to all rental housing units and short-term rentals and is enacted to protect the public health, safety, and general welfare of the inhabitants of the City of Newton and of the public generally, and to establish base standards, regulations, and procedures of rental housing units and short-term rentals within the municipality. Specifically, this ordinance is designed:

1. To create a database of rental housing units and short-term rentals within the municipality;
2. To establish base standards and regulations for rental housing units and short-term rentals;
3. To promote health and the general welfare;
4. To secure safety from fire, panic, and other dangers.

These regulations have been made with reasonable consideration, among other things, to the character and suitability of rental housing and short-term rentals, and with a view to protecting the public health, safety, and general welfare throughout the City of Newton.

Sec. 76-3. Interpretation.

In interpreting and applying the provisions of this ordinance, the said provisions shall be held to be the minimum requirements for promotion of public safety, health, and general welfare, and where this ordinance imposes greater restrictive standards than are required by other ordinances or statutes, the provisions of this ordinance shall govern, and where the other ordinances or statutes impose greater restrictive regulations than this ordinance, they shall govern.

Sec. 76-4. Conflict.

All ordinances and parts of ordinances in conflict herewith are repealed.

Sec. 76-5. Severability clause.

If, for any reason, one or more sections, headings, clauses, or parts of this ordinance are held invalid, such judgement shall not affect, impair, or invalidate the remaining provisions of this ordinance, but shall be confined to the specific sections, headings, clauses, or parts of the ordinance held invalid, and the invalidity of any section, heading, clause or part of this ordinance in any one or more instances shall not affect or prejudice in any way the validity of this ordinance in any other instance.

ARTICLE II. DEFINITIONS AND WORDS

Sec. 76-6. Rules for words and phrases.

For the purposes of interpretation of this ordinance, words used in the present tense shall include the future; words used in the singular number shall include the plural number, and the plural the singular; the word “shall” is mandatory; the word “may” is permissive; the following

words, terms, and phrases shall have the meaning respectively ascribed to them as follows, unless the context clearly indicates otherwise.

Sec. 76-7. Definitions.

Accessory Dwelling Unit (ADU): A smaller, independent residential dwelling unit located on the same lot as a stand-alone, single-family home.

Accessory use areas: Areas and buildings around a rental dwelling which provide space for amenities and facilities, including but not limited pay phones, picnic areas, recreation areas, laundry rooms, recreation rooms, refuse collection facilities, carports, detached garages, and accessory storage buildings.

Agent: A person authorized by the owner of a rental housing unit to make or orders repairs or service to the unit and authorized to receive notices on behalf of the owner.

Apartment: See Dwelling, multiple.

Approved: In conference with the appropriate codes and approved by the administrator or their designee.

Boarding house: see Short-Term Rental.

Bed and breakfast facility: Residential establishment wherein units are rented to transient guests on an overnight basis, and wherein breakfast is the only meal served to these guests. No more than five units may be available for rent at any facility.

Building official: The city official designated by the mayor and council to administer and enforce code ordinances and regulations, and such representatives as may be appointed by such city official.

Certificate of occupancy: A certificate issued pursuant to this article by the building official to ensure that a dwelling unit is in compliance with the provisions of this article.

Change of occupancy: Occurs when a rental unit is vacated and is occupied by a new tenant.

City: The City of Newton, Mississippi.

Condominium: An estate in real property consisting of an undivided interest in common of a portion of real property, together with a separate interest in a space in a residential building on such real property.

Container Home: A dwelling made from shipping containers designed to permanently attach to land and compliant with current code and regulations adopted by the *City*.

CrossMod®: Homes built to HUD code and designed to permanently attach to land.

Cooperative: A multiple-household owned and maintained by the residents. The entire structure and real property is under common ownership, as contrasted to a condominium dwelling where individual units are under separate individual occupant ownership.

Dwelling: A building or portion thereof designed and used exclusively for residential occupancy.

Dwelling, one-family: A detached building designed, arranged, used for or occupied exclusively by one family.

Dwelling, two-family: A building designed, arranged, used for or occupied exclusively by two families living independently of each other.

Dwelling, multiple: A building or portion thereof used or designated as a residence for three or more families as separate housekeeping units, including apartments and apartment hotels.

Factory built home: A dwelling unit fabricated in an off-site manufacturing facility to be installed at a building site (i.e., modular homes).

Failure to comply: A failure, refusal, or neglect to obey an official order or comply with any adopted ordinance of the City of Newton.

Lessee: A person or entity who receives the use and possession of leased property (e.g., real estate) from a lessor in exchange for a payment of funds. The person to whom a lease is made.

Lessor: A person or entity who owns real property (e.g., real estate) and provides use and possession of real property in exchange.

Manager: Any person who has charge, care, or control of a rental housing unit.

Occupant: Any person living in, sleeping in, or possessing a rental housing unit.

Owner: A person, persons, or legal entity listed as the current title holder of real property, as recorded in the official records of Newton County, Mississippi.

Person responsible for the property or person responsible: Unless otherwise defined, any person who has titled ownership of the property or structure which is subject to this article, an occupant in control of the property or structure which is subject to this article, a developer, builder, or business operator or owner who is developing, building, or operating a business on the property or in a structure which is subject to this article ad/or any person who has control over the property and allows a violation of this article to continue.

Rental housing unit: A dwelling for which payment or other consideration is being made to an owner, agent, or manager for the use or occupancy of that portion as an independent living facility, excluding transient occupancy such as hotels and motels. It also means each apartment or each rental unit within an apartment complex.

Special Exception: An identified use, which is compatible with the other identified uses to which property in a given zone may be committed which may be permitted in the discretion of the building inspector or, an appeal by the zoning board of adjustment, provided that the building inspector or board is formally presented with proof in support of the request for permission to employ such use before such use may be authorized. Special exceptions are nontransferable.

Short-Term Rental: a dwelling unit (one-family, two-family, multiple) that is fully furnished with appliances, separate entrances, and additional amenities and rented out in exchange for payment of funds for a brief period (less than 30 continuous days). A short-term rental is not a hotel, motel, bed and breakfast establishment, or homestay.

Slum-like: The unsightly condition of a building, structure, or premises characterized by deterioration or other similar conditions and the visible outdoor storage of junk, garbage, or rubbish, regardless of the condition of other properties in the neighborhood.

Unit: A bedroom for rent, regardless of whether or not it is included in a suite.

Variance: A modification of or deviation from the literal provisions or requirements of this ordinance by the Board of Aldermen in cases where a literal enforcement of its provisions would result in unnecessary hardship due to circumstances unique to the property for which the variance is granted. A variance deals with lot area, width and coverage, height limits, setback lines, off-street parking requirements and the like, and does not deal with uses of property permitted in a particular zone.

Article III. REGULATIONS

Sec. 76-8. Registration and permit required.

It shall be unlawful for any person and/or entity to maintain or operate any rental housing unit(s) and/or short-term rental(s) with the City of Newton unless such person or entity has registered the property with the City of Newton and obtained a rental permit.

Sec. 76-9. Registration and permit fee.

- (a) All owners, managers, agents, and/or entities who have rental housing unit(s) and/or short-term rental(s) within the City are required to register their property(ies) before the property is rented.
- (b) A permit fee of twenty-five dollars (\$25.00) per rental housing unit shall be due upon registration. Regardless of when the rental property is initially registered, registration shall expire on September 30 of each calendar year. Permit renewal, as set forth in Section 76-10 herein below, shall be due on October 1 of each calendar year. Prior to October 1 of each calendar year, the City Clerk's office shall mail an invoice for permit

renewal to the owner at the address given on the annual registration and permit application.

- (c) A permit fee of fifty dollars (\$50.00) per short-term rental unit shall be due upon registration. Regardless of when the rental property is initially registered, registration shall expire on September 30 of each calendar year. Permit renewal, as set forth in Section 76-10 herein below, shall be due on October 1 of each calendar year. Prior to October 1 of each calendar year, the City Clerk's office shall mail an invoice for permit renewal to the owner at the address given on the annual registration and permit application.
- (d) If the annual permit is not paid within ninety (90) days after October 1, a citation will be issued requiring mandatory court appearance requesting revocation of the certificate of occupancy for each unit, payment of all due rental fees and the imposition of a penalty of two-hundred fifty dollars (\$250.00).
- (e) If the City Clerk's office determines that property has been rented without having been registered, a penalty of one-hundred seventy-five dollars (\$175.00) will be assessed and the fee of twenty-five dollars (\$25.00) per unit.
- (f) All owners, managers, agents, and/or entities who have rental property prior to December 7, 2023 have thirty (30) calendar days to come into compliance.

Sec. 76-10. Permit application.

- (a) *Initial permit.* Application for an initial rental housing and short-term rental permit shall be filed with an issued by the City of Newton's City Clerk Office. A separate application must be completed for each rental housing unit or short-term rental owned. The application shall be completed in entirety, signed by the authorized agent, owner, manager, and/or entity, and shall include the following:
 - 1. The name and address of the agent, owner, manager, and/or entity;
 - 2. The location, legal description, and parcel number of the property on which the rental housing unit is located;

3. For new construction, all required information found on the Application of Building Permit as well as complete plans showing it is in conformity with the requirements included within this Rental Housing Code;
 4. A statement as to whether utility services will be provided by the agent, owner, manager, and/or entity, or be the tenant's responsibility.
 5. All owners, agents, managers, or entities are responsible for placing a meter deposit on each rental housing unit or short-term rental owned to maintain property in the absence of a tenant. Owners, agents, managers, or entities must provide in writing whether their meter deposit is to be held or returned upon the stoppage of utility services provided by the City of Newton.
 6. Short-term rental permit applications will require a copy of privilege license issued by the City of Newton.
 7. Such other information as may be requested by the City of Newton's City Clerk Office to enable to determine if the proposed rental housing unit or short-term rental will comply with legal requirements and with the Mississippi Code.
- (b) *Permit renewal.* Upon application completed in entirety by an agent, owner, manager, and/or entity for renewal of a license issued under this chapter and upon payment of the annual payment fee, the City of Newton's City Clerk Office shall issue a certificate renewing such permit for another calendar year. The City Clerk Office may, in its discretion, inspect the rental housing unit or short-term rental for which application is being made before a renewal of the license is issued.
- (c) *Permit transfer.* Upon application in writing for a transfer of permit accompanied by an application with the transferee's information, proof of sale of property, and payment of the permit fee, the City Clerk Office shall issue a transfer if the application is found to be in compliance with this chapter.

Sec. 76-11. License revocation.

The City of Newton's City Clerk Office may revoke any license to maintain and operate a rental housing unit or short-term rental when the permitter has been found guilty of violating

any provisions of this chapter, or of knowingly providing false or incomplete information in the process of application for a permit. After such conviction, the permit may be reissued if the circumstances leading to conviction have been remedied and the rental housing unit or short-term rental is being maintained and operated in full compliance with legal requirements and with the Mississippi Code.

Sec. 76-12. Short-Term Rental(s).

- (a) *Initial process.* After December 6, 2023, the implementation of short-term rentals in any City of Newton zone will require a special exception. All agents, owners, managers, and/or entities will follow the same procedures set in place for special exception. *Grandfather Clause.* The grandfather clause exempts short-term rentals prior to December 6, 2023 from requiring a special exception.
- (b) *Utilities sales tax.* All short-term rentals will have utilities sales tax included within the monthly utility bill.
- (c) *State sales tax registration.* All short-term rentals that are affiliated with third party vendors such as AirBnB, Vrbo, and other vendors are required to complete sales tax registration with the State of Mississippi Department of Revenue. A copy of approval from the State of Mississippi Department of Revenue is required upon issuance of permit.
- (d) *Non-permitted use.* Approval of short-term rental permit does not legalize any non-permitted use or structure. Short-term rental units are not to be used to distribute retail products of personal services to invitees for marketing or similar purposes. The outdoor display of goods and merchandise for sale is prohibited.

Sec. 76-13. Base Rental Housing / Short-Term Rental Standards.

The City of Newton Rental Housing Code requires agents, owners, managers, and/or entities to ensure the following standards are in place for each rental housing unit and short-term rental owned.

(a) ***Food preparation facilities.***

1. *General provision.* Every rental housing unit or short-term rental shall have a kitchen or kitchen area with suitable space and equipment to store, prepare, and serve food in a sanitary manner.
2. *Kitchen sink.* Every kitchen or kitchen area shall contain a fixed kitchen sink in sound condition, functioning properly, and properly connected to an approved hot and cold-water system and a sewage system. Each kitchen sink shall be of seamless construction and impervious to water and grease. The interior surfaces shall be smooth with rounded internal angles and corners, easily cleanable and free from cracks or breaks that leak or may injure a person. Lavatory basins and bathtubs are not acceptable substitutes for required kitchen sinks.
3. *Flow of water.* Kitchen plumbing facilities shall have a reasonable flow of water and the minimum flow of hot or cold water issuing from a faucet or fixture shall be not less than one gallon per minute.
4. *Oven and range or stove.* Every kitchen or kitchen area shall be equipped with a cooking oven and range or a stove properly connected and in sound condition. If the oven and range or stove is provided by the tenant per the rental agreement, the owner, agent, manager, or entity is exempt from the provisions of this section.
5. *Refrigerator.* Every kitchen or kitchen area shall be equipped with a refrigerator properly connected and in sound condition. Refrigerators shall be capable of maintaining a temperature between forty degrees (40°) and forty-five degrees (45°) Fahrenheit. Refrigerators shall have some capacity for storing frozen food. If the refrigerator is provided by the tenant per the rental agreement, the owner, agent, manager, or entity is exempt from the provisions of this section.

(b) ***Electrical service and lighting.***

1. *Installation and maintenance.* Every outlet, switch, and fixture shall be properly installed and maintained in sound condition. No owner, agent, manager, or entity shall provide, install, or allow to be installed or used any frayed and exposed wiring; wiring unprotected by proper covering; fixtures in disrepair; tacked

extension cording; or makeshift wiring, outlets, or fixture repairs or which may injure a person.

(c) ***Thermal environment.***

1. *General provisions.* Every rental housing unit or short-term rental shall contain safe heating equipment and system which are properly installed and maintained in sound condition and capable of providing adequate heating and cooling, appropriate for the climate, to assure a comfortable and healthy living environment.
2. *Heating requirements.* Every rental housing unit or short-term rental shall have heating, under the tenant's control, capable of safely heating all habitable rooms, bathrooms, and flush toilet rooms located therein to a temperature of at least seventy degrees (70°) Fahrenheit at a distance three (3) feet above floor level in the center of the room. Required heating shall be provided by permanently installed heating facilities.
3. *Unvented combustion heaters; prohibited.* No owner, agent, manager, or entity shall provide, install, or allow to be installed or used any unvented portable space heaters burning solid, liquid, or gaseous fuels.
4. *Cooking appliances as heaters; prohibited.* No owner, agent, manager, or entity shall allow the use of any ovens, stoves, ranges, or other cooking appliances for the purpose of heating any portion of a dwelling.

(d) ***Doors; windows; ventilation.***

1. *General provision.* Every rental housing unit or short-term rental shall have doors and windows which provide adequate natural light and ventilation to permit normal indoor activities and support the health and safety of the occupants while providing protection from the elements and privacy for the occupants.
2. *Habitable rooms; natural light.* Every habitable room within a rental housing unit or short-term rental shall have at least one exterior glazed opening, facing directly to the outside, to provide natural light. The total glazed area for each habitable

room shall not be less than ten (10) square feet. Kitchens and kitchen areas shall not be required to meet the glazed exterior opening requirement.

3. *Habitable rooms; outlets and lights.* Every habitable room shall contain at least two (2) electrical convenience outlets and either a permanently installed light fixture controlled by a wall switch or an additional electrical convenience outlet controlled by a wall switch. Ceiling or sidewall light fixtures controlled by a wall switch shall be required in all kitchens or kitchen areas. In addition to the above minimum requirements, every owner, agent, manager, or entity shall provide sufficient electrical outlets to service the appliances and fixtures furnished by the owner, agent, manager, or entity and located within the room.
 4. *Other rooms; outlets and lights.* Every laundry room, bathroom, and toilet compartment shall contain at least one permanently installed ceiling or sidewall light fixture controlled by a wall switch. In addition to the above minimum requirements, every owner, agent, manager, or entity shall provide sufficient electrical convenience outlets to service the appliances and fixtures furnished by the owner, agent, manager, and entity and located within the room. Every bathroom shall have a least one (1) permanently installed GFCI electrical convenience outlet.
- (e) ***Space and occupancy.***
1. Every rental housing unit or short-term rental shall have sufficient access and space to allow for adequate living and sleeping conditions while providing for the occupant's health, safety, privacy and general welfare.
 2. *Rental Housing Unit Occupancy Load.* Every single dwelling unit (single-family) rental housing unit or short-term rental unit shall provide at least one hundred (100) square feet of floor area for each occupant. The floor area is to be calculated on the basis of total dwelling unit area.
 3. *Interior access.* In any rental housing unit or short-term rental, access to bedrooms and bathrooms shall be from within the unit.

(f) ***Safety and security.***

1. Every rental housing unit and short-term rental shall have a locking device properly installed and in sound condition capable of the use intended by its design which restrict unlawful entry, smoke detectors to provide fire safety, and shall be maintained free from hazards to the health, safety or welfare of the occupants.
2. *Tripping hazard on stairways.* Every inside and outside stairway shall be maintained in sound condition and free from any broken, rotted, or missing steps or tripping hazards.
3. *Guardrail and enclosures on stairways.* Every stairway which exceeds thirty (30) inches in height shall be protected by a guardrail and enclosure material in sound condition.
4. *Guardrail and enclosures on balconies and porches.* Every balcony or porch higher than thirty (30) inches above the ground shall be protected by a guardrail and enclosure material in sound condition.
5. *Exterior doors.* Exterior doors leading into rental housing units or tenant storage rooms, which are reasonably accessible, shall have a locking device properly installed and in sound condition capable of the use intended by its design.
6. *Windows.* Every openable window reasonably accessible from the outside shall have a locking device or devices properly installed and in sound condition capable of the use intended by its design. Such devices shall prevent opening, lifting or sliding of the locked window from the exterior of the unit.
7. *Smoke detectors.* Smoke detectors shall be installed in all existing rental housing units. The installation of smoke detectors shall at least meet the requirements specified in the International Code Council Residential Maintenance Code (IRC). The owner, agent, and/or manager shall be responsible for the installation, replacement of batteries, and maintaining appropriate records of required smoke detectors. Smoke detectors shall always be operable, and batteries replaced annually, or on an as needed basis. Upon termination of a tenancy in any rental housing unit or short-term rental, the owner, agent, manager, or entity shall insure that any required smoke detectors

are operational prior to re-occupancy of the unit. Proof of battery replacement shall be required as part of inspection.

8. *Fire extinguishers.* All short-term rentals are required to install and maintain fire extinguishers. The owner, agent, manager, or entity shall insure that all fire extinguishers are operational and inspected prior to re-occupancy of the unit.
9. *Emergency map.* All short-term rentals are required to provide tenants with an emergency map stating the placement of fire extinguishers and emergency exits. The owner, agent, manager, or entity shall insure the emergency map is available for inspection at all times.

(g) Maintenance.

1. Every rental housing unit and short-term rental interior and exterior shall be maintained in a condition which provides the occupants with protection from the elements, a safe and healthy living environment and housing free from deterioration or slum-like conditions.
2. *Interior holes, cracks, or breaks.* Every floor, interior wall and ceiling, and all appurtenances thereto shall be kept in sound condition and free of holes, cracks or breaks that may injure a person, admit or harbor vermin, admit dampness or restrict privacy. Every hole cut in floors, walls or ceilings for the passage of plumbing fixtures or pipes shall be sealed to prevent the passage of insects and vermin.
3. *Floor coverings tripping hazards.* Floor coverings that are torn or loose and located on a stairway or within three (3) feet of a stairway shall be removed or repaired to prevent tripping. Tears in excess of six (6) inches and tears or projections rising one-quarter ($\frac{1}{4}$) inch or more above the floor surface in any location present a tripping hazard and shall be repaired.
4. *Floor coverings deteriorated, unsafe, and/or unsanitary.* Floor coverings such as carpeting, tile, linoleum and similar materials shall be repaired or replaced when the floor covering is severely deteriorated or

when the condition of the floor covering creates an unsafe or unsanitary environment.

5. *Exterior weathertight, watertight, and vermin proof.* Every foundation, roof and exterior wall shall be reasonably weather tight, watertight and vermin proof and shall be kept in sound condition.
6. *Exterior deteriorated or slum-like.* All exposed exterior surfaces shall be maintained so as to be impervious to moisture and weather elements and every rental housing unit and short-term rental unit shall be free of broken, rotted, split or buckled exterior wall coverings or roof coverings. All exposed exterior surfaces shall not otherwise present a deteriorated or slum-like appearance and will meet the specific requirements which follow.
 - i. All exterior wood surfaces shall be protected from the elements and from deterioration by paint or other protective treatment; except such wood surfaces composed of wood that is naturally resistant to decay and naturally resistant to insects.
 - ii. All exterior painted surfaces shall be painted with paint that is lead free and shall be free of loose, cracked, scaling, chipping or peeling paint in such amounts as to present a deteriorated or slum-like appearance;
 - iii. Roof coverings shall be watertight and weathertight and shall be free of broken, rotted, split, curled or missing roofing material in such amounts as to present a deteriorated or slum-like appearance. All roofing materials shall meet the requirements of all adopted codes and ordinances.
7. *Maintenance of swimming pools, water features, and spas.* All swimming pools, water features, and spas shall be properly maintained so as not to create a safety hazard, harbor vermin infestation, or create a deteriorated or slum-like appearance.
8. *Stagnant water.* All premises shall be maintained so as to prevent the accumulation of stagnant water when such water causes a hazardous or

unhealthy condition, becomes a breeding area for insects or causes damage to foundation walls.

9. *Infestation.* Every rental housing unit/short-term rental unit and premises shall be kept free from insect, rodent or vermin infestation. Every rental housing unit and premises shall be free from the presence or apparent evidence of insect or rodent infestation, other noxious pests, nesting places and any other unsightly or unsanitary accumulation which may harbor insects, rodents or other vermin.
10. *Maintenance of facility and equipment.* Every supplied facility, piece of equipment or utility shall be so constructed, installed and maintained so that it will function safely and effectively and remain in sound condition.
11. *Discontinuation of services.* No owner, agent, manager, or entity shall cause any services, facilities, equipment or utilities which are required under this code to be removed from, shut off or discontinued in any occupied rental housing unit except for such temporary interruption as may be necessary while actual repairs or alterations are in process.
12. *Responsibility for maintenance.* It shall be the responsibility of the owner, agent, manager, or entity to provide for the interior and exterior maintenance of the rental housing unit and premises.
13. *Discontinuation of services.* No owner, agent, manager, or entity shall cause any services, facilities, equipment, or utilities which are required under this code to be removed from, shut off, or discontinued in any occupied rental housing unit except for such temporary interruption as may be necessary while actual repairs or alterations are in process.

Article IV. ADMINISTRATION AND ENFORCEMENT

Sec. 76-14. Designation of Administrator.

The City Clerk's Office for the City of Newton is hereby designated as the administrator of this article and may delegate duties of this code to the deputy clerks, public works director, and other employees of the City of Newton.

Sec. 76-15. Commencement of action.

Failure to Comply & Enforcement. Nothing in this section shall preclude employees of the City Clerk Office and delegates from seeking voluntary compliance with the provisions of this section or from enforcing this section, proactively or reactively, through warnings, citations, or other such devices designed to achieve compliance in the most efficient and effective manner under the circumstances. After final notice has been received by the licensee and the licensee remains non-compliant, The Judge may issue a summons against the violator which can result in fines, assessments, and additional fees.

Sec. 76-16. Inspection.

To ensure compliance of this Rental Housing Code and Mississippi Code, the City Clerk Office will perform inspections as deemed necessary. The administrator or designee may inspect each rental housing unit and short-term rental unit annually or at the discretion of the administrator or designee. The administrator or designee may inspect only a portion of the rental units within a rental housing complex if the administrator or designee determines an inspection of the entire complex is not needed. Reports of violations by tenants to the City Clerk Office will warrant a thorough investigation of the property. Before issuance of any permit, authorized agents, owners, managers, and entities must authorize the administrator or designee to inspect the rental housing unit and short-term rental unit for which an application for permit has been made.

Sec. 76-17. Vacation of tenants and re-occupancy.

- (a) *Comply even if vacated.* An owner, agent, manager, or entity served with a citation or enforcement proceeding for violations of Section 76-13 shall not be relieved from responsibility to comply because the tenant(s) have vacated the rental housing unit.\
- (b) *Compliance before re-occupancy.* The owner, agent, manager, or entity of a rental housing unit and short-term rental shall not lease, rent or otherwise make available for occupancy by tenants any unit against which a citation has been issued or an enforcement action has been instituted until the violations contained in the citation or enforcement proceeding have been corrected.
- (c) *Utility services.* The City Clerk Office may ask that a hold be placed on transfer of utility service to a new tenant until any outstanding enforcement actions on the unit are resolved.

Sec. 76-18. Appeal Procedures.

Any interpretation by the City Clerk Office of the Rental Housing Code resulting in the issuance of a citation can be appealed as an Administrative Appeal to the Board of Aldermen. The applicant shall have ten (10) business days from the issuance of the citation to appeal that decision to the Board of Aldermen. The appeal will be placed on the Board of Aldermen agenda. Parties aggrieved by the final decision of the Mayor and Board of Aldermen may appeal to a court of competent jurisdiction.

Sec. 76-19. Exemptions.

The following properties have been deemed as exempt from the permit fee required under the City of Newton Rental Housing Code; however, the base standards established in Section 76-13 shall still apply to properties:

- (1) Rental housing owned and operated by the Mississippi Regional Housing Authority;
- (2) Rental apartment complexes that base tenant approval on low annual income.

PASSED BY THE Board of Aldermen of the City of Newton County, Mississippi, this the 7th day of November 2023.

APPROVED:

/s/ Antonio J. Hoye

Antonio Hoye, Mayor

ATTEST:

/s/ Charlene Evans

Charlene Evans, City Clerk



