

1                   **ARTICLE R. RENTAL HOUSING/GOOD LANDLORD PROGRAM**

2   SECTION:

3   4-2R-1: License ~~And~~and Fee Required

4   4-2R-2: ~~Good Landlord Program~~Rental Property License

5   4-2R-3: ~~Inspections~~Good Landlord Program

6   4-2R-4: ~~Additional Grounds For License Denial, Revocation Or Suspension~~Short Term  
7   Rentals

8   4-2R-5: ~~Administration Of Rental Dwelling Unit Business Licensing And Good Landlord~~  
9   ProgramInspections

10   4-2R-6: ~~Real Property Maintenance~~Additional Grounds for License Denial, Revocation,  
11   or Suspension

12   ~~4-2R-7: Landscaping~~

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14   4-2R-1: LICENSE AND FEE REQUIRED:

15   All terms used in this article shall have the same meaning as those used in Section 10-  
16   1-203.5 of the Utah State Code or its successor provisions.

17   A. ~~License: Notwithstanding anything in chapter 1 of this title or this article to the~~  
18   ~~contrary:~~ required

19       1. A residential landlord shall obtain and maintain a current general business  
20   license in addition to a special rental license as described herein. An exempt business  
21   must obtain a general business license~~An owner of a rental dwelling unit shall obtain~~  
22   ~~and maintain a current general business license or a special landlord license. Owners of~~  
23   ~~exempt rental dwelling units shall obtain a general business license and all other~~  
24   ~~owners of rental dwelling units shall obtain a special landlord license.~~

25       2. Residential landlords of more than one rental unit shall be required to obtain  
26   only one general business license ~~Owners of more than one rental dwelling unit shall~~  
27   ~~be required to obtain only one type of business license unless one of the rental dwelling~~  
28   ~~units is an exempt rental dwelling unit.~~

29       3. ~~All owners of rental dwelling units in the City shall provide to the City all owner~~  
30   ~~contact information as well as a current, complete list of all of the rental dwelling units~~  
31   ~~owned and operated within the City~~ All residential landlords shall provide their contact  
32   information as well as a current, complete list of all of the rental units owned and  
33   operated within the City.

B. Fee Schedule~~required~~: There is hereby imposed upon the owner of any rental dwelling unit, other than an exempt rental dwelling unit, a disproportionate per rental unit fee based upon a study conducted by the City in accordance with State Statute.

1. A per rental unit fee shall be paid according to the consolidated fee schedule  
Disproportionate Per Rental Unit Fee And Study: The disproportionate per rental unit fee shall be adopted by resolution as part of the City's comprehensive fee schedule only after completion of a study in accordance with State law and updated accordingly as required by State law. No disproportionate rental fee shall be collected by the City until such study is complete and adopted as provided in this subsection.

2. All fees are due and payable upon license application or renewal  
Time Of Payment: An owner of any rental dwelling unit shall pay the business license fee and disproportionate per rental unit fees set forth in the fee schedule at the time of application for a new or renewal license.

3. A reduced per rental unit fee is available to members of the Good Landlord Program as set forth in this article  
Failure To Make Payment: Failure to timely make a payment of required fees will result in the suspension or revocation of the business license and the imposition of penalty fees as set forth in this title.

4. If there is more than one owner of a rental unit, including purchases under contract, each owner shall be jointly and severally liable to pay the business license fees and per rental unit fees set forth in the fee schedule.  
Fee Discount: A discount from the per rental unit fees is available to members of the Good Landlord Program as set forth in this article.

— 5. Joint And Several Liability: If there is more than one owner of a rental dwelling unit, including purchases under contract, each owner shall be jointly and severally liable to pay the business license fees and per rental unit fees set forth in the fee schedule.  
(Ord. 12-13, 6-13-2012)

#### 4-2R-2: GOOD LANDLORD PROGRAM RENTAL PROPERTY LICENSE:

A residential landlord that is not part of the Good Landlord Program or the Short-Term Rental Program, must obtain a rental property license and pay the fees as established in the consolidated fee schedule  
The owner, or an authorized designee for and on behalf of an owner, of any rental dwelling unit may apply for admission into the West Jordan City Good Landlord Program.

— A. Program Admission Requirements:

— 1. Completion and approval of the good owner application.

~~2. Completion of at least four (4) hours of property management education that is:~~

~~a. Sponsored by the City or its designated provider.~~

~~b. Sponsored by another jurisdiction with curriculum and a program similar to the program set forth in this article.~~

~~c. Another third party provided course that is preapproved by the licensing authority before making application.~~

~~3. The owner is current as to any and all fees, fines or penalties theretofore assessed by or due to the City.~~

~~4. Execution of a written, binding agreement with the City regarding landlord's obligations as set forth in this article.~~

~~B. Landlord's Obligations: Each owner participating in the program shall perform the following:~~

~~1. Tenant Screening: Owner shall perform all of the following screening requirements for all tenants prior to move in:~~

~~a. Application: Owner shall require each prospective tenant to complete a rental application which shall include the tenant's personal and pertinent financial information. Owner shall keep the application on file for the full term of the lease.~~

~~b. Driver's License Or State Identification: Owner shall require every prospective tenant as well as each occupant of the premises, who is eighteen (18) years or older, to provide a driver's license or state identification card which owner shall copy and keep on file for the full term of the lease.~~

~~c. Credit Check: Owner shall obtain a credit history from every prospective contract signing tenant over the age of eighteen (18). Owner shall keep the credit application on file for the full term of the lease.~~

~~d. Income/Employment Verification: Owner shall obtain income/employment verification from every prospective contract signing tenant.~~

~~e. Rental References: Owner shall obtain contact information for all of a prospective tenant's previous landlords within the last three (3) years, and the owner shall contact these previous landlords to determine the credit and tenant history of each prospective tenant.~~

~~2. Tenant Selection: Owner shall consider the following criteria, at a minimum, for tenant selection and will refuse to rent to any prospective tenant or other proposed occupant who:~~

~~—— a. Provided false information to the owner on the application or otherwise.~~

~~—— 3. Eviction: Owner will promptly evict tenants that do not meet the requirements of this article or are or become involved in illegal activities.~~

~~—— 4. Executed Lease: Owner shall execute a valid, written lease agreement or rental agreement with each tenant, which shall include the provisions listed in any owner training packet prepared by the licensing authority, and those set forth in this article.~~

~~—— 5. Owner Training: As part of the continuing education requirement in subsection A2 of this section, owner agrees to attend and complete a City approved four (4) hour owner training program every four (4) years.~~

~~—— C. City's Obligations: The City shall perform the following for each owner participating in the Good Landlord Program:~~

~~—— 1. Per Rental Unit Fee Discount: If admitted into the program, the owner shall receive the discounted per rental unit fees for members of the program as set forth in the fee schedule.~~

~~—— 2. Discretionary Waiver: The City reserves the right to waive, amend or otherwise forgive a landlord's violation of their agreement, if, at the City's sole discretion, grounds exist for such a determination.~~

~~—— 3. Notification Of Problems: The City will promptly notify the owner concerning any criminal activity or City Code violations by a tenant.~~

~~—— D. Program Eligibility Deadline: Within two (2) months of the initial approval or an annual renewal of a business license, an owner is eligible to seek admission into the Good Landlord Program. Landlords who miss the admission deadline may request a late admission waiver from the city administrator who shall promptly review all such requests and make a determination of late admission waiver based upon the undue circumstances resulting in the missed deadline and for good cause shown.~~

~~—— E. Termination And Effect:~~

~~—— 1. An owner may be terminated from the Good Landlord Program if:~~

~~—— a. Owner fails to fulfill its obligations under the written, binding agreement with the City.~~

~~—— b. Owner has any unresolved violations of this article, the other provisions of this Code, and any other law of a governing authority for more than ninety (90) days.~~

~~—— c. Owner has two (2) or more total violations of this article, the other provisions of this Code, and any other law of a governing authority within the most recent twelve (12) consecutive months.~~

~~—— 2. In the event of termination of participation in the program, an owner shall not be relieved of liability to the City for damages sustained by virtue of any breach of the program agreement by landlord.~~

~~—— 3. A terminated owner shall immediately pay the City its accrued annual per rental unit fee, less the discount already paid, plus any other penalties provided by this chapter for breach or violation. (Ord. 12-13, 6-13-2012; Ord. 17-46, 8-9-2017; Ord. 19-27, 10-09-2019; Ord. 19-47, 12-04-2019, Effective at 12 noon on January 6, 2020)~~

#### 4-2R-3: INSPECTIONSGOOD LANDLORD PROGRAM:

##### — A. Program Requirements:

1. Completion and approval of the Good Landlord application.

2. Completion of at least four hours of good landlord training. A certificate of completion must be provided with application.

3. Be current as to all fees, fines, or penalties assessed by or due to the city.

4. Execution of a written, binding agreement with the city regarding the obligations of the residential landlord and the city.

##### B. Residential Landlord's Obligations:

1. Residential landlord shall perform all the following screening requirements for all tenants prior to move in:

a. Require each prospective tenant to complete a rental application. Residential landlord must keep the application on file for the full term of the lease.

b. Execute a valid, written lease agreement or rental agreement with each tenant.

2. Attend and complete a city-approved four-hour good landlord training program every four years. Proof of completion must be provided to the city when license is renewed. A list of city-approved programs can be obtained from the business licensing division.

3. Provide to the city the names and contact information for the residential landlord's desired utility repair providers for after-hour services.

166 4. Provide at least one off-street parking space per rental unit at no additional  
167 charge to the tenant. Designated parking shall comply with all city laws.

168 C. City's Obligations:

169 1. City shall assess a reduced per-unit rental fee as established in the consolidated  
170 fee schedule.

171 2. City will notify the residential landlord concerning any criminal activity or city  
172 code violations at the subject property. A. Generally: City officials shall be permitted to  
173 make an inspection to enforce any of the provisions of this article or any other  
174 applicable statute or ordinance, and may enter any building or may enter upon any  
175 premises during regular business hours; or, if there are no regular business hours, the  
176 officers or their authorized representatives shall first make a reasonable effort to locate  
177 the owner or other persons having charge or control of the building or premises and  
178 request entry. If the property owner or other responsible person refuses to allow the  
179 enforcement officers to enter and inspect the property, the officer may obtain and  
180 execute a search warrant.

181 —B. Entry Upon Proper Request: No owner, occupant or any other person having  
182 charge, care or control of any building or premises shall fail or neglect, after proper  
183 request or warrant is made, to properly permit entry therein by the City officer for the  
184 purpose of inspection and enforcement of this title. (Ord. 12-13, 6-13-2012)

185 4-2R-4: ADDITIONAL GROUNDS FOR LICENSE DENIAL, REVOCATION OR  
186 SUSPENSION SHORT-TERM RENTALS:

187 A. A short-term rental is a dwelling or portion thereof available for use or is used for  
188 accommodating or lodging of guests, paying a fee or other compensation for a  
189 period of less than 30 consecutive days.

190 B. Short-term rentals are only allowed if:

191 1. The dwelling or portion thereof is available for accommodations or lodging of  
192 each guest or guests, for a period of less than 30 consecutive days.

193 2. Parking areas and access to parking areas are maintained and available for  
194 use at all times. Parking for this use shall be contained on the site, and shall  
195 not be allowed on the public rights-of-way.

196 3. The application for a short-term rental license must be signed by the  
197 residential landlord.

198 4. The residential landlord of a short-term rental must pay the license fee as set  
199 forth in the consolidated fee schedule.

200 C. The license number issued for a short term rental must be displayed in any  
201 online listing for each short-term rental dwelling.

202 D. Prior to a license being issued, the residential landlord of a short-term rental shall  
203 provide written notice to all property owners within 100 feet of their intent to  
204 operate a short-term rental. The notice must include a reference to this section  
205 of the City Code, the phone number and email address of the residential  
206 landlord, and the phone number for West Jordan Code Enforcement.

207 E. The residential landlord of a short-term rental dwelling must remit all taxes due to  
208 the city prior to a license renewal being approved.

209 ~~In addition to the grounds provided in chapter 1 of this title, a business license for the~~  
210 ~~owner of one or more rental dwelling units in the city may be denied, revoked, or~~  
211 ~~suspended for any one of the following reasons:~~

212 ~~—A. The applicant does not meet the qualifications for a licensee as provided under~~  
213 ~~this title.~~

214 ~~—B. Applicant's failure to pay:~~

215 ~~—1. Applicable license and per rental unit fees; and~~

216 ~~—2. Late fees or other penalties that may apply.~~

217 ~~—C. A returned check is given by an owner for required fees.~~

218 ~~—D. Noncompliance with any requirement or condition set by the city's planning~~  
219 ~~commission, the city administrator, mayor, or city council.~~

220 ~~—E. Violation of the terms of site plan approval, conditional use permit, variance,~~  
221 ~~development agreement, or similar approval.~~

222 ~~—F. Noncompliance with any city, Salt Lake Valley Health Department (SLVHD), state,~~  
223 ~~or federal regulations governing the applicant's business.~~

224 ~~—G. The applicant or licensee has obtained or aided another person to obtain a~~  
225 ~~license by fraud or deceit.~~

226 ~~—H. The applicant or licensee has refused authorized representatives of the city to~~  
227 ~~make an inspection or has interfered with such representatives in making such~~  
228 ~~inspection.~~

229 ~~—I. As a result of vicarious liability resulting in a violation of this title or other governing~~  
230 ~~law by an agent or employee of the applicant or licensee. (Ord. 12-13, 6-13-2012; amd.~~  
231 ~~Ord. 19-47, 12-04-2019, Effective at 12 noon on January 6, 2020)~~

232 ~~4-2R-5: ADMINISTRATION OF RENTAL DWELLING UNIT BUSINESS LICENSING~~  
233 ~~AND GOOD LANDLORD PROGRAM INSPECTIONS:~~

234 —All licensed premises are subject to inspection. Interior inspections may only be  
235 performed with cause and advance notice to the residential landlord, or by obtaining a  
236 warrant. A. ~~Generally: The City's business license authority shall administer the~~  
237 ~~licensing of rental real estate owners and the good landlord program.~~

238 —B. ~~Action On A License: The City may, without a hearing, deny, revoke, or suspend a~~  
239 ~~license for the reasons provided in chapter 1 of this title or in this article. Any~~  
240 ~~suspension or revocation shall take effect only after any appeal period has elapsed.~~

241 —C. ~~Investigation: The City may, on its own initiative or in response to complaints from~~  
242 ~~the general public, investigate and gather evidence of violations of this article or other~~  
243 ~~circumstances which may give rise under chapter 1 of this title or this article to a denial,~~  
244 ~~suspension or revocation of a business license.~~

245 —D. ~~Adverse Action: For any violation of this article, the City may take adverse action~~  
246 ~~and issue a notice of violation (NOV) under title 16 of this Code, and/or criminal citation~~  
247 ~~in accordance with the penalties prescribed in this Code. When taking adverse action~~  
248 ~~the City may consider:~~

249 —1. ~~Whether owner or licensee participates in the good landlord program.~~

250 —2. ~~The severity of the violation(s).~~

251 —3. ~~The history of prior violation(s) or adverse action(s) connected with the owner or~~  
252 ~~licensee.~~

253 —4. ~~The conduct and demeanor of the individual or entity involved.~~

254 —5. ~~The likelihood of obtaining compliance by the specific contemplated action.~~

255 —6. ~~Any other information obtained as part of enforcement or investigation relating to~~  
256 ~~the violation(s).~~ (Ord. 12-13, 6-13-2012)

257 4-2R-6: REAL PROPERTY MAINTENANCEADDITIONAL GROUNDS FOR LICENSE  
258 DENIAL, REVOCATION, OR SUSPENSION:

259 A. In addition to the grounds provided in chapter 1 of this title, a license issued  
260 under this article may be denied, revoked, or suspended for any one of the  
261 following reasons:

262 1. Noncompliance with any requirement or condition set by an appropriate city  
263 authority.

264 2. Violation of the terms of site plan approval, conditional use permit, variance,  
265 development agreement, or similar approval.

266 3. Noncompliance with any city, county, health department, state, or federal  
267 regulations. Violations of law must pertain to the property itself, or the rental  
268 of the property.

269 4. The residential landlord has refused authorized representatives of the city to  
270 make a lawful inspection or has interfered with such representatives in  
271 making such inspection.

272 5. Residential landlord fails to fulfill its obligations under an agreement with the  
273 city.

274 6. There have been two or more law enforcement or code enforcement cases at  
275 any one of the owner's rental properties within the most recent 12  
276 consecutive months.

277 B. A residential landlord may appeal a license denial, revocation, or suspension by  
278 following the procedures outlined in title 4, chapter 1, article C of this code.

279 ~~All real property used for a rental dwelling unit must have proper landscaping, regular~~  
280 ~~cleaning, securing, ongoing repair, and maintenance of the premises in a manner that~~  
281 ~~will:~~

282 ~~—A. Prevent fire hazards.~~

283 ~~—B. Prevent insect, rodent and other vermin harborage.~~

284 ~~—C. Prevent introduction of hazardous pollutants into the air.~~

285 ~~—D. Prevent spreading of vegetation that threatens the public health, safety, or~~  
286 ~~welfare.~~

287 ~~—E. Enhance the appearance of property, increase property values and encourage~~  
288 ~~neighborhood creation and maintenance within the City.~~

289 ~~—F. Foster or improve the City's image, property values, and neighborhood success.~~

290 ~~—G. Lawfully dispose of cuttings from grass, weeds or solid waste.~~

291 ~~—H. Effectively secure any vacant structure.~~

292 ~~—I. Lawfully dispose of any unsightly or deleterious objects or structures.~~

293 ~~—J. Promptly remove or erase graffiti on any structure located on the premises. ((Ord.~~  
294 ~~12-13, 6-13-2012))~~

295 **4-2R-7: LANDSCAPING:**

296 ~~All rental dwelling units in the City shall have and maintain landscaping in front yards~~  
297 ~~between the front line of the house and the sidewalk on the entire width of the lot~~  
298 ~~excluding the driveway. On corner lots, landscaping shall be installed in all areas~~  
299 ~~between the sidewalk and the side line of the house between the front property line and~~  
300 ~~the rear property line which are visible from the public right-of-way. All landscaping shall~~  
301 ~~conform to applicable requirements located elsewhere in this Code. Waivers of this~~

302 landscaping requirement may be sought through the City Zoning Administrator. (Ord.  
303 12-13, 6-13-2012)