

ORDINANCE NO. 2182

**AN ORDINANCE MODIFYING ORDINANCE NO. 2084, CODIFIED AS ARTICLE 1790
"RENTAL DWELLING UNITS"**

WHEREAS, the Council for the City of Weirton previously passed and adopted into law Ordinance No. 2084, Article 1790 and whereas, certain modifications are to be made as ordered by the Circuit Court of Hancock County, West Virginia.

WHEREAS, Ordinance No. 2084 is to be modified by adding and modifying the following language to Article 1790:

1790.08 INSPECTIONS.

Subject to 1790.081, below, the owner for purposes of inspection under rental registration shall provide the Code Official access to all areas of any building containing rental dwelling units and the Code Official shall be accompanied by the owner or an agent of the owner during inspection.

1790.081 RIGHT OF TENANT TO PRECOMPLIANCE REVIEW

If a tenant does not consent to inspection of a rental dwelling unit which that tenant occupies, the inspecting Code Official shall provide written notice to that tenant that:

1. The Code Official will apply for an administrative warrant before the City of Weirton Municipal Court ("Municipal Court") at the Municipal Court's next scheduled hearing date, or, if impractical, the next available hearing date;
2. The tenant has the right to appear at that hearing and contest the issuance of the administrative warrant; and
3. Failure to appear at that hearing may result in the issuance of an administrative warrant permitting the Code Official to inspect the property in question.
4. The written notice shall specify the time and date of the next Municipal Court session, and the purpose of the inspection.
5. The tenant shall sign the notice and return the same to the Code Official prior to the Municipal Court's next scheduled hearing date.
6. Failure to sign and return the notice prior to the hearing date, or failure to appear at the hearing, shall constitute a waiver of the tenant's right to contest the issuance of the aforementioned administrative warrant.

WHEREAS, all other provisions of Ordinance No. 2084 Are to remain in effect.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Weirton, Brooke and Hancock Counties, West Virginia, that the modifications and additions to Ordinance No. 2084, Article 1790 be effective upon second reading.

First Reading: January 10, 2022


Publication Date: January 24, 2022

Second Reading: February 14, 2022



Mayor

ATTEST:



City Clerk

Sponsored by: Councilman George E. Ash, Sr., Ward IV
Councilman Enzo Fracasso, Ward VI
Councilman Christopher Jonczak, Ward II
Document reviewed and approved by the City Attorney

