

1 **COMMON COUNCIL OF THE CITY OF HOBART, INDIANA**
2 **Ordinance No. 2020 - 35**

3
4 **An Ordinance Amending the Municipal Code of the City of Hobart Concerning**
5 **Rental Housing Properties**
6

7 WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City")
8 has been informed that there has been an increase in the use of real property within the City
9 being used for rental housing purposes; and

10
11 WHEREAS, the Council has determined that there is a need to establish and enforce a
12 registration program for all owners of rental housing property, subject to certain conditions and
13 limitations, within the City; and

14
15 WHEREAS, the Council, through this Ordinance, desires to enact such a rental
16 registration program for any owner of real property located in the City which is used as rental
17 housing to protect the character and stability of residential neighborhoods in the City;

18
19 THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart as
20 follows:

21
22 *SECTION ONE:* The Municipal Code of the City of Hobart
23 ("Code") is hereby amended by inserting the following new title to CHAPTER 115,
24 CONTRACTOR LICENSING to read CHAPTER 115: CONTRACTOR
25 LICENSING AND RENTAL REGISTRATION, and by adding the new section as
26 follows:

27
28 **RENTAL PROPERTY REGISTRATION**

29
30 **§ 115.20 COMPLIANCE REQUIRED; APPLICATION OF CHAPTER.**

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32 (A) No person shall maintain a rental housing property or a rental unit
33 within the city unless in accordance with the provisions of this chapter.

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35 (B) This chapter applies to all real property in the City, which real property is
36 used as rental housing, for all or part of any year.

37
38 **§ 115.21 REQUIRED REGISTRATION FOR RENTAL HOUSING**

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40 (A) Any owner of real property used as rental housing in the City shall be
41 required to register all such properties with the City Building Department on an annual
42 basis by July 15 of each year. The registration shall be effected by furnishing to the
43 Building Department, upon an annual registration form, the following information:

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45 (1) Name of the owner and its designated representative, if any;

46 (2) Address, telephone number, and e-mail address of the owner and its
47 designated representative, if any; and
48

49 (3) Address of rental units subject to this article.
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51 (4) Other information as designated by the Building Department.
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53 (B) No registration or renewal will be accepted by the Building Department
54 without a showing of full liability, fire or other insurance equal to the value of the
55 property insured, including the cost of demolition of the property insured. Personal
56 information provided for this purpose will be kept confidential by the Building
57 Department. Alternatively, a bond or letter of credit from a federally insured financial
58 institution may be filed with the Building Department in an amount equal to the value of
59 the property insured or \$25,000, whichever is greater, which will be used to cover the
60 cost of demolition should the property be damaged by fire, accident, natural disaster or
61 lack of maintenance by the owner.
62

63 (C) There shall be a \$ 5.00 registration fee assessed for each apartment, rental
64 dwelling or rental unit, at the time the rental property is initially registered with the City.
65 Rental units that are part of a rental community shall be imposed a \$5.00 registration fee
66 for the rental community. If a rental unit is not part of a rental community, the
67 registration fee shall be imposed for each separate parcel of real property on which a
68 rental unit is located. There shall be an annual renewal fee of \$5.00 after the initial
69 registration for rental properties properly registered pursuant to this chapter. A new
70 registration form and payment of the annual renewal fee must be completed each year no
71 later than July 15. If a property is purchased after July 15 of the current calendar year,
72 the registration and the fee shall be completed within 30 days of the effective date of
73 purchase or obtaining title to the real property. A late fee of \$100.00 shall be assessed
74 for rental property that is not registered by July 15, or if the property is purchased after
75 July 15 of the current calendar year, within 30 days of the effective date of purchase or
76 obtaining title to the real property, or for rental property registration renewals, not
77 registered annually by July 15. Falsification of this information invalidates the
78 registration and it is the property owner's duty to notify the City immediately should the
79 information change. Nothing in this section explicitly or by implication permits any
80 rental housing owner or landlord to rent an uninhabitable, unsafe, or otherwise dangerous
81 unit and no rental registration refund shall be made for such units.
82

83 (D) Failure to register any or all real property or unit as rental housing with the
84 City shall constitute a violation of this subchapter and shall subject the owner to a fine up
85 to \$2,500 per unit, per day of violation, with second and subsequent violations punishable
86 by up to \$7,500 per unit, per day pursuant the general penalty provisions of §10.99.
87

88 (E) Fraud in the application process or intentionally failing to provide correct
89 information will invalidate the registration for that year, and the property owner will have
90 the rental registration for that unit revoked. Initial registration is required by July 15 of
91 the current calendar year, or if the rental property is acquired after July 15, within 30 days

92 of the effective date of purchase or obtaining title to the real property which will be used
93 as a rental. Any owner that removes the property from rental use, sells or otherwise
94 transfers the property must contact the Building Department within 30 days of the
95 transfer or the property owner will be found to be in violation of this section.
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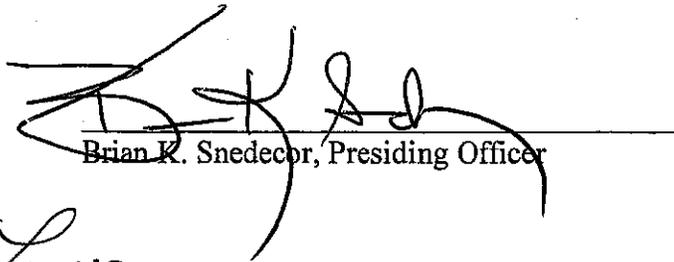
97 (F) A late fee of \$100.00 shall be assessed for rental property that is not
98 registered by July 15 of the calendar year, or if the rental property is purchased after July
99 15, within 30 days of the effective date of purchase or obtaining title to the real property.
100 For rental property registration renewals, the late fee of \$100.00 shall be assessed for
101 rental property not registered annually by July 15.
102

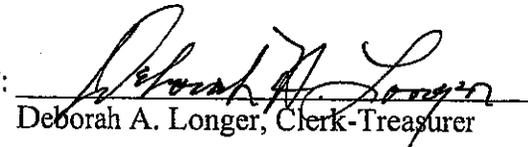
103 (G) No landlord or property owner shall allow, assist, permit, aid, or consent
104 to ignore obvious illegal activity or conduct occurring on his or her property in the City.
105 The use of rental property in the City for illegal activity is grounds for revocation of the
106 registration for that location. No owner or landlord shall permit a nuisance to occur at the
107 property once notified of said nuisance, and shall inform the tenant that he or she is
108 responsible for following all City ordinances and state laws while residing at that
109 location. An owner or landlord, whose rental registration is up for revocation, may
110 request a hearing before the City of Hobart Board of Public Works and Safety, should the
111 City commence a revocation action and the decision of the Board of Public Works and
112 Safety may be appealed to the Superior Court as provided by law.
113

114 *SECTION TWO:* This ordinance shall become effective upon its
115 adoption in the manner required by law, and upon publication thereof pursuant to
116 I.C. §36-3-4-6-14(b) in two newspapers of general circulation published within
117 the City pursuant to I.C. §5-3-1-4 (a).
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119 *SECTION THREE:* All ordinances or portions thereof in effect prior to the
120 effective date and in conflict with the provisions of this ordinance are hereby repealed.
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122 ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of
123 Hobart, Indiana on this 20th day of JANUARY, 2021.
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129 Brian K. Snedecor, Presiding Officer

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131 ATTEST: 
132 Deborah A. Longer, Clerk-Treasurer
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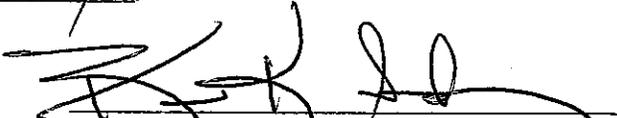
134
135 PRESENTED by me to the Mayor of the City of Hobart on the 20th day of
136 JANUARY, 2021 at the hour of 6:45pm.
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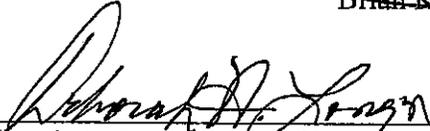


Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City
of Hobart on this 20th day of JANUARY, 2021.



Brian K. Snedecor, Mayor

ATTEST: 

Deborah A. Longer, Clerk-Treasurer