

From: Chris Moore [<mailto:chrismooreplumbing@yahoo.com>]
Sent: Tuesday, November 10, 2015 11:44 AM
To: Donna Jackson
Subject: Maintenance code amendment

Madam clerk , please forward the following amendment and comments to the mayor, and council.

Mayor and city council, I will offer the following amendment after the first reading of the Maintenance code on November 17th. The purpose is to ensure the public that we only want to do inspections where we are asked and invited. I also think that written permission and a notice of the right to refuse be stated to any occupant and provided in writing . This also allows the occupant to stop or limit the scope of inspection at any time, this means that if asked to inspect the furnace then the scope will be the furnace and not the whole house or as some have called " fishing".

Thank you
Chris Moore

[A] 104.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* is authorized to enter the structure or *premises* at reasonable times to inspect or perform the duties imposed by this code, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. **Consent to enter a structure or premises must be in writing, where feasible, using the form in 104.3.1.** If such a structure is not owner occupied and the occupant grants permission to enter, prior to entry, the code official will first make a reasonable effort to notify the owner or their representative and afford them the opportunity to be present and witness the inspection. If such structure or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner* or other person having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry.

104.3.1 Permission to Search:



City of Jonesboro

PROPERTY MAINTINENCE INSPECTIONS DEPARTMENT
301 S. Church St.
Jonesboro, AR 72401

Consent to Inspection

Date: _____

Time: _____

Case #: _____

I, _____, lawful occupant or owner,
or their representative, of the property located at

_____, Jonesboro, Arkansas, have been

informed by _____, an employee of the City of
Jonesboro, of my Constitutional right not to have an inspection made of the
premises and property owned by me and/or under my care, custody and control,
without a search warrant. I have been advised that I may lawfully refuse to
consent to such an inspection, that I may revoke any consent that I give at any
time, and that I can limit the scope of any consent to inspect that is given.

Knowing my lawful rights to refuse consent, revoke consent, or limit the scope of
the consent, I hereby willingly give my permission to the above named City of
Jonesboro employee(s) to conduct:

_____ an inspection of the above listed property

_____ view other property from my property

This written permission to inspect without a search warrant is given by me to the
above listed City of Jonesboro employee(s) voluntarily and without threats or
promises of any kind.

Signed _____

Witness: _____