



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

From: Jeff Stehman, Building and Zoning Supervisor
Thru: Walter Denton, City Administrator
Ted Shekell, Planning Director

Date: April 17, 2008

Subject: Ordinance No. ____: An Ordinance amending Ordinance #3302, Section 6 which adopted the ICC Codes in December 2004. **Second reading.**

List of committees that have reviewed: The Community Development Committee reviewed the ordinance and discussed this amendment at its meetings on April 14, 2008.

Background: This ordinance will amend Ordinance #3302, particularly Section 6, which adopted the 2003 ICC Codes. The amendment will completely replace Section 6 with a revised Section 6. There were three main reasons we were originally amending Section 6:

- We have done a general re-organization and re-formatting of the ordinance to make it easier for the applicants to understand and follow. There were also some simple clarifications and definitions that we felt were needed on who is responsible for the inspection and time frames.
- We are adding the requirement that will allow removal of the electrical service panel cover on property maintenance inspections. This would add about 10 minutes to an inspection visit. We would place seals on the panels already inspected, so once inspected they would not have to be removed again if not tampered with.
- We have added the requirement for installation of carbon monoxide detectors, pursuant to the Illinois Carbon Monoxide Detector Act. The State of Illinois passed this act effective January 1, 2007 but made no provisions for enforcement. We have observed approximately 75% voluntary compliance at this point and feel now that we should add this requirement to our inspection checklist. There are still issues with the state law, but the benefits of this enforcement outweigh those concerns. We will still use the state law as the standard for enforcement, but make non-compliance only a City Ordinance violation.

We have added an additional change since the first reading. In the 2003 ICC Property Maintenance Code, Section 302.4 states, "*All premises and exterior property shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches)*". In the previous Property Maintenance Codes that were adopted, (1996 and 1998), it was listed as 10 inches, but in the 2003 Property Maintenance Code, ICC left that to be inserted by each municipality. We should have inserted the height. We have now inserted an 8 inch height, feeling this is consistent with the existing community standard and will assist in our enforcement efforts.

Legal Considerations, if any: None

Budget Impact: None

Staff recommendation: Our department believes these revisions are necessary for the efficient enforcement of the Property Maintenance Code, protection of the life, health and safety of our residents and clear interpretation of the ordinance to ensure residents can easily understand the requirements.