



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Economic Development Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Sheila Dodd, Interim Community Development Director
Nick Hanson, Building Safety Supervisor

DATE: April 28, 2022

SUBJECT: **AN ORDINANCE AMENDING URBANA CITY CODE
CHAPTER 5, BUILDING, FIRE, AND FLOOD SAFETY CODES
(Merging Building Safety Code Board of Appeals and
Property Maintenance Structures Code Board of Appeals)**

Introduction

The City Council is requested to consider the attached draft ordinance for approval to merge the Property Maintenance Structures Code Board of Appeals with the Building Safety Code Board of Appeals.

Background

The Building Safety Code Board of Appeals hears appeals by property owners of determinations made by the building official regarding variations from the provisions of the minimum requirements of the International Building Code and International Code Series, as adopted. The Code establishes rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, and maintenance of buildings and structures.

The Property Maintenance Structures Code Board of Appeals is the appeals board for the Property Maintenance Code of the City of Urbana. This board hears petitions from persons who are affected by notices, which are issued by the Building Safety Division, Housing Section, for existing residential structures. The Board has the power to decide requests for specific variations or appeals from the provisions of notices of violation where there are practical difficulties in the way of carrying out the strict letter of the law, so that the spirit and intent of the law is observed and the public safety is secured.

Discussion

Currently, the same people serve on both boards. Recruitment of board members has been difficult. The boards meet infrequently on a complaint driven basis. Combining both boards would improve efficiency for the Board members. Members from the Property Maintenance Structures Code Board of Appeals would continue as members of the Building Safety Code Board of Appeals.

Fiscal Impact

There will be no direct fiscal impact as a result of the proposed ordinance.

Options

1. Approve the draft ordinance as presented and forward to the consent agenda.
2. Approve the draft ordinance with changes.
3. Deny the draft ordinance.

Recommendation

Staff recommends that the City Council approve the ordinance to merge the Property Maintenance Structures Code Board of Appeals with the Building Safety Code Board of Appeals.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING URBANA CITY CODE
CHAPTER 5, BUILDING, FIRE, AND FLOOD SAFETY CODES**

**(Merging Building Safety Code Board of Appeals and
Property Maintenance Structures Code Board of Appeals)**

WHEREAS, the City of Urbana, Illinois (hereinafter, the “City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, 5 ILCS 220/1 *et seq.*, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate and promote public health, safety, and welfare; and

WHEREAS, the Building Safety Code Board of Appeals hears appeals by property owners of determinations made by the building official regarding variations from the provisions of the minimum requirements of the International Building Code and International Code Series as adopted; and

WHEREAS, the Property Maintenance Structures Code Board of Appeals hears appeals from persons who are affected by notices, which are issued by the Building Safety Division, Housing Section, for existing residential structures; and

WHEREAS, the Building Safety Code of Appeals and Property Maintenance Structures Code Board of Appeals review cases using Building and Fire Safety Codes; and

WHEREAS, the City Council wishes to merge the Property Maintenance Structures Code Board of Appeals with the Building Safety Code of Appeals.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Section 1. Urbana City Code Chapter 5, be amended to replace references to the Property Maintenance Structures Code Board of Appeals to Building Safety Code of Appeals. From time to time, the Mayor may appoint and City Council may approve the appointment of members to the Building Safety Code of Appeals to serve a 5-year term.

Section 2. This Ordinance shall be effective upon its adoption by the City Council and signature by the Mayor.

Section 3. Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code

other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 4. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2022.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this _____ day of _____, 2022.

Diane Wolfe Marlin, Mayor