

AGENDA
BLOOMINGTON PROPERTY MAINTENANCE REVIEW BOARD
REGULAR MEETING - 4:00 P.M.
THURSDAY, April 25, 2019
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

A public comment period not to exceed thirty (30) minutes will be held during each Board and Commission meeting, as well as all regularly scheduled City Council meetings, Committee of the Whole meetings, meetings of committees and/or task forces (hereinafter "committees") created by the City Council, work sessions, and special meetings of the City Council. Nothing herein shall prohibit the combination of meetings, at which only one public comment period will be allowed.

Anyone desiring to address the Board, Commission, Committee or City Council, as applicable, must complete a public comment card at least five (5) minutes before the start time of the meeting. Public comment cards shall be made available at the location of the meeting by City staff at least 15 minutes prior to the start time of the meeting. The person must include their name, and any other desired contact information, although said person shall not be required to publicly state their address information. If more than five individuals desire to make a public comment, the order of speakers shall be by random draw. If an individual is not able to speak due to the time limitation and said individual still desires to address the individuals at a future meeting of the same type, said individual shall be entitled to speak first at the next meeting of the same type. (Ordinance No. 2015-46))

4. MINUTES:

Consideration, review and approval of Minutes from the January 24, 2019 Quarterly Meeting. See Exhibit A.

Consideration, review and approval of Minutes from the February 28, 2018 Special Meeting. See Exhibit B.

5. REGULAR AGENDA

A. CODE ENFORCEMENT PAMPHLET: Presentation of Code Enforcement Division community outreach pamphlet. See Exhibit C.

B. RENTAL PROGRAM CHECKLIST: Presentation and discussion of Rental Inspection Registration form and program checklist. See Exhibit D.

6. OLD BUSINESS

A. Ordinance 2019-14; Final language of Ordinance Amending The City Code requiring Carbon Monoxide Detectors as adopted by the City Council. See Exhibit E.

B. Present sample Compliance Order per Board request. See Exhibit F.

7. NEW BUSINESS

8. ADJOURNMENT

For further information contact:

Carey Snedden, Code Enforcement Division Manager

Department of Community Development

Government Center

115 E. Washington Street, Bloomington, IL 61701

Phone: (309) 434-2345 Fax: (309) 434-2801

E-mail: csnedden@cityblm.org

EXHIBIT A

Meeting Minutes
Quarterly Meeting
1-24-19

DRAFT MINUTES
PROPERTY MAINTENANCE REVIEW BOARD
Thursday, January 24, 2019, 4:00 P.M.
Council Chambers, City Hall
109 East Olive Street, Bloomington, Illinois

Members present: Mr. John Capodice, Mr. Mark Fetzer, Mr. Rodney Smithson,
Mr. Kelby Cumpston, Mr. Robert Garcia.

Members absent: Mr. Mark Williams

Also present: Mr. Carey Snedden, Code Enforcement Division Manager
Mr. Bob Mahrt, Community Development Director

1. CALL TO ORDER

Chairman Capodice called the meeting to order at 4:00 p.m.

2. ROLL CALL

Director Mahrt called roll and a quorum was established with five members present.

3. PUBLIC COMMENT

Chairman Capodice asked for public comment from the audience for those items that were not listed on the meeting agenda. There were no public comments made.

4. MINUTES

A. Consideration, review and approval of Minutes from the October 27, 2016 Quarterly Meeting.

Mark Fetzer made a motion for approval. Motion was seconded by Chairman Capodice. The motion was **approved** by a 5-0 vote as follows: Mr. Capodice— yes; Mr. Fetzer— yes; Mr. Smithson—yes; Mr. Cumpston—yes; and Mr. Cumpston—yes.

B. Consideration, review and approval of Minutes from the September 5, 2018 Special Meeting.

Mark Fetzer made a motion for approval. Motion was seconded by Chairman Capodice. The motion was **approved** by a 5-0 vote as follows: Mr. Capodice— yes; Mr. Fetzer— yes; Mr. Smithson—yes; Mr. Cumpston—yes; and Mr. Cumpston—yes.

5. REGULAR AGENDA

A. Chairperson Selection: Board to nominate and approve chairperson for upcoming year.

Director Mahrt called for nominations for the Property Maintenance Review Board Chairperson position. A nomination was requested made to retain Chairman Capodice.

Mark Fetzter made a motion for approval. Motion was seconded by Rodney Smithson. The motion was **approved** by a 5-0 vote as follows: Mr. Capodice— yes; Mr. Fetzter— yes; Mr. Smithson—yes; Mr. Cumpston—yes; and Mr. Cumpston—yes.

B. Checklist Discussion: Discussion by Board on procedural methods for rental inspections and complaint driven code enforcement inspections.

Chairman Capodice called for discussion. Division Manager Snedden provided a general overview of current notification standards and inspection procedures used by Rental Property Inspectors. The current checklist available to the landlords is meant to be informational and not necessarily a comprehensive checklist of all code standards.

There was discussion on appropriate interpretation of codes by the Rental Property Inspectors and Property Maintenance Inspectors. Staff's response to this discussion was that interpretation is at the discretion of the Inspector, however there is a recognized standard practiced in the Division for citing these day to day violations.

There were other questions raised regarding the number of cases before the Administrative Court, whether or not the "checklist" should be codified, and to be presented with examples of the current Compliance Order letter for appeals notice. Staff indicated that these items would be brought back for further discussion at the next Quarterly Meeting.

C. Consideration, review and action on Amending Chapter 45 of the Bloomington City Code to require Carbon Monoxide Detectors.

Director Mahrt provided an overview of the Illinois Carbon Monoxide Detector Alarm Act effective on January 1, 2007. Director Mahrt indicated that City Staff did not have the authority to appropriately enforce the State Act without a local regulations in place. The Board reviewed the regulations currently utilized in the Town of Normal and the various exemptions allowed under the State Act.

There was discussion on the various exemptions allowed under the Act and the desire by the Board to allow exemptions under a proposed local regulation. There was continued discussion on public outreach, if the local regulation was adopted.

There was general consensus to review and consider an amendment to Chapter 45 regarding Carbon Monoxide Detectors at the next Quarterly Meeting.

5. OLD BUSINESS

Chairman Capodice called for discussion on any Old Business. There was none.

6. NEW BUSINESS

Chairman Capodice called for discussion on any New Business. There was none.

7. ADJOURNMENT

Mr. Garcia made a motion to adjourn; seconded by Chairman Capodice. The motion passed unanimously by voice vote. Meeting was adjourned at 5:00 PM.

EXHIBIT B

Meeting Minutes

Special Meeting

2-28-19

EXHIBIT B

DRAFT MINUTES
PROPERTY MAINTENANCE REVIEW BOARD
SPECIAL MEETING
Thursday, February 28, 2019, 4:00 P.M.
Council Chambers, City Hall
109 East Olive Street, Bloomington, Illinois

Members present: Mr. John Capodice, Mr. Mark Fetzer, Mr. Rodney Smithson,
Mr. Kelby Cumpston, Mr. Robert Garcia.

Members absent: Mr. Mark Williams

Also present: Mr. Carey Snedden, Code Enforcement Division Manager
Mr. Bob Mahrt, Community Development Director

1. CALL TO ORDER

Chairman Capodice called the Special Meeting to order at 4:00 p.m.

2. ROLL CALL

Director Mahrt called roll and a quorum was established with five members present.

3. PUBLIC COMMENT

Chairman Capodice asked for public comment from the audience for those items that were not listed on the Special Meeting agenda. There were no public comments made.

4. REGULAR AGENDA

A. Consideration, review and action on Amending Chapter 45 of the Bloomington City Code to require Carbon Monoxide Detectors.

Director Mahrt provided an overview of the Staff memorandum on a proposed text amendment to Chapter 45, Article II of the Bloomington City Code to add a requirement for Carbon Monoxide Detectors. Director Mahrt indicated that Staff had reviewed model ordinances for comparable communities within the State to develop appropriate wording for the City.

There was general discussion on the State of Illinois Carbon Monoxide Alarm Act and the model ordinance examples. The text from Champaign, Illinois appeared to best address the overall concerns raised by the Board.

The Board continued discussion on fuel-fired appliances and specifically requested “cooking” appliances be added to the draft text amendment in reference to combustion of fossil fuel.

The Board also held discussion on appropriate means to communicate the proposed text amendment to the community. Director Mahrt indicated that he would coordinate with the Communications Manager and that future mailings to rental property owners would include a statement regarding the new regulations, if approved by the City Council.

Mark Fetzer made a motion for approval of the draft text amendment Ordinance with the inclusion of “cooking” in reference to combustion of fossil fuel. Motion was seconded by Chairman Capodice. The motion was **approved** by a 5-0 vote as follows: Mr. Capodice— yes; Mr. Fetzer— yes; Mr. Smithson—yes; Mr. Cumpston—yes; and Mr. Cumpston—yes.

in reference to combustion of fossil fuel as submitted. Mr. Garcia requested an amended motion regarding refinement of the “public official” definition and review of the potential dismissal of a case upon abatement. Mr. Capodice agreed to the amended motion; seconded by Mr. Fetzer. The motion was **approved** by a 5-0 vote as follows: Mr. Capodice— yes; Mr. Fetzer— yes; Mr. Smithson—yes; Mr. Cumpston—yes; and Mr. Cumpston—yes.

5. OLD BUSINESS

Chairman Capodice called for discussion on any Old Business. There was none.

6. NEW BUSINESS

Chairman Capodice called for discussion on any New Business. There was general discussion on correspondence to rental property owners to include the inspection “checklist”, as well as, a reference regarding right to appeal to the Property Maintenance Review Board.

7. ADJOURNMENT

Mr. Garcia made a motion to adjourn; seconded by Mr. Smithson. The motion passed unanimously by voice vote. Meeting was adjourned at 5:07 PM.

Bob Mahrt
Community Development Director
Acting Secretary
Prepared (9.6.2018)

EXHIBIT C

Code Enforcement
Community Outreach
Brochure

(DRAFT)

Building Permits Protect

Your Investment

Many home improvement projects require building permits. Some projects that may require a permit are Decks, Finished Basements, Electrical, HVAC, Plumbing, Roofing, Siding, Pools and Window replacement. These examples are not the only projects that may require a permit. Therefore, when in doubt, for more information please contact the Community Development Building Safety Division at (309) 434-2226.

Typical Complaint and Enforcement Process

- A residential complaint is received and entered into the city's system. An inspector verifies and documents any violation(s).
- A Compliance Order is issued. The owner of the property is given a specific number of days to comply.
- A re-inspection occurs. If compliance is achieved, the complaint entry is closed and no further action is needed.
- If compliance is not achieved at the time of re-inspection, a Violation Notice along with a Summons to appear in the City of Bloomington Administrative Court is sent to the owner.

To Submit a Confidential Complaint
contact the

Community Development Department

(309) 434-2226

or use the

MyBloomington App

Why is Code Enforcement Important?

Whether you are a homeowner, landlord or tenant, having pride in our community and pride in your home is the foundation of a great city. It helps to preserve neighboring property values and keep the integrity of our neighborhoods intact. This brochure is intended to educate residents and raise awareness on the importance of maintaining properties in order to protect property values, livability and the quality of our neighborhoods.

What is Code Enforcement?

The Code Enforcement Division's primary goal is to keep the City of Bloomington a healthy, safe and beautiful place to live. Code Enforcement Staff are responsible for the implementation of many sections of the City's adopted Code of Ordinances. Ordinances are local laws which exist to promote our community standards, safeguards and the quality of life for our residents, and protect housing investments for future years.

The Code of Ordinances for the City of Bloomington governs many things, included but not limited to: Property Maintenance, Nuisances, Signage and Zoning. Code Enforcement staff respond to inquiries and complaints regarding code issues. If a code violation is found to exist, typically a letter will be sent which outlines the steps that need to be taken to correct the violation



CODE ENFORCEMENT DIVISION

*A well maintained
property is a valuable
asset to our neighborhoods
and community*

**COMMUNITY DEVELOPMENT
DEPARTMENT**

109 E. Olive Street, Bloomington, IL 61701
(309) 434-2226 TDD (309) 629-5115

COMMON CODE VIOLATIONS

Property Maintenance

Properties must be maintained to the Standards adopted within City Ordinance and the adopted International Property Maintenance Code. Common violations include but are not limited to: peeling/flaking paint, damaged roofing and siding, damaged windows and doors, and deteriorated decks and fences.

Lawn and Yard Maintenance

Lawns (grass/weeds) must be maintained so as not to exceed 8 inches in height. If vegetation (trees, shrubs, etc.) are dead, dying or diseased, it must be removed. If landscape areas have become overgrown with weeds and grasses, the overgrowth must be corrected or removed. If branches have become damaged, they must be removed and disposed of properly.

Accumulation of Rubbish

All exterior property and premises and the interior of every structure shall be free from any accumulation of rubbish. Rubbish is defined as combustible and non-combustible materials. Examples of rubbish include but are not limited to: paper, boxes, wood, rubber, glass, metals and yard trimmings.

Snow Removal

Every owner or occupant of any dwelling, house or other building; or proprietor or lessee of any enclosed lot premises; and every person having the charge or control of any church, hall or public building within the city shall be responsible for removing snow and ice from the public sidewalks in front of and adjoining their property by 10:00 AM on the morning after the snow event. This includes any handicapped curb ramps.

Refuse/Waste and Recycling

Collection in general—Containers to be placed not earlier than 2:00 PM on the day prior to the scheduled collection day and ending at 6:00 AM on the day of collection. All refuse to be collected shall be placed so as not to present a hazard to pedestrian or vehicular traffic.

Solid/Bulk Waste

Bulk Waste is collected as part of the City of Bloomington's Solid Waste Program. Free Bulk Waste collection occurs each Spring and Fall season.

- If possible, bulk waste items should be broken down and placed in a garbage collection cart.
- Only bulk waste generated by the resident or homeowner will be collected by City crews. Commercial bulk waste is not acceptable.
- If bulk items are placed in the parkway, they will be collected by the City and charged based on the material and size of the job plus the cost of any fines.
- Any bulk items placed in the street will be collected. The Solid Waste program user will be billed for the entire cost of the pickup plus the cost of any fines.
- Sod, dirt, concrete, rock, and shingles can be collected curbside, but Solid Waste Program users must make arrangements with Public Works prior to pickup.

NOTE: The Citizen Convenience Center enables people who participate in the Solid Waste Program to bring their items to a central location for processing, rather than waiting for collection. This service is provided at no additional charge to program participants. Users should bring proof of city residency. Users are responsible for the unloading of their own materials into the appropriate locations as directed by the City employee on-site. This facility is located at 402 S. East St. (on the corner of East and Jackson, south of the Bloomington Public Library).

Recreational Equipment

Any owner of camping and/or recreational equipment and/or domestic utility trailer may park or store such equipment in a residential district subject to certain conditions. Below are a few highlights of the code. Other regulations may be required:

- At no time shall such parked or stored camping and recreational equipment be occupied or used for dining, sleeping or housekeeping purposes while parked or stored in a residential district.
- During the period from September 15 thru April 15, if outside of a garage, it shall be parked or stored to the rear of the front building line of the principal structure. Also must be a minimum of 3 feet from a side or rear lot line; and must be on a hard compacted surface.

Handrails and Guards

Every exterior and interior flight of stairs having more than 4 risers shall have a handrail on one side of the stair. Handrails shall be not less than 30 inches and not more than 42 inches in height.

Vehicles/Parking

All vehicles parked outside of a garage shall be completely operable. This shall include but not limited to: proper condition and adjustment necessary for its mechanical operation; can be driven forward and backward and stop immediately upon applying the brakes; have proper lamps, mirrors, windshields; and required tags and license must be current.

EXHIBIT D

Rental Property Checklist
& Revised Application



Rental Property Checklist

Dear Landlord:

The City of Bloomington is providing this checklist as a tool to evaluate the condition of your rental property prior to a routine inspection. By using this guide, you may avoid a lengthy inspection and potentially costly re-inspection fees. While it is impossible to list every violation of the *International Property Maintenance Code*, this list contains violations that are commonly found during a routine inspection.

Exterior of Building

- 1 Are sidewalks, walkways, stairs, driveways, parking spaces and similar areas in a proper state of repair, and maintained free from hazardous conditions?
- 2 Are accessory structures including detached garages, fences and walls structurally sound, good repair with no peeling paint?
- 3 Are exterior wood surfaces, other than decay-resistant woods, protected from the elements and decay by paint or some other protective covering or treatment? Is bare wood visible, does it show signs of rot and decay?
- 4 Are all siding and masonry joints maintained weather resistant and water tight?
- 5 Are the address numbers visible from street? Are apartments properly identified?
- 6 Is the foundation free from holes, large cracks and openings?
- 7 Are exterior walls free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated to prevent deterioration? Are the surface coatings consistent with surrounding areas of the exterior walls?
- 8 Is the roof and flashing sound, tight and not have defects that admit rain? Are the roof drains, gutters and downspouts maintained in good repair and free from obstructions?
- 9 Are all cornices, belt courses, corbels, terra cotta trim, wall facing and similar decorative features maintained in good repair with proper anchorage and in a safe condition?
- 10 Is every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads? Do they have level, uniform treads & risers?
- 11 Are guardrails present for all open porches, decks, and landings that are higher than 30 inches above grade?
- 12 Are all chimneys, cooling towers, and smoke stacks maintained structurally safe and sound, and in good repair?
- 13 Are exterior doors, door assemblies and hardware maintained in good condition?
- 14 Are basement hatchways and doors maintained to prevent the entry of rodents, rain and drainage water?
- 15 Are operable windows located 6ft or less above the ground level equipped with locking devices?
- 16 Are exterior doors equipped with deadbolt locks (slide bolts are not acceptable)?
- 17 Is garbage properly stored (lids on all cans) and cans not visible from the street?

Interior of Building

- 18 Is every window, skylight, door and frame in sound condition, good repair and weather tight? Are all glazing materials free from cracks and breaks? Is every window, other than fixed, easily openable and capable of being held in position by window hardware?
- 19 Are the walls and ceilings free from peeling paint and loose plaster? (Raw and unfinished drywall is not considered clean or sanitary)
- 20 Are all walking surfaces in sound condition and good repair?
- 21 In a multi-family building, are door closures self-closing and latching (if required)?

- 22 Are doors free from cracks, breaks, or holes? Do they fit reasonably well within the frame?
23 Are handrails firmly fastened and maintained in good condition? (Required if more than 4 risers)

Light, Ventilation, and Occupancy Limitations

- 24 Is every common hall and stairway in a multi-family building lit at all times?
25 Does the bathroom or toilet room have an operable window OR a mechanical means of ventilation?
26 Is the clothes dryer vented to the exterior?
27 Does the dwelling meet the space needs of the occupants?

Plumbing System

- 28 Does each dwelling contain a bathtub or shower, lavatory, water closet and kitchen sink that is maintained in a sanitary, safe working condition? (no leaking water pipes, sufficient hot and cold water supply and pressure)
29 Are plumbing fixtures properly installed and free from obstructions?
30 Is the water heater equipped with a temperature/pressure relief valve, relief valve discharge pipe (copper or galvanized) and gas shut off valve?
31 Do all plumbing stacks, vents, waste and sewer lines function properly, free of obstructions and leaks?
32 Is the washing machine properly connected to the drainage system?
33 Are there any open drain lines?

Electrical System

- 34 Are electrical equipment, wiring and appliances installed properly and maintained in a safe manner? (no missing cover plates, open splices or painted receptacles, junction boxes are secured, cover over the electric panel, wiring is supported)
35 Does every habitable space contain at least two receptacles? Does every laundry room contain a grounded type receptacle or a GFCI? Does every bathroom contain at least one receptacle?
36 Is the electrical system free of hazards?
37 Is there a working light fixture present for every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, and furnace room?

Heating System/Mechanical Equipment

- 38 Is the heating system capable of maintaining a room temperature of 68 degrees F in all habitable rooms, bathrooms and toilet rooms (October 1 - May 31)?
39 Are all mechanical equipment, fireplaces and solid fuel-burning appliances installed properly and maintained in a safe working condition?
40 Are all fuel-burning heating equipment connected to an approved chimney or vent?
41 Does the fuel-burning equipment have a proper shut off valve?

Fire Safety

- 42 Are smoke detectors located on each floor of the dwelling, including the basement? Are smoke detectors located **within** all rooms used for sleeping? Are smoke detectors located just outside the immediate vicinity of bedrooms. Do all smoke alarms function properly?
43 Does every sleeping/bedroom have a least one operable window that meets emergency egress/rescue standards?
44 Are hallways, exit doors, egress windows, and stairways unobstructed and clear of rubbish or storage?
45 Is there a 3 foot clearance around any heating appliance or other source of ignition within the dwelling? (not including cooking stoves)



Rental Property Registration Application

In accordance with City Code Chapter 45

Rental Address: _____ Parcel # _____

Description of Premises	Single Family: _____	Condo: _____	Duplex: _____	Multi-family: _____	# of Units: _____
	\$65	\$65	\$65	Fees vary based on number of units \$65 plus an additional \$5 per unit for buildings with 3 or more units	

Legal Owner/s Name: _____ Phone: _____
 Address: _____
Post Office Box does not suffice as an address
 City: _____ State: _____ Zip: _____

Authorized Manager or Agent Company Name: _____ Phone: _____
 Representative Name: _____
 Address: _____
Post Office Box does not suffice as an address
 City: _____ State: _____ Zip: _____

Contract Buyer Name: _____ Phone: _____
 Address: _____
Post Office Box does not suffice as an address
 City: _____ State: _____ Zip: _____
 Provide a Recorded Copy of Contract or Memorandum

Fee	Base Fee of \$65 per Building / Condo More information and examples of fees can be found on reverse side.	City of Bloomington – Rental Community Development Department PO Box 3157 Bloomington, IL 61702-3157
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I/We, the undersigned, hereby certify that:

- The data submitted in this application is an accurate representation as of the date of the application and the registration statement shall serve as prima fascia proof of the statements in any administrative enforcement or court proceeding instituted by the City against the owner or owners of the dwelling.
- I/We understand that it is illegal to operate a rental unit, within the City of Bloomington, without a Certificate of Registration. I/We also understand that failure to comply or provide accurate information will result in legal actions and fines.
- I/We understand by designating an authorized agent, I/we are consenting to service of any and all notices of code violations concerning the registered building and all process by service of the notice or process on the authorized agent.
- I/We understand that I/we must file an amended registration statement with in ten (10) business days, of any changes in the registration statement.
- I/We understand that I/we must contact Community Development if this property is sold within the registration year.

Signature: _____ Date: _____

Required—will be returned if left unsigned.

APPLICATION INSTRUCTIONS FOR CERTIFICATE OF REGISTRATION

Please note: Registration is an annual process and this application will be valid for the current calendar year. These instructions will assist you in completing the application for a Certificate of Registration. Please review prior to completing the form. In addition, please review the "Rental Property Checklist" provided by the City at www.cityblm.org. Thank you.

Rental Address:

The principle address of the complex or single building.

Parcel#:

The tax identification number for the property. This information can be obtained from your tax bill or the Tax Assessor's office: www.wevaluebloomington.org

Registration Fees:

The Fee is calculated on the following information.

\$65.00 per Single Family Residence, Duplex, Condo, and *Building. Buildings with 3 or more units are assessed an additional \$5 per unit.

*Example: 3 Units is \$70. 4 Units is \$75. 5 Units is \$80. 6 units is \$85. 7 units is \$90. And so on.

Registrations are annual and will be valid until December 31st of each year. Your annual registration renewal will be sent to you at a minimum 30 days prior to expiration. Registrations cannot be transferred to new owners.

Description of Premises:

Identifying information of multiple buildings on one site or under one address. Indicate the identification number/letter of the building as well as the number of dwelling units in the building. If buildings have separate street addresses fill out a separate application for each.

Legal Owner/s:

The legal street address of the building's owner. Post Office box numbers are not acceptable. If the property is held by a partnership, corporation, trust, or association, attach the name, position, address and phone number of each member having fiduciary interest in the property.

Authorized Manager/Agent:

Company and/or person authorized to act for the owner to receive mail, resolve code violations, and provide payment of all fees and/or fines.

Signature:

Read the conditions of the application. The responsible party is to sign and date the application.

Contact the Rental Registration Program at (309) 434-2244.

EXHIBIT E

Ordinance 2019-14

Carbon Monoxide Detectors

Adoption March 25, 2019

CITY OF BLOOMINGTON

2019 - 14

**AN ORDINANCE AMENDING CHAPTER 45 OF THE BLOOMINGTON CITY CODE TO
REQUIRE CARBON MONOXIDE DETECTORS**

**Adopted by the City Council
of the City of Bloomington
on March 25, 2019**

Published in pamphlet form by authority of the City Council of the
City of Bloomington, McLean County, Illinois, on March 27, 2019.

STATE OF ILLINOIS)

) ss.

COUNTY OF MCLEAN)

CERTIFICATE

I, Amanda Mohan, certify that I am the duly appointed and qualified deputy municipal clerk of the City of Bloomington, County of McLean, Illinois.

I further certify that on the Corporate Authorities of the above municipality passed and approved Ordinance No. 2019 - 14, entitled, An Ordinance amending Chapter 45 of the Bloomington City Code to require Carbon Monoxide Detectors, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of this Ordinance, including the Ordinance and cover sheet thereof, was prepared, and a copy of the Ordinance was posted in the municipal building, commencing on March 27, 2019 and continuing for at least ten days thereafter. Copies of the Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Bloomington, Illinois, on 03/27/2019



Amanda Mohan
Deputy City Clerk

ORDINANCE NO. 2019 - 14

AN ORDINANCE AMENDING CHAPTER 45 OF THE BLOOMINGTON CITY CODE TO REQUIRE CARBON MONOXIDE DETECTORS

WHEREAS, as a home-rule municipality, the City of Bloomington has the authority to legislate to protect the public health, safety, and welfare; and

WHEREAS, undetected carbon monoxide can pose a serious risk to public health, safety, and welfare; and

WHEREAS, the Bloomington Property Maintenance Review Board has recommended that the Bloomington Property Maintenance Code be amended to require the presence of carbon monoxide detectors in dwelling units under certain circumstances.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

SECTION 1. The above recitals are incorporated into this ordinance as though specifically set forth herein.

SECTION 2. That Chapter 45, Article II of the Bloomington City Code is hereby amended by adding Section 704.5 to read as follows:

Section 704.5 Carbon Monoxide Detectors.

Carbon monoxide detectors shall be installed and maintained in all residential occupancies within fifteen (15) feet of every room used for sleeping purposes in buildings that rely on combustion of fossil fuel for heat, cooking, ventilation or hot water, or that are directly connected to a garage.

SECTION 3. Except as provided herein, the Bloomington City Code, 1960, as amended, shall remain in full force and effect.

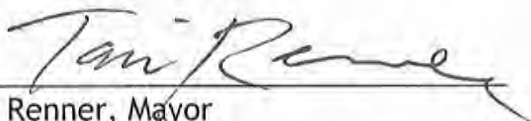
SECTION 4. The City Clerk is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 5. This Ordinance shall take effect ten (10) days after its publication as provided by law.

PASSED this 25th day of March 2019.

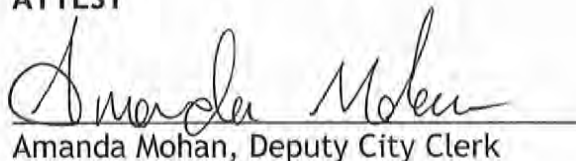
APPROVED this 26th day of March 2019.

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST



Amanda Mohan, Deputy City Clerk

EXHIBIT F

Sample Compliance Order



Compliance Order

DATE

OWNER INFORMATION:

OWNER NAME
OWNER ADDRESS
Bloomington, Il 61701

SITE INFORMATION:

SITE PIN NUMBER
SITE ADDRESS
Bloomington, IL

An inspector from the City of Bloomington Code Enforcement Division verified a complaint regarding the above property on **INSPECTION DATE**. The violation(s) of the City of Bloomington Property Maintenance Code (Chapter 45, unless noted otherwise) cited by this notification must be corrected to comply with this repair order within the time given. You must consult with the Building Safety Division for permit requirements.

A licensed contractor registered with the City of Bloomington must make any repairs related to plumbing, HVAC, electrical or roofing.

REPAIRS ORDERED BY THIS NOTICE:

***CODE CHAPTER AND SECTION* - COMPLY BY: COMPLIANCE DATE**

Code language; Descriptions and Comments.

***CODE CHAPTER AND SECTION* - COMPLY BY: COMPLIANCE DATE**

Code language; Descriptions and Comments.

***CODE CHAPTER AND SECTION* - COMPLY BY: COMPLIANCE DATE**

Code language; Descriptions and Comments.

Code Inspector Name

Code Enforcement Inspector

Phone Number

If you have not abated the violations prior to the reinspection date, you may be required to appear in Administrative Court, or a Default Judgment will be taken against you. The Default Judgment will contain the fine as marked on the citation, court costs of \$110 and all fees by the Administrative Law Judge.

APPEAL REQUIREMENTS

Appeals should be based on the grounds that: *(a) the true intent of this code or the rules legally adopted there under have been incorrectly interpreted; (b) the provisions of Chapter 45 do not fully apply; (c) or the requirements of this code are fully satisfied by other means.* You may file an appeal with the Planning and Code Enforcement Department, 115 E Washington St, Second Floor, Bloomington, Illinois, no later than fifteen (15) calendar days after the date you were served with this notice. Your appeal will be heard by the Property Maintenance Board of Review. The filing fee is \$100 and must be paid at the time the appeal is filed. If you do not appear a board may be convened in your absence to hear the case and render a decision on the disposition of this notice.

TRANSFER OF OWNERSHIP REQUIREMENTS

As per the City of Bloomington's Property Maintenance Code, Chapter 45, Section 107.6, Transfer of Ownership, "It shall be unlawful for the owner of any structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of any interest in such structure to another until the provisions of the compliance order or notice of violation have been complied with unless such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order of notice of violation and fully accepting the responsibility without condition for making of corrections or repairs required by such compliance order or notice of violation" (Ordinance Number 1991-120).

- Regular mail
- Certified/Return Receipt
- Posted on address
- Personal service