

ORDINANCE NO. 2014-24

**AN ORDINANCE ADOPTING THE INTERNATIONAL PROPERTY MAINTENCE CODE, 2006 EDITION, INTO THE CODE OF ORDINANCES OF THE VILLAGE OF PECATONICA, ILLINOIS**

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/1 et seq., vests village authorities with the power to adopt codes and ordinances regulating real property and the structures thereon; and

WHEREAS, the Board of Trustees of the Village of Pecatonica deems it in the best interests of all property owners and residents of the Village that the International Property Maintenance Code, 2006 Edition ("2006 PMC"), be adopted to ensure the uniform regulation and governance of the maintenance of conditions of the property, buildings and structures located within the Village, by providing uniform standards for all items addressed by the 2006 PMC.

NOW, BE IT ORDAINED, by the President and Board of Trustees of the Village of Pecatonica, Illinois.

Section 1. That a certain document, three (3) copies of which are on file in the office of the Village Clerk of the Village of Pecatonica, and have been on file and available for public inspection a minimum of thirty (30) continuous days prior to adoption of this Ordinance, being marked and designated as the *International Property Maintenance Code, 2006 Edition*, as published by the International Code Council, be and is hereby adopted as the *Property Maintenance Code of the Village of Pecatonica*, in the State of Illinois, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Village Clerk of the Village of Pecatonica are hereby referred to, adopted, and made part hereof, as though fully set forth in this Ordinance, with the additions, insertions, deletions and changes prescribed in this Ordinance.

Section 2. Article Six, "General Offenses", of the Village Code of the Village of Pecatonica is hereby amended to add Chapter Eight, "Property Maintenance Code"; the following Sections of which are hereby revised as follows:

(1) Section 101.1 – is amended by the insertion of the words "Village of Pecatonica ("Village")" between the brackets and in place of the term "[name of jurisdiction]".

(2) Section 102.3 – is amended to strike the last sentence of said section in its entirety.

(3) Section 103.1 – is amended by striking same in its entirety and inserting in its place the following:

103.1 General. The Building and Zoning Official of the Village of Pecatonica shall be responsible for inspection of property and enforcement of this Code as it applies to all property within the Village, and he/she shall be known concurrently as the Code Official and Code Department.

(4) Section 103.4 – is amended by striking the second paragraph of said section in its entirety and inserting in its place the following:

The Code Official is an independent contractor. The Village's obligations to defend and indemnify the Code Official in any suit filed against the Code Official is determined by contract between the parties as amended from time to time.

(5) Section 103.5 – is amended by striking same in its entirety and inserting in its place the following:

103.5 Fees. The fees and activities and services performed by the Code Official in carrying out his/her duties and responsibilities are by contract between the Village and Code Official, and pursuant to appropriate action by the Village authorities from time to time.

(6) Section 106.3 – is amended by striking the second sentence of said section in its entirety and inserting in its place the following:

If the notice of violation is not complied with, the Village authorities may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

(7) Section 106.4 – is amended to insert the following sentence between the first and second sentence of said section, which sentence shall read as follows:

The owner of property where a violation of the Code has occurred shall be subject to fines of not less than One Hundred Dollars (\$100.00) nor more than Seven Hundred Fifty Dollars (\$750.00) per violation.

(8) Section 107.2 – is amended to revise Items 2 and 5 therein to read as follows:

2. Include a street address, or Parcel Identification Number (P.I.N.), or legal description.

5. [Deleted].

(9) Section 109.6 – is hereby deleted in its entirety.

(10) Section 110.2 – is amended by striking same in its entirety and inserting in its place the following:

110.2 Notices and Orders. All notices and orders shall be served pursuant to applicable provisions of the Illinois Municipal Code, 65 ILCS 5/1 et seq.

(11) Section 111, Means of Appeal, is hereby deleted in its entirety.

Section 3. This ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as required by law.

PASSED by the President and Board of Trustees of the Village of Pecatonica< Winnebago County, Illinois, on this \_\_\_\_ day of September, 2014.

APPROVED by the President of the Village of Pecatonica, Illinois, this \_\_\_\_ day of September, 2014.

\_\_\_\_\_  
DANIEL BARBER, Village President  
Village of Pecatonica, Illinois

ATTEST:

\_\_\_\_\_  
CARA WARKENTIEN, Village Clerk  
Village of Pecatonica, Illinois

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT OR ABSTAIN: \_\_\_\_\_

Published in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2014.