



AGENDA
BLOOMINGTON PROPERTY MAINTENANCE REVIEW BOARD
REGULAR MEETING - 4:00 P.M.
THURSDAY, JANUARY 23, 2020
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. MINUTES:**
Consideration, review and approval of Minutes from the April 25, 2019 Quarterly Meeting.
- 5. REGULAR AGENDA**
 - A. Discussion on proposed adoption of the 2018 International Code Council Property Maintenance Code and amendments to the Bloomington City Code Chapter 45.
 - B. Discussion on the Neighborhood Preservation Ordinance for registering derelict buildings and premises.
- 6. OLD BUSINESS**
- 7. NEW BUSINESS**
- 8. ADJOURNMENT**

For further information contact:
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Government Center
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E-mail: csnedden@cityblm.org

DRAFT MINUTES
PROPERTY MAINTENANCE REVIEW BOARD
Thursday, April 25, 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

Members absent: Mr. Robert Garcia

Also present: Mr. Carey Snedden, Code Enforcement Division Manager

1. CALL TO ORDER

Chairman Capodice called the meeting to order at 4:02 p.m.

2. ROLL CALL

Manager Snedden called roll and a quorum was established with four 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 January 24, 2019 Quarterly Meeting.

Mark Fetzer made a motion for approval. Motion was seconded by Chairman Capodice. The motion was **approved** by a 4-0 vote as follows: Mr. Capodice— yes; Mr. Fetzer— yes; Mr. Smithson—yes; 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 4-0 vote as follows: Mr. Capodice— yes; Mr. Fetzer— yes; Mr. Smithson—yes; Mr. Cumpston—yes.

5. REGULAR AGENDA

A. Code Enforcement Pamphlet

Manager Snedden presented the preliminary draft of intended overall Community Development, Code Enforcement Division Pamphlet. Asked for board input.

Mr. Fetzer expressed would be nice to hand out to first time property owners, property management companies and realtor associations.

Mr. Garcia suggested this pamphlet could potentially be sent out in the water billing procedure for first time water users. Also made suggestions of adding typical timelines to inspection process portion and suggested adding the solid waste collection center hours to the pamphlet.

B. Rental Program Checklist

Manager Snedden presented registration form and checklist information.

Mr. Fetzer asked to add Carbon/Smoke to checklist.

Mr. Cumpston asked for clarification of location on website. Asked for accessibility of checklist information be available to tenants.

6. OLD BUSINESS

A. Ordinance 2019-14

Manager Snedden presented final language as adopted by the council of the ordinance amending the city code requiring Carbon Monoxide Detectors.

B. Sample Compliance Order

Manager Snedden presented a sample of a Compliance Order at boards request.

Mr. Capodice asked for clarification of Administrative Court procedures as it pertains to appeal. Mr. Snedden explained the upfront procedures. And the reasons a case may not be presented to the PMRB. Requested PMRB opportunity be added to the code enforcement pamphlet.

7. NEW BUSINESS

A. Chairman Capodice expressed his desire to have the word “mortgage” struck from the code. Transfer of Ownership Requirements – Chapter 45, Section 107.6

Mr. Snedden explained it would be a code change.

B. Board asked to eliminate the two tenant seats due to past inability to fill seats. Mr. Snedden read what the current board make up is currently and stated the request would take council action.

8. ADJOURNMENT

Mr. Garcia made a motion to adjourn; seconded by Mr. Fetzer. The motion passed unanimously by voice vote. Meeting was adjourned at 4:37 PM.

Prepared (5/3/2019)



TO: Property Maintenance Review Board
FROM: Bob Mahrt, Community Development Director
DATE: January 23, 2020
RE: Discussion on proposed adoption of the 2018 International Property Maintenance Code and amendments to the Bloomington City Code Chapter 45.

BACKGROUND:

The Property Maintenance Review Board (PMRB) has the authority to make advisory recommendations to the City Council concerning amendments to the Property Maintenance Code, Chapter 45 of the City Code. On February 24, 2014, the City Council adopted Ordinance No. 2014-12 which amended Chapter 45 and adopted the 2012 International Property Maintenance Code (IPMC). (A copy of the Ordinance is attached for review).

The ICC publishes new editions of the codes every three years. It should be understood, that the City did not adopt the 2015 edition of the ICC codes. There is a need to illustrate the changes between the various editions of the codes (2012-2015-2018) for public awareness.

The Community Development Department is simultaneously assisting the Building Board of Appeals (BBA) and the PMRB on updating to the 2018 International Code Council family of codes. This coordination effort is intended to provide adequate opportunities for review of the updated editions of the ICC family of codes and provide appropriate public outreach. It is the intent of the City to adopt and implement the new edition of the codes by May 1, 2020.

ITEMS FOR CONTINUED DISCUSSION:

1. Public Outreach: The Board should discuss the appropriate mechanisms for public outreach and participation. Similar to the BBA, the Board may consider the need to schedule monthly meetings through Winter/Spring 2020, outline opportunities to public awareness on the pending updates, and for Community Development Department Staff to coordinate outreach efforts with the Home Builder's Association and other organizations (i.e. Board of Realtors, labor unions, contractor associations).
2. Timeline: The Board should consider the potential timeline for review and adoption of the IPMC. The Board would have the opportunity to amend or extend the timeline, as may be necessary. (Please see the draft of the Potential Timeline).
3. Process: Staff has prepared a spreadsheet outlining the specific changes to the various editions of the codes to assist the Board and the community to better understand the progressive

changes over time. (A copy is attached for review). Staff will review the spreadsheet with the Board to determine if any exceptions from the 2018 IPMC should be considered.

STAFF RECOMMENDATION: That the Property Maintenance Review Board discuss the proposed adoption of the 2018 International Property Maintenance Code and amendments to the Bloomington City Code Chapter 45.

CITY OF BLOOMINGTON

2014-12

An Ordinance Amending Bloomington City Code Chapter 45. Property Maintenance Code

**Adopted by the City Council
Of the City of Bloomington
on March 10, 2014**

Published in pamphlet form by authority of the City Council of the
City of Bloomington, McLean County, Illinois, on March 11, 2014

ORDINANCE NO. 2014 - 12

AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 45

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Bloomington City Code Chapter 45, Article I, Section 1, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

SEC. 1: ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2012
2009

That a certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Bloomington, being marked and designated as "The International Property Maintenance Code, ~~2009~~ 2012" as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance code of the City of Bloomington, in the State of Illinois, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in ARTICLE II of this Ordinance.

SECTION 2. That Bloomington City Code Chapter 45, Article II, Sections 103.5, 107.3, 108.0, 108.2.1, 108.6, 108.7, 111, 111.1, 308.0, 308.4, 404.5, 404.5.1, 404.5.2, 506.3 shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

ARTICLE II

**AMENDMENTS, REVISIONS, ADDITIONS AND MODIFICATIONS
TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE ~~2009~~ 2012**

SEC. 103.5 FEES.

Insert the following two sections at the end of the paragraph:

(a) **Reinspection Fee.** If a contractor/owner notifies the Code Official that a project is ready for final inspection and, upon inspection the Code Official finds the project not complete, then the Contractor/Owner shall pay a fee of Twenty-five Dollars (\$25.00) per inspector for each reinspection required. The fee shall be paid prior to any subsequent ~~the~~ reinspection.

(b) **Inspection Fee for Code Compliance.** If requested, an inspection/ investigation of an existing building/facility for Code compliance may be done by the Code Official or employee charged with enforcement of this code with authorization from the owner. A fee of Ten Dollars (\$10.00) per inspector shall be charged for said inspection/investigation.

Add to SEC. 107.3 METHOD OF SERVICE.

(4) Transmitted via e-mail to the email address of the owner or owner's agent.

SEC. 108.0 UNSAFE STRUCTURES AND EQUIPMENT.

Add the following Sections to read as follows:

SEC. 108.2.2 ~~108.2.1~~ CLOSING STANDARDS.

Structures shall be closed with uniform materials, cut to fit in a workmanlike manner, securely attached and painted to match the surrounding surfaces.

SEC. 108.8 ~~108.6~~ ADMINISTRATIVE FEE AND FINES FOR OWNING CONDEMNED PROPERTY.

(a) Any person who owns a structure condemned under this Code and who fails to bring the structure into compliance with this code within one (1) year of the condemnation order ~~to condemn~~ shall be assessed a fee of five hundred dollars (\$500.00).

(b) If the same structure referred to in paragraph (a) of this Section is not in compliance with this code within eighteen (18) months of the condemnation order ~~to condemn~~, the owner shall be fined an additional seven hundred and fifty dollars (\$750.00) ~~for the second year and two thousand dollars for each additional year thereafter in which that structure is not in compliance with this Code.~~

(c) If the same structure referred to in paragraph (a) of this Section is not in compliance with this code within two (2) years of the condemnation ~~order to condemn~~, the owner shall pay a fine of two thousand dollars (\$2,000.00). ~~The owner shall be fined an additional two thousand dollars (\$2,000.00) for the second year and two thousand dollars for each additional year thereafter in which that the structure remains condemned.~~ is not in compliance with this Code.

(d) Any person who owns a structure already condemned under this Code and who has a second structure condemned shall be assessed an additional fine of (\$2,000.00) for each year the second structure remains on the condemned list. ~~The fine shall be \$2,000.00 per year even if the first structure is taken off the condemned list.~~

(e) Any person who owns two (2) structures condemned under this Code and who has a third or more structures condemned shall be assessed a fine of five thousand dollars (\$5,000.00) per structure for every year they remain on the condemned list. ~~The fine shall be five thousand dollars (\$5,000.00) per structure per year even if the first and second structures are removed from the condemned list.~~

The administrative fees and fines authorized by this Section shall be a lien on any real estate owned by such person. In addition to filing a lien upon such real estate, the City shall

have the authority to collect such fees or fines by filing an ordinance violation suit or a personal collection action against the owner in court.

SEC. ~~108.9~~ 108.7 NOTICE TO BUYERS OF CONDEMNED STRUCTURE.

(a) Code Enforcement Division to Publish List. The Department of Planning and Code Enforcement, Code Enforcement Division, shall each month compile and publish a list of all structures which have been condemned and any Code violations existing in any structure on the list shall be public information and shall be disclosed to any person making inquiry. In addition, the Division shall disclose to any person making inquiry the location of any other structure condemned since the publication of the most recent list of condemned structures. A copy of the monthly list of condemned structures shall be sent to the Bloomington-Normal Board of Realtors to be made available to any members thereof. When any structure is condemned, notification of condemnation along with a copy of the inspection sheet with regard to said property shall be forwarded to the Bloomington-Normal Board of Realtors.

(b) Contents of Notice. The notices provided for in this Section shall contain the following information:

- (1) the common street address of the property;
- (2) the legal description or real estate index number of the property;
- (3) the fact that the structure on the property has been "Condemned";
- (4) the Code deficiencies found to exist on the property (which may be in the form of an attached inspection sheet) and the fact that occupancy of the structure is prohibited until necessary repairs are made, and if known, an approximate cost estimate of the cost of making sufficient repairs to permit occupancy of the structure.

(c) Real Estate Agent Must Give Notice of Defects. It shall be unlawful for any real estate agent to permit a person to execute a formal offer to purchase any property on which a condemned structure is located without furnishing said person a copy of the notice required by this Section and obtaining written receipt of such notice. The original of said notice and receipt shall be forwarded to the Code Enforcement Division.

Delete the entire Section 111 and substitute the following:

SEC. 111 MEANS OF APPEAL.

SEC. 111.1 Any person directly affected by a decision of the Code Official or a Notice or Order issued under this Property Maintenance Code shall have the right to appeal to the Property Maintenance Board of Review as provided in Section 1000 of this Chapter.

SEC. 308.0 RUBBISH AND GARBAGE

The following section shall be added:

SEC. 308.4 APPROVED REFUSE CONTAINER.

- (1) A can made of galvanized iron or lined with galvanized iron, of not more than thirty/thirty-three (30-33) gallon capacity, which is watertight, has a tight fitting cover and two (2) handles; or
- (2) a heavy duty durable plastic container of not more than thirty/thirty-three (30-33) gallon capacity, which is watertight, has a tight fitting cover and has two (2) handles; or
- (3) plastic refuse bags meeting specifications established by the Director of Public Service and approved by the City Manager.
- (4) Wheeled garbage carts issued exclusively by the City through the Department of Public Works or its designee or vendor as provided in Chapter 21 of the Bloomington City Code.

SEC. 404.0 LIGHT, VENTILATIONS AND OCCUPANCY LIMITATIONS.

The following section shall be added:

SEC. 404.5 OVERCROWDING.

Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

SPACE	Minimum area in square feet		
	1-2 occupants	3-5 Occupants	6 or more occupants
Living Room ^{a, b}	No requirements	120	150
Dining Room ^{a, b}	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

a. See section 404.5.2 for combined living room/dining room spaces.

b. See section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

~~SEC. 404.5.1 SLEEPING AREA.~~

~~The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4~~

~~SEC. 404.5.2 COMBINE SPACES.~~

~~Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.~~

Delete Section 506.3 Grease interceptors.

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

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

SECTION 5. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 6. This Ordinance shall take effect ten (10) days after passage and approval.

PASSED this 10th day of March, 2014.

APPROVED this 11th day of March, 2014.

APPROVED:

Tari Renner by Karen Schmidt
Tari Renner
Mayor Pro Tem

ATTEST:



Tracey Covert
City Clerk

STATE OF ILLINOIS)
) ss.
COUNTY OF MCLEAN)

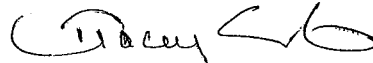
CERTIFICATE

I, Tracey Covert, certify that I am the duly appointed and qualified 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. 2014-12, entitled An Ordinance Amending Bloomington City Code Chapter 45. Property Maintenance Code which provided by its terms that it should be published in pamphlet form.

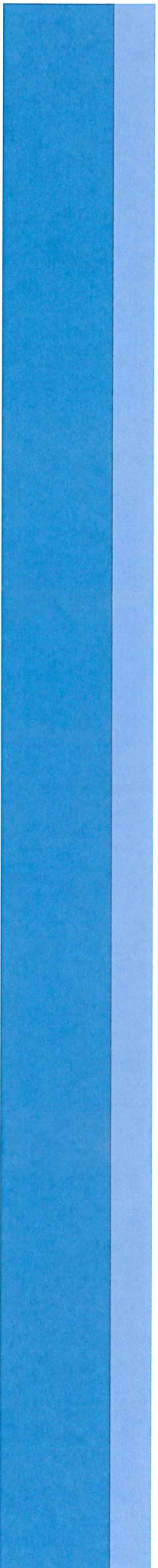
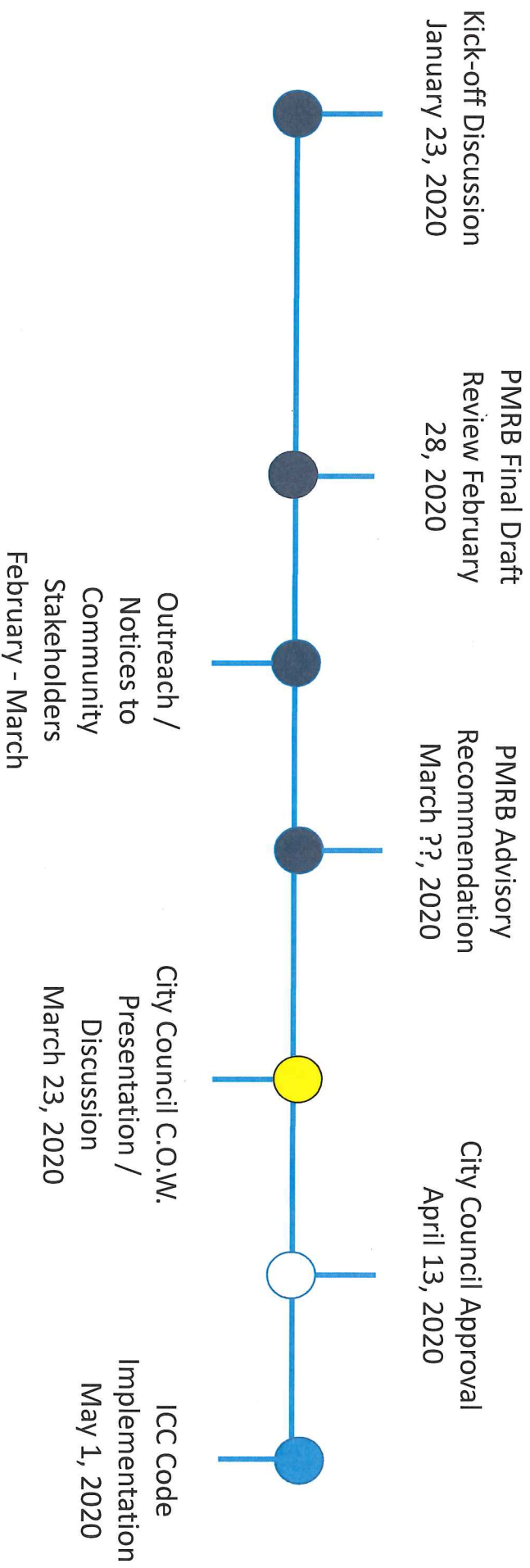
The pamphlet form of this Ordinance, including the Ordinance and cover sheet thereof, was prepared, and a copy of the Ordinance was posted in the municipal building, commencing on **March 10, 2014** and continuing for at least ten days thereafter. Copies of the Ordinance were also available for public inspection upon request in the office of the municipal clerk

Dated at Bloomington, Illinois, on March 11, 2014



Tracey Covert
City Clerk

Potential Timeline



INTERNATIONAL PROPERTY MAINTENANCE CODE AMENDMENTS (IPMC 2012 - IPMC 2015 -IPMC 2018)			ADDITION/DELETION/MODIFICATION/CLARIFICATION
ADMINISTRATION	CHAPTER 1		
SECTION NUMBER	SECTION HEADING	AMENDMENT	SUMMARY
101.2	SCOPE	MODIFICATION	ADDED AUTHORIZED AGENT FOR RESPONSIBILTY OF PREMISES
102.2	MAINTENANCE	MODIFICATION	ADDED AUTHORIZED AGENT FOR RESPONSIBILTY OF PREMISES
102.3	APPLICATION OF OTHER CODES	MODIFICATION	ADDED REFERENCE TO "INTERNATIONAL EXISTING BUILDING CODE"
103.4	LIABILITY	MODIFICATION	ADDED "CIVILLY OR CRIMINALLY"
103.4.1	LEGAL DEFENSE	MODIFICATION	AMMENDED SEC. 103.4 TO BE TWO CODE SECTIONS
104.3	RIGHT OF ENTRY	MODIFICATION	ADDED AUTHORIZED AGENT FOR RESPONSIBILTY OF PREMISES
105.1	MODIFICATIONS	MODIFICATION	ADDED AUTHORIZED AGENT FOR RESPONSIBILTY OF PREMISES
105.2	ALTERNATIVE MATERIALS, DESIGN AND METHODS	ADDITION	ADDED SENTENCE FOR WHAT TO DO WHEN CONSTRUCTION IS NOT APPROVED
105.2	ALTERNATIVE MATERIALS, DESIGN AND METHODS	CLARIFICATION	REVISED DEFINITIONS AND NEW REQUIREMENTS FOR ALT. MAT. DESIGN AND METHODS
107.2	FORM	MODIFICATION	ADDED OWNER'S AUTHORIZED AGENT
107.6	TRANSFER OF OWNERSHIP	MODIFICATION	ADDED OWNER'S AUTHORIZED AGENT
108.2	CLOSING OF VACANT STRUCTURES	MODIFICATION	ADDED OWNER'S AUTHORIZED AGENT
108.2.1	AUTHORITY TO DISCONNECT SERVICE UTILITIES	MODIFICATION	ADDED OWNER'S AUTHORIZED AGENT
108.3	NOTICE	MODIFICATION	ADDED OWNER'S AUTHORIZED AGENT
108.6	ABATEMENT METHODS	MODIFICATION	ADDED OWNER'S AUTHORIZED AGENT
109.5	COSTS OF EMERGENCY REPAIRS	MODIFICATION	ADDED OWNER'S AUTHORIZED AGENT
110.1	GENERAL	MODIFICATION	ADDED OWNER'S AUTHORIZED AGENT
110.3	FAILURE TO COMPLY	MODIFICATION	ADDED OWNER'S AUTHORIZED AGENT
112.2	ISSUANCE	MODIFICATION	ADDED OWNER'S AUTHORIZED AGENT
DEFINITIONS	CHAPTER 2		
SECTION NUMBER	SECTION HEADING	AMENDMENT	SUMMARY
202	GENERAL DEFINITIONS (APPROVED)	MODIFICATION	CHANGED DEF. FROM "APPROVED TO ACCEPTABLE"
202	GENERAL DEFINITIONS (COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS)	ADDITION	ADDED DEF OF "COST OF SUCH DEMOLITION OR EMERGENCY REPAIR"
202	GENERAL DEFINITIONS (HISTORIC BUILDING)	ADDITION	ADDED DEF OF "HISTORIC BUILDING"
202	GENERAL DEFINITIONS (INFESTATION)	MODIFICATION	ADDED "RODENTS"
202	GENERAL DEFINITIONS (LABELED)	MODIFICATION	CHANGED "INSPECTION AGENCY TO APPROVED AGENCY"
202	GENERAL DEFINITIONS (PUBLIC WAY)	CLARIF/ADD	CLARIFY "UNOBSTRUCTED" ; ADDED CLEAR WIDTH AND HIGHT OF 10 FEET
202	GENERAL DEFINITIONS (STRUCTURE)	MODIFICATION	REMOVED "OR A PORTION THEREOF"
GENERAL REQUIREMENTS	CHAPTER 3		
SECTION NUMBER	SECTION HEADING	AMENDMENT	SUMMARY
NO CHANGES IN CHAPTER 3 FROM 2012 TO 2018			
LIGHT, VENTILATION, AND OCCUPANCY LIMITATIONS	CHAPTER 4		
SECTION NUMBER	SECTION HEADING	AMENDMENT	SUMMARY

NO CHANGES IN CHAPTER 4 FROM 2012 TO 2018			
PLUMBING FACILITIES AND FIXTURE REQUIREMENTS CHAPTER 5			
SECTION NUMBER	SECTION HEADING	AMENDMENT	SUMMARY
505.5	NONPOTABLE WATER REUSE SYSTEMS	ADDITION	ADDED NEW CODE SECTION 505.5
505.5.1	ABANDONMENT OF SYSTEMS	ADDITION	ADDED NEW CODE SECTION 505.5.1
MECHANICAL AND ELECTRICAL REQUIREMENTS CHAPTER 6			
SECTION NUMBER	SECTION HEADING	AMENDMENT	SUMMARY
603.1	MECHANICAL EQUIPMENT AND APPLIANCES	MODIFICATION	CHANGED SECTION HEADING TO "MECHANICAL EQUIPMENT AND APPLIANCES"
FIRE SAFETY REQUIREMENTS			
SECTION NUMBER	SECTION HEADING	AMENDMENT	SUMMARY
703.1	FIRE-RESISTANCE-RATED ASSEMBLIES	MODIFICATION	MAINTAINING INTEGRITY OF REQUIRED FIRE RATED ASSEMBLIES
703.2	UNSAFE CONDITIONS	ADDITION	MAINTAINING FIRE RESISTANT COMPONENTS TO ORIGINAL LEVEL OF SAFETY
703.3	MAINTENANCE	ADDITION	OWNER REQUIREMENTS FOR MAINTENANCE OF FIRE RATED COMPONENTS AND ASSEMBLIES
703.3.1	FIRE BLOCKING AND DRAFT STOPPING	ADDITION	MAINTENANCE REQUIREMENTS FOR FIREBLOCKING
703.3.2	SMOKE BARRIERS AND SMOKE PARTITIONS	ADDITION	MAINTENANCE REQUIREMENTS FOR SMOKE BARRIERS
703.3.3	FIRE WALL, FIRE BARRIERS, AND FIRE PARTITIONS	ADDITION	MAINTENANCE REQUIREMENTS FOR FIRE WALLS
703.4	OPENING PROTECTIVES	MODIFICATION	2018 IPMC RE-WRITE AND RE-NUMBER OF CODE SECTION 703.2 TO 703.4
703.4.1	SIGNS	ADDITION	SIGNAGE REQUIREMENTS FOR FIRE RATED DOORS
703.4.2	HOLD-OPEN DEVICES AND CLOSERS	ADDITION	MAINTENANCE REQUIREMENTS FOR FIRE RATED DOOR DEVICES
703.4.3	DOOR OPERATION	ADDITION	MAINTAINING FIRE DOOR SWING REQUIREMENTS
703.5	CEILINGS	ADDITION	MAINTAINING ACOUSTICAL CEILINGS THAT ARE PART OF A FIRE RATED SYSTEM
703.6	TESTING	ADDITION	FIRE DOOR TESTING REQUIREMENTS
703.7	VERTICAL SHAFTS	ADDITION	FIRE PROTECTION REQUIREMENTS FOR VERTICAL SHAFTS
703.8	OPENING PROTECTIVE CLOSERS	ADDITION	MAINTAINING SELF CLOSING OPENINGS
704.1	INSPECTION, TESTING AND MAINTENANCE	ADDITION	REQUIREMENTS FOR FIRE DETECTION, ALARMS AND EXTINGUISHING SYSTEMS
704.1.1	INSTALLATION	ADDITION	FIRE PROTECTION SYSTEM INSTALLATION REQUIREMENTS
704.1.2	FIRE DEPARTMENT CONNECTION	ADDITION	2015 IPMC ADDED NEW CODE SECTION 704.1.2 ELIMINATED IN 2018 IPMC
704.1.2	REQUIRED FIRE PROTECTION SYSTEMS	ADDITION	REFERENCE TO IFC AND IBC CODES FOR FIRE PROTECTION SYSTEMS
704.1.3	FIRE PROTECTION SYSTEMS	ADDITION	FIRE PROTECTION SYSTEMS REQUIRING INSPECTION AND MAINTENANCE
704.2	SINGLE- AND MULTIPLE-STATION SMOKE ALARMS	ADDITION	2015 IPMC ADDED NEW CODE SECTION 704.2 ELIMINATED IN 2018 IPMC
704.2	STANDARDS	ADDITION	FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS
704.2.1	WHERE REQUIRED	ADDITION	2015 IPMC ADDED NEW CODE SECTION 704.2.1 ELIMINATED IN 2018 IPMC
704.2.1	RECORDS	ADDITION	FIRE SYSTEM RECORD REQUIREMENTS
704.2.1.1	GROUP R-1	DELETION	ELIMINATED IN 2018 IPMC
704.2.1.2	GROUPS R-2, R-3, R-4 AND I-1	DELETION	ELIMINATED IN 2018 IPMC
704.2.1.3	INSTALLATION NEAR COOKING APPLIANCES	DELETION	ELIMINATED IN 2018 IPMC
704.2.1.4	INSTALLATION NEAR BATHROOMS	DELETION	ELIMINATED IN 2018 IPMC

704.2.2	INTERCONNECTION	DELETION	ELIMINATED IN 2018 IPMC
704.2.2	RECORDS INFORMATION	ADDITION	FIRE SYSTEM RECORD REQUIREMENTS
704.2.3	POWER SOURCE	DELETION	ELIMINATED IN 2018 IPMC
704.2.4	SMOKE DETECTION SYSTEM	DELETION	ELIMINATED IN 2018 IPMC
704.3	SYSTEM OUT OF SERVICE	ADDITION	FIRE DEPT AND CODE OFFICIAL NOTIFICATION REQUIREMENTS
704.3.1	EMERGENCY IMPAIRMENTS	ADDITION	EMERGENCY ACTION REQUIREMENTS
704.4	REMOVAL OF OR TAMPERING WITH EQUIPMENT	ADDITION	UNLAWFUL TAMPERING CODE
704.4.1	REMOVEAL OF OR TAMPERING WITH APPURTENANCES	ADDITION	UNLAWFUL TAMPERING CODE
704.4.2	REMOVEAL OF EXISTING OCCUPANT-USE HOSE LINES	ADDITION	
704.4.3	TERMINATION OF MONITORING SERVICE	ADDITION	NOTICE OF TERMINATION REQUIREMENTS
704.5	FIRE DEPARTMENT CONNECTION	ADDITION	FD CONNECTION REQUIREMENTS
704.5.1	FIRE DEPARTMENT CONNECTION ACCESS	ADDITION	FD CONNECTION ACCESS REQUIREMENTS
704.5.2	CLEAR SPACE AROUND CONNECTIONS	ADDITION	CLEAR SPACE REQUIREMENTS
704.7	SINGLE- AND MULTIPLE-STATION SMOKE ALARMS	ADDITION	ALARM TESTING AND MAINTENANCE
705.1 & 705.2	CARBON MONOXIDE ALARMS AND DETECTION	ADDITION	CARBON MONOXIDE ALARMS AND DETECTION REQUIREMENTS
REFERENCED STANDARDS CHAPTER 8			
SECTION NUMBER	SECTION HEADING	AMENDMENT	SUMMARY
APPENDIX A - BOARDING STANDARD			
SECTION NUMBER	SECTION HEADING	AMENDMENT	SUMMARY

§ 45-301 [Ch. 45, Sec. 1100.1] Title and scope of article.

[Ord. No. 2011-14]

This article shall be known as the "Neighborhood Preservation Ordinance" and shall apply to all derelict buildings and premises thereof in the City of Bloomington now existing or hereafter becoming derelict.

§ 45-302 [Ch. 45, Sec. 1100.2] Intent.

[Ord. No. 2011-14]

It is the intent of this article to protect the public health, safety, and welfare by establishing a registration process for derelict buildings and requiring responsible parties to implement a maintenance plan for such buildings to prevent deterioration, unsightly blight and consequent adverse impact on adjacent property and neighborhoods. This article shall be liberally construed to effect its purposes.

§ 45-303 [Ch. 45, Sec. 1100.3] Effect on other laws.

[Ord. No. 2011-14]

This article shall not be construed to limit or prevent the enforcement of other laws, codes, ordinances or regulations. In the event of conflict, the provision setting the highest standard for health and safety shall prevail.

§ 45-304 [Ch. 45, Sec. 1100.4] Definitions.

BUILDING

A structure built for the support, shelter, or enclosure of people, animals, chattels, or movable property of any kind and which is permanently affixed to the ground.

DERELICT BUILDING

A building that is:

- A. Condemned; or
- B. Unoccupied and unsecured for five days or more; or
- C. Unoccupied and unsecured by means other than those normally used in the design of buildings of similar structure or design for 30 days or more; this includes buildings whose doors, windows, or other openings are boarded up; or
- D. Unoccupied and having more than two property maintenance, fire or building code violations existing for 30 days or more; or
- E. Unoccupied for more than 90 days and during which time an order has been issued to correct one or more code violations or to abate a nuisance.

[Ord. No. 2011-14]

DIRECTOR OF COMMUNITY DEVELOPMENT

As used herein, shall refer to the Director of Community Development, or to his or her designee.

[Ord. No. 2017-96]

OWNER

Any person, agent, operator, firm, corporation, limited liability company or other entity having a legal or equitable interest in the property, or holding a mortgage on the property, or recorded in the official records of

the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PREMISES

A lot, plot or parcel of land including the buildings or structures thereon.

UNOCCUPIED

No person or persons actually, currently conduct a lawfully licensed business, or lawfully reside or live in any part of the building as the legal or equitable owner(s) or tenant(s).

§ 45-305 [Ch. 45, Sec. 1100.5] Obligation to register derelict buildings.

A. Any owner of a derelict building as defined in § 45-304 of this Ordinance shall register such building as a derelict building and submit a derelict building plan. The derelict building registration and plan shall be filed with the Department of Community Development, together with a registration fee of in an amount as set forth in the Schedule of Fees. Registration of a derelict building shall be valid for a period of one year from the date of registration. If the building remains derelict at the expiration of any registration period, the owner shall renew registration of such building and pay a fee as set forth in the Schedule of Fees. Each subsequent annual registration for said building shall be assessed a registration fee as set forth in the Schedule of Fees. All fees provided for in this section are in addition to any other fees, fines or penalties provided for by the ordinances of the City of Bloomington, State or Federal law.

[Ord. No. 2018-89]

B. Notification of derelict building status. If the Director of Community Development or code official designated by the Director determines that a building is derelict within the meaning of § 45-304 of this Ordinance, the Director or enforcement official shall provide notice to the last known owner by letter sent by first class mail requesting the owner of the building to register the building and submit a derelict building plan. Such notice shall state the reasons for determination of derelict building status. If the owner's address cannot be determined upon due inquiry, notice may be posted upon the building. The owner of such building shall, within 10 days of notification, register such building as a derelict building and submit a derelict building plan to the Department of Community Development. In lieu of registration, the owner may, within 10 days of notification, remedy the reasons for determination of derelict building status specified in the notice and arrange for an inspection by the Department of Community Development for verification. Notification shall have been deemed to have been received within four days of the mailing and/or posting of the notification of derelict building status.

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C. If more than 14 days elapse from the day notice of derelict building status is mailed and/or posted and the building remains unregistered, the Director of Community Development may:

- (1) Apply through the Legal Department for an administrative search warrant allowing inspection of the premises to determine the condition of the property;
- (2) Abate any nuisance or City code violations existing on the premises and place a lien for the cost of such abatement on the property;
- (3) Apply to the Circuit Clerk through the Legal Department for a judgment, injunctive or other appropriate relief.

[Ord. No. 2017-96]

§ 45-306 [Ch. 45, Sec. 1100.6] Required registration information.

The owner registering a derelict building shall supply the following information:

A. The common description (street address), legal description and tax parcel identification number of the premises on which the derelict building is situated.

B. _____
(1) The names and physical addresses of all owners of the property; (no post office box address will be acceptable in lieu of required physical addresses); or

(2) if the property is owned by a corporation, partnership, limited liability company, land trust or other business entity, the registering owner or agent must provide the name, physical address and telephone number of an agent, authorized to accept service of process and residing in McLean County, Illinois.

C. The name, physical address and telephone number of a person maintaining a work or residential address in McLean County authorized to act in control of the property in matters of maintenance and who may be contacted in case of emergency.

D. The date on which the building became derelict.

E. A derelict building plan, as described in § 45-308 of this Ordinance.

F. The name, street address, mailing address and telephone number of the person preparing the registration statement and a certification by that person that the information on said statement is true and correct to the best of that person's information, knowledge and belief.

G. The person signing the registration form must certify that they are either the owner of the property or a person acting with direct authority from the owner in matters pertaining to the registration, control and maintenance of the property.

H. Any registration lacking the information required by this section will not be considered complete and will not be accepted for purposes of derelict building registration. An owner who fails to provide the information required by this section shall be deemed to have failed to register and be subject to fines as provided in § 45-310 of this article.

I. Any owner required to register a property must report any change of information required on the registration within 10 days after the change. Failure to report changes as required by this subsection will be punishable by a fine as provided in § 45-310 of this article.

J. Statements made on the registration form shall be accepted as prima facie true and correct in any administrative or court proceeding.
[Ord. No. 2011-14]

§ 45-307 [Ch. 45, Sec. 1100.7] Requirements of owners, agents and other responsible parties.

Owners, agents and other responsible parties are required:

A. To register derelict properties as required by this article and to report any change of information required on the registration within 10 days after the changes;

B. To obtain and maintain general liability insurance in an amount not less than \$900,000 for buildings designed primarily for residential use containing not more than four dwelling units, and not less than \$1,000,000 for any other building.

C.

To maintain properties in compliance with all applicable provisions of the Bloomington City Code, State and Federal law.

D. To repair and maintain any doors, windows, or other openings and to secure all openings by conventional methods used in the design of the building or by methods permitted for new construction of similar type.

E. To place upon the front door of the building, in a legible, weatherproof format, the name and contact information of a responsible party maintaining a work or residential address in McLean County who may be contacted in case of emergency.
[Ord. No. 2011-14]

§ 45-308 [Ch. 45, Sec. 1100.8] Derelict building plan.

When a derelict building is registered as required herein, the owner or agent shall submit a derelict building plan. The plan shall contain the following:

A. A plan of action to repair any doors, windows, or other openings which are boarded up or otherwise secured by any means other than conventional methods used in the design of the building or permitted for new construction of similar type.

B. A plan for the continued care, maintenance and upkeep of the premises and any building, or structure located upon it.

C. A timetable for repair, return to occupancy, sale or demolition of the building.

D. A specific date for the abatement of any nuisance existing in or on the premises.
[Ord. No. 2011-14]

§ 45-309 [Ch. 45, Sec. 1100.9] Approval of plan.

A. The Director of Community Development shall have discretion to approve, deny or modify the proposed derelict building plan, subject to the right to appeal as described in Subsection B of this section. Notice will be sent to the owner or owner's agent of the approval, rejection or modification of the plan.

(1) In considering the appropriateness of a derelict building plan, the following factors shall be considered:

(a) The purposes of this article and the intent of the City Council to minimize the period of time a building is boarded up or otherwise derelict.

(b) The effect of the proposed plan on adjoining property.

(c) The general economic conditions of the community.

(d) The cost to implement the proposed plan.

(e) The length of time the building has been derelict.

(f) The presence of any public nuisance on the property as defined in Chapter 21, § 21-204.

(g) The relative hardship on or gain to the neighborhood or public, as compared to the hardship or gain of the owner resulting from approval or modification of the proposed plan.

B. The Director of Community Development shall, upon notice to the derelict building owner or owner's agent, have the right to modify the plan by altering the dates of performance or the proposed methods of action. If the owner of the building objects to the modifications made by the Director, such owner shall have the right to

appeal to the City of Bloomington Property Maintenance Review Board for final determination in accordance with the standards set forth in § 45-309A. Such appeal shall be filed with the Director of Community Development within 15 days of the date of receipt of the Director's notice of modification or denial. The notice shall be deemed received four days after having been mailed to an address listed as the owner's address on the building registration form.

- C. The Property Maintenance Review Board, after considering the testimony and evidence presented, shall render its decision on the owner's appeal of the Director of Community Development's proposed modifications of the derelict building plan. The Property Maintenance Review Board shall have the authority to fashion its own derelict building plan or approve the plan submitted by the owner or the modified plan submitted by the Director. The decision of the Property Maintenance Review Board shall be final and constitute the derelict building plan.

[Ord. No. 2017-96]

§ 45-310 [Ch. 45, Sec. 1100.10] Penalties.

- A. Violation of any of the provisions of this Ordinance shall be deemed a strict liability offense and shall subject the violator to penalties as provided herein.
- B. Failure to register a derelict building within 10 days of notification as required by this Ordinance shall be punishable as an ordinance violation with a fine of \$50 to \$500 per day in addition to any other fees, fines or penalties provided by law.
- C. Any person who provides false information on a registration statement shall be subject to a fine of not less than \$250 nor more than \$1,000 for each false statement made.
- D. Failure to comply with the requirements of the derelict building plan as approved by the Director of Community Development or modified by the Property Maintenance Board of Review, shall constitute a violation of this article and shall subject the owner to a fine of from \$50 to \$500 per day in addition to any other fees, fines or penalties provided by law.
- E. Failure to comply with any of the requirements of § 45-307 of this Ordinance shall subject the owner, agent or other responsible party to a fine of \$50 to \$500 per day. Each violation shall be deemed a separate offense. Each day any violation continues shall also be deemed a separate offense.
- F. The City of Bloomington may file in the Circuit Court of McLean County to recover unpaid fees, fines and costs associated with the registration and maintenance of derelict buildings. The City may also file a lien on the property on which a derelict building is located for unpaid fees, fines and costs associated with the registration and maintenance of a derelict building.

[Ord. No. 2017-96]

§ 45-311 [Ch. 45, Sec. 1100.11] Change of ownership.

[Ord. No. 2017-96]

The derelict building plan shall remain in effect notwithstanding a change in ownership. The new owner is required to file a new registration with the Department of Community Development and supply the name, address and telephone number of the new owners within 30 days of acquiring title to the premises.

§ 45-312 [Ch. 45, Sec. 1100.12] Removal of derelict building status.

[Ord. No. 2017-96]

In order to obtain removal of a building from the derelict building registry, the owner or agent for said property shall contact the Department of Community Development in order to request the change in status and arrange for

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inspection of the property to occur prior to occupancy. If, after inspection, the Department determines the property no longer falls within the definition of derelict building as defined in § 45-304 of this Ordinance, the property shall be removed from the registry of derelict buildings.

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