

CITY OF TRENTON, ILLINOIS
ORDINANCE NO. 1615

**AN ORDINANCE ADDING SUBSECTION 4, TO CHAPTER 29, OF ARTICLE III,
OF THE CITY OF TRENTON REVISED CODE,
ESTABLISHING HEALTH AND SAFETY INSPECTIONS
FOR ALL LAND AND STRUCTURES WITHIN THE CITY OF TRENTON
AND ESTABLISHING A PERMIT FEE FOR SAID INSPECTIONS**

- WHEREAS, the City of Trenton ("City"), Clinton County, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and
- WHEREAS, the City has previously adopted property maintenance provisions for land and structures within the City; and
- WHEREAS, the current City of Trenton Revised Code of Ordinances (City Code) does not adequately provide for the inspection of land and structures for health and safety purposes; and
- WHEREAS, the City wishes to provide for health and safety inspections for all land and structures within the City of Trenton; and
- WHEREAS, it is necessary, and the City wishes to establish a health and safety inspection fee to facilitate the administration of the health and safety inspections; and
- WHEREAS, Chapter 29, Article III - Unsafe Structures and Equipment, of the City Code, requires amending to establish the health and safety inspections; and
- WHEREAS, The City has determined it is necessary and in the best interest of the City to amend and rename Article III, of Chapter 29, of the City Code.

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

- Section 1. The preceding recitations in the upper part of this Ordinance are re-alleged, restated and adopted as paragraph one ("1") of this Ordinance.
- Section 2. The title of Chapter 29, Article III, of the Trenton City Code is amended and shall hereinafter read as follows: "UNSAFE STRUCTURES AND EQUIPMENT AND HEALTH / SAFETY INSPECTIONS"
- Section 3. The Trenton City Code is amended to add Section 29-3-4, which shall read as follows:

“29-3-4 HEALTH AND SAFETY INSPECTIONS. Hereinafter no land or structure shall be occupied or used until an inspection of the premises has been conducted and a health/safety permit issued by the Chief Building and Zoning Official, or their designee, stating that the building complies with the provisions of the City Code and that the premises, and all improvements thereto comply with the requirements of the City Building Code, Electrical Code, Plumbing Code, Property Maintenance Code, and Utility Code.

(A) Any health/safety permit for a new building or reconstruction or alteration of an existing building shall be applied for coincident with the application for a building permit and said certificate shall be issued within five (5) working days following final inspection and approval of the premises involved. A health/safety permit shall be valid for a period of 12 months, or until there is a change in occupancy, whichever period of time is greater.

(B) For premises that are not owner-occupied, but instead used as rental property (i.e. apartments, duplexes, rental houses, etc.), the property manager or owner shall obtain a health/safety permit for the premises. Should an occupant be permitted by the owner or property manager to occupy any structure without first obtaining a health/safety permit, the owner or property manager shall be guilty of violating this Section and shall be subject to a fine of not less than \$100.00 and not more than \$750.00. Each day of unlawful occupancy shall be considered a new violation subject to the preceding fine limits. Failure to obtain a health/safety permit prior to the occupant moving onto the premises shall not waive the right of the City to enter onto and conduct an inspection of the premises.

(C) The property manager or owner shall be responsible for applying for the health/safety permit, and paying the \$75.00 health/safety permit fee. An additional \$50.00 fee shall be assessed for the first re-inspection due to failure. Any subsequent re-inspections will be at the rate of \$75.00. The property manager or owner shall be responsible for paying the health/safety permit fee for inspection and re-inspection appointments the property manager or owner fails to keep. The inspector will wait no longer than 15 minutes to begin a scheduled inspection. Initial inspections will be scheduled and initiated within 5 days of application. Re-inspections will be scheduled and initiated within 30 days of the prior inspection.

(D) If it is determined by the Superintendent of Public Works that an inspection of the property's water/sewer system is not necessary, the initial (or subsequent) health/safety inspection permit fee shall be \$50.00.

(E) The Chief Building and Zoning Official may require the assistance of additional City personnel to conduct the health/safety inspection. In such case, efforts will be made to complete all inspection requirements at the same inspection appointment. If this is not possible, an additional appointment time will be set with no additional fee. For property requiring an inspection of the water/sewer system, the owner or property manager shall be responsible for providing access to said system to facilitate the inspection (i.e. toilet removal if alternate cleanout is unavailable, removal of wall panel for hidden cleanout, etc.).

(F) Any property manager or owner shall have the right to appeal to the Trenton City Council, the Chief Building and Zoning Official's inspection determination in connection with the enforcement of the City's Building Code, Electric Code, Plumbing Code, Property Maintenance Code, and Utility Code. Any such appeal shall be based solely upon and shall state a claim that: (i) the true intent of the code or the rules or regulations adopted pursuant thereto have been incorrectly interpreted, (ii) the provisions of the code do not apply, or (iii) an equivalent form of construction can be used. Any appeal under this section shall be in writing, shall contain a written statement of the grounds for the appeal and must be received by the office of the City Administrator within thirty (30) days after the rendering of the Chief Building and Zoning Official's inspection decision. Appeals will be heard by the City Council no less than 5 days, nor greater than 35 days, following receipt of the appeal by the City Administrator's office.

Section 5. All provisions of the Trenton Revised Code of Ordinances not specifically amended by this ordinance remain unchanged and in effect. To the extent the provisions of this ordinance are inconsistent with, or in conflict with, previously enacted ordinances, the provisions of this ordinance shall prevail.

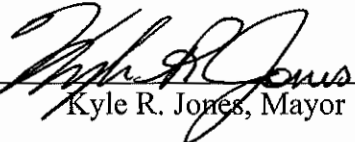
Section 6. This Ordinance shall take effect on September 1, 2015.

PASSED and APPROVED this 4th day of August, 2015.

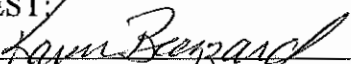
Yeas: HOOKER, MOHME, SIMS, WOODS

Nays: ZURLIENE

Absent: NONE



Kyle R. Jones, Mayor

ATTEST:


Karen Buzzard, City Clerk