

**Memorandum
Department**

To: Randall Tweet, Interim City Manager
Subject: Ordinance Amendment
Date: 2/28/2017



The Inspections Division issues Notices of Violation to property owners of the City's building code. Those Notices of Violation go to hearing before the Administrative Law Judge at MUNICES. Once the Administrative Law Judge has entered a judgment, the City has two (2) options which it generally considers. One of those options is to continue to pursue compliance by the property owner. The proposed modification would modify the Code of Ordinances to specifically designate the Chief Building Official as the party with the authority to negotiate the amount of any judgments and/or the release of same.

The purposed modification will allow the Chief Building Official to assess compliance and whether and how much an administrative judgment should be reduced or modified based upon post entry of judgment compliance by the property.

“(b)(3) The Chief Building Official shall have the authority to fully or partially vacate and/or release administrative judgments. In deciding whether to fully or partially vacate and/or release a judgment, the Chief Building Official may consider any facts he determines to be relevant in making that determination including, but not limited to, written guidelines and policies developed by the Chief Building Official.”

The amendment will allow the Chief Building Official to apply written guidelines and policies to deal efficiently and consistently with cases in which administrative judgments are rendered and the property owner brings the subject property into compliance after an administrative judgment has been entered.

RECOMMENDATION:

That council approves the amendment to Chapter 4, Article VII, Sec. 4-158 pursuant to the proposed Ordinance attached.

Submitted by: Thomas G. Ayers, Chief Building Official
Chandler M. Poole, CED Director

Approved by: Randall Tweet, Interim City Manager

A SPECIAL ORDINANCE AMENDING CHAPTER 4 OF
THE CODE OF ORDINANCES OF
THE CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

Section One. That Chapter 4, Article VII, Sec. 4-158, of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by adding the following paragraph:

“(b)(3) The Chief Building Official shall have the authority to fully or partially vacate and/or release administrative judgments. In deciding whether to fully or partially vacate and/or release a judgment, the Chief Building Official may consider any facts he determines to be relevant in making that determination including, but not limited to, written guidelines and policies developed by the Chief Building Official.”

Section Two. All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Three. This ordinance shall be in full force and effect 10 days after its passage and approval, as required by law.

MAYOR OF THE CITY OF ROCK ISLAND

PASSED: _____

APPROVED: _____

ATTEST: _____

CITY CLERK