



ORDINANCE NO. 9-22-14B

Regulation of non-owner occupied dwellings. (Rental Property Inspections)

An ordinance pertaining to the regulation of non-owner occupied dwellings in order to provide requirements to address public health, safety, and welfare. This ordinance requires existing structures and premises that are not in compliance with the ordinance to be altered or repaired to meet the ordinance. The ordinance requirements are intended to represent the minimum acceptable level of public health and safety as well as preventing blight and decay.

Be it ordained by the Mayor and the City Council of the City of Orient, Franklin County, Illinois

SECTION 1.

- a. No water, sewer, or trash service shall be transferred to a non-owner occupant of any property in the City of Orient, Illinois until after the property passes an inspection by a city elected, appointed, or hired official.
- b. Owners shall not leave water, sewer, or trash service in their name if occupants are not themselves or immediate family.
- c. Purchasers of property under a contract for deed are considered non-owners unless the contract has been recorded in the Recorder's Office of Franklin County, Illinois. Proof of ownership may be required by the water department personnel.

SECTION 2.

The inspection of the dwelling and exterior property area is to include, but not limited to the attached inspection form. (See attached inspection form)

Other factors that may be considered during time of inspection, but not limited to, providing safe electrical service that is in compliance with state and local codes, vermin or pest control, overall dwelling upkeep including both interior and exterior.

SECTION 3.

Enforcement of this ordinance will be handled by a city elected, appointed, or hired official. Violations of the ordinance will be noted in writing and made available to the owner and occupants of the property. If dwelling is found to be unfit for habitation, a notice to vacate will be given. A determination will be made by elected, appointed, or hired official as to a reasonable time period to allow for vacating such dwelling, unless it is determined to be so unsafe that an immediate vacate order is given.

SECTION 4.

These inspections apply when a resident is moving into a new unit or remaining in a current unit. Inspections must be conducted upon initial occupancy. The property can be re-inspected if the tenant complains of a safety or public health issue and the City feels the complaint is warranted. The owner of the property will receive a 30 days' notice as to when the inspection will occur and the owner will be responsible for the inspection fee.

Inspections will cost the owner of the property \$50.00 at the time of the initial inspection and \$50.00 every time a new tenant occupies the property. If the property has to be re-inspected the owner shall be responsible for the fee of \$50.00 for that inspection.

SECTION 5.

Any person who shall violate any provision of this ordinance or not comply with written orders to remedy ordinance violations shall, upon a findings of guilt, be fined not less than \$100.00 and not more than \$500.00 for each offense. Each week that such violation continues shall constitute a separate offense. The City of Orient, Illinois also retain all other injunctions and remedies available under Illinois law to prevent or remedy violations. In the event that the City of Orient, Illinois should find it necessary to retain an attorney for the enforcement of any of the provisions of this ordinance, the City shall be entitled to recover from the party in violation of the ordinance reasonable attorney's fees, expenses, and court costs.

Adopted, Ordained and Approved this _____ day of _____, 2015

Pete Witkewiz, City of Orient Mayor

ATTEST:

Carolyn Williford, City Clerk