

ORDINANCE NO. 2010-06-047

**AN ORDINANCE ADOPTING SECTION F-809.1 OF THE FIRE PREVENTION  
CODE  
(Outdoor Storage of Indoor Furniture)**

**WHEREAS**, the City of Urbana has a population of more than 25,000 and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970 and 65 ILCS 5/1-1-10; and

**WHEREAS**, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, and welfare; and

**WHEREAS**, for the purpose of establishing rules and regulations to protect the public health, safety and welfare with respect to the preventing and controlling circumstances that pose a risk of fire and that the City of Urbana desires to keep current fire safety codes; and

**WHEREAS**, copies of the International Fire Code containing the rules and regulations hereafter adopted have been filed in the Office of the City Clerk for use and examination by the public for at least thirty (30) days prior to their adoption; and

**WHEREAS**, although copies of such Code have been filed with the City Clerk as recited above, this Ordinance adopting such Codes as hereinafter set forth, is adopted pursuant to the provisions regarding home rule of the Illinois Constitution of 1970 and is to be regarded as an exercise of the home rule powers of the City of Urbana.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS**, as follows:

**Section One.**

Chapter 5 of the Urbana Code of Ordinances under Article VIII of the Model Code of Ordinances shall be amended with the addition of Section F-809.1 to read as follows:

**F-809.1 Outdoor Storage of Indoor Furniture**

No person shall place, use, keep, store, or maintain any upholstered furniture not manufactured for outdoor use, including, without limitation, upholstered chairs, upholstered couches, and any mattresses on any open porch, yard, or exterior area of structures, nor suffer or permit such to occur. For purposes of this paragraph, "open porch" shall mean any part of a house or building that is not fully enclosed and shielded from the elements on all sides by roof and walls. This paragraph shall not apply during a lawful yard sale or garage sale while such furniture is offered for sale; nor shall it apply while such furniture is otherwise lawfully held for garbage collection.

**Section Two.**

**A. Effective Date.**

That this Ordinance shall be in full force and effect, and shall be controlling, \_\_\_\_\_

**B. Conflicts.**

That all ordinances, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

**C. Severability.**

If any provision or provisions of this Ordinance shall be held, by a court of competent jurisdiction, to be invalid, illegal, unenforceable or in conflict with the law of this jurisdiction, the validity, legality and enforceability of the remaining valid provisions shall continue to be in full force and effect.

**Section Three.**

Reserved.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

AYES:

NAYS:

ABSTAINS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

AYES:

NAYS:

ABSTAINS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor