

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 1. 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, the interior of any fully enclosed porch, including, without limitation, a porch enclosed by screening material, that cannot be accessed from outside except through a door that can be locked shall not be considered an open porch. 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 or recycling at the curbside or other such area designated by the City for such pick-up.

Section 2. Conflicts. That all ordinances, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

Section 3. 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 4. Reserved.

Section 5. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage.

This Ordinance is hereby passed by the affirmative vote, the 'ayes' and 'nays' being called, or a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council this 21st day of June,  
2010 .

AYES: Bowersox, Gehrig, Lewis, Marlin, Smyth

NAYS: Roberts, Stevens

ABSTAINS:



APPROVED by the Mayor this 20th day of June,

2010 .

*[Signature]*  
City Clerk  
*[Signature]*  
Deputy Clerk  
*[Signature]*  
Laurel Lunt Prussing, Mayor