

ORDINANCE NO. 2013-10-094

AN ORDINANCE AMENDING URBANA CITY CODE
CHAPTER ONE, SECTION 1-10 (k)

(Regarding Fines for Building, Fire and Flood Safety Code Violations)

WHEREAS, the City of Urbana ("City") is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, the City Council heretofore has enacted Urbana City Code Section 1-10(k) to establish fines for violations of the Building, Flood Area, Fire and Mobile Home Safety Code; and

WHEREAS, the City Council finds that the best interests of the City are served by amending said section.

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

Section 1. Urbana City Code Chapter 1, "General Provisions," Section 1-10, "General penalty; continuing violations," subsection (k) is hereby amended with the underlined text indicating new language and the strikethrough text indicating deletions as follows:

(k) The fine for a violation of the Building Code, One- and Two-Family Dwelling Code, Electrical Code, Plumbing Code, Mechanical Code, Property Maintenance Code, Flood Hazard Areas Code, Mobile Home Parks and Mobile Homes Code, and Fire Prevention Code as adopted and amended by the City of Urbana shall be not less than one dollar (\$1.00) nor more than seven hundred fifty dollars (\$750.00). Each day that a violation continues, after due notice has been served, shall be deemed a separate offense. No total fine in any individual case shall be less than three hundred dollars (\$300.00) for a first conviction of any of these codes, five hundred dollars (\$500.00) for a second conviction, and seven hundred fifty dollars (\$750.00) for a third or subsequent conviction, irrespective of the number of days of the violation, unless the court finds that the violator is an indigent person.

Section 2. Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The

invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3. This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. 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, of 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 7th day of October, 2013.

AYES: Ammons, Brown, Jakobson, Madigan, Marlin, Roberts, Smyth

NAYS:

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 11th day of October, 2013.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, PHYLLIS D. CLARK, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

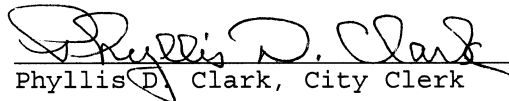
I certify that on the 7th day of October, 2013, the Corporate Authorities of the City of Urbana passed and approved Ordinance No. 2013-10-094, entitled:

**AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER ONE,
SECTION 1-10 (K) (REGARDING FINES FOR BUILDING, FIRE
AND FLOOD SAFETY CODE VIOLATIONS)**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2013-10-094 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 14th day of October, 2013, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 14th day of October, 2013.


Phyllis D. Clark, City Clerk

