

ORDINANCE NO. 8184
AN ORDINANCE TO AMEND THE OCCUPANCY CODE, TO APPLY TO EXTENDED STAYS IN
MOTELS.

WHEREAS, the City of Granite City is a home rule unit pursuant to article 7, section 6, of the Illinois State Constitution of 1970; and

WHEREAS, on or about February 6, 1986, the Granite City City Council adopted Ordinance No. 4168, amending Granite City Municipal Code Chapter 15, to require an occupancy permits for any person to occupy, or for any owner or agent to permit the occupation of a dwelling unit (Granite City Municipal Code Section 15.08.100); and

WHEREAS, in 1996, the Granite City City Council adopted Ordinance No. 4926, which implemented or amended Granite City Municipal Code Section 15.08.105, to require, before the issuance of a occupancy permit or certificate of occupancy, an inspection by the Granite City Building Inspector; and

WHEREAS, the Granite City City Council hereby finds that the motels and hotels located within the City of Granite City, and the rooming houses in Granite City, sometimes have occupants staying or residing for extended periods of time, with all appearances of long-term residency; and

WHEREAS, the Granite City City Council hereby finds that persons engaged in long-term stays in motels, hotels, and rooming houses, within the corporate limits of the City of Granite City, do so without the benefits of inspections of the City Building Inspector and his/her Offices; and

WHEREAS, the Granite City City Council finds that certain hotel, motel, and rooming house rooms in the City limits of the City of Granite City, are sometimes occupied by individuals put at risk by their long-terms stays because those rooms are not inspected under or compliant with, City fire, electrical, safety, and building codes.

Now, therefore, be it ordained by the City Council of the City of Granite City, Illinois, as follows:

1.) Under the definitions of article II, of section 15.08.030 of the Granite City Municipal Code, that subsection 4 of said section 15.08.030 be deleted and replaced with the following, without other

change to section 15.08.030:

“15.08.030 (paragraph 4) “dwelling” means any building which is wholly or partly used or intended to be used for living or sleeping by human occupants, including but not limited to those businesses designated or holding themselves out as hotels, motels, and rooming houses; provided, that temporary housing, as herein after defined in subsection 23, shall not be regarded as a dwelling, nor shall this chapter apply to any Federally maintained public housing.”

2.) Section 15.08.100 of the Granite City Municipal Code is hereby amended to read as follows:

“15.08.100 occupancy permit required-occupancy

A.) It is unlawful for any person to occupy or for any owner or agent to permit the occupation of any dwelling, dwelling unit, multiple dwelling, rooming house or rooming unit, other than a single-family owner-occupied dwelling, for any purpose until a certificate of occupancy has been issued and signed by the building inspector and city inspector, or their respective designees. A certificate of occupancy shall not be issued until inspections have been conducted by the building inspector and city inspector, or their respective designees, of the premises for which said certificate of occupancy has been requested. The certificate of occupancy so issued shall state that the occupancy complies with all the provisions of this code. This section shall not apply to any occupancy in existence at the time of the adoption of the ordinance codified in this chapter. The vacation of all persons from premises, or the immediate addition of two or more persons to any dwelling unit or rooming unit, or the change of premises from a single-family owner-occupied dwelling, shall trigger the requirement of an occupancy permit. A certificate of occupancy may be issued for a multiple dwelling or rooming house in its entirety, or may be withheld or revoked for any multiple dwelling or rooming house, for the failure of any one dwelling unit or rooming unit to meet the provisions of this code. A certificate of occupancy may be issued or revoked which designates only particular dwelling units or rooming units and excludes others. Determination for the type of certificate of occupancy issued for multiple dwellings or rooming houses shall depend on the reasonable judgments of the building inspector and city inspector, taking into consideration the actual or potential deleterious effect on the residents or potential residents of any nonconforming dwelling unit or units or rooming unit or units to the multiple dwelling or rooming house. The building inspector and city inspector or their respective designees may, in their joint opinion, forego the inspection of any premises if such premises received an occupancy permit within one year prior to a new occupancy. Multiple inspections for multiple dwellings or rooming houses within a one-year period is not encouraged unless deemed necessary due to the premises' condition. The burden of proof for such a waiver of inspection is upon the persons responsible for providing notice of a change in occupancy. The inspectors shall provide a written waiver upon request. (Ord. 4168 s3(3.4), 1986)

B.) It shall deemed to constitute the occupation of a dwelling, within the intent of this chapter, where an occupant has stayed or indicated his/her intention to stay in a hotel, motel, or rooming house, in excess of seven consecutive days, or for any fifteen or more days in any consecutive sixty-day period.

3.) Section 15.08.110 of the Granite City Municipal Code is hereby amended to read as follows:

15.08.110 Occupancy notification

A.) Except for single-family owner-occupied dwellings, prior to a change in occupancy, and in cases of first occupancy of a newly constructed or reconstructed or enlarged premises, including single-family owner-occupied dwellings, the owner or intended occupant shall notify in writing the City inspector or building inspector of the expected occupancy, except for multiple dwellings, in which case the owner and intended occupant shall notify in writing the City inspector or building inspector. Notification shall be made in accordance with the procedures established by the City inspector and building inspector. It shall be a violation of this code for any person not to provide the notice required. Notification may be provided by an agent of an owner or intended occupant. Notification in writing may be waived by the city inspector or building inspector, but the burden of proof of waiver shall be upon the person required to provide notice. (Ord. 4168 s3 (3.5), 1986).

B.) This section and its requirements shall apply to owners and occupants of motels, hotels, and rooming houses, where any person has stayed or indicated his or her intention to stay, in excess of seven consecutive days, or for any fifteen or more days in any consecutive sixty day period.


4.) This Ordinance shall take effect 30 days after passage, and may be published in pamphlet form by the Office of the City Clerk.

Passed this 2nd day of March, 2010.

APPROVED:


Mayor Edward Hagnauer

ATTEST


City Clerk Judy Whitaker

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