# CITY OF WASHINGTON

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## MEMORANDUM

TO:        Mayor Manier and City Council
FROM:      Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT:   First Reading Ordinance – Temporary Certificate of Occupancy Fee Increase
DATE:      December 14, 2017

**Summary**: This ordinance would increase the temporary certificate of occupancy fee from $1,000 to $2,000.  Staff supports the fee increase in order to help ensure that all of the non-life/safety items are adequately addressed in a timely manner by the builder.

**Background**: The City Council approved an ordinance in 2010 that allowed for temporary certificates of occupancy (CO) to be issued whenever all life safety issues have been resolved but there are other inspection items that have not been satisfactorily addressed.  A refundable fee of $1,000 is required prior to the issuance of a temporary CO.  The ordinance requires that the additional correction list items be approved within 30 days of the issuance of the temporary CO or else the fee would not be reimbursed.  The builder and homeowner are required to grant access to our building inspector in order to complete the inspection(s).

Staff has issued seven temporary CO's since 2010 with two of those forfeiting the reimbursable fee because all of the correction list items were not addressed in a timely manner.  While there have not been many requests for temporary CO's, staff has questioned whether the $1,000 fee is sufficient to ensure that the remaining items are completed.  Staff has felt that $1,000 is not enough of a deterrent for some builders to finalize the construction improvements.

The Public Works Committee previously recommended approval of this ordinance, though the discussion at that time was for the consideration of an increase to $5,000.  The Building Board of Review recommended at its November meeting to increase the fee to $2,000.  A first reading ordinance is scheduled for December 18 with a second reading scheduled for January 2, 2018.

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ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF WASHINGTON, ILLINOIS BY AMENDING VARIOUS SECTIONS OF
CHAPTER 160 ENTITLED "BUILDING CODE"**

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**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS**, as follows:

**Section 1.**    That §160.009(C) of the Washington Municipal Code of Ordinances is hereby amended by deleting said section in its entirety and inserting the following in lieu thereof:

**"§ 160.009  REFUNDABLE INSPECTION FEES**

(C)    No occupancy of a structure shall take place until a Certificate of Occupancy has been issued.  In cases where there are no life safety issues that would endanger the occupants of the structure or the public, the City may issue a Temporary Certificate of Occupancy that is valid for 30 days.  A temporary Certificate of Occupancy will only be issued if there are extenuating circumstances that have not allowed construction to be completed.  The contractor must deposit with the City a refundable fee of ~~one~~ two thousand dollars ~~($1,000.00)~~ ($2,000.00).  The Building Inspector shall be provided access into the structure in order to complete the inspection. If a final inspection is not approved within 30 days, the entire ~~one~~ two thousand dollars ~~($1,000.00)~~ ($2,000.00) will be forfeited."

**Section 2.**    That this ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

**Section 3.**    That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

**Section 4.**    As soon as practical after this ordinance becomes effective, the City Clerk be and hereby is authorized and directed to file a certified copy of Chapter 160 of the Code of Ordinances as amended by this ordinance, in the Office of the Recorder of Deeds of Tazewell County, Illinois.

**PASSED AND APPROVED** this _____ day of _____, 2018.

AYES: _____

NAYS: _____

_____
Mayor

ATTEST:

_____
City Clerk