ORDINANCE NO. 2017-01

AN ORDINANCE AMENDING CHAPTER 7, OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE IV, PUBLIC SAFETY, DIVISION 2, RATPROOFING, OF THE JUSTICE MUNICIPAL CODE

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ORDINANCE NO. 2017-21

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BE IT ORDAINED by the Village President and Board of Trustees of the Village of Justice, Cook County, Illinois, as follows:

Section 1

That Chapter 7, Offenses and Miscellaneous Provisions, Article IV, Public Safety, of the Justice Municipal Code, be amended by changing Division 2, Ratproofing, to read as follows:

DIVISION 2. INSECTS AND RODENTS

Sec. 7-226. Definitions:

The following words, terms and phrases, when used in this Division, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Hardware Cloth means a wire screen of such thickness and spacing as to afford reasonable protection against the entrance of rats.

Infestation means the state of being invaded or overrun by insects, rodents, pests, or parasites.

Rodent Harborage means a condition that provides shelter or protection for rodents, thus favoring their multiplication and continued existence in, under or outside a structure of any kind.

Rodent-Stoppage means any form of rodent-proofing designed to prevent the ingress of rodents into or under buildings or other structures from the exterior. Rodent-Stoppage shall include the sealing of all exterior holes or openings, walls, ground floors, basements, foundations, and other areas that may be accessible to rodents, with concrete, sheet iron, hardware cloth, or other types of rodent-proofing material impervious to rodent gnawing.

Sec. 7-227. Required:

(a) All buildings or structures in the village shall be maintained in a rodent-stopped and rodent-free condition.

(b) Rental housing, hotels, motels, boarding rooms, and multi-family structures shall be treated by a licensed pest control company annually. Copies of contracts with licensed pest control company(ies), receipts, and reports shall be submitted annually to the Building Department by the date the unit license is issued. All existing insects and rodent found shall be promptly exterminated by approved processes that will not be injurious to human health. If, upon inspection, there is found to be an insect or rodent infestation, the owner or manager shall be required to contract with a licensed extermination company to treat all common areas and infested units on a monthly basis for the remainder of the license year, or until such time as the
licensed extermination company certifies that the structure is insect or rodent free, as the case may be, and the same is verified by an inspection through the Building Department.

Sec. 7-228. Building Commissioner To Inspect For Rodents:

It shall be the duty of the Building Commissioner or his duly authorized representative to cause inspections of the interior and exterior of buildings or other structures to ensure compliance with this division. When any evidence is found indicating the presence of rodents, or openings through which rodents may enter such buildings or structures, the property owner, agent, or occupant of such building or structure shall be served, in person or by mail, with written notice, ordering the abatement of the condition found.

Sec. 7-229. Reserved.

Sec. 7-230. Removal Of Rodent Stoppage:

It shall be unlawful for an owner, occupant, contractor, public utility company, plumber, or any other person to remove a rodent stoppage from any building or structure for any purpose and fail to restore the same in satisfactory condition.

Sec. 7-231. Reserved.

Sec. 7-232. Waste Accumulations:

It shall be unlawful for any person to place, leave, dump, or permit to accumulate any garbage or refuse on or in any building, structure or property so as be a cause of attraction or harborage for rodents.

Sec. 7-233. Junk Accumulations:

It shall be unlawful for any person to maintain or permit the accumulation of lumber, boxes, barrels, bricks, stones, scrap metal, motor vehicles or parts, rubbish, firewood, or any articles of junk on property unless the same shall be placed on open racks that are elevated not less than twelve inches (12") above the ground, and are evenly piled or stacked.

Sec. 7-234. Notice To Eradicate Rodents; Work Done By Village Upon Failure Of Owner Or Occupant; Recovery Of Costs:

(a) Upon receipt of notice in writing from the Building Commissioner, the owner, agent, or occupant in charge of any building, structure, or premises specified in such notice shall take immediate measures for the rodent-stoppage of such building or structure and for freeing the premises of all rodents. Unless such work is completed in no more than ten (10) days, the owner, agent, or occupant in charge of the building, structure, or premises shall be deemed guilty of a violation of this article.

(b) Whenever the owner, agent, or occupant in charge of any building, structure, or premises, after being served with notice, as provided in this section, has failed within the time fixed in the notice to perform all work necessary to prevent the ingress of rodents to the building or structure or to exterminate rodents from the premises described in the notice, the Building Commissioner or person duly authorized by him may go on the premises and do such work as is necessary to
free the premises from rodents and to maintain the premises in a rodent-stopped condition. The cost and expense incurred for all work and materials shall be charged to and collected from the owners and persons interested in the premises. The Village or persons performing such work or furnishing such materials therefor shall have a lien on the premises and may enforce the same as provided by statute.

Sec. 7-235. Penalties:

Any person who violates any provision of this division shall be fined not less than one hundred and fifty dollars ($150.00) and not more than seven hundred and fifty dollars ($750.00) for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

Secs. 7-235-7-250. Reserved.

Section 2

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 3

All ordinances or policies in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 4

This ordinance shall be immediately in full force and effect after passage, approval and publication. This ordinance is authorized to be published in pamphlet form.

This ordinance was passed and deposited in the office of the Village Clerk of the Village of Justice this 10th day of July, 2017.

KUBAN: yes
OSZAKIEWSKI: yes
RUSCH: yes

SPARR: yes
SYMONDS: yes
WARNER: yes

Suzanne M. Small, Village Clerk

APPROVED by me this 10th day of July, 2017.

KRZYSZTOF WASOWICZ, Village President
I DO HEREBY CERTIFY that this ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Justice, in accordance with law, this 10th day of July, 2017.

Suzanne M. Small
SUZANNE SMALL, Village Clerk