

ORDINANCE NO. F-1187

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WHEATON: BUILDINGS AND BUILDING REGULATIONS

WHEREAS, the City of Wheaton ("City") is an Illinois Home Rule Municipality pursuant to provisions of Article VII, Section 6, of the Illinois Constitution, and as such the City may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the subject matter of this ordinance pertains to the government and affairs of the City and its residents; and

WHEREAS, the Corporate authorities of the City of Wheaton find that it is in the best interest of its residents to have and maintain standards regulating and governing the construction and maintenance of all property, buildings and structures to ensure that structures are safe, sanitary and fit for occupation and use; and

WHEREAS, the State of Illinois passed Public Act 94-386 amending the State Condominium Property Act effective July 29, 2005; and

WHEREAS, Public Act 94-386 provides that a municipality shall have the right to inspect an apartment building prior to its conversion to a condominium and may require each unit to comply with life safety, building and zoning codes of the municipality; and

WHEREAS, the City has found it to be in the best interest of its citizens to require an inspection of existing structures prior to conversion to a condominium and require each unit and building to meet all current codes of the City.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, Illinois that the Wheaton City Code 1996 is hereby amended to provide as follows:

Section 1: That Chapter 22 Buildings and Building Regulations, of the Code of Ordinances of the City of Wheaton is hereby amended by adding the following new Section 22-33, Conversion of existing structures to condominiums, to Chapter 22, Article III, Building Code:

"Sec. 22-33. Conversion of existing structures to condominiums. In the case of the conversion of an existing building into condominium units, the city shall have the right to inspect the existing building prior to the conversion to condominium units. Each proposed condominium unit and building shall comply with the current life safety, building, and zoning codes of the city."

Section 2: All ordinances and parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed to the extent of any such conflict or inconsistency.

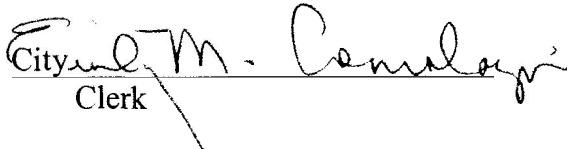
Section 3: That if any part or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remainder of this ordinance.

Section 4: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner provided by law.



Mayor

ATTEST:



Clerk

Roll Call Vote:

Ayes: Councilman Mouhelis
Councilman Suess
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine

Nays: None

Absent: None

Motion Carried Unanimously

Passed: July 17, 2006

Published: July 18, 2006