

RESOLUTION NO. 8283-R60

RESOLUTION OF GUIDANCE FOR ZONING ADMINISTRATOR (OCCUPANCY)

WHEREAS, the Zoning Administrator of the City of Urbana has asked for policy guidance from the Urbana City Council with respect to dwelling units which are discovered to be over-occupied in violation of the Urbana Zoning Ordinance, and

WHEREAS, the Urbana City Council has received and studied the West Urbana Residential Land Use Survey, dated April, 1983, prepared by the City of Urbana Department of Community Development Services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS:

That it is the sense of the City Council that with respect to those residential structures identified as dwelling units which are over-occupied in violation of the Urbana Zoning Ordinance, that the Zoning Administrator should proceed to immediately issue notice to both the owner of the premises and those tenants for whom he has identification and address, that the over-occupancy of the dwelling unit is contrary to the Urbana City Ordinances. The Zoning Administrator should continue to enforce the notices given in the manner that he presently does, provided however, until August 14, 1984, the Zoning Administrator shall expressly take into consideration the following factors in determining the date by which he shall require total compliance:

1. The legal commitments of the parties affected, if such legal commitment arose prior to May 1, 1983.

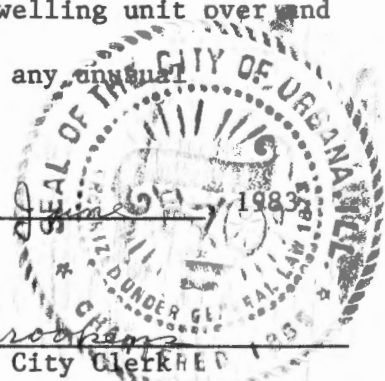
2. The reasonable expectations of the parties if they were unaware that their proposed living arrangements were contrary to Urbana City Ordinances.

3. The lack of other suitable arrangements for the tenants if they were forced to vacate.

4. The personal hardship that immediate vacation of the subject premises would entail.

5. Whether the excess persons residing in a dwelling unit over and above that allowed by the Urbana City Ordinances creates any unusual fire-safety or public health problems.

PASSED by the City Council this 27th day of July, 1983.



Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 5th day of July, 1983.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor