

## ARTICLE 1

## BUILDING INSPECTOR

## Section

- 9-101. Building inspector; power and authority.
- 9-102. Building inspector; lawful entry.
- 9-103. Building inspector; appeal from decision.
- 9-104. Building inspector; investigations; order to correct.

**9-101 Building inspector; power and authority.**

- (1) The Building Inspector shall be under the direction and supervision of the Director of Public Works. Any issues relating to the interpretation of any building or zoning regulation or public policy considerations shall be presented to the Director of Public Works for guidance.
- (2) The Building Inspector shall have the duty of enforcing all building, electrical, plumbing, housing, and land development regulations, codes, and/or ordinances within the City and its extra territorial jurisdiction and shall inspect all buildings repaired, altered, built, or moved and any land being developed as often as necessary to insure compliance with all federal, state, and local laws and regulations.
- (3) The Building Inspector shall have the power and authority to order all work stopped on any construction, alteration, relocation, or land development and/or deny occupancy of any building or structure which violates any building, housing, or land development regulation, code, or ordinance. The Building Inspector shall issue permission to resume any construction, alteration, relocation, or land development and/or reallow occupancy of any building or structure when they are satisfied that no regulation, code, or ordinance will be violated or continue to be violated. If an oral stop or vacation order has been issued, it shall be followed by a written stop or vacation order within twenty-four (24) hours. Such written order may be served by the Building Inspector or any peace officer.
- (4) The Building Inspector and their agents or assistants shall have the power and authority to issue criminal citations for a violation of the City Code or any building or zoning regulation in the same manner as if said citations were issued by a member of the Crete Police Department.

**Source:** Ord. 1483, § 1 (2000), Ord. 1749, § 1 (2010), Ord. 2099, § 2 (2019).

**9-102 Building inspector; lawful entry.**

It shall be the duty of the Building Inspector to inspect, as often as necessary, any building which is being constructed, altered, repaired, or relocated to determine if the work being done therein is in conformity with all Municipal building and housing regulations.

**9-103 Building inspector; appeal from decision.**

- (1) In the event it is claimed that any provisions of the building or zoning regulations have been wrongly applied or enforced by the Building Inspector, that the time allowed for compliance with any order of the Building Inspector is too short, or that conditions unique to a particular building make it unreasonably difficult to meet the requirements prescribed by the building and zoning regulations, the property owner, their agent, or the occupant may file a notice of appeal with the Director of Public Works within a reasonable time after the decision or order of the Building Inspector has been made.

- (2) The Director of Public Works shall hear all appeals from the enforcement of any building or zoning regulation and shall have the power and authority to modify the decision or order of the Building Inspector. Applications for review shall be in writing and shall state the reasons why a variance should be granted. A copy of any variance so granted shall be sent to the Building Inspector and the appellant. Unless appealed to the City Council within thirty (30) days, any decision by the Director of Public Works shall be final, subject only to any remedy which the aggrieved party may have at law or equity.
- (3) The City Council shall hear all appeals from a decision by the Director of Public Works relating to the enforcement of any building or zoning regulation. Applications for review shall be in writing and shall state the reasons why a variance should be granted. A copy of any variance so granted shall be sent to the Director of Public Works, the Building Inspector, and the appellant. Any decision by the City Council shall be final, subject only to any remedy which the aggrieved party may have at law or equity.

**Source:** Ord. 2099, § 3 (2019).

#### **9-104 Building inspector; investigations; order to correct.**

- (1) The Building Inspector shall investigate all reports of violations or potential violations of the building regulations found in Chapter 9 and the zoning regulations found in Chapter 11 and shall create and maintain records and reports on each investigation.
- (2) The Building Inspector shall issue and serve a written order to correct the violations on the property owner or the person responsible for the construction, alteration, repair, or other work to the property on which the violations exist. Such order shall fully describe the violations, provide information on the proper way to correct each violation, and direct the discontinuance and correction of said violations within thirty (30) days.
- (3) Any order issued pursuant to this section shall be deemed properly served if a copy thereof is delivered personally, sent by certified or registered mail addressed to the recipient's last known address with return receipt requested, or delivered in any other manner as prescribed by law for service of process.
- (4) If the person who received the order fails to correct the violations as ordered, the Building Inspector shall issue a citation or forward the records and reports on the investigation to the City Attorney for further action. The City Attorney may institute any appropriate proceeding at law or in equity to prosecute the violations; to restrain, correct, or abate such violations; or to require the removal or termination of the unlawful occupancy of the building or structure that contains the violations.
- (5) It shall be unlawful for any person to refuse to comply with a lawful order issued pursuant to this section. Any person convicted of refusing to comply shall be guilty of a Class III misdemeanor.

**Source:** Ord. 2107, § 1 (2020).