City of Pekin

REGULAR COUNCIL MEETING MONDAY, FEBRUARY 11, 2008
5:30 P.M.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE
Mayor Tebben

III. ROLL CALL
Clerk to Call the Roll

IV. APPROVAL OF AGENDA
ACTION: *Motion to approve the meeting agenda.*

VOTE REQUIRED

V. APPROVAL OF MINUTES
ACTION: *Motion to approve minutes of Regular Council Meeting of January 28, 2008.*

VOTE REQUIRED

VI. PUBLIC INPUT ON AGENDA ITEMS
Speakers to state name, address, and spell last name. Questions unrelated to agenda items are accepted during "Public Questions" near the end of the meeting.

VII. CONSENT AGENDA

1. **Receive and File Monthly Reports and Minutes:** Police Report January, Building Report January, and LADD Minutes January 29, 2008.

2. **Approve Charitable Solicitation:** Tammy Brown Benefit

3. **Receive and File ISO Building Code Enforcement Report**

ACTION: *Motion to approve all items listed on the Consent Agenda by Omnibus Vote.*

VOTE REQUIRED TO APPROVE CONSENT AGENDA

VIII. COMMUNICATIONS, PETITIONS, REPORTS

Fire Station 3 Relocation Study

PRESENTATION: *Fire Chief Chuck Lauss*

IX. NEW BUSINESS

1. **Ordinance No. 2549-07/08 – Amending Title 1, Chapter 12, Section 3, of the Code of the of the City of Pekin 1995 Regarding Administration Adjudication** **(RS)**
   DESCRIPTION: *To simplify procedures in coordination with State Administrative Review for ordinance violations other than those pertaining to vehicular parking or vehicle compliance regulations*

   ACTION: *Motion to adopt ordinance.*

   VOTE REQUIRED

X. ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Council Members
Staff
Public Questions
Press Time

XI. EXECUTIVE SESSION

XII. ADJOURNMENT

With no further action to come before the Council the Mayor declares meeting closed in open session.

NO VOTE REQUIRED

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PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, JANUARY 28, 2008 AT 5:30 O'CLOCK P.M.
R. DAVID TEBBEN * MAYOR * PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, BLANCHARD, JONES, KORTKAMP, STRAND, AND DUNN

ABSENT: NONE

****

The **Pledge of Allegiance** was led by Mayor R. David Tebben.

Roll was called and all Council Members were present. A quorum was declared.

Agenda

Mayor Tebben granted privilege of the floor to Council Member Blanchard in his request to move item #8 of the Consent Agenda to item #17 under New Business for discussion.

Motion by Council Member Blanchard, seconded by Council Member Dunn, that the **agenda be approved as presented.** City Clerk Sue McMillan noted editorial not structural changes to agenda items 4, 6, and 13 and the addition to the motion pertaining to Executive Session for Pending or Threatened Litigation. On roll call vote, all present voted Aye.

Motion by Council Member Blanchard, seconded by Council Member Strand, that the **minutes of the Regular City Council Meeting of January 14, 2008 be approved as written.** On roll call vote, all present voted Aye.

Consent Agenda

Motion by Council Member Jones, seconded by Council Member Abel, that the Consent Agenda be approved as now presented.

Mayor Tebben read and presented the following for consideration of the Consent Agenda items by Omnibus Vote.

1. **Monthly Reports and Minutes: Fire Report December 2007, Airport Commission Minutes January 9, 2008 and Special Meeting January 18, 2008**

2. **Receive and File Resignation of Scott Nichols Pekin Planning Commission**

3. **Adopt Resolution No. 30-07/08 – Mayor's Appointment of Angel Gibson to the Pekin Planning Commission to fill the unexpired term of Scott Nichols until May 15, 2008**

4. **Receive and File Correspondence from Comcast announce divide of Insight partnership**

5. **Receive and File request from IDOT for utility locations on Reconstruction Project of IL 9 from the Illinois River to IL 29 (N)**

6. **Approve Addendum #2 Jurisdiction Improvement Broadway Road (FAU 6761) Schramm Drive to Veterans Drive**

7. **Receive and File Planning Commission Minutes Dated January 9, 2008**

On roll call vote, all present voted Aye.

Mayor Tebben introduced the new appointee to serve the Planning Commission, Angel Gibson who was in attendance.

Communications, Petitions, Reports

CITY OF PEKIN ECONOMIC DEVELOPMENT ADVISORY COMMITTEE
Economic Development Coordinator Steve Brown read the Mission Statement of the EDAC. He informed Council of the committee's current members and introduced the Chairman Andy Sparks. Mr. Sparks summarized the activities of the committee since formed. He advised sub-committees were focused in marketing the Riverway Business Park, recruiting a technical school, and facilitating expansion and retention of existing businesses. A request was made from Cuncil member Blanchard to provide minutes of the committee's meetings to keep current on the progress of their activities.

Unfinished Business

ORDINANCE NO. 2532-OA-07/08
AMENDING TITLE 9, CHAPTER 10, AND THE SCHEDULE OF REGULATIONS OF THE CODE OF THE CITY OF PEKIN 1995-REGARDING ZONING

Motion by Council Member Kortkamp, seconded by Council Member Blanchard, that Ordinance No. 2532-OA-07/08 Amending Title 9, Chapter 10, and the Schedule of Regulations of the Code of the City of Pekin 1995 be removed from the table. On roll call vote, all present voted Aye.

The Chair then opened for discussion the original motion of September 24, 2007 to adopt an ordinance amending the zoning code in respect to requirements for extending drives for vehicle parking. It was explained to Council that the intent of the added provision was to allow for hard surfacing in some instances in order to get vehicles off the streets. Council Member Strand supported the recommendation of the Planning Commission. Council Member Kortkamp questioned how staff arrived at the percentage of allowable parking and was told that other municipalities were compared. Council Member Kortkamp spoke in support of the recommendation. Council Member Jones expressed concern that recreational vehicles, boats, and trailers would be parking in front yards. Council Member Blanchard spoke in opposition to front yard parking of vehicles. He also felt the requirements should allow for white rock as a surfacing material. Code Enforcement Officer Ron Sieh and Police Chief Tim Gillespie addressed enforcement issues that presently exist of illegally parked vehicles. Mayor Tebben was not in favor of front yard parking. He expressed concern how the amendment was structured and felt it needed tweaking to apply to certain situations. He emphasized the need for enforcement of present and new codes. On roll call vote for a motion made September 24, 2007 by Council Member Strand and seconded by Council Member Blanchard to adopt Ordinance No. 2532-OA-07/08; Ayes, Strand, Kortkamp, Dunn, Tebben; Nays, Jones, Blanchard, Abel. Motion Carried.

New Business

ORDINANCE NO. 2548-07/08
AMENDING TITLE 6, CHAPTER 8, SECTION 8, ARTICLES B. C. D. E., G.
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING FIRE PREVENTION FEES

Motion by Council Member Abel, seconded by Council Member Dunn, that Ordinance No. 2548-07/08 be adopted. Fire Chief Chuck Lauss briefed Council on the additional changes to fees in regards to the adoption of Ordinance No. 2540-07/08 and approval of the 2006 International Fire Code. General language clean up included provisions for ethanol permits issued through inspections department and consistency that fees were to be paid to the finance department. Mayor Tebben related his concern that the City had made a separation of the duties for accountability purposes by creating a Treasurer Department. Discussion followed regarding checks and balance provision for the finance department, which should only expends funds and the treasurer's responsibility for the collection of moneys.

Council Member Jones offered an amendment, seconded by Council Member Kortkamp, that Ordinance No. 2548-07/08 be amended by substituting the word Treasurer for Finance Department in section 6-8G-4. On roll call vote, all present voted Aye.

Motion restated to adopt Ordinance No. 2548-07/08 as amended. On roll call vote, all present voted Aye.

RESOLUTION NO. 31-07/08
ILLINOIS DEPARTMENT OF TRANSPORTATION RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE
FAU 6761 SECTION 7-00173-00-LA

Motion by Council Member Kortkamp, seconded by Council Member Strand, that Resolution No. 31-07/08 appropriating motor fuel tax funds in the amount of $50,000.00 be adopted. Public Works Director Joe Wuellner explained MFT funds would be utilized for the acquisition of the following 13 right-of-way parcels needed to widen Broadway Road from Schramm Drive to Veterans Drive to three lanes. Costs for the joint project with Tazewell County totaled $109,820.00 with City's portion being one-third. He advised there maybe some adjustments to costs as negotiations proceed. Questions from Council were addressed. Widening would accommodate increased traffic and provide turn lane safety into businesses, park, and Country Club subdivision. The project did not warrant five lanes nor was it feasible due to topography of the land. Price per square foot was determined by appraised value and approved by IDOT. Mr. Wuellner projected an April 25, 2008 bid letting and summer construction. On roll call vote, all present voted Aye.

Motion by Council Member Dunn, seconded by Council Member Abel that agenda items 3-15, widening agreements for acquisition of parcels for widening of Broadway Road in respect to Joseph L. Bussone and Carole F. Bussone; Joshua L. Hafliger and Janelle C. Hafliger; Gerald C. Kempf and Kelly A. Kempf; Gregory J. Landendorf; Estates at Lakeview, LTD; Scott W. Lange and Mary Frances Lange; Dixie Larry; Loyal Order of the Moose, Pekin Lodge No. 916; Joyce M. Ristch; Timothy L. Nation and Lauri M. Nation; Roger A. Stien and Elaine R. Stien; T.A.G. Pekin I, Inc.; John F. Vogel and Diane V. Vogel, individually and collectively be approved. On roll call vote, all present voted Aye.

Motion by Council Member Abel, seconded by Council Member Blanchard, that the **FINANCIAL SYSTEM UPGRADE** be approved and the City enter into an agreement with ARX in the amount of $25,928.00 for hardware and $45,000.00 for training, conversion, and maintenance, plus 5-year maintenance at an estimate not to exceed $32,500.00 annually. Angie Evans recommended an upgrade of the financial system to webenabled ERP eSolutions. The upgrade would retain history and be user friendly for Finance users. On roll call vote, all present voted Aye.

HEARING #08-1756 – PEKIN PLANNING COMMISSION RECOMMENDS TO THE PEKIN CITY COUNCIL APPROVAL OF PRELIMINARY PLAT BRIAR RIDGE SUBDIVISION CURRENTLY ZONED LOT 1/B-1; LOT2/RM-3; LOTS 5-13, 16-26/R-1; LOTS 3,4,14,15,27-38/RV-1

Motion by Council Member Blanchard, seconded by Council Member Strand, that the Hearing Recommendation be "Received and Filed." Council Member Blanchard requested that the City maintain the same consistency for approval of plats and all developers be given the same opportunities. On roll call vote, all present voted Aye.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

Christal Dagit 1413 Charlotte presented photos of previous Mayors 1850 through the early 1900s compiled by the holders of the collection, Tazewell County Museum.

Council Member Dunn recognized the outstanding success of the Martin Luther King Jr. Breakfast sponsored by the YWCA.

Council Member Blanchard reiterated that the public could contact Council Members by phone or by e-mail with concerns.

Public Works Director Joe Wuellner informed Council and the public that there might be traffic congestion at Capitol and St. Mary's streets as they demolish the old Herget Building. There were also traffic delays at Sheridan and 8th streets due to a water main break.

Terry Hendricks 1302 Coolidge addressed Council regarding the fairness of the winter averaging adjustment policy of wastewater billing.

Bill Gilroy 1312 South 11th Street spoke regarding the adoption of the amendments to the zoning ordinance

addressed his concern that parking enforcement would take a larger number of inspectors. He pointed out several locations where vehicles were parked on the front lawns for several days.

Reporters from the media, the *Pekin Daily Time*, and *Peoria Journal Star* were given the opportunity to ask questions.

Motion by Council Member Strand, seconded by Council Member Kortkamp, that Council move to Executive Session at 7:04 P.M. to discuss the setting of price for the sale and/or lease of municipally owned property 5 ILCS 120/2 (c.) 6. and litigation, when an action against, affecting or on behalf of the particular public body finds that an action is probable or imminent 5 ILCS 120/2 (c) 11. On roll call vote, all present voted Aye.

No further business to come before the Council, in open session, **motion was made by Council Member Strand, seconded by Council Member Kortkamp to adjourn.** Motion carried by Voice Vote.

COUNCIL ADJOURNED AT 7:27 P.M.

Sue E. McMillan
City Clerk

City of Pekin

Police Department

PEKIN POLICE DEPARTMENT
END OF MONTH REPORT FOR JANUEARY 2008

	JANUARY 2007	DECEMBER 2007	JANUARY 2008
TRAFFIC TICKETS	479	294	327
WARNING TICKETS	407	313	299
OFFENSES	434	448	464
ARRESTS	221	223	248
PARKING TICKETS	742	262	443
STOPS	832	747	945

Breakdown of Parking Tickets

Abandoned Vehicle	3	0	0
Fire Lane	4	1	0
No Parking Light	363	0	0
Handicapped	8	6	6
Improper Parking	19	8	8
Restricted Parking	308	230	397
No Parking Zone	22	11	10
Fire Hydrant	2	1	2
Meter Violation	14	5	3
Snow Ban	0	0	17
TOTAL	328	262	443

Susie Stumpf • Records Department • 111 S. Capitol • Pekin, IL 61554

BUILDING REPORT 2008

MONTH	DWELLINGS 1		GARAGES 2		MULTI-FAMILY 3		COMMERCIAL 4		COMMERCIAL REMODELING 5		RESIDENTIAL REMODELING 6		MISC. 7		RESIDENTIAL DEMOLITIONS 8		COMMERCIAL DEMOLITIONS 9		BUILDING DOLLARS	BLDG PERMITS
JANUARY	3.00	$576,438							5.00	$439,000	11.00	$181,339 #	2.00	$11,000			1.00	0.00	$1,207,777	22.00
FEBRUARY																			$0	0.00
MARCH																			$0	0.00
APRIL																			$0	0.00
MAY																			$0	0.00
JUNE																			$0	0.00
TOTAL 6 MO.	**3.00**	**576,438.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**5.00**	**439,000.00**	**11.00**	**181,339.00**	**2.00**	**11,000.00**	**0.00**	**0.00**	**1.00**	**0.00**	**$1,207,777**	**22.00**
JULY																			$0	0.00
AUGUST																			$0	0.00
SEPTEMBER																			$0	0.00
OCTOBER																			$0	0.00
NOVEMBER																			$0	0.00
DECEMBER																			$0	0.00
TOTAL 6 MO.																			$0	**0.00**
YEAR	3	$576,438	0.00	$0	0.00	$0	0.00	$0	5.00	$439,000	11.00	$181,339	2.00	$11,000	0.00	0.00	1.00	0.00 0.00	$1,207,777	22.00

LADD Meeting
January 29,2008 Minutes

Members Present: Spike Guidotti, Ken Wehr, & Joe Wuellner.

Spike called the meeting to order at 3:00 pm. Meeting was called to put together information for Spike to present at the LAHA meeting this week.

Ken presented the current bank account balances. He went over the upcoming bond payments and possible scenarios on how to best handle it.

Spike passed out the estimates from Superior Seawall and Mid-America Dredging for the shoreline rip rap project. He will get with the attorney to see about the possibility of using some of the money from the resale of the property to cover this work. There is still some outstanding money in the grant for it but the work has to be completed and paid before it can be obtained.

A letter from the IEPA was received stating that the NPDES permit has been closed.

Copies of the official County appointments to the Board for Ken and Joe were received.

No other business came before the board and the meeting was closed at 4:14pm.

Next meeting: None scheduled at this time.

TAMMY BROWN BENEFIT

Tammy Brown (mother of Candice and Jessica) was in a car accident early Sunday Dec. 30 while on her way to work. She was taken to St. Francis Medical Center in Peoria, IL. Her injuries were so severe she was listed in critical condition. She lacerated her liver, punctured both lungs and broke her back and neck. She was thrown from her vehicle and on life support where a respirator helped her breathe. Her wounds are extensive. The doctors say that if she survives she will be paralyzed from the waist down. She is in a coma and has been moved to the neurological floor where she could be better treated for her spinal injuries. Tammy is the sole provider for her two children and while their mother is hospitalized these girls have no access to their money. Everyone is pulling together to help them with bills until Tammy can return home. We will be holding a benefit to help these girls through this tragic time. Thank you for your support.

For Tickets Contact:

Tracy: (309)267-0064 or Joyce: (309)613-0058

Date: May 3, 2008

Place: Goodfellas Pizza & Pub

Auctions begin at 1:00

Dinner 3:00 - 6:00

DJ: Rockin Ronnie

Band: Loose Shoes

request to place Collection Canisters in businesses in Pekin!

And PLEASE, say a prayer for this family.

111 NORTH CANAL STREET SUITE 950 CHICAGO, IL 60606-7270
TEL: (312) 930-0070 (800) 444-4554 FAX: (312) 930-0017

January 28, 2008

Mr. Dennis Kief
City Manager
City of Pekin
111 S. Capitol Street
Pekin, IL. 61554

RE: Building Code Effectiveness Grading Schedule
Pekin Building Department, Tazewell County, Illinois

Dear Mr. Kief:

We wish to thank you and Ronald Sieh for the cooperation given to our representative, Don Coots, during our recent survey. We have completed our analysis of the building codes adopted by your community and the efforts put forth to properly enforce those codes. The resulting Building Code Effectiveness Grading Classification is 4 for 1 and 2 family residential property and 4 for commercial and industrial property.

The Insurance Services Office, Inc. (ISO) is an insurer-supported organization with the primary mission of providing advisory insurance underwriting and rating information to insurers. There is no requirement that insurers use our advisory material. Insurers may have adopted, or may be in the process of adopting, an ISO insurance rating program that will provide rating credits to individual property insurance policies in recognition of community efforts to mitigate property damage due to natural disasters. These insurers may use the Building Code Effectiveness Grading Classification we have recently developed for your community as a basis for the credits used. While individual insurers may use different credits or different effective dates, the ISO program will apply credits to new construction within Pekin that has been issued a Certificate of Occupancy in the year 2007 and forward.

We have attached a copy of our report which provides additional information about our classification process and how we have graded various aspects of your community's building codes and their enforcement.

We want to highlight the fact that the Building Code Effectiveness Grading Schedule is an insurance underwriting and information tool; it is not intended to analyze all aspects of a comprehensive building code enforcement program nor is it for purposes of determining compliance with any state or local law or for making property/casualty loss prevention and life safety recommendations.

If you have any questions about the Classification that was developed, please let us know. Additionally, if you are planning on any future changes in your building codes or their enforcement, please advise us as these changes may affect our analysis and your community's grading classification.

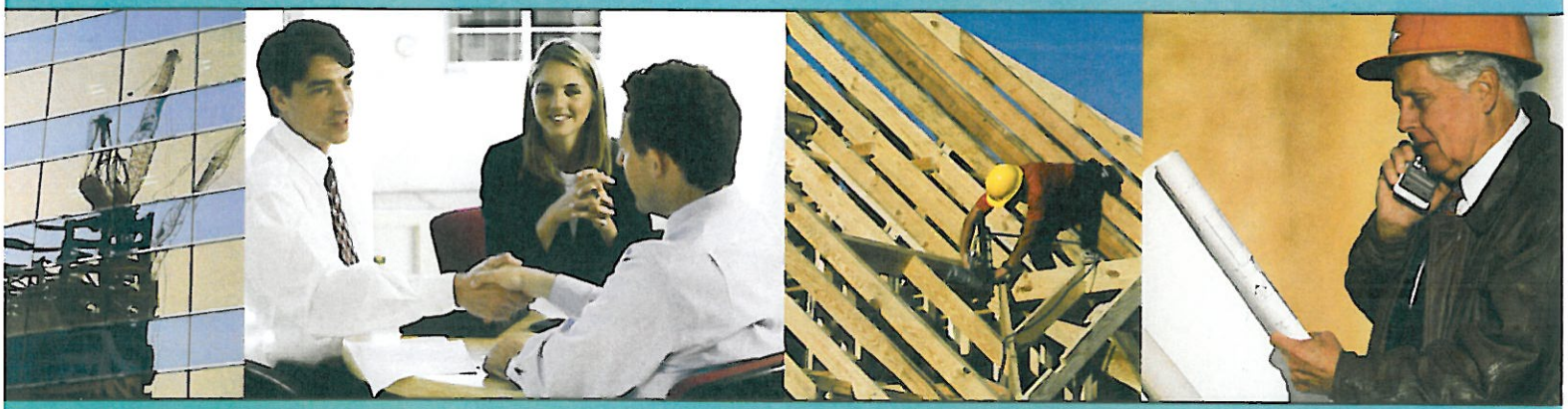
Sincerely,

Building Code Department
(800) 930-1677 ext. 6208

Enclosure

cc: Mr. Ronald Sieh
Code Enforcement Officer
City of Pekin
111 S. Capitol Street
Pekin, IL. 61554 w/enclosure

Building Code Enforcement Evaluation Report



Building Code Effectiveness Grading Schedule (BCEGS™)

Building Code Enforcement Evaluation Report

Selections from the review of the

Pekin

Building Code Enforcement Agency

11/8/2007 Evaluation

Building Code Effectiveness Grading Schedule (BCEGS™)

Table of Contents

Executive Summary

Section 1 Executive Summary

Not all communities have rigorous building codes, nor do all communities enforce their codes with equal commitment. Yet the effectiveness of local building codes can have a profound effect on how the structures in your community will fare in a hurricane, earthquake, or other natural disaster.

Studies conducted following recent natural disasters concluded that total losses might have been as much as 50% less if all structures in the area had met current building codes. Building-code enforcement can have a major influence on the economic well-being of a municipality and the safety of its citizens. Insurance Services Office (ISO) helps distinguish amongst communities with effective building-code adoption and enforcement through a comprehensive program called the Building Code Effectiveness Grading Schedule (BCEGS™).

ISO is an independent statistical, rating, and advisory organization that serves the property/casualty insurance industry. ISO collects information on a community's building-code adoption and enforcement services, analyzes the data, and then assigns a Building Code Effectiveness Classification from 1 to 10. Class 1 represents exemplary commitment to building-code enforcement. The concept behind BCEGS™ is simple. Municipalities with well-enforced, up-to-date codes demonstrate better loss experience, and their citizens' insurance rates can reflect that. The prospect of minimizing catastrophe-related damage and ultimately lowering insurance costs gives communities an incentive to enforce their building codes rigorously.

The following management report was created specifically for Pekin based on a BCEGS™ survey conducted on 11/8/2007. This report can help you evaluate your community's building-code enforcement services utilizing benchmarking data collected throughout the country. The report is designed to give your management team an expanded prospective for dealing with the important issues surrounding effective building code enforcement. This is accomplished through comparisons of your code enforcement to that of others in your area and state. The analysis goes further to allow you to compare your jurisdiction to others across the country with similar permit, plan review and inspection activity. ISO thanks you for your participation and we encourage you to take advantage of the information contained in this report to assist in making decisions regarding the level of code enforcement best suited for Pekin.

The survey conducted has resulted in a BCEGS™ class of 4 for 1 and 2 family dwellings and a class 4 for all other construction. More information regarding how this recent survey compares to previous surveys is located in section 6 of this report.

Background Information

Section 2 Background Information

Introduction

ISO collects information from communities in the United States on their adoption and enforcement of building codes. ISO analyzes the data using its Building Code Effectiveness Grading Schedule (BCEGS™) and then assigns a BCEGS™ Classification number to the community. The classification number—which ranges from 1 to 10—measures a jurisdiction's commitment to the adoption and enforcement of building codes affecting the construction of new buildings. Class 1 indicates the most favorable classification of commitment to the adoption and enforcement of building codes.

ISO's commitment to polling each building code enforcement agency on a regular basis is important to the program – periodic surveying helps determine if a community has made any significant changes since its last field evaluation. This ongoing effort is designed to re-evaluate each community at approximate 5-year intervals or sooner if changes indicate a potential revision to the classification number.

The purpose of this report is fourfold:

1. To summarize a community's scoring under the criterion contained in the BCEGS™ ™ program.
2. To identify opportunities for communities desiring to improve their BCEGS™ classification number.
3. To assist a community in understanding how other jurisdictions with similar needs address building code adoption and enforcement.
4. To provide hazard mapping information important in planning and developing a sustainable community.

Data Collection and Analysis

ISO has evaluated over 7,000 building code enforcement agencies across the United States. In each of these communities, three elements of building code adoption and enforcement are reviewed. These three elements are the administration of codes, plan review and field inspection.

Administration of Codes:

ISO evaluates the administrative support for code enforcement within the jurisdiction -- the adopted building codes and the modifications of those codes through ordinance, code enforcer qualifications, experience and education, zoning provisions, contractor/builder licensing requirements, public awareness programs, the building department's participation in code development activities, and the administrative policies and procedures. This section represents 54% of the analysis in the BCEGS™ program.

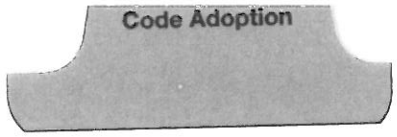
Plan review division:

Consideration is given to determine staffing levels, personnel experience, performance evaluation schedules, and the level of review of construction documents for compliance with the adopted building code of the jurisdiction being graded. This section represents 23% of the analysis.

Field inspection:

Consideration is given to determine staffing levels, personnel experience, performance evaluation schedules, and the level of the agency's review of building construction. This section also represents 23% of the analysis.

The information necessary to determine the BCEGS™ classification number was collected from the community building officials through a combination of on-site interviews and completed questionnaires.


Code Adoption

Section 3 Code Adoption

Recognizing that building codes are continually being reviewed and updated to reflect emerging technology and best practices, the BCEGS™ program encourages communities to make every effort to adopt the latest edition of one of the building codes without amendments. The program is sensitive to the reality that building code adoption is not always a local issue, nor do the wheels of progress turn rapidly all the time. To receive maximum BCEGS™ credit for this very important section a community must adopt and implement the revised code within two years of the publication of the building code.

As detailed in Figure 3-1 below, eight points are the maximum available for the adoption of a building code. The final calculation to determine a jurisdiction's BCEGS™ classification employs the ratio of the points possible and the points earned in the building code adoption section as a factor for all other points earned in the system. Therefore, a jurisdiction enforcing the latest building code will have a ratio of 1 and no adjustment will be made to the points earned. A department enforcing a building code that was published six years prior to the survey date would have a ratio of 6.88/8 or .86 so the jurisdiction would receive credit for 86% of the points earned throughout the evaluation process.

Fig 3-1 Criteria for Building Code Adoption Points

If the published date of the listed codes is within 5 years of the date of the grading: Building Code(s) addressing commercial and /or residential construction	8.00 points
If the published date of the listed codes is within 6 years of the date of the grading: Building Code(s) addressing commercial and /or residential construction	6.88 points
If the published date of the listed codes is within 10 years of the date of the grading: Building Code(s) addressing commercial and /or residential construction	2.21 points
If an earlier edition of the listed codes is adopted: Building Code(s) addressing commercial and /or residential construction	0.85 point

For departments surveyed in 2007 the BCEGS™ program uses the following as the latest edition of Building codes available.

Fig. 3-2 Latest Edition Available

	Publisher	Publication Date
Commercial Building Code	ICC / NFPA	2006 / 2006
Residential Building Code	ICC	2006

Fig. 3-3 Building Codes Adopted by Pekin

	Publisher	Publication Date	Adoption Date
a. Adopted Commercial Building Code	ICC	2006	2006
b. Adopted Residential Building Code	ICC	2006	2006

The following is the first of many "Benchmarking Information" sections located in this report. The purpose of the benchmarking information is to provide data ISO has collected in the course of its evaluations of code enforcement departments throughout the country. The data should not be considered a standard but rather information which allows you to compare operations in your jurisdiction to those conducted by other jurisdictions with similar conditions. Benchmarking information will be distinguished from other information in this report by the letter B preceding the table or figure number and a green Benchmarking Information bar above the table or figure.

Benchmarking Information

Table B 3-4 BCEGS™ points awarded comparison

Adopted Building Code					
	BCEGS™ Points awarded	BCEGS™ Points possible	County Average	State Average	National Average
Commercial Building	8	8.00	8.00	4.35	5.01
Residential Building	8	8.00	8.00	4.33	5.02

Item 108. Additional Code Adoptions:

This section reviews the adoption and enforcement of electrical, mechanical, plumbing, energy, and wildland urban interface codes. Adopted codes are evaluated by year of publication including amendments and enforcement efforts. Table 3-5 details the criteria for earning points under this section.

Table 3-5 Criteria for sub-code adoption points

If the published date of the listed codes is within 5 years of the date of the grading: 0.67 point for each of the five subcodes
If the published date of the listed codes is within 6 years of the date of the grading: 0.33 point for each of the five subcodes
If the published date of the listed codes is within 10 years of the date of the grading: 0.18 point for each of the five subcodes
If an earlier edition of the listed codes is adopted: 0.004 point for each of the five subcodes

For departments surveyed in 2007the BCEGS™ program uses the following as the latest edition of sub-codes available

Table 3-6 Latest edition of Sub-Codes Available

Type of Code	Publisher	Publication Date
Commercial Electrical Code	NFPA	2005
Residential Electrical Code	NFPA	2005
Commercial Plumbing Code	ICC / IAMPO	2006 / 2000
Residential Plumbing Code	ICC / IAMPO	2006 / 2000
Commercial Mechanical Code	ICC	2006
Residential Mechanical Code	ICC	2006
Commercial Fuel Gas Code	ICC / IAMPO	2006 / 2000
Residential Fuel Gas Code	ICC	2006
Commercial Energy Code	ICC / ASHRAE	2006 / 2001
Residential Energy Code	ICC / ASHRAE	2006 / 2001
Commercial Wildland Urban Code	ICC / NFPA	2006 / 2002
Residential Wildland Urban Code	ICC / NFPA	2006 / 2002

ASHRAE – American Society of Heating, Refrigeration and Air Conditioning Engineers
ICC - International Code Council
IAMPO – International Association of Mechanical and Plumbing Officials
NFPA – National Fire Protection Association

Table 3-7 Sub Codes Adopted by Pekin

Type of Code	Publisher	Publication Date	Adoption Date
Commercial Electrical Code	NFPA	2005	2006
Residential Electrical Code	NFPA	2005	2006
Commercial Plumbing Code	OTHER	2004	2006
Residential Plumbing Code	OTHER	2004	2006
Commercial Mechanical Code	ICC	2006	2006
Residential Mechanical Code	ICC	2006	2006
Commercial Fuel Gas Code	ICC	2006	2006
Residential Fuel Gas Code	ICC	2006	2006
Commercial Energy Code	ICC	2000	2006
Residential Energy Code	ICC	2000	2006
Commercial Wildland Urban Code			
Residential Wildland Urban Code			

Benchmarking Information

Table B 3-8 additional code adoption

Type of Sub-Code		BCEGS™ Points awarded	BCEGS™ Points possible	County Average	State Average	National Average
Commercial	Electrical	0.67	0.67	0.67	0.33	0.40
Residential	Electrical	0.67	0.67	0.67	0.33	0.41
Commercial	Plumbing	0.67	0.67	0.27	0.30	0.38
Residential	Plumbing	0.67	0.67	0.27	0.31	0.39
Commercial	Fuel Gas	0.67	0.67	0.13	0.26	0.35
Residential	Fuel Gas	0.67	0.67	0.13	0.26	0.36
Commercial	Mechanical	0.67	0.67	0.54	0.36	0.43
Residential	Mechanical	0.67	0.67	0.54	0.36	0.43
Commercial	Energy	0.18	0.67	0.04	0.19	0.34
Residential	Energy	0.18	0.67	0.04	0.17	0.34
Commercial	Urban Wildland	0	0.67	0.00	0.22	0.23
Residential	Urban Wildland	0	0.67	0.00	0.22	0.24

Item 110. Modification to adopted codes:

The BCEGS™ program encourages timely and unmodified adoption of the latest edition available of the building code. It is not uncommon for a jurisdiction to adopt a code and then modify it in some way. The most common modifications are administrative, which the BCEGS™ program is not overly concerned with. Some jurisdictions, however, modify the structural aspects of the code. Modifications are viewed as favorable when the intention is to strengthen the code. Due to the difficulty and expense of finitely determining the effect on a code of a specific action which weakens the code, no partial credit is available for this section. Note, however, that due to the formula: (Points credited in section 105 x 0.125 x 4.0) the points awarded for this item are reduced if the latest building code is not adopted and enforced. There is a direct correlation between the points earned for the adopted building code and the points available for this section. When modification serves to

weaken the intent or effectiveness of the adopted building code relative to structural aspects or natural hazard mitigation features, no points will be awarded for this section.

Benchmarking Information

Table B 3-9 Comparison of Points Earned for Section 110

	BCEGS™ Points awarded	BCEGS™ Points possible	Country Average	State Average	National Average
Commercial	4	4	4.00	2.17	2.44
Residential	4	4	4.00	2.14	2.23

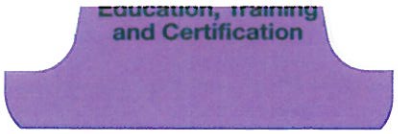
Item 112. Method of Adoption:

Updating the adopted codes to the latest code published by a nationally recognized building code development and publication organization within 12 months of the publication of the code is beneficial for the jurisdiction. It provides the latest and most modern technology for natural hazard mitigation. This section allows the opportunity to recognize the timely un-amended adoption of a nationally promulgated building code

Benchmarking Information

Table B 3-10 Points Earned for Timely (within one year of the publication date) Un-Amended Code Adoption

		BCEGS™ Points awarded	BCEGS™ Points possible	County Average	State Average	National Average
Commercial	Adoption Bonus	0	1	0.00	0.02	0.21
Residential	Adoption Bonus	0	1	0.00	0.02	0.17


Education, Training
and Certification

Section 4 Education, Training, and Certification

The Building Code Effectiveness Grading Schedule reviews the tools available to a building code department to determine what level of protection the jurisdiction has decided to offer. In this section we review the qualifications of the code enforcement personnel. By maintaining highly qualified, well trained staff the building code enforcement department is better equipped to encourage the construction of code compliant buildings.

The BCEGS™ program does not mandate any level of training certification or experience but it does recognize the technical and evolving nature of construction code enforcement. Therefore, 39% of the available points in the analysis are dependent on education, training and experience. The evaluation is much diversified. For instance, credit can be earned for hours of training taken, dollars spent on training, incentives for outside training, and hiring requirements. After review of this information a building code department may determine that a higher caliber employee or more incentives to current employees could assist them in performing their duties more efficiently and professionally.

The number of personnel is an important factor when comparing and correlating education and training. To standardize these numbers this report converts all employees to full time. Therefore a department with two full time code enforcers the number of employees will be two. If a department has five full time code enforcers and seven part time code enforcers each working twenty hours per week the department will show as eight and one half employees.

Pekin employs 4.50 code enforcement personnel. This staffing level is equal to one code enforcement personnel for each 7523.78 citizen or one code enforcement personnel for each 376.89 permits issued. If the jurisdiction was divided equally, each code enforcer would be responsible for an area of 3.24 square miles.

Table 4-1 displays the total and the average number of hours spent in training by code enforcement personnel in Pekin. Training is broken down into four categories; a maximum of 1.25 points may be earned for the first 12 hours of training in administrative aspects of code enforcement, legal aspects of code enforcement, and being mentored in code enforcement. The first 60 hours of training in technical aspects of code enforcement may also earn maximum credit of 4.25 points. To receive the maximum available points in this area each employee must train a minimum of 96 hours per year and the subject must follow the details above. ISO has developed training logs to assist you in tracking the training of building code enforcers. The logs can be downloaded from our web site www.isomitigation.com.

Table 4-1 Training hours for Pekin

	Total hours for department	Average hours of training
Administrative	10	2.22
Legal	10	2.22
Mentoring	20	4.44
Technical	300	66.67

Benchmarking Information

Table B 4-2 Comparison of average hours of training

	Your average hours of training	Your County average hours of training	Your State average hours of training	National average hours of training
Administrative	2.22	9.92	15.17	16.72
Legal	2.22	4.18	10.62	10.76
Mentoring	4.44	9.86	26.22	26.97
Technical	66.67	37.24	64.69	46.07

Building code enforcement departments may choose to emphasize their commitment to training and education through incentives, such as funding certification, exam fees, and continuing education or providing incentives for outside training. The following table is broken down for residential and commercial construction and indicates the incentives provided by Pekin.

Table 4-3 BCEGS™ points earned by Pekin for training incentives

	Commercial	Points earned	Residential	Points earned
Department pays for certifications and exam fees	Yes	0.5	Yes	0.5
Provides incentive for outside training or certification	No	0	No	0
Pays for continuing education	Yes	0.5	Yes	0.5

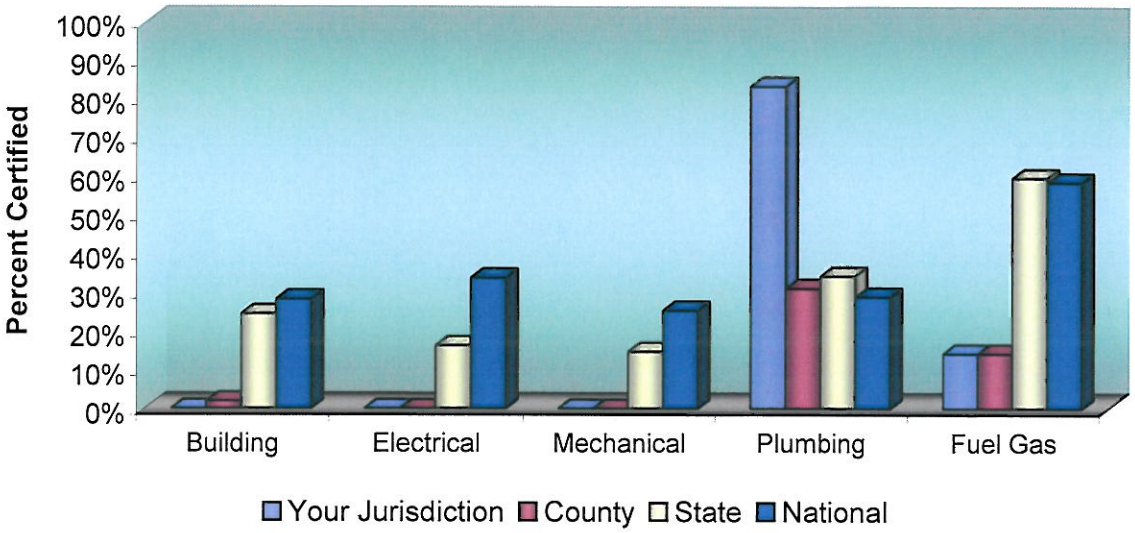
Benchmarking Information

Table B 4-4 Comparison of training incentive points

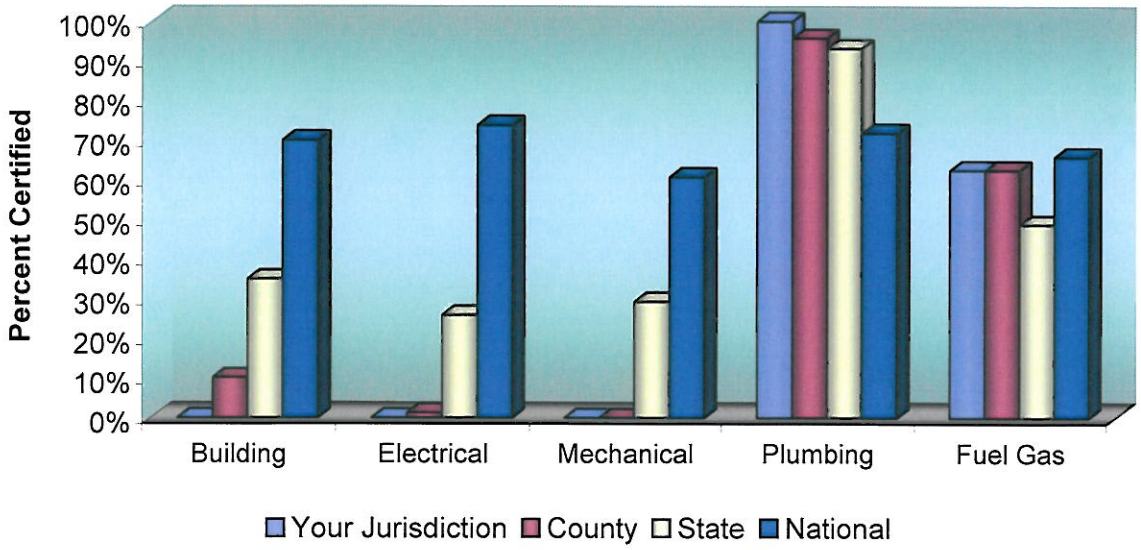
Commercial				Residential		
County %	State %	National %		County %	State %	National %
% of Departments that pay for certifications and exam fees						
100.00	68.44	69.46		50.00	34.01	40.47
% of Departments that provides incentive for outside training or certification						
20.00	15.85	21.42		0.00	4.76	12.13
% of Departments that pays for continuing education						
90.00	68.16	73.24		50.00	35.73	42.52

Hiring only certified code enforcement employees or allowing a short probationary period for new hires to earn their certification are valued practices which elevate the quality and consistency of the code enforcement process. The following two charts compare your jurisdiction's policies regarding certification with those of other departments within your county, state and across the country. The charts represent the percent of plan reviewers and inspectors that held appropriate certification for the duties they performed at the time of the latest BCEGS™ survey. B4-5 represents commercial work and B4-6 represents residential work.

B4-5 Commercial Duties Performed

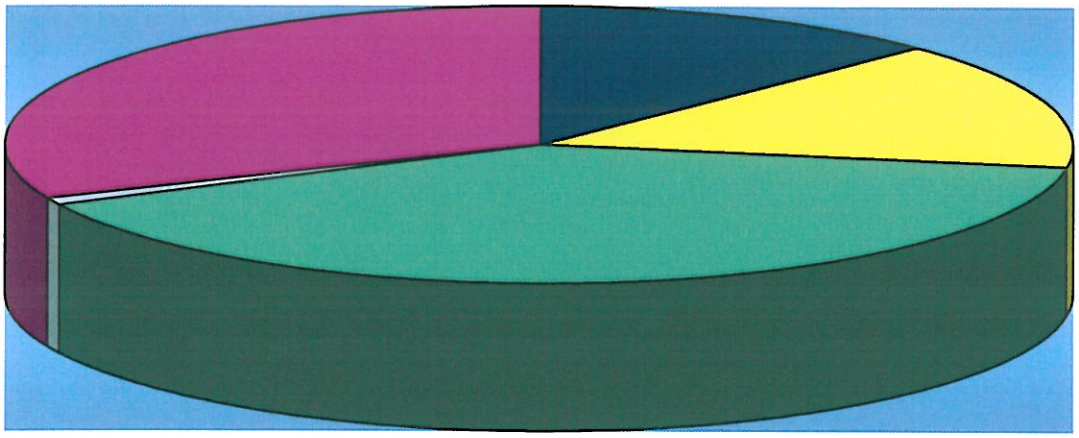


B4-6 Residential Duties Performed



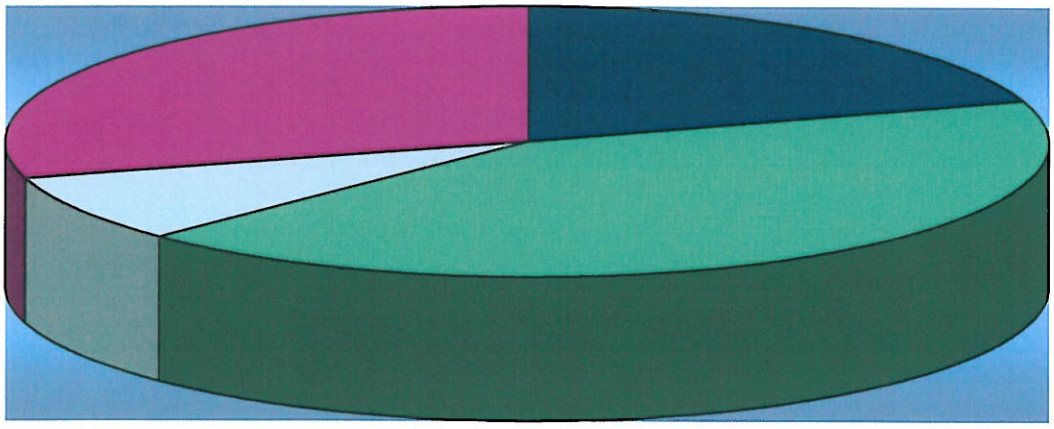
Requiring certification as a condition of employment is an important factor. However, the evolving nature of the building technology and the wide variety of situations encountered by plan reviewers and inspectors dictate the need for continuing education. The following two charts are based on the period of time allowed to complete the required amount of continuing education requirements for building inspectors in order for them to renew their license / certification. Information in these charts represents data gathered across the country.

4-7 Building Certification Renewal Period Commercial



1 Year 2 Years 3 Years > 3 Years Not Required

4-8 Building Certification Renewal Period Residential



1 Year 2 Years 3 Years > 3 Years Not Required

Section 5 Staffing Levels

One of the most frequently asked questions from community administrators and building officials is: How many inspectors and plan reviewers do we need to supply the desired level of service to our community? This section will provide valuable information to assist in this vital decision. The BCEGS schedule uses the following benchmarks to calculate the staffing levels:

- 10 inspections per day per full time inspector
- 1 commercial plan review per day per full time plan reviewer
- 2 residential plan reviews per day per full time plan reviewer

These are average numbers of the entire department over the course of a year. Some inspectors because of the type of work they are assigned will exceed these benchmarks while others will not be able to reach them, the same is true of plan reviewers. The fact is that these benchmarks have proved to be realistic over the course of surveying 14,000 code enforcement departments.

However, we realize that your community may have varying circumstances and may want to base staffing decision on other information. In the following set of charts we have scoured our database to find communities that are of similar size, and population to your community to provide data that may be helpful in your decision process. The next key element of staffing decision is the workload; again we queried our records to find communities with similar number of permits issued, inspections and plan reviews completed. This data can be useful in further defining your staffing levels. Realizing the some jurisdictions cover vast area while others are metropolitan we did some calculations and arrived at a unique category of permits per square mile. You may find that this category affords benchmarking opportunities that take into account workload and travel time for your inspecting staff.

Table 5-1

Your community falls into the following ranges

Population	> 25,000
Square Miles	7.1 - 21.0
Permits Issued	1,001 - 2,000
Number of inspections conducted	2,201 - 5,700
Plan reviews conducted	401 - 1,400
Permits per Square Mile	> 17.00

Benchmarking Information

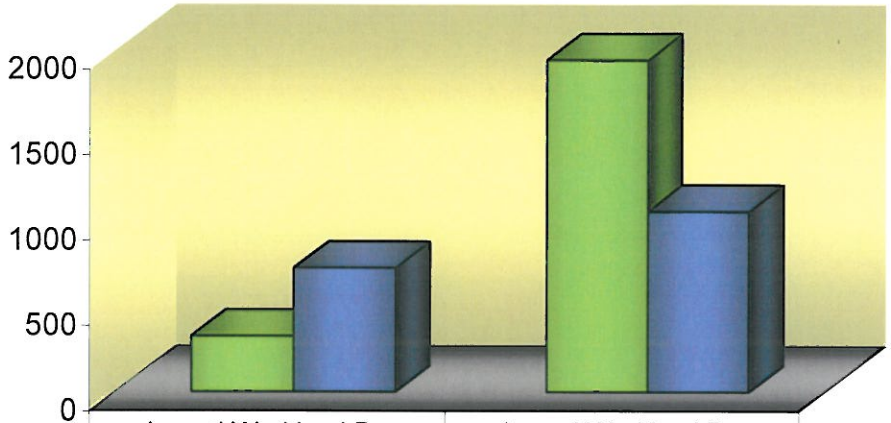
The information in Charts B5-3 through B5-14 depicts the staffing levels of your jurisdiction along with the average staffing levels of all the communities that fall within the range for each category as defined in Table 5 -1. To standardize these numbers this report converts all employees to full time equivalents. Therefore, in a department with two full time employees the number of personnel will be two. If a department has five full time code enforcers and seven part time code enforcers each working twenty hours per week the department is considered to have eight and one half full time employees. The data is further broken down by the responsibilities of each code enforcer. For example a department may allocate time as follows:

Table 5-2 Time Allocation Example

	Time allocation employee #1 Full time	Time allocation employee #2 30 hrs per week	Time allocation employee #3 20 hrs per week	Total calculated employees 2.25
Commercial Plan Review	40%	5%	0%	0.44
Residential Plan Review	20%	5%	0%	0.24
Commercial Inspection	35%	80%	10%	0.95
Residential Inspection	5%	10%	90%	0.56

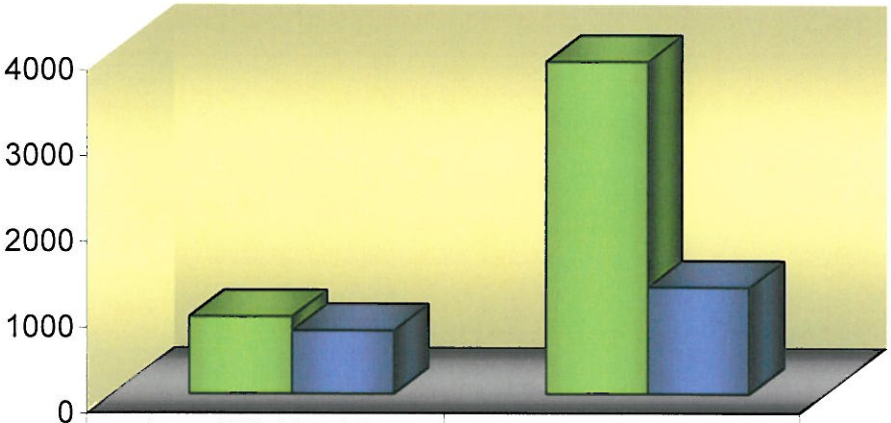
The calculations used to make up the graphs for the example above would be the number of commercial plan reviews conducted in your jurisdiction divided by .44 (the number of commercial plan reviewers employed by your jurisdiction). Similarly assuming 732 residential inspections divided by the number of residential inspectors (.56) returns a workload of 1307 inspections per full time inspector per year. The calculation for the control group is the same except that the results are averaged.

Chart B5-3 Plan Review Staffing Comparison of Communities Serving Similar Populations



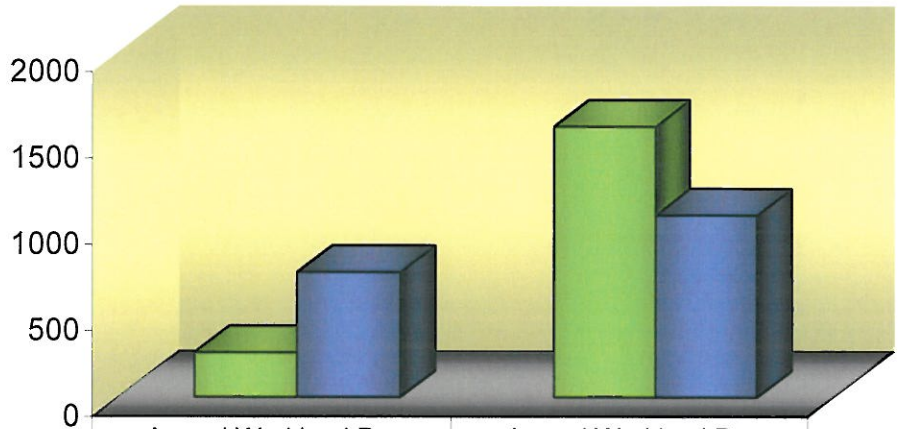
	Annual Workload Per Commercial Plan Reviewer	Annual Workload Per Residential Plan Review
Similar Communities	326.17	1945.69
Your Jurisdiction	726.67	1057.14

Chart B5-4 Inspection Staffing Comparison of Communities Serving Similar Populations



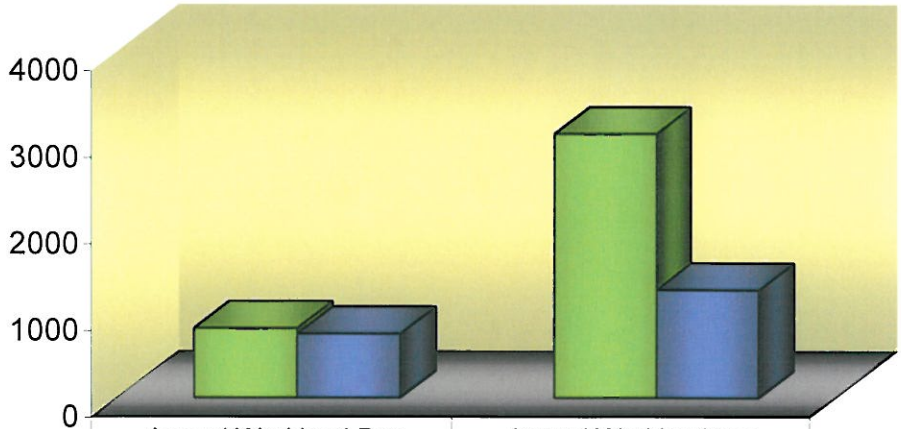
	Annual Workload Per Commercial Inspector	Annual Workload Per Residential Inspector
Similar Communities	903.04	3874.3
Your Jurisdiction	739.29	1246.15

Chart B5-5 Plan Review Staffing
Comparison of Communities Serving Similar Square Miles



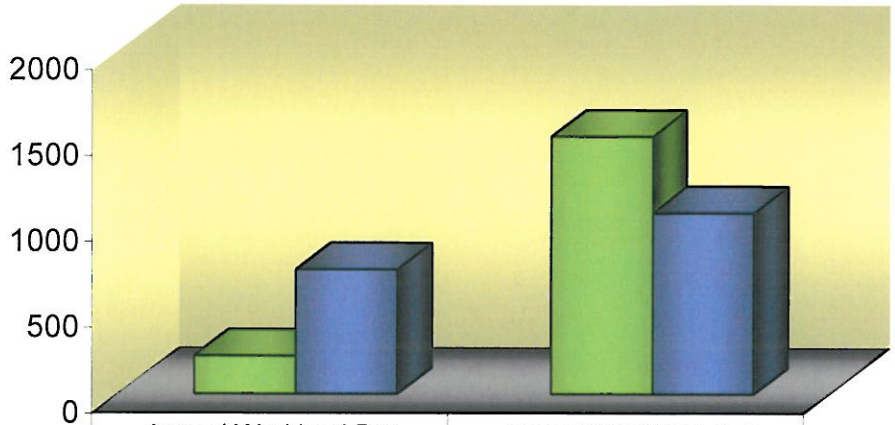
	Annual Workload Per Commercial Plan Reviewer	Annual Workload Per Residential Plan Reviewer
Similar Communities	259.42	1572.95
Your Jurisdiction	726.67	1057.14

Chart B5-6 Inspection Staffing Comparison of
Communities Serving Similar Square Miles



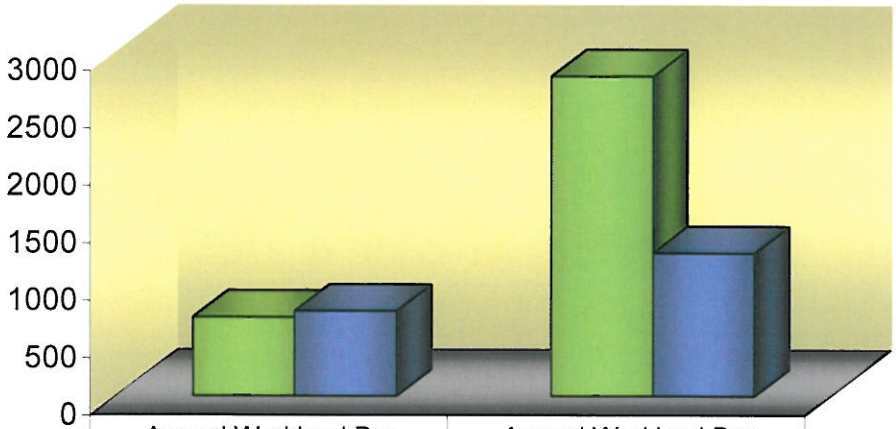
	Annual Workload Per Commercial Inspectors	Annual Workload Per Residential Inspectors
Similar Communities	802.43	3047.97
Your Jurisdiction	739.29	1246.15

Chart B5-7 Plan Review Staffing Comparison of Communities Issuing Similar Number of Permits



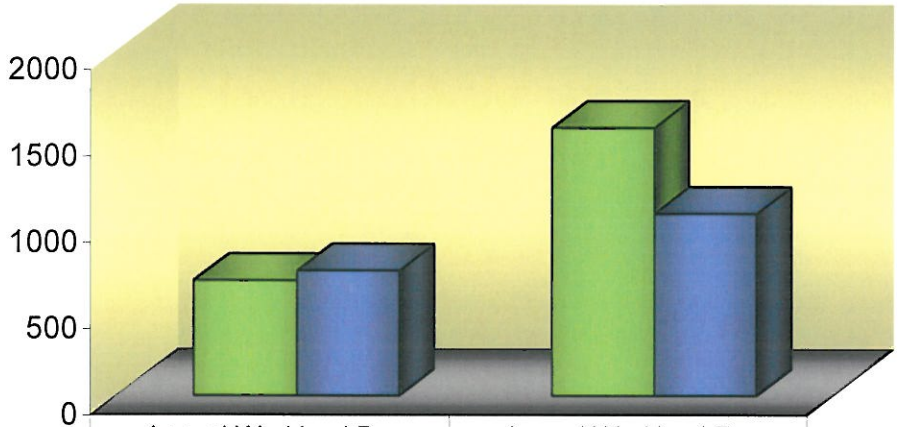
	Annual Workload Per Commercial Plan Reviewer	Annual Workload Per Residential Plan Reviewer
Similar Communities	222.48	1503.54
Your Jurisdiction	726.67	1057.14

Chart B5-8 Inspection Staffing Comparison of Communities Issuing Similar Number of Permits



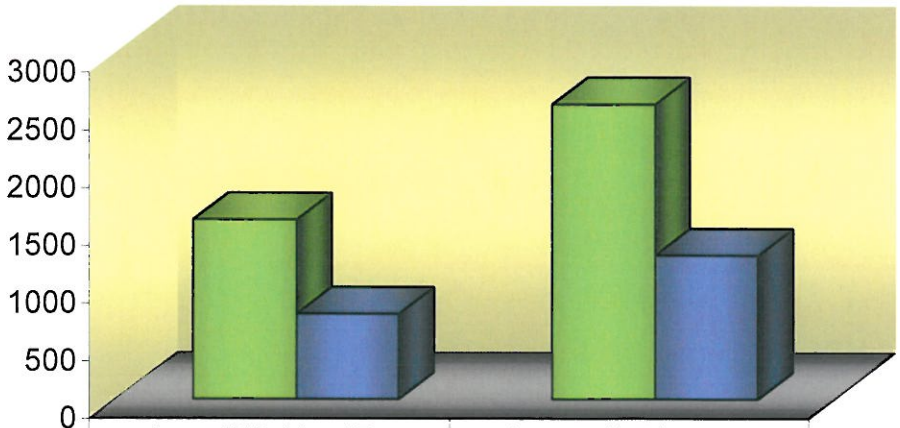
	Annual Workload Per Commercial Inspectors	Annual Workload Per Residential Inspectors
Similar Communities	685.79	2783.27
Your Jurisdiction	739.29	1246.15

Chart B5-9 Plan Review Staffing Comparison of Communities Conducting Similar Number of Inspections



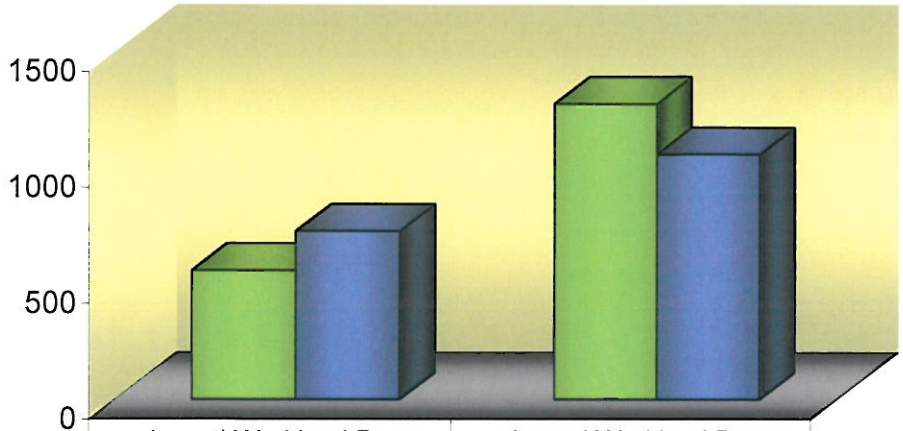
	Annual Workload Per Commercial Plan Reviewer	Annual Workload Per Residential Plan Reviewer
Similar Communities	668.1	1553.74
Your Jurisdiction	726.67	1057.14

Chart B5-10 Inspector Staffing Comparison of Communities Conducting Similar Number of Inspections



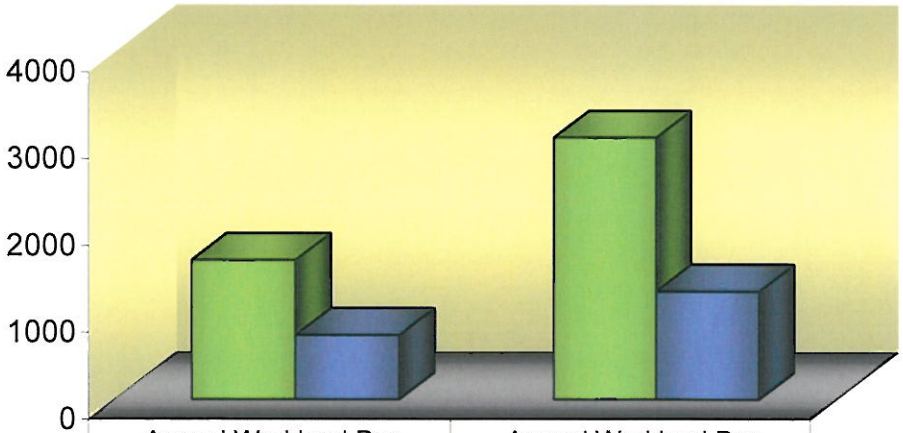
	Annual Workload Per Commercial Inspectors	Annual Workload Per Residential Inspectors
Similar Communities	1553.44	2555.6
Your Jurisdiction	739.29	1246.15

Chart B5-11 Plan Review Staffing Comparison of Communities Conducting Similar Number of Plan Reviews



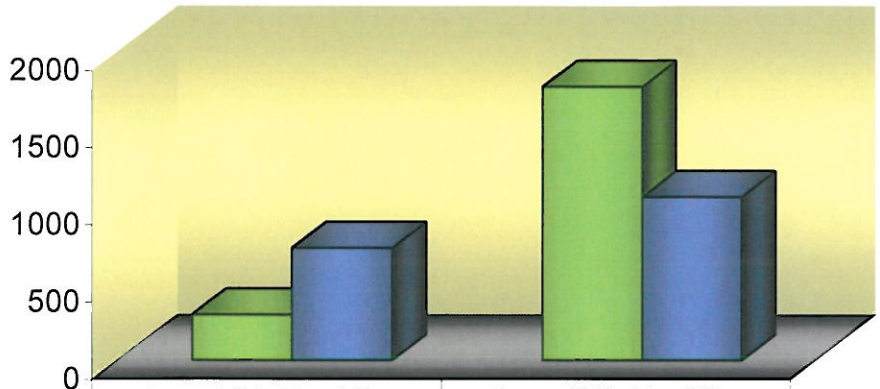
	Annual Workload Per Commercial Plan Reviewer	Annual Workload Per Residential Plan Reviewer
Similar Communities	556.79	1276.34
Your Jurisdiction	726.67	1057.14

Chart B5-12 Inspector Staffing Comparison of Communities Conducting Similar Number of Plan Reviews



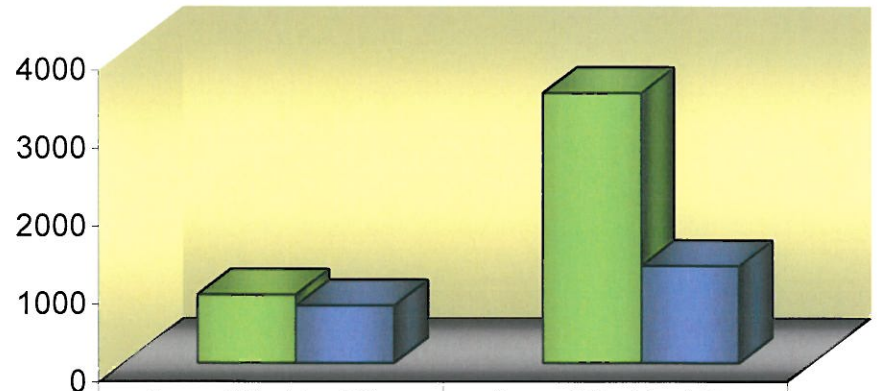
	Annual Workload Per Commercial Inspector	Annual Workload Per Residential Inspector
Similar Communities	1606.21	3014.8
Your Jurisdiction	739.29	1246.15

Chart B5-13 Plan Reviewer Staffing Comparison of Communities Issuing Similar Number of Permits Per Square Mile



	Annual Workload Per Commercial Plan Reviewer	Annual Workload Per Residential Plan Reviewer
Similar Communities	296.08	1773.18
Your Jurisdiction	726.67	1057.14

Chart B5-14 Inspector Staffing Comparison of Communities Issuing Similar Number of Permits Per Square Mile



	Annual Workload Per Commercial Inspector	Annual Workload Per Residential Inspector
Similar Communities	879.03	3464.91
Your Jurisdiction	739.29	1246.15

Jurisdiction: Pekin County: Tazewell State: IL
Survey Date: 11/8/2007

Section 6 BCEGS™ Points Analysis

ISO has been surveying and evaluating building code adoption and enforcement in communities around the country since 1995. To maintain relevant information the BCEGS™ program is designed to conduct surveys on a 5 year cycle. The information in this section will give you some insight to trends in your jurisdiction, your state and across the country.

Table 6-1 details the points your department earned during the most recent survey as well as the points earned in the previous survey including a comparison of the two. This information may be used to track local trends or pin-point improvement target areas.

Table 6-1

Building Code Effectiveness Grading Point Comparison

	Point Totals						
	Current Grading Yr: 2007		Maximum Points Possible	Previous Grading Yr: No		Difference	
	Com	Res		Com	Res	Com	Res
Section I - Administration of Codes	27.95	27.95		0	0	27.95	27.95
Section 105 - Adopted Building Codes	8	8	8.00	0	0	8	8
Section 108 - Additional Adopted Codes	2.86	2.86	4.00	0	0	2.86	2.86
Section 110 - Modification to Adopted Codes	4	4	4.00	0	0	4	4
Section 112 - Method of Adoption	0	0	1.00	0	0	0	0
Section 115 - Training	6.15	6.15	13.00	0	0	6.15	6.15
Section 120 - Certification	1.8	1.8	12.00	0	0	1.8	1.8
Section 125 - Building Official's Qualification / Exp / Education	1.9	1.9	4.00	0	0	1.9	1.9
Section 130 - Selection Procedure for Building Official	0	0	0.50	0	0	0	0
Section 135 - Design Professionals	0	0	2.00	0	0	0	0
Section 140 - Zoning Provisions	1	1	1.00	0	0	1	1
Section 145 - Contractor / Builder Licensing & Bonding	0.23	0.23	1.00	0	0	0.23	0.23
Section 150 - Designer Licensing Violation Reporting	0	0	0.50	0	0	0	0
Section 155 - Public Awareness Programs	1.41	1.41	2.50	0	0	1.41	1.41
Section 160 - Participation in Code Development Activities	0.5	0.5	0.50	0	0	0.5	0.5
Section 165 - Administrative Policies & Procedures	0.1	0.1	0.50	0	0	0.1	0.1

Jurisdiction: Pekin County: Tazewell State: IL
Survey Date: 11/8/2007

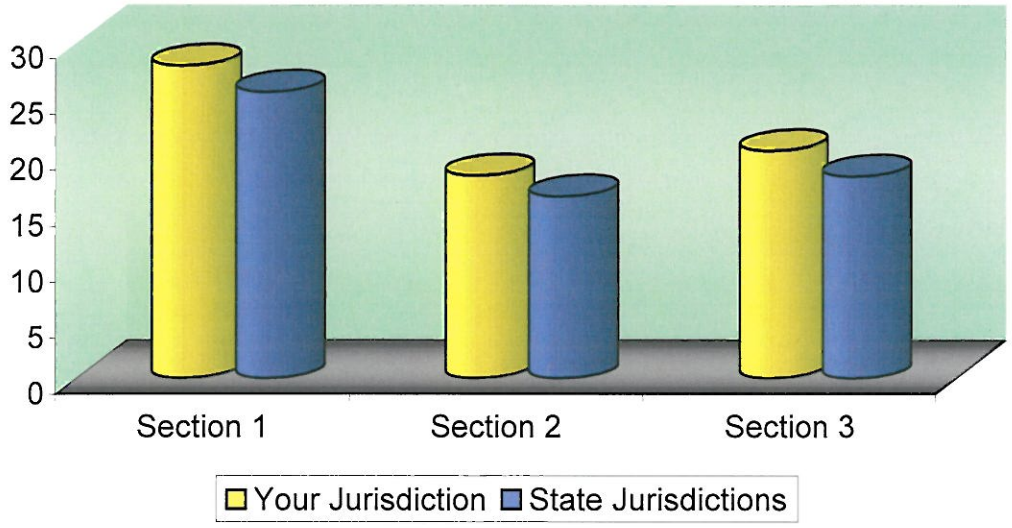
Building Code Effectiveness Grading Point Comparison (continued)

	Point Totals						
	Current Grading Yr: 2007		Maximum Points Possible	Previous Grading Yr: No		Difference	
	Com	Res		Com	Res	Com	Res
Section II - Plan Review	18.13	18.13		0	0	18.13	18.13
Section 205 - Existing Staffing	7.43	7.43	9.00	0	0	7.43	7.43
Section 210 - Experience of Personnel	0.2	0.2	1.50	0	0	0.2	0.2
Section 215 - Detail of Plan Review	9.5	9.5	11.50	0	0	9.5	9.5
Section 220 - Performance Evaluation for Quality	1	1	1.00	0	0	1	1
Section III - Field Inspection	20.36	20.36		0	0	20.36	20.36
Section 305 - Existing Staffing	9	9	9.00	0	0	9	9
Section 310 - Experience of Personnel	2.46	2.46	3.00	0	0	2.46	2.46
Section 315 - Manage Inspection and Re-inspection activity	1	1	1.00	0	0	1	1
Section 320 - Inspection Checklist	0	0	2.00	0	0	0	0
Section 325 - Special Instructions	0.9	0.9	1.00	0	0	0.9	0.9
Section 330 - Inspections for Natural Hazard Mitigation	1.5	1.5	1.50	0	0	1.5	1.5
Section 335 - Final Inspections	2.5	2.5	2.50	0	0	2.5	2.5
Section 340 - Certificate of Occupancy	2	2	2.00	0	0	2	2
Section 345 - Performance Evaluation for Quality Assurance	1	1	1.00	0	0	1	1
Subtotal:	66.44	66.44	100.00	0.00	0.00	66.44	66.44
The final score is determined by a relationship between Item 105 and the balance of the scoring.							
Final Score:	66.44	66.44	100.00	0.00	0.00	66.44	66.44

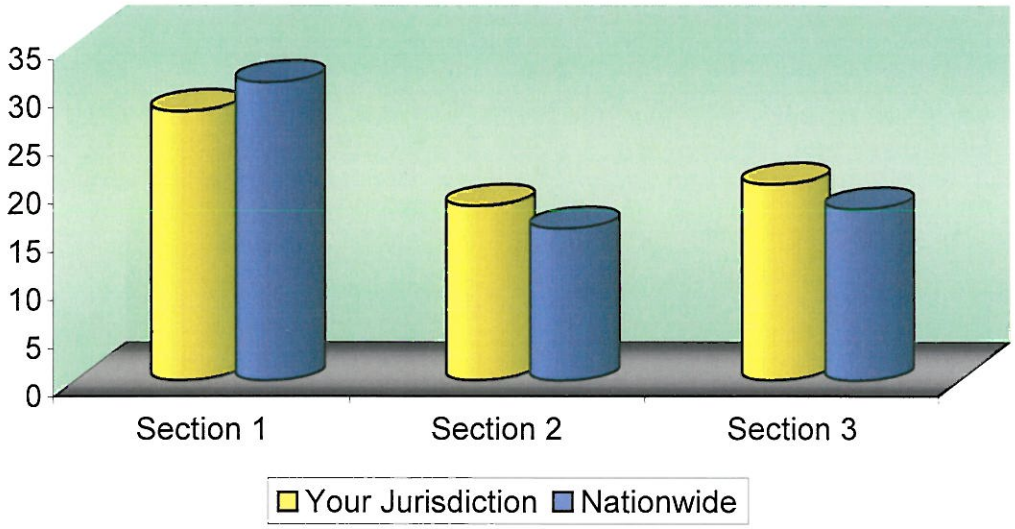
Benchmarking Information

Charts B6-1 through B6-4 compared the points earned by your department to the points earned by other departments in your state and across the country. The charts are broken down by commercial and residential as well as by section. You may use Table 6-1 as a guide for how points are earned in each section.

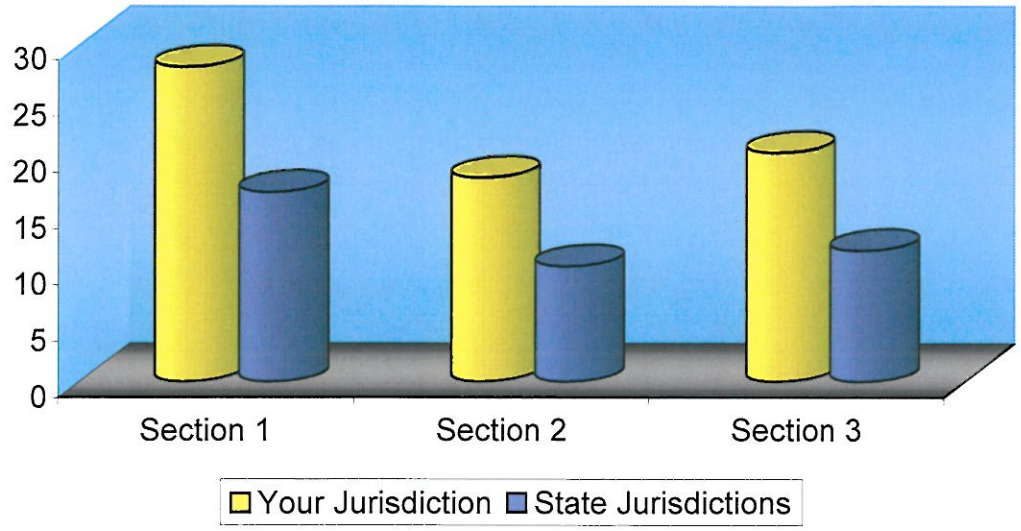
B6-1 Commercial Points Scored Compared to Your State



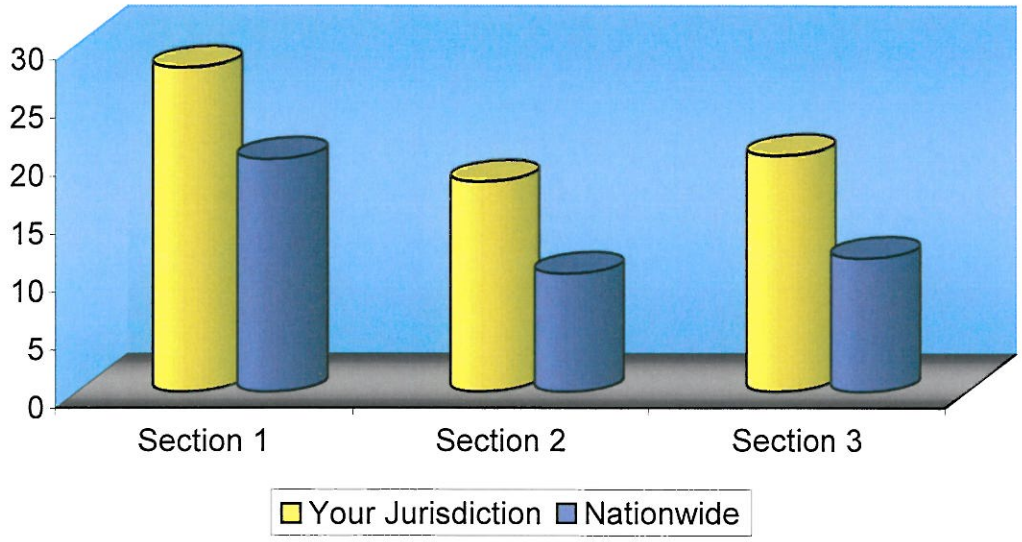
B6-2 Commercial Points Scored Compared Nationwide



B6-3 Residential Points Scored Compared to Your State



B6-4 Residential Points Scored Compared Nationwide



The following four charts represent the variation of classifications uncovered during the many BCEGS™ surveys ISO conducts each year. The charts compare the classification a community received in its previous evaluation to the evaluations conducted during the year indicated. Classifications are broken down by personal (residential) class, and commercial class. The results are grouped so that the first two charts (6-5 & 6-6) represent regions where seismic concerns are the major issue; while the second pair of charts represents regions where hurricane concerns represent the most prevalent natural hazard potential.

Chart 6-5 residential classification variations in the seismic region

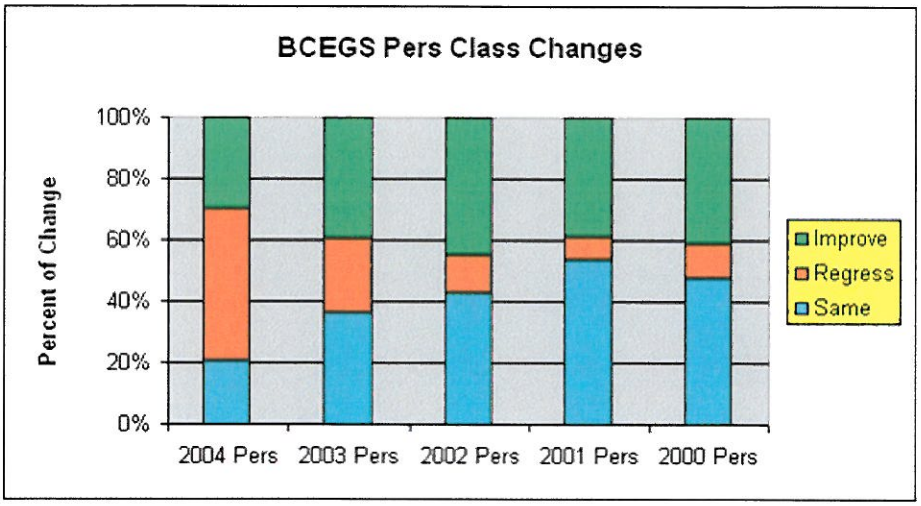


Chart 6-6 commercial classification variations in the seismic region

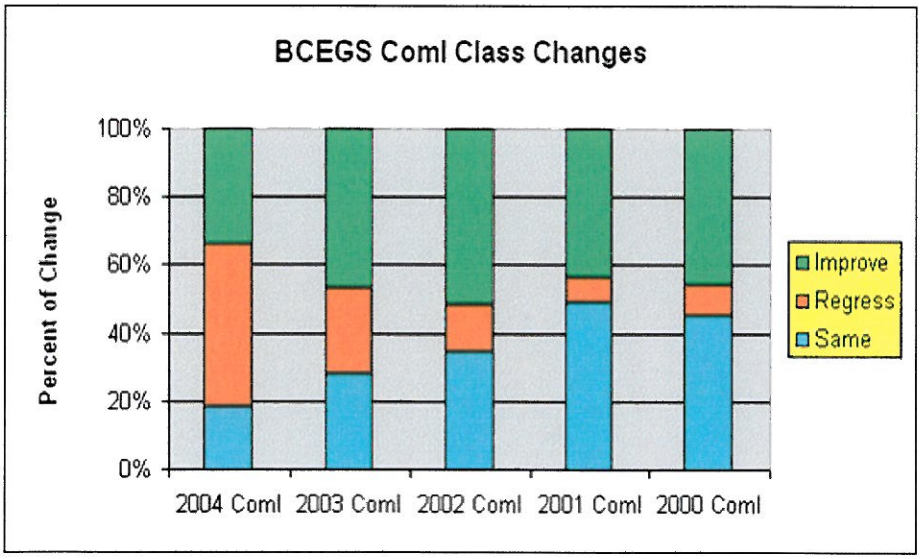


Chart 6-7 residential classification variation in the hurricane region

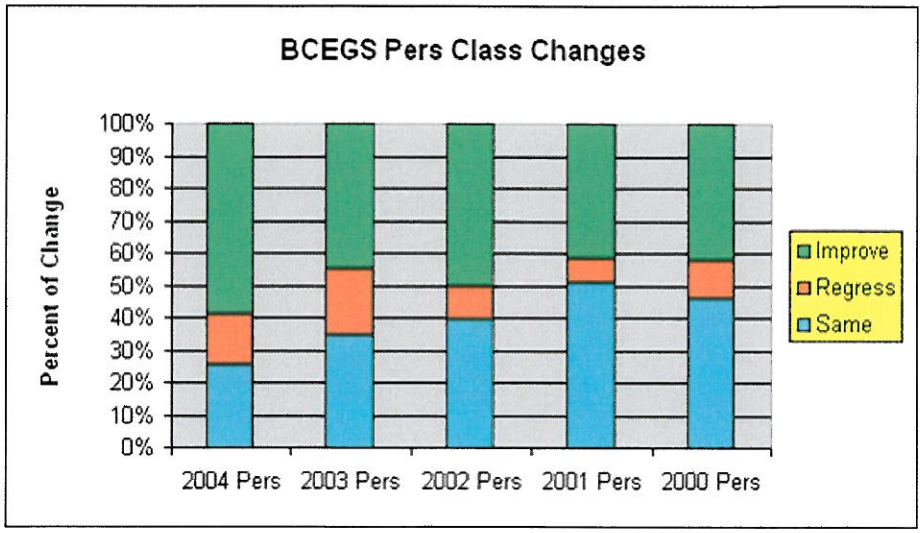
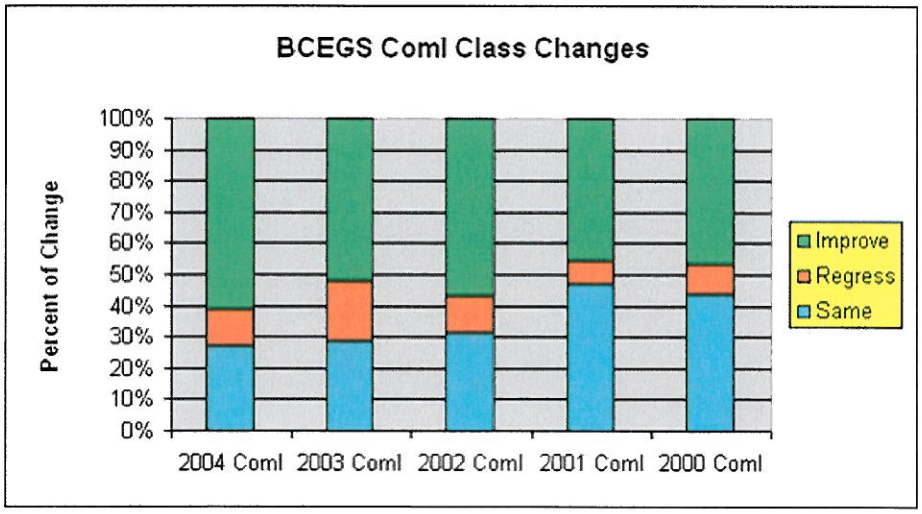


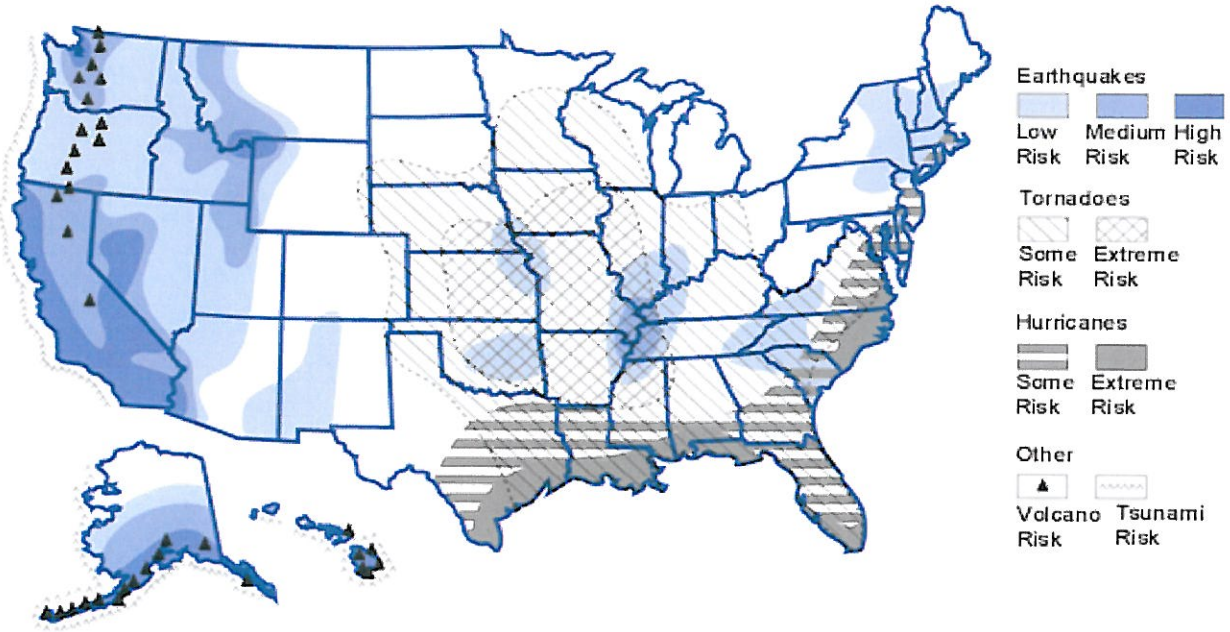
Chart 6-8 commercial classification variation in the hurricane region



Section 7 Natural Hazards

Different parts of the country are subject to a variety of potential natural hazards. The map below is an overview of those potentials:

Map 7-1



In cooperation with AIR (an ISO company) we have prepared the following hazard report using the municipal building address you supplied during the survey meeting. A full explanation of how to read and interpret the following profiles can be found in Appendix A.

Single Location Hazard Profile

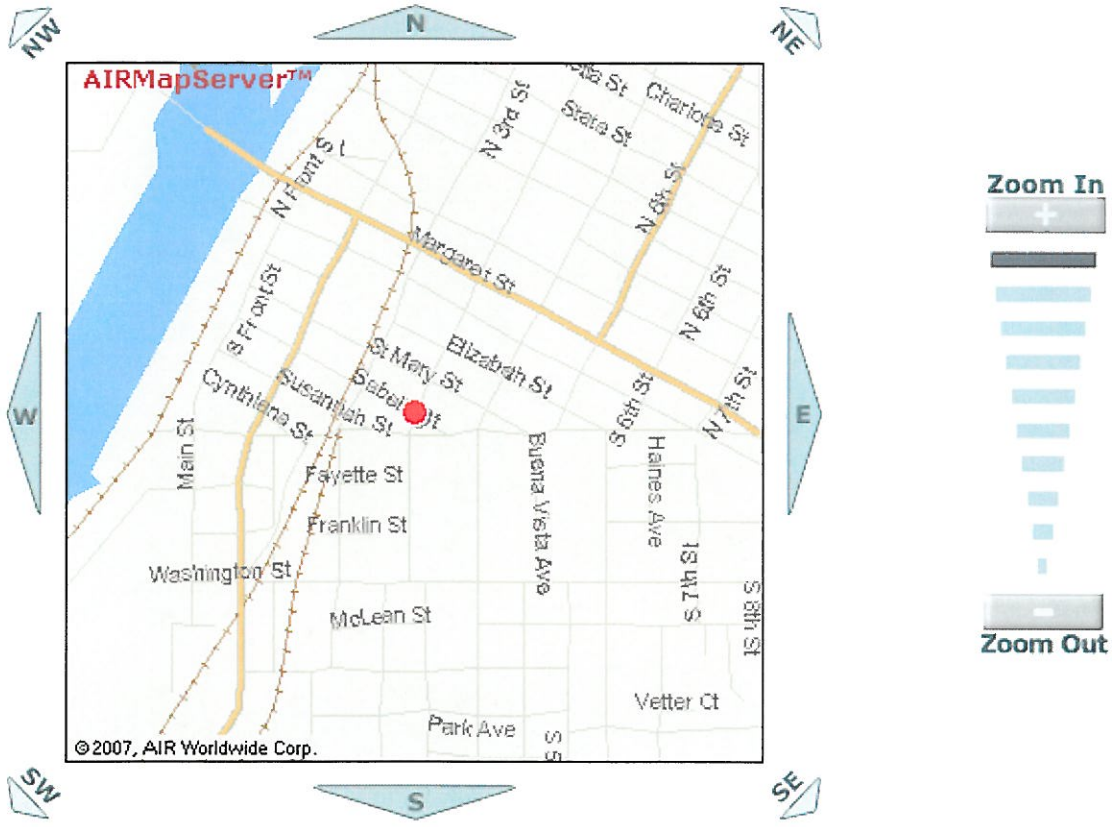
Location Name:

Entered Address: 111 S. Capitol Street, Pekin, IL 61554
Latitude: 40.567754° North
Longitude: -89.649435° East

Catastrophe Hazard Information

Matched Address: 111 S CAPITOL ST, PEKIN, TAZEWELL County, IL 61554
Geocode Match: Exact Address
Latitude: 40.567754° North
Longitude: -89.649435° East

More Maps: -- select a map -- View Map Disclaimer Google™ Earth



Hurricane Profile

A Hurricane Profile is not available.

Severe Thunderstorm Profile

Risk
(Percentage Loss)

0% 5 10 15 20 25 30 35 40 45 100%

100-year loss level:
250-year loss level:
Average Annual Loss: 0.1 %

Relative Risk

(Percentile)

Hazard Information

Tornado: Very High/ **High** /Moderate /Low /Very Low

Hail Storm: Very High/High / **Moderate** /Low /Very Low

Straight-line Wind: **Very High** /High /Moderate /Low /Very Low

Nearest Historical Tornadoes

Date	Distance (mi)	Intensity (Fujita Scale)
June 29, 1976	16.89	4
July 13, 2004	23.18	4
May 13, 1995	26.75	4
May 5, 1977	30.39	4
May 14, 1961	27.62	3

Nearest Historical Hail Storms

Date	Distance (mi)	Intensity by Average Hail Size (in)
May 10, 2003	24.00	>=4.0
May 9, 1995	46.03	>=4.0
July 13, 2004	34.34	>=4.0
May 30, 2004	20.12	>=4.0
August 18, 2001	18.68	3.0-4.0

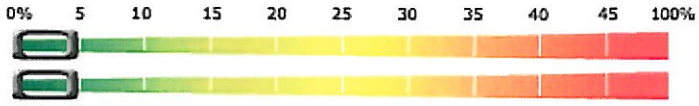
Nearest Historical Straight-Line Wind Storms

Date	Distance (mi)	Intensity by Average Wind Speed (mph)
June 29, 1998	48.07	90-100
April 4, 2003	29.83	80-90
June 29, 1998	3.03	80-90
October 5, 1981	38.78	80-90
April 19, 1996	46.57	70-80

Earthquake Profile

Risk

(Percentage Loss)



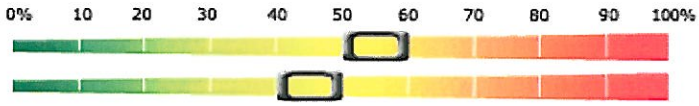
100-year loss level:

250-year loss level:

Average Annual Loss: <0.1 %

Relative Risk

(Percentile)



within county:

within state:

Earthquake Information

CA DOI Zone: Not Applicable

Liquefaction Potential: Very High/High /Moderate /**Low** /Very Low

Landslide Zone:

Alquist-Priolo Fault Zone: Not Applicable

Soil Type: Very dense soil

Intensity by Probability of Exceedance (PE):

Modified Mercalli Intensity	VI	VII	VIII	IX	X	XI	XII
30 Year PE	0.19%	0.09%	0.02%	0%	0%	0%	0%

Intensity by Return Period:

Return Period	100 Year	200 Year	250 Year	475 Year
Modified Mercalli Intensity	3.0	3.0	3.0	3.0

Fault Information

No significant active fault has been mapped within a 200 mile radius of the address.

Historical Earthquakes

No significant historical earthquake has been recorded within a 200 mile radius of the address.

Flood Profile

Flood Information

Source: Q3 FIRM

Flood Zone: Outside Flood Zone

FEMA Flood Zone: X Flood Zone

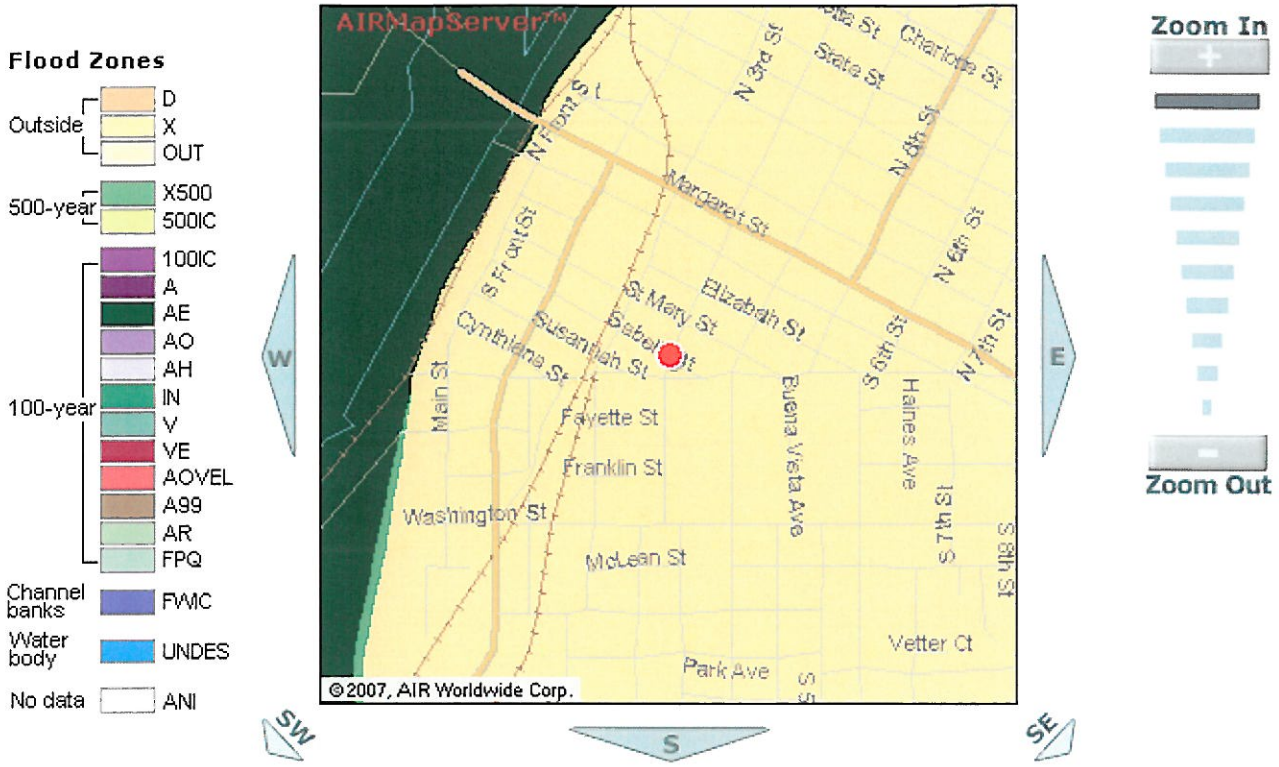
Elevation: 450 - 500 feet above mean sea level

Shortest Distance to:

Water Body: More than 5 miles

100 Year Flood Plain: 0.3 miles

500 Year Flood Plain: 0.4 miles



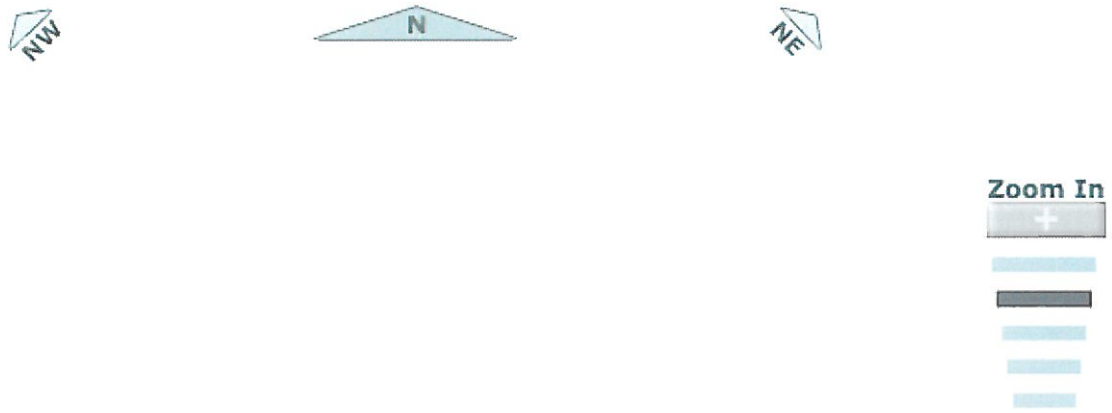
The data provided in the CATStation Flood Profile is based on Digital Q3 Flood Data compiled by FEMA. The Digital Q3 Flood Data has not been modified in any way by AIR. Digital Q3 Flood Data is developed by FEMA by scanning existing hardcopy Flood Insurance Rate Maps (FIRM), vectorizing a thematic overlay of flood risk. More information of Digital Q3 Flood Data can be obtained from FEMA Map Services Center.

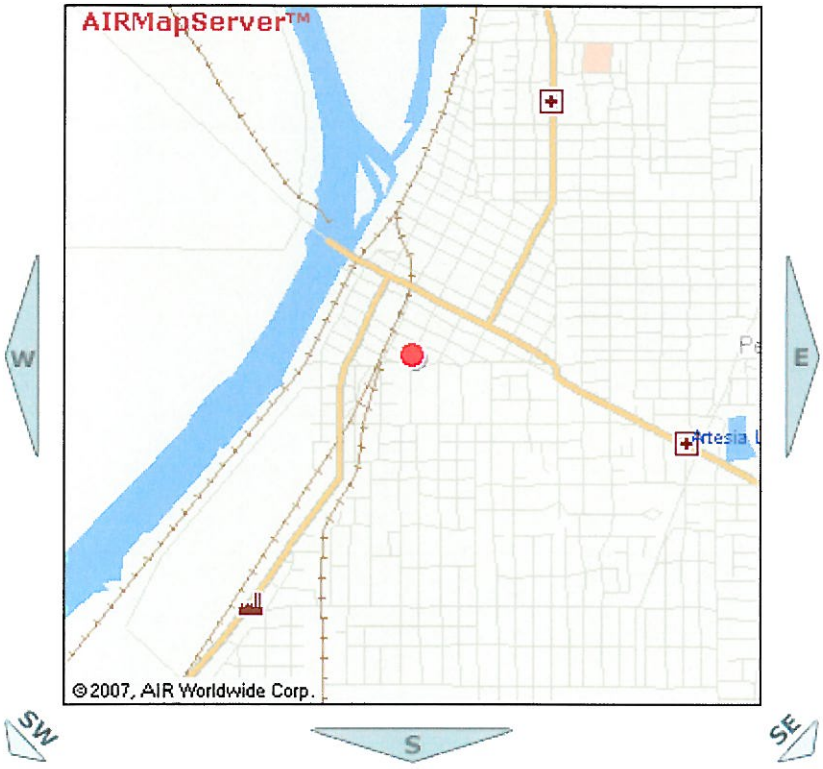
The User should note that Digital Q3 Flood Data does not replace existing hardcopy FIRM or Digital FIRM. Digital Q3 Flood Data does not provide base flood elevation information and it contains only certain features from existing hardcopy FIRM. Therefore, Digital Q3 Flood Data should be used only as a general guide to a particular location's proximity to Special Flood Hazard Areas (SFHAs).

Terrorism Profile

Terrorism Information

Distance To Nearest Target:	0.9030 miles
Target Type:	MEDICAL





This illustration is an aid to understanding the terrorism report information and does not provide an actual representation of the property.

Appendix A – Natural Hazard General Information

AIR*Profiler* is designed to provide users with vital, peril-specific characteristics of the property location, such as storm surge potential and distance to nearest active fault, as well as risk scores, which are quick measures of the risk and relative risk associated with the property.

This release of AIR*Profiler* includes hurricane profiles for all states in the continental U.S. at risk from hurricanes, as well as earthquake, severe thunderstorm and flood profiles for the forty-eight contiguous states.

- The Address Profile displays important information regarding the accuracy of the look-up for the entered address, the geocode of that address and a street map. The Hurricane Profile provides hurricane risk information for the location as well as other related hazards including storm surge potential and distance to nearest historical hurricane track.
- The Earthquake Profile, in addition to showing risk level and ranking, shows susceptibility of the location to different hazards. Those hazards include liquefaction, landslide potential, and fault zone information.
- The Flood Profile provides the proximity of a location to one of five flood zone categories as well as the location's distance to various flood plain boundaries based on FEMA Digital Q3 flood data.
- The Severe Thunderstorm Profile provides information about risk from tornado, hail, and straight-line windstorms for a given location, including distance to nearest historical storms and annual frequency.

Based on the address information provided, AIR*Profiler*® displays the corrected and standardized address following USPS® rules and guidelines, as well as the geocode (latitude and longitude), county, and ZIP Code of the location. AIR*Profiler* performs a look-up in the LOCATION™ database. The hazard is then assessed based on an exact address or ZIP Code match.

AIR's geocoding algorithm, based on the TIGER® geographical database, is used to convert the location address entered by the user into the corresponding latitude and longitude. Depending on the address match, either the exact geocode, or the geocode of the appropriate ZIP Code centroid, is used for assessing the risk.

- The Address Profile also provides a street map of the location.

Given a location, the loss potential from specific perils is represented by various risk scores. Risk scores are determined by performing a loss analysis on a typical residential building at that location. The analysis is performed using AIR's state-of-the-art modeling technologies. Note that content and time element (loss of use) calculations are excluded from the analysis. Based on this analysis of the location, AIR*Profiler*® provides two sets of scores:

Risk Scores. The user can obtain indications of risk based on three measures of potential loss: the 100-year loss level, the 250-year loss level, and the average annual loss. These levels represent, respectively, the loss likely to occur in one year out of every 100 years, one in every 250 years, and every year *on average* over a period of many years. The resulting risk scores are expressed in percentage terms, as below:

Low Risk		Moderate Risk				High Risk			Very High Risk
<5%	5-10%	10-15%	15-20%	20-25%	25-30%	30-35%	35-40%	40-45%	>45%

Relative Risk Scores. In addition to the risk score of a given location, AIR*Profiler* also displays the location's relative risk by county and state. Relative risk ranks the loss potential of a location with respect to the loss potential of other locations in the county or state. The format of the ranking is based on percentile values from 10% to 100% percent.

The AIR*Profiler*® Hurricane Profile provides users with information about the hurricane risk potential for a specific location. Risk scores for 100-year, 250-year and annual average losses, as well as relative risk ranking within county and state, are displayed. The profile also displays the following hurricane risk information:

- Storm surge potential
- Distance to coast
- Elevation
- Terrain/Land use
- Intensity and nearest distance to historical storm track for nearest historical hurricanes

In addition to strong winds and tides, storm surge can pose significant danger to life and property during hurricanes. Storm surge is caused by winds pushing water toward the shore. When combined with high tide, storm surge can cause an increase in the mean water level and so result in severe flooding and substantial property loss. The densely populated Atlantic and Gulf coastlines that lie less than ten feet above mean sea level are particularly vulnerable to storm surge.

The AIR*Profiler*® Hurricane Report indicates whether or not the property is at risk from storm surge.

The AIR*Profiler*® Earthquake Profile provides users with information about the earthquake risk potential for a specific location. Risk scores for 100-year, 250-year and average annual losses, as well as relative risk ranking within county and state, are displayed. The profile also displays the following risk information:

- The California Department of Insurance (DOI) zone
- Liquefaction potential
- Landslide zone
- Earthquake fault (Alquist-Priolo) zone
- Soil type
- Seismicity
- Fault information
- Historical earthquakes

When seismic waves pass through water-saturated, loosely packed sandy soils, contact pressure between the individual grains is lost. The grains become more densely configured, causing pore pressure to increase. If drainage is inadequate, what was once solid ground now behaves as a dense fluid, incapable of supporting buildings. Structures that may have survived the effects of shaking can deform, tilt or sink. They may remain structurally intact, but have become unusable and unsalvageable.

Liquefaction risk at a given site is represented by that site's potential to experience damage resulting from liquefaction. Liquefaction potential is a measure of a soil's susceptibility to liquefaction combined with a location's level of earthquake risk. AIR applies standard methodologies used by the Division of Mines and Geology (DMG), United States Geological Survey (USGS), to calculate liquefaction potential. The AIRProfiler® Earthquake Profile describes a location's liquefaction potential by one of five levels: very high, high, moderate, low, or very low.

The underlying soil type may have a determining effect on potential earthquake damage to structures. Certain types of soils, such as soft soils, are capable of amplifying seismic waves, hence causing more severe damage. Also, some types of soil, such as bay mud, sandy soil, and stiff to soft soil, are also more susceptible to liquefaction. Soil is classified according to its mechanical properties.

The AIR*Profiler*® Earthquake Profile for a particular location uses ten soil type classifications:

- Hard rock
- Rock
- Very dense soil
- Stiff soil
- Soft soil
- Rock to very dense soil
- Very dense to stiff soil
- Stiff to soft soil
- Bay mud Water

One measure of earthquake intensity is the level of ground shaking at any particular location. Over the years, several intensity scales have been proposed, but the Modified Mercalli Intensity (MMI) scale is the most commonly used, especially in the United States. The MMI scale describes the intensity of an earthquake based on human reaction and observed damage to natural and man-made structures. This is useful because it allows for an attribution of intensity to events that occurred prior to the advent of modern measuring devices, as well as in instances in modern times where those devices were not available. The drawback to this standard of measure is that the MMI scale is highly subjective. The following table lists the MMI scales and definitions.

MMI	Definition
I.	People do not feel any movement.
II.	A few people might notice movement if they are at rest and/or on the upper floors of tall buildings.
III.	Many people indoors feel movement. Hanging objects swing back and forth. People outdoors might not realize that an earthquake is occurring.
IV.	Most people indoors feel movement. Hanging objects swing. Dishes, windows and doors rattle. The earthquake feels like a heavy truck hitting the walls. A few people outdoors may feel movement. Parked cars rock.
V.	Almost everyone feels movement. Sleeping people are awakened. Doors swing open or close. Dishes are broken. Pictures on the wall move. Small objects move or are turned over. Trees might shake. Liquids might spill out of open containers.
VI.	Everyone feels movement. People have trouble walking. Objects fall from shelves. Pictures fall off walls. Furniture moves. Plaster in walls might crack. Trees and bushes shake. Damage is slight in poorly built buildings. No structural damage.
VII.	People have difficulty standing. Drivers feel their cars shaking. Some furniture breaks. Loose bricks fall from buildings. Damage is slight to moderate in well-built buildings; considerable in poorly built buildings.
VIII.	Drivers have trouble steering. Houses that are not bolted down might shift on their foundations. Tall structures such as towers and chimneys might twist and fall. Well-built buildings suffer slight damage. Poorly built structures suffer severe damage. Tree branches break. Hillsides might crack if the ground is wet. Water levels in wells might change.
IX.	Well-built buildings suffer considerable damage. Houses that are not bolted down move off their foundations. Some underground pipes are broken. The ground cracks. Reservoirs suffer serious damage.
X.	Most buildings and their foundations are destroyed. Some bridges are destroyed. Dams are seriously damaged. Large landslides occur. Water is thrown on the banks of canals, rivers, lakes. The ground cracks in large areas. Railroad tracks are bent slightly.
XI.	Most buildings collapse. Some bridges are destroyed. Large cracks appear in the ground. Underground pipelines are destroyed. Railroad tracks are badly bent.
XII.	Almost everything is destroyed. Objects are thrown into the air. The ground moves in waves or ripples. Large amounts of rock may move.

The data presented in AIR*Profiler*® is developed by calculating MMI values for each location. It incorporates all potential seismic sources, the distance of those sources from the location of interest, and local site conditions. Because MMI is considered as a measure of what the ground is doing during an earthquake, rather than an index of damage to structures, damageability of building at the site is not included in the calculation. Those who are more interested in damage estimation should refer to 100- and 250-year loss levels.

The MMI values are represented in two ways in the Earthquake Profile:

- Intensity by PE (probability of exceedance)
- Intensity by Return Period

The first representation, defined by probability of exceedance, is the probability that at least one event of that MMI will occur within 30 years. The second representation, based on return period, depicts the maximum intensity of an event that is likely to occur within the designated return period; that is, the intensity corresponds to the maximum event that is likely to occur within the return period displayed.

Proximity to an active fault is an important indication of seismicity for a specific location. The AIR*Profiler*® Earthquake Profile displays the property's distance to the nearest known active faults. Important characteristics of these faults are displayed, including fault length, and the magnitude and frequency of the "characteristic" event associated with that fault. (Scientists believe that many faults tend to produce earthquakes of a particular size, or magnitude, that is "characteristic" of that particular fault, and that occur with a particular frequency, or recurrence rate).

The AIR*Profiler*® Flood Profile provides users with information about the flood risk potential for a specific location. Each location is characterized by its proximity to one of five flood zone categories as follows:

- Water body: Includes large lakes and rivers
- 100-year flood plain: Areas where there is 1% chance of being flooded
- 500-year flood plain: Areas where there is 0.2% chance of being flooded
- Outside flood plain: Areas outside of water body, 100- and 500-year flood plains
- No data: Areas where there is no data available

The proximity of the location to FEMA defined flood zones is also provided:

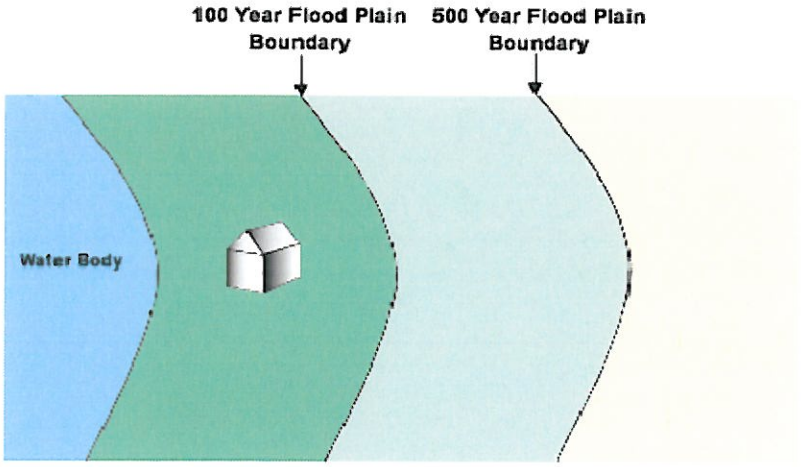
FEMA Zone	Description
V	An area inundated by 100-year flooding with velocity hazard (wave action); no BFE*s have been determined.
VE	An area inundated by 100-year flooding with velocity hazard (wave action); BFEs have been determined.
A	An area inundated by 100-year flooding, for which no BFEs have been determined.
AE	An area inundated by 100-year flooding, for which BFEs have been determined.
AO	An area inundated by 100-year flooding (usually sheet flow on sloping terrain), for which average depths have been determined; flood depths range from 1 to 3 feet.
AOVEL	An alluvial fan inundated by 100-year flooding (usually sheet flow on sloping terrain), for which average flood depths and velocities have been determined; flood depths range from 1 to 3 feet.
AH	An area inundated by 100-year flooding (usually an area of ponding), for which BFEs have been determined; flood depths range from 1 to 3 feet.
A99	An area inundated by 100-year flooding, for which no BFEs have been determined. This is an area to be protected from the 100-year flood by a Federal flood protection system under construction.
D	An area of undetermined but possible flood hazards.
AR	An area inundated by flooding, for which BFEs or average depths have been determined. This is an area that was previously, and will again, be protected from the 100-year flood by a Federal flood protection system whose restoration is federally funded and underway.
X500	An area inundated by 500-year flooding; an area inundated by 100-year flooding with average depths of less than 1 foot or with drainage areas less than 1 square mile; or an area protected by levees from 100-year flooding.
X	An area that is determined to be outside the 100- and 500-year floodplains.
100IC	An area where the 100-year flooding is contained within the channel banks and the channel is too narrow to show to scale. An arbitrary channel width of 3 meters is shown. BFEs are not shown in this area, although they may be reflected on the

	corresponding profile.
500IC	An area where the 500-year flooding is contained within the channel banks and the channel is too narrow to show to scale. An arbitrary channel width of 3 meters is shown.
FWIC	An area where the floodway is contained within the channel banks and the channel is too narrow to show to scale. An arbitrary channel width of 3 meters is shown. BFEs are not shown in this area, although they may be reflected on the corresponding profile.
FPQ	An area designated as a "Flood Prone Area" on a map prepared by USGS and the Federal Insurance Administration. This area has been delineated based on available information on past floods. This is an area inundated by 100-year flooding for which no BFEs have been determined.
IN	An area designated as within a "Special Flood Hazard Area" (or SFHA) on a FIRM. This is an area inundated by 100-year flooding for which BFEs or velocity may have been determined. No distinctions are made between the different flood hazard zones that may be included within the SFHA. These may include Zones A, AE, AO, AH, A99, AR, V, or VE.
OUT	An area designated as outside a "Special Flood Hazard Area"(or SFHA) on a FIRM. This is an area inundated by 500-year flooding; an area inundated by 100-year flooding with average depths of less than 1 foot or with drainage areas less than 1 square mile; an area protected by levees from 100-year flooding; or an area that is determined to be outside the 100- and 500-year floodplains. No distinctions are made between these different conditions. These may include both shaded and unshaded areas of Zone X.
ANI	An area that is located within a community or county that is not mapped on any published FIRM.
UNDES	A body of open water, such as a pond, lake, ocean, etc., located within a community's jurisdictional limits, that has no defined flood hazard.
*BFE = Base Flood Elevation	

The Flood Profile provides the shortest distance of the location to the various flood plain boundaries. Three types of distance measurement is provided:

- Shortest distance to the boundary of water body
- Shortest distance to the boundary of 100-year flood plain
- Shortest distance to the boundary of 500-year flood plain

The following map illustrates the way distance from flood plain boundaries are calculated:



The AIR*Profiler*® Severe Thunderstorm Profile provides users with information about the severe thunderstorm risk potential for a specific location. The Severe Thunderstorm Profile includes risks due to tornado, hail, and straight-line wind. Risk scores for 100-year, 250-year and annual average losses, as well as relative risk ranking within county and state, are displayed. The profile also displays the following risk information:

Annual Frequency

This field represents the annual frequency of occurrence for tornado, hail, and straight-line windstorms. A qualitative description of the frequency (very high, high, moderate, low, or very low) is displayed.

Historical Severe Thunderstorms

In this section of the Severe Thunderstorm Profile, AIR*Profiler* identifies information on the five most severe tornado, hail, and straight-line wind events within 50 miles of the given location. The following characteristics are displayed: year, date, distance from location, and intensity. The description of intensity varies by peril. For tornadoes, the Fujita scale is used. The intensity of hailstorms is measured by average hailstone size and the intensity of straight-line windstorms is derived from a measurement of maximum wind speed.

A description of the listed hazards follows:

A. **Brush and Forest Fires**: Areas with heavy vegetation and a dry season can be subject to forest and brush fires. Local building and zoning regulations address this hazard in some areas of the country. Buffer zones which are free from brush and other fuel sources, as well as the use of fire resistive exterior siding and roofing can be utilized to mitigate this hazard.

B. **Earthquake**: Earthquakes are caused by a tension release from the earth's tectonic plates that causes the ground to shake or vibrate. Most casualties associated with earthquakes are caused by structural failures in buildings and fires caused from electrical shorts and gas leaks. All of the model codes have seismic zones where buildings should be constructed to withstand at least a moderate earthquake. The codes are currently geared towards avoiding a structural collapse. This is a life safety issue and a building can still sustain enough physical damage to render it unusable after the earthquake occurs. Since 1900 earthquakes have occurred in 39 states and caused damage in all 50.

C. **Floods**: Floods are one of the most common disasters in the United States, and cause damage to thousands of structures annually. Floodplain construction is addressed in most building codes and many zoning regulations. Flood mitigation is addressed through the National Flood Insurance Program which provides insurance credit incentives for complying with FEMA regulations. Flood as a hazard falls outside the scope of the BCEGS program.

D. **Hail**: Consists of icy pellets of various sizes that are usually associated with thunderstorms or tornadic activity. Large hail can cause substantial damage to roof surfaces. In a typical year the insurance industry pays out $1.5 Billion in hail damage claims. In rare cases hail has caused structural damage and building collapses. Building codes usually do not address potential damage from hail.

E. **High Winds**: High strait line winds can occur anywhere in the United States and are caused by pressure and temperature variances in the Earth's atmosphere. High strait line winds are common in thunder storms, in the open plains were there are no obstructions to slow down the wind, in mountainous areas from upslope and downslope wind effects, on the East Coast from "Northeasters", and on the Pacific Coast from Santa Anna winds. Model Code groups have formulated maps based on 50 year mean recurrence intervals. The model codes currently apply the concept of "fastest wind speed" which is determined by an anemometer 33 ft. above the ground in open terrain. The anemometer measures the time it takes for one mile of air to pass its location. Wind maps are not based on potential maximum wind gust, but on "fastest wind speed," which has created confusion in media coverage of storms.

F. **Hurricane**: This is a tropical low pressure system with a circular wind rotation of 74 mph or greater usually accompanied by rain, lightning, and sometimes tornadoes. These storms have the ability to travel inland for hundreds of miles, maintaining hurricane force winds.

G. The Saffir-Simpson scale is used to rate the strength of a hurricane from 1 to 5 with 5 being the most severe. The Saffir-Simpson scale uses wind speed and storm surge to rate the hurricane's strength and potential for devastation. Model codes have addressed the probability of hurricanes by creating wind zones that range from 110 mph on barrier islands to 70mph inland. Structures must be designed and built to compensate for the potential

additional stress placed on structures by the wind in these zones. The structural designs must take into account both Positive and Negative Wind Loads. Roof systems must be anchored to the wall systems to resist the wind loads. The wall systems must also be strapped or bolted to the foundation and footing system to create a continuous resistive system. Building codes also address the potential storm surge for coastal construction, by requiring structures to be elevated on pilings.

H. **Landslide/mudflow/debris flow**: This hazard is more common in, but not limited to mountainous areas. Earthquakes and heavy rains cause landslides. Mudflows and debris flows can be caused by heavy rains as well as volcanic eruptions in areas with snow and ice present. This is usually a localized occurrence, and is more of a zoning than a building code issue.

I. **Lightning**: All states are subject to lightning in varying degrees. Lightning rods can be installed on structures in high probability areas, but most building codes do not address when lightning rods are required. In a typical year the insurance industry pays out over $1 Billion in residential lightning damage claims.

J. **Snow Loads**: This is a concern in snow belt areas in northern states and in mountainous areas. There are snow load maps created by the model code groups that address this situation. Some areas require a minimum roof pitch and higher design factors to compensate for the additional weight imposed on roofs by snow.

K. **Soil Liquefaction**: This is a seismic concern. There are some soil types which, in the presence of a high enough water table, will take on the physical properties of a liquid when shaken by an earthquake. Buildings constructed in areas subject to liquefaction need to be designed to reduce or eliminate the possibility of uneven settling or tilting during an earthquake.

L. **Soil Subsidence**: This is the shrinking or settling of soil due to its composition. Some soils compact or shrink excessively and this could cause foundation failure if not compensated for by foundation reinforcement. Some areas are subject to sink holes. These are typically caused by lime deposits being dissolved by underground water.

M. **Swelling Soils**: This is common in clay based soils that do not drain well and needs to be compensated for by foundation reinforcement. Footings or foundations placed on or within expansive soils need to be designed to resist differential volume changes to prevent structural damage to the supported structure. As an alternative to special design the soil can be removed and replaced or stabilized.

N. **Tornado**: Tornadoes are formed from mesocyclones or supercell thunderstorms. Tornadoes can strike in many places in the United States, but the greatest probability of tornadic activity is in a corridor from Texas to Wisconsin known as tornado alley. They occur usually in the spring or fall of the year during the late afternoon when the atmosphere is least stable. Tornadoes are measured by the Fujita Scale (F-SCALE), which measures the wind speed and damage potential. The scale ranges from F0 to F5 with F5 being the most severe storm. Damages from a direct hit by the strongest tornadoes cannot be mitigated, but the

collateral damages that occur in surrounding areas can be reduced. The wind provisions of the model codes can help to limit damages from the most common, weaker tornadoes.

O. **Tsunamis**: (tidal wave) These are large sea waves usually caused by earthquakes or volcanic eruptions, and are most common in the Pacific Ocean. The potential devastation of a Tsunami is enormous, but little is being done to mitigate this hazard. Several Pacific Coast States have enacted zoning regulations to prevent schools and hospitals from being built in low areas subject to tsunamis.

P. **Volcanoes**: There are numerous dormant and active volcanoes in the Western United States, and the potential danger is catastrophic near these volcanoes. Collateral damage could occur for hundreds of miles. Building codes can do little to address this danger, but some areas require additional roof structure design to compensate for volcanic ash load. Zoning restrictions are a more viable means of mitigation.

REQUEST FOR COUNCIL ACTION

To: City Manager Dennis Kief

CC: City Clerk Sue McMillan

From: Fire Chief Charles E. Lauss

AGENDA ITEM: Space Needs Assessment for the relocation of Station #3 (Southside)

AGENDA DATE REQUESTED: Monday February 11, 2008

ACTION REQUESTED:
To give the authority to move ahead to complete a Space Needs Assessment of the preliminary plans for the relocation of Station #3 (Southside). The City of Pekin Council requested, during the Capital Budget review sessions, for a cost of the relocation of Station #3 (Southside). Motion to approve at future meeting.

BACKGROUND:
This Space Needs Assessment will give the City Council an idea of the costs throughout the design and construction stages of the Station Relocation project. The City Council requested a cost for the Relocation Project during the Capital Budget Review Sessions. This Study will give those costs, along with LEEDS implications (Green Building), structural systems, interior and exterior finishes and materials, electrical and mechanical systems, floor plan designs, concept modeling, conceptual site layout and needed improvements and the review of not only the hard costs of the structure, but also the soft costs to attain occupancy. This station will be located at the intersection of Hanna Drive and South 5th Street. It is replacing the current station located at 272 Derby Street, which is 50 years old and is no longer meeting the growing needs of the Pekin Fire Department to provide the growing services we give to the community. This station will have a Pekin Police sub-station, a community room located in the basement of the facility, which will also serve as a Training Room for the Pekin Fire Department. At this time the Fire Department has to beg borrow and pay to attain a place to train our Fire Fighters in the vast amount of mandated training that we have to keep up with. It will also have a four (4) bay apparatus bay to accommodate the current apparatus, two Special Operations trailers and a Reserve apparatus to serve the area when we have to page Fire Fighters in for extra alarm emergencies. It will also house the living quarters, the Administration Offices, Inspection Offices, file storage and Emergency Operations Center (EOC).

FINANCIAL IMPACT: The cost of the Space Needs Assessment through Farnsworth Group is $5,000.00.

NEIGHBORHOOD CONCERNS: The station will be constructed to blend in with the neighborhood.

IMPACT IF APPROVED: This gives the City of Pekin a training facility for employee mandated training. It gives an area for the Park District to have a severe weather shelter in the event that there is severe weather in the area. The participants at the Park fields will have a place to retreat to in the event

of a severe weather event. The Station will be planned as a "Green Facility" to look toward the future in cost savings through utility costs.

IMPACT IF DENIED:

The current Fire Station is 50 years old and is in continuous need of repair and is extremely inefficient through the available room as well as the utility costs. The age of commercial facilities that are utilized as 24/7 usage facilities have a multiplier of at least 2.73 because they are occupied and utilized 24 hours a day, 7 days a week, 365 days a year. This makes the usage age of this facility approximately 136.5 years old. The station needs to be replaced due to the high costs of maintaining the current station. Additionally the need to replace Station #3 is because of the continued needs to address due to mandated training and continued rising and diverse responses to the community. Through investigation it is noted that each year that we postpone the construction of the facility the costs of construction rises approximate six percent (6%) annually.

ALTERNATIVES:

Continue to put off the project and live with the rising costs at a later date when the stations become uninhabitable. Send our Fire Fighters out of town to receive the mandated training and pay the costs for housing, meals and overtime to cover the staffing levels.

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS:

This facility (as well as the rebuilding of Station #2 in later years) has been a part of the City of Pekin Conceptual Plan for many years.

REQUEST FOR COUNCIL ACTION

To: Mayor and Council

CC: City Manager -City Clerk

From: Corporation Counsel

AGENDA ITEM: Amending Title 1, Chapter 12 of the Code of the City of Pekin 1995 Regarding Administrative Adjudication of Violations of the City of Pekin

AGENDA DATE REQUESTED: February 11, 2008

ACTION REQUESTED: Adopt Ordinance

BACKGROUND: To simplify procedures in coordination with State Administrative Review

FINANCIAL IMPACT: $ None

NEIGHBORHOOD CONCERNS: None

IMPACT IF APPROVED: $ None

IMPACT IF DENIED: Failure to simplify and clarify

ALTERNATIVES: None

RELATIONSHIP TO THE CONCEPTUAL PLANNING PROCESS:

Consistent with Effective Government Theme

REQUIRED SIGNATURES

Department Director _____ Date

Corporation Counsel _____ 2-6-08

(Certification of Review) Date

City Manager _____ Date

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 1, CHAPTER 12 OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING ADMINISTRATIVE ADJUDICATION OF VIOLATIONS OF THE CITY CODE

WHEREAS, the Code of the City of Pekin 1995 was adopted on April 10, 1995, and duly published in book form; and

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and function pertaining to its government and its affairs; and

WHEREAS, the City Council has determined that it is in the best interest of the City to clarify language in the City Code for the fair and efficient enforcement of the City Code other than those ordinances pertaining to standing, parking or vehicle compliance; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS:

1. That Title 1, Chapter 12, Section 3-10, be amended by deleting and/or substituting the following:

1-12-3 **ADMINISTRATIVE COMPOSITION**

(a) (1) (g) Delete in its entirety.

(b) (3) Delete “of liability”

(b) (4) Delete phrase “final determination” (appearing twice) and substitute with “Findings, Decision & Final Order”.

(c) (5) Delete phrase “final determination” and substitute with “Hearing Officer’s Findings, Decision & Final Order”.

1-12-6 **NOTICES (**formerly 1-12-7)

The notices sent pursuant to 1-12-5 shall be in the following sequence and contain, but not be limited to, the following information:

(1) Date and location of violation cited in the violation notice;

(2) Particular ordinance violated;

(3) Fine and any penalty that may be assessed for late payment;

(4) A section entitled “Notice of Hearing” which shall clearly set forth that the person receiving a notice of the City Code ordinance violation may appear at an administrative hearing to contest the validity of the violation notice on the date and at the time and place as specified in the notice of hearing.

(5) Date, time and place of the administrative hearing at which the alleged violation may be contested on its merits.

(6) Statement that failure to either pay fine and any applicable penalty or failure to appear at the hearing on its merits on the date and at the time and place specified will result in a finding of liability for the cited violation in the amount of the fine and penalty indicated.

(7) Statement that upon the occurrence of a finding of liability for the failure to appear, and the exhaustion of, or the failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the City.

1-12-7 **ADMINISTRATIVE HEARINGS** (formerly 1-12-06)

Unchanged

1-12-8 **DETERMINATION OF LIABILITY**

The Hearing Officer’s Findings, Decision & Final Order shall be sent following the conclusion of the administrative hearing, as is hereinafter set forth, and shall contain, but not be limited to, the following information and warnings:

(1) A decision as to whether or not the Respondent violated the City Code as alleged.

(2) The amount of fine or other sanction imposed, if any.

(3) A statement that the unpaid fine and any penalty assessed is a debt due and owing the City;

(4) A statement that any sanction ordered or costs imposed are debts due and owing the City; and,

(5) A warning that failure to pay the fine and penalty due and owing the City within the time specified may result in proceeding with collection procedures in the same manner as a judgment entered by any court of competent jurisdiction.

1-12-9 PETITION TO SET ASIDE DETERMINATION

Delete phrase "a final determination of liability" and substitute with "the Hearing Officer's Findings, Decision & Final Order".

1-12-10 JUDICIAL REVIEW

The Hearing Officer's Findings, Decision & Final Order stating that a City Code violation does or does not exist shall constitute a final determination for purposes of judicial review and shall be subject to review under the Illinois Administrative Review Law.

BE IT FURTHER ORDAINED that all other parts of the Code of the City of Pekin 1995 as amended except as modified herein are hereby reaffirmed and ratified and are in full force and effect.

BE IT FURTHER ORDAINED that all Ordinances or parts of ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage and approval and publication as required by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this ___ day of _____, 2008; and upon roll call the vote was as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAINING: _____

APPROVED this ___ day of _____, 2008.

_____
MAYOR

ATTEST:

_____
CITY CLERK

CHAPTER 12

ADMINISTRATIVE ADJUDICATION OF VIOLATIONS OF THE CITY CODE

1-12-1 **PURPOSE**.

The stated purpose of this article is to provide for the fair and efficient enforcement of the City Code of the City of Pekin, Illinois, other than those ordinances pertaining to vehicular standing, parking or vehicle compliance regulation (hereafter the "City Code"), as may be allowed by law and directed by ordinance, through an administrative adjudication of violations; and, establishing a schedule of fines and penalties, and authority and procedures for collection of unpaid fines and penalties.

1-12-2 **CREATION**.

There is hereby established a department of the City government to be known as the ordinance enforcement department and to have the power to enforce any municipal ordinance as from time to time authorized by the City Council, except for (i) any offense enforced pursuant to Chapter 4 of Title 8 of this Code relating to stopping, standing and parking of vehicles; (ii) any offense under the Illinois Vehicle Code or a similar offense that is a traffic regulation governing the movement of vehicles; and, (iii) any reportable offense under Section 6-204 of the Illinois Vehicle Code. The establishment of the ordinance enforcement department does not preclude the Mayor and City Council from using any other method or court with jurisdiction to enforce ordinances of the City.

1-12-3 **ADMINISTRATIVE COMPOSITION**.

The ordinance enforcement department shall be composed of a hearing officer, an ordinance enforcement administrator, system coordinator/computer operator and hearing room security personnel, with the power and authority as hereinafter set forth. One person may serve more than one such position. The City may contract with other parties to serve such positions.

(a) (1) The hearing officer, prior to appointment, must be an attorney licensed to practice law for at least three (3) years in the State of Illinois. The hearing officer shall preside over all adjudicatory hearings and shall have the following powers and duties:

a. To administer oaths;

b. To hear testimony and accept evidence that is relevant to the existence of the City Code violation;

c. To issue subpoenas directing witnesses to appear and give relevant testimony at the hearing, upon the request of the parties or their representatives;

d. To preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;

e. To issue and sign a written finding, decision and order stating whether a City Code violation exists;

f. To impose penalties, sanctions or such other relief consistent with applicable City Code provisions and assessing costs upon finding a party liable for the charged violation, except however, that in no event shall the hearing officer have authority to impose a penalty of incarceration; and,

~~g. To review final determination of liability for an ordinance violation in accordance with the administrative review procedures hereinafter set forth.~~

(2) Prior to conducting administrative adjudication proceedings under this article, the hearing officer shall have successfully completed a formal training program which includes the following:

a. Instruction on the rules of procedure of the administrative hearings over which the hearing officer shall preside;

b. Orientation to each subject area of the code violations that he/she will adjudicate;

c. Observation of administrative hearings; and,

d. Participation in hypothetical cases, including ruling on evidence and issuing final orders.

(b) The ordinance enforcement administrator is authorized and directed to:

(1) Operate and manage the ordinance enforcement department.

(2) Adopt, distribute and process all notices as may be required under this article or as may be reasonably required to carry out the purpose of this article.

(3) Collect moneys paid as fines and/or penalties assessed after a final determination ~~of liability.~~

(4) Certify copies of ~~final determinations~~ Findings, Decision & Final Order of an ordinance violation adjudicated pursuant to this article, and any factual reports verifying the ~~final determination~~ Findings, Decision & Final Order of any violation liability which was issued in accordance with this article.

(5) Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.

(6) Collect unpaid fines and penalties through private collection agencies and direct the pursuit of all post-judgment remedies available by law.

(c) The system coordinator/computer operator is hereby authorized and directed to operate and maintain the computer programs for the administrative adjudication system of the ordinance enforcement department hereby created, on a day-to-day basis, including but not limited to:

(1) Input of violation notice information.

(2) Establishing hearing dates and notice dates.

(3) Record fine and penalty assessment and payments.

(4) Issue payment receipts.

(5) Issue succeeding notice of hearing dates and/or ~~final determination of liability.~~ Hearing Officer's Findings, Decision & Final Order.

(6) Keep accurate records of appearances and nonappearances at administrative hearings, pleas entered, judgments entered, sanctions imposed, if any, fines and penalties assessed and paid.

(d) All hearing room security personnel shall be qualified off-duty, full-time, part-time or auxiliary police officers who are hereby authorized and directed to:

(1) Maintain hearing room decorum.

(2) Have and execute authority as is granted to courtroom deputies of the circuit court.

(3) Perform such other duties or acts as may reasonably be required and as directed by the hearing officer or ordinance enforcement administrator.

The City Manager is hereby authorized to appoint persons to hold the positions above set forth. Other than the hearing officer, one person may hold and fulfill the requirements of one or more of the above stated positions and compensation for each of the above stated positions shall be as approved by the City Council.

1-12-4 **PROCEDURES**.

The system of administrative adjudication of any ordinance violation authorized to be adjudicated hereunder, shall afford a party due process of law and the hearings shall be conducted in accordance with the following procedures:

(a) Violation notices of any City Code shall be issued by the persons authorized under this Code and shall contain information and shall be certified and constitute prima facie evidence of the violation cited as hereinafter set forth.

(b) All full-time, part-time and auxiliary police officers as well as other specifically authorized individuals of any department of the City shall have the authority to issue violation notices.

(c) Any individual authorized hereby to issue violation notices and who detects any ordinance violation authorized to be adjudicated under this article, is authorized to issue notice of violation thereof and shall make service thereof as is hereinafter set forth.

(d) The violation notice of the City Code shall contain, but shall not be limited to, the following information:

(1) The name of the party violating the ordinance, if known.

(2) The date, time and place of the violation (date of issuance).

(3) The particular ordinance violated.

(4) The fine and any penalty which may be assessed for the ordinance violation.

(5) The signature and identification number of the person issuing the notice.

(6) The date and location of the adjudication hearing of ordinance violations, and the penalties for failure to appear at the hearing.

(7) That payment of the indicated fine and any late payment shall operate as a final disposition of the violation.

1-12-5 **SERVICE**.

(a) Service of any violation notice shall be made by the person issuing such notice by:

(1) Handing the notice to the person responsible for the ordinance violation;

(2) Handing the notice to the responsible person or leaving the notice with any person twelve (12) years of age or older at the residence of the responsible person;

(3) Mailing the notice by first class mail, postage prepaid, to the person responsible for the ordinance violation; or,

(4) Posting the notice upon the property where the violation is found when the person is the owner or manager of the property.

(b) The correctness of facts contained in any violation notice shall be verified by the person issuing said notice by:

(1) Signing his/her name to the notice at the time of issuance; or,

(2) In the case of a notice produced by a computer device, by signing a single certificate, to be kept by the ordinance enforcement administrator, attesting to the correctness of all notices produced by the device while under his/her control.

(c) The original or a facsimile of the violation notice shall be retained by the ordinance enforcement administrator and kept as a record in the ordinary course of business.

(d) Any violation notice issued, signed and served in accordance herewith, or a copy of the notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice.

~~1-12-7~~ 1-12-6 **NOTICES**.

~~(a) Upon failure of the person receiving a notice of a violation of the City Code to appear at the time and date designated for a hearing, the ordinance enforcement administrator shall send, or cause to be sent, notices as provided in paragraph (b), by first class mail, postage prepaid, to the person who received the notice of an ordinance violation. Service of notices sent in accordance herewith shall be complete as of the date of deposit in the United States mail.~~

~~(b)~~ The notices sent pursuant to paragraph ~~(a)~~ 1-12-5 shall be in the following sequence and contain, but not be limited to, the following information:

(1) Date and location of violation cited in the violation notice;

(2) Particular ordinance violated;

(3) Fine and any penalty that may be assessed for late payment;

(4) A section entitled "Notice of Hearing" which shall clearly set forth that the person receiving a notice of the City Code ordinance violation may appear at an

administrative hearing to contest the validity of the violation notice on the date and at the time and place as specified in the notice of hearing.

(5) Date, time and place of the administrative hearing at which the alleged violation may be contested on its merits.

(6) Statement that failure to either pay fine and any applicable penalty or failure to appear at the hearing on its merits on the date and at the time and place specified will result in a final determination of liability for the "cited" violation in the amount of the fine and penalty indicated.

(7) Statement that upon the occurrence of a final determination of liability for the failure, and the exhaustion of, or the failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the City.

~~(c) A notice of final determination of liability shall be sent following the conclusion of administrative hearing, as is hereinafter set forth, and shall contain, but not be limited to, the following information and warnings:~~

~~(1) A statement that the unpaid fine and any penalty assessed is a debt due and owing the City;~~

~~(2) A statement of any sanction ordered or costs imposed which costs are debts due and owing the City; and,~~

~~(3) A warning that failure to pay the fine and any penalty due and owing the City within the time specified may result in proceeding with collection procedures in the same manner as a judgment entered by any court of competent jurisdiction.~~

~~1-12-6~~ 1-12-7 **ADMINISTRATIVE HEARINGS**.

An administrative hearing to adjudicate any alleged City Code ordinance violation on its merits shall be granted to the person named in the ordinance violation notice. All administrative hearings shall be recorded and shall culminate in a determination of liability or nonliability, made by the hearing officer, who shall consider facts and/or testimony without the application of the formal or technical rules of evidence. Evidence including hearsay, may be admitted only if it is of a type commonly relied upon by reasonable prudent persons in the conduct of their affairs. The hearing officer shall, upon a determination of liability, assess fines, penalties and costs in accordance with section 1-12-12 hereof. Persons appearing to contest the alleged violation on its merits may be represented by counsel at their own expense, present witnesses and cross-examine opposing witnesses. The burden of proof shall be on the alleged offender to refute the prima facie case set forth in the verified notice of violation.

1-12-8 ~~FINAL~~ **DETERMINATION OF LIABILITY**.

~~A final determination of liability shall occur following the failure to pay the fine or penalty after the hearing officer's determination of liability and the exhaustion of, or the failure to exhaust, any administrative review procedures hereinafter set forth. Where a person fails to appear at the administrative hearing to contest the alleged violation on the date and at the time and place specified in a prior served or mailed notice pursuant to Section 1-12-7 (b) hereof, the hearing officer's determination of liability shall become final either upon a denial of a timely petition to set aside that determination or upon the expiration of the period for filing a petition without a filing having been made.~~

The Hearing Officer's Findings, Decision & Final Order shall be sent following the conclusion of the administrative hearing, as is hereinafter set forth, and shall contain, but not be limited to, the following information and warnings:

(1) A decision as to whether or not the Respondent violated the City Code as alleged.

(2) The amount of fine or other sanction imposed, if any.

(3) A statement that the unpaid fine and any penalty assessed is a debt due and owing the City;

(4) A statement that any sanction ordered or costs imposed are debts due and owing the City; and,

(5) A warning that failure to pay the fine and penalty due and owing the City within the time specified may result in proceeding with collection procedures in the same manner as a judgment entered by any court of competent jurisdiction.

1-12-9 **PETITION TO SET ASIDE DETERMINATION**.

A petition to set aside ~~a final determination of liability~~ the Hearing Officer's Findings & Final Order may be filed with the ordinance enforcement administrator within twenty-one (21) days of the date of the final determination of liability and payment of twenty-five dollars ($25.00).

1-12-10 **JUDICIAL REVIEW**.

~~Any final decision by a hearing officer that a City Code violation does or does not exist shall constitute a final determination for purposes of judicial review under the Illinois Administrative Review Law.~~

The Hearing Officer's Findings, Decision & Final Order stating that a City Code violation does or does not exist shall constitute a final determination for purposes of judicial review and shall be subject to review under the Illinois Administrative Review Law.