

SPONSOR: Scott Rakos, Councilman  
6<sup>th</sup> District

ORDINANCE NO. 9483 20-27

**AN ORDINANCE TO AMEND ORDINANCE 7661, ALSO KNOWN AS SECTIONS 160.01, 160.02, 160.03, and 160.99 OF THE HAMMOND MUNICIPAL CODE AS IT PERTAINS TO THE GENERAL MAINTENANCE CODE AND ITS APPLICATION TO ALL PROPERTIES WITHIN THE CITY OF HAMMOND**

WHEREAS, the Inspections Department of the City of Hammond is tasked with enforcement of standards relating to the maintenance of property within the City of Hammond; and

WHEREAS, the Inspections Department and its inspectors follow up on complaints lodged by residents in a timely manner and do an outstanding job enforcing the ordinances of the City of Hammond relating to property maintenance and upkeep; and

WHEREAS, property maintenance standards should be applied uniformly throughout the City of Hammond regardless of the character of the property whether owner-occupied, rental, residential, commercial, industrial or vacant; and

WHEREAS, certain offending conditions on a property are due to the actions or inactions of a tenant or occupier of that property as much as or more than the actions or inactions of a property owner and in such cases it is appropriate to hold those tenants or occupiers responsible; and

WHEREAS, certain provisions of the General Maintenance Code, otherwise known as Chapter 160 of the Hammond Municipal Code, are inconsistent with other provisions of the Hammond Municipal Code; and

WHEREAS, it is desirous to resolve and eliminate inconsistencies in the Hammond Municipal Code in order to enhance enforcement of the Code and to minimize potential challenges;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond that the following sections of the Hammond Municipal Code are hereby amended to read as follows:

## **CHAPTER 160: GENERAL MAINTENANCE CODE**

### **§ 160.01 APPLICATION.**

It shall be the duty of all owners or occupiers of properties located within the city to comply with the requirements of this chapter. This chapter shall apply to owner-occupied dwellings as well as rental properties. It includes single-family dwellings, multi-unit dwellings, condominiums and any other properties used for dwelling purposes, as well as to any commercial or industrial properties, and to any vacant lots within the city. .

(Prior Code, § 161.01) (Ord. 7661, passed 3-14-1994)

### **§ 160.02 ENFORCEMENT.**

(A) The provisions of this chapter may be enforced by any and all duly authorized city inspectors from any city department.

(B) An inspector shall issue a citation to the owner or tenant, as applicable, of the non-complying property which shall include the following:

- (1) Name and department of inspector;
- (2) Name and address of owner, occupier, or tenant, as applicable, of non-complying property;
- (3) Address including apartment or unit number, if applicable, of non-complying property;
- (4) Identification of alleged violations of the chapter;
- (5) Notice of the court date, if applicable;
- (6) Notice that if violations are resolved within the time allowed for abatement and compliance is confirmed by a city inspector, then the citation will be dismissed; and
- (7) Notice of any programs available within the city to assist the property owner, occupier, or tenant in bringing the property into compliance.

(C) If a second or subsequent citation is issued for the same property, the citation shall not be dismissed and the owner, occupier or tenant, if applicable, may be ordered to appear in court.

(D) The inspector may serve the citation by leaving a copy of the citation posted on the property and then by mailing a copy or by personal service to the owner, occupier or tenant named in the citation..

(Prior Code, § 161.02) (Ord. 7661, passed 3-14-1994)

§ 160.03 GENERAL REQUIREMENTS.

The following shall be considered the minimum standards with which every property owner, occupier or tenant shall comply to avoid the unsightly appearance of residential, commercial, industrial, or vacant property due to neglect.

(A) Vegetation on lawns, alley lines and parkways shall be manicured to a height no taller than 6 inches and lawns, alley lines and parkways shall be free from excessive litter or excrement;

(B) Bushes, trees, shrubs and the like shall be maintained and cut so as to not grow into or obstruct any public way, including, but not limited to sidewalks, alley lines and parkways;

(C) Chimneys shall be maintained and tuckpointed to prevent crumbling and dilapidation;

(D) Gutters shall be maintained so that they are attached to the structure and remain free from weeds and debris;

(E) Buildings shall be maintained to prevent the unsightly appearance of chipping or peeling paint or brick or siding which is in disrepair;

(F) Swimming pools shall be maintained and be free from stagnant water so as to avoid insect or rodent manifestation;

(G) Vehicles shall not be parked in front yards except for that area which has been designated by the city's building and zoning codes as an approved driveway;

(H) All garbage, trash and refuse shall be properly stored and contained as required; and

(I) All properties shall display legible address numbers at the front and rear entrances as required by § 150.100.

(Prior Code, § 161.03) (Ord. 7661, passed 3-14-1994)

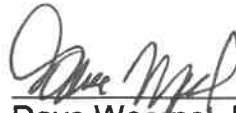
§ 160.99 PENALTY.

Violations of this chapter may be punishable by a fine not to exceed \$2,500.00 per day.

(Prior Code, § 161.99) (Ord. 7661, passed 3-14-1994)

**BE IT FURTHER ORDAINED** that the City of Hammond intends to create an enforceable Ordinance which is compliant with all Federal, State and Local laws, in the event, that this Ordinance, or any part of it, or any provision, or any classification contained therein, is found to be unconstitutional, the remaining portion will remain in effect and will be found to be valid.

ADOPTED AND APPROVED by the Common Council of the City of Hammond, Indiana, this 26th day of October, 2020.



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Dave Woepel, President  
Hammond Common Council

ATTEST:   
ROBERT J. GOLEC, City Clerk

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond to the Mayor said City for approval on the 27th day of October, 2020.



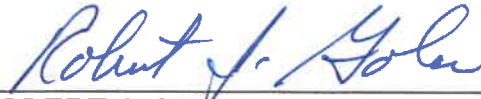
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ROBERT J. GOLEC, City Clerk

The foregoing Ordinance No. 9483 consisting of four (4) typewritten pages, including this page, approved by the Mayor on the 27<sup>th</sup> day of October, 2020.



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THOMAS M. MCDERMOTT, JR., Mayor  
City of Hammond, Indiana

PASSED by the Common Council on the 26th day of October, 2020.



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ROBERT J. GOLEC, City Clerk