

ORDINANCE NO. 8489

AN ORDINANCE TO REQUIRE ABATEMENT OF  
METHAMPHETAMINE CONTAMINATION OF BUILDINGS  
OR STRUCTURES IN THE CITY OF GRANITE CITY

WHEREAS, the purpose of the Ordinance is to reduce the harm that methamphetamine is inflicting on individuals, families, the community, the economy and the environment in the City of Granite City; and

WHEREAS, the illegal manufacture or storage of methamphetamine poses a serious health risk to the citizens of Granite City, to law enforcement and public safety officers and to others due to the exposure to methamphetamine contaminants; and

WHEREAS, structures or buildings in which methamphetamines are manufactured or stored may become contaminated with toxic substances and until that contamination is properly abated in accordance with the requirements of this Ordinance, said buildings or structures shall be deemed a toxic nuisance and a dangerous building or structure in which human occupancy is prohibited; and

WHEREAS, for the uses, purposes and reasons aforesaid, the City Council of the City of Granite City has found and determined that it is in the public interest and the health, safety and welfare of the citizens of the City that this Ordinance be enacted.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Granite City as follows:

**Section 1** - The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Granite City.

**Section 2** - Chapter 15.12 (DANGEROUS BUILDINGS) of the Municipal Code of the City of Granite City is hereby changed and amended to add thereto Section 15.12.045 (Abatement of methamphetamine contamination), to read as follows:

Section 15.12.045 Abatement of Methamphetamine Contamination.

A. Definitions.

“Manufacture” means to produce, prepare, compound, convert, process, synthesize, concentrate, purify, separate, extract, or package any methamphetamine, methamphetamine precursor, methamphetamine manufacturing catalyst, methamphetamine manufacturing reagent, methamphetamine manufacturing solvent, or any substance containing any of the foregoing.

“Methamphetamine” means the chemical methamphetamine (a Schedule II controlled substance under the Illinois Controlled Substances Act) or any salt, optical isomer, salt of optical isomer, or analog thereof.

“Methamphetamine Manufacturing Catalyst” means any substance that has been used, is being used, or is intended to be used to activate, accelerate, extend, or improve a chemical reaction involved in the manufacture of methamphetamine.

“Methamphetamine Manufacturing Chemical” means any of the following chemicals or substances containing any of the following chemicals: benzyl methyl ketone, ephedrine, methyl benzyl ketone, phenylacetone, phenyl-2-propanone, pseudoedrine, or red phosphorous or any of the salts, optical isomers, or salts of optical isomers of the above listed chemicals.

“Methamphetamine Manufacturing Environment” means a building, structure or vehicle in which:

- 1) methamphetamine is being or has been manufactured;
- 2) chemicals that are being used, have been used, or are intended to be used to manufacture methamphetamine are stored;
- 3) methamphetamine manufacturing materials that have been used to manufacture methamphetamine are stored; or
- 4) methamphetamine manufacturing waste is stored.

“Methamphetamine Manufacturing Waste” means any chemical, substance, ingredient, equipment, apparatus, or item that is left over from, results from, or is produced by the process of manufacturing methamphetamine, other than finished methamphetamine.

“Clandestine Laboratory” means a location and operation, past or present, including but not limited to buildings, or vehicles equipped with hardware, containers, precursors or related reagents and solvents needed to unlawfully prepare or manufacture methamphetamines.

“Cleanup” means actions necessary to contain, collect, control, identify, analyze, disassemble, treat, remove, or otherwise disperse all substances and materials, including but not limited to the Chemicals listed in the definition of Methamphetamine Manufacturing Chemical.

“Building or Structure” shall include apartments, single-family homes, garages, hotel/motel rooms, mobile homes, vehicles, rooms for rent, duplex dwellings, or any other building or structure.

B. Contamination of Methamphetamine Manufacturing Environment. It is unlawful to maintain or permit the use, occupancy or existence of a building, vehicle or other structure in the City which has been used for the manufacture or storage of methamphetamine until proper Cleanup has occurred in accordance with this Section of the Dangerous Buildings Code and said Cleanup has been approved by the City’s Building Inspector.

C. Methamphetamine Contamination Abatement. Whenever a building, vehicle or other structure or definable portion thereof is determined to have been exposed to toxic chemicals from the manufacture and/or storage of methamphetamine, and such determination is confirmed by a law enforcement officer, a health inspector, a city building inspector or other public safety officer, the building, vehicle or structure or definable portion thereof suspected to be contaminated shall be vacated and remain unoccupied until Cleanup has been completed in accordance with the requirements of Subsection "D" of this Section of the City's Dangerous Buildings Code.

D. Methamphetamine Abatement Procedure. The Owners(s) or other person or party having the occupancy, control or ownership of a building, vehicle or other structure, or definable portion thereof, determined to be a Methamphetamine Manufacturing Environment or Clandestine Laboratory, shall be required to hire a contractor who has hazardous waste expertise and is certified to conduct methamphetamine abatement. In addition the certified contractor must elicit the guidance of a certified industrial hygienist (CIH) in all cleanup operations. The CIH will conduct the preliminary assessment and post remediation sampling and provide the City with a No further Remediation Letter once the abatement is complete.

- a. Inspection and testing shall be done in each room of a single-dwelling unit and shall include basement, attic areas, attached garages and heat and cooling duct systems.
- b. Any time a garage that is attached to and/or shares a common access point to the living quarters is used for a Clandestine Laboratory operation, the garage and living quarters shall be deemed abandoned and unsafe until such time as the buildings and structures have been abated from all Methamphetamines, Methamphetamine Manufacturing Catalysts, Methamphetamine Manufacturing Chemicals and Methamphetamine Manufacturing Waste and such abatement has been confirmed and approved by the City Building and Zoning Administrator.
- c. Anytime a motel/hotel room is used for a Clandestine Laboratory operation that room will be considered abandoned and unsafe and will not be allowed to be occupied until such time as the room has been cleaned and certified for occupancy by the City Building and Zoning Department.
- d. Anytime a Clandestine Laboratory operation is found in a multi-unit building or structure including a motel/hotel, inspection and testing shall take place in the adjacent unit(s) surrounding the Dangerous Building that share a common wall or floor or ceiling. Additionally, testing will take place in any/all unit(s) sharing a common heating or cooling system with the Dangerous Building. Inspection and testing of adjacent unit(s) will be confined to rooms sharing common wall, floor or ceiling unless test results show the presence of toxic material in which case testing will continue to expand to adjacent rooms, buildings or structures until such time that the adjacent room, building or structure are determined not to be contaminated.

E. Notice to Abate Toxic Contamination.

1. Abatement Notice - Whenever a law enforcement officer, building inspector, health officer, fire chief, fire marshal, or other public safety officer has reasonable grounds to believe that a building or other structure or a definable portion thereof may be contaminated by toxic chemicals created by methamphetamine manufacture or storage, he or she shall file a written statement to that effect with the City's Chief of Police and/or the City's Building and Zoning Administrator. The Building and Zoning Administrator and/or the Police Chief or their designee shall thereupon cause written notice to be served upon the owner(s) or record of the building, vehicle or structure and/or the person in charge of or in control of same and any lien holder(s) of record, by registered mail or by personal service. The notice shall state that the toxic nuisance must be abated in accordance with the requirements of Subsection C hereof and that the premises must be immediately vacated and any further occupancy permit to be issued by the City's Building and Zoning Department shall not be issued and the occupancy thereof may not be restored until the Cleanup has been completed to the satisfaction of the City's Police Chief and/or the City's Building and Zoning Administrator or their designee.
2. Form of Abatement Notice:

To: \_\_\_\_\_ (Owner/occupant/lien holder) of the premises know and described as (or having the assigned address of) \_\_\_\_\_.

YOU ARE HEREBY NOTIFIED that \_\_\_\_\_ has been determined by the City of Granite City to be a Methamphetamine Manufacturing Environment and/or Clandestine Laboratory used to manufacture Methamphetamines. The structure or building identified above is unsafe and hereby declared a Dangerous Building. You must immediately vacate the premises or cause the same to be vacated until the building or structure is abated in accordance with Subsection D of 15.12.015 of the City's Municipal Code(a copy of which is attached hereto) and an occupancy permit has been issued by the City's Building and Zoning Department to allow the building, vehicle or structure to be occupied or used for transportation. You are to clean the subject building, vehicle or structure and abate the Dangerous Building as required by Subsection C of this Section 15.12.015 of the Granite City Municipal Code within sixty (60) days of the date of this Notice (unless granted an extension by the City's Police Chief or Building and Zoning Director or their designee) or the City will seek a Court Order allowing the City to abate the Dangerous Building and/or demolish the building, vehicle or structure, at the expense of the owner.

F. Abatement by the City. The City may abate the methamphetamine contamination or demolish the building, vehicle or structure upon the granting of a Court Order. If the person receiving the Notice has not commenced to comply therewith within fifteen (15) days from the date of the service of Notice or has commenced compliance but is not making a reasonable effort to complete the same in the opinion of the City's Police Chief or Building and Zoning Administrator, the City may file suit in a court of competent jurisdiction seeking an order allowing the City to abate the toxic nuisance or demolish the building, vehicle or structure, at the expense of the owner.

G. City's Cost Recoverable from Property Owner. The City's cost of toxic nuisance abatement or demolition of a Dangerous Building, vehicle or structure due to methamphetamine contamination shall be recoverable by a property lien and/or an action at law against the owner to be filed within one hundred eighty (180) days after the remedial action.

**Section 3** - Section 15.12.010 (Dangerous Building Defined - Declared Nuisance) of Chapter 15.12 (Dangerous Buildings) of the City of Granite City Municipal Code is hereby changed and amended to add thereto Subsection (A)(5) to read as follows:

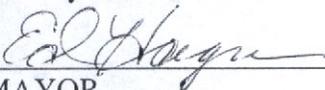
A. 5 - "Building or Structure" shall include apartments, single-family homes, garages, hotel/motel rooms, mobile homes, vehicles, rooms for rent, duplex dwellings, or any other building or structure used to manufacture or store methamphetamine until it is cleaned up and the contamination abated in compliance with section 15.12.015 of this Chapter

**Section 4** - All ordinances or resolutions, or parts of ordinances or resolutions, in conflict herewith, to the extent of such conflict, are hereby changed and amended to read in compliance with the requirements of this Ordinance, and to the extent an ordinance or resolution or part of an ordinance or resolution cannot be changed to comply with the requirements of this Ordinance, there same is hereby repealed.

**Section 5** - This Ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Granite City, Illinois this 19 day of May 2015.

APPROVED by the Mayor of the City of Granite City, Illinois this 19<sup>th</sup> day of May, 2015.

  
MAYOR

ATTEST:

  
CITY CLERK  
83459

## Certified Industrial Hygienst's

1. Certified Safety Consulting, LLC  
3921 Connecticut St.  
St. Louis, MO 63116  
314-660-7238
2. John A. Jurgiel & Assoc, Inc  
123 N. Main St.  
St. Charles, MO 63301  
636-757-3061
3. Envirohealth Technologies, Inc  
3830 Washington Blvd. #127  
St. Louis, MO 63108  
314-531-9868
4. Safe Day Consulting, LLC  
13 Guyenne Drive  
Lake St. Louis, MO 63367  
636-219-9392
5. Golder Associates  
820 South Main St., Ste 100  
St. Charles, MO 63301  
970-988-5487
6. D. Schau & Associates, LLC  
P.O. Box 440057  
St. Louis, MO  
314-954-1721

## Methamphetamine Abatement/Clandestine Drug Lab Decontamination Specialists

1. Bio Clean 9-1-1  
656 Hickory Knoll Ct.  
Ballwin, MO 63021  
800-530-1541
2. MethLab Cleanup Company  
800-959-6384
3. Bio Hazard Recovery  
636-724-2622
4. Benecorp  
11037 Gravois Ind. Ct.  
St. Louis, MO 63128  
636-305-1095
5. Majestic Restoration  
305 N. Carbon St.  
Marion, IL 62959  
618-969-9444
6. Midwest Crisis Cleaning, LLC  
2816 Pomme Meadows  
Arnold, MO 63010  
636-287-9199
7. Bio Absolute  
4401 Ridgewood Ave.  
St. Louis, MO 63116  
314-898-21388.
8. Servpro  
P.O. Box 1211  
Maryland Heights, MO 63043  
314-469-9000