



# OFFICE OF THE CITY CLERK

## BIANCA L. TIRADO, CITY CLERK

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### PUBLIC WORKS & PROPERTY VACATION

JUNE 23, 2025 4:25 P.M.

Committee Members Present:

Sheila Niezgodski, Ophelia Gooden-Rodgers, Troy Warner, Dr. Oliver Davis

Committee Members Absent:

Carl Littrell

Other Council Present:

Rachel Tomas Morgan, Karen L. White

Others Present:

Bianca L. Tirado, Jasmine Jackson, Matthew Neal, Margaret Gotsch, Lari'onna Green, Bob Palmer

Presenters:

Jenna Throw, Randy James

Agenda:

Bill No. 64-24 - Alley Vacation - 512 South Walnut Street

Bill No. 38-25 - Amending Articles 1 Through 7 and Article 11 of Chapter 6 of the South Bend Municipal Code to Update Regulations Governing the Building Department

Members marked with an asterisk (\*) are in virtual attendance.

Please note the attached link for the meeting recording:

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=396205>

Committee Chair Sheila Niezgodski called to order the Public Works and Property Vacation Committee meeting at 4:25 P.M.

Committee Chair Niezgodski acknowledged the service of Jason Piontek on this Committee for the past four (4) to five (5) years. Jason Piontek has now moved out of the City of South Bend and is no longer eligible to serve on the Public Works and Property Vacation Committee.

**Bill No. 64-24 - Alley Vacation - 512 South Walnut Street**

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Jasmine Jackson  
CHIEF DEPUTY CITY CLERK / CHIEF OF STAFF

Matthew Neal  
DEPUTY CITY CLERK / DIRECTOR OF POLICY

Margaret Gotsch  
DIRECTOR OF SPECIAL PROJECTS

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Committee Chair Niezgodski stated that Bill No. 64-24 was withdrawn by the petitioner. Bill No. 64-24 was an alley vacation that was tabled on December 9, 2024, and rescheduled to be heard on today's date, but the petitioner has now withdrawn this request and no further consideration is necessary.

**Bill No. 38-25 - Amending Articles 1 Through 7 and Article 11 of Chapter 6 of the South Bend Municipal Code to Update Regulations Governing the Building Department**

Presenting the Bill No. 38-25 were Jenna Throw, City Attorney, with offices on the twelfth (12<sup>th</sup>) floor of the County-City Building, South Bend, IN 46601, and Randy James, Building Commissioner, with offices at 125 S. Lafayette Boulevard, South Bend, IN 46601. Jenna Throw stated that they had previously presented the proposed amendments to the South Bend Building Code to this Committee on May 2025. The following is an overview of the presentation.

Topic One (1): Permit Fee Adjustments (Section 6-4) – minimum fee updated from forty dollars (\$40) to sixty dollars (\$60), and other proportional changes to account for inflation and other rising costs. Proposals considered similar municipalities without creating an undue burden on applicants. Topic Two (2) : Alignment with State Definitions (Section 6-1) – definitions were revised to refer to specific provisions of the Indiana Code and the Indiana Administrative Code, which will provide for more consistency and simplify the revision process. Topic Three (3): Inspection Protocol Enhancement (Sections 6-6, 6-6.1) – clarifies the respective roles of the Building and Fire Departments in their mutually cooperative roles in promoting compliance and provides for re-inspection following a citation to determine if the problem has been resolved. Topic Four (4): Stop Work Order/Cease and Desist (Section 6-4.3) – clarifies the rationale, requirements, and procedures for the issuance of stop work order or a cease-and-desist order from the Building Department but does not preclude the use of other remedies. Topic Five (5): Abandoned Construction Projects (Section 6-4.7) – provides a more structured approach for identifying an abandoned project by establishing criteria and outlining next steps with the goal of preventing long-term safety hazards. Topic Six (6): Expanded Inspection and Investigation Authority (Section 6-4.8) – clarifies that, to ensure that construction projects comply with the rules set forth by the Fire Prevention and Building Safety Commission, all construction projects are subject to inspection regardless of whether a building permit has been obtained, but provides that these provisions are not to be construed as more stringent than the rules of the State Commission. Topic Seven (7): Building Demolition Process Alignment with Indiana Department of Environmental Management (IDEM) (Section 6-6.4) – includes provision that, prior to demolition or renovation, the owner or operator of a facility must meet IDEM and notice requirements and clarifies other items including access to right of way, requirements to leave site in “buildable state,” and requirement for handling of construction and demolition waste. Topic Eight (8): Contractor Registration Reforms (Article 6-7, Section 6-6.10) – establishes and streamlines the process for registration as an electrical and heating, ventilation, and air conditioning (HVAC) contractor and clarifies application and exam requirements. Also, details the requirements to suspend or revoke a registration based on a criminal conviction, and includes the statutory disqualification period and any exceptions to this period. Topic Nine (9): Process and Administrative Updates – focuses on the Department’s ability to enforce compliance, modernize operations, and streamline processes. Topic Ten (10): Refinement of Mechanical,





Electrical, and Plumbing Regulations (Articles 4, 6, and 7) – clarifies the line-item fee schedules in each of these Articles to ensure the fee schedule aligns with the current forms. Topic Eleven(11): Address HEA 1005 (Sections 6-4.9, 6-5.2) – addresses changes in state law related to new requirements that allow private providers to perform certain plan reviews and inspections, and the fees applicable to the new requirements. These provisions take effect January 1, 2026, which is the effective date of the new state law.

Randy James noted that several of their standard practices have been codified and the fee increases are necessary to keep pace with the cost of inspections. The new state law requires an amendment to the Building Code to remain consistent with state requirements.

Committee Member Rachel Tomas Morgan asked how the new ordinance impacted projects that were previously abandoned.

Randy James stated that previously abandoned projects will go through the same process outlined in the ordinance, but the Building Department is attempting to streamline the process by handing it over to Neighborhood Services to initiate the process by indentifying unsafe properties that have been abandoned.

Jenna Throw noted that the intent of the changes is to speed up the process of dealing with these abandoned properties by identifying properties where no work has been done for two (2) years and there is no certificate of occupancy.

Committee Chair Niezgodski held the public hearing, and nobody spoke.

Committee Member Troy Warner moved to send Bill No. 38-25 to the Full Council with a favorable recommendation, which was seconded by Committee Vice Chair Gooden-Rodgers and carried by a vote of four (4) ayes, with one (1) Citizen Member absent.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Vice Chair Ophelia Gooden-Rodgers – <i>Aye</i>
Committee Member Troy Warner - <i>Aye</i>	Committee Member Dr. Oliver Davis – <i>Aye</i>
Citizen Member Carl Littrell - <i>Absent</i>	

With no further business, Committee Chair Shiela Niezgodski adjourned the Public Works and Property Vacation Committee meeting at 4:43 P.M.

Respectfully Submitted,

Sheila Niezgodski, Committee Chair



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