



**VILLAGE OF ADDISON  
RESIDENTIAL RENTAL  
HOUSING MANUAL**

**EFFECTIVE MAY 1, 2011**

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This manual becomes effective May 1, 2011.

This manual will remain in effect until either a new manual is published or addendums are provided to all property owners in the residential rental program.

Brackets [ ] indicate a local ordinance or amendment. Appendix A, B, and C are also Village of Addison standards. All other listed code standards are adopted from the 2009 International Codes or as otherwise indicated.

The intent of this manual is to identify the procedures, codes, standards and requirements for all sites included in the Residential Rental Program.

Questions or comments should be directed to the:

Village of Addison,

Community Development Department.

1 Friendship Plaza, Addison, IL. 60101-2786,

Phone: 630 693 7530

Fax: 630 543 3967

E-Mail: [Rentals@Addison-IL.org](mailto:Rentals@Addison-IL.org)

Additional copies of this manual may be purchased at the cost of \$15.00 each.

## **CHAPTER 1 SCOPE AND ADMINISTRATION**

### **SECTION 101 - GENERAL**

**101.1 Title.** These regulations shall be known as the Property Maintenance Code of [Village of Addison, Illinois], hereinafter referred to as “this code.”

**101.2 Scope.** The provisions of this book shall apply to all existing [residential rental properties, excluding hotels, motels, and individual rooms rented in an owner occupied residence] and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

**101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare in so far as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

[A single copy of these standards shall be provided to each property owner for each site owned and licensed under the provisions of the Village of Addison Residential Rental License Program.]

**101.4 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

### **SECTION 102 - APPLICABILITY**

**102.1 General.** The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

**102.2 Maintenance.** Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.

**102.3 Application of other codes.** [Repairs, additions or alterations to a structure or changes of occupancy shall be done in accordance with the procedures and provisions of the adopted International Building Code, International Fire Code, International Residential Code, International Fuel Gas Code, International Mechanical Code, NFPA 70, Illinois Plumbing Code, the Illinois Accessibility Code and the Addison Village Code, Zoning Ordinance, and Subdivision Control Ordinance. With respect to property maintenance, the following provisions of the Addison Village Code set forth additional regulations applicable to properties within the Village: Nuisances: Chapter 12, Drainage: Chapter 9; Chapter 20, Article III, Animals: Chapter 4 Rental Licenses: Chapter 10, Article VIII, Parking: Chapter 11, Article VI Garbage: Chapter 15, Article V, Signs; Chapter 27.]

**102.4 Existing remedies.** The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.

**102.5 Workmanship.** Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

**102.8 Requirements not covered by code.** Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

## **SECTION 103 - DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION**

**103.1 General.** The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the code official. [The term "Department of Property Maintenance Inspections," as used in this Chapter shall mean and refer to the Department of Community Development of the Village of Addison.]

**103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees.

**103.4 Liability.** The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of property maintenance inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

## **SECTION 104 - DUTIES AND POWERS OF THE CODE OFFICIAL**

**104.1 General.** The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have authority to render interpretations of this code and to adopt policies and procedures; in order to clarify the procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

**104.2 Inspections.** The code official shall make all of the required inspections or shall accept reports of inspections by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority. [All inspections shall be scheduled and conducted as indicated in Appendix A.]

**104.3 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to perform his duties imposed by this code, provided that the structure or premise is occupied the code official shall present credentials to the occupant and request entry. If the structure or premise is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premise and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.

**104.4 Identification.** The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**104.5 Notices and orders.** The code official shall issue all necessary notices or orders to ensure compliance with this code.

**104.6 Department records.** The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records. [All rental licenses shall be applied for and processed as indicated under Appendix B.]

## **SECTION 105 - APPROVAL**

**105.1 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

**105.2 Alternative materials, methods and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

**105.3 Required testing.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

**105.3.1 Test methods.** Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

**105.3.2 Test reports.** Reports of tests shall be retained by the code official for the period required for retention of public records.

**105.4 Used material and equipment.** The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved by the code official.

## **SECTION 106- VIOLATIONS**

**106.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

**106.2 Notice of violation.** [The code official shall serve notice of violation (e-mail, letter, written service request or a written inspection report) or order in accordance with Section 107.

**106.3 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**106.4 Violation penalties.** Any person, who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. The responsible owner, operator or occupant shall be subject to a fine of not less than one hundred fifty dollars (\$150.00) nor more than one thousand dollars (\$1,000.00) for each uncorrected violation, and each day such violation exists after expiration of the time specified for correction, if any, shall be deemed a separate offense.

**106.5 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

## **SECTION 107 - NOTICES AND ORDERS**

**107.1 Notice to person responsible.** Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

**107.2 Form.** Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
5. Inform the property owner of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

**107.3 Method of service.** Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

**107.4 Unauthorized tampering.** Signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed or tampered with or removed without authorization by the code official.

**Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

**107.5 Transfer of ownership.** It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

## **SECTION 108 - UNSAFE STRUCTURES AND EQUIPMENT**

**108.1 General.** When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

**108.1.1 Unsafe structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**108.1.2 Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

**108.1.3 Structure unfit for human occupancy.** A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure. Sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

**108.1.4 Unlawful structure.** An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

**108.2 Closing of vacant structures.** If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

**108.3 Notice.** Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

**108.4 Placarding.** Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

**108.4.1 Placard removal.** The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

**108.5 Prohibited occupancy.** Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premise or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premise or operate placarded equipment shall be liable for the penalties provided by this code.

## **SECTION 109 - EMERGENCY MEASURES**

**109.1 Imminent danger.** When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

**109.2 Temporary safeguards.** Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

**109.3 Closing streets.** When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

**109.4 Emergency repairs.** For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

**109.5 Costs of emergency repairs.** Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

**109.6 Hearing.** Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

## **SECTION 111 - MEANS OF APPEAL**

**[111.1 Application for appeal.** Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the inspectors, provided that a written application for appeal is filed within 10 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Such application shall identify the location of the property, the applicant's name, address, day time phone number, the code requirement or notice being questioned and the basis for the appeal. Such appeals must be directed to the inspector who initiated the correction order or wrote the report. If not approved by the inspector; the initial appeal and their written comments will be forwarded to the Building Division Supervisor for further consideration and a written response to the initial applicant may be provided if the appeal is agreed to, if not the matter will be forwarded to the Director of Community Development for a final decision.

Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until a response to the applicant has been issued.]

## **SECTION 112 - STOP WORK ORDERS**

**112.1 Authority.** Whenever the code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**112.2 Issuance.** A stop work order shall be in writing and shall be given to the owner of the property, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**112.3 Emergencies.** When an emergency exists, the code official shall not be required to give written notice prior to stopping the work.

**112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$150.00 dollars or more than \$1,000.00 dollars.

## CHAPTER 2 DEFINITIONS

### SECTION 201 - GENERAL

**201.1 Scope.** Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

**201.2 Interchangeability.** Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the International Building Code, International Fire Code, International Zoning Code, International Mechanical Code, National Electrical Code [Illinois Plumbing Code, Village of Addison Municipal Code, Village of Addison Zoning Ordinance, Village of Addison Building Code or the Village of Addison Subdivision Ordinance], such terms shall have the meanings ascribed to them as stated in those codes.

**201.4 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

**201.5 Parts.** Whenever the words “dwelling unit,” “dwelling,” “premises,” “building,” “rooming house,” “rooming unit” “housekeeping unit” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

### SECTION 202 - GENERAL DEFINITIONS

[ACCESSORY STRUCTURE: A subordinate building, the use of which is incidental to and customary in connection with the principal building or use and which is located on the same lot with such principal building or use and is under the same ownership.]

ANCHORED. Secured in a manner that provides a positive connection.

[ANNUAL INSPECTION: A compliance assessment of all outdoor areas and structures, the exterior of all buildings, the dwelling units and all other interior common areas under the ownership of the property owner or as otherwise described in this ordinance.]

APPROVED. Approved by the code official.

BASEMENT. That portion of a building which is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

[BUILDING: (See Structure) For the purpose of this code the terms building and structure shall be interchangeable.]

CODE OFFICIAL. [The Director of Community Development charged with the administration and enforcement of this code and all associated ordinances. For the purpose of this ordinance, reference to the term code official shall also designate the Code Enforcement Officer, a Community Development Inspector, a Plan Examiner, the Building Division Supervisor or other designee as having the same authority identified.]

[CODE STANDARDS: Are those code issues which apply to all structures but are not used with the inspection process to determine an annual grade for a rental site. See; Inspection Issues.]

CONDEMN. To adjudge unfit for occupancy.

DETACHED. When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

DETERIORATION. To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

[DWELLING: shall mean any enclosed space which is wholly or partly used or intended to be used rented, leased, let or hired out to be occupied, or that are occupied for living purposes.]

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

[DWELLING UNIT, ABANDONED: A dwelling unit which is unoccupied for at least a ninety (90) day period. An abandoned dwelling unit may also be classified as an attractive nuisance. However, a unit or dwelling that is available for occupancy, is code compliant but is not rented or the home that is code compliant and is being sold would not in itself be designated an abandoned dwelling unit.]

EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

EXTERIOR SUPPORT. Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers, or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

EXTERIOR PROPERTY. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

[GROSS FLOOR AREA: The sum of the gross horizontal areas of the several floors of a dwelling unit measured from the exterior faces of the exterior walls or from the centerline of walls separating dwelling units.]

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

[HABITABLE BASEMENT ROOM: Any room or enclosed floor space or rooming unit in a basement intended to be used for sleeping, living, cooking or cleaning purposes meeting the requirements for habitable space with respect to privacy, light, ventilation, egress, safety, floor area and ceiling heights. A basement room shall be deemed non-habitable if the finished floor level exceeds three feet six inches below the average exterior grade.]

HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

HOUSEKEEPING UNIT. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

INOPERABLE MOTOR VEHICLE. A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

INSPECTION: shall mean the annual inspection, semiannual inspection, a reinspection or an exterior only inspection.

[INSPECTION ISSUES: Those issues listed in the Housing Manual which are noted as the basis of determining the annual grade or as an inspection issue for any additional or follow-up rental inspection.]

[INTERIOR COMMON AREA: Interior spaces not part of a dwelling unit, including all interior utility areas and all interior areas shared and/or accessed by the occupants of the building.]

LABELED. Equipment, materials or products to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specific purpose.

LEASE OR RENT. Shall mean the entry into a written or oral agreement embodying the terms and conditions concerning the use and occupancy of a dwelling by a tenant.

LET FOR OCCUPANCY OR LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

[MANAGING AGENT: shall mean any person or firm, acting for another, with authority to rent, manage or make expenditures.]

NELECT. The lack of proper maintenance for a building or portion thereof is utilized or occupied.

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

[PARKING SPACE: A surfaced area, enclosed or unenclosed, not less than nine feet wide and eighteen feet long, together with a driveway connecting the parking space with a street, road or alley sufficient in size to store one automobile and permitting ingress and egress of that automobile without the necessity of moving any other automobile. Such parking space must be improved with a hard surface; asphalt, concrete or other dustless material, in accordance with the applicable Village and State standards and requirements. Reserved Parking for the disabled, if provided, shall be installed and maintained in compliance with the Illinois Accessibility Standards.]

[PARKWAY: Is the area (excluding public sidewalks) between the property line and the back of curb. If there, is no curbing the edge of the pavement or gravel roadway.]

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PEST ELIMINATION. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serves as their food and water; by other approved pest elimination methods.

PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

[PUBLIC NUISANCE: Includes the following:

- (1) The physical condition or use of any premises regarded as a public nuisance at common law.
- (2) Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned dwelling units, wells, shafts, basements, excavations, tree houses and unsafe fences or structures, abandoned vehicles, unsecured and unattended swimming pools, appliances, furniture or other such items.
- (3) Any premises which have unsanitary sewerage or plumbing facilities.
- (4) Any premises designated as unsafe for human habitation or use.
- (5) Any premises which are manifestly capable of being a fire hazard or are manifestly unsafe or unsecured as to endanger life, limb or property.
- (6) Any premises from which the plumbing, heating and/or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided.
- (7) Any premises which are unsanitary, or which are littered with rubbish or garbage, or which have an uncontrolled growth of weeds.

(8) Any structure or building that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damage by fire to the extent as not to provide shelter, in danger of collapse or failure and is dangerous to anyone on or near the premises.]

**PUBLIC WAY.** Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

[REINSPECTION. A reinspection will include the inspection of all areas previously found in violation of the applicable codes. Reinspections may also identify new violations that have since developed or were not identified during the previous inspection.]

[RENTAL DWELLING: shall mean any dwelling unit which is not owner occupied and which is either rented, leased, available for rent or lease, or otherwise compensated for by others to the property owner or his/her agent. The rental of a single room or the sharing of a dwelling unit between the property owner of the dwelling unit and others shall not constitute a rental dwelling.]

[RENTAL UNIT: Any dwelling or dwelling unit leased, rented or other wise arranged for use as a residential dwelling unit and for which compensation is received shall be deemed a rental unit.]

[RESIDENTIAL RENTAL LICENSE YEAR: The Residential License Year shall be from May 1 to April 30 of the following year (typically 365 continuous calendar days).]

**ROOMING HOUSE.** A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

**ROOMING UNIT.** Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**RUBBISH.** Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

[SEMI-ANNUAL INSPECTION: shall mean a second annual inspection of all outdoor areas and structures, the exterior of all buildings, the dwelling units and all other interior common areas subject to this Article VIII, which are under the ownership of the property owner to assess compliance with the applicable Village Code standards governing rental dwellings.]

**SLEEPING UNIT.** A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

**STRICT LIABILITY OFFENSE.** An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**STRUCTURE.** That which is built or constructed or a portion thereof.

[SUPPLIED: Paid for, installed, furnished or provided by or under the control of the owner or operator at his own expense.]

TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

[TENANT NOTIFICATION OF HOUSING CODES: A form developed and supplied by the Addison Community Development Department, to document that the primary occupant is aware of his or her responsibilities. The notification to the tenant is the responsibility of the landlord or manager.]

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

YARD. An open space on the same lot with a structure.

## CHAPTER 3 GENERAL REQUIREMENTS

### SECTION 301 - GENERAL

**301.1 Scope.** The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

**301.2 Responsibility.** The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

#### **[301.2.1 Owner's compliance with Duties.**

(A) Every owner or operator of a rental dwelling or dwelling unit shall on renting the same shall provide the new occupants with a Tenant Notification of Housing Codes, indicating the responsibilities and limitations they are to comply with as residents.

(B) Every owner or operator shall apply for and received a Residential Rental License, on a yearly basis. Every owner must indicate two contacts, who shall be called in case of any situation requiring immediate attention. Either contact may be the property owner, the second contact person listed on the application form, will act as a backup. Each of the two individuals listed are required to have different phone numbers for being contacted. Each contact person shall be designated as having the responsibility to address the need to service or process the issues necessary to resolve all problems and deficiencies that affect the safety and living conditions of the occupants, regardless of the time of day or day of the week. In the event that the owner cannot make a scheduled inspection/reinspection, one of the listed contact persons on the application is expected to keep the appointment on the owner's behalf.

(C) No owner shall suffer or permit a dwelling or dwelling unit to be maintained in a condition which constitutes a public nuisance or other violates any applicable code or ordinance of the Village.

(D) Accumulation of Debris and Storage of Goods. No owner shall suffer or permit any material which causes a fire hazard, otherwise endangers the life, health or safety of any occupants of such dwellings or constitutes a blighting or deteriorating influence on the premises or neighborhood, nor place in storage on the premises any furniture, equipment or material which harbors insects, rodents or other pests or is conducive to infestation.

(E) Occupancy. No owner shall permit any dwelling unit owned by him to be occupied so that any occupancy resulting there from violates any of the provisions of this Chapter 24.

(F) Below Grade Occupancy. No owner shall permit any space below grade to be occupied as a habitable space intended for living, sleeping, eating or cooking, which does not meet the requirements for habitable space with respect to privacy, light, ventilation, egress, safety, floor area and ceiling heights. Bedroom or sleeping areas shall not be permitted where the finished floor level exceeds three feet six inches below the average exterior grade.

**[301.2.2 Transfer of Responsibility.** A contract effective as between owner and operator or operator and occupant or owner and occupant with regard to compliance hereunder shall not relieve any party of his direct responsibility under this Chapter.]

**301.3 Vacant structures and land.** All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

**[301.4 Public Nuisance.** All public nuisances as herein defined are a deemed a violation and shall be rectified in compliance with the applicable codes and ordinances.]

**[301.5 Public Utilities.** All public utilities passing through or serving the site shall be reported to the appropriate authority when found to be defective, in need of maintenance or inoperative.]

## **SECTION 302 - EXTERIOR PROPERTY AREAS**

**302.1 Sanitation.** All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition. [Failure to remove dog excrement on the site while a violation will be not addressed through the Residential Rental Inspection process.]

**302.2 Grading and drainage.** All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

**Exception:** Approved retention areas and reservoirs.

**302.3 Sidewalks and driveways.** All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. [All steps, driveways, parking spaces, similar paved areas, and private sidewalks, shall be kept in proper repair and free of snow (within twelve (12) hours after the Director of Public Works has determined that the snowfall has reached a depth of four inches (4")) and ice and other debris. Pot holes in parking spaces or paved areas must be repaired with an all-weather, hard surface, dustless material in accordance with the Building and Zoning Codes.]

**302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of six (6) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction.

Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

**[302.4.1 Landscaping.** Required landscaping shall be regularly maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants and grass when necessary, and the regular watering of all plants. Any such plants or weeds exceeding such height are hereby declared a nuisance. All landscaping and trees will be properly maintained. Dead limbs and branches must be removed from all trees, bushes and shrubs. Dead trees and landscaping must be removed within a reasonable designated time frame as indicated in the notification by the inspector; remaining stumps may be no more than 36 inches above grade. Diseased trees that may possibly spread to others trees must be professionally treated or removed as if they were a dead tree. Damaged trees shall be properly treated to remove all dead or damaged areas. Cut branches and similar rubbish required to be disposed of in an approved container or other approved method. Citations may be issued if not remove within 48 hours after receiving notification.]

**302.5 Rodent harborage.** All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

**302.6 Exhaust vents.** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

**302.7 Accessory structures.** All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

**[302.7.1 Accessory Structure Location.** All accessory uses and structures shall be properly located in compliance with the Village of Addison Zoning requires and the applicable building codes.]

**302.8 Motor vehicles.** Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. [The parking of any vehicle shall be limited to areas specifically designated as parking spaces, and these designated areas shall be covered with a hard surface of asphalt, concrete or other dustless material. No parking will be allowed on unimproved parkways or sidewalks. Expired license plates, license plate tags or Village vehicle stickers while a violation will be not addressed through the Residential Rental Inspection process.]

**Exception:** A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

**[302.8.1 Subdivision Control Ordinance. Section 1206 – Parking Lot Lighting.** All multi-family parking lots containing four (4) or more parking spaces, or a parking lot containing less than four (4) parking spaces that when added to a contiguous parking lot will result in a total of four (4) or more parking spaces, shall be adequately lighted. This standard shall apply to both new and existing parking lots.]

**302.9 Defacement of property.** No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

**[302.10 Parkway Maintenance.** The property owner shall be responsible to ensure that all parkway areas immediately adjacent to a property will be maintained to the same standards as the private property. Above ground obstructions are prohibited in all parkways, except for; mailboxes, municipal signs, street lights, municipal traffic control devices, private irrigation systems which approve through the permit process, utility equipment, trees, other approved landscaping, and fire hydrants. Branches for pickup may not be placed in the parkway, any earlier than the Sunday of the week that branch pickup for the related site is scheduled. Trash for disposal or trash containers for pickup may not be placed in a parkway any earlier than 6:00 PM the day preceding the scheduled pickup. Empty containers must be removed from the curb no later than 12:00 midnight of the date of scheduled pickup by the Village-authorized Contractor.]

**[302.11 Open Excavations.** All open excavations shall be secured with a minimum four foot high barrier enclosing the excavation and work area. Open excavations and work areas within a public right-of-way or within five feet of the same will be secured with a six foot high barrier.]

**[302.12 Exterior Storage.** No storage of construction materials or equipment, landscaping materials or equipment (unless the preceding is being used for an approved project underway to be completed within a specific time frame), furniture other than what is intended for exterior use, vehicles parts, or similar items typically not stored outside a building or for items not weather resistant is allowed on any property used for residential purposes. Only outdoor furniture, holiday decorations properly displayed, plants and approved outdoor cooking grills shall be stored on balconies or decks or patios]

## **SECTION 303 - SWIMMING POOLS, SPAS AND HOT TUBS**

**303.1 Swimming pools.** Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

**303.2 Enclosures.** Private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier at least 48 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching.

Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**Exception:** Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

## **SECTION 304 - EXTERIOR STRUCTURE**

**304.1 General.** The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

**304.1.1 Unsafe Conditions.** The following conditions shall be determined an unsafe and shall be replaced to comply with the International Building Code as required for existing buildings.

1. The nominal strength of any structural member is exceeded by the nominal loads, the load effects or the required strength;

2. The anchorage of the floors or the roof to walls or columns, and the columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effect;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
9. Flooring or flooring components with defects that affect the serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facing and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. When substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted when approve by the code official.

**304.2 Protective treatment.** All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**304.3 Premises identification.** [Except as hereinafter provided, each of the figures of every number assigned shall not be less than four (4) inches nor more than twelve (12) inches in height and of proportionate width. For structures setback more than 100 feet but less than 200 feet, the maximum height shall be twenty-four (24) inches in height and for structures setback 200 feet or more the maximum height shall be thirty-six inches in height. The color of the number shall sharply contrast with the background color. The numbers shall be affixed in plain view from the street. Such numbers shall be placed on, above or immediately to the side of the front door or at some other and more conspicuous location on the front of the building. The use of script numbers (the spelling of numbers) or roman numerals is not acceptable for the required address display.]

**304.4 Structural members.** All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

**304.5 Foundation walls.** All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

**304.6 Exterior walls.** All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

**304.7 Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

**304.8 Decorative features.** All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

**304.9 Overhang extensions.** All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.10 Stairways, decks, porches and balconies.** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

**304.11 Chimneys and towers.** All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

**304.12 Handrails and guards.** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition. [Where handrails or guard rails are required by the current codes and are not in place or are unsafe based on their height, location, design or strength and when the same cannot be verified as meeting the design standards or intent when the same had been installed, shall be replaced or installed to the current standards of the applicable code.]

**304.13 Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**304.13.1 Glazing.** All glazing materials shall be maintained free from cracks and holes.

**304.13.2 Openable windows.** Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

**304.14 Insect screens.** During the period from [May 1, to October 15], every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

**304.15 Doors.** All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

[**304.15.1 Egress Doors.** The blocking or barring of any required egress is prohibited. The elimination of any exterior door is only permitted when the exterior wall is altered to a color and material matching the existing adjacent wall areas and with an approved building permit.]

[**304.15.2 Door Bells & Mail Boxes.** Whenever door bells or mail boxes are provided they shall be maintained in proper working order and where there is more than one at the same location, each shall be properly labeled with the unit number it is provided to service.]

**304.16 Basement hatchways.** Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water. Hatchways located on rental units shall be secured to prevent unauthorized entry.

**304.17 Guards for basement windows.** Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

**304.18 Building security.** Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

**304.18.1 Doors.** Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock throw of not less than 1 inch. Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

**304.18.2 Windows.** Operable windows located in whole or in part within 6 feet above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.

**304.18.3 Basement hatchways.** Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

[**304.18.4 Exterior Doors.** All exterior doors opening into a common interior area shall be self-closing and self locking. The opening of such doors from the egress side shall not require the use of a key, any tools or any special knowledge. These doors must be kept in the closed and locked position at all times when the building is not being accessed. Also required shall be an exterior key box for emergency access (ingress) inspected and approved by the Addison Fire Protection District.]

[**304.18.4 Window Guards.** All operable windows in units occupied or routinely visited by children under the age of 12 years old shall have guards or screens in place to safeguard against falling through the window.]

[**304.19. Building Accessories and Systems.**]

**304.19.1 Air conditioners.** Window air conditioning units shall be maintained as original equipment. Side panels that are damage, worn or missing shall be replaced with a part equal to that of the original equipment or a durable and weather resistant material that is same color as the adjacent window and window trim.

**304.19.2 Air conditioners.** Window air conditioning units are prohibited from being located on the front of the building (closest to the street) or on the side of the building within 12 feet of the front wall between October 1 and May 1. See Section 702.4 Emergency escape openings, of the International Property Maintenance Code for additional code requirements.

**304.19.3 Satellite dishes.** Satellite dishes are prohibited from being located in a front yard, on the front of the building (closest to the street) or on the side of the building within 12 feet of the front wall, or on the roof of the building within 12 feet of the front wall.

**304.19.4 Portable trash containers.** All portable trash containers are prohibited from being stored outside in front of a building (closest to the street) or on the side of the building within 12 feet of the front wall except when the same are at the curbside for pickup during the appropriate hours.

**304.19.5 Outdoor cooking grills.** Outdoor cooking grills are prohibited from being located on the front of the building (closest to the street) or on the side of the building within 12 feet of the front wall except when in use or unless stored with an appropriate cover.

**304.19.6 Transmission lines.** All transmission cables for broadcast, satellite, and/or cable TV, ham radio, telephone, electrical service or other similar use shall be concealed and may not be exposed for more than a length of six (6) feet at areas of transition such as a roof to a wall or the receiving unit to the structure. When such cable is placed on the exterior of the building, excluding overhead lines, it shall be concealed in a conduit that shall be properly secured and well matched to the colors and materials in appearance to the surface it is attached to or concealed along or behind an existing feature of the wall it is attached to. Cables located on roofs shall be securely fastened in a workmanlike manner to ensure the cable has limited movement.

## **SECTION 305 - INTERIOR STRUCTURE**

**305.1 General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

**305.1.1 Unsafe Conditions.** The following conditions shall be determined an unsafe and shall be repaired or replaced to comply with the International Building Code as required for existing buildings.

1. The nominal strength of any structural member is exceeded by the nominal loads, the load effects or the required strength;
2. The anchorage of the floors or the roof to walls or columns, and the columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effect;
5. Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. When substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted when approve by the code official.

**305.2 Structural members.** All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**305.3 Interior surfaces.** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

[**305.3.1 Counter Tops.** All counter tops shall be maintained so that they are easily cleanable and free of any major defects, including delamination, which would create a health or safety concern.]

**305.4 Stairs and walking surfaces.** Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

**305.5 Handrails and guards.** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**305.6 Interior doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

[Section 305.7 Window treatments. All windows in every dwelling unit and in all common areas including hallways, stairways, laundry rooms, utility rooms or foyers are required to have a proper window treatment or no window treatment at all installed at the time the dwelling unit is occupied or after the common area has been approved for use. Sheets, towels, blankets, newspapers, window film, painting of the glass, polish covering the glass and other such coverings or similar applications are not acceptable.]

## **SECTION 306 - COMPONENT SERVICEABILITY**

**306.1 General.** The components of a structure and equipment herein shall be maintained in good repair, structurally sound and in a sanitary condition.

**306.1.1 Unsafe conditions.** Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
  - 1.1. Collapse of footing or foundation system;
  - 1.2. Damage to the footing, foundation, concrete or other structural element due to soil expansion;
  - 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
  - 1.4. Inadequate soil as determined by a geotechnical investigation;
  - 1.5. Where the allowable bearing capacity of the soil is in doubt; or
  - 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
  - 2.1. Deterioration;
  - 2.2. Ultimate deformation;
  - 2.3. Fractures;
  - 2.4. Fissures;
  - 2.5. Spalling;

- 2.6. Exposed reinforcement; or
- 2.7. Detached, dislodged or failing connections.

3. Aluminum that has been subjected to any of the following conditions:

- 3.1. Deterioration;
- 3.2. Corrosion;
- 3.3. Elastic deformation;
- 3.4. Ultimate deformation;
- 3.5. Stress or strain cracks;
- 3.6. Joint fatigue; or
- 3.7. Detached, dislodged or failing connections.

4. Masonry that has been subjected to any of the following conditions:

- 4.1. Deterioration;
- 4.2. Ultimate deformation;
- 4.3. Fractures in masonry or mortar joints;
- 4.4. Fissures in masonry or mortar joints;
- 4.5. Spalling;
- 4.6. Exposed reinforcement; or
- 4.7. Detached, dislodged or failing connections.

5. Steel that has been subjected to any of the following conditions:

- 5.1. Deterioration;
- 5.2. Elastic deformation;
- 5.3. Ultimate deformation;
- 5.4. Metal fatigue; or
- 5.5. Detached, dislodged or failing connections.

6. Wood that has been subjected to any of the following conditions:

- 6.1. Ultimate deformation;
- 6.2. Deterioration;
- 6.3. Damage from insects, rodents and other vermin;
- 6.4. Fire damage beyond charring;
- 6.5. Significant splits and checks;
- 6.6. Horizontal shear cracks;
- 6.7. Vertical shear cracks;
- 6.8. Inadequate support;
- 6.9. Detached, dislodged or failing connections; or
- 6.10. Excessive cutting and notching.

Exceptions:

- 1. When substantiated otherwise by an approved method.
- 2. Demolition or unsafe conditions shall be permitted when approved by the code official.

## **SECTION 307 - HANDRAILS AND GUARDRAILS**

**307.1 General.** Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches above the floor or grade below shall have guards. Handrails shall not be less than 30 inches high or more than 42 inches high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

**Exception:** Guards shall not be required where exempted by the adopted building code.

## **SECTION 308 - RUBBISH AND GARBAGE**

**308.1 Accumulation of rubbish or garbage.** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

**308.2 Disposal of rubbish.** Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

**308.2.1 Rubbish storage facilities.** The owner of every occupied premise shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

**308.2.2 Refrigerators.** Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

**307.2.3 Garbage and rubbish disposal.** Refuse and garbage shall be properly disposed of in accordance with the provisions of Chapter 15 of the Village Code.

[**308.3 Disposal of garbage.** Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.]

**308.3.1 Garbage facilities.** The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leakproof, covered, outside garbage container.

**308.3.2 Containers.** The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

**[308.4 Removal by Village and placement of liens.** The Village may provide for the removal of garbage and debris from private property when the owner of such property refuses or neglects to remove such garbage and debris, and may collect from such owners the reasonable cost thereof. This cost is a lien upon the real estate affected, superior to all subsequent liens and encumbrances, except tax liens. However, the lien shall not be valid as to any purchaser whose rights in and to such real estate have arisen subsequent to removal of the garbage and debris and prior to the filing of such notice, and the lien shall not be valid to any mortgage, judgment creditor or other lien or whose rights in and to such real estate arise prior to the filing of such notice. Upon payment of the cost and expense by the owner of or persons interested in such property after notice of a lien has been filed, the lien shall be released by the Village of Addison and the release may be filed of record as in the case of filing notice of a lien.]

**[308.4.1 Liens.** The lien may be enforced by proceedings to foreclose as in case of mortgages or mechanics' liens. Suit to foreclose this lien shall be commenced within two years after the date of filing notice of the lien.]

## **SECTION 309 – PEST ELIMINATION**

**309.1 Infestation.** All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

**309.2 Owner.** [The owner of any structure or unit shall be responsible for exterminating within the structure prior to renting or leasing the structure or unit, and after the unit is occupied.]

**309.3 Single Occupant.** [The occupant of a one-family dwelling not rented or leased or of a single-tenant non-residential structure shall be responsible for extermination on the premises.]



## CHAPTER 4 LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

### SECTION 401 - GENERAL

**401.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

**401.2 Responsibility.** The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premise that does not comply with the requirements of this chapter.

**401.3 Alternative devices.** In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the International Building Code shall be permitted.

### SECTION 402 - LIGHT

**402.2 Common halls and stairways.** Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m<sup>2</sup>) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 foot-candle (11 lux) at floors, landings and treads.

**402.3 Other spaces.** All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

### SECTION 403 - VENTILATION

**403.2 Bathrooms and toilet rooms.** Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

**403.5 Clothes dryer exhaust.** Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

Exception: Listed and labeled condensing (ductless) clothes dryers.

[**403.6. Vent Covers.** All vent covers and vent screens shall be properly maintained, kept clean, properly secured to operate effectively and to prevent insects or debris from entering or passing through the same.]

## **SECTION 404 - OCCUPANCY LIMITATIONS**

**404.1 Privacy.** Dwelling units shall be arranged to provide privacy and be separate from other adjoining spaces.

**404.2 Minimum room widths.** A habitable room, other than a kitchen, shall not be less than 7 feet in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet between counter fronts and appliances or counter fronts and walls.

**404.4 Bedroom and living room requirements.** Every bedroom and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5.

**404.4.1 Room area.** Every living room shall contain at least 120 square feet (11.2m<sup>2</sup>) and every bedroom shall contain at least 70 square feet (6.5 m<sup>2</sup>).

**404.4.2 Access from bedrooms.** Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.

**404.4.3 Water closet accessibility.** Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

**404.4.4 Prohibited occupancy.** [No space other than a bedroom may be used for sleeping purposes. Bedrooms in basements having an average finished floor elevation more than three feet six inches below the average outside grade are prohibited. Basement sleeping areas shall meet all of the applicable standards for a habitable area and sleeping area to be allowed.]

**404.4.5 Other requirements.** Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

**404.4.6 Area for sleeping.** Every bedroom occupied by one person shall contain at least 70 square feet of floor area (excluding closets) or 35 square feet and every bedroom occupied by more than one person shall contain an additional 50 square feet (excluding closets) for each additional occupant or 25 square feet for each additional half occupant. For purposes of this subsection, a person under one year of age shall not be considered an occupant and persons more than one year of age but less than 12 years of age shall be considered as a half occupant

**404.5 Overcrowding.** [Every dwelling unit shall contain at least 200 square feet of habitable floor area for the first occupant thereof and at least 100 additional square feet of habitable floor area for every additional occupant thereof. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces. Every bedroom shall contain at least 70 square feet of floor area (excluding closets) for the first occupant and at least 50 square feet of floor area (excluding closets) for every additional occupant thereof. For the purpose of this subsection, a person under one year of age shall not be considered an occupant and a person under the age of twelve shall be considered a half occupant and require only half the floor area required by this subsection. An additional half occupant shall require 25 additional square feet until they reach the age of 12 years old. Failure to meet these limitations shall be considered overcrowding.]

**404.6 Efficiency unit.** Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet. A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet. These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
4. The maximum number of occupants shall be three.

**404.7 Food preparation.** All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.



## **CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS**

### **SECTION 501 - GENERAL**

**501.1 Scope.** The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

**501.2 Responsibility.** The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.

### **SECTION 502 - REQUIRED FACILITIES**

**502.1 Dwelling units.** Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

### **SECTION 503 - TOILET ROOMS**

**503.1 Privacy.** Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

**503.4 Floor surface.** In other than dwelling units, every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

### **SECTION 504 - PLUMBING SYSTEMS AND FIXTURES**

**504.1 General.** All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

**504.2 Fixture clearances.** Plumbing fixtures shall have adequate clearances for usage and cleaning.

**504.3 Plumbing system hazards.** Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

## **SECTION 505 - WATER SYSTEM**

**505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the [Illinois State Plumbing.]

**505.2 Contamination.** The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

**505.3 Supply.** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

**505.4 Water heating facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

## **SECTION 506 - SANITARY DRAINAGE SYSTEM**

**506.1 General.** All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

**506.2 Maintenance.** Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

## **SECTION 507 - STORM DRAINAGE**

**507.1 General.** Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance. [Gutters and Downspouts. No downspout shall be connected to a sanitary sewer. Downspouts emptying onto the ground shall be provided with splash blocks or similar devices. Downspout discharge cannot be more than five (5) feet from the foundation wall. Downspouts may not be eliminated from a roof that discharges on to expansive or collapsible soils within five feet of the building foundation. No sump pump discharge of storm or ground water shall be connected to the sanitary sewer system. The discharge of rainwater or snow removal shall not be directed or placed as to be detrimental to adjacent properties or a public way.]

## **CHAPTER 6 - MECHANICAL AND ELECTRICAL REQUIREMENTS**

### **SECTION 601 - GENERAL**

**601.1 Scope.** The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

**601.2 Responsibility.** The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this chapter. [Causes Beyond Control of Owner or Operator: Failure to furnish the heat required by this Section shall not constitute an offense where it is due to a breakdown of the heating plant, unless such breakdown has been caused by a violation of this Chapter, nor where it is due to strikes, to a general shortage of fuel, to any act of the occupant who makes the complaint. For the purpose of this Section, an emergency shall be construed as any equipment failure which could constitute a threat to health or safety of the occupants of the building. When multiple gas meters are provided in a bank, each meter shall be identified with the unit number or area to which it is providing power.]

### **SECTION 602 - HEATING FACILITIES**

**602.1 Facilities required.** Heating facilities shall be provided in structures as required by this section.

**602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

**Exception:** In areas where the average monthly temperature is above 30°F, a minimum temperature of 65°F shall be maintained.

**[602.2.1. Prohibited heat sources.** Cooking appliances shall not be used to provide space heating to meet the requirements of this section. Portable heaters using propane or kerosene are prohibited.]

**602.3 Heat supply.** Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from [October 15 to May 1] to maintain a temperature of not less than 68°F in all habitable rooms, bathrooms, and toilet rooms.

#### **Exceptions:**

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

2. In areas where the average monthly temperature is above 30°F a minimum temperature of 65°F (18°C) shall be maintained.

**602.5 Room temperature measurement.** The required room temperatures shall be measured 3 feet above the floor near the center of the room and 2 feet inward from the center of each exterior wall.

[**602.6 Boilers.** All hot water supply boilers in multifamily buildings having six or more dwelling units and a heat input of 200,000 BTUs or more shall be inspected and approved by the office of the Illinois State Fire Marshal, in conjunction with the Illinois Boiler and Pressure Vessel Safety Act. A current certificate of inspection (approval) shall be displayed in the room containing the boiler, so that it is readily visible for confirmation.]

## **SECTION 603 - MECHANICAL EQUIPMENT**

**603.1 Mechanical appliances.** All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

**603.2 Removal of combustion products.** All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

**Exception:** Fuel-burning equipment and appliances which are labeled for unvented operation.

**603.3 Clearances.** All required clearances to combustible materials shall be maintained.

**603.4 Safety controls.** All safety controls for fuel-burning equipment shall be maintained in effective operation.

**603.5 Combustion air.** A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

## **SECTION 604 - ELECTRICAL FACILITIES**

**604.1 Facilities required.** Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

[**604.1.1 Multiple Electrical Meters.** When multiple electrical meters are provided in a bank, each meter shall be identified with the unit number or area to which it is providing power.]

**604.2 Service.** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

**604.3 Electrical system hazards.** Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

## **SECTION 605 - ELECTRICAL EQUIPMENT**

**605.1 Installation.** All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

**605.2 Receptacles.** Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection. [Every kitchen shall have at least one electrical receptacle. Electrical receptacles that are located along a counter top and installed as new or as a replacement shall be equipped with ground fault interrupter protection. When the existing number of electrical receptacles is found to be inadequate for the number of connection desired or required, only power strips or similar devices equipped with built in circuit breakers or fuses are an allowable alternative.

When the existing location of the electrical receptacles is found to be inadequate for the placement of an appliance, decoration or tool, extension cords are permitted. However, such use is only permitted for a temporary use and only then when the cord and the proper rating and design. Appliances such as television sets, refrigerators, or other similar appliances or devices are not allowed to be powered through the use of an extension cord.]

**605.3 Luminaires.** Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire. [All abandoned interior fixtures not required by this code shall be removed and properly capped. All abandoned exterior fixture, not required by this code, shall be removed along with all abandoned conduit that is visible and properly each shall be properly capped. All lighting fixtures shall be in proper working order and have a working light, except for lights not required and located in a tenant space. These lighting fixtures however, may not be left in place with an open socket, unless they are ceiling fixtures.]

## **SECTION 606 - ELEVATORS, ESCALATORS AND DUMBWAITERS**

**606.1 General.** Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certification of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, or the certificate shall be available for public inspection in the office of the building operator. The inspection and tests shall be performed at not less than the periodical intervals listed in

**606.2 Elevators.** In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

**Exception:** Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

## **SECTION 607 - DUCT SYSTEMS**

**607.1 General.** Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.



## **CHAPTER 7 FIRE SAFETY REQUIREMENTS**

### **SECTION 701 - GENERAL**

**701.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

**701.2 Responsibility.** The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

### **SECTION 702 - MEANS OF EGRESS**

**702.1 General.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code.

**702.2 Aisles.** The required width of aisles in accordance with the International Fire Code shall be unobstructed.

**702.3 Locked doors.** All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the International Building Code.

**702.4 Emergency escape openings.** Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening. [No required emergency escape window shall be blocked or delayed access to or through; prohibiting the installation of window fans or air conditioning units in such windows.]

### **SECTION 703 - FIRE-RESISTANCE RATINGS**

**703.1 Fire-resistance-rated assemblies.** The required fire resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

**703.2 Opening protectives.** Required opening protectives shall be maintained in an operative condition. All fire and smoke stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

## SECTION 704 - FIRE PROTECTION SYSTEMS

**704.1 General.** All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code.

**704.2 Smoke alarms.** Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area within the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. Single or multiple-station smoke alarms shall be installed in other groups in accordance with the International Fire Code.

**704.3 Power source.** In Group R occupancies and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for over-current protection.

**Exception:** Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

**704.4 Interconnection.** Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

### Exceptions:

1. Interconnection is not required in buildings which are not undergoing alterations, repairs, or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.

**[704.5. Smoke Detectors.** Owners of existing apartments, condominiums, one and two family dwelling units and town homes shall install or cause to be installed a minimum of one battery powered smoke or ionization detector, or one 110 volt continuous operation smoke or ionization detector with an auxiliary battery unit per living unit and in each room used for sleeping purposes, that is permanently affixed to a wall or ceiling. The owner may determine which of these types of detectors to install. Approved detectors shall also be installed in all public egress routes including corridors, stairwells, storage areas, laundry rooms, etc. Only one smoke detector shall be required at the top of any open stairway. At the time of the Annual Residential Rental Inspection, it shall be the building owner's responsibility to have all smoke detectors in working condition. At all other times it shall be the responsibility of the tenant to notify the building owner of any defect in the working condition of the smoke detector. All detectors required by this section shall have a minimum of 85 decibel capacity within 10 feet of the detector; shall be located on the ceiling at least 6 inches from the walls or on the wall located from 6 to 12 inches from the ceiling; and shall be located within 15 feet of a room used as a bedroom or sleeping area as well as in each bedroom or sleeping area. Battery powered smoke or ionization detectors shall be equipped visual or audible warning systems for low battery voltage. Detectors being supplied by a commercial electrical power source shall be equipped with a "Power On" visible indicator.]

**[704.6 Flammable Liquid Storage.** Storage of gasoline or other similar flammable liquids or gasoline operated maintenance equipment is prohibited in any multifamily building unless a one (1) hour UL storage room or an approved container is provided and the NFPA Fire Codes are complied with.]

**[704.8 Fire and Rated Doors.** All fire doors and doors required to have a fire rating shall be properly maintained. All rated doors opening into a common hallway or stairway shall be equipped with an approved door closer.]

**[704.9 CO Detectors.** Owners of existing apartments, condominiums, one and two family dwelling units and townhomes shall install or cause to be installed a carbon monoxide alarm that is permanently affixed to a wall or ceiling or plugged into an electrical receptacle. The alarm type shall be either battery powered, plug in with battery back-up or wired into the structure's AC power system with secondary battery back-up carbon monoxide alarm. The owner shall determine which of these types of alarm to install.

Approved detectors shall be installed within 15 feet of every room used for sleeping purposes, in accordance with the manufacturer's installation instructions. At the time of the Annual Housing Inspection, it shall be the building owner's responsibility to have all carbon monoxide alarms in working condition. At all other times it shall be the responsibility of the tenant to notify the building owner of any defect in the working condition of the carbon monoxide alarm.]

**Section 24-104. Enforcement.**

The Police Department or the Code Official or his designee is authorized to serve citations upon any person violating any provision of this Chapter, at the time the violation is observed. If such defendant does not live within the corporate limits of the Village, the Village shall cause the "notice to appear" to be mailed to the defendant at his last known address by certified mail or first class mail. The Code Official or his designee is authorized to enforce any provision of this Chapter. He is further authorized to institute any legal proceeding in the name of the Village against any person, firm or corporation violating any of the provisions of this Chapter. If, after the expiration of thirty days notice to the property owner, such violation of this Chapter still exists, in addition to the penalties otherwise provided for, the Village shall have the option of taking affirmative action in maintaining such area in good order and shall have the right to withhold the authorization of Real Estate Transfer Stamps or to place a lien of record against the property to repay the Village for monies expended including courts costs and fees.

**Section 24-105. Penalty.**

Any person not in compliance with the provisions of this Chapter shall be considered in violation of such Chapter and shall be fined not less than one hundred fifty dollars (\$150.00) nor more than one thousand dollars (\$1,000.00) for each offense. In addition, each day shall constitute a distinct and separate offense.

**[SUBDIVISION CONTROL ORDINANCE**

Section 1206 – Parking Lot Lighting. Amend to read as: All multi-family parking lots containing four (4) or more parking spaces, or a parking lot containing less than four (4) parking spaces that when added to a contiguous parking lot will result in a total of four (4) or more parking spaces, shall be adequately lighted. This standard shall apply to both new and existing parking lots. ]

**Appendix A**  
**License Procedures and Standards**

**Sec. 10-81. License Required.**

- (A) No person shall rent, lease or otherwise allow a dwelling or dwelling unit under their ownership to be occupied by others unless a Residential Rental License is in effect therefor, as provided by this Chapter. Licenses shall be issued for a period of up to one year, from May 1 to April 30, unless sooner revoked. No license shall be transferable to another rental dwelling. Any license may be transferred to another person at no additional charge, subject to completion and approval of a new license application and only when the building has been transferred in compliance with Chapter 24 of the Village Code.
- (B) Every owner shall designate a first contact person on the license application. A second contact person shall also be listed on the application form as backup. Each of the two individuals listed as contacts shall have a different phone number and each of such persons shall have the authority to address the issues necessary to resolve any and all problems and deficiencies that affect the safety and living conditions of the occupants, regardless of the time of day or day of the week. In the event that the owner cannot make a scheduled inspection/ reinspection appointment, one of the listed contact persons is expected to keep the appointment on the owner's behalf.

**Sec. 10-82. Application.**

No Residential Rental License shall be issued except upon receipt of a completed Village of Addison, residential rental license application filed with the Village Clerk or his/her designee. Such applications shall be submitted to the Village Clerk or his/her designee no later than April 30 preceding the license year being applied for with the appropriate fees. The application shall set forth, but not be limited to, the following information.

- (A) Full name home address, day and evening phone numbers and date of birth of the legal owner; if owned by a trust, a trust disclosure is required.
- (B) The license application shall designate two contacts, their names, address of the primary contact and phone numbers for twenty-four hour contact in case of an emergency. Each contact shall have a different phone number from the other contact, one of which may be the property owner.
- (C) Full name, address and date of birth of the applicant for the license.
- (D) If applicable, the authorization or refusal to allow the removal of graffiti by the Village.

If there is a lawful transfer of ownership and a Residential Rental License has been issued for the current license year, the license shall also be transferred at no additional charge to the new owner, subject to the completion and approval of a new application by the new owner.

### **Sec. 10-83. Reports.**

The licensee shall report to the Department of Community Development any changes in the information provided on the application, within seven (7) days of said change. Any conveyance in the legal or equitable interest in the building shall be reported to the Department of Community Development within seven (7) days after the execution of the contract to convey and at least fifteen (15) days prior to said conveyance to allow ample time to verify the status of compliance for the building and property.

### **Sec. 10-84 Additional Conditions for the Issuance of License.**

- (A) Any owner of a property that is being rented or leased out for residential purposes (excluding hotels, motels and individual rooms) shall attend and complete a Village of Addison Crime Free Multi-Housing Program Seminar (the "Seminar"). The owner, agent or designee shall attend the Seminar prior to obtaining or being issued a Village residential operator license. Any lessor who was required to have a Residential Rental License on or after May 1, 2009 shall have until November 1, 2010 to attend the Seminar. In the event such a Seminar is not offered prior to issuance of the Residential Rental License, a conditional license may be issued subject to the owner, agent or designee attending the Seminar within three months of the issuance of the license. In the event a Seminar is not attended within three months, the license shall be void.
- (B) A property manager shall be considered an agent of the owner. A new manager shall have three months from the date of hire to attend the Seminar. A new property owner shall have three months from the date of purchase of the property to attend the Seminar. Each owner, agent or designee shall attend the Village Seminar at least once every three years.
- (C) The Crime Free Multi-Housing Coordinator, as designated by the Chief of Police, shall provide the Director of Community Development with a list of owners, agents and/or designees who have attended the Seminar, with the date of attendance and verification that the owner, agent or designee has complied with the provisions of this section and is eligible to obtain, maintain or renew the Residential Rental License.
- (D) Any owner or agent of a residential rental property or their designee is required to utilize a crime free lease addendum (see Appendix 10-84 to Chapter 10 of the Village Code) or to provide a clause in the lease similar to the crime free lease addendum for any lease executed after May 1, 2009. The Crime Free Multi-Housing Coordinator shall provide, at no cost, samples of the crime free lease addendum and shall submit such clauses within actual leases to the Village Attorney for review and approval. The clause is intended to consider criminal activity engaged by, facilitated by or permitted by the renter, member of the household, guest or other party under the control of the renter a lease violation. The landlord shall have authority under said clause to initiate an eviction proceeding as specified in the Illinois Forcible Entry and Detainer statutes. Proof of criminal violation shall be by a preponderance of the evidence. With respect to oral rental agreements, the crime-free lease addendum shall be deemed to be incorporated into such oral agreements as a matter of law. (04-40; 09-02; 10-26)

### **Sec. 10-85. License Fees and Inspection Fees.**

No license shall be issued until all applicable inspection fees, license fees and citation fines have been paid to the Village.

It shall further be unlawful for any owner of a rental dwelling to fail to pay promptly license fees and inspection fees for rental dwelling units, as hereinafter provided in this Article.

## **Sec. 10-85.1. Annual Residential Rental License Fees and Inspections.**

The annual Residential Rental License Fees for the 2010 - 2011 Residential Rental License Year and all subsequent license years shall be \$50.00 per dwelling/dwelling unit plus:

- \$50.00 for each building having 1 to 5 units;
- \$75.00 for each building having 6 to 11 units;
- \$100.00 for each building having 12 to 17 units;
- \$125.00 for each building having 18 to 23 units; and
- \$150.00 for each building having more than 23 units.

Condominium units and townhomes shall be charged a dwelling unit fee but shall not incur a fee for the building unless the building is maintained directly by the owner of one or more of the condominium units or of the townhome.

- (A) The annual Residential Rental License fee includes the fee for the annual inspection but does not include any charges for reinspection, semi-annual inspection or exterior only inspections.
- (B) The annual rental inspection shall be scheduled to inspect twenty percent of the dwelling units in each building. When the calculation of 20 percent of the total units creates a fraction of a unit it shall be increased (rounded up) to the next full whole number of units to be inspected. The units selected to be inspected shall be a random choice made by the inspector. Annual inspection shall include the inspection of all exterior areas and structures, twenty percent of all dwelling units and all other common interior areas. If any unit is found to be uninhabitable or infested during an annual inspection all rental units in the building are subject to the inspection process, except for these units approved to be work in progress. No new leases or rental agreements for any unit in such violation may be entered into until the violations noted for the same unit have been resolved and approved. If additional units are required to be inspected as a result of the annual inspection and another time or date may be required, the annual rental inspection shall not be graded until all of the units are inspected.
- (C) The building official shall make annual inspections of all buildings having dwelling units, excluding hotels and motels, if any dwelling unit is leased or rented, or otherwise occupied by anyone other than immediate family members of the property owner (and rent is not charged), except as provided in this code. Additional inspections may be required based on the results of the initial annual inspection, the semiannual inspections or the exterior inspections. Fees for a Residential Rental License and for the applicable inspections shall be charged in accordance with those fees listed in this Chapter. Property owners have an affirmative obligation to allow such inspections.

Vacated units may be inspected by the Village as part of the annual or semiannual inspection process. A vacant unit deemed a work in progress shall be exempt from the annual and semiannual inspection process and the grading system for the building, if such unit is in compliance with the requirements for a Work In Progress. To qualify as a work in progress the unit shall be identified as either having ongoing remodeling, repair or new construction or proposed to correct a code violation and shall be vacant and unoccupied. Additionally, the request for such units to be exempted shall be requested in writing by the property owner or his designee and verified both visually and in writing by the inspector. Qualifying units shall be inspected before the unit is occupied and is subject to all fees and reinspections that are otherwise deemed applicable. No such unit may be rented if any safety or health issues are identified through the inspection process. Failure to request and have an inspection approved before allowing the unit to

be occupied or furnished (any personal effects) by the tenant is prohibited and is subject to a citation being issued to the property owner, manager or landlord. Failure to complete that work that qualified the unit for the exemption shall be charged a \$100.00 administrative fee to adjust the results of the inspection and the change of the grade if applicable. Inspections for "work in progress" shall be scheduled a minimum of seven working days before the use of the unit is anticipated. Vacant units that are approved as a "work in progress" are limited as such for a period not to exceed 90 calendar days.

Every building inspected shall receive an inspection grade based on the results of the annual inspection. Only those issues identified in the Housing Manual as inspection issues shall be used to determine the grade of the annual inspection. Based on this inspection grade, the schedule of the next annual, semiannual and/or exterior inspection shall be determined, as provided in Section 10-85.2 in Appendix B.

The total number of dwelling units (excluding vacant units defined as a "work in progress") inspected in the building, plus one for interior common areas and plus one for all accessory structures and the exterior common area of the building, shall determine the total number of inspection areas used in calculating the final inspection grade. For those condominium units or townhomes (that do not have maintenance responsibility for the exterior) that are inspected, no interior common area or exterior common area issues shall be inspected or graded as part of this program other than balconies, patios, decks, exterior screens and dwelling unit door closers for the unit being inspected. (Ord. 10-26)

**Sec. 10-87. Tenant Responsibility/Notification by Landlord.**

(A) No tenant shall commit vandalism in the building in which the tenant's dwelling unit is located, and no tenant shall permit vandalism to occur or shall violate any of the provisions of the ordinances of the Village of Addison in the dwelling unit leased by the tenant.

(B) Each tenant shall be notified of the Tenant Notification of Housing Codes, as provided in Chapter 24, before occupying a rental dwelling. The landlord shall notify the tenant of this requirement.

**Sec. 10-88. Penalty.**

(A) Any person not in compliance with the provisions of this Chapter as a result of failure to obtain a required rental license and any person who violates any other provision of this Chapter shall be fined not less than one hundred fifty dollars (\$150.00) nor more than one thousand dollars (\$1,000.00) for each offense. In addition, each day shall constitute a distinct and separate offense.

(B) The imposition of any fine or other penalty pursuant to this Chapter or Chapter 24 shall not preclude the Village from instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful repair or maintenance; to restrain, correct or abate a violation; to prevent the occupancy of a building, dwelling, dwelling unit; to require compliance with the provisions of this Chapter or other applicable laws, ordinances, rules or regulations or the orders and determination of the Director of Community Development.

## **Appendix B Inspection Procedures and Standards**

### **Sec. 10-85.1. Annual Residential Rental License Fees and Inspections.**

The annual Residential Rental License Fees for the 2010 - 2011 Residential Rental License Year and all subsequent license years shall be \$50.00 per dwelling/dwelling unit plus:

- \$50.00 for each building having 1 to 5 units;
- \$75.00 for each building having 6 to 11 units;
- \$100.00 for each building having 12 to 17 units;
- \$125.00 for each building having 18 to 23 units; and
- \$150.00 for each building having more than 23 units.

Condominium units and townhomes shall be charged a dwelling unit fee but shall not incur a fee for the building unless the building is maintained directly by the owner of one or more of the condominium units or of the townhome.

- (A) The annual Residential Rental License fee includes the fee for the annual inspection but does not include any charges for reinspection or exterior only inspections.
- (B) The annual rental inspection shall be scheduled to inspect twenty percent of the dwelling units in each building. When the calculation of 20 percent of the total units creates a fraction of a unit it shall be increased (rounded up) to the next full whole number of units to be inspected. The units selected to be inspected shall be a random choice made by the inspector. Annual inspection shall include the inspection of all exterior areas and structures, twenty percent of all dwelling units and all other common interior areas. If any unit is found to be uninhabitable or infested during an annual inspection all rental units in the building are subject to the inspection process, except for these units approved to be work in progress. No new leases or rental agreements for any unit in such violation may be entered into until the violations noted for the same unit have been resolved and approved. If additional units are required to be inspected as a result of the annual inspection and another time or date may be required, the annual rental inspection shall not be graded until all of the units are inspected.
- (C) The building official shall make annual inspections of all buildings having dwelling units, excluding hotels and motels, if any dwelling unit is leased or rented, or otherwise occupied by anyone other than immediate family members of the property owner (and rent is not charged), except as provided in this code. Additional inspections may be required based on the results of the initial annual inspection, the semiannual inspections or the exterior inspections. Fees for a Residential Rental License and for the applicable inspections shall be charged in accordance with those fees listed in this Chapter. Property owners have an affirmative obligation to allow such inspections.

Vacated units may be inspected by the Village as part of the annual or semiannual inspection process. A vacant unit deemed a work in progress shall be exempt from the annual and semiannual inspection process and the grading system for the building, if such unit is in compliance with the requirements for a Work In Progress. To qualify as a work in progress the unit shall be identified as either having ongoing remodeling, repair or new construction or proposed to correct a code violation and shall be vacant and unoccupied. Additionally, the request for such units to be exempted shall be requested in writing by the property owner or his designee and verified both visually and in writing by

the inspector. Qualifying units shall be inspected before the unit is occupied and is subject to all fees and reinspections that are otherwise deemed applicable. No such unit may be rented if any safety or health issues are identified through the inspection process. Failure to request and have an inspection approved before allowing the unit to be occupied or furnished (any personal effects) by the tenant is prohibited and is subject to a citation being issued to the property owner, manager or landlord. Failure to complete that work that qualified the unit for the exemption shall be charged a \$100.00 administrative fee to adjust the results of the inspection and the change of the grade if applicable. Inspections for "work in progress" shall be scheduled a minimum of seven working days before the use of the unit is anticipated. Vacant units that are approved as a "work in progress" are limited as such for a period not to exceed 90 calendar days.

Every building inspected shall receive an inspection grade based on the results of the annual inspection. Only those issues identified in the Housing Manual as inspection issues shall be used to determine the grade of the annual inspection. Based on this inspection grade, the schedule of the next annual, semiannual and/or exterior inspection shall be determined, as provided in Section 10-85.2 below.

The total number of dwelling units (excluding vacant units defined as a "work in progress") inspected in the building, plus one for interior common areas and plus one for all accessory structures and the exterior common area of the building, shall determine the total number of inspection areas used in calculating the final inspection grade. For those condominium units or townhomes (that do not have maintenance responsibility for the exterior) that are inspected, no interior common area or exterior common area issues shall be inspected or graded as part of this program other than balconies, patios, decks, exterior screens and dwelling unit door closers for the unit being inspected. (Ord. 10-26)

#### **Sec. 10-85.2. Inspection Grading System.**

- (A) Each property required to have a Residential Rental License shall be given an inspection grade at the conclusion of any annual inspection. The total number of violations and deficiencies observed at the time of the annual inspection divided by the total number of inspection areas shall determine the inspection grade of the building. A building having two separate entrances, each with a different address, shall be considered two buildings when the interior common area is not continuous throughout the building. If the building has two entrances, each with a separate address with the interior common hallway allowing for passage from one entrance to the other, only one Residential Rental License shall be issued.

If there are two licenses the exterior areas shall be divided accordingly by determining a reasonable center point between each entrance which shall act as a dividing line for the inspection areas. All exterior common areas and accessory structures shall be inspected based on the proximity of the area to each building being inspected and the related uses.

Exterior areas that extend beyond property lines that are not under direct ownership of the building owners shall be inspected as part of the building's exterior area by dividing the property in half based on the proximity of the next building.

- (B) Any building having, on average, one or less violations or deficiencies at the completion of an annual inspection shall receive an inspection grade of Very Good. An inspection grade of Very Good exempts the building from the next annual inspection process and the next annual Residential Rental License fee. However, the application for a new Residential Rental License shall still be submitted and approved and all reinspections and reinspection fees are still applicable. Should a reinspection be required based on the results of the annual inspection no reinspection fee shall be assessed for the annual inspection. In addition, no exterior only Inspections shall be scheduled during the license year. These exceptions shall be invalidated if within the twelve months following the initial annual inspection, the respective building or site receives two or more valid service requests (complaints) or is found guilty of a court citation regarding the housing program. This exemption shall not be approved if during the annual inspection, there is any violation relating to infestation or there are four or more violations in the common area or if the current rental license fee has not been paid on a timely basis as per Section 10-81 of the Village Code, in which case the building shall be graded as Satisfactory. Beginning with the 2008-2009 license year, by achieving and maintaining a Very Good grade on three (3) consecutive annual inspections, the building shall be exempted from the following two annual inspections and the following two residential rental license fees, if maintained under the same ownership. Achieving a Very Good on the next annual inspection shall again exempt the building for an additional two years from having any inspections or paying a license fee if maintained under the same ownership. If a rental license is not properly applied for before the beginning of the license year for the year of the waived status the waived status shall be withdrawn and the site shall be regarded as a Satisfactory, requiring both a license fee and the applicable inspections.

Any building having an average of more than one but not more than three violations or deficiencies per inspection area at the completion of an annual inspection shall receive a grade of Satisfactory. A grade of Satisfactory requires that one exterior only inspection is conducted during the same license year. A grade of Satisfactory also requires that for the next Village residential rental license year, a Residential Rental License shall be applied for, paid for and issued and that another annual inspection shall be conducted and all reinspections and reinspection fees shall be applicable.

Any building having an average of more than three violations or deficiencies per inspection area at the completion of an annual inspection shall receive a grade of Unsatisfactory. A grade of Unsatisfactory requires that a semiannual inspection be conducted. This inspection applies to all areas subject to an annual inspection. A grade of Unsatisfactory requires that two exterior only inspections be conducted during the same license year. In addition, for the next Village Residential Rental License Year, a Residential Rental License shall be applied for, paid for and issued, another annual inspection shall be conducted, and all reinspections and reinspection fees shall be applicable.

- (C) Sites receiving a Very Good grade:
- (1) shall not be charged a reinspection fee for an annual inspection if such an inspection is required, and
  - (2) shall not be scheduled for any exterior only inspections.

(D) Sites receiving a Satisfactory grade:

- (1) shall be charged for the reinspection of the annual inspection at the same rate as the annual license for the areas requiring such a reinspection; and
- (2) shall be charged a fee for one exterior only inspection equal to the annual license fee less the per unit charge.

(E) Sites receiving an Unsatisfactory grade:

- (1) shall be charged for the reinspection of the annual inspection at the same rate as the annual license for the areas requiring such a reinspection; and
- (2) shall be charged a fee for one semiannual inspection equal to the annual license fee; and
- (3) shall be charged a fee for two exterior only inspections equal to the annual license fee less the per unit charge, for each inspection.

### **Sec. 10-85.3. Semiannual Inspections.**

Semiannual inspections shall be conducted when an annual inspection grade of Unsatisfactory is determined. Semiannual inspections shall require the duplication of the annual inspection process allowing again the random selection of units to inspect. A semiannual inspection shall not reduce the number of exterior only inspections that shall be required. The semiannual inspection fee shall be in the same amount as the annual inspection fee.

### **Sec. 10-85.4. Reinspections.**

Reinspections shall be conducted on an as needed basis when a scheduled inspection identifies violations or code deficiencies. Reinspections may identify additional issues in addition to those already identified. The fee for each scheduled reinspection shall be at the same rate as the annual license for the areas requiring such a reinspection.

### **Sec. 10-85.5. Exterior Only Inspections.**

In addition to the annual rental inspection, each building (excluding single family residences, townhomes where the property is not directly maintained by the owner and condominiums) shall have up to two additional exterior only Inspections during the same license year. Exterior only inspections shall include the inspection of all outdoor areas and structures, the exterior of the building, including the operation of all the exterior doors opening into common areas, to verify code compliance. These inspections shall be scheduled after the annual inspection has been conducted and repeated if necessary. The exterior only inspection process shall be subject to reinspections and reinspection fees. However, the exterior only Inspection process cannot generate a semiannual inspection. If the property owner, landlord, property manager or other designated individual is not present at the scheduled time for the exterior inspection, the inspector shall not conduct the inspection. (Ord. 10-26)

The fee for a scheduled exterior inspection shall be at the same rate as the annual license fee less the per unit charge. (Ord. 10-26)

**Sec. 10-85.6. Payment of Certain Fees.**

All reinspection fees shall be paid in full within thirty (30) days of the date the initial inspection was conducted or prior to the reinspection date whichever occurs first. Fees for all semiannual inspections shall be paid in full within thirty (30) days of the date the annual inspection was conducted or prior to the semiannual inspection date whichever occurs first. Fees for all exterior only inspections shall be paid in full within thirty (30) days of the date the annual inspection was conducted or prior to the first exterior only inspection date whichever occurs first. Fees for a reinspection and/or for any additional inspections shall be listed on the inspection report, no invoices or additional notices shall be provided for the payment of these fees.

**Section 10-85.7. Scheduling Inspections.**

The Code Official, or his authorized representative, is hereby authorized and directed to make inspections in order to determine the condition of the dwellings, dwelling units, rooming units and premises (collectively a dwelling located within the Village). The sole purpose of such inspections shall be to determine whether such dwellings comply with the provisions of this Article, Section 15.3E of Chapter 15, Section 17-32 of Chapter 17, Section 1206 of the Subdivision Control Ordinance, and Chapter 24. The scope of such inspections shall be strictly limited to those areas of the dwelling that are required to be in compliance with this Article and Chapter 24. For the purpose of making such inspections, the Code Official or his authorized representative is hereby authorized to enter, examine and survey all dwellings and related areas and uses in the Village.

If the dwelling is vacant, the Code Official shall inform the owner of the scheduled inspection and shall request permission to enter the dwelling for the purposes of the inspection.

If a dwelling is occupied by a tenant, the landlord shall inform the tenant of the scheduled inspection and shall request permission from the tenant that the inspector be permitted to enter the dwelling if the tenant is not home at the time of the inspection. Failure to be granted permission shall require the landlord to provide in writing, the tenant's name, unit number and phone number to the Code Official no later than 48 hours prior to the time of the scheduled inspection.

Every inspection and reinspection shall be scheduled in writing.

The property owner or his/her designee has the responsibility to meet the inspector at the time of scheduled inspection. Failure to do so, without validating just cause and receiving approval shall result in the imposition of a fee equal to \$50.00 for the first failure during a license year. Additional failures to be present on the prescribed date and time are subject to citations.

Requests to reschedule a scheduled inspection shall be subject to a rescheduling fee of \$50.00 if a rescheduling is approved. The notification time frame for the rescheduled inspection may be reduced to no less than five (5) calendar days if mutually agreed upon by the inspector and property owner and will not require written notification.

**Section 10-86. Inspection of Building, Violations, Suspensions and Revocation of License.**

- (A) Whenever, upon inspection of the licensed rental dwelling or rental dwelling unit, it is determined by the appropriate officials of the Village of Addison that conditions or practices exist which are in violation of the provisions of this or any applicable ordinance of the Village of Addison, the official making the determination shall serve the owner or agent with a notice of violation. Such notice shall identify the specific violations and state that unless they are corrected within the time specified in the notice the operating license may be suspended. Notice pursuant to this section shall be sent by U. S. mail to or hand delivered to the party designated in the application to receive notices or process or their authorized representative.

Notwithstanding anything to the contrary set forth in this Article, valid complaints or service requests regarding a non-responsive licensee shall be processed as follows. After a tenant has notified the licensee or his designated representative of a code violation regarding their dwelling unit, the licensee has an obligation to resolve the matter within a reasonable timeframe. If the Village is notified of the failure of the licensee to comply, they shall investigate the same. If the complaint is valid the licensee shall be responsible for the payment of the inspection costs incurred by the Village and any subsequent reinspection costs. The licensee shall pay said costs within fifteen (15) days of notification of such inspection or reinspection. Such notification shall be either by the service of an inspection report indicating the fee or of a letter either mailed or hand delivered. Should the licensee fail to pay said costs in a timely manner, said failure shall be a violation of this Article and the licensee shall be subject to additional penalties as hereinafter set forth.

- (B) At the end of the time allowed for correction of any violation cited, the building shall be reinspected by the appropriate Village officials to verify compliance. If compliance has not been achieved or if significant progress has not developed, the Village of Addison may issue an order for suspending the operating license. Violations caused by the tenant shall not be considered grounds for suspension of license, if the licensee is diligent in achieving compliance.
- (C) Any person whose license to operate a rental dwelling or dwelling unit has been suspended shall be given the opportunity to be heard by the Village of Addison in connection with the violations. Within twenty-one (21) days following the issuance of an order of suspension, the Village shall schedule a hearing to determine whether the license shall be revoked. The Village, as a result of such hearing, may grant additional time or may revoke the license. Prior to revocation any person whose license has been suspended may request a reinspection upon showing that the violation cited in the notice has been corrected.
- (D) If the licensee is convicted by a Court of a violation of any applicable ordinance of the Village of Addison in connection with the licensed building, then the licensee shall be subject to revocation.
- (E) In the event a condition of extreme hazard to health or safety is found to exist, the Village of Addison may immediately suspend the license.

- (F) If, upon reinspection, it is determined by the appropriate Village officials that the violations cited in the notice have been corrected, the license shall be reinstated by the Village of Addison. A request for reinspection shall not exceed the twenty-one (21) day suspension period unless the official responsible for sending the violation notice so requests.
- (G) Each day a building continues to operate after a license has been revoked shall constitute a separate violation of this ordinance subject to fine, as provided for in this Code.
- (H) Whenever the Code Official, upon presentation of proper credentials and request for entry to inspect, is refused access to any building, dwelling, dwelling unit, rooming unit, or premises, the Code Official is authorized to petition any judge for the issuance of a search warrant authorizing the inspection of such building, dwelling, dwelling unit, rooming unit or premises for the purpose of making such inspections as shall be necessary to the enforcement of the provisions of this Chapter or Chapter 24.

**Sec. 10-86.1. Nuisance Residential Rental Property.**

It is hereby declared a nuisance and against the health, peace and comfort of the Village and its residents for any property owner, agent or manager to suffer or permit the following: (1) rental of a residential unit or residential building within an apartment community or governed by a homeowner's association to a tenant who allows any of the following offenses to occur relating to the tenant, member of the tenant's household, guest or other party under control of the tenant to occur: murder, kidnapping, aggravated kidnapping, prostitution, solicitation of prostitution, pandering, obscenity, child pornography, sale of obscene publication, criminal housing management, possession of explosives, unlawful use of weapons, sale of firearms, gambling, keeping a gambling place, concealing a fugitive, violation of the Illinois Controlled Substances Act, violation of the Cannabis Control Act, or commission of any two or more of any other felonies or Class A misdemeanors under the laws of the State of Illinois or the federal government not specifically listed above; or (2) rental of a residential unit or residential building within an apartment community or governed by a homeowner's association to a tenant who allows any of the following offenses to occur relating to the tenant, member of the tenant's household, guest or other party under control of the tenant to occur: commission of three or more Village ordinance violations in a six month period or an unreasonably high number of calls for police service, including, but not limited to, calls that may fall within the descriptions listed above that, when compared to other properties in the Village of similar type, reasonably indicate that the activity at the property is out of character for the area and is impacting the quality of life of those in the area.

**Sec. 10-87. Tenant Responsibility/Notification by Landlord.**

- (A) No tenant shall commit vandalism in the building in which the tenant's dwelling unit is located, and no tenant shall permit vandalism to occur or shall violate any of the provisions of the ordinances of the Village of Addison in the dwelling unit leased by the tenant.
- (B) Each tenant shall be notified of the Tenant Notification of Housing Codes, as provided in Chapter 24, before occupying a rental dwelling. The landlord shall notify the tenant of this requirement.

**Sec. 10-88. Penalty.**

- (A) Any person not in compliance with the provisions of this Chapter as a result of failure to obtain a required rental license and any person who violates any other provision of this Chapter shall be fined not less than one hundred fifty dollars (\$150.00) nor more than one thousand dollars (\$1,000.00) for each offense. In addition, each day shall constitute a distinct and separate offense.
  
- (B) The imposition of any fine or other penalty pursuant to this Chapter or Chapter 24 shall not preclude the Village from instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful repair or maintenance; to restrain, correct or abate a violation; to prevent the occupancy of a building, dwelling, dwelling unit; to require compliance with the provisions of this Chapter or other applicable laws, ordinances, rules or regulations or the orders and determination of the Director of Community Development.

**Appendix C**  
**Forms, Applications and Reports**





# Village of Addison

1 Friendship Plaza, Addison, Illinois 60101-2786  
Tel.: 630 693-7530 Fax: 630 543-3967 E-Mail: Rentals@Addison-IL.org  
Community Development Department

## RESIDENTIAL RENTAL LICENSE APPLICATION LICENSE YEAR 2011 - 2012

Approval of this application authorizes the following property to operate as a rental from May 1, 2011 through April 30, 2012

(PRINT OR TYPE) \* ITEMS ARE OPTIONAL

Building Address: \_\_\_\_\_ Number of Units \_\_\_\_\_ \*Number of parking spaces \_\_\_\_\_

Type:  Apartment  Condo Unit # \_\_\_\_\_  Single Family Detached  Single Family Attached (Townhouse)  Duplex / 2 Flat

THE REQUIRED LICENSE FEE MUST ACCOMPANY THE SUBMISSION OF THIS APPLICATION. INCOMPLETE FORMS WILL NOT BE ACCEPTED. THE RENTAL OF RESIDENTIAL PROPERTY WITHOUT A LICENSE IS A VIOLATION OF THE ADDISON MUNICIPAL CODE. NOTE: IF THIS PROPERTY IS IN A TRUST, A TRUST DISCLOSURE IS ALSO REQUIRED. MAKE CHECKS PAYABLE TO: VILLAGE OF ADDISON.

IN THE EVENT OF A PROBLEM OR AN EMERGENCY, CONTACT No.1 WILL BE THE FIRST CALLED. IN ADDITION, THERE MUST BE ONE OTHER CONTACT LISTED. EACH CONTACT MUST HAVE A DIFFERENT PHONE NUMBER TO ACT AS A BACKUP FOR THE OTHER. POST OFFICE BOX NUMBERS CANNOT BE USED AS THE ADDRESS

Property Owner	Last Name _____ *M. I. _____ First Name _____ Home/Business Address, City & State _____
	Post Office Box #, City, State and Zip Code (If Applicable) _____ Date of Birth _____
	Day Time Phone _____ Evening Phone _____ *E-Mail Address _____ *Mobile Phone _____

Emergency Contact # 1	Last Name _____ *M. I. _____ First Name _____ Title (Owner, Manager, Tenant, Relative) _____
	Day Time Phone _____ Evening Phone _____ *E-Mail Address _____ *Mobile Phone _____

Emergency Contact # 2	Last Name _____ *M. I. _____ First Name _____ Title (Owner, Manager, Tenant, Relative) _____
	Day Time Phone _____ Evening Phone _____ *E-Mail Address _____ *Mobile Phone _____

HAVING THE AUTHORITY TO DO SO, I HEREBY ACKNOWLEDGE THAT ALL OF THE INFORMATION PROVIDED IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE, ANY CHANGES TO THE PRECEDING WILL BE REPORTED TO THE ADDISON'S DEPARTMENT OF COMMUNITY DEVELOPMENT. HAVING READ AND UNDERSTOOD CHAPTER 10 AND 24 OF THE VILLAGE CODE, COMMONLY REFERRED TO AS THE LICENSE AND HOUSING CODE, I HEREBY AGREE TO COMPLY WITH THE APPLICABLE STANDARDS AND CODE REQUIREMENTS AS THEY RELATE TO THIS PROPERTY. IN ADDITION, I AGREE THAT EACH NEW RENTAL OR RENTAL RENEWAL WILL INCLUDE A VILLAGE OF ADDISON LEASE ADDENDUM AND THAT EACH OCCUPANT WILL BE NOTIFIED OF THE TENANT COMPLIANCE STANDARDS. I WILL ALSO INDICATE IF I CHOOSE TO PARTICIPATE IN THE VILLAGE OF ADDISON GRAFFITI REMOVAL PROGRAM AND THE VILLAGE OF ADDISON LOITERING PROGRAM.

Applicant's Signature \_\_\_\_\_ Title (Owner, Manager, Tenant, Trust Officer, Etc.) \_\_\_\_\_ Date \_\_\_\_\_

Applicant's Last Name (print) \_\_\_\_\_ M. I. \_\_\_\_\_ First Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Applicant's Home Address, City, State, Zip \_\_\_\_\_ Day Time Phone \_\_\_\_\_ Evening Phone \_\_\_\_\_ \*E-Mail Address \_\_\_\_\_

**SAMPLE FORM DO NOT USE**

Post Office Box #, City, State and Zip Code (If Applicable) \_\_\_\_\_

OFFICE USE ONLY Proof of Compliance when completed.	Date Received _____	Received By _____	License No. _____	Payment Type _____	\$ _____ 340
					License Fee (Amount Paid)

White - Office Yellow - Applicant Pink - Finance

**DO NOT SEPARATE THIS FORM.**

This site must	<input type="checkbox"/> submit the completed application form before April 29, 2011, no license fee is required.
	<input type="checkbox"/> submit the completed application form before April 29, 2011, with the required license fee. See Reverse Side.
	<input type="checkbox"/> submit the completed application form before April 29, 2011, and the fees as listed on the attachment.



## 2010 - 2011 Rental Fees

### LICENSE FEES

Apartment Buildings with 1 to 5 units	= \$50.00 plus \$50.00 per unit.
Apartment Buildings with 6 to 11 units	= \$75.00 plus \$50.00 per unit.
Apartment Buildings with 12 to 17 units	= \$100.00 plus \$50.00 per unit.
Apartment Buildings with 18 to 23 units	= \$125.00 plus \$50.00 per unit.
Apartment Buildings with more than 23 units	= \$150.00 plus \$50.00 per unit.
Single Family Homes	= \$100.00.
Condominiums or Single Unit Townhomes	= \$50.00, assuming there is no exterior property to inspect.
Duplexes or 2 Flats	= \$150.00.

Rental Licenses must be applied for and paid for prior to the beginning of the license year.

### INSPECTIONS AND FEES

Annual Inspections are paid for through the license fee and are the basis for the inspection grades.

Very Good Grade: If an annual reinspection is required it will be scheduled but not be charged a fee.

Satisfactory Grade: Annual reinspections will be scheduled and charge at the same rate as the Rental License for the areas required to be reinspected. One Exterior Only Inspection will be required and charged at the same rate as the Rental License excluding the per unit charge. Reinspections for an Exterior Only Inspection, if required, will be charged at the same rate as the initial Exterior Only Inspection.

Unsatisfactory Grade: Annual reinspections will be scheduled and charge at the same rate as the Rental License for the areas required to be reinspected. Two Exterior Only Inspections will be required and each will be charged at the same rate as the Rental License excluding the per unit charge. Reinspections for an Exterior Only Inspection, if required, will be charged at the same rate as the initial Exterior Only Inspection. One Semi-Annual Inspection will be required and charged at the same rate as the Rental License. Reinspections for a Semi-Annual Inspection, if required, will be charged at the same rate as the initial Semi-Annual Inspection for the areas affected

### RESCHEDULING FEES:

Failure to meet for a scheduled inspection or to request an inspection without proper notice is subject to additional fees and citations.

### PAYMENT OF FEES

All reinspection fees, exterior-only inspection fees and semi-annual fees must be paid in full, within thirty (30) days of the date the fees were assessed or prior to the reinspection date or semi-annual inspection date, whichever occurs first. No invoices or additional statements will be provided unless payment is not received within the required time frames. If payment is not received within the time frames required, citations may be issued for violating the code standard.

### INSPECTION FORMULA

Buildings with 1 to 5 units	= 1 unit and the common areas will be inspected.
Buildings with 6 to 10 units	= 2 units and the common areas will be inspected.
Buildings with 11 to 15 units	= 3 units and the common areas will be inspected.
Buildings with 16 to 20 units	= 4 units and the common areas will be inspected.
Buildings with 21 to 25 units	= 5 units and the common areas will be inspected.
Buildings greater than 25 units	= 20% of the units & common areas will be inspected, decimals will be rounded up.

Licenses pay for an Annual Inspection, not for the Exterior Only Inspections or reinspections.

Semi-Annual Inspections are based on the results of the Annual Inspection.

Reinspections are based on the results of the prior inspection.

Housing Manuals = \$15.00 each.

AVOID PAYING ADDITIONAL FEES BY MAINTAINING YOUR PROPERTY.













# Village of Addison

Community Development Department

Telephone 630 693-7530 -- Fax 630 543-3967

## GRAFFITTI REMOVAL – HOLD HARMLESS AUTHORIZATION

As stated in the Village Code, the property owner shall be the responsible party for removing graffiti. The Village of Addison will assist you in removing such defacement, if you authorize the process and agree not to hold the Village responsible for any claims as stated herein and have a brick, masonry or block building, which is not painted nor has an applied surface.

Chapter 24, Section 302.9 Defacement of Property of the Village Code. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

By submitting this completed form; the Village of Addison will attempt to remove graffiti when properly notified, at no charge to the property owner.

The undersigned, having the authority to do so, does hereby grant the Village of Addison permission to remove any graffiti from the aforesaid premises, in consideration thereof, the undersigned hereby agrees to release and hold harmless the Village, its agents, officers and employees from any claims, damages, judgments or causes of actions, of whatsoever nature occurring, arising from or related to the attempt to remove such graffiti.

*SAMPLE FORM DO NOT USE*

Site Address: \_\_\_\_\_ Addison, Illinois 60101

Applicant's Signature \_\_\_\_\_ Applicant's Name (Print) \_\_\_\_\_ Position (owner, manager, etc.) \_\_\_\_\_

Applicant's Mailing Address \_\_\_\_\_ Date \_\_\_\_\_

Day Time Phone \_\_\_\_\_ Evening Phone \_\_\_\_\_ E-Mail Address \_\_\_\_\_

Note: This authorization will remain in effect until such time that (a) the property is sold, (b) the exterior wall surfaces no longer meet the requirements for Village participation or (c) the property owner/applicant withdraws his authorization in writing.



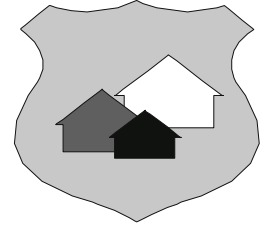
## **Appendix D**

### **Crime Free Multi-Housing Program**





## *Addison Police Department* *Crime Free Multi-Housing* *Program*



The Crime Free Multi-Housing Program was mandated in the Village of Addison on May 1<sup>st</sup>, 2009, amending the rental dwelling license ordinance, Chapter 10, section 10-84, of the Addison Village Code. This unique, 3 phase program combines the efforts of the Police Department, Community Development, and the owners and managers of rental properties to keep drugs and illegal activity off their property. The program is designed to be easy and direct, yet very effective in reducing the incident of crime in rental property. Per Ordinance No. 0-09-02, all owners of rental property are required to attend a Crime Free Seminar in order to hold a rental license within the Village of Addison. Property owners are provided with many valuable resources regarding important topics such as tenant screening, premise liability, evictions, and recognizing gang and drug activity. All owners are also required to utilize a Crime Free Lease Addendum. More information on this program can be found on the Police Department website, [www.addisonpoliceillinois.org](http://www.addisonpoliceillinois.org), or by contacting Mary Heneghan at 630-543-3080 or [mheneghan@addison-il.org](mailto:mheneghan@addison-il.org).

The Village has also adopted a Chronic Nuisance Property Abatement Ordinance (No. 0-09-03). If three or more nuisance activities occur within a 12 month period on a property, the property owner may be charged under this ordinance. If charges are filed, the owner is subject to appear before an Administrative Hearing Officer. If there is a determination that the property is a Chronic Nuisance Property, substantial fines and additional sanctions may be sought against the owner. There are 19 specific activities that are listed as Nuisance Activities, including but not limited to Unlawful Use of a Weapon, Possession or Manufacture of a Controlled Substance, Possession or Delivery of Cannabis, Assault or Battery, and Prostitution. The Addison Police Department works very closely with property owners to assist them in abating the nuisance. This ordinance is meant to reduce the occurrence of criminal activity on the property. More information on this ordinance can also be found on the website or by contacting Mary Heneghan.



**Appendix E**  
**TELEPHONE NUMBERS**

<b>Police Emergency .....</b>	<b>911</b>
<b>Fire Emergency .....</b>	<b>911</b>
A T & T (Local Service) .....	630 495-2632
AT & T (Telephone) .....	800 244-4444
Boiler Inspections (State Fire Marshal, John Beckwith) .....	312 636-2464
Common Wealth Edison (Electric) .....	800 334-7661
DuPage County Health Department .....	630 682-7400
Fire Non-emergency .....	630 628-3100
Housing Inspections .....	630 693-7530
Nicor Gas (Natural Gas) .....	888 642-6748
Pace .....	847 364 7223
Police Non-emergency .....	630 543-3080
To File a Complaint About Living or Building Conditions .....	630 693-7530
Village of Addison (Main Number) .....	630 543-4100
Village of Addison Rental Inspectors .....	630 693-7530

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