

CHAPTER 24.

HOUSING REGULATIONS

(Amended in its Entirety by Ord. 40; by Ord. 07-39; by Ord. 10-26; by Ord. 18-02)

- §24-101. Adoption of Property Maintenance Code.
- §24-102. Additions, Insertions, Deletions and Changes.
- §24-103. Enforcement.
- §24-104. Penalty.

Sec. 24-101. Adoption of Property Maintenance Code.

The International Property Maintenance Code – 2018, as published by the International Code Council, Incorporated, shall be and is hereby adopted as the Property Maintenance Code of the Village of Addison in the State of Illinois for the control of buildings and structures as herein provided, and each and every regulation, provision, penalty, condition and term of said Property Maintenance Code is hereby referred to, adopted and made part hereof as if fully set out in this Chapter, with the additions, insertions, deletions and changes prescribed in Section 24-102 of this Chapter. Pursuant to 65 ILCS 5/1-3-2, at least three (3) copies of each Code shall be filed in the Office of the Village Clerk for public use, inspection and examination. (Ord. 18-02)

Sec. 24-102. Additions, Insertions, Deletions and Changes.

The following Sections of the 2018 International Property Maintenance Code are amended to read as follows:

Section 101.1. Title. Insert: Village of Addison, Illinois.

Section 102.3. Application of Other Codes. Amend to read as follows: 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, International Energy Conservation 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; Residential Rental Licenses: Chapter 10, Article VIII; Parking: Chapter 11, Article VI; Garbage: Chapter 15, Article V; Signs: Chapter 27.

Section 103.1. Add at the end of the existing Section: 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.

Section 106.4. Violation Penalties. Amend to read as follows: 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.

Section 107.4. Unauthorized Tampering. Amend to read as follows: Signs, tags or seals posted or affixed by the Code Official shall not be mutilated, destroyed or tampered with or removed. Such posting can only be removed by the Code Official.

Section 108.1.3. Structure Unfit for Human Occupancy. Amend to read as follows: 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, electricity, water, equipment including but not limited to elevators and moving stairways, sanitary or heating facilities or other essential equipment required by this Code, or because the location of the structure and the contents within constitutes a hazard to the occupants of the structure or to the public.

Section 111. Means of Appeal. Amend to read as follows:

Section 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 Code Enforcement Supervisor, provided that a written application for appeal is filed within ten (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 thereunder 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, daytime phone number, the Code requirement or notice being questioned and the basis for the appeal. Such appeals must be directed to the Code Enforcement Supervisor. If not approved by the Code Enforcement Supervisor, the initial appeal and the Code Enforcement Supervisor's written comments will be forwarded to the Assistant Director of Community Development for further consideration, and a written response to the 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 112.4. Failure to comply. Insert one hundred fifty dollars (\$150.00) and one thousand dollars (\$1,000.00) respectively.

Section 201.3. Terms defined in other codes. Delete the International Plumbing Code and insert the Illinois Plumbing Code. Add at the end of this Section: The Village of Addison Municipal Code, the Village of Addison Zoning Ordinance, the Village of Addison Building Code and the Village of Addison Subdivision Ordinance.

Section 202. General definitions. Amend to read as follows:

For the purposes of this Chapter, the following terms and phrases shall have the meanings given herein:

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.

BUILDING: See Structure. For the purpose of this Code, the terms building and structure shall be interchangeable.

CODE OFFICIAL: Means 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 Assistant Director of Community Development, the Code Enforcement Supervisor, the Code Enforcement Officer, a Community Development Inspector, or other designee as having the same authority identified.

CODE STANDARDS: Means 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.

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, 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, just because a unit cannot be rented or the home sold would not in itself create an abandoned dwelling unit.

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.

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 for sleeping purposes if the finished floor level exceeds three feet six inches (3'6") below the average exterior grade.

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.

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.

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

PARKING SPACE: A surfaced area, enclosed or unenclosed, not less than nine feet (9') wide and eighteen feet (18') 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 shall 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 between the adjacent property line and the back of curb. If there is no curbing, the edge of the pavement or gravel roadway.

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.

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 otherwise 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 rental license year shall be from May 1 to April 30 of the following year (typically three hundred sixty-five (365) continuous calendar days).

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.

STRUCTURE: That which is built or constructed or portion thereof.

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

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.

Section 301. General. Add the following Sections:

Section 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 have a tenant of each unit read a copy of the "Tenant Notification of Housing Codes."
- B) Every owner or operator shall apply for and receive a Residential Rental License on a yearly basis. In the event that the owner cannot make a scheduled inspection/re-inspection, one of the listed contact persons on the application or other responsible party 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 therefrom 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 (3'6") below the average exterior grade.

Section 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.

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

Section 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 302.3. Sidewalks and driveways. Amend to read as follows: All steps, driveways, parking spaces, similar paved areas, and private sidewalks, shall be kept in proper repair and free of snow and ice and other debris. Potholes in parking spaces or paved areas shall be repaired with an all-weather, hard surface, dustless material in accordance with the Building and Zoning Codes.

Section 302.4. Weeds. Insert six inches (6") and amend and add to the end of the existing Section: It shall be unlawful for anyone to permit any weeds, grass or plants, other than trees, bushes, flowers, cultivated or ornamental plants, to grow to a height exceeding six inches (6") anywhere in the Village. Any such plants or weeds exceeding such height are hereby declared a nuisance. See, also, Section 12-15 of Chapter 12 of the Village Code.

Add the following Sections:

Section 302.4.1. Landscaping. Amend to read as follows: 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. 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 thirty-six (36") above grade. Diseased trees that may possibly spread to other 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 removed within forty-eight (48) hours after receiving notification.

Section 302.7.1. Accessory structure location. All accessory uses and structures shall be properly located in compliance with the Village of Addison Zoning requirements and the applicable building codes.

Section 302.8. Motor vehicles. Add at the end of the existing Section: Parking. 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 shall be allowed on parkways or sidewalks.

Section 302.10. Parkway maintenance. Amend to read as follows: The property owner shall be responsible to ensure that all parkway areas immediately adjacent to a property shall be maintained to the same standards as the private property. Above ground obstructions are prohibited in all parkways, except for mailboxes, municipal signs, streetlights, municipal traffic control devices, utility equipment, trees and 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 3:00 p.m. the day preceding the scheduled pickup. Empty containers must be removed from the curb no later than 12:00 midnight of the date of the scheduled pickup by the Village-authorized Contractor.

Section 302.11. Open excavations. All open excavations shall be secured with a minimum four foot (4') high barrier enclosing the excavation and work area. Open excavations and work areas within a public right-of-way or within five feet (5') of the same shall be secured with a six foot (6') high barrier.

Section 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 or vehicles parts, or similar items typically not stored outside a building or for items not weather resistant. Only outdoor furniture, properly displayed holiday decorations, and approved outdoor cooking grills shall be stored on balconies or decks or patios.

Section 302.13. Existing Parking Lot Lighting Maintenance. Amend to read as follows: The lighting shall be owned, maintained and operated by the owner of the property who shall be responsible for keeping clean the luminaries, replacing bulbs and other work associated with maintenance.

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. Parking lot lighting systems shall be controlled in such a way that they will be turned on and off with a photoelectric cell or an electric timer; motion detectors are not allowed. All parking lot lights are required to be on from dusk until dawn. All lights must be turned on at the time of an Annual, Semi-Annual and Exterior-Only Inspection.

Section 304.3. Premises Identification. Amend to read as follows: Except as hereinafter provided, each of the figures of every number assigned shall not be less than four (4") nor more than twelve inches (12") in height and of proportionate width. For structures set back more than one hundred feet (100') but less than two hundred feet (200'), the maximum height shall be twenty-four inches (24") in height, and for structures set back two hundred feet (200') or more, the maximum height shall be thirty-six inches (36") 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. In addition to the required premise identification, all apartment doors opening into a hallway of a common area must have a unit number or letter posted on the door. The numbers or letters shall be alpha-numeric and a minimum of three inches (3") in height.

Section 304.12. Handrails and guards. Add at the end of the existing Section: Where handrails or guard rails are required by the current codes and are not in place or are unsafe based on the 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.

Section 304.14. Insect Screens. Amend to read as follows: 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 sixteen (16) mesh per inch, and every swinging 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.

Add the following Sections:

Section 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.

Section 304.15.2. Doorbells and mailboxes. Whenever doorbells or mailboxes 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.

Section 304.18.1. Doors. Amend to read: 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 one inch (1"). 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. Security for sliding patio doors must be equal to a deadbolt lock.

Section 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 always be kept closed and in a locked position the building is not being accessed through the doors. Also required shall be an exterior key box for emergency access (ingress) inspected and approved by the Addison Fire Protection District.

Section 304.18.5. Window guards. All operable windows in units occupied or routinely visited by children under the age of twelve (12) years old shall have guards or screens in place to safeguard against falling through the window.

Section 304.20. Building accessories and systems. Add the following Sections:

Section 304.20.1. Air conditioners. Window air conditioning units shall be maintained as original equipment. Side panels that are damaged, 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.

Section 304.20.2. 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 twelve feet (12') of the front wall between October 15 and May 1. See Section 702.4 Emergency Escape Openings, of the International Property Maintenance Code for additional code requirements.

Section 304.20.3. 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 twelve feet (12') of the front wall, or on the roof of the building within twelve feet (12') of the front wall.

Section 304.20.4. 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 twelve feet (12') of the front wall except when the same are at the curbside for pickup during the appropriate hours.

Section 304.20.5. 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 twelve feet (12') of the front wall except when in use or unless stored with an appropriate cover.

Section 304.20.6. 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 feet (6') 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. Add the following Sections:

Section 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.

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

Section 308.3.2. Containers. Add at the end of the existing Section: Such containers are required to be placed/stored on a hardened surface such as asphalt or concrete.

Section 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.

Section 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 (2) years after the date of filing notice of the lien.

Section 309.2. Owner. Amend to read as follows: 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.

Section 309.3. Single occupant. Amend to read as follows: 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.

Section 309.4. Multiple Occupancy. Delete Section in its entirety.

Section 309.5. Occupant. Delete Section in its entirety.

Add the following Sections:

Section 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 404.4.4. Prohibited Occupancy. Amend to read as follows: 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 (3'6") 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. Sleeping in a living room or any other habitable space as a convenience to the permitted occupant is allowed. An expansion to the existing sleeping areas is prohibited.

Section 404.4.6. Area for Sleeping. Every bedroom occupied by one person shall contain at least seventy (70) square feet of floor area (excluding closets), and every bedroom occupied by more than one person shall contain an additional fifty (50) square feet (excluding closets) for each additional occupant or twenty-five (25) square feet for each additional half occupant. For purposes of this subsection, a person under one (1) year of age shall not be considered an occupant, and persons more than one (1) year of age but less than twelve (12) years of age shall be considered as a half occupant.

Section 404.5. Overcrowding. Amend to read as follows: Every dwelling unit shall contain at least two hundred (200) square feet of habitable floor area for the first occupant thereof and at least one hundred (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 seventy (70) square feet of floor area (excluding closets) for the first occupant and at least fifty (50) square feet of floor area (excluding closets) for every additional occupant thereof. For the purpose of this subsection, a person under one (1) year of age shall not be considered an occupant, and a person under the age of twelve (12) shall be considered a half occupant and require only half the floor area required by this

subsection. An additional half occupant shall require twenty-five (25) additional square feet until they reach the age of twelve (12) years old. Failure to meet these limitations shall be considered overcrowding.

Section 404.5.1. Sleeping Area. Delete this Section in its entirety.

Section 404.5.2. Combined Spaces. Delete this Section in its entirety.

Section 503.1. Privacy. Amend to read as follows: 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 and all single user bathrooms and toilet rooms regardless of occupancy.

Section 505.1. General. Delete the International Plumbing Code and insert the Illinois Plumbing Code.

Section 505.4. Water Heating Facilities. Amend to read as follows: 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, metallic and maintained on water heaters.

Section 507.1. General. Delete local amendment.

Add the following Sections:

Section 507.2. 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 feet (5') from the foundation wall. Downspouts may not be eliminated from a roof that discharges on to expansive or collapsible soils within five feet (5') 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.

Section 601.2. Responsibility. Add at the end of the existing Section: 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 602.2. Residential Occupancies. Amend to read as follows: 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.

Add the following Sections:

Section 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.

Section 602.3. Heat Supply. Amend to read as follows: 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.

Section 602.4. Occupiable Workspaces. Insert "during the period from October 15 to May 1."

Add the following Sections:

Section 602.6. Boilers. All hot water supply boilers in multi-family buildings having six (6) 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 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.

Section 605.2. Receptacles. Add at the end of the existing Section: Every kitchen shall have at least one electrical receptacle. Electrical receptacles that are located along a countertop 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 connections 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 has 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.

Section 605.3. Luminaries. Add at the end of the existing Section: All abandoned interior fixtures not required by this Code shall be removed and properly capped. All abandoned exterior fixtures, not required by this Code, shall be removed along with all abandoned conduit that is visible and 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 702.4. Emergency escape openings. Add at the end of the existing Section: 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 703.4.3. Door Operation. Add at the end of the existing Section: 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. Such doors shall close and latch when released from a 45-degree opening.

Section 704.5 shall be changed to Section 704.8 and be amended to read as follows:

704.8. Smoke Detectors. Owners of existing apartments, condominiums, one- and two-family dwelling units and townhomes 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 be located per the manufacturer's recommendations; and shall be located within the immediate vicinity of all bedrooms or sleeping area, as well as in each bedroom or sleeping area. Battery-powered smoke or ionization detectors shall submit a signal when the batteries are low. Detectors being supplied by a commercial electrical power source shall be equipped with a "Power On" visible indicator.

Section 704.6 shall be changed to Section 704.9 and read as follows:

Section 704.9. Flammable liquid storage. Storage of gasoline or other similar flammable liquids or gasoline operated maintenance equipment is prohibited in any multi-family building unless a one (1) hour UL storage room or an approved container is provided and the NFPA Fire Codes are complied with.

Section 704.7 shall be deleted in its entirety.

Section 704.9 shall be changed to Section 704.10 and read as follows:

704.10. Safety equipment. Extinguishers with a gross weight not exceeding forty (40) pounds should be installed so that the top of the extinguisher is not more than five feet (5') above the floor. Extinguishers with a gross weight greater than forty (40) pounds should be installed so that the top of the extinguisher is not more than three and one half feet (3-1/2') above the floor. In no case shall the clearance between the bottom of the extinguisher and the floor be less than four inches (4").

Section 704.8 shall be changed to Section 705.3 and be titled and read as follows:

Section 705.3 Carbon monoxide alarms and 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 fifteen feet (15') 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.

(Ord. 11-17; 14-09; 18-02)

Sec. 24-103. 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 (30) 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. (Ord. 11-17; 18-02)

Section 24-104. 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. (Ord. 11-17; 18-02)