

**CHAPTER 20 - PROPERTY MAINTENANCE  
AND INSPECTION CODE**

**ARTICLE I**

**DIVISION I**

**ADMINISTRATION**

**20-1-1 Title.** These regulations shall be known as the Property Maintenance Code of Bunker Hill, Illinois hereinafter referred to as “this Code”

**20-1-2 Scope.** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilations, 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. It shall also govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

**20-1-3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar 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.

**20-1-4 Severability.** If a section, subsection, sentence, clause or phase 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.

**DIVISION II – APPLICABILITY**

**20-1-5 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the reference standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

**20-1-6 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 or 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.

**20-1-7 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 *International Existing Building Code*. Nothing in this Code shall be construed to cancel, modify or set aside any provisions of the *International Existing Building Code*.

**20-1-8 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 unsanitary.

**20-1-9 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 instructions.

**20-1-10 Historic buildings.** The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the Code Official to be safe and in the public interest of health, safety and welfare.

**20-1-11 Referenced Codes and standards.** The codes and standards referenced in this code shall be those that are listed in this Code and considered part of the requirements of this Code to the prescribed extent of each such reference.

**20-1-12 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.

**20-1-13 Application of references.** References to chapter, article or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, article, section or provision of this code.

**20-1-14 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

**DIVISION III**

**PROPERTY MAINTENANCE INSPECTION**

**20-1-15 General.** The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the code official.

**20-1-16 Appointment.** The code official shall be appointed by the chief appointing of the jurisdiction.

**20-1-17 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(s). Such employees shall have powers as delegated by the Code Official.

**20-1-18 Liability.** The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, 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 or by reason of an act or omission 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 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.

**20-1-19 Permit to occupy.**

1. **Permit Required.** It shall be unlawful for any person owner or agent thereof to occupy or use, or to permit any person to occupy or use any premises for any purpose including the movement of furniture, equipment or other personal property into said premises until a permit to occupy has been issued by the Code Official. The permit so issued shall state that the condition of the premises and its proposed occupation complies with all of the provisions of this Code as far as can be determined by a visual inspections of the premises and a review of the records.
2. **Application for occupancy.** It shall be unlawful for any person to knowingly make any false statements on an application for permit to occupy a dwelling unit as to the names, relationships, ages, or number of occupants who will occupy the dwelling unit. One of the following documents shall be submitted with application; copy of lease, rent receipt with photo identification, sales contract or closing papers.
3. **Action on an application.** The Code Official shall examine or cause to be examined all applications for permits within a reasonable time after filing. No certificate of occupancy will be issued until an inspection of the premises has

been completed and approved. No inspection shall be required for a dwelling unit that is less than five (5) years of age.

4. Suspension of permit. Any permit issued shall become invalid if the occupancy is not commenced within six (6) months after issuance of the permit.
5. Revocation of permit. The Code Official may revoke a permit in case of any false statement or misrepresentation of facts in the application on which a permit was based, or in the event a structure or part thereof is condemned pursuant to this Code.

**2-1-20 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be indicated in the following schedule.

1. Inspection Permit Fee of Fifty Dollars (\$50.00) shall be paid prior to the County conducting an inspection of a multi-family rental structure (apartments). It shall be the responsibility of the property owner/agent to make advance payment of the fee and schedule the required inspection with the County. An inspection shall be valid for a period of one (1) year. The dwelling unit does not have to be re-inspected during that period, even if the occupancy changes.
2. Inspection Permit Fee of One Hundred Dollars (\$100.00) shall be paid prior to the County conducting an inspection of a single-family residence. It shall be the responsibility of the property owner/agent to make advance payment of the fee and schedule the required inspection with the County. An inspection shall be valid for a period of one (1) year. The dwelling unit does not have to be re-inspected during that period, even if the occupancy changes.
3. Inspection Permit Fee of Seventy-five Dollars (\$75.00) shall be paid prior to the County conducting an inspection of a manufactured/mobile home. It shall be the responsibility of the property owner/agent to make advance payment of the fee and schedule the required inspection with the County. An inspection shall be valid for a period of one (1) year. The dwelling unit does not have to be re-inspected during that period, even if the occupancy changes.
4. Inspection Permit Fee of One hundred Dollars (\$100.00) shall be paid prior to the County conducting an inspection of a duplex/condominium. It shall be the responsibility of the property owner/agent to make advance payment of the fee and schedule the required inspection with the County. An inspection shall be valid for a period of one (1) year. The dwelling unit does not have to be re-inspected during that period, even if the occupancy changes.
5. A copy of an existing Certificate of Occupancy shall be a fee of Ten Dollars (\$10.00).
6. The Certificate of Occupancy fee of Thirty Dollars (\$30.00) shall be paid at the time certificate is issued. It shall be the responsibility of the tenant/occupant to

apply for certificate of occupancy after application for occupancy has been approved.

7. A re-inspection fee of Fifty Dollars (\$50.00) shall be paid when initial inspections fail or no access to structure. It shall be the responsibility of the property owner/agent to make the advance payment prior to scheduling a re-inspection. All fees shall be non-refundable.

**DIVISION IV – DUTIES AND POWERS OF THE CODE OFFICIAL**

**20-1-21 General.** The code official is hereby authorized and directed to enforce the provisions of this Code. The Code official shall have the authority to render interpretations of this Code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and 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.

**20-1-22 Mayor as Code Official.** The Mayor shall act as the Code official and shall have the authority to direct an individual to act on his behalf as the Code Official.

**20-1-23 Inspections.** The Code official shall make all of the required inspections, or shall accept reports of inspection 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.

**20-1-24 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 inspect or perform duties imposed by this code, provided that if such structure or premises is occupied the code official shall present credentials to the occupant and request entry. If such structure or premises 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 premises and request entry. If entry is refused, the Code Official shall have recourse to the remedies provided by law to secure entry.

**20-1-25 Identification.** The Code Official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**20-1-26 Notice and orders.** The Code Official shall issue all necessary notices or orders to ensure compliance with this code.

**20-1-27 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 record.

**20-1-28 Coordination of Inspections.** Whenever in the enforcement of this Code or another code or ordinance, the responsibility of more than one Code Official of the jurisdiction is involved, it shall be the duty of the Code Officials involved to coordinate their inspections and Administrative Orders as fully as practicable so that the owners and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting Orders. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or

Code not within the inspector's authority to enforce, the inspector shall report the findings to the Code Official having jurisdiction.

**DIVISION V**

**APPROVAL**

**20-1-29 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, provide 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.

**20-1-30 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.

**20-1-31 Requesting 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.

**A. 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.

**B. Test reports.** Reports of tests shall be retained by the Code Official for the period required for retention of public records.

**20-1-32 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.

**DIVISION VI**

**VIOLATIONS**

**20-1-33 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.

**20-1-34 Notice of violation.** The Code official shall serve a notice of violation or order in accordance with this Code.

**20-1-35 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Division VII 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 offence. 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 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.

**20-1-36 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to all fines, penalties, and sentencing of a petty offense, as such term is defined in the Unified Code of Corrections Act (see 730 ILCS 5/5-4.5- 75). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**20-1-37 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.

**DIVISION VII**

**NOTICES AND ORDERS**

**20-1-38 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 Section 20-1-39 and 20-1-40 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 20-1-45.

**20-1-39 Form.** Such notice prescribed in Section 20-1-38 shall be in accordance with all of the following:

- (A) Be in writing.
- (A) Include a description of the real estate sufficient for identification.
- (B) Include a statement of the violation or violations and why the notice is being issued.
- (C) 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.
- (D) Inform the property owner of the right to appeal.
- (E) Include a statement of the right to file a lien in accordance with Section 20-1-35.

**20-1-40 Method of service.** Such notice shall be deemed to be properly served if a copy thereof is:

- (A) Delivered personally;
- (B) Sent by certified or first-class mail addressed to the last known address; or
- (C) 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.

**20-1-41 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 from the Code Official.

**20-1-42 Penalties.** Penalties for noncompliance with orders and notices shall be set forth in Section 20-1-36.

**20-1-43 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.

**DIVISION VIII**

**UNSAFE STRUCTURES AND EQUIPMENT**

**20-1-44 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.

**(A) 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.

**(B) 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.

**(C) 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 unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, 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.

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

**(E) Dangerous structure or premises.** For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

- (1) Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
- (2) The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
- (3) Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
- (4) Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

- (5) The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
- (6) The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
- (7) The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
- (8) Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
- (9) A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- (10) Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.
- (11) Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

**20-1-45 Closing of vacant structures.** If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structure 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.

**20-1-46 Authority to disconnect service utilities.** The Code Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 20-1-11 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The code

official shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

**20-1-47 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 service on the owner or the person or persons responsible for the structure or equipment in accordance with Section 20-1-38. 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 20-1-39.

**20-1-47 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.

**20-1-48 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.

**20-1-49 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 premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this Code.

**DIVISION IX**

**EMERGENCY MEASURES**

**20-1-50 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 Office.” 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.

**20-1-51 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.

**20-1-52 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.

**20-1-53 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.

**20-1-54 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.

**20-1-55 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.

**DIVISION X – DEMOLITION**

**20-1-56 General.** The Code Official shall order the owner of any premises upon which is located any structure, which in the Code Official judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the Code Official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.

**20-1-57 Notices and orders.** All notices and orders shall comply with Sections 20-1-38, 20-1-39 and 20-1-40.

**20-1-58 Failure to comply.** If the owner of a premises fails to comply with a demolition order within the time prescribed, the Code Official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**20-1-59 Salvage materials.** When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items or expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state. With the approval of the City Council.

**DIVISION XI**

**MEANS OF APPEAL**

**20-1-60 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 board of appeals, provided that a written application for appeal is filed within 20 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. The fee for an application of appeal of Fifty Dollars (\$50.00) is to be paid at the time application is filed and shall be non- refundable.

**20-1-61 Membership of the board.** The Board of Appeals shall consist of three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The Mayor shall be an ex-officio member but shall have no vote on any matter before the board. The Board shall be appointed by the Mayor, and shall service staggered terms.

**(A) Alternate members.** The Mayor shall appoint a minimum of two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

**(B) Chairman.** The Board shall annually select one of its members to serve as Chairman.

**(C) Disqualification of member.** A member shall not hear an appeal in which that member has any personal, professional or financial interest.

**(D) Secretary.** The Board shall annually select one of its members to serve as Secretary to the board. The Secretary shall file detailed records of all proceedings in the office of the Mayor.

**20-1-62 Notice of meeting.** The Board shall meet upon notice from the chairman, with twenty (20) days of the filing of an appeal, or at state periodic meetings.

**20-1-63 Open hearing.** All hearings before the Board shall be open to the public. The appellant, that appellant’s representative, the code official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of two-thirds of the board membership.

**(B) Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information is received.

**20-1-64 Postponed hearing.** When the full board is not present to hear an appeal, either the appellant or the appellant’s representative shall have the right to request a postponement of the hearing.

**20-1-65 Board decision.** The board shall modify or reverse the decision of the Mayor by a concurring vote of a majority of the total number of appointed Board members.

**(A) Resolution.** The decision of the Board shall be by resolution. Certified copies shall be furnished to the appellant and the Code Official.

**(B) Administration.** The Code Official shall take immediate action in accordance with the decision of the Board.

**29-1-66 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

**20-1-67 Stays of enforcement.** Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until appeal is heard by the appeals board.

**ARTICLE II  
DEFINITIONS**

**20-2-1 GENERAL**

**(A) Scope.** Unless otherwise expressly stated, the following terms shall, for the purpose of this Code, having the meanings indicated in this article.

**(B) Interchangeability.** Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

**(C) Terms Defined in Other Codes.** Where terms are noted in this Code and are defined in the Building, Plumbing and/or Mechanical Codes, they shall have the same meanings ascribed to them as in those Codes.

**(D) Terms Not Defined.** Where terms are not defined under the provisions of this Code or under the provisions of the Building, Plumbing and/or Mechanical Codes, they shall have ascribed to them their ordinarily accepted meanings or such as the context herein may imply.

**20-2-2 APPLIED MEANINGS OF WORDS AND TERMS.**

**“APPROVED”.** Approved, as applied to the material, device, or method of construction shall mean approved by the Code Official under the provisions of this Code, or approved by other authority designated by law to give approval in the matter in question.

**“BASEMENT”.** That portion of a building which is partly below and partly above grade, and having at least one-half (1/2) its height above grade. (see “Cellar”).

**“BUILDING CODE”.** The BOCA Building Code officially adopted by the legislative body of this jurisdiction, or such other code as may be officially designed by the legislative body of the jurisdiction for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of building and structures.

**“BUILDING OFFICIAL”.** The official designated by the jurisdiction to enforce building, zoning or similar laws, or a duly authorized representative.

**“CELLAR”.** That portion of a building which is partly or completely below grade and having at least one-half (1/2) its height below grade. (see “Basement”).

**“CENTRAL HEATING”.** The heating system permanently installed and adjusted so as to provide the distribution of heat to all habitable rooms, bathrooms and water closet compartments from a source outside of these rooms.

**“CODE OFFICIAL”.** The official who is charged with the administration and enforcement of this Code, or any duly authorized representative.

**“CONDEMN”.** To adjudge unfit for use or occupancy.

**“CONDEMNATION”.** The act of judicially condemning.

**“DWELLING UNIT”.** One (1) or more rooms in a residential structure which are arranged, designed, used or intended for use by one (1) family plus not more than four (4) lodgers for living or sleeping purposed, and which include complete kitchen facilities permanently installed.

**“DWELLINGS”:** house, apartment, or other place of residence.

**“ROOMING HOUSE”**. A building in which sleeping quarters (but not meals or cooking facilities) are provided by pre-arrangement for compensation on a weekly or longer basis for three (3) or more persons.

**“ONE-FAMILY DWELLING”**. A dwelling unit designed for the occupancy by one family.

**“TWO-FAMILY DWELLING”**. A building containing two (2) separate dwelling units with not more than five (5) lodgers or boarders per family.

**“MULTI-FAMILY APARTMENT BUILDING”**. A building or portion thereof, designed or altered for occupancy by three (3) or more families living independently of each other.

**“BOARDING HOUSE”**. A building other than a hotel or restaurant where meals are provided for compensation to three (3) or more persons but not more than ten (10), who are not members of the keeper’s family.

**“DORMITORY”**. Any building containing eleven (11) or more rooming or dormitory units. A dormitory also provides a public restroom, a laundry room, foyer, storage space for out-of-season articles of the residents, public lounge and recreational space for the use of residents.

**“DORMITORY ROOM”**. A habitable room used or intended to be used by four (4) or more individuals for sleeping or study purposes, excluding bathrooms, toilet rooms, laundries, pantries, foyers, communicating corridors, closets storage space and stairwells.

**“HOTEL”**. An establishment containing lodging accommodations designed for use by transients, travelers or temporary guest, with no provisions in such accommodations for cooking in any individual room or suite. Facilities provided may include maid service, laundering of linen used on the premises, telephone and secretarial or desk service.

**“ENFORCEMENT OFFICER”**. The official designated herein or otherwise charged with the responsibilities of administering this Code, or the officials authorized representative.

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

**“EXTERMINATION”**. The control and elimination of insects, rats, or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as their food: by poison spraying, fumigating, trapping, or by any other approved pest elimination.

**“FAMILY”**. One (1) or more persons related by blood, marriage or adoption (excluding servants), or a group of not more than three (3) (including servants and roomers) who need not be related by blood, marriage or adoption, living together and maintaining a common household, but not including sororities, fraternities or other similar organizations.

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

**“HABITABLE SPACE”**. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

**“HOTEL”**. See “Dwellings”.

**“INFESTATION”**. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pest.

**“LET FOR OCCUPANCY OR LET”**. To permit possession or occupancy of a dwelling, dwelling unit, rooming unit, building or structures by a person who shall be legal owner or not be the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or licensee, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**“LODGING OR ROOMING HOUSE”**. A building with more than three (3) guest spaces where lodging is provided for compensation pursuant to previous arrangement, but not open on a daily, overnight or per meal basis to transient guests.

**“LODGING OR ROOMING HOUSE UNIT”**. A habitable room used or intended to be used by up to three (3) individuals for sleeping purposes, excluding bathrooms, toilet rooms, laundries, pantries, foyers, communicating corridors, closets, storage space and stairwells.

**“MAINTENANCE”**. Conformance of a building and its facilities to the Code under which the building was constructed.

**“MOTEL”**. A group of attached or detached buildings containing individual sleeping or living units, designed for or used temporarily by automobile tourists or transients, with garage attached or parking space conveniently located to each unit, including auto courts, motels, motor lodges or other similar type used.

**“MULTI-FAMILY (MULTIPLE) DWELLINGS”**. See “Dwellings”.

**“OCCUPANT”**. Any person over one (1) year of age (including owner or operator) living and sleeping in a dwelling unit or having actual possession of said dwelling or rooming unit.

**“OPENING AREA”**. That part of a window 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 are let or offered for occupancy.

**“OWNER”**. Any person, agent, firm, or corporation having a legal or equitable interest in the property.

**“PERSON”**. Includes a corporation or co-partnership as well as an individual.

**“PLUMBING”**. The practice, materials, and fixtures used in the installation, maintenance, extension and alteration of all piping fixtures, appliances, and appurtenances within the scope of the Plumbing Code.

**“PLUMBING FIXTURE”**. A receptacle or device which is either permanently or temporarily connected to the water distribution system of the premises, and demands a supply of water therefrom; or discharges used water, liquid-borne waste materials, or sewage either directly or indirectly to the drainage system of the premises; or which required both a water supply connection and a discharge to the drainage system of the premises.

**“PREMISES”**. A lot, plot or parcel of land including the buildings or structures therein.\*

**“PUBLIC NUSANCE”**. Includes the following:

The physical condition, or use of any premises regarded as a public nuisance at common law; or any physical condition, use or occupancy of any premises or its appurtenances

considered and attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or  
Any premises which have unsanitary sewerage or plumbing facilities; or  
Any premises designated as unsafe for human habitation or use; or  
Any premises which are manifestly capable of being a fire hazard, or are manifestly unsafe or insecure as to endanger life, limb or property; or  
Any premises from which the plumbing, heating and/or facilities required by the 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 provide; or any premises which are unsanitary, or which are littered with rubbish or garbage, or which have an uncontrolled growth of weed; or any structure or building that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged 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.

**“RENOVATION”**. A building and its facilities made to conform to present day minimum standards of sanitation, fire prevention and safety.

**“RESIDENCE BUILDING”**. A building in which sleeping accommodations or sleeping accommodations and cooking facilities as a unit are provided; except when classified as an institution under the Building Code.

**“RUBBISH”**. Combustible and noncombustible waste materials, except garbage, and 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.

**“SANITARY”**. Rules and conditions of health; especially, of absence of dirt and agents of infection or tending to promote health and healthful conditions.

**“STRUCTURE”**. Anything constructed or erected which requires location on the ground or is attached to something having location on the ground, including a fence or free-standing wall. A sign, billboard or other advertising medium, detached or projecting, shall be construed to be a structure.

**“SUPPLIED”**. Installed, furnished or provided by the owner or operator.

**“VENTILATION”**. The process of supplying and removing air by natural or mechanical means to or from any space.

Ventilation by power-driven devices

Ventilation by opening to outer air through windows, skylights, doors, louvers, or stacks without wind-driven devices.

**“WORKING DAYS”**. Those days during which the City Hall is open for business.

**“WORKMANLIKE”**. Whenever the words “workmanlike state of maintenance and repair” are used in this Code, they shall mean that such maintenance and repair shall be made in a reasonably skillful manner.

**“YARD”**. An open unoccupied space on the same lot with a building extending along the entire length of street, or rear or interior lot line.

\*Whenever the words “multi-family dwelling”, “residence building”, “dwelling unit”, “lodging or rooming house”, “lodging or rooming house unit”, “premises” are used in the Code, they shall be construed as though they were followed by the words, “or any part thereof”.

**ARTICLE III**

**GENERAL REQUIREMENTS DIVISION I – GENERAL**

**20-3-1 Scope.** The provisions of this Article shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

**20-3-2 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 article. 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.

**20-3-3 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.

**DIVISION II**

**EXTERIOR PROPERTY AREAS**

**20-3-4 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.

**20-3-5 Grading and draining.** 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.

**20-3-6 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.

**20-3-7 Weeds.** This Section shall be utilized in conjunction with Nuisance portions of this Code. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 8 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 or 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 20-1-38 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 cost of such removal shall be paid by the owner or agent responsible for the property.

**20-3-8 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 pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

**20-3-9 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.

**20-3-10 Accessory structures.** All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

**20-3-11 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. 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.

**20-3-12 Parking motor vehicles.** The parking of vehicles on any surface that is not an improved surface in the front or side yard areas of a residential zone district is prohibited. (A) Improved surface. Means an area, excluding a driveway, the surface of which is comprised of a selected materials constructed to a depth sufficient to distribute the weight of a vehicle over such area to preclude deterioration and deflection of the area due to vehicle load, adverse weather, or other conditions.

**20-3-13 Graffiti.** All structures and exterior property shall be kept free from graffiti. The existence of graffiti on building, or on structures, including but not limited to fences or walls located upon any property is declared a nuisance. Where graffiti is found, a notice shall be issued describing the nuisance and shall establish a reasonable time limit for the abatement thereof by such owner, which time shall be not less than five (5) days nor more than fourteen (14) days after service of such notice. The notice shall also specify clearly that graffiti established on a painted surface shall be painted over with a color consistent with the predominant tone of the building or structure, and that graffiti established on any unpainted masonry or wood surface shall be removed by cleaning so that such unpainted surface is returned.

**DIVISION III**

**SWIMMING POOLS, SPAS AND HOT TUBS**

**20-3-14 Swimming pools.** Swimming pools shall be maintained in a clean and sanitary condition, and good repair.

**20-3-15 Enclosures.** Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) 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 a minimum of 54 inches (1372 mm) 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 (152 mm) from the gatepost. Inflatable pools must have the ladder up when not in use. 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.

**DIVISION IV**

**EXTERIOR STRUCTURE**

**20-3-16 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.

**20-3-17 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.

**20-3-18 Premises identification.** Building shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Number shall be a minimum of 4 inches (102 mm) in height with a minimum width of 2 inches (51 mm).

**20-3-19 Structural members.** All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

**20-3-20 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.

**20-3-21 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.

**20-3-22 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.

**20-3-23 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.

**20-3-24 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.

**20-3-25 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.

**20-3-26 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. Handrails shall be provided on at least one side of each continuous run of treads or flight with four or more risers.

**20-3-27 Opening limitations.** Required guards shall not have openings from the walking surface to the required guard height which allow passage of a sphere 4 inches (102 mm) in diameter.

**20-3-28 Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**(A) Glazing.** All glazing materials shall be maintained free from cracks and holes.

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

**20-3-29 Insect screens.** During the period from April to October, 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 minimum 16 mesh per inch (16 mesh per 25 mm), 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.

**20-3-30 Doors.** All exterior doors, door assemblies, operator systems if provided, 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 20-7-5.

**20-3-31 Basement hatchways.** Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

**20-3-32 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.

**20-3-33 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.

**(A) 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 minimum lock throw of 1 inch (25 mm). 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.

**(B) Windows.** Operable windows located in whole or in part with 6 feet (1828 mm) 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.

**(C) 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.

**20-3-34 Gates.** All exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

**DIVISION V****INTERIOR STRUCTURE**

**20-3-35 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.

**(A) Unsafe conditions.** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with this Code:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads and loads effects;
3. Structures or components thereof that have reached their limit state;
4. Structural members are incapable of supporting nominal loads and load effects.
5. Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or 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:**  
When substantiated otherwise by an approved method.  
Demolition of unsafe conditions shall be permitted when approved by the code official.

**20-3-36 Structural members.** All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**20-3-37 Interior surfaces.** All interior surfaces, including window 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.

**20-3-38 Stairs and walking surfaces.** Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

**20-3-39 Handrails and guards.** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in sound condition and good repair. Handrails shall be provided on at least one side of each continuous run of treads or flight with four or more risers.

**20-3-40 Interior doors.** Every interior door shall fit reasonably well within its s 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.

**DIVISION VII**

**HANDRAILS AND GUARDRAILS**

**20-3-41 General.** Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stairs and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height 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 (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface. Handrails shall be provided on at least one side of each continuous run of treads or flight with four or more risers.

**DIVISION VIII**

**RUBBISH AND GARAGE**

**20-3-42 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.

**20-3-43 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.

**(A) 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.

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

**20-3-44 Disposal of garbage.** Every occupant of a structure shall dispose of all rubbish garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

**(A) 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.

**(B) 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.

**DIVISION IX**

**PEST ELIMINATION**

**20-3-45 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 pest elimination, proper precautions shall be taken to prevent re-infestation.

**20-3-46 Owner.** The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

**20-3-47 Single occupant.** The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for pest elimination on the premises.

**20-3-48 Multiple occupancy.** The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination.

**20-3-49 Occupant.** The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure. **Exception:** Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination.

**ARTICLE IV**

**LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS**

**DIVISION I**

20-4-1 Scope. The provisions of this article shall govern minimum conditions and standards for light, ventilation and space for occupying a structure.

20-4-2 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 premises that do not comply with the requirements of this article.

20-4-3 Alternative devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with Code shall be permitted.

20-4-4 Habitable spaces. Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Whenever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors not to a court and shall not be included as contributing to the required minimum total window area for the room. **Exception:** Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but a minimum of 25 square feet (2.33 m<sup>2</sup>). The exterior glazing area shall be based on the total floor area being served.

20-4-5 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 the minimum of 1 foot candle (11 lux) at floors, landings and treads.

20-4-6 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.

**VENTILATION**

**20-4-7 Habitable spaces.** Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 20-4-4. Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but a minimum of 25 square feet (2.33 m<sup>2</sup>). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

**20-4-8 Bathrooms and toilet rooms.** Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 20-4-7, 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. **Exception:** This Section shall not apply to existing Non-Conforming Buildings or Structures.

**20-4-9 Cooking facilities.** Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the rooming unit or dormitory unit. Exception:

(A) Where specifically approved in writing by the code official.

(B) Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

**20-4-10 Process ventilation.** Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

**20-4-11 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 manufactures instruction. **Exception:** Listed and labeled condensing (ductless) clothes dryers.

**DIVISION IV**

**OCCUPANCY LIMITATIONS**

**20-4-12 Privacy.** Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

**20-4-13 Minimum room widths.** A habitable room, other than a kitchen, shall be a minimum of 7 feet (2134 mm) in any plan dimension. Kitchen shall have a minimum clear passageway of 3 feet (914 mm) between counter fronts and appliances or counter fronts and walls. **Exception:** This Section shall not apply to existing Non-conforming Buildings or Structures.

**20-4-14 Minimum ceiling heights.** Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement area shall have a minimum clear ceiling height of 7 feet (2134 mm).

Exception:

- (1) In one- and two-family dwellings, beams or girders spaced a minimum of 4 feet (1219 mm) on center and projecting a maximum of 6 inches (152 mm) below the required ceiling height.
- (2) Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a minimum ceiling height of 6 feet 8 inches (2033 mm) with a minimum clear height of 6 feet 4 inches (1932 mm) under beams, girders, ducts and similar obstructions.
- (3) Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a minimum clear ceiling height of 7 feet (2134 mm) over a minimum of one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of 5 feet (1524 mm) shall be included.
- (4) This Section shall not apply to existing Non-Conforming Buildings or Structures.

**20-4-15 Bedroom and living room requirements.** Every bedroom and living room shall comply with the requirements of Sections 20-4-15(A) through 20-4-15(F).

**(A) Room area.** Every living room shall contain at least 120 square feet (11.2 m<sup>2</sup>) and every bedroom shall contain a minimum of 70 square feet (6.5 m<sup>2</sup>) and every bedroom occupied by more than one person shall contain a minimum of 50 square feet (4.6 m<sup>2</sup>) of floor area for each occupant thereof.

**(B) Closet.** Bedrooms shall contain at least 1 closet contain at least 9 square feet or an approved wardrobe cabinet.

**(C) Access from bedroom.** 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.

**(D) 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.

**(E) Prohibited occupancy.** Kitchens and non-habitable spaces shall not be used for sleeping purposes.

(F) 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; the plumbing facilities and water-heating facilities requirements; the heating facilities and electrical receptacle requirements; and the smoke detector and emergency escape requirements.

**20-4-16 Overcrowding.** Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 20-4-16.

TABLE 20-4-16 MINIMUM AREA REQUIREMENTS

Space	Minimum area in square feet		
	1-2 occupants	3-5 occupants	6 or more
Living Room (a/b)	No requirements	120	150
Dining Room (a/b)	No requirements	80	100
Bedrooms	Shall comply with Section 20-4-18		

For SI: 1 square foot=0.093 m<sup>2</sup>.

a. See Section 20-1-16(B) for combined living rooming/dining room spaces.

b. See Section 20-4-16(A) for limitations on determining the minimum occupancy area for sleeping purposes.

(A) Sleeping area. The minimum occupancy area required by the Table 20-4-16 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 20-4-15.

(B) Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 20-4-16 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

20-4-17 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2m<sup>2</sup>). A unit occupied by not more than two occupants shall have a minimum clear floor area of 220 square feet (20.4m<sup>2</sup>). A unit occupied by three occupants shall have a minimum clear floor area of 320 square feet (29.7m<sup>2</sup>). These required areas shall be exclusive of the areas required by Paragraphs A & B.

(A) The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of 30 inches (762 mm) in front.

- (B) Light and ventilation conforming to this code shall be provided.
- (C) The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
- (D) The maximum number of occupants shall be three.

**20-4-18 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.

ARTICLE V

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

DIVISION I – GENERAL

**20-5-1 Scope.** The provisions of this Article shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

**20-5-2 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.

**DIVISION II**

**REQUIRED FACILITIES**

**20-5-3 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.

**20-5-4 Rooming houses.** At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

**DIVISION III**

**TOILET ROOMS**

**20-5-5 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.

**20-5-6 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.

**DIVISION IV**

**PLUMBING SYSTEMS AND FIXTURES**

**20-5-7 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.

**20-5-8 Fixtures clearances.** Plumbing fixtures shall have adequate clearances for usage and cleaning.

**20-5-9 Pressure-relief valve.** Boilers shall be equipped with pressure-relief valves with minimum rated capacities for equipment served. Pressure relief valves shall be set at the maximum rating of the boiler. Discharge shall be piped to drains by gravity to within 18 inches (457 mm) of the floor or to an open receptor.

**20-5-10 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, backsiphonage, improper installation, deterioration or damage or for similar reasons, the Code Official shall require the defects to be corrected to eliminate the hazard.

**DIVISION V – WATER SYSTEM**

**20-5-11 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixtures 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 State of Illinois Plumbing Code.

**20-5-12 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.

**20-5-13 Supply.** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenance in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

**20-5-14 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 minimum temperature of 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, discharge pipe with in 6” of floor.

**20-5-15 Water heaters installed in garages.** Water heaters having an ignition source shall be elevated such that the source of ignition is not less than 18 inches (457 mm) above the garage floor. Exception: Elevation of the ignition source is not required for appliances that are listed as flammable vapor ignition resistant.

**SANITARY DRAINAGE SYSTEM**

**20-5-16 General.** All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

**20-5-17 Maintenance.** Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defeats.

**20-5-18 Grease interceptors.** Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and manufacture's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewer treatment plant or processes. All records of maintenance, cleaning and repairs shall be available for inspection by the code official.

**DIVISION VII**

**STORM DRAINAGE**

**20-5-19 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.

**MECHANICAL AND ELECTRICAL REQUIREMENTS**

**DIVISION I**

**20-6-1 Scope.** The provisions of this article shall govern minimum mechanical and electrical facilities and equipment to be provided.

**20-6-2 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 Article.

**DIVISION II – HEATING FACILITIES**

**20-6-3 Facilities required.** Heating facilities shall be provided in structures as required by this Section.

**20-6-4 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in section R303.9 of the International Residential Code. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

**20-6-5 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 to April to maintain a minimum temperature of 68° (20°C) in all habitable rooms, bathrooms and toilet rooms.

**20-6-6 Installation of materials.** All materials used shall be installed in strict accordance with the standards under which the materials are accepted and approved. In the absence of such installation procedures, the manufacturer’s instructions shall be followed. Where the requirements of referenced standards or manufacturer’s instructions do not conform to minimum provisions of this code, the provisions of this code shall apply.

**20-6-7 Room temperature measurement.** The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

**DIVISION III**

**MECHANICAL EQUIPMENT**

**20-6-8 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.

**20-6-9 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.

**20-6-10 Clearances.** All required clearances to combustible materials shall be maintained.

**20-6-11 Elevation of ignition source.** Equipment and appliances having ignition source shall be elevated such that the source of ignition is not less than 18 inches (457 mm) above the floor in hazardous locations. For the purpose of this section, rooms or spaces that are not part of the living space of a dwelling unit and that communicate directly with a private garage through openings shall be considered to be part of the private garage. **Exception:** Elevation of the ignition source is not required for appliances that are listed as flammable vapor ignition resistant.

**(A) Installation in residential garages.** In residential garages where appliances are installed in a separate, enclosed space having access only from outside of the garage, such appliances shall be permitted to be installed at floor level, provided that the required combustion air is taken from the exterior of the garage.

**29-6-12 Safety controls.** All safety controls for fuel-burning equipment shall be maintained in effective operation.

**29-6-13 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.

**29-6-14 Energy conservation devices.** Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

**DIVISION IV**

**ELECTRICAL FACILITIES**

**20-6-15 Facilities required.** Every occupied building shall be provided with an electrical system in compliance with the requirements of this Code.

**20-6-16 Service.** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70 listed in Article VIII. Dwelling units shall be served by a three-wire, 120/240 volt, single phase electrical service having a minimum rating of 100 amperes.

**20-6-17 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.

**DIVISION V**

**ELECTRICAL EQUIPMENT**

**20-6-18 Installation.** All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

**20-6-19 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 grounding-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. All receptacles outlets shall have the appropriate faceplate cover for the location.

(A) Bathrooms within six (6) feet of water source.

(B) Kitchens within six (6) feet of water source

(C) All outside receptacles shall be weather proof and GFCI.

**20-6-20 Luminaires.** Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire. Pool and spa luminaries over 15 V shall have ground fault circuit interrupter protection.

**20-6-21 Wiring.** Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

**DIVISION VI**

**ELEVATORS, ESCALATORS AND DUMBWAITERS**

**20-6-22** Elevators, dumbwaiters and escalators shall be maintained to sustain safely all imposed loads, to operate properly and to be free from physical and fire hazards. The most current certificate 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.

**20-6-23 Elevators.** In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

**DIVISION VII**

**DUCT SYSTEMS**

**20-6-24 General.** Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

**ARTICLE VII**

**FIRE SAFETY REQUIREMENTS**

**DIVISION I – GENERAL**

**20-7-1 Scope.** The provisions of this article shall govern minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

**20-7-2 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 Article.

**DIVISION II**

**MEANS OF EGRESS**

**20-7-3 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.

**20-7-4 Aisles.** The required width of aisles in accordance with the International Fire Code shall be unobstructed.

**20-7-5 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.

**20-7-6 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 key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

**DIVISION III**

**FIRE-RESISTANCE RATINGS**

**20-7-7 Fire-resistance-rated assemblies.** The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

**20-7-8 Opening protective.** Required opening protective 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.

**DIVISION IV**

**FIRE PROTECTION SYSTEMS**

**20-7-9 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.

**20-7-10 Smoke alarms.** Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3 and R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

(A) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.

(B) In each room used for sleeping purposes.

(C) In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings and 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.

**20-7-11 Power source.** In 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 overcurrent protection. **Exceptions:** 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.

**20-7-12 Interconnection.** Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such manner that the activation of one alarm will activate all the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. **Exceptions:** Interconnection is not required in buildings which are not undergoing alterations, repairs or construction of any kind. 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.

**20-7-13 Carbon Monoxide Detectors.** Effective January 1, 2007, every Illinois home was required to have at least one carbon monoxide alarm in an operating condition within 15 feet of every room used for sleeping purposes. Homes that do not rely on the burning

of fuel for heat, ventilation or hot water; are not connected to a garage; and are not near a source of carbon monoxide (as determined by the Code Official) are not required to install carbon monoxide detectors.