

CHAPTER 7

PROPERTY MAINTENANCE CODE

Section:

11-7-1: International Property Maintenance Code Adopted

11-7-2: Additions, Insertions and Changes

11-7-3: Additional Regulations

11-7-1: ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE: That a certain document, three (3) copies of which are on file in the office of the Village Clerk of the Village of East Alton, being marked and designated as the *International Property Maintenance Code*, 2015 Edition, including Appendix Chapter A-Boarding Standards in 11-7-1; as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Village of East Alton, in the State of Illinois for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Village Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Chapter.

11-7-2: ADDITIONS, INSERTIONS AND CHANGES: That the following sections are hereby revised as follows:

Section 101.1 Insert "Village of East Alton"

Section 103.5 Insert "Permit Fee Schedule in Title 11, Chapter 11"

Section 104.2 Section 104.2 is hereby repealed in its entirety and a new Section 104.2 is hereby adopted in lieu thereof as follows:

"104.2 Inspections. The code official or his designee shall make all inspections required under this code. 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. The code official shall also accept written reports from other village departments or inspectors in matters regarding their area of responsibility."

Section 106.4 Section 106.4 is hereby repealed in its entirety and a new Section 106.4 is hereby adopted in lieu thereof as follows:

“106.4 Penalty for Violation. Any person who shall violate a provision of this code, or fail to comply therewith, or fail to comply with any lawful order issued pursuant to any section of this code, shall be prosecuted in accordance with the general penalty for violations in Section 1-4-1 of the Village Code of the Village of East Alton, Illinois. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

Section 110 Delete this section [See applicable Illinois law on demolition of unsafe structures].

Section 111 Is hereby repealed in its entirety and a new Section 111 is hereby adopted in lieu thereof as follows:

“Section 111 Means of Appeal. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the board of appeals appointed under Appendix B of the International Building Code, 2015 edition, as amended, shall hear matters under this section.”

Section 302.4 Insert “8 inches”

Section 304.14 Insert “April 1, October 1”

Section 308.3.1 Section 308.3.1 is hereby repealed in its entirety and a new Section 308.3.1 is hereby adopted in lieu thereof as follows:

“Section 308.3.1 Garbage facilities. The owner of every dwelling shall supply approved leakproof, covered, outside garbage containers, sufficient for containing all garbage reasonably expected to be generated by occupants.”

Section 403.5 Section 4.3.5 is hereby repealed in its entirety and a new Section 403.5 is hereby adopted in lieu thereof as follows:

“Section 403.5 Clothes dryer exhaust. Dryer exhaust systems shall be independent of all other system, shall convey the moisture to the outdoors and shall terminate on the outside of the building. Exhaust duct terminations shall be in accordance with the dryer manufacturer’s installation instructions. Screens shall not be installed at the duct termination. Exhaust ducts shall not be connected with sheet-metal screws or fastening means which extend into the duct. Exhaust ducts shall be equipped with a backdraft damper. Exhaust ducts shall be constructed of minimum 0.016-inch-thick rigid metal ducts, having smooth interior surfaces with joints running in the direction of airflow. Flexible transition ducts used to connect the dryer to the exhaust duct system shall be limited to single lengths, not to exceed 8 feet in length and shall be listed and labeled in accordance with UL 2158A. Transition ducts shall not be concealed within construction.

Exception: This section shall not apply to listed and labeled condensing (ductless) clothes dryers.” (IRC M1501.1)

Section 505.1 Section 505.1 is hereby repealed in its entirety and a new Section 505.1 is hereby adopted in lieu thereof as follows:

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

Section 602.3 Insert “October 1, March 31”

Section 602.4 Insert “October 1, March 31”

Section 605.2 Section 605.2 is hereby repealed in its entirety and a new Section 605.2 is hereby adopted in lieu thereof as follows:

“**Section 605.2 Receptacles.** Every habitable space in a dwelling shall contain at least two separate and remote receptable outlets. Every laundry area shall contain at least one grounded-type receptacle properly installed and grounded or a receptacle with a ground fault circuit interrupter (GFCI). Every bathroom shall contain at least one GFCI protected receptacle.”

11-7-3 ADDITIONAL REGULATIONS: The following additional regulations are hereby adopted as supplementary and in addition to the requirements of the International Property Maintenance Code, 2015 edition and are hereby incorporated as if fully set forth therein.

- A. PERMIT REQUIRED.** It shall be unlawful for any person, firm or corporation to occupy, or permit to be occupied or to collect the rent of any existing residential structure without first obtaining an Occupancy Permit issued by the code official. No person, firm or corporation shall occupy, or allow the occupancy of any existing residential structure if the Occupancy Permit issued therefore has been revoked.
- A Certificate of Occupancy issued for new or renovated structures by the code official in accordance with the International Building Code or International Residential Code, as adopted, shall be considered and is expressly distinguished from the Occupancy Permit required pursuant to this section. However, such Certificate of Occupancy may be honored as an alternative to the Occupancy Permit required by Section 11-7-3(A) and this code, provided the subject structure otherwise complies with the standards and requirements of this code. In the absence of such compliance, any building permit fees paid to the Village shall be counted toward the fee required for the Occupancy Permit under the Property Maintenance Code, for the first inspection and permit only.
- B. APPLICATION; ACTION ON APPLICATION; INSPECTION REQUIRED.** Whenever a change in occupancy occurs in any structure containing a dwelling

unit, an application for Occupancy Permit shall be made by the owner thereof or by his agent and filed with the code official.

For purposes of this section, the term “change in occupancy” shall mean a change in possession of a residential structure by way of rental, leasehold, ownership or other manner of tenancy.

Application for the Occupancy Permit required by the Property Maintenance Code shall be made by the owner of the structure or by his authorized agent. An owner’s authorized agent shall not be any current tenant, or any tenant being considered for the property being inspected. Any application submitted by a person other than the fee owner shall be accompanied by a signed statement of authorization from the fee owner. The application shall contain the full name and address of the owner; or the names and addresses of the responsible officers if the owner is other than a natural person, the name and address of the applicant, and such other information as the code official shall deem appropriate for the implementation of this code.

The application for such Occupancy Permit shall be submitted in such form as the code official prescribes and shall be filed with the Building and Zoning Department:

- 1) In the case of a change of ownership, irrespective of tenancy, within seven (7) business days from the date of recording the deed or other instrument of real estate transfer with the office of the Recorder of Madison County, Illinois; or
- 2) In the case of a change of renter or lessee prior to occupancy of the structure.

The code official shall examine or cause to be examined all applications for an Occupancy Permit and shall inspect or cause to be inspected the structure which is the subject of the application within a reasonable time, not to exceed seven (7) business days, after filing. If the application and structure conform to the requirements of all laws of the Village, the code official shall issue the Occupancy Permit within one (1) business day of the inspection.

Exceptions: The inspection provisions of the Section shall not be applicable in the following instances:

- i. To the change of ownership of a structure containing a dwelling unit when the change in ownership is between immediate family members provided there is no change in occupancy;
- ii. To a change in ownership when the new purchaser/tenant provides a notarized statement to the code official stating that the purchase/tenant will cause the structure to be demolished within six (6) months from the date of purchase.

C. SCHEDULING OF REGULAR INSPECTIONS; UTILITY SERVICES.

Regular inspections and re-inspections shall be scheduled for normal work days of the Village. Appointments for inspection and/or re-inspections shall be made for times(s) of mutual convenience of the applicant and the code official whenever possible and within the time frames specified in Section 11-7-3(B) above. It shall

be the responsibility of the owner or the owner's agent to provide access to the structure for gain of entry and free access. No inspection shall be made without the owner or the owner's agent present.

Water, electric and gas services (if applicable) shall be on at the time scheduled for inspection and/or re-inspection. Water service through the Village of East Alton or other water service provider, and electric and gas services through their respective providers will not be authorized for change to new occupant(s)/tenant(s) until the structure is approved for occupancy and an Occupancy Permit has been issued.

- D. PERMIT CONTENTS.** The Occupancy Permit shall certify that the structure complies with the provisions of this code and shall additionally set forth the use, street address or other means of identification, date of issuance, and such other information as the code official shall deem appropriate for the implementation of this code. Occupancy Permits for residential structures shall additionally state the maximum number of occupants permitted.
- E. EXISTING BUILDINGS.** Any structures inspected under this Property Maintenance Code will not be subject to the requirements of the Building Code or Residential Code, *except the specific requirements included as part of this code*, unless the building is also subject to new construction, alteration, repair, or relocation requirements, and then only the portion that is affected by that work. The legal occupancy of any structure existing on the date of adoption of this code, or for which it has been heretofore approved shall be permitted to continue without change, except as otherwise covered in this property maintenance code, building code, zoning code, fire prevention code or if the building presents a threat to the life, safety or health of the occupants or public.
- F. FEES.** Fee(s) for an Occupancy Permits, inspection or re-inspection, or missed appointment shall be as prescribed in Table 11-11-3, as amended, in Village Code Title 11, Building Codes. There shall be a fee paid for missed appointments when the owner or his authorized agent fails to be present for any scheduled appointment for inspection or re-inspection. A missed appointment shall be defined as arriving more than ten minutes after the scheduled appointment time. No fee shall be imposed if for any reason the building official or other inspector must cancel or be late. All fees shall be paid in the office of the Building and Zoning Department upon application for the Occupancy Permit.
- G. APPLICATION OR INSPECTION DENIAL.** No application for Occupancy Permit shall be examined or inspection or re-inspection conducted on any property for which an application has been submitted if a Notice of Lien has been recorded against the property in the office of the Record of Madison County on behalf of the Village of East Alton for any Code Enforcement action or other liability owed to the Village of East Alton.
- H. EXISTING RECEPTABLES.** Existing receptacles in the following locations shall have GFCI protection, pursuant to E3902 of the 2015 International Residential Code:
- a. Garages. (IRC 3902.2)

- b. Outdoor receptacles. (IRC 3902.3)
- c. Kitchen and bar sink receptacles serving countertop surfaces within six feet of rim of sinks. (IRC 3902.6 and 3902.7)
- d. Unfinished basements. (IRC 3902.5)
- e. Hydro massage bathtubs. (IRC 4209)
- f. Crawl spaces. (IRC 3902.4)

I. GARAGE SEPARATION. An attached garage shall be separated from the residence and its attic pursuant to R302.5.1 and R302.6.

A. Exception: Compliance with R309.5, fire sprinklers.

J. GAS APPLIANCE VALVES. Each gas appliance shall be provided with a shutoff valve separate from the appliance. The shutoff valve shall be located in the same room as the appliance, not further than 6 feet from the appliance or within reasonable proximity, and installed upstream of the union, connector, or quick disconnect device it serves. (IFGC 409.5)

K. SWIMMING POOLS. Swimming pools must comply with the safety regulations found in Chapter 10 of this Title.