

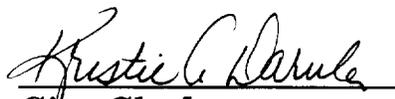
City of St. Charles, Illinois

Ordinance No. 1996-M-30

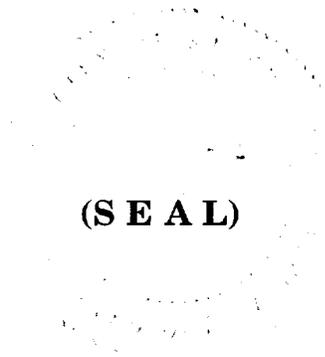
**An Ordinance Amending Title 15,
"Building and Construction," Chapter 15.40
"Property Maintenance Code," of the
St. Charles Municipal Code**

**Adopted by the
City Council
of the
City of St. Charles
this 15th day of April, 1996**

**Published in pamphlet form by
authority of the City Council
of the city of St. Charles,
Kane and Du Page Counties,
Illinois, this 19th day of
April, 1996**


City Clerk

(S E A L)



DATE OF PUBLICATION 4/19/96
Pamphlet Form

REFER TO:
MEETING: 4/15/96
PAGE: _____

ORDINANCE NO. 1996-M-30

AN ORDINANCE AMENDING TITLE 15
"BUILDING AND CONSTRUCTION" CHAPTER 15.40
"PROPERTY MAINTENANCE CODE" OF THE ST CHARLES MUNICIPAL CODE

BE IT ORDAINED by the CITY COUNCIL of the CITY OF ST. CHARLES,
KANE AND DUPAGE COUNTIES, ILLINOIS, THAT:

1. Title 15, "Building and Construction", Chapter 15.40 "Property Maintenance Code" of the St. Charles Municipal Code, be and is hereby amended by deleting the same and substituting the following therefore:

15.40 Property Maintenance Code.

15.40.010 Property Maintenance Code, adopted, modifications: The provisions of the 1993 Edition of the BOCA National Property Maintenance Code 4th Edition published by the Building Officials and Code Administrators International, Inc. 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, a copy of which has been and filed in the office of the Clerk of the City, are adopted except as hereafter modified.

- A. Section PM 101.7: Delete in its entirety and substitute the following therefore:

"Application of other codes" - Any repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provision of Chapter 15.40 "Building Code" of the St. Charles Municipal Code.

- B. Section PM 105.11: Delete in its entirety and substitute the following therefore:

"Official records" - An official record shall be kept of all business and activities conducted in the enforcement of this code by the Building and Zoning Commissioner and such records shall be open to public inspection and as required by law. Reasonable rules may be adopted to maintain the integrity and security of such records and in order to protect rights of privacy.

- C. Section PM 106.2: Delete in its entirety and substitute the following therefore:

"Penalty" - Any person, firm or corporation who shall violate any provisions of this code shall upon conviction thereof be subject to a fine of not less than \$25.00 nor more than \$750.00 at the discretion of the court. Each day that a violation continues shall be deemed a separate offense.

- D. Section PM 107.5: Delete in its entirety and substitute the following therefore:

"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, or otherwise dispose of to another until the provisions of the compliance order or notice of violations 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.

- E. Section PM 108.4: Delete in its entirety and substitute the following therefore:

"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, structures or on defective equipment, a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, structure or operating the equipment or removing the placard.

- F. Section PM 111.1: Delete in its entirety and substitute the following therefore:

"Petition" - Any person affected by any notice which has been issued in connection with the enforcement of any provision of this code, or of any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Zoning Board of Appeals; provided that such person shall file, in the office of the Building and Zoning Commissioner, a written petition requesting such hearing and containing a statement of the grounds therefore within 20 days after the day the notice was served.

- G. Section PM 111.2 **"Membership of the board"**: Delete in its entirety.

- H. Section PM 111.2.1 **"Qualifications"**: Delete in its entirety.

- I. Section PM 111.2.2 "**Alternate members**": Delete in its entirety.
- J. Section PM 111.2.3 "**Chairman**": Delete in its entirety.
- K. Section PM 111.2.4 "**Disqualification of member**": Delete in its entirety.
- L. Section PM 111.2.5 "**Secretary**": Delete in its entirety.
- M. Section PM 111.2.6 "**Compensation of members**": Delete in its entirety.
- N. Section PM 111.3 "**Notice of meeting**": Delete in its entirety.
- O. Section PM 111.4 "**Open hearing**": Delete in its entirety.
- P. Section PM 111.4.1 "**Procedure**": Delete in its entirety.
- Q. Section PM 111.5 "**Postponed hearing**": Delete in its entirety.
- R. Section PM 111.6 "**Board decision**": Delete in its entirety.
- S. Section PM 111.6.1 "**Resolution**": Delete in its entirety.
- T. Section PM 111.6.2 "**Administration**": Delete in its entirety.
- U. Section PM 111.7 "**Court review**": Delete in its entirety.
- V. Section PM 303.8: Delete in its entirety and substitute the following therefore:

"Motor vehicles" - Except as provided for in Title 17 of the St. Charles Municipal Code, not more than one currently unregistered or uninspected motor vehicle shall be parked, kept or stored outside an enclosed building or structure 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 outside an enclosed building or structure.

- W. Section PM 304.5: Delete in its entirety and substitute the following therefore:

"Exterior walls" - Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions which might admit rain or dampness to the interior portions of the walls or to the occupiers spaces of the building. All exterior surface material must be painted or treated in a manner normally acceptable

for that material so that weather will not cause unreasonable deterioration and all sidings material must be kept in repair.

X. Section PM 304.6: Delete in its entirety and substitute the following therefore:

"Roofs and drainage" - The roof and flashing shall be sound, tight, and not have defects which might admit rain and roof drainage shall be adequate to prevent rain water from causing dampness in the walls or interior portion of the building. Where provided gutters and downspouts shall be safely secured, free from holes and defects and maintained in good repair. Roof water shall not be discharged in a manner that creates a public nuisance.

Y. Section PM 304.10: Delete in its entirety and substitute the following therefore:

"Handrails and guards" - Every existing flight of stairs having more than three risers high when repairs, replaced, renovated, relocated, etc. shall have handrails which shall be located as required by the St. Charles Municipal Code Section 15.04.010 and 15.04.020 and every existing open portion of stair, porch, landing and balcony which is more than thirty inches above the floor or grade below when repaired, replaced, renovated, relocated, etc. shall have guardrails. Every handrail and guardrail shall be firmly fastened and capable of bearing normally imposed loads and shall be maintained in good repair at all times.

Z. Section PM 304.12: Delete in its entirety and substitute the following therefore:

"Insect screens" - During the period from April 1st to October 31st, every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing 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, packages or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self-closing device in good working condition.

AA. Section PM 306.3.1: Delete in its entirety and substitute the following therefore:

"Garbage facilities" - The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit, or a leakproof, covered outside garbage container.

BB. Section PM 306.3.2: Delete in its entirety and substitute the following therefore:

"Containers" - The operator of every establishment producing garbage shall provide and at all times cause to be used leakproof approved containers, provided with close fitting covers for the storage of such materials until removed from the premises for disposal provided however in residential buildings containing three or less dwelling units each occupant shall be responsible for providing said containers.

CC. Section PM 405.11: Add the following:

"Basement rooms" - Basement area partially below grade used for living purposes shall meet the following requirements:

1. Floors and walls shall be watertight and insulated so as to prevent entry of moisture.
2. Total window area, total openable area and ceiling height are in accordance with the St. Charles Municipal Code Section 15.04.010 and 15.04.020.
3. Required window area of the habitable area is entirely above the grade of the ground adjoining such window area except that openable windows which open into a window well which extends to the finished grade outside are acceptable.

DD. Section PM 405.12: Add the following:

"Correctional and Institutions of Higher Learning" - Except where preempted by State of Federal legislation or regulations, this code shall regulate the space requirements of correctional institutions and institutions of higher learning.

EE. Section PM 504.1: Delete in its entirety and substitute the following therefore:

"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. Toilet rooms and bathrooms shall be designed and arranged to provide privacy by means of a door and latch.

FF. Section PM 602.2.1: Delete in its entirety and substitute the following therefore:

"Heat supply" - Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1st to April 1st to maintain the room temperatures specified in Section PM 602.2 during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 60 degrees F. (16 degrees C.) during other hours.

GG. Section PM 602.3: Delete in its entirety and substitute the following therefore:

"Nonresidential structures" - Every enclosed occupied work space shall be supplied with sufficient heat during the period from October 1st to April 1st to maintain a temperature of not less than 65 degrees F. (18 degrees C.) during all working hours.

Exceptions

1. Processing, storage and operation area that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

HH. Section PM 705.2 **"Fire suppression system"**: Delete in its entirety.

II. Section PM 705.2.1 **"Valves"**: Delete in its entirety.

JJ. Section PM 705.2.2 **"Sprinklers"**: Delete in its entirety.

KK. Section PM 705.2.3 **"Piping"**: Delete in its entirety.

LL. Section PM 705.3 **"Standpipe System"**: Delete in its entirety.

MM. Section PM 705.3.1 **"Valves"**: Delete in its entirety.

NN. Section PM 705.3.2 **"Hose Connections"**: Delete in its entirety.

OO. Section PM 705.3.3 **"Hose"**: Delete in its entirety.

PP. Section PM 705.4: Delete in its entirety and substitute the following therefore:

"Fire extinguisher" - All portable fire extinguishers shall be visible and accessible and maintained in an efficient and safe operating condition and shall be clearly marked as to what types of extinguishers they are and what type of fires they are capable of combating.

QQ. Section PM 705.5: Delete in its entirety and substitute the following therefore:

"Smoke detectors" - Smoke detectors as required under Title 15 of the St. Charles Municipal Code which includes the Building Code of the City, the Fire Prevention Code of the City, and the laws of the State of Illinois shall be installed and operable at all times.

RR. Section PM 705.5.1 **"Installation"**: Delete in its entirety.

SS. Section PM 705.5.2 **"Power source"**: Delete in its entirety.

TT. Section PM 706.1 **"Required"**: Delete in its entirety.

UU. Section PM 707.1 **"Smoke and heat detection"**: Delete in its entirety.

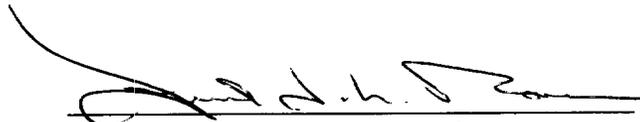
2. That nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance amended by this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

3. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the city of St. Charles, Illinois, this,
15th day of April, 1996.

PASSED by the City Council of the City of St. Charles, Illinois, this,
15th day of April, 1996.

APPROVED by the Mayor of the City of St. Charles, Illinois this, 15th
day of April, 1996.


MAYOR

ATTEST:


CITY CLERK

COUNCIL VOTE:

Ayes: 13

Nays: 0

Absent: 1

State of Illinois)
)
) ss.
Counties of Kane and DuPage)

Certificate

I, KRISTIE A. DARULA, certify that I am the duly elected and acting municipal clerk of the city of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on April 15, 1996, the Corporate Authorities of such municipality passed and approved Ordinance No. 1996-M-30, entitled

"An Ordinance Amending Title 15, 'Building and Construction,' Chapter 15.40 'Property Maintenance Code,' of the St. Charles Municipal Code",

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1996-M-30, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on April 19, 1996, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 18th day of April, 1996.


Municipal Clerk

(S E A L)