

City of St. Charles, Illinois

Ordinance No. 2003-M-4

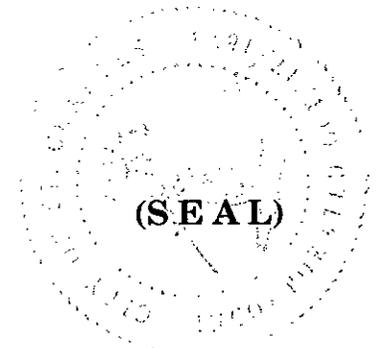
**An Ordinance Amending Chapter 15.40,
"Property Maintenance Code," of the
St. Charles Municipal Code
(Adoption of International Property
Maintenance Code 2000)**

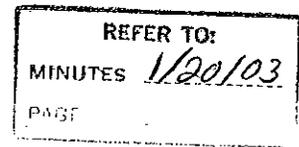
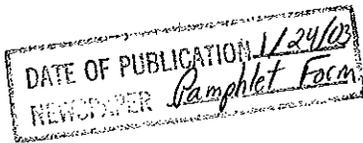
**Adopted by the
City Council
of the
City of St. Charles
January 20, 2003**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, January 24, 2003**



City Clerk





ORDINANCE NO. 2003-M-4

PRESENTED AND PASSED BY THE
CITY COUNCIL ON January 20, 2003

AN ORDINANCE AMENDING CHAPTER 15.40 "PROPERTY
MAINTENANCE CODE" OF THE ST. CHARLES MUNICIPAL CODE
(Adoption of International Property Maintenance Code 2000)

Whereas, not less than three copies of the 2000 International Property Maintenance Code, published November 1999 by International Code Council, Inc., 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401 have been and are on file in the Office of the Clerk of the City of St. Charles, Illinois for more than thirty (30) days prior to the passage and approval of this Ordinance; and

Whereas, the City Council finds it to be in the interest of City of St. Charles to periodically update codes regulating the maintenance of land, buildings and structures.

Now, therefore, be it ordained by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois as follows:

Section 1: That Title 15, "Building and Construction", Chapter 15.40 "Property Maintenance Code" of the St. Charles Municipal Code be and is hereby amended by deleting Section 15.40.010 and by substituting the following therefor:

"15.40.010 Property Maintenance Code – regulations adopted and modified."

The provisions of the 2000 Edition of the International Property Maintenance Code, published by the International Code Council, Inc., 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401, are hereby adopted by reference, with the following amendments thereto:

A. Section 102.3. Delete in its entirety and substitute the following therefor:

"102.3 Application of other codes. Repairs, additions, or alternations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of Title 15 'Buildings and Construction' of the St. Charles Municipal Code."

B. Section 107.5. Delete in its entirety and substitute the following therefor:

"107.5. Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon

whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee, or lessee a true copy of any compliance order or notice of violation issued by the code official.”

- C. Sections 111.1 through 111.7: Delete in their entirety and substitute the following therefor:

“111.1 Application for Appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Zoning Appeals, provided that a written application for appeal is filed with the Building and Zoning Commissioner within 20 days after the day the decision, order or notice 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, or that the strict application of any requirement of this code would cause an undue hardship.”

- D. Section 111.8: Delete in its entirety and substitute the following therefor:

“111.2 Stays of enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the Board of Zoning Appeals.”

- E. Section 302.8: Delete in its entirety and substitute the following therefor:

“302.8 Motor Vehicles.

1. Except as provided for in Title 17 of the St. Charles Municipal Code, any type of motor vehicle that (a) does not have a current state registration, or does not display a current state license plate with valid registration sticker affixed; or (b) a motor vehicle on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven shall not be parked, kept or stored outside of 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.

2. A collector may store unlicensed, operable or inoperable vehicles on the collector's property provided the vehicles and the outdoor storage area are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view by means of a fence or other appropriate means.
 - a. "Collector" means the owner of one or more special interest vehicles for the collector's own use in order to restore, preserve, and maintain a special interest vehicle and historic interest.
 - b. "Special Interest Vehicle" means a motor vehicle of any age, which has not been altered or modified from original manufacturer specifications and, because of its historic interest, is being preserved by hobbyists."

- F. Section 303.6. Delete in its entirety and substitute the following therefor:

"303.6. 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 occupied spaces of the buildings. 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 siding material must be kept in repair."

- G. Section 303.7. Delete in its entirety and substitute the following therefor:

"303.7 Roofs and drainage. The roof and flashing shall be sound, tight, and not have defects which might admit rain. 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."

- H. Section 303.14. Delete in its entirety and substitute the following therefor:

"303.14 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, packaged, 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.

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

- I. Section 305.3.1. Delete in its entirety and substitute the following therefor:

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

Exception: In residential buildings containing three (3) or less dwelling units, each occupant shall be responsible for providing any covered outside garbage containers.”

- J. Add a Section 404.8 as follows:

“404.8 Basement rooms. Basement areas 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 shall be in accordance with the St. Charles Municipal Code Section 15.04.010 (Building code) and 15.04.020 (Residential code).
3. The required window area of the habitable area shall be entirely above the grade of the ground adjoining such window area except that openable windows which open into a window well extending to the finished grade outside are acceptable.”

- K. Add a Section 404.9 as follows:

“404.9 Correctional and Institutional Learning. Except where preempted by State or Federal legislation or regulations, this code shall regulate the space requirements of correctional institutions and institutions of higher learning.”

- L. Section 503.1. Delete in its entirety and substitute the following therefor:

“503.1 Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the

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

M. Section 602.3. Delete in its entirety and substitute the following therefor:

“**602.3 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 expressed or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1st to April 1st to maintain a room temperature of not less than 65 degrees F. (18 degrees C) 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.

N. Section 602.4. Delete in its entirety and substitute the following therefor:

“**602.4 Non-residential 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 65 degrees F. (18 degrees C.) during all working hours.

Exceptions:

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

O. Section 704: Delete Sections 704.1, 704.2 and 704.3 in their entirety.

Section 2. That after the adoption and approval hereof this Ordinance shall (a) be printed or published in book or pamphlet form, published by the authority of the City Council, or (b) within thirty (30) days after the adoption and approval hereof, be published in a newspaper 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 20th day of January, 2003.

PASSED by the City Council of the City of St. Charles, Illinois the 20th day of January, 2003.

APPROVED by the Mayor of the City of St. Charles, Illinois this 20th day of January, 2003.

Susan L. Clark
MAYOR

ATTEST:
Kristen A. Nepler
CITY CLERK

Approved as to form:

Timothy D. O'Neil
City Attorney

Date: 1/20/03

Council Vote:

Ayes: 10

Nays: 0

Abstain: 0

Absent: 0

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

Certificate

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

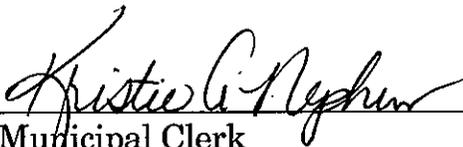
I further certify that on January 20, 2003, the Corporate Authorities of such municipality passed and approved Ordinance No. 2003-M-4, entitled

"An Ordinance Amending Chapter 15.40,
"Property Maintenance Code," of the
St. Charles Municipal Code
(Adoption of International Property
Maintenance Code 2000),"

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

The pamphlet form of Ordinance No. 2003-M-4, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on January 24, 2003, 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 20th day of January, 2003.



Municipal Clerk

