

CHAPTER 8

PROPERTY MAINTENANCE CODE

9-8-1: ADOPTION OF PROPERTY MAINTENANCE CODE:

The printed document, three (3) copies of which are on file in the office of the village clerk, being marked and designated as the 2003 International Property Maintenance Code (IPMC), as published by the International Code Council, Inc., (herein sometimes referred to as "property maintenance code") is hereby adopted as the property maintenance code of the village, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said IPMC are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter, with the additions, insertions and changes prescribed in section 9-8-2 of this chapter.

9-8-2: PROPERTY MAINTENANCE CODE AMENDMENTS:

The following sections are hereby revised as follows:

Section 101.1 (page 1, second line) insert: Village of Monee, Will County, Illinois.

Section 103.5 (page 2, fourth line) insert: Such current fee schedule as shall be designated by the Village.

Section 106.4 At the end of said section insert: Any person, firm or corporation who shall violate any provision of this Code shall, upon conviction thereof, be subject to penalty as provided in Section 1-4-1 of the Village Code.

Section 111.2 (page 5) is hereby deleted and the following is inserted: The Board of Appeals shall consist of the members of the Zoning Board of Appeals of the Village of Monee, Will County, Illinois, as acting from time to time.

Add to Section 2.02, entitled "General Definitions", the following:

Commercial Structures:

- Hotel: Any building containing six or more guestrooms, intended or designed to be occupied, or which are rented or hired out to be occupied, for sleeping purposes by guests.
- Multi-Family Building: A building containing at least two dwelling units with not more than five lodgers or boarders per family.
- Commercial Structure: Any building designed to accommodate any type of retail, industrial or commercial use.

Add- Section 301.4 Certificate of Occupancy. That Chapter 3, entitled "General Requirements", is amended by adding after Section 301.4 the following new sections:

301.4.1 The owner, seller or agent of any dwelling or commercial structure entering into a contract or agreement to sell, convey, rent or a leasehold agreement of any duration, shall obtain a Certificate of Occupancy from the Village. It shall be unlawful for the owner of any dwelling unit or structure who receives a notice of violation to sell, transfer, mortgage, lease, rent or otherwise dispose of such dwelling unit or structure to

another until the provisions of the violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee, lessee, a true copy of the violations issued by the code official and shall furnish to the code official a signed statement from the grantee, transferee, mortgagee, lessee, acknowledging the receipt of the violations and fully accepting the responsibility without condition for making the corrections or repairs required by the notice of violation. In all cases, it shall be unlawful for a new purchaser or lessee to occupy any portion of the premises until said Certificate of Occupancy has been issued by the Village in accordance with the provisions of this Ordinance.

301.4.2 All applications for a Certificate of Occupancy shall be made on such forms as prescribed by the Building Official. A mutually agreeable time shall be established between the owner-seller and the Building Official for the inspection of the premises. If the owner, seller or agent refuses access to the premises, the Building Official may seek a judicial order authorizing the inspection.

301.4.2.1 Prior to an inspection of the premises, the owner, seller or agent shall provide the Building Official proof that the sewer, water, and garbage bills are current and no arrearages are due.

301.4.2.2 An inspection fee of \$50.00 for dwelling units and \$100.00 for commercial units shall be paid prior to the Building Official conducting his inspection of the dwelling or commercial structure.

301.4.2.3 The Building Official may order additional inspections including, but not limited to, the Plumbing, Electrical and Health Department. All deficiencies shall be noted on a report and shall be given to the owner, seller or agent. The Building Official shall issue an inspection report pertaining to the premises within five (5) days after gaining access to the same.

301.4.4 If a dwelling unit or structure is found to be in compliance with all applicable Village codes, laws, ordinances, rules and regulations, the Building Official shall then issue a Certificate of Occupancy for said dwelling or structure. If the inspection reveals a violation of any applicable Village code, law, ordinance, rules and regulations, the owner-seller shall be responsible for correcting the same. Upon the violation being corrected, the owner, seller or agent shall apply for a reinspection and if no violation is found, a Certificate of Occupancy shall then be issued.

301.4.5 In the event the Building Official determines that a violation imposes an immediate danger to the health and safety to the general public, a nuisance can then be declared to exist. The Building Official shall then have the authority to prohibit any occupancy of the premises until the nuisance has been fully abated.

301.4.5.1 The issuance of a Certificate of Occupancy shall not in any way be construed as a guaranty as to the condition of the premises. The Village will not be held accountable for any and all claims, demands or losses that may arise, directly or

indirectly, due to the condition of the property. The Certificate of Occupancy does not warrant the habitability of the premises.

301.4.5.2 Any person found to be in violation of any provision of this Ordinance shall be fined not less than One Hundred (\$100) Dollars nor more than Seven Hundred Fifty (\$750) Dollars for each offense.

301.4.5.3 This Ordinance shall be recorded with the Will County Recorder of Deeds Office in order that the requirement of a Certificate of Occupancy shall appear as a restriction on all title commitments issued on all property located within the Village. (Ord. 1183, 3-27-2002)

Section 302.4 insert: Six Inches (6")

Amend - Section 302.3 Sidewalks and driveways. That all sidewalks, walkways, driveways, parking spaces, and similar areas shall be paved and shall be kept in a proper state of repair and maintenance free from hazardous conditions

Add – Section 302.3.1 Driveway and Parking Lots surfacing. All open off street parking areas and driveways shall be improved with a compacted macadam base and surfaced with asphalt, concrete, or constructed to some comparable specifications approved by the Building Commissioner.

Section 302.3.2 **Encroachment upon right of ways.** No person shall install, place, maintain, or construct any Structure, Playground Equipment, Boulders, Material, or landscaping that encroaches upon the right of way/ Street without written approval from the Village Building Department.

Exceptions: Mailboxes, landscaping around trees, and Driveway aprons.

Section 302.3.3 **Blocking sidewalks.** No person shall block the public sidewalk or Street without prior written approval from the Village.

Add – Section 302.8.1 Prohibits Motor Vehicles and Recreational Vehicles parking on grass areas. All Cars, trucks, motorcycles, RVs, trailers, and boats shall be parked on an improved surface as stated in section 302.3.1

Add – Section 303.3 Swimming Pool Electrical Service. Electrical service to operate the filter system and or pool heater shall be a separate branch circuit protected by a Ground Fault Interrupter (GFI) located within the main circuit panel and run underground in proximity within 5 feet to the filter or heater and terminated in a weather proof disconnect. The GFI may be located either in the main distribution box or in the weather proof disconnect. Under no circumstances shall a drop chord running from an existing outdoor outlet, even though GFI protected, to the filter system or heater be permitted.

Section 304.14 insert: From April 1 to December 1.

Add - Section 307.2. Rubbish storage Containers. All trash and rubbish containers shall not be stored in the front yards on non trash day. All trash and rubbish containers shall be stored behind a privacy fence or out of view from public areas.

Section 602.3 insert: From October 1 to May 15.

Section 602.4 insert: From October 1 to May 15.

9-8-3: ADOPTION OF SUPPLEMENTS:

The printed document, three (3) copies of which are on file in the office of the village clerk, being marked and designated as the international property maintenance code, accumulative supplement 2003, as published by the International Property Maintenance Code Council, Inc., is hereby adopted as the accumulative supplement to the property maintenance code, adopted by this chapter. All portions of said accumulative supplement applying to the property maintenance code, 2003, are hereby adopted as accumulative supplements of this property maintenance code, and each and all of the regulations, provisions, penalties, conditions and terms of said accumulative supplement are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter.

9-8-4: SAVING CLAUSE:

Nothing in this chapter or in the property maintenance code hereby adopted shall be construed to affect any suit or proceeding impending 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 hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this chapter. (Ord. 1081, 2-23-2000)