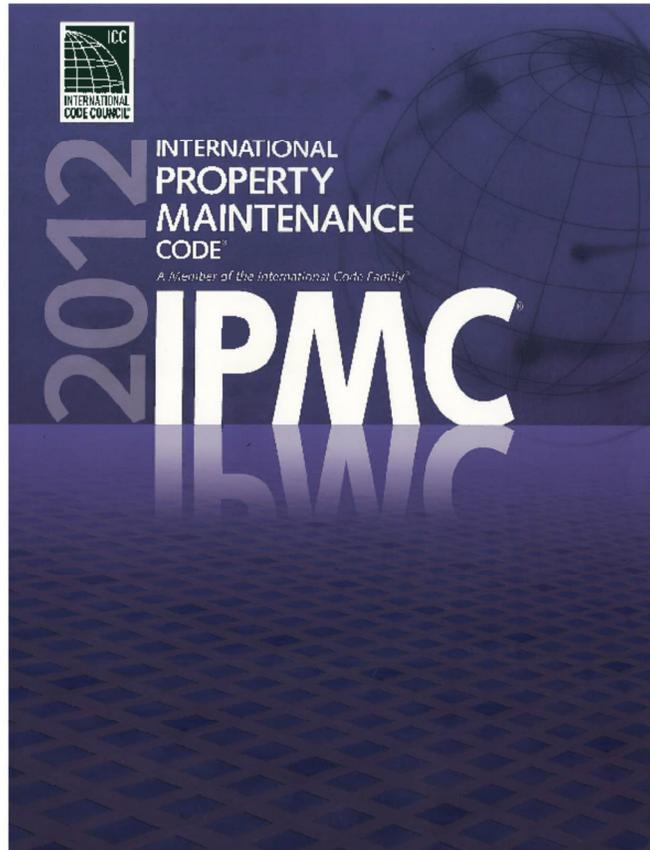


Village of Carol Stream

Local Amendments to ICC International Property Maintenance Code, 2012 Edition



Community Development Department

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11/17/14

Village of Carol Stream

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AMENDMENTS TO CHAPTER 1

**CHAPTER 1
ADMINISTRATION**

**SECTION 101
GENERAL**

101.1 Title: These regulations shall be known as the *Property Maintenance Code of the Village of Carol Stream*, hereinafter referred to as “this code.”

**SECTION 102
APPLICABILITY**

102.3 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 Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International State of Illinois Plumbing Code*, and NFPA 70, *as adopted and amended by the Village of Carol Stream*. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code Carol Stream Municipal Code*.

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 *as amended and adopted by the Village of Carol Stream* and considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

102.7.3 Plumbing code. All references to the *International Plumbing Code* shall be construed to refer to the pertinent sections of the *Illinois Plumbing Code* as amended and adopted by the Village of Carol Stream.

**SECTION 103
DEPARTMENT OF PROPERTY
MAINTENANCE INSPECTION**

103.1 General. The ~~department of~~ *Community Development Department* shall be responsible for property maintenance inspection ~~is hereby created~~ and the ~~executive official in charge thereof~~ *Community Development Director* shall be known as the code official.

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the ~~following schedule~~ *Chapter 6, Article 13, of the Village of Carol Stream Municipal Code*.

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SECTION 106 VIOLATIONS

106.4 Violation penalties. Any person who ~~shall violate~~ **violates** a provision of this code, or ~~fail fails~~ to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by ~~state or~~ local laws. ~~Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~ **Whenever in this code or in any ordinance of the Village any act is prohibited or is made or declared to be unlawful, or whenever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no other penalty is expressly set forth, a violation of this code or of any ordinance shall be punished by a fine of not less than seventy five dollars (\$75.00) and no more than seven hundred fifty dollars (\$750.00) for each separate offense. Each day any violation of any provision of this code or of any ordinance continues shall constitute a separate offense. In addition to a fine, the court may impose a period of conditional discharge as defined in 730 ILCS 5/5-1-4 or court supervision as defined in 730 ILCS 5/5-1-21 of the Criminal Code for a period of up to six (6) months, an order of restitution, an order to perform community service, an order to complete an education program and/or any other appropriate penalties or conditions authorized in any section of this code or ordinance or any conditions for conditional discharge set forth in 730 ILCS 5/5-6-3 or for court supervision in 730 ILCS 5/5-6-3.1 as the foregoing are amended from time to time.**

SECTION 107 NOTICES AND ORDERS

107.1 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 Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. **The requirement for giving notice shall not apply to a violation that recurs on a property that has been the subject of a notice of violation given within the past one-year period for the same offense when the same responsible party was notified of the prior violation.** Notices for condemnation procedures shall also comply with Section 108.3.

SECTION 111 MEANS OF APPEAL

111.2 Membership of board. The board of appeals shall consist of **the Village President and Board of Trustees of the Village of Carol Stream** ~~a minimum 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 code official shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.~~

111.2.1 Alternate members. ~~The chief appointing authority shall appoint two or more 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.~~

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111.2.2 Chairman. The **Village President shall** ~~board shall annually select one of its members to serve as chairman.~~

111.2.3 Disqualification of member. ~~A member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

111.2.4 Secretary. The **Village Clerk shall** ~~chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.~~

111.2.5 Compensation of members. ~~Compensation of members shall be determined by law.~~

111.9 Jurisdiction. The Board of Appeals shall have no jurisdiction to hear an appeal when the facts and issues raised in the application for appeal are subject of a quasi-criminal complaint brought in the name of the Village charging a violation of the Code of Ordinances of the Village. The filing of such a complaint shall constitute a determination that a decision of the building official, refusing to grant a modification of the provisions of this code, is correct. Any appeal pending at the time of filing of such a complaint shall be dismissed for want of jurisdiction.

AMENDMENTS TO CHAPTER 2

**CHAPTER 2
DEFINITIONS**

**SECTION 201
GENERAL**

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies or the definition in the current version of the Merriam-Webster Dictionary.

AMENDMENTS TO CHAPTER 3

**CHAPTER 3
GENERAL REQUIREMENTS**

**SECTION 302
EXTERIOR PROPERTY AREAS**

302.3 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.

302.3.1 Sidewalk encroachments. Trees, shrubs and other plant growth shall not encroach past the edge of a public sidewalk, except that tree branches shall be permitted to encroach above a public sidewalk provided a vertical clearance of no less than seven feet is maintained.

302.3.2 Pavement maintenance. Driveways, parking spaces and similar areas shall be kept free from potholes and hazardous conditions. Pavement repair, when determined to be necessary by the code official, shall not be temporary, but shall be long-lasting and durable. Cold patch shall not be considered an acceptable form of pavement repair, and shall only be permitted as a seasonal interim solution when inclement weather conditions do not permit proper repair; however, such use of cold patch shall only be acceptable until such time as weather conditions allow a proper repair to be done. Acceptable forms of pavement repair shall include but not be limited to concrete, hot-mix asphalt, structural overlay and resurfacing, and shall meet with the approval of the Village Engineer or his or her designee.

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of **8 inches (203 mm)**. 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 and gardens.

Upon failure of the owner or agent having charge of the property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 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 costs of such removal shall be paid by the owner or agent responsible for the property

Exceptions: All areas designated by the Village Engineer as natural prairie planting areas for the purpose of storm water management shall be exempted from the requirements of this section.

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle, **watercraft, all-terrain vehicle, snowmobile, trailer, or truck camper** 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, watercraft, all-terrain vehicle, snowmobile, trailer, or truck camper is prohibited unless conducted inside an approved spray booth. The provisions of this section include devices used to transport motor vehicles, watercraft, all-terrain vehicles, snowmobiles, trailers, or truck campers.

Exception: A vehicle, watercraft, all-terrain vehicle, snowmobile, trailer, or truck camper 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.

302.8.1 Parking of specific motor vehicles and trailers prohibited. It shall be unlawful to park or stand on any public right of way at any time any trailer unless the trailer is properly connected to an operational motor vehicle that has correct motor vehicle permits and license plates.

SECTION 303

SWIMMING POOLS, SPAS, AND HOT TUBS AND DECORATIVE PONDS

303.1 Swimming pools, spas, hot tubs and decorative ponds. Swimming pools, spas, hot tubs and decorative ponds shall be maintained in a clean and sanitary condition, and in good repair. The water in swimming pools, spas, hot tubs and decorative ponds shall meet the following criterion of clarity: A black disk 12 inches in diameter must be clearly visible from up to ten yards measured on a direct line of sight.

303.2 Enclosures. Private swimming pools, hot tubs, and spas and decorative ponds, 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 less than 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 gate post. No existing pool enclosure of a pool, spa, hot tub or decorative pond 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 F1346 shall be exempt from the provisions of this section.

303.3 Covers. A suitable, substantial, protective cover shall be provided over all private swimming pools, hot tubs and spas during seasons when not in use or when residents are absent.

SECTION 304

EXTERIOR STRUCTURE

[F] **304.3 Premises identification.** Buildings 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. Numbers shall be a minimum of ~~4 inches (102 mm)~~ 6 inches (152 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

304.14 Insect screens. ~~During the period from [DATE] to [DATE],~~ 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 not less than 16 mesh per inch (16 mesh per 25 mm) and every screed door used for insect control shall have a self-closing device in good working condition.

**SECTION 308
RUBBISH AND GARBAGE**

308.1 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. Collection of recycling, rubbish or garbage shall be made by public or private scavengers in accordance with the requirements of Chapter 9, Article 1 of the Carol Stream Municipal Code.

308.3.2 Containers. The operator of every establishment producing recycling, garbage or refuse 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. Containers shall comply with the requirements of Chapter 9, Article 1 of the Carol Stream Municipal Code.

308.3.3 Placement of containers in Residential Zoning Districts. All containers for recycling, rubbish and garbage shall be placed by residents at the curb line of the premises served not earlier than 6:00 p.m. on the day before the scheduled collection, and shall be removed on or before midnight of the day on which collection is made. Thereafter, containers shall be situated or located so as to be hidden from view from the street and shall not be placed so as to constitute a nuisance to adjacent property or to the occupants thereof.

AMENDMENTS TO CHAPTER 6

**CHAPTER 6
MECHANICAL AND ELECTRICAL REQUIREMENTS**

**SECTION 602
HEATING FACILITIES**

602.3 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 **September 15** to **May 15** to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from **September 15** to **May 15** to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

**SECTION 606
ELEVATORS, ESCALATORS AND DUMBWAITERS**

606.2 Elevators. In buildings equipped with passenger elevators, ~~at least one~~ **all** elevators shall be maintained in operation at all times when the building is occupied.

Exception: Buildings ~~equipped with only one elevator~~ shall be permitted to have ~~the~~ elevators temporarily out of service for testing or servicing.

AMENDMENTS TO CHAPTER 7

**CHAPTER 7
FIRE SAFETY REQUIREMENTS**

**SECTION 701
GENERAL**

701.3 Hazardous material: Combustible, flammable, explosive or other hazardous materials, such as paints, volatile oils and cleaning fluids, or combustible rubbish such as wastepaper, boxes and rags shall not be accumulated or stored unless such storage complies with the applicable requirements of the Building Code and the Fire Code as amended and adopted by the Village of Carol Stream.

**SECTION 702
MEANS OF EGRESS**

702.1 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*. Rubbish, garbage or other materials shall not be stored or allowed to accumulate in stairways, passageways, doorways, windows, fire escapes or other means of egress.

