

ORDINANCE NO. 677

VILLAGE OF BELLEVUE, ILLINOIS

ORDINANCE ADOPTING PROPERTY MAINTENANCE CODE

WHEREAS, Section 1-3-2 of the Illinois Municipal Code (65 ILCS 5/1-3-2) authorizes municipalities to adopt by reference regulations regarding construction, reconstruction or alteration of structures; and

WHEREAS, the President and Village Board of the Village of Bellevue, Illinois have determined that it is in the best interests of the Village and its residents that the Village adopt a property maintenance code;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE VILLAGE BOARD OF THE VILLAGE OF BELLEVUE, PEORIA COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: Adoption. The *2006 International Property Maintenance Code*, as published by the International Code Council, Inc. (the "Code"), is hereby adopted as the Property Maintenance Code of the Village, for the control of buildings and structures as therein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the Code 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 set forth in Section 2 below.

The Village Clerk shall keep a copy of the Code on file and available for public use, inspection and examination.

Section 2: Amendments. The following sections of the Code are hereby revised as follows:

Section 101.1, *Title*, is amended to read as follows:

Section 101.1, *Title*. This article shall be known as the Property Maintenance Code of the Village of Bellevue hereinafter referred to as "this code".

Section 103.1, 103.2, 103.3 and 103.5 are deleted in their entirety.

Section 104.1, *General*, shall read:

Section 104.1, *General*. This code official shall enforce all of the provisions of this code except the Fire Marshal or his designee shall enforce Section 704.0 FIRE PROTECTION SYSTEMS.

Section 106.3, *Prosecution of violation*, shall be deleted in its entirety.

Section 106.4, *Violation penalties*, is hereby amended to read as follows:

Section 106.4, *Violation penalties*. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof shall, upon conviction thereof, be subject to a fine of not more than \$500.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 107.5, *Transfer of ownership*, is hereby amended to read as follows:

Section 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 provision of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility with condition for making the corrections or repairs required by such compliance order or notice of violation. This requirement shall not preclude any person from seeking a variance or an appeal pursuant to the other sections of this code.

Section 110.0, *Demolition*, shall be deleted in its entirety.

Section 111.0, *Means of Appeal*, shall be deleted in its entirety.

Section 201.3, *Terms defined in other codes*, shall read as follows:

Section 201.3, *Terms defined in other codes*. Where terms are not defined in this code and are defined in the International Building Code, International Fire Code, International Zoning Code, State of Illinois Plumbing Code, International Mechanical Code, International Existing Building Code or the National Electric Code, such terms shall have the meanings ascribed to them as in those codes.

Section 202, *General Definitions, Habitable space*, shall read:

Section 202, *General Definitions, Habitable space*. Space in a residential structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

Section 301.2, *Responsibility*, shall read:

Section 301.2, *Responsibility*. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in Sections 307.0 and 308.0 and in sections 13-37 and 13-39 of the Property Maintenance Code of the Village of Bellevue.

Section 302.1, *Sanitation*, shall be deleted in its entirety.

Section 302.7, *Accessory Structures*, shall read:

Section 302.7, *Accessory Structures*. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. They shall be free of insects and rodents. The exterior of each accessory structure shall be weather resistant. All fences on the other premises shall be constructed of manufactured metal fencing material, wood, masonry, or other inert material. Such fences shall be maintained by the owner. Wood materials shall be protected against decay. Wherever any required egress doorway from a building opens into a fenced area, there shall be a means of entrance and exit from the premises to the nearest public way.

Section 304.5, *Foundation walls*, shall read:

Section 304.5, *Foundation walls*. All foundation walls shall be maintained structurally safe and sound and free from open cracks and breaks in such a condition so as to prevent the entry of rodents.

Section 304.12, *Handrails and guards*, shall read:

Section 304.12, *Handrails and guards*. Except in single-family residential dwellings built prior to 1972, every exterior and interior flight of stairs having more than four risers, and every open portion of a stair landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) nor more than 42 inches (1067 mm) high, measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, ramp or other walking surface. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

Section 501.1.2, *Plumbing*, shall read:

Section 501.1.2, *Plumbing*. Where any conflict exists between the Illinois State Plumbing Code and Property Maintenance Code the more stringent shall apply.

Section 602.4, *Occupiable work spaces*, shall read:

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

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.
- (3) Warehousing or similar facilities.

Section 604.2, *Service*, shall read as follows:

Section 604.2, *Service*. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

Section 3: The provisions of the Code shall not apply to (i) any interior, non-structural work performed on buildings or other structures in existence on the date of this Ordinance and (ii) buildings or structures less than 140 square feet in size.

Section 4: This Ordinance shall be effective upon its passage and publication as provided by law.

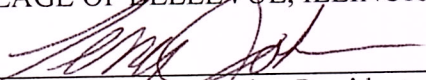
PASSED AND APPROVED THIS 14 DAY OF January, 2014.

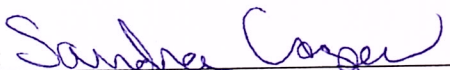
AYES: 5

NAYS: 0

ABSENT: 0

VILLAGE OF BELLEVUE, ILLINOIS

By: 
Terry Johnson, Acting President

Attest: 
Sandra Cooper, Clerk