

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>						
	Title:	Recommendation to adopt the 2012 International Property Maintenance Code and Proposed Amendments					
	Presenter:	Bob Vann, Building and Code Enforcement Division Manager					
Please check appropriate box:							
	Government Operations				Government Services		
X	Planning & Development(09/10/2012)				City Council		
	Public Hearing						
Estimated Cost:	N/A			Budgeted:	YES		NO
If NO, please explain how item will be funded:							
<b>Executive Summary:</b>							
<p>This item was discussed at the June 2012 P&amp;D Meeting. At that meeting Staff presented an overview of the 2012 Property Maintenance Code, proposed local amendments, and the City's Code Enforcement process.</p> <p>Since the 1980s, the City of St. Charles has used a model code to regulate the maintenance of existing buildings and properties. The code fundamentals of the 2012 Property Maintenance Code will not change from the existing 2000 IPMC. The 2012 edition provides more detail and clarity on specific code provisions. The 2012 IPMC is fully compatible with the City's recently adopted Building and Fire Codes. Along with the base IPMC, St. Charles has also adopted certain code amendments that are unique and applicable to our community.</p> <p>Staff has taken the Committee's feedback and worked with the City Attorney to prepare the proposed ordinance.</p>							
<b>Attachments:</b> <i>(please list)</i>							
Ordinance with amendments to the 2012 International Property Maintenance Code.							
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>							
Recommendation to adopt the 2012 International Property Maintenance Code (IPMC) and proposed amendments.							
<i>For office use only:</i>		<i>Agenda Item Number:</i> 4b					

ORDINANCE NO 2012-M-\_\_

PRESENTED AND PASSED BY THE  
CITY COUNCIL ON

AN ORDINANCE AMENDING CHAPTER 15.40 "PROPERTY  
MAINTENANCE CODE" OF THE ST. CHARLES MUNICIPAL CODE  
(Adoption of International Property Maintenance Code 2012)

**Whereas**, not less than three copies of the 2012 edition of the International Property Maintenance Code, published by International Code Council, are and 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 2012 edition of the International Property Maintenance Code, published by the International Code Council, are hereby adopted by reference, with the following amendments thereto:

A. Section 101.1 Title. Insert the following:

"City of St. Charles."

B. 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."

C. Section 103.50 Fees. Insert the following:

“See Title 15 ‘Building and Construction’ of the St. Charles Municipal Code.”

- D. 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 Building Review Board pursuant to the provisions of Chapter 2.19 of the St. Charles Municipal Code.”

- E. Section 112.4 Failure to Comply. Insert the following:

“One hundred dollars (\$100)” and “Seven hundred and fifty dollars (\$750).”

- F. Section 302.4 Weeds. Insert the following:

“Eight-inches (8”).”

- G. 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.”

- H. Section 304.14. Delete in its entirety and substitute the following therefor:

“304.14 **Insect screens.** During the period from April 1<sup>st</sup> to October 31<sup>st</sup>, 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 308.3.1. Delete in its entirety and substitute the following therefor:

“308.3.1. **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 outside finished grade are acceptable.”

- K. 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.”

- L. 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 1<sup>st</sup> to April 1<sup>st</sup> 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.”

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

**“602.4 Occupiable work space.** Every enclosed occupied work space shall be supplied with sufficient heat during the period from October 1<sup>st</sup> to April 1<sup>st</sup> to maintain a temperature of not less than 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.”

- N. Section 704: Delete Sections 704.1, 704.2 and 704.3 in their entirety.”

**Section 2. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.**

**Section 3. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication as provided by law.**

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**PRESENTED** to the City Council of the City of St. Charles, Illinois this  
\_\_\_\_\_ day of \_\_\_\_\_, 2012.

**PASSED** by the City Council of the City of St. Charles, Illinois the \_\_\_\_\_  
day of \_\_\_\_\_, 2012.

**APPROVED** by the Mayor of the City of St. Charles, Illinois this \_\_\_\_\_ day of  
\_\_\_\_\_, 2012.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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Approved as to form:

\_\_\_\_\_  
City Attorney

Date: \_\_\_\_\_

Council Vote:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Abstain: \_\_\_\_\_

Absent: \_\_\_\_\_