

ORDINANCE 17,405

**AN ORDINANCE AMENDING CHAPTER 13 OF THE CODE OF THE CITY OF PEORIA
PERTAINING TO GARBAGE, LITTER, VEGETATION AND INOPERABLE MOTOR
VEHICLES.**

WHEREAS, the City of Peoria, Illinois is a home rule municipality pursuant to Article VII, Section 6 of the Illinois Constitution of 1970; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Peoria, Illinois as follows:

SECTION 1. Chapter 5 of the Code of the City of Peoria is hereby amended by deleting the following stricken words and by adding the following underlined words:

Sec. 13-0. Adoption of codes.

The ~~2003~~2012 International Property Maintenance Code, ~~First Edition~~ as published by the International Code Council, Inc. is hereby adopted as the Property Maintenance Code of the City of Peoria.

Sec. 13-2.1. Compliance with ~~2003~~2012 International Property Maintenance Code required.

Where no specific standards to the contrary are prescribed by this chapter, conformity is required with and pursuant to ~~2003~~2012 International Property Maintenance Code along with all codes and standards referred to therein.

Sec. 13-13. Amendments to International Property Maintenance Code.

The ~~2003~~2012 International Property Maintenance Code, as adopted in section 13-0, is amended as follows:

- (1) ~~Article 15, section 15.3.f(2) of the Zoning Ordinance, Appendix B of the Code of the City of Peoria pertaining to motorized vehicle storage surfaces is hereby incorporated into the Property Maintenance Code.~~
- (2) ~~Article 15, section 15.3 of the Zoning Ordinance, Appendix B of the Code of the City of Peoria pertaining to off-street parking and storage of vehicles is hereby incorporated in its entirety into the Property Maintenance Code.~~
- (3) ~~Article 16, section 16.4.f of the Zoning Ordinance, Appendix B of the Code of the City of Peoria pertaining to ground cover and mulching requirements is hereby incorporated into the Property Maintenance Code.~~

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

101.1 "Title." This article shall be known as the Property Maintenance Code of the City of Peoria hereinafter referred to as "this code."

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

Section 104.1, General, shall read:

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:

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:

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:

201.3 Terms as 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 301.2, Responsibility, shall read:

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 City of Peoria.

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

Section 302.7, Accessory Structures, shall read:

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 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:

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:

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 304.14 Insect Screens, shall read:

Insect Screens. During the period from April 15 to October 15, 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.

Section 404.5, Overcrowding, shall read:

Overcrowding: Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

Compliance with this section is not a defense to a violation of section 5-271 of the Housing Property Maintenance Code or section 7.7 and Article 18 of the Zoning Ordinance.

Section 501.1.2, Plumbing, shall read:

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

Section 505.1 General, shall read as follows:

505.1 General: Every sink, lavatory, bathtub or shower, drinking fountain, water closet, or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the State of Illinois Plumbing Code.

Section 602.2 Residential occupancies, shall read:

Residential occupancies. Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of 65 degrees F. at a distance of 18 inches above floor level to an outdoor temperature of minus 10 degrees F. in all habitable rooms, bathrooms and toilet rooms based on the outside design temperature required for the locality by the mechanical code listed in chapter 8.

Section 602.3 Heat Supply, shall read:

Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units, 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 September 15 to May 15 to maintain the room temperature specified in Section 602.2 during the hours between 8:30 a.m. and 10:30 p.m. of each day and not less than 60 degrees F. during other hours.

Section 602.4, Occupiable work spaces, shall read:

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:

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 704.1.1 Enforcement, shall read:

The Fire Marshall or his designee shall enforce all of the provisions of Section 704.0 FIRE PREVENTION SYSTEMS in accordance with Chapter 11 of the Peoria City Code

Section 702.4 Emergency Escape Openings, shall read:

Emergency Escape Openings. Every sleeping room located in a basement in an occupancy in Use Group I-1 or R shall have at least one operable window or exterior door approved for emergency egress or rescue; or shall have access not less than two approved independent exits. All required outside windows and doors, when designed to be operable, shall be operable from the inside without the use of tools and shall meet the following requirements:

- (a) if built prior to 1972, subject to the 1985 Life Safety Code 101;
- (b) if built after 1972, subject to the Building Code in effect for that year.

Section 101.1 Title, shall read:

101.1 "Title" This regulation article shall be known as the Property Maintenance Code of the City of Peoria hereinafter referred to as "this code."

Section 202.0, Definitions; Rubbish, shall read as follows:

Rubbish: Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, household furniture such as sofas, stuffed chairs and mattresses when found on the exterior of the property, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

Section 301.2, Responsibility, shall read:

"Responsibility. The Owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in Section 307.0 and 308.0 and in Sections 13-37 and 13-39 of the Property Maintenance Code of the City of Peoria.

Section 302.1 Sanitation, shall be deleted in its entirety.

Section 302.5 Rodent Harborage, shall read as follows:

"Rodent Harborage." All structures and exterior property shall be kept free from rodent harborage and infestation. All exterior wood, construction materials or other stored items shall be stored in a rodent proof manner such as elevating the materials 12 inches above the earth, enclosing the materials in rodent proof containers, utilizing an extermination process or other approved methods. The Code Official may request verification that the property has been baited. Where rats are found, they shall be properly exterminated by approved processes, which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

Section 308.1 Accumulation of rubbish and garbage, shall read as follows:

"Accumulation of rubbish and garbage." All exterior property and premises, and the interior of every structure shall be free from any accumulation of rubbish and garbage. The owner and/or occupant of a single-family structure shall have the responsibility to maintain the premises free from litter.

Section 308.2.1 Rubbish Storage Facilities, shall read as follows:

"Rubbish Storage Facilities." The owner of every two-family and multiple-family premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

Section 308.3.1 Garbage Facilities, shall read as follows:

"Garbage Facilities." The owner of every two-family and multiple family dwelling shall supply one of the following: an approved mechanical waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit or an approved leakproof, covered, outside garbage container.

Section 202.0, General Definitions, Obsolete Signs, shall read as follows:

Any sign including the sign structure, retractable canopy or awning, which advertises a business no longer being conducted or a product no longer being sold in or from the

premises to which the sign relates is considered obsolete. Signs left in good repair which remove all aspects of former business and present a solid color blank slate are not considered obsolete.

Section 304.2 Protective treatment, shall read as follows:

All exterior surfaces, including but not limited to, doors, door and window frames, exterior signs, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Obsolete signs are prohibited and considered not to be in good condition. Exterior signs not being maintained include but is not limited to exposed wires, peeling paint, damaged surfaces and missing components. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust and corrosion, coated to inhibit future rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

Section 302.3 Sidewalks and driveways, shall read as follows:

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. All striping on parking lots including, but not limited to, appropriate color must be maintained per applicable local, state and federal standards. New gravel driveways are prohibited. Existing gravel driveways must be completely maintained. This includes, but is not limited to, free from potholes, ruts, channels, growth of vegetation, other similar obstructions, exposed dirt, and areas that allow pooling of water. If an existing driveway is found to not be maintained at the discretion of the building official or his or her designee, the driveway must be paved and brought up to current standards; installing additional gravel is prohibited. Surface must be paved or returned to grass (if allowed per City code).

Section 302.7 Accessory structures, shall read as follows:

All accessory structures, included detached garages, fences and walls, shall be maintained structurally sound in and in good repair. All fences must be built in accordance with the requirements set forth by the City of Peoria Code.

Section 601.2 Screening requirements, shall read as follows:

All roof, ground and wall mounted mechanical equipment and utilities (e.g. air handling equipment, compressors, duct work, transformers and elevator equipment) shall be fully screened from view of any public rights-of-way or residential zoning district. Roof mounted or wall mounted equipment shall be painted or screened with materials which are consistent with the primary building color and materials. Screening materials may include a parapet wall, decorative galvanized metal screening or louvers or screening or louvers that are painted to blend with the principal structure. The parapet wall or similar screening structure shall be of a height greater than the height of the mechanical equipment being screened. Ground-mounted equipment screening shall be constructed of the following listed items and shall be of a height greater than the height of the mechanical equipment being screened: Evergreen planting screens with

year-round screening properties. When plantings are utilized to meet this requirement they must be planted prior to the issuance of a Certificate of Occupancy and achieve a substantially solid visual barrier within two (2) years. Brick, stone, reinforced concrete, or other similar masonry materials; or Redwood, cedar, preservative pressure treated wood, or other similar materials. Ground mounted mechanical equipment may also be painted in the form of art to compliment the character or blend with the design of the building or surrounding neighborhood. Such artistic screening must be approved by the equipment owner and shall be subject to review by the Development Review Board. Above-ground utilities and appurtenances to underground utilities which require above-ground installation shall be screened by a continuous planting of shrubs, with a minimum mature height equal to that of the structure, up to eight feet. Required accessways to these utilities are exempt from the screening provisions.

~~Sec. 13-103. Amendments to the 2003 International Property Maintenance Code.~~

~~The 2003 International Property Maintenance Code as adopted in section 13-0, is amended as follows:~~

~~(1) 101.1 Title, shall read:~~

~~101.1 "Title" This regulation article shall be known as the Property Maintenance Code of the City of Peoria hereinafter referred to as "this code."~~

~~(2) Section 106.3, Prosecution of violation, shall be deleted in its entirety.~~

~~(3) Section 106.4, Violation Penalties, shall be deleted in its entirety.~~

~~(4) Section 111.0, Means of Appeals, shall be deleted in its entirety.~~

~~(5) Section 202.0, Definitions; Rubbish, shall read as follows:~~

~~Rubbish: Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, household furniture such as sofas, stuffed chairs and mattresses when found on the exterior of the property, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.~~

~~(6) Section 301.2, Responsibility, shall read:~~

~~"Responsibility. The Owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in Section 307.0 and 308.0 and in Sections 13-37 and 13-39 of the Property Maintenance Code of the City of Peoria.~~

~~(7) Section 302.1 Sanitation, shall be deleted in its entirety.~~

~~(8) Section 302.5 Rodent Harborage, shall read as follows:~~

~~"Rodent Harborage." All structures and exterior property shall be kept free from rodent harborage and infestation. All exterior wood, construction materials or other stored items shall be stored in a rodent proof manner such as elevating the~~

~~materials 12 inches above the earth, enclosing the materials in rodent proof containers, utilizing an extermination process or other approved methods. Where rats are found, they shall be properly exterminated by approved processes, which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation. Firewood is prohibited from being stored in the front or side yard. The amount of firewood permitted to be stored on a residential property is limited to one cord (four feet by four feet by eight feet). An additional cord of storage may be granted per the discretion of community development upon written request of the property owner.~~

~~(9) Section 307.1 Accumulation of rubbish and garbage, shall read as follows:~~

~~"Accumulation of rubbish and garbage." All exterior property and premises, and the interior of every structure shall be free from any accumulation of rubbish and garbage. The owner and/or occupant of a single family structure shall have the responsibility to maintain the premises free from litter.~~

~~(10) Section 307.2.1 Rubbish Storage Facilities, shall read as follows:~~

~~"Rubbish Storage Facilities." The owner of every two family and multiple family premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.~~

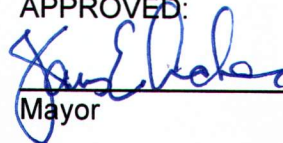
~~(11) Section 307.3.1 Garbage Facilities, shall read as follows:~~

~~"Garbage Facilities." The owner of every two family and multiple family dwelling shall supply one of the following: an approved mechanical waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit or an approved leakproof, covered, outside garbage container.~~

SECTION 2. After its passage and publication in pamphlet form, this Ordinance shall be in effect on January 1, 2017.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this 11th day of October, 2016.

APPROVED:



Mayor

ATTEST:



City Clerk

EXAMINED AND APPROVED:


Corporation Counsel