

ORDINANCE 17,361

**AN ORDINANCE AMENDING CHAPTER 5 OF THE CODE OF THE CITY OF PEORIA
PERTAINING TO PROPERTY MAINTENANCE STANDARDS**

WHEREAS, the City Council is a home rule unit of government pursuant to Article VII, Section 6 of the Constitution of the State of Illinois 1970, and may exercise any power and perform any function pertaining to its government and affairs; 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:

Secs. 5-236—5-259. - Reserved.

ARTICLE VI. - ~~HOUSING~~ PROPERTY MAINTENANCE CODE¹²¹

Sec. 5-261. - Title.

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

(Code 1957, § 16-100; Ord. No. 14472, § 1, 3-4-98)

Sec. 5-262. - Purpose.

The purpose of the ~~Housing~~ Property Maintenance Code shall be to assure a physical environment for the community that is safe, sanitary, and attractive for all citizens.

(Code 1957, § 16-101; Ord. No. 14472, § 1, 3-4-98)

Sec. 5-301. - Amendments to adopted codes.

The 2003 International Property Maintenance Code as adopted in Section 5-260 is amended as follows:

(1) 101.1 Title, shall read:

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

(2) Section 103.1 shall be deleted in its entirety.

(3) Section 103.2 shall be deleted in its entirety.

(4) Section 103.3 shall be deleted in its entirety.

(5) Section 103.4 shall be deleted in its entirety.

(6) Section 104.1 General, shall read:

The code official shall enforce all of the provisions of this Code except the Fire Marshall or his designee shall enforce Section 704.0, FIRE PROTECTION SYSTEMS.

- (7) Section 106.3 Prosecution shall be deleted in its entirety.
- (8) Section 106.4 Violation penalties, shall be deleted in its entirety.
- (9) Section 107.5 Transfer of ownership shall read:

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 without 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.

- (10) Section 110.0 Demolition shall be deleted in its entirety.
- (11) Section 111.0 Means of Appeal, shall be deleted in its entirety.
- (12) 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.

- (13) Section 202.0 Definitions - Dormitory, shall be deleted in its entirety.
- (14) Section 202.0 Definitions - Family, shall be deleted in its entirety.
- (15) Section 202.0, General Definitions, Habitable space, shall read:

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

- (16) 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.

- (17) Section 302.1 Sanitation shall be deleted in its entirety.
- (18) 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.

- (19) Section 302.8 Motor vehicles, shall be deleted in its entirety.
- (20) 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.

(21) 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.

(22) Section 304.15 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.

(23) [Reserved.]

(24) Section 40.5, 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.

(25) Section 501.1.2 Plumbing, shall read:

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

(26) 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.

(27) 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.

(28) 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.

(29) 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.

(30) 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 openable 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.

(31) [Reserved.]

(32) Section 704.1.1 Enforcement.

The Fire Marshall or his designee shall enforce all of the provisions of Section 705.0 FIRE PROTECTION SYSTEMS in accordance with Chapter 11 of the Peoria City Code.

(33) Section 202.0, General Definitions, Obsolete Signs, shall read: 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.

(34) Section 304.2 Protective treatment, shall read: 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.

(35) Section 302.3 Sidewalks and driveways, shall read: 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).

(36) Section 302.7 Accessory structures, shall read: 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.

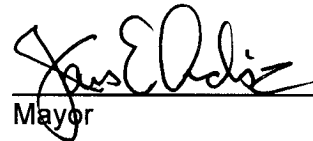
(37) Section 601.2 Screening requirements, shall read: All roof, ground and wall mounted mechanical equipment and utilities (e.g. air handling equipment, compressors, duct work, transformers and elevator equipment) shall be fully screened from view of any public rights-of-way or residential zoning district. 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.

(Ord. No. 14472, § 1, 3-4-98; Ord. No. 14475, § 1, 4-7-98; Ord. No. 15812, § 1, 7-19-05)

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this 26th day

of April, 2016.

APPROVED:



Mayor

ATTEST:



City Clerk

EXAMINED AND APPROVED:



Corporation Counsel