

CHAPTER 100 BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. GENERAL

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100.18-1. CONSTRUCTION OF BUILDINGS IN RESERVED STREET RIGHT-OF-WAY.

A. *Prohibited.* No building shall be constructed and no building permit shall be issued for construction of any building within the right-of-way of any planned major street designated as a "reserved street right-of-way" by a resolution of record adopted by the Village Board pursuant to the provisions of this section. Such resolution of record shall specify the U.S. Government Quarter Sections affected, and the centerline location, right-of-way width and name of the planned major street. Copies of such resolution shall be filed in the office of the Machesney Park Building Official.

B. *Exception.* Upon application and following a public hearing, the Planning and Zoning Commission may, however, authorize the issuing of a building permit and the construction of a building within the mapped right-of-way when it shall have been established that the application of the resolution of record to a piece of property leaves it unusable and creates an unnecessary hardship, and when that hardship was not of the owner's own making, provided that the Planning and Zoning Commission shall grant permission to use only so much of the mapped right-of-way as is necessary to afford relief from the hardship, thereby preserving the integrity of the mapped street insofar as possible; and further provided that the board of appeals may attach conditions to such permit limiting the value and size of the building constructed, stipulating the date by which such construction shall be removed at the owner's expense, and/or providing for other limitations necessary to protect the public interest.

C. *Building permit required; filing fee.* Each application for a building permit shall be accompanied by a fee as established by the Village Board.

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D. *Removal of buildings.* Any building or structure legally built within the mapped right-of-way covered by any reserve street right-of-way resolution of record shall be removed at the owner's expense upon acquisition of the property for street or highway purposes.

100.18-2. SINGLE-FAMILY DWELLING INSPECTIONS; PURPOSE; FEES.

A. Any owner or other person having an interest in a single-family dwelling located in the incorporated areas of the Village may make application to the building official for an inspection thereof. Such inspection shall be for the purpose of determining whether the single-family dwelling is in compliance with applicable ordinances and resolutions regulating the construction and maintenance thereof.

B. Inspections permitted by this section shall be made by the building official or his duly appointed assistant upon receipt of an application therefor and the payment of a fee established by the Village Board for each single-family dwelling to be inspected.

100.18-3. PERMITS AND FEES

A. It shall be unlawful to construct, enlarge, alter or demolish a structure; change the occupancy of a building or structure requiring greater strength, exit way or sanitary provisions; to change to another use; or to install, erect, alter, repair, service, reset, or replace any equipment for which provision is made of the installation of which is regulated by this chapter, without first filing an application with the building official in writing and obtaining the required permit therefor; except that ordinary repair, as defined in Section 105 of the International Building Code of 2003, which do not involve any violation of this chapter shall be exempt from this provision.

B. All fees shall be established by the Village Board and shall be paid prior to the issuance of any permit required by this chapter.

C. Except as provided in subsection (d) of this section, when work is commenced or proceeded with prior to obtaining the required permits, the established fees shall be doubled. The payment of such doubled fee shall not relieve any person from fully complying with the requirements of this chapter nor from

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the penalties prescribed in this chapter.

D. In cases of emergency, a contractor or owner may proceed with the work and file the application for a permit within 24 hours, Saturdays, Sundays and holidays excepted.

E. The permit holder shall notify the building official not more than 72 hours after work is completed, Saturdays, Sundays and holidays excepted.

100.18-4. NOTICE OF VIOLATION.

A. *Posting; form of notice.* The building official shall cause a notice of violation or order informing the person responsible for the erection, construction, alteration, extension, repair, equipping, removal, demolition, use, or occupancy of a building or structure in violation of the provisions of this chapter or in violation of a detailed statement or plan approved under this chapter or in violation of a permit or certificate issued pursuant thereto, to be posted in a conspicuous place near the main entrance of such building or structure. The notice shall be at least nine inches in width and 14 inches in length, and at the top of the notice in large letters it shall state "notice of violation." The text of the notice shall contain a reference to the provision of this chapter which has been violated; it shall direct the discontinuance of the illegal action or condition and the abatement of the violation; and shall contain such other information respecting the nature of the violation deemed advisable by the building official.

B. *Removal.* Upon removal or abatement of the cause of the violation for which the notice is posted, the building official shall forthwith remove the notice. Any other person removing or defacing such notice is guilty of a petty offense and shall be fined not to exceed \$500.00.

100.18-5. PROSECUTION OF VIOLATION.

A. If the notice of violation is not complied with promptly, the building official shall request the village attorney to institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation or to require the removal or termination of the unlawful use of the building or structure in violation of the provisions of this chapter or of the order or direction made pursuant thereto.

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B. A violation of this chapter is also subject to the code enforcement procedures set forth in this Code.

100.18-6. PENALTIES FOR VIOLATION.

A. *Noncompliance.* It shall be unlawful for any person to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure or cause the same to be done contrary to or in violation of any provision of this chapter, any approved plan or directive of the building official, any permit or certificate issued under the provisions of this chapter or any stop work order, except such work as he is directed to perform to remove a violation or unsafe condition. Any person violating any of the provisions of this chapter shall be guilty of a petty offense, punishable by a fine of not more than \$1,000. Each such person shall be deemed guilty of a separate offense for each and every day during which any violation is committed, continued, or permitted.

B. *Abatement.* The imposition of the penalties prescribed in this section shall not preclude the village attorney from instituting appropriate action to prevent unlawful construction or to restrain, correct, or abate a violation or to prevent illegal occupancy of a building, structure, or premises, or to stop an illegal act, conduct, business, or use of a building or structure in or about any premises.

100.18-7. BUILDING PERMITS FOR TELECOMMUNICATIONS FACILITIES.

The review of a building permit for a facility as defined in subsection 90-325(2) of this Code shall be completed within 30 days of receipt of the completed application. If the village board action is required before the building permit may be issued, the review of the building permit shall take place simultaneously with the process leading to the village board decision. In reviewing a building permit for a facility defined in subsection 90-325(2), the improvements or equipment comprising the facility may be wholly or partly attached to, enclosed in or on a structure or structures.

100.18-8. - 100.18-30. RESERVED.

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ARTICLE II - BUILDING CODE

100.18-31. **ADOPTED.**

100.18-32. **AMENDMENTS.**

100.18-33. - 100.18-40. **RESERVED.**

100.18-31. **ADOPTED.**

The "*International Building Code 2003*", as recommended by the Building Officials and Code Administrators International, Inc., is hereby adopted by reference thereto as though set forth fully in this section and the whole thereof, save and except such portions as are deleted, modified or amended in Section 100.18-32, three copies of which have been filed in the office of the Village Clerk for use and examination by the public for at least 30 days prior to the adoption hereof.

100.18-32. **AMENDMENTS.**

The International Building Code 2003 adopted by Section 100.18-31, is hereby amended as follows:

A. Section 101.1 is amended by the insertion of the word "Village of Machesney Park, Illinois," between the brackets in place of the term "(name of jurisdiction)".

B. Section 103.2 is amended to read as follows: Section 103.2 Appointment. The building official shall be appointed by the Village Board and shall serve at their pleasure.

C. Section 108.2 Fees is amended to read as follows: Section 108.2 Fee Schedule. A fee for each plan examination, building permit and inspection shall be paid in accordance with the fee schedule as adopted by resolution of the Machesney Park Village Board.

D. Section 108.4 is amended to read as follows: Section 108.4 Work commencing before permit issuance. When a permit is required by this code, and work is started or proceeded with prior to obtaining said permit, the fees established in Section 108.2 shall be doubled and not less than \$250.00. This penalty may be waived by the building official if the person in violation has not obtained a permit in the last year and is the owner of the property. For the second offense within a twelve (12) month period, starting or proceeding with the work prior to

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obtaining a permit, the fees established in Section 108.2 shall be doubled and not less than \$500.00 plus an additional fee of \$500.00 shall be paid for each day work continued without said permit. For any subsequent such instance within a twelve (12) month period, the fees established in Section 108.2 shall be tripled and not less than \$750.00 (seven hundred fifty dollars) plus an addition fee of \$750.00 (seven hundred fifty dollars) shall be paid for each day work continued without said permit. Nothing in this section prohibits the Village of Machesney Park from using any other legal method of prosecution for such violations. Further, the payment of such fees shall not relieve any person from complying with the requirement of this code and the execution of the work, nor from any penalties prescribed herein.

E. Section 108.6 is amended to read as follows: Section 108.6 Refund. Within one year after a building permit has been issued and the required fee paid, provided not construction pursuant to the permit has occurred and not inspections have been made, a permit may be canceled and, upon cancellation, 80 percent of the permit may be refunded, without interest thereon, and 20 percent retained to cover administrative expenses.

F. Section 113.4 Violation penalties shall be amended to read as follows: Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repaid a building or structure in violation of any approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be punished by a fine of not more than \$750.00 (seven hundred and fifty dollars).

G. Section 112.1 General shall be amended to read as follows: Section 112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall consist of five members appointed by the chief appointing authority. Each member shall serve for, five years or until a successor has been appointed.

H. Section 112.3 shall be amended to read as follows: Section 112.3 Qualifications. Each member shall be a licensed Professional Engineer a licensed Architect or a builder or superintended of building construction with at least ten years'

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experience, five of which shall have been in responsible charge of work. There shall be at least one Architect, one Professional Engineer and one builder. Not more than two members shall be from the same profession or occupation and at least one Professional Engineer shall be a Structural or Civil Engineer with architectural engineering experience.

I. Section 114.3 Unlawful continuances shall be amended to read as follows: Unlawful continuances: Any person who shall continue work in or about the structure after having been served with a stop work order, except such work as that person is directed to preform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$750.00 (seven hundred and fifty dollars). Each day that a violation continues shall be deemed a separate offense.

J. Section 210(A) Smoke Detector Circuits is added to read as follows: Section 210(A) Smoke Detector Circuits. Smoke detectors required by the International Building Code and installed within dwelling units shall not be connected as the only load on a branch circuit. Such detectors shall be supplied by branch circuits having lighting loads consisting of lighting outlets in habitable areas.

K. Section 403.1 shall be amended to read as follows: Section 403.1 Applicability. The provisions of this section shall apply to all buildings having occupied floors located more than 65 feet (19812 mm) above the lower level of fire department vehicle access.

L. Section 419 is added as follows: Section 419 Factory built structures: All factory built structures shall comply with the current issue of the Illinois Department of Public Health Regulation of Factory Built Structures. Permit all applicants shall submit complete construction documents OR submit a certificate from the manufacturer that indicates a design professional has certified the unit complies with federal codes and has certified the unit complies with federal codes and another nationally recognized code. If the structure is smaller in size that requiring a design professional's certification by federal and state laws, the manufacturer may submit a certification for their next closest size unit (which requires certification) and a cover letter which states the smaller unit is of substantially equivalent construction.

M. Section 3109.3 is deleted and replaced to read as

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follows: Permits and construction documents: A swimming pool or appurtenances thereto shall not be constructed, installed, enlarged or altered until construction documents have been submitted and a permit has been obtained from the code official. The approval of all city, county, and state authorities having jurisdiction over swimming pools shall be obtained before beginning construction. A copy of the application for permit to the Illinois Department of Public Health shall be submitted prior to the official issuance of a permit.

N. Sections 3109.4 through 3109.5 as deleted and replaced to read as follows: Section 3109.4 Pool, appurtenant structures and enclosure design: Design shall be as required by the State of Illinois Department of Public Health "Standards for Public Swimming Pools and Bathing Beaches".

O. Chapter 35 is amended as follows to add: 1997 Illinois Accessibility Code where it contains more stringent requirements than the International Building Code and Codes referenced therein.

100.18-33. - 100.18-40. RESERVED.

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ARTICLE III. ELECTRICAL CODE

100.18-56. **ADOPTED.**

100.18-57. **AMENDMENTS.**

100.18-58. **PERMIT FOR ELECTRICAL WORK REQUIRED.**

100.18-59. - 100.18-80. **RESERVED.**

100.18-56. **ADOPTED.**

The "**National Electrical Code 2002**" edition, is hereby adopted by reference thereto as though set forth fully in this section and the whole thereof. Save and except such portions as are deleted, modified, or amended in Section 100.18-57, three copies of which have been filed in the office of the Village Clerk for use and examination by the public for at least 30 days prior to the adoption thereof.

100.18-57. **AMENDMENTS.**

The National Electrical Code 2002 edition adopted by Section 100.18-56, is hereby amended as follows:

A. Section 210.8(a) (1) and Section 210.8(b) (1) are amended to read as follows: All openings except lighting and bath fans not installed in tub/shower areas are to be ground fault protected. Fan and lighting units shall not be installed in tub/shower areas unless testing lab approved and G.F.C.I. circuit protected.

B. Section 230.21 and Section 230.21.1 are added to read as follows: Section 230.21. Service conductors over-head. Service conductors supplied from overhead drops shall be installed in rigid galvanized conduit, intermediate metal conduit or aluminum rigid conduit. Section 230.21.1 is added to read as follows: Section 230.21.1. Overhead conductor clearances. The following parts of spas, hot tubs and pools shall not be placed under existing service-drop conductors or any other open overhead wiring; nor shall such wiring be installed above the following:

1. pools and the area extending 10 feet (3.05 m) horizontally from the inside of the walls of the pool;

2. diving structure or;

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3. observation stands, towers, or platforms.

C. Section 230.49 is amended to read as follows: Section 230.49. Service conductors under-ground. Service conductors supplied from underground service lateral shall be installed in rigid galvanized conduit, intermediate metal conduit, schedule 80 rigid non-metallic conduit where not subject to physical damage or concrete encased schedule 40 rigid nonmetallic conduit. There shall be no exposed nonmetallic conduit. Depth shall be according to Article 300 Wiring Methods, Section 300.5 Underground Installations.

D. Section 230.70(a) shall be amended as follows: Section 230.70(a). Location. The service disconnecting means shall be installed at a readily accessible location either outside or a building or structure or inside within 5 feet of the point of entrance of the service conductors.

E. Section 230.73(D) is added to read as follows: Section 230.73(D). Multi-family services. For multi-family services, no more than two 60 amp main disconnects shall be allowed on a 100 amp service and no more than four 60 amp main disconnects plus one 30 amp house main disconnect shall be allowed on a 200 amp service.

F. Section 310.2(B) is amended to read as follows: Section 310.2(B) Conductor material. Conductors in this article shall be copper. Aluminum and copper clad aluminum not small than size #10 AWG.

G. Article 300 Wiring Methods, Section 300.13(c) shall be added to read as follows: Section 300.13(c) When two or more grounded conductors from a common circuit shall enter a box, they must be spliced together, with a single wire added (if applicable) to connect to the device.

H. Section 300.13(D) shall be added to read as follows: Section 300.13(D) All device connections shall be made on screw type terminals. No push-type clamping connections or "back-wiring" will be allowed unless the wire connection is tightened with a screw.

I. Section 314.27(a) shall be amended to read: Article 314-17(a) Boxes at lighting fixture outlets. Boxes used at lighting fixture outlets shall be designed for the purpose. At every outlet used exclusively for lighting, the box shall be designed or installed so that a lighting fixture may be

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attached. In all habitable rooms, a box rated for ceiling fan support shall be used.

J. Section 334.10.1 is added to read as follows: Section 334.10.1 Uses permitted. Non-metallic, sheathed cable shall be permitted to be installed only in R2, R3 and R4 structures which do not exceed three floors above grade, but shall not be permitted to be installed on any surface in any furnished area of a dwelling unit. In case of a mixed use and occupancy building, the entire building shall be wired by the most restrictive codes.

K. Section 336.6(D) shall be added as follows: Section 336.6(D) In Unfinished Basements. Where the cable is run at angles with joists in unfinished basements, it shall be permissible to secure cables not smaller than 6/2 or 8/3 directly to the lower edges of the joists. Smaller cables shall either be run through bore holes in joists, or protected by and fastened to running boards. Any exposed cable in basements seven (7) feet or closer to the floor must be protected or sleeved in an approved manner.

L. Section 440.14 is amended to read as follows: Section 440.14 Location. A disconnecting means shall be located within sight from and readily accessible from air conditioning or refrigerating equipment. Internal disconnects will not be approved unless factory installed.

M. Section 410.16(c) is amended to read as follows: Section 410.16(c). Means of support. (c) Suspended ceilings. Framing members of suspended ceiling systems used to support fixtures shall be securely fastened to each other and shall be securely attached to the building structure at appropriate intervals. Fluorescent fixtures shall be supported independently of the ceiling grid by at least two 12 gauge steel wires wrapped a minimum of three turns.

N. Chapter 2 is amended by adding the following: Article 290 - Wiring in Existing Residences. Section 290.1. *Scope*. This article covers minimum standards for wiring in existing residences. Section 290.2. *Requirements*. Where a permit is obtained for a portion of an existing structure containing one or more residential units, or where a permit is obtained for an addition to such a structure, then the entire structure and all residential units contained therein shall comply with the following minimum standards:

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1. *Electrical service.* Existing electrical service shall be a minimum of 60 amperes 240 val, three-wire with distribution panel and wiring properly installed and protected. Main disconnects and overcurrent protective devices to be accessible to each tenant. All overcurrent devices such as fuses or breakers shall be used to protect branch circuit conductors. All panels to be dead front.

2. *Service grounding.* When grounding on house side of water meter, jumper to be installed around water meter. Two ground rods will be installed with a continuous conductors to the grounding and at the first point of disconnect.

3. *Electrical wiring and facilities.* No dwelling or dwelling unit shall be deemed to comply with the requirements of this article relating to electric wiring and facilities unless:

a. *Exposed wire.* Every exposed wire has insulation which is in good condition.

b. *Switch and outlet plate.* Every switch and outlet shall have a plate that is properly fastened in position.

c. *Short circuit.* No short circuit or break shall exist in any electric lines.

d. *Fixtures.* Every fixture and outlet shall function properly and is properly fastened in place.

e. *Shock hazard.* No obvious shock hazard exists.

f. *Temporary wiring.* No temporary writing is used, except cords which run directly from portable electric fixtures to convenience outlets and which do not lie beneath floor covering materials, pierce walls or extend through doorways, transoms, or other similar apertures through structural elements.

g. *Overload.* No circuit shall be allowed to be overloaded as a result of connecting appliances which operate at high wattages to outlets supplied with wire of adequate size.

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h. *Exposed non-current carrying metal parts.* Any exposed non-current carrying metal parts of the electrical system that are within eight feet vertically or five feet horizontally of ground or of any grounded metal object subject to contact by persons shall be grounded.

i. *Exposed tube wiring.* There shall be no exposed knob and tub wiring in basements, garages, etc.

j. *Maintenance in good condition.* Every outlet and fixture shall be properly maintained in good and safe condition, and shall be connected to source of electric power in a proper and safe condition.

k. *Hall and stairway lighting.* Every hall and stairway in every multiple dwelling containing five or more dwelling units shall be adequately lighted at all times. Every hallway and stairway in structures devoted solely to dwelling occupancy and containing not more than four dwelling units shall be supplied with conveniently located lights switches controlling an adequate lighting system which may be turned on when needed, instead of full-time lighting. All exterior stairs shall be adequately lights and shall be controlled by a conveniently located light switch or switches permanently installed. All apartment house buildings having 13 family units or more shall be equipped with exit lights.

l. *Wall switches.* All habitable rooms shall have a wall switch to control a light or receptacle outlet. Stairways from one living level to another shall have three-way switches at each level. Wall switch and permanently mounted light shall be installed at all exterior doorway entrances. Wall switch or switches shall be installed for attic stairway and basement stairway lights. Wall switches and permanently installed lights shall be installed in dining rooms, kitchens and bathrooms.

m. *Light fixtures.* Permanently installed light fixtures shall be installed light fixtures shall be installed in utility rooms, over laundry tubs, in area of electric panel or panels, and in other areas requiring general illumination. Permanently installed

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light fixtures shall be installed and controlled by wall switch or switches in dining rooms, kitchens and halls or stairways and bathrooms.

n. *Convenience of receptacle outlets.* In all habitable rooms, a minimum of two duplex wall receptacles shall be installed, each on opposite walls. In living rooms, recreation rooms, and family rooms, a minimum of three duplex wall receptacles shall be installed, each on separate walls. In bathrooms, one wall-mounted receptacle shall be installed adjacent to sink on G.F.C.I. Receptacle outlets shall not be installed within five feet of a shower or bathtub space. In kitchens, a minimum of three wall receptacles shall be installed, two receptacles to be accessible at all times. Any receptacles installed within six feet of a sink shall be G.F.C.I. protected unless a dedicated circuit (i.e. refrigerator stove). One receptacle shall be installed within six feet of laundry tubs. Receptacles and outlets installed in basements, garages, open porches, breezeways, or other locations used by persons standing on the ground or on grounding conductive material shall be installed on a grounded system and shall be G.F.C.I. protected. No receptacle, unless in an approved box, shall be installed in the floor.

o. Section 605.2.2 shall be added to read as follows: Section 605.2.2 *Receptacle outlets in dwellings:* Receptacle outlets are required in the following locations:

i. Laundry areas shall have a grounded receptacle within six feet of the laundry tub. Receptacles mounted on the ceiling do not fulfill this requirement.

ii. Bathroom receptacles shall be installed adjacent to the sink. Receptacle outlet shall not be installed within, or adjacent to, tub or shower perimeter.

iii. Kitchens: a minimum of three duplex wall receptacles with two accessible for appliances. All existing receptacles within six feet of sink shall be grounded.

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iv. All receptacle outlets which are added or replaced in bathrooms, kitchens, basements, garages, open porches, breezeways, or other locations used by a person standing on the ground or on grounding conductive materials shall be on a grounded system and shall be C.F.C.I. protected.

v. No receptacle shall be installed in the floor, unless it is in an approved box and cover.

100.18-58. PERMIT FOR ELECTRICAL WORK REQUIRED.

A. *Permit fees.* Permit fees for all electrical work shall be as set forth in Section 100.18-3, Permits and fees.

B. *Double fee penalty.* When a permit is required by this Code and the work is started or proceeded with, prior to obtaining said permit the fees above specified shall be doubled. (Exception: Emergency work requirements will be handled on a case by case basis.)

C. *Low voltage permits.* A permit shall not be required for the installation of telephone system wiring or the installation of low-volt wiring except for fire alarms or temperature control systems involving fan shut down relays, smoke control systems or duct smoke detectors. Installation of wiring in plenums shall be rated for such installation. Installation of junction boxes in fire rated wall, partition or ceiling assemblies shall be approved for such installation and comply with the 2003 National Electrical Code.

D. *Stop work order notice.* Upon notice from the building inspector that work on any building or structure is being procured contrary to the provisions on this code or in an unsafe or dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given owner or the property involved, the owners agent, or to the person doing the work.

E. *Means of appeal.* The owner of a building or structure, or any other person may appeal to the board of appeals a decision of the building inspector refusing to grant a modification of the provisions of this code. Application for appeal may be made when it is claimed that the true intent of the Code or the rules legally adopted thereunder have been incorrectly interpreted, that the provisions of this Code do not

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bully apply or that any equally good or better form of construction can be used. The board of appeals shall be the mechanical board as forth Section 100.18-297, Amendments. Section M-121.s of the Winnebago County Code (and in the amendments thereto) and the appeal process and its rules and procedures shall be as set forth more fully therein. [Reference: M-121.s cited in Sec. 18-58 (e) Winnebago County Code, Chapter 18 - Buildings and Building Regulations, Article III, Electrical Code.]

F. *Notice of approval.* After the prescribed tests and final inspection indicate the work complies in all respects with this code, a notice of approval shall be issued by the building inspector.

100.18-59. - 100.18-80. - Reserved.

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ARTICLE IV. HOUSING CODE

- DIVISION 1 GENERALLY
 - DIVISION 2 BOARD OF APPEALS
 - DIVISION 3 MINIMUM STANDARDS
 - DIVISION 4 GENERAL SANITATION AND SAFETY REQUIREMENTS
 - DIVISION 5 SPACE, USE AND LOCATION REQUIREMENTS
 - DIVISION 6 OWNER AND OCCUPANT RESPONSIBILITIES
 - DIVISION 7 ROOMING HOUSES
 - DIVISION 8 TEMPORARY HOUSING AND COMMERCIAL UNITS
 - DIVISION 9 SUBSTANDARD HOUSING
 - DIVISION 10 RESERVED
 - DIVISION 11 RESERVED
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100.18-81. GENERAL - DEFINITIONS.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Acceptable indoor air quality means indoor air in which there are no known contaminants which are in concentration in excess of those which have been established by the director of health.

Accessory building or structure means a detached building or structure in a secondary or subordinate capacity from the main or principal building or structure on the same premises.

Approved means approved by the local or state authority having such administrative authority.

Asbestos means any one of the following natural mineral fibers: chrysotile which is commonly called white asbestos; actinolite; amosite, which is commonly called brown asbestos; anthophyllite; crocidolite, which is commonly called blue asbestos; and tremolite.

Ash means the residue from the burning of combustible materials.

Attic means any story situated wholly or partly within the roof and so designed, arranged, or built as to be used for business, storage, or habitation.

Basement means the lowest story of a building below the main floor and wholly or partially below grade.

Building means any structure that is affixed to the land and used for the support, shelter or enclosure of persons, animals or movable property (residential, mercantile and industrial), and other uses.

Bulk container means any metal garbage, rubbish, and/or refuse container which is more than 40 inches in height, has a capacity of two cubic yards or greater, and which is equipped with fittings for hydraulic and/or mechanical emptying, unloading, and/or removal.

Central heating system means a single system supplying heat to one or more dwelling units or more than one rooming unit using pipes, ducts, etc.

Chemical hazard means any chemical compound or other substance used in the construction, repair, maintenance or occupancy of any dwelling, dwelling unit, rooming house, rooming unit or the premises thereof as determined by the director of health, and/or state and federal agencies to be toxic or injurious to humans.

Chimney means a vertical masonry shaft of reinforced concrete or other approved noncombustible, heat-resisting material enclosing one or more flues for the purpose of removing products of combustion from solid, liquid or gaseous fuel.

Compost pile means a properly contained and tended, odor free mixture of organic material which, after decomposition, becomes a soil conditioner.

Dilapidated means no longer adequate for the purpose or use for which it was originally intended.

Director of health means the official designated by the village board of health to administer the programs for the promotion of health and the prevention of disease, disability, and injury and to enforce the provisions of the public health code and/or similar regulations and legislation.

Dormitory means a building or a group of rooms in a building used for institutional living and sleeping purposes by four or more persons.

Downspout means a conduit used to carry water from a gutter or eaves trough.

Dwelling means any enclosed space wholly or partly used or

intended to be used for living, sleeping, cooking and eating, provided that temporary housing shall not be classified as a dwelling. Industrialized housing and modular construction which conforms to nationally accepted industry standards and is used or intended for use for living, sleeping, cooking, and eating purposes shall be classified as a dwelling.

Dwelling unit means a room or group of rooms arranged for use of one or more individuals living together as a single household which share living, sleeping, cooking, and eating facilities.

Egress means an arrangement of exit facilities to ensure a safe means of exit from buildings.

Extermination means the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping, or by any other recognized and legal pest elimination method approved by the local or state authority having such administrative authority.

Fence means an independent object that forms a barrier at grade.

Flush water closet means a toilet bowl that is flushed with water which has been supplied under pressure and equipped with a water sealed trap above the floor level.

Garbage means the animal and vegetable waste resulting from the handling, preparing, cooking, serving, or consuming of food.

Grade means the average finished ground level adjoining a building at all exterior wall.

Guest means an individual who shares a dwelling unit in a nonpermanent status for not more than 30 consecutive days.

Gutter means a trough under an eave to carry off rainwater from the roof.

Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, furnace rooms, pantries, kitchenettes, utility rooms of less than 50 square feet of floor space, foyers or connecting corridors, stairways, closets, storage spaces, workshops, and hobby and recreation areas.

Hazardous waste means any substance for which the owner/generator has no further use, which by its nature and/or quantity may be potentially detrimental to human health and/or the environment and that requires special disposal as defined by state and federal agencies.

Health officer means any authorized employee, agent or representative of the county department of public health.

Heated water means water heated to a temperature of not less than 110 degrees Fahrenheit at the outlet, and no more than 120 degrees Fahrenheit at the outlet.

Heating device means a furnace, unit heater, domestic incinerator, cooking and/or heating stove and range, kerosene heater, gas heater, fireplace, and other similar devices.

Hotel means a building or a part thereof designed or used primarily for lodging by guests and that provides maid services, linen service, desk service, and other similar services.

Household means one or more individuals living together in single dwelling unit and sharing common living, sleeping, cooking and eating facilities.

Infestation means the presence within or around a dwelling of any insects, rodents, or other vermin.

Inoperable motor vehicle means any motor vehicle or substantial element which is an actual or potential safety hazard, blight on the neighborhood or which may be an actual or potential rodent harborage.

Insect means any specie of classes of Arachnida and Insecta (Hexapoda) of the phylum Arthropoda and includes all flies, mosquitoes, bedbugs, crickets, cockroaches, moths, bees, wasps, hornets, yellow jackets, fleas, lice, beetles, weevils, gnats, ants, termites, mites, ticks, spiders, scorpions, and other similar species.

Kitchen means any room used for the storage and preparation of foods and containing the following equipment: sink and/or other device for dishwashing, stove or other device for cooking; refrigerator or other device for cold storage of food; cabinets and/or shelves for storage of equipment and utensils; and a counter or table for food preparation.

Kitchenette means a small kitchen or an alcove containing

cooking facilities.

Lead based paint means any paint containing more lead than the level established by the U.S. Consumer Safety Commission as being the safe level of lead in residential paint and paint products.

Let means to lease or grant the use and possession of real property, whether or not for compensation.

Meaning of certain words. Whenever the words "dwelling," "dwelling unit," "rooming units," "premises," or "structure" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

Mobile home means a factory-assembled structure equipped with the necessary service connections that is readily movable as a unit and designed to be used as a dwelling without a permanent foundation.

Multiple dwelling means any dwelling containing more than one dwelling unit.

Nuisance means the following:

1. Any public nuisance known as common law or in equity jurisprudence; and

2. Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. This includes any abandoned wells, cisterns, shafts, basements, or excavations; abandoned refrigerators and motor vehicles; or any structurally unsound fences or structures; or any lumber, trash, fence debris, or vegetation which may prove a hazard for inquisitive minor children.

Occupant means any individual, living, over one year of age, sleeping, cooking, or eating in or having possession of a dwelling, a dwelling unit, or a rooming unit.

Operator means any person who has charge, care, control, or management of a building, or part thereof, in which dwelling units or rooming units are let.

Owner means any person who alone, jointly, or severally with others:

1. Has legal title to any premises, dwelling,

dwelling unit, rooming house, or rooming unit, with or without accompanying actual possession thereof;

2. Has charge, care, or control of any premises, dwelling, dwelling unit, rooming house, or rooming unit, as owner, agent of the owner, or other person;

3. Is executor, administrator, trustee, or guardian of the estate of the owner;

4. Is a mortgagee in possession; or

5. Is the senior officer or trustee of the association of unit owners of a condominium.

Permissible occupancy means the maximum number of individuals allowed to reside in a dwelling unit, rooming unit, or dormitory.

Person means and includes any individual, firm, corporation, and its officers, association, partnership, cooperative, trustee, executor of an estate, or governmental agency, or any other legal entity recognized by law.

Plumbing means and includes all the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar supplied fixtures, and the installation thereof, together with all connections to water, sewer, or gas lines.

Potable water means water that complies with all applicable requirements of the United States Environmental Protection Agency.

Premises mean a platted or unplatted lot, parcel, or plot of land, including the building or structures thereon.

Privacy means the existence of conditions which will permit an individual to carry out any activity without interruption or interference, either by sight or sound, or by unwanted individuals.

Properly connected means connected and/or installed in accordance with all applicable codes and ordinances of the Village or other appropriate authority; provided, however, that the application of this definition shall not require the alteration or replacement of any connection in good working order

and not constituting a hazard to life or health.

Radon means a colorless, odorless, radioactive, chemically-unreactive gas which is formed directly from the naturally occurring decay of radium. It can be found in varying concentrations in rocks and soils.

Refuse means all putrescible and nonputrescible solids, except body wastes, including garbage, rubbish, ashes, and dead animals.

Refuse container means a watertight container that is constructed of metal or other durable material impervious to rodents and is capable of being serviced without creating unsanitary conditions, or other containers that have been approved by the health officer. All openings into the container, including covers and doors, shall be tightfitting.

Riser means the vertical surface that connects one tread of a step or stair to the next.

Rodent means any species of the order Rodentia, including field and wood mice, wood rats, squirrels, woodchucks, gophers, Norway rats (*Rattus norvegicus*), roof rats (*Rattus rattus*), and house mice (*Mus musculus*).

Rodent harborage means any conditions or place where rodents can live, nest, or seek shelter.

Rodent proofing means a form of construction that will prevent the ingress or egress of rodents to or from a given space or building, or from gaining access to food, water, or harborage. It consists of the closing and keeping closed every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, roofs, sidewalk gratings, sidewalk openings, and other places that may be reached and entered by rodents by climbing, burrowing, or other methods, by use of materials impervious to rodent gnawing and other methods approved by the health officer.

Rooming house means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for dining or cooking.

Rooming unit means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking purposes. Specifically excluded from this definition is any room or group of rooms that is used for custodial care of persons and hotel and motel rooms.

Rubbish means nonputrescible solid wastes, excluding ashes, consisting of either:

1. Combustible wastes including paper, cardboard, plastic containers, vehicle tires, yard clippings, wood, or brush, and similar materials; or
2. Noncombustible wastes including tin cans, glass and crockery, and similar materials.

Safety means the condition of being reasonably free from danger and hazards which may cause accidents or disease.

Smoke detector means a device that can detect the presence of products of combustion when present in minute concentrations in the air. Smoke detectors shall be listed for use as household warning equipment by a nationally recognized testing laboratory.

Space heater means a self-contained heating device of either the convection type or the radiant type and intended primarily to heat only a limited space or area such as one room or two adjoining rooms.

Supplied means paid for, furnished by, provided by, or under the control of the owner, operator, or agent.

Temporary housing unit means any tent, trailer, mobile home, or any other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utility system on the same premises for more than 30 consecutive days, or any other structure used in emergency housing situations.

Toxic substance means any chemical product capable of acting as a local or systemic irritant, poison, mutagen, carcinogen, and/or teratogen that constitutes a potential hazard to human health at acute or chronic exposure levels.

Tread means the horizontal surface of a step or stair.

Undefined words. Words not specifically defined in this section shall have the common definition set forth in Webster's New Collegiate Dictionary, 11th edition.

Variance means a difference between that which is required or specified and that which is allowed.

Vermin means a rat, mouse, cockroach, bedbug, or any other biological entity that is determined by the director of health to

be harmful to life, limb, property, health, safety, or welfare of the public.

100.18-82. - 100.18-90. RESERVED

DIVISION 2. BOARD OF APPEALS

100.18-91. RESERVED

100.18-92. TERMS OF OFFICE MEMBERS.

The members of the initial board of appeals shall serve for the following terms, or until their respective successors are appointed and qualified:

1. Two members for terms of one year.
2. Two members for terms of two years.
3. Three members for terms of three years.

Therefore, as the terms of the initial board members shall expire, each new appointment shall be for a term of three years.

100.18-93. -100.18-110. RESERVED

DIVISION 3 MINIMUM STANDARDS

100.18-111. RESERVED

100.18-112. BASIC EQUIPMENT AND FACILITIES.

A. *Kitchen.* Every dwelling unit shall have a room or portion of a room in which food may be prepared and/or cooked, which shall have an adequate circulation area and which shall be equipped with the following:

1. *Kitchen sink.* A kitchen sink in good working condition shall be provided, easily cleanable and properly connected to a potable water supply system which is approved by the appropriate authority and which provides at all times an adequate amount of heated and unheated running water, under pressure, and which is connected to a sewer system approved by the health officer.

2. *Cabinets and/or shelves.* Cabinets and/or shelves shall be provided for the storage of eating, drinking, and cooking equipment and utensils and of food that, under ordinary summer conditions, does not require refrigeration for safekeeping, and a counter or table for food preparation. All cabinets and/or shelves and counters or tables shall be of sound construction, furnished with surfaces that are easily cleanable and that will not impart any toxic or harmful effect to food.

3. *Stove and refrigerator.* A stove, for cooking food and a refrigerator (refrigerator freezer) shall be provided. Such refrigerator shall be capable of maintaining the safe storage of food at temperatures less than 45 degrees Fahrenheit but more than 32 degrees Fahrenheit under ordinary summer conditions. Such stove, refrigerator and/or refrigerator-freezer shall be properly installed with all necessary connections for safe, sanitary, and efficient operation, and shall be maintained in good working condition. The stove, refrigerator, and/or refrigerator-freezer need not be installed while a dwelling unit is not occupied and when the occupant is expected to provide such appliances upon occupancy, and when sufficient space and adequate connections for the safe and efficient installation and operation of the stove, refrigerator and/or refrigerator-freezer are provided.

B. *Toilets.* Within every dwelling unit there shall be a non-habitable room which affords privacy to a person within the room and which is equipped with a flush water closet in good working

condition. The flush water closet shall be equipped with easily cleanable surfaces, be properly connected to a water system that at all times provides an adequate amount of running water under pressure to cause the water closet to be operated properly, and be properly connected to a sewer system which is approved by the health officer.

C. *Sinks.* Within every dwelling unit there shall be a lavatory sink. The lavatory sink may be in the same room as the flush water closet or, if located in another room, the lavatory sink shall be located in close proximity to the door leading directly into the room in which the water closet is located. The lavatory sink shall be in good working condition and properly connected to a water supply system which is approved by the appropriate authority, which provides at all times an adequate amount of heated and unheated running water, under pressure, and which is properly connected to a sewer system approved by the appropriate authority. Water inlets for lavatory sinks shall be located above the overflow rim of these facilities.

D. *Bathtubs and showers.* Within every dwelling unit, there shall be a room which affords privacy to a person within the room which is equipped with a bathtub or shower in good working condition. The bathtub or shower may be in the same room as the flush water closet or in another room and shall be properly connected to a water supply system which is approved by the appropriate authority, which provides at all times an adequate amount of heated and unheated water, under pressure, and which is connected to a sewer system approved by the appropriate authority. Water inlets for bathtubs shall be located above the overflow rim of these facilities. Every room containing a flush water closet, a bathtub, and/or a shower shall have walls covered by a smooth, easily cleanable, nontoxic, noncorrosive, nonabsorbent and waterproof material up to a height of at least 48 inches except the walls of a built-in shower or shower stall shall have such walls to a height of at least 72 inches. Such walls shall form a watertight joint with each other and with the bathtub, shower, or the floor.

E. *Means of egress.* Every dwelling unit shall have at least two means of egress leading to safe and open space at ground level. Every dwelling unit in a multiple dwelling shall have immediate access to two or more approved means of egress leading to safe and open space at ground level or as required by the laws of this state and the county department of public health, unless submission of a written report from appropriate building and/or fire department states that the existing egress is in compliance with applicable local codes. Bedrooms located below the fourth floor shall be provided with an exterior door or window of such dimensions as to be used as a means of emergency egress. Access to or egress from each

dwelling unit shall be provided without passing through any other dwelling unit.

F. *Stairs, porches and handrails.* Structurally sound handrails shall be provided on all inside and outside stairs containing four or more risers. If steps are not enclosed, a handrail and balusters spaced no greater than 3 inches apart shall be provided. Porches, patios and/or balconies located more than three feet above the adjacent area shall have structurally sound protective handrails at least 36 inches high, and if unenclosed, balusters spaced no more than 3 inches apart shall be provided. Alternate systems providing at least the same degree of protection shall be accepted. The treads of every flight of stairs must be uniform in height.

G. *Safe storage of drugs and toxic household chemicals.* Each dwelling unit shall have facilities for the safe storage of drugs and toxic household chemicals that are not readily accessible to children.

H. *Locking devices.* No person shall occupy a dwelling unit unless all exterior doors are equipped with functioning locking devices. Slide bolt and double key locks shall not be installed in common area doors and multiple dwelling units.

I. *Locking windows.* All exterior windows that are capable of being opened and all other potential means of egress shall be equipped with functional hardware for locking.

100.18-113. - 100.18-125. RESERVED

DIVISION 4 GENERAL SANITATION AND SAFETY REQUIREMENTS

100.18-126. - 100.18-130. RESERVED

100.18-131. KITCHENS, BATH AND WATER CLOSET FLOOR

Every kitchen, water closet compartment and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

100.18-133. DISCONTINUANCE OF SERVICE.

No owner, operator, or occupant, or other responsible person shall cause any service, facility, equipment, or utility which is required under this division to be removed, shut off, or discontinued from any occupied dwelling, except for such

temporary interruptions as may be necessary while actual repairs or alterations are in progress or during temporary emergencies where discontinuance of service is approved by the health officer. This section shall not be interpreted as preventing a utility company from discontinuing services for reasons allowed by law.

100.18-135. CONSTRUCTION; MATERIALS; MEANS OF EGRESS; INSTALLATION AND USE OF EQUIPMENT

All construction and materials, ways and means of egress, and installation and use of equipment shall conform with the appropriate statutes and ordinances of the Village and the state.

100.18-136. RESERVED

100.18-137. LEAD PAINT-APPLICATION AND OCCUPANCY

1. No owner or occupant shall apply paint containing in excess of 0.5 percent lead content by weight of the contained solids to any surface of a housing unit or accessory structure.

2. No person shall occupy or use any structure as a dwelling unit, school, nursery, daycare center, or clinic which contains lead paint bearing surfaces in excess of one milligram per square centimeter of paint surface, as measured by an in site analyzer device, excluding the following surfaces, providing the lead paint tightly adheres to the surface:

- a. Walls in good conditions without broken areas;
- b. Baseboards;
- c. Skirt boards on staircases;
- d. Step risers; and
- e. Any surface below the four-foot level not presenting a chewable surface.

100.18-138. SAME - REMOVAL.

1. The following surfaces with paint containing lead in excess of one milligram per square centimeter shall require removal as follows:

- a. Windowsills, complete removal;
- b. Windows in frames below the four-foot level, complete removal on exposed surfaces;
- c. Doors below the four-foot level, removal four inches back on the hinge and latch edges and other sharp edges;
- d. Door frames below the four-foot level, complete removal;
- e. Handrails, complete removal;
- f. Spindles (balusters), removal on surfaces adjacent to walking areas;
- g. Stair treads, removal four inches back from the lip on top of the tread and from the lip to the risers on the bottom side; and
- h. Any other surface presenting a chewable surface below the four-foot level, complete removal.

2. Other areas containing loose lead paint including cracked, chipped, blistered, peeling, or flaking paint shall be removed to the base surface whenever found. In lieu of removal of lead paint, surfaces may be covered with plasterboard, wallboard, wood paneling, or similar durable materials to a height of four feet above the floor, provided, in the opinion of the health officer, it satisfactorily eliminates the lead hazard to children.

100.18-139. - 100.18-155. RESERVED

100.18-156. - 100.18-160. RESERVED

100.18-161. SPACE, USE AND LOCATION REQUIREMENTS

No cellar space shall be used as a habitable room or dwelling unit.

100.18-162. - 100.18-175. RESERVED

DIVISION 6 OWNER AND OCCUPANT RESPONSIBILITIES

100.18-176. GENERALLY

No owner or other responsible person shall occupy or allow occupancy by any other person, any dwelling or dwelling unit unless it and the premises are clean, sanitary, and fit for human occupancy, and comply with all applicable legal requirements of the state and the county department of public health.

100.18-177. RESPONSIBILITY FOR SHARED AND PUBLIC AREAS.

Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.

100.18-178. STORAGE AND DISPOSAL OF GARBAGE

Every occupant of a dwelling or dwelling unit shall store and dispose of all garbage and other organic waste that might provide food or harborage for insects and/or rodents in a clean, sanitary, and safe manner.

1. All garbage cans and rubbish containers shall have a liquid capacity not greater than 33 gallons; be rodent proof, insect proof, watertight, structurally sound to withstand handling stress, easily filled, emptied and cleaned; shall be provided with tightfitting covers or similar closures; and shall be maintained at all times in a clean and sanitary condition. Plastic bags shall be used as garbage and rubbish container liners, but such bags shall not be used without the container for onsite storage of garbage and rubbish.

2. The occupant shall be responsible for the cleanliness of garbage cans and rubbish containers.

3. Bulk storage containers which are used for the storage of garbage, organic waste, and/or rubbish shall be placed on a cleanable surface that is constructed to minimize spillage onto the adjacent area. All bulk storage containers shall be equipped with watertight and insect proof covers and shall be kept closed except when filling or emptying. Bulk storage containers with a volume of two cubic yards or more shall be designed and positioned so as to prevent tipping when a vertical force of 200 pounds is applied to any part of the lip of the container or when a horizontal force of 70 pounds is applied to any part of the

container. The owners of dwelling units shall be responsible for the regular and thorough cleaning of all bulk storage containers and adjacent areas.

4. Garbage cans and bulk storage containers shall be located on the premises so as to create the least nuisance and be as inconspicuous as possible, consistent with their use.

100.18-179. CAPACITY.

The total capacity of all provided garbage cans, rubbish cans, and/or bulk storage containers shall be sufficient to meet the needs of all of the occupants of the dwelling or dwelling units and from one scheduled collection time until the next scheduled collection time.

100.18-179. OWNER'S RESPONSIBILITY IN MULTIPLE DWELLING BUILDINGS

Every owner of a dwelling containing three or more dwelling units shall supply facilities for the sanitary and safe storage of all garbage and rubbish and shall be responsible for the ultimate sanitary and safe disposal of such garbage and refuse. Every occupant of a dwelling containing one or two dwelling units shall supply facilities for the safe and sanitary storage of all garbage and rubbish and shall be responsible for the ultimate sanitary and safe disposal to an approved facility.

100.18-181. SCREENS, SCREEN DOORS AND STORM WINDOWS

The owner of a dwelling or dwelling unit shall be responsible for providing and hanging, in the appropriate season, all screens, screen doors and storm windows, unless there is a written agreement between the owner and occupant giving the responsibility to the occupant. In the absence of such an agreement, maintenance or replacement of screens, screen doors, and storm windows, once installed in any one season is the responsibility of the occupant. The occupant's responsibility shall be exclusive to his dwelling unit. Alternate methods of weatherproofing for energy conservation may be approved by the health officer.

100.18-182. - 100.18-184. RESERVED

100.18-185. FIXTURES AND FACILITIES TO BE CLEAN AND SANITARY

Every occupant of a dwelling or dwelling unit shall keep all supplied fixtures and facilities therein clean and sanitary, and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

100.18-186. STORAGE OF MATERIAL THAT MAY SERVE AS FOOD FOR PESTS AND RODENTS.

No owner or occupant of a dwelling or dwelling unit shall store, place, or allow to accumulate any materials that may serve as food for insects, rodents and/or other vermin in a site accessible to them.

100.18-187. RUBBISH ACCUMULATION.

No owner or occupant of a dwelling or dwelling unit shall accumulate rubbish, boxes, lumber, scrap metal, or any other materials so that rodent harborages exist in or about any dwelling or dwelling unit. Stored useable materials shall be stacked neatly in piles elevated at least 18 inches above the ground or floor. No stacking or piling of materials shall take place against or within 12 inches of the exterior walls of any structure.

100.18-188. CHEMICAL HAZARDS

a. Every owner of a dwelling or dwelling unit shall ensure that such dwelling or dwelling units are free from chemical hazards as shall be identified by the director of health. Such identification shall include maximum allowable concentrations which are deemed to be nonhazardous to health. Chemical hazards shall include, but not be limited to, lead-based paint on surfaces accessible to children, friable asbestos, hazardous wood preserving compounds, formaldehyde, etc.

b. Every owner of a dwelling unit in which an identified chemical hazard exists shall be responsible for the prompt, safe removal and proper disposal of the chemical or shall take other remedial measures as may be recommended by the health officer.

c. Every occupant of a dwelling or dwelling unit shall ensure that any chemical substance introduced by them into, or used by them within, a dwelling, dwelling unit, or on the premises of a dwelling shall be applied, maintained, and/or used so as not to create a health hazard to the other occupants and/or their guests.

d. Removing and disposing of all asbestos material by any means shall have the prior written approval of the director of health and shall comply with all appropriate state and federal requirements.

100.18-189. OCCUPANT TO REMOVE WASTE UPON VACATING PREMISES.

No occupant shall vacate any dwelling or dwelling unit without causing to be removed therefrom and properly disposing of all garbage, rubbish, and other waste material whether solid or liquid.

100.18-190. OWNER'S DUTY TO MAINTAIN PREMISES.

Every owner of a premises which does or does not include a building thereon shall maintain the premises in a safe and sanitary condition and shall remove regularly therefrom and properly dispose of all garbage and rubbish.

100.18-191. RADON LEVELS.

When Radon levels exceed recommended United States Environmental Protection Agency standards, it is the owner's responsibility to eliminate the hazard.

100.18-192. GAS AND ELECTRICITY.

Every owner of a dwelling unit and/or rooming unit shall supply the electricity and gas used in each dwelling unit or rooming unit unless such electricity or gas is metered through a meter that serves only a single dwelling unit or rooming unit and provided that the rental agreement stipulates in writing that the payment for such electricity and/or gas is the responsibility of the occupant. The owner shall install and maintain all piping and wiring so that such gas and electricity may be used safely by the occupant.

100.18-193. ASBESTOS.

a. Every owner of a dwelling, dwelling unit, rooming house, or rooming unit shall maintain in good repair all asbestos material on the premises. All asbestos containing material shall be maintained free from any defects such as holes, cracks, tears, and/or looseness that may allow the release of asbestos fibers into the environment.

b. Every owner of a dwelling, dwelling unit, rooming house, or rooming unit shall correct any noncompliance with subsection (A) of this section by one of the following methods:

1. Application of paint, patching compound, or any other product intended by the manufacturer for the repair or containment of asbestos material; provided the material shall be mixed and/or applied according to the manufacturer's instructions and specifications.

2. Enclosing the asbestos material to prevent the release of any powdered, crumbled, or pulverized asbestos material into the environment. Any panel, board, door, or plate that may be opened easily or removed without the use of tools, including a drop ceiling with removable panels or that may be opened or removed in the course of routine maintenance of the dwelling, dwelling unit, rooming house, or rooming unit, or of any fixture of equipment therein, shall not be considered an acceptable enclosure.

3. Removing and disposing of all asbestos material by any means shall have the prior written approval of the director of health and shall comply with all appropriate state and federal requirements.

100.18-194. - 100.18-200. RESERVED

DIVISION 7 ROOMING HOUSES

100.18-201. GENERALLY

No person shall operate a rooming house or shall occupy or let to another for occupancy any rooming unit in any rooming house that is not in compliance with the appropriate provisions of every section of this division. No owner or other person shall occupy or let to another person any rooming unit unless it is clean and sanitary, and complies with all applicable requirements of the county department of public health.

100.18-202. APPLICATION OF PROVISIONS TO HOTELS AND MOTELS.

Every provision of this division which applies to rooming houses shall also apply to hotels and motels, except to the extent that any such provision may be found in conflict with the laws of the state or with the regulations of any state board or agency.

100.18.202. PERMIT FEE; DISPLAY; TRANSFERABILITY; EXPIRATION.

No person shall operate a rooming house unless he holds a valid rooming house license issued by the health department in the name of the operator and for the specific rooming house or rooming unit. The owner shall apply for a license to the board of health upon compliance by the owner/operator with the applicable provisions of this division and any rules and regulations adopted pursuant thereto. This permit shall be displayed in a conspicuous place within the rooming house at all times. No permit shall be transferable. Every person holding such a license shall give

notice in writing to the county department of public health within 24 hours after having sold transferred, given away, or otherwise disposed of ownership or control of such rooming house. Every rooming house permit shall expire November 30 of each year, unless previously suspended or revoked. The fee schedule is as follows:

Number of rooms	Fee schedule
3 to 9	40.00
10 to 30	110.00
31 to 99	300.00
100+	525.00

Fees for late payment of permit renewals are as follows:

Numbers of Rooms	15 Days Past Due	45 Days Past Due
3 to 9	5.00	10.00
10 to 30	10.00	20.00
31 to 99	50.00	100.00
100+	50.00	100.00

100.18-204. PLUMBING FACILITIES.

At least one flush water closet, lavatory, basin, and bathtub or shower, properly connected to a water and sewer system approved by the health officer and in good working condition, shall be supplied for each eight persons residing within a rooming house, including members of the operator's household whenever they share the use of the facility, provided:

1. In a rooming house where rooms are let only to males, flush urinals may be substituted for not more than one-half the required number of water closets and provided that there shall be at least one water closet.
2. That all such facilities shall be reasonably accessible from a common hall or passageway to all persons sharing them. Also, such facilities shall not be located more than one floor above or below the rooming units served.
3. That every lavatory basin and bathtub or shower stall shall be supplied at all times with an adequate quantity of heated and unheated water, under pressure.
4. That, if the rooming house has only one bathroom for use by the occupants of the rooming unit, the bathrooms shall not be located below grade, unless the rooming units are located on that level.

100.18-205. COOKING FACILITIES; LOCKS; SMOKE DETECTORS.

The following provisions shall apply in all rooming houses:

1. Cooking in rooming units is prohibited.
2. Communal cooking and dining facilities in a rooming house are prohibited, except as approved by the county department of public health in writing.
3. All food service and dining facilities provided in a rooming house for the occupants of the rooming house shall comply with applicable food service legislation.
4. Access doors to rooming units shall have operating locks to ensure privacy.
5. Every rooming unit shall have at least one functioning smoke detector located on or near the ceiling in or immediately adjacent to the sleeping spaces. If the rooming house has more than three rooming units, there shall be a smoke detector system installed in the hallways on each floor and in other locations designated by the applicable fire code.

100.18-206. SUPPLIED BEDDING.

The operator of every rooming house shall change supplied bed linen and towels therein at least once a week and prior to the letting of any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.

100.18-207. SLEEPING SPACE.

Every room occupied for sleeping purposes by one person shall contain at least 70 square feet of floor space, and every room occupied for sleeping purposes by more than one person shall contain at least 50 square feet of floor space for each occupant thereof. Further, every rooming unit shall contain at least four square feet of closet space for each occupant with an unobstructed height of at least five feet. If the closet space is lacking, in whole or in part, space of the amount of the deficiency shall be subtracted from the area of the habitable room space when determining occupancy.

100.18-208. MEANS OF EGRESS.

Every rooming house shall have immediate access to two or more approved means of egress, appropriately marked, leading to

safe and open space at ground level or as required by the appropriate statutes, ordinances, and regulations of the village, county, and the state.

100.18-209. ACCESS TO AND EGRESS FROM ROOMING UNITS.

Access to or egress from each rooming unit shall be provided without passing through any other rooming unit.

100.18-210. GENERAL RESPONSIBILITY OF OPERATOR.

The operator of every rooming house or rooming unit shall be responsible for the clean and sanitary maintenance of the common areas of a rooming house or the common areas of a dwelling in which the rooming unit is located.

100.18-211. - 100.18-220. RESERVED

DIVISION 8 TEMPORARY HOUSING AND COMMERCIAL UNITS

100.18-221. TEMPORARY HOUSING UNITS.

All temporary housing units shall have:

1. Sanitary water supply free from harmful chemical or bacteria contamination;
2. Safe and sanitary disposal of sewage;
3. Disposal of all rubbish and garbage;
4. No less than 60 square feet shall be allowed for each bed or cot (40 square feet in an emergency); the distance between the head of sleeping individuals shall be no less than six feet;
5. Adequate ventilation shall be obtainable; and
6. No temporary housing unit shall be kept in such an unsanitary or hazardous manner as to create a nuisance or be detrimental to public health.

100.18-222. COMMERCIAL UNITS.

No commercial unit shall be kept in such an unsanitary or hazardous manner as to create a nuisance or be detrimental to public health.

100.18-223. - 100.18-235. RESERVED.

DIVISION 9 SUBSTANDARD HOUSING

100.18-236. PREMISES CONSTITUTING.

Any housing unit in which there exist any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be substandard:

1. *Inadequate sanitation.* Inadequate sanitation shall include, but not be limited to, the following:
 - a. Lack of or improper water closet, lavatory, bathtub, or shower in a dwelling unit;
 - b. Lack of or improper water closet, lavatory, bathtub, or shower per number of guests in a hotel;
 - c. Lack of, or improper, kitchen sink;
 - d. Lack of hot and cold running water to plumbing fixtures in a dwelling unit or hotel;
 - e. Lack of adequate heating facilities;
 - f. Lack of or improper operation of required ventilation equipment;
 - g. Lack of minimum amounts of natural light and ventilation required by this article;
 - h. Room and space dimensions less than required by this article;
 - i. Lack of required electrical lighting;
 - j. Dampness of habitable rooms, i.e. presence of mold and mildew;
 - k. Infestation of insects, rodents and/or other vermin, as determined by the health officer;
 - l. General dilapidation or improper maintenance;
and
 - m. Lack of adequate garbage and rubbish storage and removal facilities as determined by the health officer.

2. *Structural hazards.* Structural hazards shall include, but not be limited to, the following:

- a. Deteriorated or inadequate foundations;
- b. Defective or deteriorated flooring or floor supports;
- c. Flooring or floor supports of insufficient size to carry imposed loads with safety;
- d. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration;
- e. Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety;
- f. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration;
- g. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety;
- h. Fireplace or chimneys which list, bulge, or settle due to defective materials or deterioration;
- i. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety; and
- j. Asbestos containing material which has holes, cracks, tears and/or looseness that may allow the release of asbestos fibers into the environment.

3. *Nuisance.* A nuisance shall be any nuisance as defined in section 100.401

4. *Hazardous wiring.* All hazardous wiring. Wiring which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner shall be exempt.

5. *Hazardous plumbing.* All hazardous plumbing. Plumbing which conformed with all applicable laws in effect

at the time of installation and which has been maintained in good condition and which is free of cross connection and siphonage between fixtures, shall be exempt.

6. *Hazardous mechanical equipment.* All hazardous mechanical equipment, including vents. Equipment which conformed with all applicable laws in effect at the time of installation and which has been maintained in good and safe condition, shall be exempt.

7. *Faulty weather protection.* Faulty weather protection shall include, but not be limited to the following:

a. Deteriorated, crumbling, or loose plaster;

b. Deteriorated or ineffective weatherproofing of exterior walls, roof, foundations, or floors, including broken windows or doors;

c. Defective or lack of weather protection for exterior walls, including lack of paint, or other approved protective covering; and

d. Broken, rooted, split, or buckled exterior walls or roof coverings.

8. *Fire hazard.* A fire hazard is any dwelling, device, apparatus, equipment, combustible waste, or vegetation which, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of a fire or explosion.

9. *Faulty construction materials.* Faulty construction materials shall be all construction materials which are faulty, except those which are specifically allowed or approved by the applicable authority and which have been adequately maintained in good and safe condition.

10. *Hazardous or unsanitary premises.* Hazardous or unsanitary premises are those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborages, stagnant water, combustible materials, or similar materials exists, or other conditions constituting fire, health, or safety hazards exist.

11. *Inadequate exits.* Inadequate exits refer to all

buildings or portions thereof not provided with adequate exit facilities as required by this article. When an unsafe condition exists through lack of or improper location of exits, additional exits may be required to be installed.

12. *Inadequate fire protection for firefighting equipment.* All dwellings which are not provided with fire resistive construction or fire extinguishing systems or equipment required by this article or state statutes.

13. *Improper occupancy.* All dwellings occupied for living, sleeping, cooking, or dining purposes which were not designed or intended to be used for such occupancies.

100.18-237. - 100.18-250. **RESERVED.**

DIVISION 10 RESERVED

100.18-251. - 100.18-270. **RESERVED.**

DIVISION 11 RESERVED

100.18-271. - 100.18-295. **RESERVED.**

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ARTICLE V. MECHANICAL CODE

100.18-296. ADOPTED.

100.18-297. AMENDMENTS.

100.298 - 100.320. RESERVED.

100.18-296. ADOPTED.

The "**ICC International Mechanical Code 2003**" is hereby adopted by reference thereto as though set forth fully in this section and the whole thereof, save and except those portions as are deleted, modified, or amended in 100.18-297, three copies of which have been filed in the office of the Village Clerk for use and examination by the public for at least 30 days prior to the adoption thereof.

100.18-297. AMENDMENTS.

The ICC International Mechanical Code 2003 adopted by 100.18-297, is hereby amended as follows:

(1) *Section 101.1. Title.* These regulations shall be known as the Mechanical Code of the Village of Machesney Park, Illinois, hereinafter referred to as the mechanical code of "This Code."

(2) *Section 103.1 General,* shall be amended to read: *Section 103.1. General.* The Department of Mechanical Inspection is hereby created and the executive officer in charge thereof shall be the Building Official of Winnebago County.

(3) *Section 106.1.1* is added as follows: *Section 106.1.1 Permits required.* Mechanical work shall not be commenced until a permit for such work has been issued by the code official. A Mechanical permit shall not be transferrable. All work shall be performed and completed by the permit holder.

(4) *Section 106.5.2, Fee schedule,* shall be amended to read: *Section 106.5.2, Fee Schedule.* The fees for mechanical work shall be adopted by the Village of Machesney Park Code 100.18-32 Amendments (3) Section 108.2.

(5) *Section 106.5.3, Fee refunds,* shall be amended to read: *Section 106.5.3, Fee refunds.* The code official shall authorize fee refunds as established in 100.18-32 Amendments (5) section 108.6 refunds.

(6) *Section 108.4, Violation penalties*, shall be amended to read as follows: *Section 108.4. Violation penalties*. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be punished by a fine of not more than \$750.00 (seven hundred and fifty dollars). Each day that a violation exists shall be deemed a separate offense.

(7) *Section 108.5*, is amended to read: *Section 108.5, Stop work orders*. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be punished by a fine of not more than \$1,000.00 (one thousand dollars).

(8) *Section 303.1.1* is added to read: *Section 303.1.1 Modular Homes*. All installations an equipment shall comply with all requirements and conform with all codes adopted by the Village of Machesney Park.

(9) *Section 304.1.1* is added to read: *Section 304.1.1 Heating, where required*. Heat shall be supplied to all rooms except unoccupied storage or other unoccupied rooms. Exception: interior half baths or powder rooms.

(10) *Section 304.1.2* is added to read: *Section 304.1.2 Return air*. Return air shall be taken from all rooms including in manufactured/modular homes/ buildings except in unoccupied storage rooms, kitchen and bathrooms. Code air return: cold air return shall be returned by ductwork in manufactured homes.

(11) *Section 304.5.1* is added to read: *Section 304.5.1 Vehicle garages*. Heating and/or ventilation systems of occupiable and/or habitable spaces shall not be connected to the heating and/or ventilation system of a vehicle garage.

(12) *Section 410.10* is added to read: *Section 410.10 Areaway below grade.* Where outside ventilating air intake and exhaust opening are located in any areaway below grade the top or the areaway shall be at least ten feet (10) from the surface or any street or alley or parking lot.

(13) *Section 402.1* is added to read: *Section 402.1 General.* Natural ventilation of an occupied space shall comply with Chapter 12 of the International Building Code. When natural ventilation is used in use groups A, B, E, F, H, I or M openings shall remain open during all occupancies periods that continuous mechanical ventilation is not provided.

(14) *Section 504.6.1* is added to read: *Section 504.6.1 Domestic clothes dryer ducts.* Exception, where manufacturers installation instructions and labeling allow for a length in excess of 25 feet (7620mm).

(15) *Section 603.5* is amended to read as follows: *Section 603.5 Flexible air ducts.* Flexible air ducts, both metallic and nonmetallic, shall be listed and labeled to the requirements of UL 181 for Class 0 or Class 1. Flexible air ducts shall be limited in length to 14 feet (4,267 mm) and shall be limited to the equivalent of no more than one 90 degree turn.

(16) *Section 805.1* is amended to read as follows: *Section 805.1 Listing and clearances.* Factory-built chimneys shall be listed and labeled and shall be installed and terminated in accordance with the manufacturer's instructions. Where upon inspection, listing specification and labeling is not present or visible, combustible materials within 18 inches chimney shall be protected with 5/8" type x gypsum board or equivalent.

(17) *Section 901.5* is added to read as follows: *Section 901.5 Furnace cement or welding.* The use of furnace cement or welding for the repair of furnace heat exchangers is prohibited. Furnace cement may be used for sealing joints where required for cast iron furnaces.

(18) *Section 903.1* is amended to read as follows: *Section 903.1 General and clearances.* Factory-built fireplaces shall be listed and labeled and shall be installed in accordance with the conditions of the listing. Factory-built fireplaces shall be tested in accordance with UL 127. Where, upon inspection, listing specifications and labeling is not present or visible, combustible materials within 36 inches of the fireplace shall be

protected with 5/8" type x gypsum board or equivalent.

(19) *Section 928.0* is added to read as follows: *Section 928.1 General.* Electric duct heaters shall be equipped with an approved automatic reset air outlet temperature-limit control that will limit the outlet air temperature to not more than 200 degrees F. The electric elements or the heater shall be equipped with fusible links or a manual reset temperature-limit control that will prevent air temperature in the immediate vicinity of the heating elements from exceeding 250 degrees F.

(20) *Section 1006.7.7.1* is added to read as follows: *Section 1006.7.7.1 Multiple boiler installation.* Where the operating temperature actuated control may be installed in a header or other point common to all boilers, and can be, isolated from any and all of the boilers, there shall be at least on high-limit-temperature-actuated combustion control mounted on each boiler.

(21) *Section 1006.7.7.2* is added to read as follows: *Section 1006.7.7.2 Low water fuel cut-off.* One a hot water boiler, the low-water cut-off shall be located as high as possible over the top of the boiler to automatically cut-off the fuel supply when the surface if the water falls to the level established.

(22) *Section 1012.0* is added to read as follows: *Section 1012.1 Flow sensing device.* A coil type boiler or a water tube boiler with heat input greater than 400,000 BTU per hr. requiring forced circulation to prevent overheating of the coils or tubes shall have a flow-sensing device installed in the outlet piping in addition the low-water furl cutoff required above to automatically cut off the fuel supply when the circulating flow is interrupted.

(23) *Section 1303.2.1* is added to read as follows: *Section 1303.2.1* All gas lines two and one half inches (2") inside diameter size or larger shall be of welded construction between the consumer's connection to the gas meter and the shut-off valve located immediately adjacent to any gas burning unit. All gas fuel lines carrying gas at one (1) P.X.I.G. or greater, shall be of welded construction between the consumer's connection to the gas meter and the shut-off valve located immediately adjacent to any gas burning unit. Exception: Alternate material of equivalent rating: such application tested and certified by an approved agency and as approved by the Code Official and the Mechanical Board of Appeals.

100.18-298. - 100.18-320. RESERVED.

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ARTICLE VI. ONE- AND TWO-FAMILY DWELLING CODE

100.18-321. ADOPTED.

100.18-322. AMENDMENTS.

100.18-323. - 100.18-345. RESERVED.

100.18-321. ADOPTED.

The "*International Residential Code 2003*" for One- and Two-Family Dwellings, is hereby adopted by reference thereto as though set forth fully in this section and the whole thereof, save and except those portions as are deleted, modified, or amended in 100.18-297, three copies of which have been filed in the office of the Village Clerk for use and examination by the public for at least 30 days prior to the adoption thereof.

100.18-322. AMENDMENTS.

The International Residential Code 2003 for One and Two-Family Dwellings as adopted in Section 100.18-321 is amended to read as follows:

(1) *Section R105.7* is amended to read as follows: *Section R105.7 Placement of Permit.* The permit holder shall post the permit in accordance with the building official's instructions on the site of the work in a conspicuous location at all times until the completion of the project and all final inspections have been made and work approved. The building official is authorized to impose a re-inspection fee when the permit is not posted. No inspection of any kind will be performed unless building permit for the address in question is posted and visible to the inspector.

(2) *Section R109.1* is amended to read as follows: *Section R109.1 Type of inspections.* For on-site construction, from time to time the building official, upon notification from the permit holder or his agent, may make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with this code. Where the phrase "shall be made" or "shall require" is used in Section 109.1.1, 109.1.2, 109.1.3, 109.1.4, 109.1.5 and 109.1.6 it shall mean "may be made" or "may be required".

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(3) *Section R113.5* is added as follows: *Section R113.5 Reinspection:* Any item of inspection that fails to meet code requirements on the initial or first reinspection shall be subject to a reinspection fee per 100.18-3 (b) of the Code of Ordinances of the Village of Machesney Park charged to the permit holder for each additional reinspection performed.

(4) *Section R202* is amended by adding the following definitions: *Section R202 Modular or manufactured home:* A building assembly or system of built sub- assemblies, designed for habitation a dwelling for one or more persons, including the necessary electrical, plumbing, heating, ventilating and other service systems, which is closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation on the building site with a permanent foundation. *Stairway:* One or more flights of stairs, and the necessary landing or platforms connecting them, to form a continuous and uninterrupted passage from one floor to another. A stairway for the purpose of this code shall have at least three risers.

(5) *Section R303.2* is amended to read as follows: *Section R303.2 Adjoining rooms.* When room as open without obstruction into adjoining rooms, the required window opening to the outer air shall be based on the combined floor area of the room and adjoining room. For the purpose of determining light and ventilation requirements, any room shall be considered as the portion of an adjoining room when at least one-half of the area of the common wall is open and unobstructed and provides an opening of not less than one-tenth of the floor area of the interior room but not less than 17 square feet (1.55m²).

(6) *Section R303.6* is amended to read as follows: *Section R303.6 Stairway illumination.* All interior and exterior stairways with three or more risers shall be provided with a means to illuminate the stairs, including the landing and treads. Interior stairways with three or more risers shall be provided with an artificial light source located in the immediate vicinity of the op landing of the stair. Exterior stairways with three or more risers providing access to a basement from the outside grade level shall be provided with an artificial light source located in the immediate vicinity of the of the bottom landing of the stair way. *Exceptions:*

1. An artificial light source is not required at the top and bottom landing, provided an artificial light source is located directly over each stair section.

2. Exterior stair which do not serve as part of the exit required by Section R311.

(7) Section R303.6.1 is amended to read as follows: *Section R303.6.1 Light activation.* The control for activation of the required interior stairway lighting shall be accessible at the top and bottom of each stair without traversing any step of the stair. The illumination of exterior stairs shall be controlled from inside at the point of exit to the stair from the dwelling unit. *Exception:* Lights that are continuously illuminated or automatically activated.

(8) Section R309.2.1 is added to read as follows: *Section R309.2.1 Door sills:* The sills of door opening between garages and adjacent interior spaces shall be raised not less than 4 inches (102 mm) above garage floors.

(9) Section R309.2.2 shall be added to read as follows: *Section R309.2.2* All garages, attached or detached shall have an alternate means of egress other than the primary vehicle door.

(10) Section R311.4.2 shall be amended to read as follows: *Section R311.4.2 Door Type and size.* The required exit door shall be a side hinged door not less than 3 feet (914 mm) in width and 6 feet, 8 inches (2032 mm) in height. All other door except closet doors or storage room doors shall not be less than 2 feet, 4 inches in width and 6 feet, 8 inches in height.

(11) Section 313.1.1 is amended to read as follows: *Section 313.1.1 Alterations, repairs and additions.* When interior alteration or additions requiring a permit occur or where one or more sleeping rooms are added or created in existing dwellings, the areas having significant portions of the walls exposed and sleeping rooms added or created shall be provided with smoke alarms as required for new dwelling. These smoke alarms shall be interconnected and hard wired to A/C power with battery backup.

At a minimum, smoke alarms shall be installed throughout every dwelling as required by Illinois State Statute 1 alarm per floor and one alarm with 15' of sleeping rooms with battery or A/C power, without requirement for A/C power or interconnection

unless alteration requiring a permit includes removal of finishes to made it possible.

(12) *Section R1004.1* is amended to read as follows: *Section R1004.1 General and clearances.* Factory built fireplaces shall be listed and labeled and shall be installed in accordance with the conditions of the listing. Factory- built fireplaces shall be tested in accordance with UL 127. Where, upon inspection, listing specifications are not present or visible, combustibile materials within 36 inches of the chimney shall be protected with 5/8" Type X gypsum board or equivalent.

(13) *Section P2501.1* is amended to read as follows: *Section P2501.1 Scope.* All plumbing systems and equipment shall be installed in accordance with the Illinois State Plumbing Code as adopted by the Village of Machesney Park including local amendments. All work shall be performed by State of Illinois licensed plumbers in accordance with the Plumbing License Act.

(14) *Section E3301.2 Scope* is amended so that the final sentence read "Electrical systems covered in these chapters shall comply with the applicable provision of the ICC Electrical Code as adopted and amended by the Village of Machesney Park and NFPA 70.

(15) *Section E3703.3* shall be amended to read as follows: *Section E3703.3 Protection from Damage.* Direct-buried conductors and cables emerging from the ground shall be protected by enclosures or raceways extending from the minimum cover distance required by Section 3703.1 below grade to a point at least 8 ft. (2.44m) above finished grade. Service laterals must be protected by rigid metal conduit or intermediate metal conduit. In no case shall the protection for any direct-buried conductors, cable, and service laterals be required to exceed 24 inches below finished grade.

Enclosures or raceways subject to physical damage shall be installed in rigid metal conduit or intermediate metal conduit. Service laterals that are not encased in concrete and that are buried 18 in. (457 mm) or more below grade shall have their location identified by a warning ribbon that is placed in the trench at least 12 in. (305 mm) above the underground installation.

(16) *Section E3802.1* shall be amended to read as follows:

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Section E3802.1 Bathrooms. All opening for bathrooms are to be ground fault circuit interrupter protected (G.F.C.I.) except bath fans and lights not install in tub/shower area. Fan unit and lights shall not be installed in tub/shower are unless they are testing lab approved and ground fault circuit interrupter (G.C.F.I.) protected. Fixtures 8 feet or more above the bathtub rim or 10 feet above a shower floor are not required to be (G.C.F.I.) protected. In the context of this section, a bathroom is an area including a basin with one or more of the following: a toilet or a shower.

(17) *Section E4102.1.1* shall be added to read as follows:
Section E4102.1.1 Minimum service. A minimum of 3 wire 100 ampere service shall be required when replacing or installing a service on all new or existing one and two- family buildings with 60 amps per dwelling unit in a two-family.

100.18-323. - 100.18-345. RESERVED.

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ARTICLE VII. PLUMBING CODE

100.18-346. ADOPTED.

100.18-347. AMENDMENTS.

100.18-348. - 100.18-370. RESERVED.

100.18-346. ADOPTED.

The "*Illinois State Plumbing Code 2004*" is hereby adopted by reference thereto as though set forth fully in this section and the whole thereof, save and except those portions as are deleted, modified, or amended in 100.18-347, three copies of which have been filed in the office of the Village Clerk for use and examination by the public for at least 30 days prior to the adoption thereof.

100.18-347. AMENDMENTS.

The Illinois State Plumbing Code 2004 as adopted in Section 100.18-346 is amended to as follows:

(1) *Section 890.110* is amended by adding item #3 to read as follows: *Section 891.110* (3) All new family dwelling shall have provisions made for soft water hook up with three full opening valve by passes with cap stubs, soft water to heater and other fixtures deemed necessary. Provisions shall be made of water softener bypass; and shall be capped for future use. Exceptions must be requested in writing to the code administrator and will be granted on after inspection has been conducted.

(2) *Section 890.170* is amended by adding (e) as follows: *Section 890.170 Sewer and/or Water Required.* (e) Building Sewer systems shall be installed by a licensed plumber only. No homeowner shall be allowed to install sewer service or system.

(3) *Section 890.180* is amended by adding (a) (1) and (2) as follows:

(a)(1) Sewer trenching and/or tunneling not to exceed ten feet (10') total distance.

(a)(2) Ditches shall be left accessible for inspection of sewer pipes.

(4) *Section 890.1200* is amended by adding (d) to read as follows: (d) *Water Service*: Water service connection from the cutoff box (buffalo box) to the valve after the meter shall be installed by a State of Illinois Licensed and Bonded Plumbing Contractor only. Home owners shall not be allowed to install water service.

(5) *Section 890.1420* is amended by adding (f) as follows: (f) *Minimum Size of Stack Vent*. Any structure in which a building drain is installed shall have each stack vent or vent stack carried full size to the roof and shall increase to a minimum of four (4) inches, 12 inches below the roof line and 12 inches above the roof line.

(6) *Section 890.150* is amended by adding Section (c) to read as follows: (c) *Violation -penalties*: Any person who shall violate a provision of this code or who shall fail to comply with any of the requirements thereof, who shall erect, construct, alter, or repair in plumbing equipment or systems in violation of an approved plan or directive of the building official, or a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of no more than one thousand (\$1,000). Each day that a violation continues shall be deemed a separate offense.

(7) *Section 890.1960* is added to read as follows: *Section 890.1960. Regulations for Permit, Inspections, Test, Maintenance, and Administration for use by Local Governmental Units Conducting a Plumbing Inspection Program*:

REVOCAION: The Building Official may revoke a permit or approval issued under the provisions of the code in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based.

SUSPENSION: Any permit issued shall become invalid if the authorized work is not commenced within six months of issuance of the permit, or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work.

TIME LIMIT: An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted of a permit shall have been

issued. For reasonable cause, the Building Official may grant one or more extensions of time for additional periods not exceeding 90 days each.

PERMIT FOR WORK REQUIRED:

(a) *PERMIT FEES:* all permit fees for all plumbing work shall be as set forth in Chapter 100.103. Permit and Fees of the Village of Machesney Park Code.

(b) *STOP WORK ORDER - NOTICE:* Up one notice from the Winnebago County Building Official that work on any building or structure is being prosecuted contrary to the provisions of this code or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. It shall state the conditions under which work may be resumed.

MEANS OF APPEAL. The owner of a building or structure, or any other person may appeal to the Board of Appeals a decision of the Winnebago County Building Official refusing to grant a modification of the provision of this code. Application for appeal may be made when it is claimed that the true intent of this code or the rule legally adopted thereunder have been incorrectly interpreted; that the provisions of this code do not fully apply or that any equally good or better form of construction can be used. The Board of Appeal shall be the Mechanical Board as set forth in 100.502 of the Village of Machesney Park Code and the appeal process and its rules and procedures shall be set forth more fully therein.

100.18-348. - 100.18-370. RESERVED.

ARTICLE VIII. MOVING BUILDINGS

- 100.18-371. GENERALLY.
 - 100.18-372. WRITTEN APPLICATION.
 - 100.18-373. REJECTION OF PERMIT BY BUILDING OFFICIAL.
 - 100.18-374. BOND REQUIRED.
 - 100.18-375. NOTICE TO BE GIVEN BY BUILDING OFFICIAL.
 - 100.18-376. PUBLIC SAFETY REQUIREMENTS.
 - 100.18-377. - 100.18-399. RESERVED.
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100.18-371. GENERALLY.

No building or part of any building shall be moved through or across any sidewalk, street, alley or highway within the incorporated areas of the Village without first obtaining a permit from the building official.

100.18-372. WRITTEN APPLICATION.

Any person desiring to move a building shall first file with the building official a written application setting forth the following information:

- A. Type and kind of building to be moved.
- B. The original cost of such building.
- C. The extreme dimensions of the length, height and width of the building.
- D. Its present location and proposed new location by lot, block, subdivision and street numbers.
- E. The approximate time such building will be taken upon the streets, and the contemplated route that will be taken from present to new location.

100.18-373. REJECTION OF PERMIT BY BUILDING OFFICIAL.

A. If, in the opinion of the building official, the moving of any building will cause serious injury to persons or property or serious injury to the streets or other public improvements, or the building to be moved has deteriorated more than 50 percent of its original value by fire or other element, or the moving of the building will violate any of the requirements of this article or of the zoning regulations, the

permit shall not be issued and the building shall not be moved over the streets.

B. Any building being moved for which a permit was granted shall not be allowed to remain in or on the streets for more than 48 hours.

100.18-374. BOND REQUIRED.

The building official, as a condition precedent to the issuance of such permit, shall require a bond to be executed by persons desiring such removal permit, with corporate surety to his satisfaction. Such bond shall be made payable to the Village and shall be for such amount as he prescribes. It shall indemnify the Village against any damage caused by moving of such building to streets, curbs, sidewalks, shade trees, highways and any other property which may be affected by the moving of a building. Such surety bond shall also be conditioned upon and liable for strict compliance with the terms of such permit, as to the route to be taken and the limit of time in which to effect such removal, and to repair or compensate for the repair and to pay the Village as liquidated damages an amount not exceeding an amount to be established by the Village Board from time to time, to be prescribed by the building official for each and every day's delay in completing such removal or in repairing any damage to property or public improvement or in clearing all public streets, alleys or highways of all debris occasioned thereby.

100.18-375. NOTICE TO BE GIVEN BY BUILDING OFFICIAL.

Upon issuance of such moving permit, the building official shall cause notice to be given to the chief of fire department, telephone or light companies or others whose property may be affected by such removal. The building official shall set forth in all notices the route that will be taken, time started and approximate time of completion.

100.18-376. PUBLIC SAFETY REQUIREMENTS.

(a) *Lights required.* Every building which occupies any portion of public property after sundown shall have sufficient lights continuously burning between sunset and sunrise for the protection of the public.

(b) *Number and location of lights.* There shall be a minimum of five red lights placed on each street side of the building. Such red lights shall be attached to the building in

such a fashion as to indicate extreme width, height and size.

(c) *Flares required.* There shall be placed, in addition to the red lights on the building, flares at regular intervals for a distance of 200 feet up the street on each side of the building.

100.18-377. - 100.18-399. RESERVED.

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ARTICLE IX. PROPERTY MAINTENANCE CODE

- 100.18-400. ADOPTED.
 - 100.18-401. AMENDMENTS.
 - 100.18-402 - 100.18-420. RESERVED.
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100.18-400. ADOPTED.

The "*International Property Maintenance Code 2006*" edition, as published by the International Code Council, is hereby adopted by reference thereto as though set fully in this section and the whole thereof, save and except such portions as are deleted, modified or amended in 100.18-401, three copies of which have been filed in the office of the Village Clerk for use and examination by the public for at least 30 days prior to the adoption hereof.

100.18-401. AMENDMENTS.

The International Property Maintenance Code 2006 edition, adopted by Section 100.18-400, is hereby amended as follows:

(1) *Section 101.1* is amended by the insertion of the words "Village of Machesney Park" between the brackets and in place of the term "[name of jurisdiction]."

(2) *Section 102.3* is amended to read as follows: *Section 102.3 Application of other codes.* Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the provisions of 2003 ICC International Building Code, the 1997 COB Illinois Accessibility Code, the 2003 ICC International Residential Code for One & Two Family Dwellings, the 2003 ICC International Mechanical Code, the 2004 IDPH Illinois Plumbing Code, the 2002 NEC National Electrical Code, the 2003 International Fire Code and amendments, the 2000 NFPA 101 Life Safety Code, and the 2003 International Fuel Gas Code. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Village of Machesney Park Zoning Ordinance.

(3) *Section 103.5* is amended to read as follows: *Section 103.5 Fees.* The fees for activities and services performed by the department in carrying out its

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responsibilities under this code shall be as approved by the village board. A listing of the fees for all activities and services performed under this code is at the Machesney Park Building Department.

(4) *Section 103.6* is added to read as follows: *Section 103.6 Restriction of employees.* An official or employee connected with the enforcement of this code, except whose only connection is that of a member of the board of appeals established under the provisions of Section 108 of this code, shall not be engaged in, or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of construction documents thereof, unless that person is the owner of the building; nor shall such officer or employee engage in any work that conflicts with official duties or with the interests of the department.

(5) *Section 106.2* is amended to read as follows: *106.2 Notice of violation.* The code official, or his designee, shall serve a notice of violation or order in accordance with Section 107.

(6) *Section 106.3* is amended to read as follows: *Section 106.3 Prosecution of violation.* Any person failing to comply with a notice of violation or order served in accordance with Section 107 may be prosecuted before the code hearing unit established by Machesney Park Village Code, Chapter 32 or may be prosecuted before a court of competent jurisdiction upon proper filing of a complaint seeking appropriate relief. Nothing in this section 106.3 is meant to limit a criminal prosecution of state statutes in any way.

(7) *Section 106.4* is amended to read as follows: *Section 106.4 Violation penalties.* Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be subject to the general provisions established by Section 6 of Machesney Park Ordinance No. 54-85 unless specifically otherwise provided for within this code.

(8) *Section 107.1* is amended to read as follows: *Section 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

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107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with the Village of Machesney Park Code of Ordinances.

(9) *Section 107.2* is amended to read as follows: *Section 107.2 Form.* Such notice prescribed in Section 107.1 shall be in accordance with the Village of Machesney Park Code of Ordinances.

(10) *Section 107.3* is amended to read as follows: *Section 107.3 Method of service.* Such notice shall be deemed to be properly served if a copy thereof is delivered as detailed in the Village of Machesney Park Code of Ordinances.

(11) *Section 107.5* is 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 provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee 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, mortgagee 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. The effect on transfer of ownership of the violating dwelling unit or structure shall be governed by the Village of Machesney Park Code of Ordinances.

(12) *Section 109.1* is amended to read as follows: *Section 109.1 Imminent danger.* When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, operation of defective or dangerous equipment, or when the structure is unfit for human

habitation, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at the primary entrance to such structure a notice. It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

(13) *Section 110.1* is deleted and replaced to read as follows: *Section 110.1 General.* Demolitions handled by the Village of Machesney Park and shall be in compliance with 65 ILCS 5/11-31-1.

(14) *Section 110.2* is hereby deleted.

(15) *Section 110.3* is hereby deleted.

(16) *Section 110.4* is hereby deleted.

(17) *Section 202* is amended to add the following general definitions:

BLIGHT. A deteriorated condition which impairs or destroys the health and safety of the property and or the neighborhood in which it exists.

DEBRIS. The remains of an object or substance that has been broken up, destroyed or deteriorated over time.

REFUSE. Shall mean all putrescible and non-putrescible solids (except body wastes) including garbage, rubbish, ashes and dead animals.

(18) *Section 301.2* is amended to read as follows: *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 this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control; and allow the owner reasonable

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access for maintenance of and or all the structure.

(19) *Section 302.1* is amended to read as follows:
Section 302.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition. All useable material shall be stored inside an approved structure.

(20) *Section 302.4* is deleted and replaced to read as follows: *Section 302.4 Weeds.* All premises must follow the provisions of the Weed Control Ordinance of Chapter 14, Article VII, of the Village Code of Machesney Park.

(21) *Section 302.7* is amended to read as follows:
Section 302.7 Accessory structures. All accessory structures, including but not limited to detached garages, fences and walls, shall be maintained structurally sound and in good repair.

(22) *Section 302.8* is deleted and replaced to read as follows: *Section 302.8 Motor vehicles.* The provisions of Chapter 14, Article XIX of the Village Code of the Village of Machesney Park govern the storage of inoperable motor vehicles within the boundaries of the Village of Machesney Park, Illinois.

(23) *Section 304.14* is amended to read as follows:
Section 304.14 Insect screens. During the period from May 1st to October 1st, 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 screen door used for insect control shall have a self-closing device in good working condition. *Exception:* Screens shall not be required where other approved means are employed.

(24) *Section 304.18.2* is amended to read as follows:
Section 304.18.2 Windows. All operable windows that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.

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(25) *Section 308.5* is amended to read as follows: *Section 308.5 Occupant.* The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure. The occupant is responsible for allowing the owner reasonable access for extermination of the property.

(26) *Section 404.4* is amended to read as follows: *Section 404.4 Bedroom and living room requirements.* Every bedroom and living room shall comply with the requirements of Sections 404.4.1 through 404.4.6.

(27) *Section 404.4. 1* is deleted and replaced to read as follows: *Section 404.4.1 Room Area. Floor space.* Every dwelling unit shall contain at least one hundred fifty (150) square feet of floor space for the first occupant thereof and at least one hundred (100) additional square feet of floor space for every additional occupant thereof. Floor space shall be calculated on the basis of total habitable room area. *Sleeping room.* In every dwelling and dwelling unit of two or more rooms, every room shall contain at least 70 square feet of floor space and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor space for each occupant thereof.

(28) *Section 404.4.6* is added to read as follows: *Section 404.4.6 Basement Space.* Basement space used as a sleeping room or dwelling unit shall meet all requirements for permissible occupancy.

(29) *Section 502.3* is hereby deleted.

(30) *Section 502.4* is amended to read as follows: *Section 502.3 Employees' facilities.* A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

(31) *Section 502.3.1* is amended to read as follows: *Section 502.3.1 Drinking facilities.* Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

(32) *Section 602.3* is amended to read as follows: *Section 602.3 Heat supply.* Every owner and operator of any building who rents, leases or lets one or more dwelling units

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or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1st to May 1st to maintain a temperature of not less than 65°F.

(33) *Section 602.4* is amended to read as follows: *Section 602.4 Occupiable work spaces.* Indoor occupiable work spaces shall be supplied with heat during the period from October 1st to May 1st to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

(34) *Section 603.2* is amended to read as follows: *Section 603.2 Removal of combustion products.* All fuel-burning equipment and appliances shall be connected to an approved chimney or vent. When a water heater and a furnace are connected to the same chimney or vent, the water heater connection shall be above the furnace connection.

(35) *Section 605.2.1* is added to read as follows: *Section 605.2.1 Receptacle installation.* All receptacles shall be installed in an approved box with a cover plate.

(36) *Section 704.2.1* is added to read as follows: *Section 704.2.1 Carbon monoxide detector.* Every dwelling unit must be outfitted with a carbon monoxide detector as prescribed by Illinois state law under the Carbon Monoxide Detector Act, 430 ILCS 135/1, et seq.

100.18-402. - 100.18-420. RESERVED.

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ARTICLE X. FUEL GAS

100.18-421. ADOPTED.

100.18-422. AMENDMENTS.

100.18-421. ADOPTED.

The "*International Fuel Gas Code 2003*" edition, as recommended by the Building Officials and Code Administrator International, Inc., is hereby adopted by reference thereto as though set forth fully in this section and the whole thereof, save and except such portions as are deleted, modified or amended in Section 100.18-422, three copies of which have been filed in the office of the Village Clerk for use and examination by the public for at least 30 days prior to the adoption hereof.

100.1002. AMENDMENTS.

Section 402.6 of the International Fuel Gas Code, 2003 edition, as previously adopted on The International Fuel Gas Code 2003 adopted by Section 100.18-421 is hereby amended as follows:

Section 402.6 Maximum design operating pressure.

(a) The maximum design operating pressure for piping systems located inside buildings shall not exceed 5 pounds per square inch gauge (psig) (34 kPa gauge) except where one or more of the following conditions are met:

1. The piping system is welded.
2. The piping is located in a ventilated chase or otherwise enclosed for protection against accidental gas accumulation.
3. The piping is located inside buildings or separate areas of buildings used for exclusively for:
 - 3.1. Industrial processing or heating;
 - 3.2. Research;
 - 3.3. Warehousing; or
 - 3.4. Boiler or mechanical equipment rooms.

4. The piping is a temporary installation for buildings under construction.

(b) All gas lines two-and-one-half inches (2-1/2") inside diameter size or larger shall be of welded construction between the consumer's connection to the gas meter and the shut-off valve located immediately adjacent to any gas burning unit. All gas fuel line carrying gas at one (1) P.X.I.G. or greater, shall be of welded construction between the consumer's connection to the gas meter and the shut-off valve located immediately adjacent to any gas burning unit.

Exception: Alternate material of equivalent rating: such application tested and certified by an approved agency and as approved by the Code Official and the Mechanical Board of Appeals.

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