

# **VILLAGE OF LIBERTYVILLE**

## **Municipal Code Chapter 6 Buildings and Technical Regulations**

### **Property Maintenance Code Incorporating the 2015 International Building Code as amended**

Adopted 4/12/16 as part of Ord. 16-O-21

Effective 5/1/16

## ARTICLE IV. PROPERTY MAINTENANCE CODE

### **Sec. 6-341. Adopted.**

The minimum regulations and standards governing the conditions and maintenance of all buildings, structures and premises, which are essential to ensure that all properties are safe, sanitary and fit for human occupation and use, and the condemnation and demolition of buildings and structures unfit for human occupation, as set forth in the 2015 International Property Maintenance Code, first printing, as promulgated and published by the International Code Council, Inc., with deletions, additions and modifications set forth in this article, shall be and are adopted as if fully set out in this article, and made applicable to all existing or future buildings, structures and premises within the corporate limits of the village.

(Ord. No. 92-0-52, '3(36.1), 10-27-92)

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

### **Sec. 6-342. Deletions, additions and modifications.**

The International Property Maintenance Code, as adopted in Section 6-341 is revised as follows:

**Sec. 101.1 Title.** Insert "Village of Libertyville" as name of jurisdiction.

**Sec. 102.3 Application of other codes.** Delete in its entirety and substitute the following:

*Sec. 102.3. Application of other codes.* Any repairs or alterations of buildings or structures or parts thereof shall be done in accordance with the procedures and provisions of the building, plumbing, electrical, mechanical and fire prevention codes of the village and such other codes and ordinances of the village which pertain to the construction and alterations of buildings and structures. Use of buildings or structures or parts thereof shall be regulated by chapter 26, Zoning, and by use groups of the building code.

**Sec. 103.** Change the title from "Department of Property Maintenance Inspection" to "Building Division."

**Sec. 103.1 General.** Delete paragraph in its entirety and replace with following: The Community Development Department Building Division shall administer the property maintenance code and the Building Commissioner shall be known as the code official.

**Sec. 106.4. Violation Penalties.** Delete in its entirety and substitute the following:

*Sec. 106.4.* Any person who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than fifty dollars (\$50.00), nor more than five hundred dollars (\$500.00), and the costs of prosecution. Each day that a violation continues after due notice has been served shall be deemed as a separate offense.

**Sec. 108.2 Closing of vacant structures.** Add the following new subsection as follows:

*Sec. 108.2.2 Boarded-up structures.* Boarding up a structure is considered a temporary measure until a decision can be made as to what remedy the owner wants to pursue as provided in this section; but cannot exceed six (6) months unless an extension of an additional six months is granted in writing by the code official. Any structure boarded up in excess of six months (or in excess of twelve months, if the code official has given written approval for an extension), shall be considered abandoned, and a public nuisance, and the Village may pursue whatever action is afforded to it under this Code, other appropriate ordinances and State statutes, to cause the abatement of the said public nuisance.

**Sec. 111. Means of appeal.** Delete section in its entirety and substitute the following:

*Sec. 111.1. Right to appeal.* All appeals shall be taken to the board of building appeals, and shall comply with all procedures and provisions of section 2-416 et seq. of the Municipal Code.

**Sec. 202. General Definitions.** Delete the following definitions in their entirety and substitute the following:

**Habitable Space.** Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility rooms or spaces, basements, except as provided in section 404.4, cellars, porches, breezeways, garages, attic spaces which do not comply with building/zoning code requirements and similar areas are not acceptable as habitable rooms, areas or spaces.

**Sec. 302. Exterior Property Areas.**

*Sec. 302.4. Weeds.* (Maximum Height). Insert 10".

**Sec. 302.8. Motor vehicles.** Delete this section including the exception and substitute the following:

*Sec. 302.8 Motor vehicles.* Unlicensed and/or wrecked, discarded, dismantled, inoperative or abandoned vehicles, including trailers, shall comply with all provisions of section 15-71 et seq., pertaining to junked vehicles, of the Municipal Code.

**Sec. 304. Exterior Structure.**

*Sec. 304.14. Insect screens.* Insert the following dates in the spaces provided in the first sentence:

During the period from April 1 to November 30, etc., retaining the rest of the paragraph.

**Sec. 308. Rubbish & Garbage.** Add the following subsections:

*Sec. 308.4. Container storage areas.* Containers and container storage areas shall be kept in a

clean and sanitary condition. The container areas shall have a hard-surfaced base of concrete, asphalt or other approved materials. The container areas shall be placed behind the building line, as established by the placement of the building, and when the container areas are in view of a public street, they shall be screened by adequate planting or fencing of sufficient height to conceal the containers and the storage area from the public street. Multiple-family building container areas shall be screened from view by neighboring lots as well as from public streets. Nonresidential container areas shall be enclosed by adequate screening on all sides regardless of placement on the premises.

*Exception:* Trash container areas for one and two family residential dwellings and townhouses shall comply with Sec. 308.6

*Sec. 308.5. Disposal from the premises.* All rubbish, garbage or other solid waste, except landscape waste, shall be regularly removed from the premises, at least once every week, except that more frequent removal may be required depending on quantity and/or content of the material to be removed. Residential containers, placed on the curb for pickup, shall not be in the public right-of-way for a continuous period of time exceeding twenty-four (24) hours during any weekly period. Large capacity containers shall be promptly replaced when full and the close-fitting covers can no longer be engaged with the container body.

*308.6 Residential Trash Regulations for One & Two Family Dwellings and Townhouses.* Exterior property and premises of one & two family dwellings and townhouses shall comply with all of the following requirements for storage and disposal of trash.

#### *308.6.1 Trash*

1. For the purposes of this section, trash shall include garbage (discarded animal and vegetable food waste) rubbish (waste materials other than garbage), recyclables (rubbish that is recyclable), landscape waste (rubbish such as tree branches and yard trimmings), and solid waste. *Ref.LMC 6-341 and IPMC 201.*
2. Trash shall be disposed of in approved *trash containers* at all times.
3. Oversized/bulk rubbish such as appliances, furniture, and similar items may be placed outside of a container only when placed curbside during hours approved for trash removal from the premises. Loose parts of bulk items shall be securely affixed to bulk items. *Ref.LMC 20-49.*
4. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

#### *308.6.2 Trash containers*

1. Trash containers shall be kept in a clean and sanitary condition.
2. Trash containers shall be leak-proof plastic totes equipped with handles and closing covers as supplied by the trash collection service hauler or they shall be an approved equivalent.
3. Trash containers shall be kept with covers which are completely closed at all times except as may be permitted otherwise by ordinance.
4. Trash containers shall be kept in an approved *trash container area* at all times except when placed at curb or alley for pick up.
5. Trash containers shall not exceed 34 gallons or 50 pounds. *Ref.LMC 20-47*

308.6.3. *Trash container areas.*

1. Trash container area shall mean that area of a property designated by its owner or occupant for the storage of trash containers in compliance with this Code.
2. Trash container areas shall be kept in a clean and sanitary condition.
3. Trash container areas shall be placed behind the building line(s) as established by the front and/or corner side facades of the house.
4. If the trash container area is in view of a public street, then the trash container area shall have a screen installed in compliance with all of the following:
  - a. The screen shall be parallel to each public street from which it is in view; and
  - b. The screen shall be at least as tall as the tallest trash container; and
  - c. The screen shall be at least as wide as the trash container area; and
  - d. The screen shall be an evergreen hedge, a deciduous hedge, or a fence; and
  - e. The fence utilized for screening shall have no more than 1/3 of its gross vertical surface consisting of visually open areas uniformly distributed; and
  - f. The screen shall be permanently secured in place in a neat and orderly manner at all times.

308.6.4 *Trash removal from the premises.*

1. Trash removal from the premises shall be completed one day per week except as required more often due to quantity or content.

2. Containers shall be placed at curbside or alley not earlier than 6:00 p.m. on the day immediately preceding the scheduled pick-up.
3. Containers shall not be at curbside or alley more than 24 hours during any weekly period.
4. Container covers may be slightly open in lieu of being completely closed only when placed at curbside after 6:00 a.m. on the same day as the scheduled pick-up.
5. Any resident who, by reason of disability certified by a doctor, is unable to place trash containers at curbside or alley, as applicable, may place such trash container for collection service at the back door of each such resident's premises. *Ref.LMC 20-51.*

308.6.5 *Miscellaneous trash regulations and references.*

1. Depositing trash in or on containers, property, or rights of way that are not controlled by the trash depositor is prohibited per *LMC-20-4.b, c, & d* except as may be permitted by ordinance.
2. Scavenging and theft of trash is prohibited per *LMC 20-5.*
3. Incineration is prohibited per *LMC 20-6.*
4. Trash collection service fees and use of stickers shall comply with *LMC 20-8. b & c*; and collection service shall comply with *LMC 20-44, 45, & 46.*
5. Littering is prohibited per *LMC 20-6*; Enforcement shall comply with *LMC 20-32. a, b, & c, and LMC 20-31. a, b & c.*
6. Trash that causes a public nuisance affecting health, peace, or safety is prohibited per *LMC 15-1, 2, 3, & 4. Ref.LMC 20-3 Findings.*

**Sec. 404.4.1. Room area.** Add the following sentence and second paragraph: Every bedroom occupied by more than one person shall contain at least 50 square feet (94.6m<sup>2</sup>) of floor area for each occupant thereof.

When there are more persons in a dwelling unit than can be accommodated by the existing bedroom(s), then not more than two (2) additional persons may be accommodated in any one (1) other designated habitable room provided that the designated room contains the minimum required square foot area, as provided in table 404.5, plus the additionally required square foot area per person for sleeping purposes. See section 404.5 for the required square foot area of habitable space per person in a dwelling unit.

**Sec. 404.5. Overcrowding.** Delete Section in its entirety and substitute the following:

**Sec. 404.5. Overcrowding.** Every dwelling unit shall contain a minimum of two hundred (200) square feet of habitable floor area for the first occupant and not less than one hundred fifty (150) square feet of habitable floor area for each and every additional occupant thereafter. In all cases,

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

**Sec. 404.8. Closet space.** Add section as follows:

*Sec. 404.8. Closet space.* Every dwelling unit shall contain usable closet space, extending from the floor to the ceiling height of the room, of not less than six (6) square feet of floor area for each occupant, as computed by the provisions of this code, for the storage of personal effects. If the required closet space is lacking or is insufficient for the numbers of persons in occupancy, then the deficiency shall be deducted from the habitable room space used in determining permissible occupancy numbers in persons based on the following formula: deficient square foot of closet space times the cubic feet of closet deficiency converted into square feet of deduction. Example: a shortage of one (1) closet space of six (6) square feet, with a room ceiling height of seven (7) feet, equals forty-two (42) cubic feet, which converts into forty-two (42) square feet of deduction from the required square feet of section 403.5 and table 403.5. Wardrobes of sufficient size and height may be substituted.

**Sec. 602.3. Heat supply.** Insert the following dates in the spaces provided in the first sentence: During the period from September 1 to May 31, etc., retaining the rest of the paragraph.

**Sec. 602.4. Occupiable Workspaces.** Insert the following dates in the spaces provided in the first sentence: September 1 to May 31.

**Sec 604.1. Facilities Required (Electrical).** Add the following to the end of the sentence: and Article III, Electrical Code of Chapter 6 of the Municipal Code.

**Sec. 604.2. Service (Electrical).** Replace this section with the following: The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with “Article III, Electrical Code of Chapter 6 of the municipal Code.

**Sec. 606 . Elevators, Escalators and Dumbwaiters.** Add the following section.

**Sec. 606.3. Accidents Reported and Recorded.** The owner of the building shall immediately notify the Code Official of every accident involving personal injury or damage to apparatus on, about or in connection with any equipment covered by this Article, and shall afford the Code Official every facility for inspecting the equipment. When an accident involves the failure, breakage, damage or destruction of any part of the apparatus or mechanism, it shall be unlawful to use such device until after an examination by the Code Official is made and approval of the equipment for continued use is granted. Records shall be open for public inspection at all reasonable hours.

**Sec. 606.3.1. Removal of Damaged Parts.** It shall be unlawful to remove from the premises any part of the damaged construction or operating mechanism of elevators, or other equipment subject to the provisions of this Article, until permission to do so has been granted by the Code Official.

**Chapter 8. Referenced Standards. Revise as follows:**

IPC-12 Included with the International Plumbing Code shall be the State Plumbing Code, current issue.

IZC-12 - Delete the International Zoning Code and substitute the Libertyville Zoning Code.

(Ord. No. 92-0-52, '3(36.2), 10-27-92)

**Secs. 6-343--6-360. Reserved.**