

ORDINANCE NO. 19-2012

**AN ORDINANCE AMENDING SECTION 5-8 OF CHAPTER 5,
BUILDING AND BUILDING REGULATIONS, OF THE
EVERGREEN PARK MUNICIPAL CODE BY ADOPTING THE
2012 INTERNATIONAL PROPERTY MAINTENANCE CODE**

JAMES J. SEXTON
Mayor

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Village Clerk

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Village Attorney

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BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Evergreen Park, Cook County, Illinois, as follows:

Section 1

That Section 5-8, Property Maintenance Code, of Chapter 5, Building and Building Regulations, of the Evergreen Park Municipal Code be amended to read as follows:

Sec. 5-8. Property Maintenance Code.

The "2012 International Property Maintenance Code" as published by the International Code Council, Inc. is hereby adopted as the Property Maintenance Code of the Village with the following changes, additions or insertions:

Section 101.1, insert "Village of Evergreen Park".

Section 102.3, change to read "Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Building Code, Plumbing Code, Mechanical Code, and Electrical Code adopted by the Village. Nothing in this Code shall be construed to cancel, modify or negate any provision of the zoning ordinance."

Section 102.4, add "The Village shall have the right to cause the demolition, repair or enclosure of unsafe buildings as provided for in the Illinois Municipal Code without following any of the procedures and notice requirements of this code."

Section 103, delete in full.

Section 104.1, add "The Building Commissioner shall be the code official. The code official may designate any employee of the Village with the enforcement of this code."

Section 106.2, change to read "The code official may serve a notice of violation, but no such notice is a prerequisite to the existence of a violation or to action by the Village to restrain, correct or abate such violation."

Section 106.3, change to read "The code official may institute court proceedings to restrain, correct or abate any violation, or to require the removal or termination of the unlawful occupancy of any structure, or the order or direction of the code official. Any action taken on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate."

Section 106.4, change to read "Any person who violates any provision of this code shall be subject to a fine of not less than \$100 nor more than \$750 for each violation thereof. Each day that a violation occurs shall constitute a separate offense and violation."

Section 107, delete in full.

Section 108.1.1, add "No structure may be boarded up for more than 6 months. An unsafe structure includes any structure boarded up for more than 6 months."

Section 108.3, change to read "Whenever the code official has condemned a structure or equipment, notice shall be sent by first class mail to the taxpayer of record or the party responsible for paying any water bill. The notice shall include a statement of the violations and a deadline by which to correct the violations."

Section 110.1, change to read "The code official may order the demolition of any structure which is:

1. Dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy.
2. A public nuisance.
3. Vacant or abandoned for more than 6 months.
4. Boarded up for more than 6 months.
5. Under construction where there has been a cessation of normal construction activity for a period of more than 6 months.
6. Maintain in violation of the provisions of this code for more than 6 months."

Section 110.2, change to read "A notice of order of demolition shall be served as provided for in the Illinois Municipal Code."

Section 111, delete in full.

Section 112.4, change to read "Any person who shall continue any work 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 subject to a fine of not less than \$100 nor more than \$750 for each violation thereof. Each day that a violation occurs shall constitute a separate offense and violation."

Section 201.6, Local Codes, add Section "Whenever reference is made to the International Building Code, International Fire Code, International Zoning Code, International Plumbing Code, or International Mechanical Code, such reference shall be to the Building Code, Fire Code, Zoning Ordinance, Plumbing Code, Mechanical Code, currently in effect."

Section 301.3, add "No structure shall be maintained which is:

1. Dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy.
2. A public nuisance.
3. Vacant or abandoned for more than 6 months.
4. Boarded up for more than 6 months.
5. Under construction where there has been a cessation of normal construction activity for a period of more than 6 months.
6. In violation of the provisions of this code for more than 6 months."

Section 304.3, add "Street numbers must be attached to the structure (or light pole or mailbox) and may not be painted thereon. Street numbers may not be painted on any stairway, stoop, sidewalk, curb, or other area."

Section 304.14, insert "May 1" and "October 1".

Section 404.5, add "If any room used for residential purposes is overcrowded, the Code Official may order the number of persons sleeping or living in said room to be reduced in order

to conform to the minimum area requirements of this Chapter. It shall be prohibited to use for sleeping purposes any kitchen, hallway, closet, basement, storage room, public area, dining room or living room (except that a living room may be used for sleeping purposes of a guest for not more than 2 consecutive nights)."

Section 602.2, change to read "Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 65°F in all habitable rooms, bathrooms and toilet rooms. Cooking appliances shall not be used to provide space heating to meet the requirements of this section."

Section 602.3, insert "October 1" and "May 1". Delete 2. in the Exception.

Section 602.4, insert "October 1" and "May 1".

Section 2

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 3

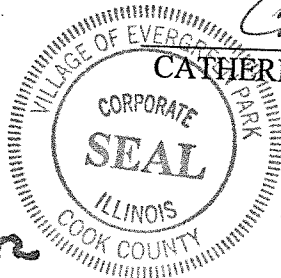
This ordinance shall be in full force and effect after passage, approval, and publication. This ordinance is authorized to be published in pamphlet form.

This ordinance was passed and deposited in the office of the Village Clerk of the Village of Evergreen Park this 7th day of August, 2012.

APPROVED by me this 7th
day of August, 2012.

James J. Sexton

JAMES J. SEXTON, Mayor



Catherine T. Aparo

CATHERINE T. APARO, Village Clerk

I DO HEREBY CERTIFY that this ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Evergreen Park, in accordance with law, this 7th day of August, 2012.

Catherine T. Aparo

CATHERINE T. APARO, Village Clerk