

Sec. 8-335. - International Property Maintenance Code, 2015 Edition, adopted; exceptions.

(a) *Code adopted.* There is hereby adopted by reference as if fully set forth herein, the International Property Maintenance Code/2015, published by the International Code Council; and each and all of the regulations, provisions, penalties, conditions and terms of said codes, are hereby referred to as adopted and made a part hereof as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in subsection (c).

(b) *Copies on file.* At least one (1) copy of the International Property Maintenance Code has been on file in the city hall for more than thirty (30) days prior to the adoption hereof and is now on file. The code official shall keep on file in his office at least one (1) copy of the International Property Maintenance Code, which shall be available for inspection.

(c) *Special provisions.* The following words, provisions, and paragraphs are to be added to the following designated sections of the International Property Maintenance Code. These provisions supersede the requirements of the indicated provisions of such code:

101.1 Title: Insert City of Joliet.

102.3 Application of Other Codes: Shall read as follows:

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of City Ordinances.

103.1 General: Shall read as follows:

The Department of Community and Economic Development, Neighborhood Services Division is charged with enforcement of this code and the executive official in charge thereof shall be known as the code official.

103.5 Fees for Services Performed: Shall be deleted.

106.1 Unlawful Acts: Shall read as follows:

It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the International Property Maintenance Code or amendments to the International Property Maintenance Code as set forth in this division.

106.2 Notice of Violation: Shall read as follows:

The code official shall serve a notice of violation or order in accordance with Section 107 of the International Property Maintenance Code.

106.3 Prosecution of Violation: Shall read as follows:

Any person failing to comply with a notice of violation or order served in accordance with Section 107 of the International Property Maintenance Code shall be deemed guilty and punished as prescribed by law and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall 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 occupancy of the structure in violation of the provisions of the International Property Maintenance Code or amendments to the International Property Maintenance Code as set forth in this division or of the order or direction made pursuant thereto. Any action taken by the City 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.

106.4 Violation Penalties: Shall read as follows:

Any person who shall violate a provision of the International Property Maintenance Code or amendments to the International Property Maintenance Code as set forth in this division, or fail to comply therewith, or with any of the requirements thereof, shall be punished as prescribed by

law. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

106.5 Abatement of Violation: Shall read as follows:

The imposition of the penalties herein prescribed shall not preclude legal counsel of the City from instituting the appropriate actions 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 utilization of the building, structure or premises.

108.1 General: Shall read as follows:

When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of the International Property Maintenance Code or amendments to the International Property Maintenance Code as set forth in this division.

108.1.1 Unsafe Structures: Shall read as follows:

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Unsafe Equipment: Shall read as follows:

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

108.1.3 Structure Unfit for Human Occupancy: Shall read as follows:

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by the International Property Maintenance Code or amendments to the International Property Maintenance Code as set forth in this division, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.1.4 Unlawful Structure: Shall read as follows:

An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under the International Property Maintenance Code or amendments to the International Property Maintenance Code as set forth in this division, or was erected, altered or occupied contrary to law.

108.2 Closing of Vacant Structures: Shall read as follows:

If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner or owner's authorized agent to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

108.2.1 Authority to Disconnect Service Utilities: Shall read as follows:

The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by the International Property Maintenance Code or amendments to the International Property Maintenance Code as set forth in this division and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property when such utility connection has been made without approval. The code official shall notify the serving utility, and whenever possible, the owner or owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner, owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practicable thereafter.

108.3 Notice: Shall read as follows:

Whenever the code official has condemned a structure or equipment under the provisions of the International Property Maintenance Code or amendments to the International Property Maintenance Code as set forth in this division, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner, owner's authorized agent or the person or persons responsible for the structure or equipment in accordance with section 107.3 of the International Property Maintenance Code. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in section 107.2 of the International Property Maintenance Code.

108.4 Placarding: Shall read as follows:

Upon failure of the owner, owner's authorized agent or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment, a placard of condemnation and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

108.4.1 Placard Removal: Shall read as follows:

The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be punished as prescribed by law.

108.5 Prohibited Occupancy: Shall read as follows:

Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties as prescribed by law.

108.6 Abatement Methods: Shall read as follows:

The owner, owner's authorized agent, operator or occupant of a building, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

109.1 Imminent danger: Shall read as follows:

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 occupancy of the structure, or when there is actual or potential danger to the building occupants or those in proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or 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 occupants to vacate the premises forthwith. The code official shall cause to be posted at the primary entrance to such structure a notice of condemnation. 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.

109.2 Temporary Safeguards: Shall read as follows:

Notwithstanding other provisions of the International Property Maintenance Code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

109.3 Closing Streets: Shall read as follows:

When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

109.4 Emergency Repairs: Shall read as follows:

For the purpose of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

109.5 Costs Of Emergency Repairs: Shall read as follows:

Costs incurred in the performance of emergency work may be paid by the city. The legal counsel of the city may institute appropriate action against the owner of the premises or owner's authorized agent where the unsafe structure is or was located for the recovery of such costs if paid by the city.

109.6 Hearing: Shall read as follows:

Any person ordered to take emergency measures shall comply with such order forthwith and may be afforded a hearing.

109.7 Unsafe Equipment: Shall be added as follows:

Equipment deemed unsafe by the code official shall not be operated after date stated in the notice of condemnation unless the required repairs or changes have been made and the equipment has been approved, or unless an extension of time has been secured from the code official in writing.

110.1 General: Shall read as follows:

The code official shall order the owner or owner's authorized agent of any premises upon which is located any structure, which in the code official's or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two (2) years, the code official shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the code official.

110.2 Notices and Orders: Shall read as follows:

All notices and orders shall comply with section 107 of the International Property Maintenance Code.

110.3 Failure to Comply: Shall read as follows:

If the owner of a premises or owner's authorized agent fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed as prescribed by law, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

110.4 Salvage Materials: Shall read as follows:

When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such surplus does not remain to be turned over, the report shall so state.

Section 111: Means to Appeal: Shall be deleted.

112.4: Failure to Comply: Shall read as follows:

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 liable to a fine of not more than [\$750.00] dollars.

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(Ord. No. 17389, § 2, 8-4-15)