

ORDINANCE NO. 18-O-05

**ORDINANCE AMENDING CHAPTER 15.28, PROPERTY MAINTENANCE CODE,
OF THE VILLAGE CODE**

WHEREAS, the Village of Round Lake (the "Village") is a non-home rule municipality organized and exercising such powers granted under the Constitution and laws of the State of Illinois; and

WHEREAS, the Village President and Board of Trustee desire to amend the Village Municipal Code reflect the adoption of the 2018 Edition of the International Property Maintenance Code;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ROUND LAKE, LAKE COUNTY, ILLINOIS, as follows:

SECTION ONE: That Sections 101.1, 102.3, 103.5, 106.4, 111, 202, 302.2.1, 302.4, 302.1.1, 302.9, 304.14, 505.1, 602.3, 602.4, and 705.3 of the Round Lake Village Code, as amended, is hereby further amended with subtractions in strikethrough text and additions in bold underlined text, so that the same shall be read as follows:

15.28.010 - International Property Maintenance Code, ~~2006~~ 2018 Edition, adopted.

That a certain document, three copies of which are on file in the office of the clerk of Round Lake, being marked and designated as the International Property Maintenance Code, ~~2006~~ 2018 Edition, as published by the International Code Council, be and is adopted as the Property Maintenance Code of the village of Round Lake, in the state of Illinois for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the village of Round Lake are referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Section 15.28.020 of this chapter. (Ord. 07-O-04 § 1 (part))

15.28.020 - Amendments and revisions.

The following sections of the International Property Maintenance Code, ~~2006~~ 2018 Edition, are amended and revised as hereinafter stated:

Section 101.1. Insert: Village of Round Lake

Section [A] 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, ~~International Plumbing Code~~ Illinois Plumbing Code and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the ~~International Zoning Code~~ Round Lake Zoning Ordinance.

Section 103.5. Insert: Chapter 15.08 of the Village of Round Lake Municipal Code

Section 106.4 Violation penalties. Delete this section in its entirety and replace as follows:

Violation and penalties. Any person, firm, company, corporation or any agent, employees or contractors of such who shall violate, disobey, omit, neglect or refuse to comply with or resist enforcement of any provision of this title shall be fined not less than twenty-five dollars (\$25.00) nor more than seven hundred fifty dollars (\$750.00) for each

offense. Each day that a violation of this title shall be permitted to continue, shall constitute a separate offense. ~~Upon conviction the following procedure shall apply:~~

- A. **When ordinance citations are issued the** The fines and penalties for the violation of this chapter shall be determined by counting the time from the day of issuance (the day of issuance being the first day) of the notice of the ordinance violation until and including the day the fine is paid and shall be as follows:
 - 1. Between the day of issuance of notice of violations up to and including the tenth day the fine shall be twenty-five dollars (\$25.00).
 - 2. Between the eleventh day and twentieth day inclusive, the fine shall be thirty dollars (\$30.00).
 - 3. After the twentieth day, the fine shall be thirty-five dollars (\$35.00).
- B. For all purposes, the "day of payment" means the day the authorized village officer received the payment and issued a receipt therefore.
- C. All violators shall be notified in writing of the initial ordinance violation and of the delinquency dates causing the increased fines. The notices required hereunder need only be mailed to the address of the property in violation of this chapter or to the owner of record of the property as shown in the records of the recorder of deeds of Lake County. Court process must be served as in civil cases.
- D. In the event the payment of the required fine is not received by the twentieth day following the violation, then the building commissioner or any officer at his or her direction is authorized to compel the appearance of the violator before a court in conformity with the Criminal Code of the state of Illinois.

Section 111 (MEANS OF APPEAL) Delete this section in its entirety and replace with Chapter 17.108 – APPEALS from the Village of Round Lake, Illinois Municipal Code.

Section 202 (General Definitions) Add the following definition: Multifamily Building. Three or more dwelling units located on a single lot.

Add the following section:

Section 302.2.1 Sump Pumps and Gutters. All sump pumps discharges from all buildings shall ~~shall~~ **may** be connected to a storm sewer, provided an existing storm sewer is adjacent to or within the boundaries of the property where the building is located. If no storm sewer exists, the sump pump and/or roof gutter shall discharge not less than five feet beyond the building but not more than ten feet from the building. Discharge shall not terminate within 10 feet of any property line. In no case shall the discharge cause a nuisance to adjoining properties. The termination distance may be extended upon the approval of the Building Commissioner or representative.

Section 302.4. Insert: 8 inches

Add the following section:

~~Section 302.1.1~~ **302.10 Firewood.** The exterior storage of firewood on private property shall be limited to two cords. The firewood shall not be stored within the required front yard and shall be stored neatly so as not to create a dangerous condition or be offensive to the neighborhood.

Section 302.9. Add the following:

- A. Pursuant to Section 11-20-13 of the Illinois Municipal Code, the building commissioner or police department shall provide ~~written~~ notice of the graffiti to the building owner and directing the owner to remove the graffiti. The notice shall also inform the owner that if the graffiti is not removed within 24 hours, the Village may remove it and will seek reimbursement of its costs. If the owner refuses or neglects to remove or ~~obscure~~ **completely cover** the graffiti after at least 24 hours notice, the Village Administrator may order the use of Village resources to remove the graffiti in an amount not to exceed ~~\$100~~ **\$500**.

- B. ~~The owner of the property shall be entitled to restitution and compensation for the direct costs incurred in the repair and restoration of his property from any person convicted of the prohibited activity upon the submission of receipts evidencing payment of such costs and provided the court entering the finding or conviction for the offense shall so order.~~

Section 304.14. Insert: April 1st-October 31

Add the following section:

~~**Section 307.4 Refuse enclosures.** All multi-family, commercial and/or industrial uses utilizing exterior storage for refuse containers shall construct and maintain screened trash enclosures designed and built as follows:~~

- ~~1. All enclosures shall be built large enough to accommodate and provide access to the waste container(s). Waste containers should be accessible by the servicing contractor without the need to move other containers.~~
- ~~2. A passageway shall be provided to allow ingress and egress without opening the gate(s).~~
- ~~3. The floor of the enclosure shall be paved with an impervious material. The approach apron shall be capable of supporting both the hauling vehicle and trash container during pick up.~~
- ~~4. All walls and gates shall provide full screening of the contents.~~
- ~~5. The walls of the enclosure shall be constructed of durable materials such as dimensional lumber, metal, masonry, or concrete.~~
- ~~6. A solid barrier such as a curb or set of bollards shall be installed so as to prevent containers from coming in contact with enclosure walls.~~
- ~~7. Gates of the enclosure shall be fabricated using steel framing and mounted on tubular steel post independent from the enclosure walls. All mounting hardware shall be commercial grade, capable of harsh usage. A latching device shall be installed so as to keep gates open during trash pick up.~~
- ~~8. All components of the enclosure shall be kept in working order and free of damage. Damaged components shall be repaired within ten (10) days of notification. Gates shall be kept in the closed position at all times.~~
- ~~9. Any nonconforming refuse enclosure which is destroyed or damaged to the extent that the cost or restoration to the condition in which it was before the occurrence exceeds fifty (50) percent of the cost of restoration of the existing enclosure shall thereafter conform to the regulations of this section.~~

Section 404.5. Delete this section in its entirety and replace as follows:

Section 404.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements in table 404.5

TABLE 404.5

MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 OCCUPANTS	3-5 OCCUPANTS	6 OR MORE OCCUPANTS
Living room		No requirements	120 150
Dining room		No requirements	80 100
Bedrooms	Shall comply with Section 404.5		

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4

~~404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate room and if the space is located so as to function as a combination living/dining room.~~

Section 505.1 Delete reference to the International Plumbing Code and replace with Illinois Plumbing Code.

Section 602.3. Insert: October 1st to May 15th

Section 602.4. Insert: October 1st to May 15th

Add the following section:

Section ~~704.5~~ 705.3 Carbon Monoxide Alarms. Every dwelling unit shall be equipped with at least one approved carbon monoxide alarm in operating condition within 15 feet of every room used for sleeping purposes.

Add the following to Chapter 8:

Illinois Public Act 094-0741

~~IPMC 704.5~~ **Illinois Plumbing Code**

(Ord. 07-O-04 § 1 (part))

(Ord. No. 09-O-20, § 1, 7-20-2009; Ord. No. 11-O-09, § 2, 4-6-2011)

SECTION TWO: That the Village Clerk is directed hereby to publish this Ordinance in pamphlet form, pursuant to the Statutes of the State of Illinois.

SECTION THREE: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

APPROVED:


Daniel A. MacGillis, Village President

ATTEST:


Deborah Perlini, Village Clerk

PASSED: February 20, 2018

APPROVED: February 20, 2018

AYES: Trustees Frye, Kraly, Mandelman, Newby, Patel

NAYS: None

ABSENT: Trustee Foy

PUBLISHED IN PAMPHLET FORM: February 20, 2018