

Village of Annawan Housing Regulations

Establishing minimum standards governing the condition and maintenance of dwellings: Establishing minimum standards governing utilities and facilities and other conditions essential to make dwellings safe, sanitary and fit for human habitation: Establishing minimum standards governing the condition of all dwellings: Fixing certain responsibilities and duties of owners and occupants of dwellings: Authorizing the inspection of dwellings and the condemnation of dwellings unfit for human habitation: And fixing penalties for violations. Contact the Village Office for the most current housing regulations.

Division 1 - Housing

- 12-1-1 Declaration of Policy
- 12-1-2 Purposes of Chapter
- 12-1-3 Applicability of Chapter
- 12-1-4 Duties of the Inspectors

Declaration of Policy

The Village Board declares that the purpose of this Code is to protect and preserve the physical and mental health of the people and to promote the general safety and welfare of the people by establishing minimum standards for basic equipment and facilities for light, ventilation and heating; and to provide safety from fire; and to determine the use and location and amount of space for human occupancy and for safe, sanitary maintenance of dwellings, dwelling units, rooming units, hotels and motels; and by determining the responsibilities of owners, operators, and occupants of dwellings; and providing for the administration and enforcement thereof. Any inconsistency or conflict between the provisions of this Chapter and any other provision of this Code or other existing ordinance shall not repeal such provision or ordinance, but the provisions of this Chapter shall be cumulative thereto.

Purposes of Chapter

The ultimate purpose of this Code is to prevent blight and deterioration of neighborhoods to slums. More immediately, the purpose of this Code is to establish minimum standards for maintaining both private and commercial residential property so as to, on one hand, provide occupants and neighbors with a healthful and safe environment in which to live and, on the other hand, to permit the fullest use of residential properties for residential purposes at the lowest reasonable cost to owner-occupants and to landlords and tenants.

Applicability of Chapter

Every building or portion thereof used as a dwelling, dwelling unit, two-family dwelling, multiple-family dwelling, multiple use dwelling, hotel, motel, habitable room, rooming unit or rooming house, shall conform to the requirements of this Chapter, irrespective of the class to which such building or portion thereof may otherwise belong and irrespective of which such building or portion thereof may have been reconstructed, altered or repaired. This Chapter also applies to single-family dwellings, provided one or more of the following conditions are encountered (all requests for inspection of the interior portion of single family dwellings shall be made in writing and presented to the Building Commissioner's Office):

- (A) The property is used for rental purposes (not owner-occupied);
- (B) The general condition of the exterior of the building or buildings has deteriorated to the point where it is detrimental to the neighborhood;
- (C) There is a general lack of maintenance of the premises to the extent that rodents and vermin are visibly present;
- (D) The sanitary conditions within the premises become so deteriorated that they present a health hazard to the surrounding areas;

Duties of the Inspectors

The Housing, Fire or Building Inspector shall, if required, determine that all requirements of the Municipal Code are complied with and that the non-owner occupied duplex, rooming house, motel, hotel apartment house and multi-use dwellings are in full compliance.

Accessory Building or Use.

Any accessory building or use in one which:

- (A) Is subordinate to and serves a principle building or principle use; and
- (B) Is subordinate in area, extent and purpose to the principle building or principle use served; and **2**
- (C) Contributes to the comfort, convenience or necessity of occupants of the principle building or principle use served; and
- (D) Is located on the same lot as the principle building or principle use served, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same lot with the building or use served.

Basement – The basement is that portion of a building which is partly below and partly above grade and having at least one-half (1/2) its height above grade.

Bathroom – Bathroom shall mean a room containing bathing and sanitary facilities consisting of a water closet, a tub or shower and lavatory. A bathroom shall be provided within each living unit and shall afford complete privacy.

Building Inspector – Building Official – The Building Inspector or Building Official shall be the officer charged with the administration and enforcement of this Code through the Housing Inspector.

Cellar – A cellar is that portion of a building which is partly or completely below grade and having at least one-half (1/2) of its height below grade.

Deadbolt Lock – Deadbolt lock shall mean a single cylinder deadbolt that is locked or unlocked by key from the outside and thumb turn on the inside. The deadbolt automatically deadlocks when it is fully extended. The deadbolt shall contain case hardened steel material. Deadbolt locks shall meet the following specifications:

- (A) **Throw** – Minimum throw of one (1) inch which penetrates the strike not less than three-fourths (3/4) inch.
- (B) **Cylinders** – The solid brass cylinder must have a minimum of five (5) pin tumblers. The solid brass cylinder guard shall be designed or protected so that it cannot be gripped by pliers or other wrenching devices.
- (C) **Back-set** – The back-set must be a minimum of two and three-eighths (2-3/8) inches for a wood door and a minimum of two and three-fourths (2-3/4) inches for a metal door.
- (D) **Striker Plate** – Steel striker plates shall be located at the point where the required lock engages the jamb and shall be secured with hardened steel screws of sufficient length to screw one (1) inch into the two by four (2 x 4) in the door frame.

Deterioration – The condition or appearance of a building or part thereof, characterized by breaks, holes, rot, crumbling, cracking, peeling, rusting, or other evidence of physical decay or neglect; or excessive use of or lack of maintenance, shall define deterioration.

Dwelling – A dwelling is a building designated or used principally for residential occupancy, including and without limitation, single-family dwellings, two-family dwellings and multiple-family dwellings.

Dwelling, Multiple-Family – A multiple-family dwelling is a building containing three (3) or more dwelling units.

Dwelling, Single-Family – A single-family dwelling is a building containing one (1) dwelling unit only.

Dwelling, Two-Family – A two-family dwelling is a building containing two (2) dwelling units only.

Dwelling Unit – A dwelling unit is one or more rooms arranged or designed for the use of one family living together as a single house-keeping unit with cooking, living, sanitary and sleeping facilities in a self-contained unit, so that access to the street in any additional facilities (such as laundry, heating units, etc.) can be gained without passing through any other residential or commercial unit.

Dwelling, Multiple-Use – A building containing a business, commercial or manufacturing use and one more dwelling or rooming units.

Efficiency Unit – An efficiency unit is a dwelling unit consisting of one principle room together with bathroom, kitchen, hallway, closets or dining alcove directly off the principle room, providing such dining alcove does not exceed 125 square feet.

Extermination – Extermination shall mean 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 or trapping; or by any other recognized and legal pest elimination.

Family

(A) In the Single-Family Residence District, a family is one of the following:

(1) One (1) person or two (2) or more persons each related to each other by blood, marriage, or legal adoption, any foster children residing with such person or persons in a “foster family home” as that term is defined in the Illinois Child Care Act of 1969 as amended and an aggregate of not more than one (1) roomer or boarder, whether or not gratuitous, maintaining a common household in a dwelling unit.

(2) One (1) person or two (2) or more persons each related to each other by blood, marriage, or legal adoption, and an aggregate of not more than two (2) individuals having a developmental disability as defined by Illinois Mental Health and Development Disabilities Code as amended January 1, 1979, residing with such person or person(s).

(3) A group of not more than (2) persons not so related maintaining a common household in a dwelling unit.

(B) In all other zoning districts, a family is either one (1) person or two (2) or more persons each related to each other by blood, marriage, or legal adoption, any foster children residing with such person or persons in a “foster family home” as term is defined in the Illinois Child Care Act of 1969, as amended, and an aggregate of not more than two (2) roomers or boarders not related to each other, whether or not gratuitous, maintaining a common household in a dwelling unit; or a group of not more than four (4) persons not so related maintaining a common household in a dwelling unit. However, in no case shall more than two (2) unrelated individuals occupy an efficiency unit or one (1) bedroom dwelling unit.

Garbage – Garbage is hereby defined to be wastes resulting from the handling, preparation, cooking, and consumption of food, wastes from the handling and storage of produce and paper necessarily used for wrapping.

Grade – The grade is a reference plane representing the average finished ground level adjoining the building at all exterior walls.

Habitable Building – Any structure or part thereof that shall be used as a home or place of abode by one or more persons shall be defined as a habitable building.

Habitable Room – Habitable room shall mean any room meeting the requirements of this Code for sleeping, living, cooking or dining purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar spaces.

Hot Water – Hot water means water at a temperature of not less than 120 F.

Hotel (Motel) – A hotel is an establishment which is open to transient guests, in contradistinction to a boarding house, lodging house, or apartment-hotel, and is commonly known as a hotel (motel) in the community in which it is located; and which provides customary hotel services such as mail service, the furnishing and laundering of linen, telephone and secretarial or desk service, the use and upkeep of furniture and bellhop service.

Housing Inspector – Housing Inspector is an official in charge of administering housing codes. For the purpose of this Code, it shall also be construed to mean any representative of the Inspection Department or of the Fire Prevention Bureau of the Village of Annawan.

Inoperable Vehicle – Inoperable vehicle shall mean any vehicle which is not capable of being operated on a public highway or which has not operated on the highway for a period of eight (8) weeks whether the vehicle is operable or not.

Kitchen – A kitchen is defined as a space of not less than seventy (70) square feet and shall mean any room used for the storage and preparation of foods and containing the following equipment: sink or other device for dishwashing, stove or other device for cooking, refrigeration or other device for cool storage of food; cabinets or shelves for storage of equipment and utensils; and counter or table food preparation. Only one kitchen is allowed per dwelling unit.

Occupant – Occupant shall mean any person living, sleeping, cooking, eating in or having possession or use of a dwelling unit or rooming unit.

Owner – Any person, firm or corporation which alone, jointly or severally with others, shall be in actual possession of, or have charge, care or control of, any dwelling unit or rooming unit within the Village as owner, employee or agent of the owner, or as trustee or guardian of the estate or person of the title holder, shall be defined as an owner. Any person acting in the capacity of an owner shall be bound to comply with the provisions of this Chapter to the same extent as if he were the owner.

Operator – Operator shall mean any legally responsible person who has charge, care or control of a building or part thereof, in which dwelling units or rooming units are leased or let.

Permit – The words “Permit” and “License” shall be interchangeable.

Person – The word “person” shall include a corporation, firm, partnership, association, organization, or any other group acting as a unit as well as an individual. It shall also include an executor, administrator, trustee or receiver or other representative appointed according to law. Whenever the word “person” is used in any Section of this Chapter, prescribing a penalty or fine, as to partnerships or associations, the word shall include the officer, agents or members thereof who are responsible for any violation of such Section.

Plumbing – All of the following facilities and equipment are included in this definition: gas pipes, gas-burning equipment, water pipes, steam pipes, garbage disposal units, waste pipes, toilets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar fixtures, together with all connections to water, sewer or gas lines.

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

Public Hall – A hall, corridor or passageway for egress from a dwelling not within the exclusive control of

one family shall be defined as a public hall.

Rooming House – A rooming house is any residential building, or any part thereof, containing one (1) dwelling unit, which is let by the owner or operator to more than four (4) persons who do not constitute a family.

Rooming Unit – A rooming unit is 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 or eating purposes.

Replace – Replace shall mean to remove an existing item or portion of a system to construct or install a new item of similar or improved quality as the existing item when it was new. Replacement will ordinarily take place when the item is incapable of repair.

Rubbish – Rubbish shall mean combustible or non-combustible waste materials except garbage and the term shall include the residue from the burning of coal, wood, coke or other combustible materials; paper, rages, cartons and boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tinned cans, metals, mineral matter, glass, ceramics and dust.

Stairways – One (1) or more flights or stairs, and the necessary landings and platforms connecting them, to form a continuous and uninterrupted passage from one floor to another.

Structure – Anything constructed or erected which is attached to something having location on the ground, including a fence or free-standing wall or a sign, billboard, or other advertising medium, detached or projecting, shall be defined as a structure.

Substandard – Substandard shall mean all buildings used for purposes of human habitation which do not conform to the minimum standards established by this Chapter or by any other provision of this Code or Ordinances of the Village of Annawan.

Supplied – Supplied shall mean paid for, furnished or provided by or under the control of, the owner or operator.

Temporary Housing – Temporary housing shall mean any tent, trailer or 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 premise for more than thirty (30) consecutive days.

Unlicensed Vehicle – Unlicensed vehicle is any vehicle which does not display a valid license plate or valid license applied for sticker.

Vermin – Any of various small animals or insects including, but not limited to cockroaches, rats, mice, and termites that are destructive, annoying or injurious to health.

Yard – A yard is an open space on the same lot with a building or structure, unoccupied and unobstructed from its lowest level to the sky except as otherwise permitted.

Meaning of Certain Words – Whenever the words “dwelling”, “dwelling unit”, “rooming unit”, “rooming house”, “rooming unit”, or “premises”, are used in this Code, they shall be interpreted as though they were followed by the words “or any part thereof”.

Division 2 – General Requirements

12-2-1 Minimum standards for dwellings and dwelling units

12-2-2 Space requirements generally

12-2-3 Artificial illumination

- 12-2-4 Electrical service
- 12-2-5 Heating
- 12-2-6 Water-heating facilities
- 12-2-7 Ventilation requirements
- 12-2-8 Refuse, garbage, and rubbish storage
- 12-2-9 Dual egress for dwelling units
- 12-2-10 Sinks
- 12-2-11 Bathrooms required
- 12-2-12 Accessory structures
- 12-2-13 Requirements for rooming houses in addition to requirements generally applicable
- 12-2-14 Requirements for multiple-use dwellings, multiple-family dwellings, two-family dwellings, hotels and motels
- 12-2-15 Outdoor storage of non-operating vehicle on private property – nuisance
- 12-2-16 Outside requirements
- 12-2-17 Permits required, qualifications, transferability, etc
- 12-2-18 Application and permit
- 12-2-19 Official approval
- 12-2-20 Number of rooms limited by Zoning Code
- 12-2-21 Violation of division declared a nuisance
- 12-2-22 Interpretation of division
- 12-2-23 Establishing minimum penalties
- 12-2-24 Designation of unfit dwellings and procedure for condemnation and demolition
- 12-2-25 Inspections by the housing inspector, building inspector or fire inspector
- 12-2-26 Noncompliance with chapter – notice to be given
- 12-2-27 Placard on building
- 12-2-28 Building to be vacated
- 12-2-29 Unlawful to remove placard
- 12-2-30 Right of appeal
- 12-2-31 Non-compliance with chapter – remedy of defects
- 12-2-32 Condemned buildings
- 12-2-33 Vacated dwellings to be made secure
- 12-2-34 Violations penalties
- 12-2-35 Broken glass and boarding-up
- 12-2-36 Emergency measures

SEC. 12-2-1 MINIMUM STANDARDS FOR DWELLINGS AND DWELLING UNITS

It shall be unlawful for any person to occupy as owner-occupant or to hold out to another for occupancy, any dwelling unit for the purpose of living therein, which is not safe, clean and fit for human occupancy, and which does not comply with the particular requirements of the following paragraphs of this Section.

(A) **Foundations, Exterior Walls and Roofs.** The foundation, exterior walls and exterior roof shall be substantially watertight and protected against rodents and shall be kept in sound condition and repair. The foundation elements shall adequately support the buildings at all prints. Every exterior wall shall be free of deterioration, holes, breaks, loose or rotting board, or timber, and any other condition which might admit rain or dampness to the interior portions of the walls or to the exterior spaces of the dwelling. The roof shall be tight and have no defects which admit rain, and roof drainage shall be adequate to prevent rain water from causing dampness in the walls. All cornices, rustications, moldings, belt courses, lintels, sills, oriels, windows, pediments and similar projections shall be kept in good repair and free from cracks and defects which make them hazardous and dangerous.

(B) **Floors, Interior Walls and Ceilings.** Every floor, interior wall and ceiling shall be adequately protected against the passage and harborage of vermin and rodents, and shall be kept in sound condition and good repair. Every floor shall be free of holes and cracks. Every floor shall be free of loose, warped, protruding or rotting floor boards. Every interior wall and ceiling shall be free of holes and large cracks and shall be maintained in a tight, weather proof condition. Every interior wall and ceiling shall be free of loose plaster or other structural material. Plaster, paint and all other surface materials shall be of such character as to be easily cleanable, and shall be reasonably smooth, clean and tight. Every toilet room and bathroom floor surface shall be substantially impervious to water and be capable of being maintained

easily in a clean and sanitary condition.

(C) **Windows, Doors and Hatchways.** Every window, exterior door and basement hatchway shall be substantially tight, and shall be kept in sound condition and repair. Every window shall be fully supplied with window panes, which are without cracks or holes. Every window shall be in good condition and shall fit reasonably tight capable of locking, fastening or otherwise closing, in a locked manner, the window from the inside, and every window, other than a fixed window, shall be capable of being opened and held in such an open position by appropriate hardware. Every exterior door, door hinge and door latch shall be in good condition. Every exterior door, when closed, shall fit reasonably within its frame. Every door between a rooming unit or dwelling unit and a public hall, the exterior of the dwelling or any other area not under the exclusive control of the residents of the rooming or dwelling unit shall have a deadbolt lock except where such a door is within a required means of egress as defined and required by the National Fire Code, published by the National Fire Protection Association, in which case, such locking devices are expressly prohibited.

(D) **Screens.** Screens shall be supplied, maintained and installed to the following extent:

(1) Every basement or cellar window which is openable shall be supplied with a framed heavy wire screen or hardware cloth of not less than four mesh per inch which fits tightly and which is securely fastened to the frame, or with any other material affording equivalent protection against the entry of rodents.

(2) From April 15 to November 15 of each year, every door opening directly from any dwelling unit to the outdoors and every window or other outside opening used for ventilation purposes, shall be supplied with a screen door shall have a self-closing device in good working condition on it.

(E) **Stairways and Porches.** Every stairway, inside and outside of the dwelling, and every porch, shall be kept in safe condition and sound repair. Every flight of stairs and every porch floor, shall be free of deterioration. Every stairwell and every flight of stairs which is more than four risers high, shall have rails not less than two and one-half feet high, measured vertically from the nose of the tread to the top of the rail; and every porch which is more than four risers high shall have rails not less than two and one-half feet above the floor of the porch. Every rail and balustrade shall be firmly fastened and maintained in good condition. No flight of stairs shall be settled more than one inch out of its intended position or have pulled away from supporting or adjacent structures. No flight of stairs shall have rotting, loose or deteriorating supports. The treads and risers of every flight of stairs shall be uniform in width and height. Every stair tread shall be strong enough to bear a concentrated load of at least four hundred pounds without danger of breaking. Every porch shall have a sound floor. No porch shall have rotting, loose or deteriorating supports.

(F) **Basements and Cellars.** Every basement and every cellar shall be maintained in a safe and sanitary condition, with the required minimum window area entirely above ground level. The floors and walls must be constructed so as to prevent the condensation of moisture within the room. Water shall not be permitted to accumulate or to stand on the floor. All sewer connections shall be properly trapped. All cellar and slab drains shall be covered with grating. Junk, rubbish and waste shall not be permitted to accumulate to such an extent as to create fire hazards or to endanger health or safety.

(G) **Facilities, Equipment and Chimneys.** Every supplied facility, fixture, system, piece of equipment or utility, and every chimney and chimney flue, shall be installed and maintained in a safe, sound and sanitary working condition, consistent with the requirements of this Chapter or other applicable Divisions of the Municipal Code.

(H) **Grading and Drainage of Lots.** Every yard, court, vent, passageway, driveway and any other portion of the lot on which the dwelling stands, shall be graded and drained so as to prevent the accumulation of stagnant water on any such surface. Driveways shall be maintained in a safe condition, free of safety hazards to the general public.

(I) **Yards.** Yards shall be provided with adequate lawn, ground cover of vegetation, hedges or bushes, equal to at least 10% of the total lot area. All areas which are not covered by vegetation shall be treated to prevent dust or the blowing or scattering of dust particles into the air. All trees, bushes or vegetation which overhang a public entrance shall be properly trimmed to avoid obstruction of the view and movements of vehicles and pedestrians.

(J) **Infestation.** Each dwelling and all exterior appurtenances on the premises shall be adequately protected against rats, mice, termites and other vermin infestation. Remedial steps shall be taken by the owner to correct any problem such as building defects which permit the entrance of rats, mice, termites and other vermin.

SEC. 12-2-2 SPACE REQUIREMENTS GENERALLY.

No person shall occupy or let to another for occupancy, any dwelling unit for the purpose of living therein, which does not comply with the following requirements:

(A) Every room occupied for sleeping purposes by one occupant shall have a minimum floor area of 70 square feet; every room occupied for sleeping purposes by two occupants shall have a minimum floor area of 100 square feet; and every room occupied for sleeping purposes by three occupants shall have a minimum floor area of 150 square feet, and shall contain an additional 50 square feet per each additional person.

(B) Every room used as a bedroom shall have access to at least one bathroom so that an occupant may enter the bathroom without passing through another room used as a bedroom.

(C) Habitable rooms shall have the following ceiling heights:

Basements: 7'-0" clear under joists.

Main Floor: Any living unit must have 8'-0" clear for at least 75% of the floor area.

Second Floor: Any living unit must have 7'-0" clear.

Under Sloping Roofs: Ceiling height must be 7'-0" for not less than 50% of the floor area having 4'-6' or more headroom.

Existing uses at the date of adoption of this Code are exempt from this requirement.

(D) Combined living room – dining room spaces will be constructed as meeting the requirements of this Section if the total area is equal to that required for separate rooms and if the space is so located that it may function as a combination living room – dining room.

SEC. 12-2-3 ARTIFICIAL ILLUMINATION.

Every habitable room shall have at least one ceiling or wall-type electrical light fixture or outlet which can be operated and controlled by an occupant at the entrance to the room. Every hallway and stairway in a multiple-family dwelling shall be lighted at all times by natural or electric light, so as to provide in all parts thereof, at least five foot candles of light at the tread or floor level.

SEC. 12-2-4 ELECTRICAL SERVICE.

(A) It shall be unlawful to occupy or permit another to occupy any dwelling unit for the purpose of living therein, which is not adequately and safely provided with an electrical system in compliance with the requirements of the National Electrical Code.

(B) Wherever it is found, in the judgment of the Housing Inspector or Building Inspector, that the electrical system in the building constitutes a hazard to the occupants of the building by reason of inadequate service, improper fusing, improper or inadequate grounding of the system, insufficient outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the Housing Inspector or Building Inspector shall request a review of said conditions.

(C) In addition to the hazard established by the Housing Inspector or Building Inspector, the following installations are prohibited and their presence shall be deemed a hazard:

1. Flush or semi-flush mounted floor convenience outlets, unless provided with an approved waterproof cover.
2. Extension cords for other than short-term, temporary use.
3. Conductor-supported pendant switches or conductor-supported pendant light fixtures.
4. Loose or hanging wires.
5. Frayed or bare wires.
6. Inadequately grounded, grounded-type convenience outlets.

SEC. 12-2-5 HEATING.

Every dwelling unit shall have heating facilities which are capable of safely and adequately heating all habitable rooms, bathrooms, and water-closet compartments within its walls to a temperature of at least 70 degrees Fahrenheit when the outside temperature is 10 degrees below Fahrenheit. Gas appliances designed primarily for cooking or water-heating purposes shall not be considered as heating facilities within the meaning of this Section. Portable heating equipment employing flame and the use of fossil fuels does not meet the requirements of this Section and is prohibitive. The above shall be sole responsibility of the owner and failure to provide the foregoing shall be a violation of this Ordinance.

SEC. 12-2-6 WATER-HEATING FACILITIES.

Every dwelling unit shall have supplied water-heating facilities which are properly installed, which are maintained in safe and good working condition, which are properly connected with the hot water lines required under the provisions of this Chapter and which are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120 degrees Fahrenheit. Such supplied water heating facilities shall be capable of meeting the requirements of this subsection when the dwelling or dwelling unit or rooming unit heating facilities required under the provisions of Sections of this Chapter are not in operation. The above shall be the sole responsibility of the owner and failure to provide the foregoing shall be a violation of this Ordinance.

SEC. 12-2-7 VENTILATION REQUIREMENTS.

(A) **Generally.** Every habitable room shall have a ventilation system adequate for the purpose for which the room is used. Natural ventilation shall be deemed to be adequate for habitation when the total area openable to the outside air (by means of windows, louvers, monitors or other direct openings excluding doors) is five per cent (5%) of the floor area of the habitable room, except that when:

1. Any portion of the room is more than sixteen feet from a required opening, the aggregate clear area of openings shall be not less than six per cent (6%).
2. A room has openable areas on two or more sides thereof, the total openable area shall be at least four per cent (4%) of the total floor area of such room.
3. The openable area faces a wall or other obstruction at a distance of less than ten feet, the effective area shall be computed at not more than eighty per cent (80%) of the actual openable area.
4. The openable area opens onto an enclosed porch, the enclosed porch shall have an openable area of at least three times the total required area of the openings onto such porch.

(B) **Kitchen with Floor Area of Less Than Seventy Square Feet.** A kitchen with a floor area of less than seventy square feet may be without either mechanical or natural ventilation if there is an opening of not less than thirty-two (32) square feet between the kitchen and another room in the same family unit and if the room into which the kitchen opens has the ventilation requirements of the preceding paragraphs.

(C) **Toilet and Bathroom Ventilation.** Every toilet room and bathroom shall have adequate ventilation which may be either an openable window with an openable area of five per cent (5%) of the floor area of the room with a minimum area of at least one hundred twenty (120) square inches. Gravity vents shall be provided with a weather cap, directional vane or rotary-type ventilation on the roof.

SEC. 12-2-8 REFUSE, GARBAGE AND RUBBISH STORAGE REQUIREMENTS.

Every dwelling unit shall have adequate refuse, garbage or rubbish storage facilities provided by the owner of said premises. These facilities shall comply to the Health and Garbage Ordinance.

SEC. 12-2-9 DUAL EGRESS FOR DWELLING UNITS.

All dwelling or rooming units in multiple-family dwellings, multiple-use dwellings, duplexes and rooming houses shall be provided with two separate usable, unobstructed means of egress for each dwelling or dwelling unit. The exit facilities from such dwelling or rooming units shall lead to a public thoroughfare, either directly or through a court or yard and passage to such exits shall not lead through any other dwelling or rooming unit or through a space that might be locked.

SEC. 12-2-10 SINKS.

Every dwelling unit shall contain a kitchen sink in good repair, free from chips, cracks or other defects which may be a sanitary hazard, and it shall be in working condition, properly connected to a water and sewer system approved by the Housing Inspector or Building Inspector.

Every kitchen sink, lavatory basin and bathtub or shower required under the provisions of this Chapter, shall be properly connected with both hot and cold water lines.

SEC. 12-2-11 BATHROOMS REQUIRED.

Every dwelling unit shall contain a bathroom which affords privacy to a person within said room and which

is equipped with a flush water closet, a tub, a shower, and a lavatory basin. Every dwelling unit with more than eight (8) occupants shall contain additional bathroom facilities at the rate of one for each additional six (6) occupants or fraction thereof. This requirement shall be mandatory in all dwelling units. All fixtures shall be in good repair and in working condition, properly connected to the public water system and to a public sewer system; provided, however, that until such sewer connections are available, septic tanks constructed to the standards required by the Health Department and properly functioning, shall not be constructed as being in violation of this Section.

SEC. 12-2-12 ACCESSORY STRUCTURES.

Accessory structures shall not obstruct light and air of doors and windows of any dwelling unit, or obstruct a safe means of access to any dwelling unit or create fire and safety hazards or provide rat or vermin harborage. Accessory structures shall be functional and shall be maintained in a state of good repair and alignment.

All exterior appurtenances or accessory structures which serve no useful purpose and which are in a deteriorated condition which is not economically repairable, shall be removed. Such structures include porches, terraces, entrance platforms, garages, driveways, carports, walls, fences and miscellaneous sheds.

SEC. 12-2-13 REQUIREMENTS FOR ROOMING HOUSES IN ADDITION TO REQUIREMENTS GENERALLY APPLICABLE.

(A) **Owner's Responsibilities:** The owner of a rooming house has the duty and responsibility to do or cause to be done the following:

1. To cut, mow, trim and maintain all grass, weeds, and other ground cover in such a way that it does not exceed eight (8) inches in height.
2. To provide and maintain receptacles for the collection and disposal of garbage, refuse and debris and similar material of sufficient size and in sufficient quantity to accommodate the refuse reasonably expected from the occupants of the premises and to provide for the collection and disposal of the contents thereof. To maintain in operable condition or otherwise in a manner required by law or ordinance, all fixtures, equipment and appurtenances installed in or provide with a rooming house.
3. To install and maintain screens and screen doors in accordance with SEC. 24-2-1 of this Code.
4. To provide at least one bathroom on each floor on which two or more bedrooms are located SEC. 24-2-11.
5. To file all applications and obtain all required permits and to pay any and all fees required in connection with the operation of the respective rooming houses.
6. To install and maintain all parking areas and driveways.
7. To affix and maintain on the front of the rooming house, street numbers or not less than four inches in height and of a color contrasting with that of the area to which it is affixed.
8. To install in operable condition, smoke detector devices meeting or exceeding Underwriter's Laboratories Standard No. 217, effective July 5, 1977, as amended, at locations providing not less than Level 4 protection, as defined in N.F.P.A. Publication No. 74, designated Ansi Se 3.14-1976, effective April 15, 1987, designated Household Fire Warning Equipment, 1975.
9. To maintain all installed smoke detector devices in operable condition.
10. To operate and maintain the rooming house in complete compliance with all Codes.
11. To provide not less than 150 square feet of floor area per roomer.

(B) **Occupant's Requirements:** Every occupant of a rooming unit or a rooming house, shall be responsible for the following, as applied to the portion of the rooming unit or rooming house that they occupy to have access to:

1. To exercise reasonable care and make proper use of the rooming unit or rooming house and its facilities. To keep the occupied area and all plumbing equipment and cooking facilities and any other equipment or facilities that are provided operating in a clean and sanitary fashion.
2. To dispose of rubbish and garbage or to store such waste in the proper containers, as provided by the owners in a neat and sanitary manner. (Per SEC. 21).
3. To operate and maintain a rooming unit and rooming house in compliance with all Codes.

SEC. 12-2 14 REQUIREMENTS FOR MULTIPLE-USE DWELLINGS, MULTIPLE-FAMILY

DWELLINGS, TWO-FAMILY DWELLINGS, HOTELS AND MOTELS.

(A) **Owner's Responsibilities:** The owner of a Multiple-Use Dwelling, Multiple-Family Dwelling, Two-Family Dwelling, Hotel or Motel has the duty and responsibility to do or cause to be done the following:

1. To cut, mow, trim and maintain all grass, weeds and other ground cover in such a way that it does not exceed eight (8) inches in height.
2. To provide and maintain receptacles for the collection and disposal of garbage, refuse and debris and similar material of sufficient size and in sufficient quantity to accommodate the refuse reasonably expected from the occupants of the premises and to provide for the collection and disposal of the contents thereof.
3. To maintain in operable condition or otherwise in a manner required by law or ordinances all fixtures, equipment and appurtenances installed in or provided with the premises.
4. To install and maintain screens and screen doors in accordance with SEC. 24-2-1 of this Code.
5. To file all applications and obtain all required permits and to pay any and all fees required in connection with the operation of the respective establishments.
6. To install and maintain all parking areas and driveways.
7. To affix and maintain on the front of the establishment, street numbers of not less than four inches in height and of a color contrasting with that of the area to which it is affixed.
8. To install in operable condition, smoke detector devices meeting or exceeding Underwriter's Laboratories Standard No. 217, effective July 5, 1977, as amended, at locations providing not less than Level 4 protection, as defined in N.F.P.A. Publication No. 74, designated Ansi Se. 3.14-1976, effective April 15, 1976, designated Household Fire Warning Equipment, 1975.
9. To maintain all installed smoke detector devices in operable condition.
10. To operate and maintain the establishment in complete compliance with all Codes of the Village of Annawan.

(B) **Occupant's Requirements:** Every occupant of a Multiple-Use Dwelling, Multiple-Family Dwelling, Two-Family Dwelling, Hotel or Motel, shall be responsible for the following, as applied to the portion of the living unit that they occupy or have access to:

1. To exercise reasonable care and make proper use of the living unit and its facilities.
2. To keep the occupied area and all plumbing equipment and cooking facilities and any other equipment or facilities that are provided operating in a clean and sanitary fashion.
3. To dispose of rubbish and garbage or to store such waste in the proper containers, as provided by the owners in a neat and sanitary manner. (Per SEC. 21).
4. To operate and maintain the living unit in complete compliance with all Codes.

SEC. 12-2-15 OUTDOOR STORAGE OF NON-OPERATING VEHICLES ON PRIVATE PROPERTY – NUISANCE.

It shall be nuisance for any person owning, leasing, occupying or having charge of any premises in any district within the Village to allow an inoperable or unlicensed motor vehicle to remain on the premises, unless such vehicle is in an enclosed building, or unless said premises has as its principle and lawful use the maintenance repair, sale, storage, or manufacture of vehicles.

SEC. 12-2-16 OUTSIDE REQUIREMENTS.

No owner shall permit any well, cistern, excavation or other depression to exist in a dangerous or unprotected condition. No owner or occupant shall permit any truck or trailer of one and one-half ton capacity or greater, to be parked on the premises in a residential zone, except for loading or unloading. This paragraph will not apply to recreational vehicles or campers.

All exterior wood surfaces on all dwellings shall be reasonably protected from the elements and against decay by a suitable protective material and must conform with requirements set forth in the BOCA Building Code as adopted by the Village.

All garages, tool sheds and all other out-buildings shall be kept in good repair so as not to be unsafe or become a harborage for rats and other rodents. Nor shall any wood or lumber or any other material or object be stored, kept or permitted to remain except temporarily on the premises, in such a manner that will afford harborage to rats.

SEC. 12-2-17 PERMITS REQUIRED QUALIFICATIONS, TRANSFERABILITY, ETC.

It shall be unlawful for any person or firm to conduct, keep, manage or operate or cause to be conducted, kept, managed or operated, any duplex, apartment, rooming house, multiple-use dwelling, hotel or motel, without a license therefore, provided however, no such permit or license shall be required for a duplex in which the owner of the duplex is an occupant in one or more of the duplex's dwelling units.

Licenses shall be renewed annually and shall run from January 1 through December 31 or a given year unless sooner terminated or revoked for all of the following dwelling purposes: Non-owner occupied duplex's; Multiple-Use Dwelling; Multiple-Family Apartments; Hotels and Motels; Rooming House.

No license issued under this Section shall be transferable.

SEC. 12-2-18 APPLICATION AND PERMIT.

A written application for the license or permit required by SEC 24-2-17, shall be submitted blank forms furnished by the Building Commissioner's office.

Applications shall accurately state the full name such license is to be issued. The full name and address of the owner of the building and premises where such multiple use dwelling, duplex, apartment, hotel, motel or rooming house is proposed to be carried on, the number of rooms or units in such buildings and which of such rooms in said building are to be occupied as sleeping rooms and the number of persons proposed to be accommodated or allowed in each room in a rooming house or multiple-use dwelling or the number of dwelling units in a multiple-family dwelling or multiple-use dwelling. Operating permits are not transferable from one party to another, upon the sale of any apartment house, multiple-use dwellings, duplex, hotel, motel or rooming house. At the time of sale of an apartment house, multiple-use dwelling, duplex, hotel, motel or rooming house, it will be necessary for the new owner or owners to acquire a new permit subject to the same conditions as the original permit.

SEC. 12-2-19 OFFICIAL APPROVAL.

Upon receipt of the application required by this Division, the Housing Inspector or the Fire Inspector shall authorize proper inspection, if required, and no such permit shall be issued until the Building Commissioner's Office has received the written approval from such official.

(A) **License or Permit Fees.** The permit or license required by this Division shall be issued by the Building Commissioner's Office. Annual fees for such permits shall be as follows:

1. **Rooming Houses.** Twenty-five dollars (\$25.00) plus two dollars (\$2.00) for each roomer allowed.
2. **Two-family Dwellings.** Twenty-five dollars (\$25.00).
3. **Multiple-Family and Multiple Use Dwellings.** Twenty-five dollars (\$25.00) per building plus four dollars (\$4.00) per dwelling unit.
4. **Hotels and Motels.** Twenty-five dollars (\$25.00) plus three dollars (\$3.00) per unit.

(B) **Delinquent Penalty.** After renewal due date, there shall be an additional monthly charge of twenty-five dollars (\$25.00) or twenty percent (20%) of the license fee, whichever is greater, provided that failure to have a license is a violation of SEC. 12-2-21, despite the possibility for a late fee for a license renewal.

(C) **Application Fee.** In the event an applicant for a license loses or misplaces his or her application, there shall be a five dollar (\$5.00) charge imposed to receive a new application.

(D) **Missed Inspection Appointment Fee.** For owners and/or managers who have confirmed appointments and who do not show up for their appointments, a ten dollar (\$10.00) fee shall be imposed.

(E) **Re-Inspection Fee.** Where an inspection reveals defects or deficiencies which preclude approval of the license, thereby forcing or necessitating a re-inspection, a fee of twenty-five dollars (\$25.00) per re-inspection may be charged to the license holder. Such fees are separate and apart and in addition to any other fee provided by ordinance.

SEC.-12-2-20 NUMBER OF ROOMS LIMITED BY ZONING CODE.

Rooming houses, duplex, apartment and multiple-use dwellings shall contain not more than the number of dwelling or rooming units authorized by the Zoning Code, nor shall any rooming or dwelling unit be occupied by more than the number of persons which this Zoning Code permits to occupy such a unit.

SEC. 12-2-21 VIOLATION OF DIVISION DECLARED A NUISANCE.

The existence or use of any rooming house, duplex, apartment, multiple-use dwelling, hotel or motel as defined in this Division in violation of the provisions of this Division, is hereby declared to be and shall

constitute a public nuisance.

SEC. 12-2-22 INTERPRETATION OF DIVISION.

The provisions of this Division shall be held to be the minimum requirements with respect to houses, apartments, multiple-use dwellings, duplexes, hotels, motels and rooming houses for the promotion of the public health, safety, comfort, convenience, life and general welfare.

SEC. 12-2-23 ESTABLISHING MINIMUM PENALTIES.

Any owner, lessee, agent, tenant or other person who shall violate any of the provisions of this Division, upon being found guilty, shall be subject to a fine of not less than \$25.00 nor more than \$200.00 for each violation, or be imprisoned for not to exceed six (6) months, or both such fine and such imprisonment. Each day that any such violation or failure continues shall be considered a separate and distinct offense and shall be punishable as such.

SEC. 12-2-24 DESIGNATION OF UNFIT DWELLINGS AND PROCEDURE FOR CONDEMNATION AND DEMOLITION.

The designation of dwellings, dwelling units, rooming units, hotels and motels, as unfit for human habitation and the procedure for the condemnation, placarding and demolition of such unfit dwellings, dwelling units, rooming units, hotels and motels shall be carried out in compliance with the following requirements:

(A) Any dwelling, dwelling unit, rooming unit, hotel or motel which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the housing Inspector or the Building Inspector.

1. One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin-infested, that it creates a serious hazard to the health and safety of the occupants or of the public.
2. One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or of the public or where such facilities or protection are not in working condition.
3. One which because of its general condition or location is unsanitary, unsafe, or otherwise hazardous to the health or safety of the occupants or of the public.

(B) Any dwelling, dwelling unit, rooming unit, hotel or motel condemned as unfit for human habitation and so designated and placarded by the Housing Inspector or the Building Inspector shall be vacated within a reasonable time, not to exceed sixty (60) days, as ordered by the Housing Inspector or the Building Inspector.

(C) No dwelling, dwelling unit, rooming unit, hotel or motel, which has been condemned and placarded as unfit for human habitation, shall again be used for human habitation until written approval is secured from, and the placard is removed by the Housing Inspector or the Building Inspector. The Housing Inspector or the Building Inspector shall remove such placard whenever the defect or defects upon which the condemnation and placarding action was based have been eliminated.

(D) No person shall deface or remove the placard from any dwelling, dwelling unit, rooming unit, hotel or motel, which has been condemned as unfit for human habitation, and placard as such except as provided in Paragraph (C) above.

(E) Any person affected by any notice or order, relating to the condemnation and placarding of a dwelling, dwelling unit, rooming unit, duplex, hotel or motel, as unfit for human habitation, may request and shall be granted a hearing before the Building Board of Appeals.

(F) Where a dwelling, dwelling unit, rooming unit, hotel or motel is condemned and placarded as unfit for human habitation, and is not vacated within the time specified in such vacation order, the Housing Inspector or the Building Inspector shall seek a court order in a court of competent jurisdiction, for the vacation of such dwelling, dwelling unit, rooming unit, hotel or motel.

(G) Where a dwelling, dwelling unit, rooming unit, hotel or motel which is subject to condemnation and placarding as unfit for human habitation may be ordered demolished by the Housing Inspector or the Building Inspector if it is determined by the Housing Inspector or the Building Inspector that such defects upon which the condemnation order is based cannot be economically remedied. Demolition according to requirements listed below may be required of the owner within a reasonable period of time, said period of time to be not less than thirty (30) days after notice is served on said owner. Such demolition shall have the effect of fulfilling is razed to ground level and any subsurface area is filled with solid material to ground

level.

(H) A dwelling, dwelling unit, rooming unit, hotel or motel which has been condemned as unfit for human habitation and ordered demolished and which has not been demolished by the owner within the time specified in such demolition order, may be demolished at the expense of the owner.

(I) After order of demolition is entered in the Circuit Court, the corporate authorities, shall then proceed to demolish said building or dwelling, dwelling unit, hotel or motel, as follows:

1. At least two bids shall be secured upon the cost of demolition of said building, dwelling, dwelling unit, rooming unit, hotel or motel, and a contract shall be awarded to the lowest bidder.
2. The payment of said contract shall be from the General Fund.
3. The cost of demolition of said building shall be recoverable from the owner or owners of such real estate and shall be a lien thereon, which lien shall be superior to all prior existing liens and encumbrances, except taxes, provided that within sixty (60) days after said cost and expense is incurred, the Municipality or person performing the service by authority of the Municipality shall file notice of the lien in the Office of the Recorder of Deeds said notice to consist of a sworn statement setting out a description of the real estate sufficient for identification thereof, the amount of money, cost or expense payable for said demolition, the date or dates when said cost or expense was incurred by said Municipality.
4. Upon the payment of said cost or expense by the owner or owners interested in said property after notice of lien has been filed, the lien shall be released by the Municipality or person in whose name the lien has been filed. The lien may be enforced by proceedings to foreclose as in the case of mortgages or mechanic's liens. Suit to foreclose the lien shall be made within three (3) years after the date of filing of notice of the lien.

SEC. 12-2-25 INSPECTIONS BY THE HOUSING INSPECTOR, BUILDING INSPECTOR OR FIRE INSPECTOR.

The Housing Inspector, Building Inspector or Fire Inspector is authorized and directed to make inspections to determine whether dwellings, dwelling units, rooming units, accessory structures and premises, hotels and motels located within this Village conform to the requirements of this Chapter and all other applicable Divisions of the Municipal Code. All inspections of single-family residences shall be conducted as per SEC. 24-1-3 of this Chapter. For the purpose of making such inspections, the Housing Inspectors, Building Inspector or Fire Inspector is authorized to enter, examine and survey at all reasonable times all dwellings, dwelling units, rooming units, accessory structures and premises, hotels and motels. The owner or occupant of every dwelling, dwelling unit, rooming unit, accessory structure and its premises, hotels and motels shall have the Housing Inspector, Building Inspector or Fire Inspector free access thereto at all reasonable times for the purpose of such inspection, examination and survey. In the event the owner or occupant shall refuse access to any said premise, then the Housing Inspector, Building Inspector or Fire Inspector shall have authority to enter any of such premises after written notice has been given to the owner, occupant or his agent.

SEC. 12-2-26 NONCOMPLIANCE WITH CHAPTER – NOTICE TO BE GIVEN.

Whenever the Housing Inspector, Building Inspector or Fire Inspector determines that there are reasonable grounds to believe that there has been a violation of any provision of this Chapter, he will give notice of such alleged violation to the person or persons responsible therefore, which shall:

- (A) Be in writing;
- (B) Contain a statement of the reason for which it is being issued;
- (C) Allow a reasonable time for the performance of any act which it requires;
- (D) Be served upon the owner or his agent, or the occupant, as the case may require. Such notice shall be deemed to be properly served upon such owner or agent. Such notice shall be deemed to be properly served upon such owner or agent, or upon any such occupant, if a copy thereof is:
 1. Served upon him personally; or
 2. Sent by regular first class mail, postage prepaid, to his last know address.
 3. Posted in a conspicuous place in or about the swelling affected by notice.
- (E) Contain an outline of remedial action, which if taken, will effect compliance with the provisions of this Chapter.

SEC. 12-2-27 PLACARD ON BUILDING.

The designation of dwellings, dwelling units, rooming units, hotels or motels, as unfit for human habitation and the procedure for such declaration and placarding is as follows:

Any dwelling, dwelling unit, rooming unit, hotel or motel which shall be found to have any of the following defects shall be declared unfit for human habitation and shall be so designated and placarded by the Housing Inspector, Building Inspector or Fire Inspector:

1. One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin infested that it creates a serious hazard to the health and safety of the occupants or of the public.
2. One which lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants or of the public.
3. One which because of its general condition or location is unsanitary or otherwise dangerous to the health and safety of the occupants or of the public.
4. Where the person responsible has failed to correct, in a timely manner, the condition described in a notice issued in accordance with SEC. 24-2-26.

SEC. 12-2-28 BUILDING TO BE VACATED.

Any dwelling, dwelling unit, rooming unit, hotel or motel condemned as unfit for human habitation, and so designated and placarded by the Housing Inspector, Building Inspector or Fire Inspector, shall be vacated within a reasonable time as ordered by the Housing Inspector, Building Inspector or Fire Inspector. No dwelling, dwelling unit, rooming unit, hotel or motel which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from, and such placard is removed by, the Housing Inspector, Building Inspector or Fire Inspector. The Housing Inspector, Building Inspector or Fire Inspector shall remove such placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated.

Where a dwelling, dwelling unit, rooming unit, hotel or motel is condemned and placarded as unfit for human habitation, and is not vacated within the time specified, the Housing Inspector, Building Inspector or Fire Inspector shall seek a court order in a court of competent jurisdiction for the vacation of such dwelling, dwelling unit, rooming unit, hotel or motel.

SEC. 12-2-29 UNLAWFUL TO REMOVE PLACARD.

No person shall deface or remove the placard from any dwelling, dwelling unit, rooming unit, hotel or motel which has been condemned as unfit for human habitation and placarded as such, except as provided in the preceding paragraph.

SEC. 12-2-30 RIGHT OF APPEAL.

Any person affected by any notice or order relating to the condemnation or placarding of a dwelling, dwelling unit, rooming unit, hotel or motel as unfit for human habitation, or any interpretation of this Division 2, may appeal and request in writing within ten (10) days of such notice, a hearing before the Zoning Board of Appeals. Upon receipt of such notice of appeal, a hearing shall be held and decision rendered. Any such appeal shall stay all proceedings in furtherance of the action appealed from unless the Housing Inspector, Building Inspector or Fire Inspector shall certify to the Zoning Board of Appeals subsequent to the filing of any notice of appeal that, by reason of the facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by order of a court of competent jurisdiction.

SEC. 12-2-31 NON-COMPLIANCE WITH CHAPTER – REMEDY OF DEFECTS.

The owner of any building shall have the period of time specified in the letter of notice required to be sent by SEC. 24-2-26 (A), in which to remedy the condition therein described, except when an emergency situation requires immediate action, as provided in SEC. 24-2-37. The Housing Inspector, Building Inspector or Fire Inspector may extend the time for compliance with any such notice.

It shall be unlawful for any person to fail to comply with any order of the Housing Inspector, Building Inspector or Fire Inspector contained in a notice described in SEC. 24-2-26 or SEC. 24-2-37.

SEC. 12-2-32 CONDEMNED BUILDINGS.

If any building covered by this Chapter shall be found to be unfit for human habitation, and if the cost or repair or alteration shall be deemed prohibitive by the Housing Inspector, Building Inspector or Fire

Inspector, then he shall condemn such building and proceed with its removal as in all other cases of condemned buildings.

SEC. 12-2-33 VACATED DWELLINGS TO BE MADE SECURE.

The owner of every dwelling, dwelling unit, rooming unit, hotel or motel which is declared unfit for human habitation or for continued occupancy shall make the dwelling, dwelling unit, rooming unit, hotel or motel, safe and secure under the terms so that it shall not be dangerous to human life and shall not constitute a fire hazard or public nuisance. Any such vacant dwelling, dwelling unit, rooming unit, hotel or motel, open at doors or windows, if unguarded, shall be deemed to be dangerous to human life as a fire hazard and as a public nuisance with the meaning of this provision.

SEC. 12-2-34 VIOLATIONS: PENALTIES.

Any person, firm or corporation violating any of the provisions of this Chapter, shall upon conviction thereof, be subject to the penalty provided in SEC. 24-2-23 of this Chapter.

SEC. 12-2-35 BROKEN GLASS AND BOARDING-UP.

Every window, glazed exterior door, exterior transom or exterior sidelight, shall be provided with properly installed glass or other approved glazing material. In the event of breakage, the owner shall cause the immediate removal of broken glass from the premises and shall temporarily board up the affected openings with suitable material to provide protection from the elements and to prevent entry of insects, birds or animals and to provide security to occupants or contents of the buildings.

Adequate ventilation and artificial lighting shall be provided for all occupied dwellings, dwelling units, rooming units, hotels or motels. Whenever any exterior openings are found boarded up, it shall be the duty of the Housing Inspector or the Building Inspector to notify the owner or agent of this requirement by giving him a period of not more than ten (10) working days in which to properly replace the broken glass, or the dwelling unit, rooming unit, dwelling, hotel or motel shall be unlawful for any owner or agent to fail to comply with the order of the Housing Inspector or the Building Inspector contained in such notice. Since the presence of boarded-up buildings, particularly those where the boarding is unpainted or applied in an insecure, careless or unpresentable fashion, invites vandalism and creates a blighting influence which adversely affects the general welfare of the people of this Village, it is hereby required that all boarding up of exterior openings be accomplished in a neat, workman-like manner, with not less than ½ inch thick, weather-resistant plywood cut to fit within openings, fastened in place as securely as possible and suitably coated with an appropriate neutral color blending with or harmonizing with the exterior colors of the building as inconspicuously as possible. It shall be the duty of the Housing Inspector or Building Inspector to notify the owner or agent of any boarded-up dwelling, dwelling unit, rooming unit, hotel or motel, not complying with the above requirements, of the necessity of compliance by giving him a period of not more than ten (10) working days in which to replace the broken glass, or in which repair, replace or paint the boarding. This notice shall be given in the manner required in SEC. 24-2-26, and it shall be unlawful for any owner or agent to fail to comply with the order of the Housing Inspector or the Building Inspector contained in such notice.

SEC. 12-2-36 EMERGENCY MEASURES.

When a dwelling unit, rooming unit, dwelling, hotel or motel, has become so damaged by fire, wind or other causes, or has become so unsafe, unhealthful or unsanitary, that in the opinion of the Housing Inspector or Building Inspector, life or health is immediately endangered by the occupation of the dwelling, dwelling unit, rooming unit, hotel or motel, the Housing Inspector or Building Inspector is hereby authorized and empowered to revoke without notice, any occupancy permits for such dwellings, dwelling units, rooming units, hotels or motels, and to order and require the occupants to vacate the same forthwith and to order the owner or agent to proceed immediately with the corrective work and temporarily safe and fit for human habitation, whether or not a notice of violation has been given as described in this Chapter, and whether or not legal procedures described by ordinances of the Village has been instituted. It shall be unlawful for any person to fail to comply with any emergency order of the Housing Inspector find that an emergency exists which requires immediate action to protect the health and safety of the residents or of the public, he may issue an order citing the existence of an emergency and requiring immediate action to be taken as deemed necessary to meet the emergency. Notwithstanding other

provisions of this Divisions, such order shall take effect immediately.