

ORDINANCE NO. 9394-84

AN ORDINANCE ADOPTING BUILDING AND FIRE SAFETY CODES WITH ADDITIONS, DELETIONS AND MODIFICATIONS AND REPEALING CERTAIN SECTIONS OF THE CODE OF ORDINANCES CITY OF URBANA, ILLINOIS

WHEREAS, 65 ILCS 5/1-3-2 and 50 ILCS 220/2 both provide that where rules, regulations, and codes for the construction of buildings have been printed in book form, such rules, regulations, and codes, or portions thereof, may be adopted by reference; and

WHEREAS, three copies of the BOCA National Building Code - 1990 edition, BOCA National Mechanical Code - 1990 edition, BOCA National Property Maintenance Code - 1990 edition, BOCA National Fire Prevention Code - 1990 edition, National Electrical Code 1990 edition, and BOCA National Plumbing Code - 1990 edition containing the rules and regulations hereafter adopted have been filed in the Office of the City Clerk for use and examination by the public for at least thirty (30) days prior to their adoption; and

WHEREAS, although three copies of such Codes have been filed with the City Clerk as recited above, this Ordinance adopting such Codes as hereinafter set forth, is adopted pursuant to the provisions regarding home rule of the Illinois Constitution of 1970 and is to be regarded as an exercise of the home rule powers of the City of Urbana.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. All of Chapter 5 of the Urbana Code of Ordinances is hereby repealed upon this Ordinance taking effect.

Section 2. Nothing in this Ordinance or in the Building and Safety Codes herein adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing under the Ordinance hereby repealed; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 3. That the attached Chapter 5 of the Urbana Code of Ordinances is hereby enacted, containing the following Articles:

- Article I General
- Article II Director of Community Development Services
- Article III Building Code
- Article IV CABO One- and Two-Family Dwelling Code
- Article V Reserved
- Article VI Electrical Code
- Article VII Plumbing Code
- Article VIII Mechanical Code
- Article IX Property Maintenance Code
- Article X Reserved
- Article XI Flood Hazard Areas
- Article XII Mobile Home Parks and Mobile Homes
- Article XIII Fire Prevention Code

Section 4. Should any section, paragraph, sentence, clause, phrase, or word of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, or section.

Section 5. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect as of midnight on the fourth day of June 1994.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 4th day of April, 1994.

AYES: 5 - Hayes, Patt, Ryan, Singer, Taylor
 NAYS: 0
 ABSTAINS: 0



Phyllis D. Clark
 Phyllis D. Clark, City Clerk *by John S. Manges, Deputy Clerk*

APPROVED by the Mayor this 18th day of April, 1994.

Tod Satterthwaite
 Tod Satterthwaite, Mayor

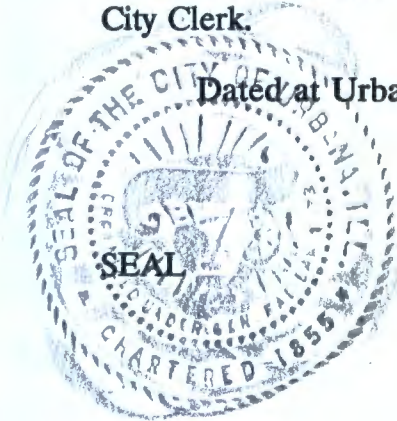
CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 4th day of April, 1994, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9394-84 entitled, "An Ordinance Adopting Building and Fire Safety Codes," which provided by its terms that it should be published in pamphlet form.

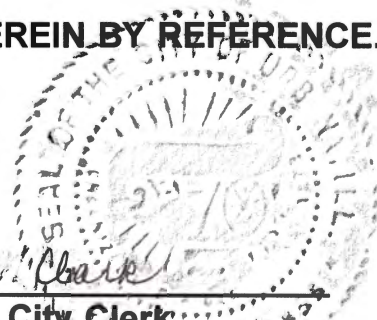
The pamphlet form of Ordinance No. 9394-84 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 19th day of April, 1994, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 3rd day of May, 1994.



Phyllis D. Clark
Phyllis D. Clark, City Clerk

THIS IS THE ATTACHMENT WHICH IS REFERRED TO IN ORDINANCE
NO. 9394-84 AND IS INCORPORATED THEREIN BY REFERENCE.

A circular seal of the City of Dallas is visible in the background, partially overlapping the signature. The seal contains the text "SEAL OF THE CITY OF DALLAS" and "1856".
Phyllis D. Clark

Phyllis D. Clark, City Clerk
by Sharon Menges, Deputy Clerk

April 13, 1994

Date

**1990 MODEL CODES
ADOPTING ORDINANCE**

Article I	General	4
Article II	Director of Community Development Services	6
Article III	Building Code	7
Article IV	CABO One- and Two-Family Dwelling Code	33
Article V	Reserved	39
Article VI	Electrical Code	40
Article VII	Plumbing Code	59
Article VIII	Mechanical Code	64
Article IX	Property Maintenance Code	72
Article X	Reserved	95
Article XI	Flood Hazard Areas	96
Article XII	Mobile Home Parks and Mobile Homes	111
Article XIII	Fire Prevention Code	123

ARTICLE I: GENERAL

Sec. 5-1. Reserved.

Sec. 5-2. Definitions.

A. Whenever the words "municipality" or "city" are used in this Ordinance or in any adopted code, they shall be held to mean the City of Urbana, Illinois.

B. The intent of this Ordinance shall be that the requirements and applicability of the codes referenced in this Ordinance shall be based upon the use group classifications, definitions, and construction types as designated in those codes as modified by this ordinance. Classifications, definitions, and occupancy types from other codes such as NFPA and/or the Zoning Ordinance shall not be used when determining requirements from the codes referenced by this Ordinance.

Sec. 5-3. Other Referenced Codes and Ordinances. Nothing in the adoption of the codes set forth above shall be construed to exempt any building or structure, or portion thereof, or occupancy or use thereof, from compliance with any and all other applicable codes and ordinances of the City of Urbana, Illinois. Wherever in the Building Code there is a conflict with the Zoning Ordinance of the City, the provisions of the Zoning Ordinance shall apply.

Sec. 5-4. Contractor Bonds. All contractors or other persons doing or proposing to do work requiring a permit from the City of Urbana, pursuant to Chapter 5 of the Urbana Code of Ordinances, except moving permits, shall, before such permit may be issued, submit to the Building Official a statement that such person undertakes to restore the city streets, all sidewalks and parkways to as good condition after the work is completed as the same were before such work was undertaken and further that the person to whom such permit is issued shall indemnify and save harmless the City of Urbana from all liability for damages to persons or property caused or asserted to have been caused on account of anything growing out of the doing of any work for which the permit was issued.

Additionally, all contractors or other persons doing or proposing to do work in the City of Urbana, which work may reasonably be expected to cause any physical disturbance of the public right-of-way including but not limited to any excavation, shall in addition to the permit required under Chapter 5 (if necessary) obtain a right-of-way permit from the City Engineer. Before the said right-of-way permit may be issued, the contractor or other person must post a bond as set forth under Section 20-71 of the Urbana Code of Ordinances.

Private Property Owner: However, any property owner who plans to do his/her own work on such owner's own property, or on city property adjacent to such owner's property, between his/her property and the paved portion of the street shall not be required to furnish such a bond. Any work on the public right-of-way will require approval and a permit from the City Engineer.

Sec. 5-5. Additions, Modifications, Deletions, and Substitutions. Where the following words precede the sections and subsections of the Codes hereinafter adopted they shall have the meanings set forth below.

"ADD" means that such provision is thereby added to and made a part of the Code indicated as though fully set forth therein at the referenced section.

"AMEND" (see "MODIFY").

"DELETE" means that such provision deletes the referenced section from the code referenced.

"MODIFY" means that such provision amends the referenced section of the code referenced to read as provided and that such provision is added to and made a part of such code as though fully set forth at the referenced section number.

"SUBSTITUTE" means that provision is substituted in place of the referenced section and is made a part of the code referenced.

Secs. 5-6 - 5-10. Reserved.

ARTICLE II DIRECTOR OF COMMUNITY DEVELOPMENT SERVICES

Sec. 5-11. Office created. There is hereby created the office of Director of Community Development Services, who may also in this Code be referenced to as the Building Official.

Sec. 5-12. Appointment. The Director of Community Development Services shall be appointed by the mayor with the advice and consent of the city council.

Sec. 5-13. Duties. The duties of the Director of Community Development Services shall be as follows:

A. The Director of Community Development Services shall be the Building Official of the city and shall issue all building permits and carry on all duties of the Building Official as such term is used elsewhere in city ordinances.

B. The Director of Community Development Services shall perform other such duties as prescribed by the Mayor or council from time to time.

Secs. 5-14 - 5-20. Reserved.

ARTICLE III BUILDING CODE

Sec. 5-21. Adoption of the 1990 BOCA National Building Code, 11th edition. The 1990, 11th edition BOCA National Building Code as promulgated and published by Building Officials and Code Administrators International, Inc., is hereby adopted as the Building Code of the City of Urbana, Illinois; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the said BOCA National Building Code are hereby referred to, adopted, and made a part hereof, with the additions, insertions, deletions, and changes prescribed in Section 5-23.

Sec. 5-22. Effect of State Law. The adoption of the 1990 BOCA National Building Code herein pursuant to home rule powers is not intended to negate any state statute on the same subject except insofar as the article imposes a more stringent requirement or standard than does the state statute. Where differences occur between common provisions of this Code and any other code or standard referenced by this Code, the provisions of this code shall apply.

Sec. 5-23. Additions, Amendments, Modifications, Deletions, and Substitutions. The following sections and subsections of the 1990, 11th edition, BOCA National Building Code are amended or changed as defined hereinafter:

Section 100.1 entitled, "Title," is modified to read as follows:

Section 100.1 Title: These regulations shall be known as the Building Code of the City of Urbana, Illinois hereinafter referred to as "this Code".

Section 103.4 entitled, "Rehabilitation," is deleted.

Section 105.4 entitled, "Permits for Demolition," is added and reads as follows:

Section 105.4 Permits for Demolition: No building or structure shall be demolished or removed without obtaining a demolition permit. Applications for demolition permits shall be in a form approved by the Building Official and shall include the estimated time necessary to complete the demolition. The estimated time necessary to complete the demolition may be set by the Building Official in emergency situations as prescribed in Sections 120 and 121 of this Code. The estimated time for completion shall not exceed 90 days from date of application. Failure to complete the work within 90 days may be deemed a violation of the Building Code and may be subject to the penalties therein. Extensions of the time period, by an additional thirty (30) days may be granted for cause by the Building Official upon a request for such in writing from the permit holder. Fees shall be paid as prescribed in Section 114.0. The Building Official may waive the permit requirements for demolition of accessory structures where no foundation exists to be removed and no grading is required.

Section 105.5 entitled, "Contractors Bond," is added and reads as follows:

Section 105.5 Contractors Bond: All contractors or other persons proposing to do work requiring a demolition permit from the City of Urbana shall be subject to the requirements of Article I, Section 4.

Contractors posting surety bonds on city contracts shall not be required to post any additional contractor bond, provided that such bond provides comparable coverage for the work undertaken.

Section 105.6 entitled, "General Requirements for Demolition," is added and reads as follows:

Section 105.6 General Requirements for Demolition: All demolition work shall be carried out in accordance with the requirements of Article 30 of this Code and in accordance with the following specifications:

A. All noncommon foundation walls and other below grade structures shall be completely demolished and removed. All materials shall be removed from basement or cellar activities and concrete floors shall be broken up and removed. All putrescible materials shall be removed.

B. **Backfilling:** Masonry rubble not exceeding twelve (12) inches in the greater dimension may be used as backfill, however, such masonry rubble may not exceed 35% of the total backfill material. No other demolition materials, no wood, frozen materials, or putrescibles may be used for backfill.

C. **Finish grading:** After backfilling the contractor shall finish grade the site. Finish grading shall be mounded approximately twelve (12) inches above existing grade in the center of the excavation unless the excavation abuts an existing building. Finish grading shall be designed to prevent the ponding of water.

D. **Dust control:** During demolition work the contractor shall take reasonable steps to eliminate dust. Any water spraying, etc. shall be at the contractor's expense.

Section 105.7 entitled, "Abandoned Driveways," is added and reads as follows:

Section 105.7 Abandoned Driveways: All abandoned drive accesses and curb cuts to the property must be removed and/or effectively closed to prevent illegal parking on the city right-of-way and/or the vacant lot. A right-of-way permit is required for work in the right-of-way. All abandoned drive accesses to the property must be removed and/or effectively closed to prevent illegal parking on City right-of-way and/or the vacant lot.

Case #1: Abandoned drives from streets with curb and gutters; drive must be removed and curb and gutter installed.

Case #2: Abandoned drives from streets without curb and gutters; drive must be removed; appropriate barrier installed, and grass re-established in the former drive access area.

Section 105.8 entitled, "Utilities," is added and reads as follows:

Section 105.8 Utilities: Prior to the demolition of any structure, arrangements shall be made for the disconnection and/or retirement of all utilities. All sanitary and storm sewers shall be disconnected and plugged in accordance with the standards as determined by the Plumbing Official and the Urbana Engineering Division.

Section 106.1.1 entitled, "Permits," is added and reads as follows:

Section 106.1.1 Permits: No work shall be performed without first obtaining the necessary permits including building, demolition, moving, plumbing, electrical, HVAC, and right-of-way permits.

Section 106.2 entitled, "Moving Permits," is added and reads as follows:

Section 106.2 Moving Permits: No building or accessory structure shall be moved through or over any street in the city, or from one lot to any other lot in the city without first obtaining a moving permit. The Director of Public Works may waive the moving permit and fee requirements for the moving of small accessory structures which will not interfere with traffic and which will not otherwise affect public property.

Section 106.3 entitled, "Demolition Permit and Building Permit Required," is added and reads as follows:

Section 106.3 Demolition Permit and Building Permit Required: No moving permit shall be issued until such time as a demolition permit has been issued, per the requirements of Section 105.0 of this Code, for buildings to be moved from a location within the jurisdiction of the City of Urbana and no moving permit shall be issued until such time as a building permit has been issued, per the requirements of this Code for a building to be relocated onto a site located within the jurisdiction of the City of Urbana.

Section 106.4 entitled, "Applications for Moving Permit," is added and reads as follows:

Section 106.4 Application for Moving Permit: Application for a moving permit shall be made as follows:

A. Application shall be made to the Building Official for buildings or structures to be moved from one property to another without crossing any street, alley, or public right-of-way. The moving permit may be issued as a part of the building permit for the project. The Building Official may issue a permit based upon the completed application and a determination that the proposed timing and duration of the move shall not unduly interfere with public safety and convenience. The application for the moving permit shall be made in conjunction with the application for the building permit and shall include the following:

1. An estimate of the number of days which will be required for the move. Such estimate shall not exceed the time reasonably necessary to move said building.
2. Written permission from the property owners of any property to be crossed which are not owned by the applicant.
3. A statement from the Building Official indicating that the building or structure has been inspected and is capable of complying with Urbana Property Maintenance Codes.
4. A copy of an application for a demolition permit.
5. The permit fees as required in Section 114.0.

B. Application shall be made to the Director of Public Works for any building or structure to be moved on or across any street, alley, or public right-of-way. The Director of Public Works may issue a permit based upon the application and a determination that the proposed timing, duration, and route of the building move shall not unduly interfere with the public safety and convenience, and will not unreasonably expose public or private property to damage from the building movement activity. Such application shall be made on a form approved by the Director of Public Works and shall include:

1. A detailed description of the proposed work, including dimensions of the building and the street widths including bridge and tunnel dimensions.
2. The number of days during which the building shall occupy any portion of the street, sidewalk, park, or other public place.
3. An estimate of the weight of the building.
4. A statement from public utilities that arrangements have been made for the temporary relocation and/or repair of such utility where interference is necessary for relocation of the building.
5. Every person applying for a permit under this division shall submit with the application a bond with at least two (2) sureties thereon to be approved by the City Attorney, conditioned upon the compliance by the applicant with all the provisions of this division, including the payment for repair of all damages to public property or public improvements which

damages may arise out of the moving of such building and conditioned upon the person applying for a permit removing any debris which falls on the public right-of-way as a result of the structure being moved.

6. A copy of the demolition permit and/or the building permit as required in Section 106.3.
7. A copy of any permit required for moving a building or structure on or across a State of Illinois right-of-way.
8. A statement from the Building Official indicating that the building or structure has been inspected and is capable of complying with Urbana codes.
9. The required moving permit fees as prescribed in Chapter 14 (licenses and permits) in the Urbana Code of Ordinances.
10. An inventory of route conflicts with trees and municipal facilities by street address.
11. When the route crosses a bridge or tunnel, a registered Structural Engineer must provide a structural analysis of these structures at the applicant's expense.
12. The applicant may be required to enlist the services of a professional tree trimmer that is approved by the City of Urbana.
13. The applicant for the moving permit shall provide a list of the last known tax payers of record as reflected in the Champaign County records of all property adjacent to or within 250 feet in each direction of the property to which the structure or building is to be relocated. The measurement of all public roads, streets, alleys, and other public right-of-ways shall be excluded in determining the 250 foot requirement. Notice of said moving permit application shall be mailed first class to property owners adjacent or within 250 feet, by the Public Works Director, at least seven working days prior to the stated move date. Said notice shall provide the date the move is to occur and a date, time, and place at which the Urbana City Council shall hear the moving permit request if a meeting is scheduled or special meeting arranged.

C. The Urbana City Council at a regular City Council meeting, Committee meeting of the whole, or Special Council meeting shall review, within ten working days of completed application submission, the moving permit request and approve or disapprove said permit by motion and simple majority vote of those present. In the event a regular City Council meeting or Committee meeting of the whole is not scheduled within ten days of the date of completed application submission, the Mayor and Council will be notified pursuant Section 2-25(b) of Urbana City Code of a special meeting. In the event a regularly scheduled Committee meeting or Council meeting does not occur within the ten day period and a quorum of the Council cannot agree to a special meeting date within three working days of the application, the permit shall be automatically issued on the 10th day.

Section 106.4.1 entitled, "Conflicts with Municipal Facilities," is added and reads as follows:

Section 106.4.1 Conflicts with Municipal Facilities: In addition to any required fees, the applicant for a moving permit shall be responsible for the cost(s) involved in any conflict with city facilities which requires temporary relocation, such as the relocation of street signs, light poles, traffic signals, tree trimming, etc., and the applicant shall be responsible for the cost of any traffic control which is provided by the City. The cost for such shall be determined by the Public Works and Police Departments of the City of Urbana, Illinois.

Section 108.2 entitled, "Special Professional Services," is modified and reads as follows:

Section 108.2 Special Professional Services: Where applications for unusual design or magnitude of construction are filed or where code reference standards in Appendix A require special architectural or engineering inspections, the Code Official is authorized to require full-time project representation by an architect or engineer. This project representative shall keep daily records and submit reports as required by the Code Official.

Section 109.1 entitled, "Code Official," is modified to read as follows:

Section 109.1 Code Official: The Director of Community Development Services shall be herein specifically known and referred to in this Code as the "Building Official" and the "Building Safety Division Manager" shall be specifically known and referred to in this Code as the "Assistant Building Official".

Sections 109.2 through 109.5 are deleted.

Section 109.6 entitled, "Relief from Personal Responsibility," is modified to read as follows:

Section 109.6 Relief from Personal Responsibility: The Building Official and Assistant Building Official, Officers, members of the Building Code Board of Appeals, or employees charged with the enforcement of this Code, while acting for the municipality, shall not thereby render themselves liable personally, and they are hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of their official duties. Any suit instituted against any officer or employee because of an act performed by them in the lawful discharge of their duties and under the provisions of this Code, or any amendment thereto, shall be defended by a legal representative of the City until the final termination of the proceedings. The Building Official or any subordinates shall not be liable for costs in any action, suit, or proceeding that may be instituted in pursuance of the provisions of this Code; and any officer of the Department of Community Development Services, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

Section 109.7 entitled, "Official Records," is modified to read as follows:

Section 109.7 Official Records: An official record shall be kept of all business and activities of the department specified in the provisions of this Code, and all such records shall be open to public inspection subject to the statutes and laws of the State of Illinois.

Section 111.4 entitled, "Description of Work," is modified to read as follows:

Section 111.4 Description of Work: The application shall contain a general description of the proposed work, the use, and occupancy of all parts of the building or structure and of all portions of the site or lot not covered by the building or structure and such additional information as required by the Code Official.

Section 111.5.1 entitled, "Noxious Odor Abatement Plan," is added and reads as follows:

Where plans filed with a building permit application for new construction or additions to facilities indicates an emission source reasonably expected to produce a noxious odor beyond that of normal mechanical systems for the facility operation, the Building Official may require a Noxious Odor Abatement Plan to be filed by the owner which shall indicate the methods proposed to be used to minimize such emissions. The plan shall utilize the best available technology as determined by the Building Official for effectuating odor reductions consistent with industry standards. If the structure is then built, the noxious odor abatement plan will be implemented substantially as proposed.

Section 112.2.1 entitled, "Unused Building Materials," is added and reads as follows:

Section 112.2.1 Unused Building Materials: When a permit becomes invalid or is voided for any reason, all building materials not stored within a building or permanent structure shall be removed from the job site.

Section 112.5 entitled, "Approved Plans," is modified to read as follows:

Section 112.5 Approved Plans: One duplicate set of the plans, as submitted for a building permit, shall be kept at the job site at all times, available to the Building Official at all reasonable times.

Section 113.6 entitled, "Exterior Storage of Construction Materials," is added and reads as follows:

Section 113.6 Exterior Storage of Construction Materials: The exterior storage of construction materials shall not be allowed beyond 120 days from the date of permit issuance for projects with an estimated cost of construction of less than \$50,000.00 which are located within a residential zoning district, unless a temporary storage permit has been issued by the Building Official. (Refer to Chapter 14 of the Urbana Code of Ordinances for the applicable fee.)

The Building Official may issue a temporary storage permit for 30 day intervals, not to exceed 180 days for any project. The exterior storage of construction materials authorized by any such temporary storage permit shall be subject to the requirements for location, visual screening, and weather protection as established by the authority having jurisdiction.

Exception: Materials which are stored within a structure and which are not visible from the exterior thereof, nor exposed to weathering as determined by the Building Official.

Section 113.6.1 entitled, "Exterior Weather Resistance," is added and reads as follows:

Section 113.6.1 Exterior Weather Resistance: The exterior of all structures for which a building permit has been issued must comply with the provisions of Section 302.1 of the BOCA National Existing Structures Code, 1990 edition, as adopted by the City of Urbana, within 10 months of the issuance of said building permit.

Exception: The compliance time frame of this section may be extended for cause by the Building Official for projects of unusual complexity or size. All such extensions must be made in writing and be made part of the active file for the project.

The provisions of this Ordinance shall apply not only to all newly issued building permits, but also to any building permits previously issued.

Section 114.3.1 entitled, "Fee Schedule," is modified to read as follows:

Section 114.3.1 Fee Schedule: The fees for plan examination, building permits, demolition permits, moving permits, signs, and all other types of permits shall be prescribed in the License and Permit Ordinance, referenced as Chapter 14 in the Urbana Code of Ordinances.

Sections 114.4 and 114.5 are deleted.

Section 115.2 entitled, "Required Inspections," is modified as follows:

Section 115.2 Required Inspections: After issuing a building permit, the Code Official shall conduct such inspections from time to time during and upon completion of the work for which a permit has been issued. A record of all such examinations and inspections and of all violations of this code shall be maintained by the Code Official.

Section 117.4 entitled, "Violation Penalties," is modified as follows:

Section 117.4 Violation Penalties: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter, or repair a building or structure in violation of an approved plan or directive of the Code Official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of an offense punishable by a fine of not more than \$200.00. Each day that a violation continues shall be deemed a separate offense.

Section 118.2 entitled, "Unlawful Continuance," is modified to read as follows:

Section 118.2 Unlawful Continuance: Any person who shall continue any work in or about the structure after having been served with a "stop work" order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalties as prescribed in Section 117.4.

Section 120.5 entitled, "Posting Unsafe Notice," is amended to read as follows:

Section 120.5 Service of Unsafe Notice: The unsafe notice shall be deemed to be properly served upon such owner if (1) a copy thereof is delivered to the owner personally or (2) a copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid, and a copy thereof is posted in a conspicuous place on the premises where the violation exists. If the notice is served by mailing and posting, the service shall be deemed effective on the third day after mailing and posting.

Section 123.0 entitled, "Board of Survey," is deleted.

Section 124.1 entitled, "Application for Appeal," is modified as follows:

Section 124.1 Application for Appeal: Any person shall have the right to appeal to the Building Safety Code Board of Appeals from a decision of the Code Official refusing to grant a modification to the provisions of this Code covering the manner of construction or materials to be used in the erection, alteration, or repair of a building or structure. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equivalent form of construction can be used.

Section 124.1.1 is added and reads as follows:

Section 124.1.1: An appeal of a legal notice or order by a Code Official or the Fire Official must be made within fifteen (15) days of receipt of such notice.

Section 124.1.2 is added and reads as follows:

Section 124.1.2: Appeals involving the following codes (and other Codes incorporated therein) shall be made to the Building Safety Code Board of Appeals:

- A. BOCA National Building Code
- B. BOCA National Mechanical Code
- C. BOCA National Fire Prevention Code
- D. BOCA National Plumbing Code
- E. National Electrical Code

Section 124.1.3 is added and reads as follows:

Section 124.1.3: Appeals involving or from requirements written in the BOCA National Property Maintenance Codes shall be made to the Property Maintenance Code Board of Appeals, as described in BOCA National Property Maintenance Code Section 111.2 as modified in Article IX of this Ordinance.

Sections 124.2 through 124.2.6 are deleted.

Section 124.2 entitled, "Membership of the Building Safety Code Board of Appeals," is added and reads as follows:

Section 124.2 Membership of the Building Safety Code Board of Appeals: The Building Safety Code Board of Appeals shall be comprised as follows: one licensed electrician or electrical engineer; one licensed plumber or mechanical engineer; one architect; one building contractor; and one attorney. The members shall be appointed by the Mayor, with approval of the City Council, for a term of five years, with the initial terms staggered.

Section 124.2.1 entitled, "Alternate Members," is added and reads as follows:

Section 124.2.1 Alternate Members: In addition to the members herein referred to, the Mayor shall initially appoint two (2) alternate members subject to confirmation of the corporate authorities. Such alternate members shall serve on the Board with the same powers and privileges as regular members when present at a meeting of the Board in place of an absent regular member. The alternate members so appointed shall serve for a term of three (3) years. There are no special trade requirements for membership of alternates.

Section 124.2.2 entitled, "Chairman of Board and Board Rules," is added and reads as follows:

Section 124.2.2 Chairman of Board and Board Rules: The Mayor shall appoint one of its members to serve as chairman, and the Building Official shall keep a detailed record of all proceedings on file in the department of building inspection. The Board shall enact rules and by-laws under which it shall operate. The Board shall elect a temporary chairman in the absence of the appointed chairman.

Section 124.2.3 entitled, "Disqualification of Member," is added and reads as follows:

Section 124.2.3 Disqualification of Member: A member shall not hear an appeal in which that member has any personal, professional, or financial interest.

Section 124.3 entitled, "Notice of Meeting," is amended to read as follows:

Section 124.3 Notice of Meeting: The Board shall meet upon notice of the Chairman or the Building Official within twenty (20) working days of filing of an appeal or at stated periodic meetings if arranged by the volume of work.

Section 124.4 entitled, "Open Meetings," is amended to read as follows:

Section 124.5 Open Meetings: All hearings shall be open to the public. The appellant, the appellant's representative, the Official of the jurisdiction, and any other person whose interests may be affected by the matter on appeal, shall be given an opportunity to be heard at the meeting in which the appeal is heard.

Section 124.6 entitled, "Board Decision," is amended to read as follows:

Section 124.6 Board Decision: The Board shall modify or reverse the decision of the Building Official by a majority vote of those members present. The decision of the Board shall be by formal motion. Copies shall be furnished to the appellant and to the Building Official.

Section 201.0 entitled, "General Definitions," is modified as follows:

Delete "Attic, Habitable".

Substitute "Dwellings" as follows:

Boarding, Lodging, or Rooming House: A building arranged or used to provide sleeping accommodations for 15 or fewer persons, including buildings where separate sleeping rooms are provided or rented on either a transient or permanent basis, with or without cooking facilities, but without separate cooking facilities.

Dormitory: A building arranged or used to provide sleeping accommodations for more than 15 persons, in one room or in a series of closely associated rooms under joint occupancy, with or without meals, but without individual cooking facilities, including college dormitories, fraternities, sororities, and military barracks.

Hotel: A building used to provide separate sleeping facilities for 16 or more guests primarily transient, with or without meals, but where meals are provided or sold, such is furnished through the joint use of a commercial kitchen and dining facility as in the case of a cafe or restaurant. Hotels may include buildings referred to as inns, clubs, motel, and hotel apartments. The authority having jurisdiction shall decide if such structure with sleeping facilities for less than 16 persons may be classified as a rooming house.

Multi-Family Apartment Building: A building containing more than two dwelling units.

EXCEPTION: Multiple single-family buildings as defined in Section 910.21 of this code.

One-Family Dwelling: A building containing one dwelling unit with not more than four unrelated persons.

Two-Family Dwelling: A building containing two dwelling units with not more than four unrelated persons in each unit.

Dwelling Unit: A single living unit which provides independent cooking, sleeping, and bathroom facilities. A dwelling unit is restricted by the rules of the Zoning Ordinance to no more than four unrelated persons.

Delete "Inspection, Special" on page 29.

Section 309.4 entitled, "Use Group R-3 Structures, Exception," is modified to read as follows:

EXCEPTION: In multiple single-family dwellings not more than two stories above grade and twelve dwelling units or which are equipped throughout with an approved automatic sprinkler systems installed in accordance with Section 1004.2.1 or 1004.2.2, the fire resistance rating of the dwelling unit separation shall not be less than one-hour. Dwelling unit separation walls shall be constructed as fire partitions, (see Section 910.0).

Section 309.5.1 is added and reads as follows:

Section 309.5.1: The One- and Two-Family Dwelling Code - 1989 edition as published by the Council of American Building Officials is hereby adopted as a part of the Building Code, by reference and is incorporated as fully as if set out in length herein. (See Article IV of this Ordinance Package.)

All new buildings of Use Group R-4 shall comply fully with the CABO One- and Two-Family Dwelling Code, 1989 and Section 625.0 of the BOCA National Building Code, as modified by this ordinance.

Sections 508.1 through 508.4 are deleted.

Section 508.1 entitled, "Yard Encroachments," is added and reads as follows:

Section 508.1 Yard Encroachments: (Refer to the Urbana Zoning Ordinance.)

Section 508.1.1 entitled, "Access to Parking Areas," is added and reads as follows:

Section 508.1.1 Access to Parking Areas: A minimum of one access drive to all parking areas must maintain a clear height of at least fourteen (14) feet.

Section 508.2 entitled, "Court Encroachments," is added and reads as follows:

Section 508.2 Court Encroachments: A part of any building or structure shall not extend into court yards required for light and ventilation or required as open space by the Zoning Ordinance. Courts which are not required as open space by the Zoning Ordinance may have encroachments as follows:

Section 508.2.1 is added and reads as follows:

Section 508.2.1: Encroachments may not exceed 20 percent of the court required for light and ventilation purposes.

Section 508.2.2 is added and reads as follows:

Section 508.2.2: Roof eaves shall project no more than three feet beyond the face of the wall.

Section 508.2.3 is added and reads as follows:

Section 508.2.3: Steps, window sills, belt courses, and similar architectural features, rain leaders, and chimneys shall not project more than two feet beyond the face of the wall.

Section 508.2.4 is added and reads as follows:

Section 508.2.4: Outside stairways, smokeproof tower balconies, fire escapes, or other required elements of a means of egress shall not project more than four feet beyond the face of the wall.

Section 509.3 entitled, "Approval" is added and reads as follows:

Section 509.3: Approval: Special encroachments permits shall be issued by the Building Official only with the consent of the City Engineer.

Sections 512.1 through 512.4.1 are deleted.

Section 512.1 entitled, "Scope," is added and reads as follows:

Section 512.1: Where applicable, all buildings or structures, shall comply with the State of Illinois Environmental Barriers Act of 1985 and the Illinois State Accessibility Code, May 1, 1988, edition.

Section 601.3 entitled, "Tenant Separations," is modified to read as follows:

Section 601.3 Tenant Separations: Each tenant space shall be separated from other tenant spaces by a wall having a fire resistance rating of not less than one hour. The separation wall shall extend from the floor to the underside of the roof deck or floor deck above. No separation is required between the tenant space and the covered mall, except for occupancy separations required elsewhere in this code.

EXCEPTION: Tenant separation walls may stop at the ceiling or may be omitted when located within a space that is less than 3,000 square feet where such space is enclosed in separation walls as described above.

Sections 602.3.2 through 602.3.2.5 are deleted.

Section 620.1, entitled, "General," is modified to read as follows:

Section 620.1.1: General: Except where allowed under temporary structures or where approved by the Building Official in the case of construction trailer, etc. all mobile units shall comply with the requirements of this code as determined by Use Group except for R-4 uses which shall comply with the applicable section of the CABO One- and Two-Family Dwelling Code and the BOCA National Plumbing Code and Article XII of Chapter 5 of the Urbana Code of Ordinances.

EXCEPTION: Mobile units which do not comply with this code are restricted by the Zoning Ordinance and Article XII of Chapter 5 of this Code to approved mobile home parks.

Section 624.3 entitled, "Location," is modified to read as follows:

Section 624.3 Location: Tents and air-supported structures shall be located with an accessible unoccupied open space around the perimeter having a minimum width of 50 feet (15,240 mm) from any and all other buildings or structures of Type 5 Construction. The minimum open space shall be 20 feet from any building of Type 1, 2, 3, or 4 construction. The building official may reduce the minimum open space dimensions where adequate separation and fire protection have been provided for the proposed use.

Section 625 entitled, "Security Standards for Residential Structures is added and reads as follows: (formerly Section 627).

Section 625.0 Security Standards for Residential Structures

Section 625.1 Where Required: All buildings of Use Group R-1, R-2, R-3, and R-4 shall comply with the requirements of this Section as defined in 625.1.1 through 625.1.3.

Section 625.1.1: All new buildings constructed after the effective date of this Ordinance.

Section 625.1.2: All buildings constructed after the effective date of Ordinance No. 7677-13 (previous Urbana Security Ordinance).

Section 625.1.3: All existing buildings which are altered or remodeled, as required in Section 103 of this Code and/or where required by the BOCA National Property Maintenance Code, as modified.

Section 625.2 Definitions: Exterior shall mean that portion of a building or structure that provides access from the outside of the building or structure, or a part thereof. Exterior includes but is not limited to those portions of individual dwelling units constructed in a common building or structure which are accessible to persons not residing within that particular dwelling unit. This definition also includes doors leading from garage areas into various residential dwellings. For the purposes of this Section, only boarding houses, rooming houses, and dormitories shall be considered one dwelling unit.

Section 625.3 Exterior Swinging Doors: All exterior swinging doors to individual dwelling units shall swing inward, where ever practical, and shall comply with Section 625.3.1 through 625.6. In all cases, doors shall comply with door swing, hardware requirements, fire ratings, etc. as indicated in other Sections of this Code.

Section 625.3.1 Wood Doors: Wood doors shall be of solid core wood construction with a minimum thickness of one and three-quarter (1-3/4) inches.

Section 625.3.2 Metal Doors: Metal doors shall have a minimum thickness of one and three-quarters (1-3/4) inches, and shall be reinforced for security hardware, where required by this Section, and recommended by ANSI A151.1 - 1980 or other approved nationally recognized standards.

Section 625.3.3 Multiple Doors: Where pairs of doors are used they shall comply with the requirements of this Section. Inactive leaves shall be equipped with flush or surface bolts, protected by hardened material with a minimum throw of three-quarters (3/4) inch at the head and foot of the door. Active leaves shall be equipped with hardware as required in Section 625.5. Alternative means of securing multiple door installations may be used when approved by the Building Official where equal security and safety is provided.

Section 625.4 Frames: The exterior jambs shall be reinforced at the point where the lock(s) engage(s) the jamb.

Section 625.4.1 Strike Plates: Strike plates shall be firmly secured with a minimum of two screws having a minimum length of two and one-half (2-1/2) inches each. Screws shall penetrate framing members behind the jamb. In other than wood construction, the manufacturer's recommendations shall be followed.

Section 625.5 Hardware: Except where provided in this Section, all doors shall be secured with a single-cylinder deadbolt with a minimum one inch throw which penetrates the strike not less than three-quarters (3/4) inches.

- A. Deadbolts shall be case hardened material.
- B. Cylinders shall be designed or protected so that they cannot be gripped by pliers or other wrenching devices.
- C. Deadbolt locks shall be openable from the inside without the use of a key or special knowledge, (double-cylinder deadbolts are not permitted), and parts thereof shall not bear any numbers or letters which may reveal a combination from which a key or similar controlling device could be fashioned and which could deactivate the locking device.

Section 625.5.1 Hinges: In situations where outward swinging doors are used, or where the hinge pin is located where such can be removed to gain entrance, safety hinge studs or non-removable pins shall be used.

Section 625.5.2 View Finders: Where observation is not otherwise possible, the main entrance to each individual dwelling unit shall be provided with a peephole or view finder to be located not less than four and one-half (4-1/2) feet or more than five (5) feet above the floor.

EXCEPTION: Buildings of Use Group R-1.

Section 625.6 Glazing: In other than Use Groups R-3 and R-4, glazing located within 36 inches of the locking mechanism shall be:

- A. Glazing of an unbreakable material.
- B. Protected on the inside with grill work, designed to prevent deactivation of the lock by reaching in.

Section 625.7 Exterior Patio Type or Sliding Doors and Locking Hardware: All patio type or sliding doors opening onto patios or balconies which are two stories above ground level or less or which are otherwise accessible from the outside shall comply with the following requirements:

Section 625.7.1: Patio type or sliding doors shall not be used or installed as exterior doors to the main entrance of any individual dwelling unit.

Section 625.7.2: All single sliding patio doors shall have the movable section of the door sliding on the inside of the fixed portion of the door, except as provided in Subsection 625.7.5 of this Section.

Section 625.7.3: Deadbolt locks shall be provided on all single patio doors. If the lock is operable from the outside, it shall be activated by a key utilizing a cylinder or pin tumbler construction. Mounting screws for the lock case shall be inaccessible from the outside. Lock bolts shall be of hardened steel inserts and shall be capable of withstanding a force of 300 pounds applied in any direction. The lock bolt shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door within the space or clearances provided for installation and operation. The strike area shall be reinforced to maintain effectiveness of bolt strength.

Section 625.7.4: Double sliding patio doors must be locked at the meeting rail and meet the locking requirements of Section 625.7.3.

Section 625.7.5: Alternate methods for securing doors with movable sections of the door sliding on the outside of the fixed portion of the door must be approved by the Building Official.

Section 625.8 Keys: A tenant's key shall activate the locking device to no more than one individual dwelling unit.

Section 625.9 Garages and Parking Facilities: Doors accessing parking areas or garages located in or under buildings of Use Group R shall comply with all requirements of Section 625.0.

Section 625.9.1 Use Group R-3 and R-4: Buildings of Use Group R-3 and R-4 shall not have doors accessing garage areas from the residential areas unless such doors comply with the requirements of this Section.

Section 625.9.1.1 Garage Doors: Any garage door in any one- or two-family dwelling, whether it be overhead, roller-type, swing, or sliding, shall be so equipped that it is capable of being locked. Specific locking devices to be employed shall be of one or more of the following types: throwbolt or flushbolt; deadbolt; cylinder-type lock; padlock and hasp; or an electronic power operated mechanism with automatic locking capabilities. When a garage door provides the only access to the exterior from the garage, the above locking device must be openable from the inside without the use of keys.

Section 625.10 Exterior Windows: All exterior windows located less than 12 feet above grade, or any other accessible exterior level shall comply with the following requirements:

Section 625.10.1 Window Construction: Windows shall be so constructed that they cannot be lifted from their frames when locked and shall be equipped with a locking device capable of withstanding reasonable force when fully engaged.

Section 625.10.2 Louvered Windows: Louvered windows with removable glass or windows which can be manually maneuvered from the exterior shall not be permitted.

Section 625.11: The address and exterior door(s) of all dwelling units shall be capable of being adequately illuminated.

Section 625.11.1: Buildings of Use Group R-1 and R-2 shall provide such illumination at all times. Switches shall not be permitted except by timer or light sensing devices which are designed to operate when daylight fails. All bulbs shall be protected with break resistant or vandal proof covers, and where exposed to the elements, a weatherproof cover.

Section 708.2.1 entitled, "Area for Sleeping Purposes," is added and reads as follows:

Section 708.2.1 Area for Sleeping Purposes: Every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor area, and shall contain an additional 50 square feet for each additional occupant thereafter.

Section 711.0 entitled, "Rear Yards," is deleted.

Section 809.3 entitled, "Buildings with One Exit," is modified to read as follows:

Section 809.3 Buildings with One Exit: Only one exit shall be required in:

1. Buildings and Use Groups shown in Table 809.3.
2. Use Group R-3
3. Buildings having not more than one level below the level of exit discharge of the Use Groups listed in Table 809.3.

Table 809.3 entitled, "Buildings With One Exit," is modified to read as follows:

**Table 809.3
BUILDINGS WITH ONE EXIT**

Use Groups	Maximum number of stories above grade	Maximum per floor Occupants, travel distance(d) dwelling units
A, B, E, F, M	1 Story	50 occupants and 75 feet travel
H-1, H-2, H-3	1 Story	3 occupants and 25 feet travel
H-4, I, R	1 Story	10 occupants and 75 feet travel
S(a)	1 Story	30 occupants and 100 feet travel
B(b), F, M, S(a)	2 Stories	30 occupant and 75 feet travel
R-2	2 Stories(c)	4 dwelling units

Note (a) For the required number of exits for open parking structures, see Section 809.5.

- Note (b) For the required number of exits for air traffic control towers, see Section 617.0.
- Note (c) Buildings of Use Group R-2 equipped throughout with an automatic sprinkler system in accordance with Section 1004.2.1 or 1004.2.2 shall have a maximum height of three stories above grade.
- Note (d) One foot = 304.8 mm.

Section 809.4.1 entitled, "Clear Opening Requirements," is added and reads as follows:

Section 809.4.1 Clear Opening Requirements: The net clear opening dimensions required in Section 809.4 shall be accomplished without the removal of any window sash or mullion in new construction covered by this Code.

Section 820.3.2 entitled, "Opening Protectives," is deleted.

Section 822.1.1 entitled, "Additional Locations," is added and reads as follows:

Section 822.1.1 Additional Locations: In all buildings where the means of egress is not immediately obvious, "EXIT" signs and directional signs, as indicated in this Section, shall be installed to identify the exit and exit access routes.

Section 910.2.1 entitled, "Multiple Single-Family Dwellings," is added and reads as follows:

Section 910.2.1 Multiple Single-Family Dwellings: Single-family dwelling units (Use Group R-3) may be located above or adjacent to other single-family dwelling units (Use Group R-3) provided each dwelling unit is completely separated from the adjacent dwelling unit(s) by fire partitions and floor/ceiling assemblies of not less than one-hour fire resistance rated construction. Single-family dwelling units having independent means of egress, when attached in this manner, shall be considered as one building classified as Use Group R-3 for the purpose of determining the applicable provisions of this Code. More than one-hour separation shall not be required where the above multiple single-family dwellings are to be sold as individual dwelling units and the lot(s) created do not comply with the minimum lot size requirements of the Zoning Ordinance.

Section 1002.9 entitled, "Use Group R-2; EXCEPTION," is added and reads as follows:

Section 1002.9 Use Group R-2 EXCEPTION: Buildings of not more than two stories above grade and twelve or fewer dwelling units, where all dwelling units discharge directly outside at ground level or onto a roofed-over open balcony that is located on the exterior face of the building, facing an unoccupied open space, and said balcony is served by not less than two remote and independent exits.

Section 1002.12 entitled, "Use Group B," is added and reads as follows:

Section 1002.12 Use Group B: In all buildings or structures of Use Groups B when more than 75 feet in height, as measured from the lowest point of grade.

Section 1016.4 entitled, "Where Required," is modified as follows:

Section 1016.4 Where Required: A fire protective signaling system shall be installed and maintained in full operating condition in the locations described in Sections 1017.4 through 1017.4.5.

Sections 1016.4.1 through 1016.4.5 are deleted.

AUTOMATIC FIRE DETECTION SYSTEMS

Section 1017.4.5 entitled, "Use Groups B, E, H, M, and R-2," is added and reads as follows:

Section 1017.4.5 Use Groups B, E, H, M, and R-2:

-- In all buildings of Use Group B that are more than two (2) stories in height.

EXCEPTION: Buildings of Use Group B which are protected throughout with an approved automatic fire suppression system and are less than seven (7) stories in height.

-- In all buildings of Use Group E, except in those areas within the building which are used in accordance with the classifications of Use Groups A-1, A-2, A-3, A-4, or A-5.

-- In all building of Use Group H.

-- In all buildings of Use Group M.

EXCEPTION: Buildings of Use Group M which are protected throughout with an approved automatic fire suppression system, or those buildings of Use Group M which have 3,000 square feet or less of gross floor area used for sales purposes on the street floor level.

-- In all buildings of Use Group R-2.

EXCEPTIONS:

- A. In apartment buildings when less than four (4) stories in height or less than twelve (12) units.
- B. In apartment buildings which do not have interior corridors and in which the dwelling units have direct access to the exterior.

Section 1017.5 entitled, "Sprinklered Buildings, EXCEPTION," is deleted.

Section 1017.8 entitled, "Supervision; Where Required," is added and reads as follows:

Section 1017.8 Supervision; Where Required: In all occupancies of Use Groups I and R-1 which are required to have automatic alarms as specified in Sections 1017.4 through 1017.4.4.

Section 1017.8.1 is added and reads as follows:

Section 1017.8.1 All fire protection systems shall be tested in the presence of and shall be approved by the Building Official and the Fire Official (or their authorized agents). Where supervision of a system is required, no more than 90 seconds shall elapse between the time that a fire protection system device activates and notification is received by the local fire dispatching jurisdiction.

Section 1017.8.2 entitled, "Notification to the Fire Department," is added and reads as follows:

Section 1017.8.2 Notification to the Fire Department: No fire protection system may be disconnected or shut off without approval from the fire official. Where a supervised system transmits a "trouble" signal (as opposed to an alarm signal in a fire situation) the receiving station or agency shall notify the fire official immediately and shall then notify the owner of the system. It is intended here that the Fire Department be notified when a fire alarm system is not working properly, or is in trouble, but not that the fire department dispatch vehicles or notify the owner.

Section 1020.1 entitled, "Fire Suppression Systems, " is modified as follows:

Delete method #5, "Locking Valves Open."

Section 1021.2 entitled, "Where Required," is modified as follows:

Delete "completed" in #6.

Section 1202.1.1 entitled, "Maximum Assumed Soil Bearing Capacity," is added and reads as follows:

Section 1202.1.1 Maximum Assumed Soil Bearing Capacity: The maximum allowable design soil bearing pressure permitted without supportive soil tests shall be 2,000 pounds per square foot.

Section 1205.1.1 entitled, "Frost Line," is added and reads as follows:

Section 1205.1.1 Frost Line: The minimum design frost line depth shall be 32 inches below grade.

Section 1308 entitled, "Special Inspections," is deleted in its entirety.

Section 1704.4 entitled, "Special Inspections," is deleted.

Section 2602.3 entitled, "Periodic Tests," is modified to read as follows:

Section 2602.3 Periodic Tests: Periodic tests shall be required on all new and existing power elevators. Periodic tests shall be made by an approved agency at the expense and responsibility of the owner. A detailed report of the tests shall be submitted to the Building Official on approved forms not more than 30 days following the completion of the tests.

Sections 2602.3.1; 2602.3.2; 2602.4; 2602.4.1; and 2602.4.2 are deleted.

Section 2602.4 entitled, "Periodic Test Intervals," is added and reads as follows:

Section 2602.4 Periodic Test Intervals: Periodic tests shall be made at intervals not exceeding those set forth in ASME A17.1 listed in Appendix A. Additional or more frequent tests or inspections may be required by the Building Official.

Section 2603.0 entitled, "Annual Operating Permit," is modified to read as follows:

Section 2603.0 Annual Operating Permit:

Section 2603.1 through 2603.4 are deleted.

Section 2603.1 entitled, "General," is added and reads as follows:

Section 2603.1 General: The operation of all equipment governed by the provisions of this article and hereafter installed, relocated, or altered shall be unlawful by persons other than the installer thereof until such equipment has been inspected and tested as herein required and an operating permit has been issued by the Building Official.

Section 2603.2 entitled, "Limited Certificate of Operation," is added and reads as follows:

Section 2603.2 Limited Certificate of Operation: The Building Official may issue a limited certificate of operation for any equipment covered by this article, which is hereafter being installed, relocated, or altered, to permit its limited use by the person designated therein during the period of such installation, relocation, or alteration. Such certificate shall be signed by the Building Official, shall bear the dates of issue, renewal, and expiration, and shall designate the class of service allowed.

Section 2603.2.1 entitled, "Tests and Minimum Safeguards Required," is added and reads as follows:

Section 2603.2.1 Tests and Minimum Safeguards Required: A limited certificate shall not be issued for an elevator until such elevator has satisfactorily passed tests for rated load, car and counterweight safety, and terminal stopping devices. Permanent or temporary guards and enclosures shall be installed on the car, around the hoistway, and at the landing entrances. Equipment other than elevators shall be tested and protectives provided as deemed necessary by the Building Official to insure safe operation for the limited service specified.

Section 2603.2.2 entitled, "Special Conditions," is added and reads as follows:

Section 2603.2.2 Special Conditions: Automatic and continuous-pressure operation elevators shall not be placed in temporary operation from the landing push-buttons unless the door locking device and interlocks required by ASME A17.1 listed in Appendix A are installed and operative. When the car can be operated only from the inside, landing entrance guards shall be provided with locks that can be released from the hoistway side only.

Section 2603.3 entitled, "Operating Permit, Issuance," is added and reads as follows:

Section 2603.3 Operating Permit, Issuance: Annual operating permits shall be issued by the Building Official, for each unit of equipment, existing or new, referenced by this Section, upon receipt of the testing as required in Section 2602.3 and the prescribed fee as described in Chapter 14 (Licenses and Permits) in the Code of Ordinances of the City of Urbana.

EXCEPTION: Manlifts, industrial lifts, loading ramps, automotive lifts, and conveyors.

Section 2603.3.1 entitled, "Expiration of the Operating Permit," is added and reads as follows:

Section 2603.3.1 Expiration of the Operating Permit: Operating permits for all new and existing equipment shall expire at the end of each fiscal year of the City of Urbana, and may be renewed only upon submittal of the annual test reports as required in Section 2602.3 and submittal of the fees as described in Chapter 14 of the Code of Ordinances of the City of Urbana.

Section 2603.4 entitled, "Posting Operating Permits," is added and reads as follows:

Section 2603.4 Posting Operating Permit: The owner or lessee shall post the last issued operating permit in a conspicuous place available to the Building Official.

Section 2700.1 entitled, "Scope" is modified as follows:

Add to the last sentence, "and the Electrical Code of Urbana as prescribed in this Ordinance.

Section 2704.1 entitled, "General," is modified as follows:

Delete "Certificate of Inspection and".

All of ARTICLE 29 entitled, "Signs," is deleted.

ARTICLE 29 entitled, "Signs," is added and reads as follows:

Section 2900.1 Scope: The provisions of this Article shall govern the construction, alteration, repair, and maintenance of all signs together with their appurtenant and auxiliary devices in respect to structural and fire safety.

Section 2900.2 Zoning Ordinance: All signs shall comply with the Zoning Ordinance.

Section 2901.0 Plans, Specifications, and Permits:

Section 2901.1 Owner's Consent: Before any permit is granted for the erection of a sign, plans and specifications shall be filed with the Building Official showing the dimensions, materials, and required details of construction, including loads, stresses, and anchorage. The applications shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected.

Section 2901.2 New Signs: A new sign shall not hereafter be erected, constructed, altered, or maintained except as herein provided, and until after a permit has been issued by the Building Official.

Section 2901.3 Alterations: A sign shall not be enlarged or relocated except in conformity to the provisions of this Article for new signs, nor until a proper permit has been secured. The changing of movable parts of an approved sign that is designed for such changes, or the repainting or reposting of display matter, shall not be deemed an alteration, provided the conditions of the original approval and the requirements of this Article are not violated.

Section 2902 Unsafe and Unlawful Signs:

Section 2902.2 Unlawful Signs: The location or positioning of signs listed in the following Sections shall be considered unlawful.

Section 2902.2.1 Egress Obstructions: A sign shall not be erected, constructed, or maintained so as to obstruct any fire escape, means of egress, window or door opening used as an element of a means of egress or to prevent free passage from one part of a roof to another part thereof or access thereto as required by the provisions of Article 8 or for the fire fighting forces having jurisdiction.

Section 2902.2.2 Obstruction to Ventilation: A sign shall not be attached in any form, shape, or manner which will interfere with any opening required for ventilation by Article 7; except that such signs may be erected in front of and may cover transom windows when not in violation of the provisions of this code.

Section 2902.4 Unsafe and Unlawful Signs: When any sign becomes insecure, in danger of falling, or otherwise unsafe, or if any sign shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this code, the owner thereof or the person or firm maintaining same shall upon written notice of the Building Official, forthwith in the case of immediate danger and in any case within not more than ten days, make such sign conform to the provisions of this article or shall remove it. If within ten days the order is not complied with, the Building Official may remove such sign at the expense of the owner or lessee thereof as provided in Section 121.0.

Section 2903.1 Removal: The Building Official may order the removal of any sign that is not maintained in accordance with the provisions of this article.

Section 2903.2 Maintenance: All signs for which a permit is required, together with all their supports, braces, guys, and anchors, shall be kept in repair in accordance with the provisions of this Article and Article 1. When not galvanized or constructed of approved corrosion-resistant noncombustible materials, signs shall be painted when necessary to prevent corrosion.

Section 2903.3 Housekeeping: It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean, sanitary, and healthful condition.

Section 2903.4 Inspection: Every sign shall be subject to the inspection and approval of the Building Official.

Section 2904 General Requirements for All Signs

Section 2904.1 Construction: All signs shall be designed and constructed in conformance with the provisions for materials, loads, and stresses of this Code and the requirements of this Article.

Section 2904.2 Design Loads: Loads listed in Article 11 shall be the minimum for the design of signs.

Section 2904.2.1 Wind: All signs shall be designed and constructed to withstand wind pressure as provided in Section 1112.3.1.

Section 2904.2.2 Earthquake: Signs adequately designed to withstand wind pressures shall generally be considered capable of withstanding earthquake shocks, except as provided in Section 1113.0 and for combined loading in Section 1114.0.

Section 2904.3 Illumination: A sign shall not be illuminated by other than electrical means and electrical devices and wiring shall be installed in accordance with the requirements of NFPA 70 listed in Appendix A. Any open spark or flame shall not be used for display purposes unless specifically approved by the Building Official.

Section 2904.4 Ornamental Features: Wood or approved plastic as provided in Article 20 or other materials of combustible characteristics similar to wood when used for moldings, cappings, nailing, blocks, letters, and latticing shall comply with the provisions of this Code and shall not be used for other ornamental features of signs, unless approved.

Section 3016.1 entitled, "Temporary Stairways," is modified as follows:

Section 3016.1 Temporary Stairways: When a building has been constructed to a greater height than 35 feet in height or two (2) stories, or when an existing building exceeding 35 feet in height is altered, at least one (1) temporary lighted stairway shall be provided unless one or more of the permanent stairways are erected as the construction progresses.

ARTICLE 31 is deleted.

Secs. 5-24 - 5-30. Reserved.

ARTICLE IV CABO ONE- & TWO-FAMILY DWELLING CODE

Sec. 5-31. Adoption of the 1989 CABO One- and Two-Family Dwelling Code. The 1989 edition of the CABO One- and Two-Family Dwelling Code as promulgated and published by the Council of American Building Officials, and referenced in Section 309.5 of the 1990 BOCA National Building Code, is hereby adopted as the One- and Two-Family Dwelling Code of the City of Urbana, Illinois; for the control of one- and two-family detached dwellings of less than four stories in height as herein provided; and each and all of the regulations, provisions, conditions, penalties, and terms of the said CABO One- and Two-Family Dwelling Code are hereby referred to, adopted, and made a part hereof, with the additions, insertions, deletions, and changes prescribed in Section 5-33.

Sec. 5-32. Effect of State Law. The adoption of the 1989 CABO One- and Two-Family Dwelling Code herein pursuant to home rule powers is not intended to negate any state statute on the same subject except insofar as the Article imposes a more stringent standard or requirement than does the state statute.

Sec. 5-33. Additions, Modifications, Deletions, and Substitutions. The following sections and subsections of the 1989 edition, CABO One- and Two-Family Dwelling Code are amended or changed as defined in Article I, Section 5 of this Ordinance.

Section R-106.3 entitled, "Penalty," is amended to read as follows:

Section R-106.3 Violation Penalties: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter, or repair a building or structure in violation of an approved plan or directive of the Building Official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of an offense punishable by a fine of not more than \$500.00. Each day that a violation continues shall be deemed a separate offense.

Section R-106.4 entitled, "Service of Notices," is added and reads as follows:

Section R-106.4 Service of Notices: Whenever this Code requires the Building Official to serve notice to the owner of a building or structure, the notice shall be deemed to be properly served upon such owner if (1) a copy thereof is delivered to the owner personally or (2) a copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid, and a copy thereof is posted in a conspicuous place on the premises where the violation exists. If the notice is served by mailing and posting, the service shall be deemed effective on the third day after mailing and posting.

Section R-109 entitled, "Permit" is deleted in its entirety and a new Section 109 entitled, "Permit Procedures is added and reads as follows:

Section R-109 Permit Procedures: The permit procedures for structures covered by this Code shall be those outlined in Article 1 of the 1990 BOCA National Building Code, as adopted by the City of Urbana.

Section R-115 entitled, "Definitions," is modified as follows:

Delete "Family".

Table R-202 entitled, "Climatic and Geographic Design Criteria," is modified as follows:

Roof Live Load: The minimum roof live load shall be 20 pounds per square foot.

Roof Snow Load: Snow load shall not increase the minimum roof live load unless the roof configuration shall be expected to endure the build-up of snow loads.

Wind Load: The minimum wind load shall be 20 pounds per square foot.

Seismic Zone: Seismic zone shall be zone 1.

Weathering: The weathering index shall be "Severe."

Frost Line Depth: The minimum frost line shall be 32 inches below grade.

Termites/Decay: The jurisdiction is subject both to decay of wood products and to termite damage.

Section R-209.1 entitled, "Opening Protectives," is modified and reads as follows:

Section R-209.1 Opening Protectives: Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and the residence shall be equipped with solid core wood doors not less than 1-3/4 inches in thickness or equivalent. The sills of all door openings between the garage and adjacent interior spaces shall be raised not less than 4 inches above the garage floor. Openings for crawlspace access shall not be permitted to align directly with any door openings so as to avoid a safety hazard should the access cover be misplaced.

Section R-209.2 entitled, "Separation Required," is modified and reads as follows:

Section R-209.2: Separation Required: The garage shall be completely separated from the residence and its attic area by means of 1/2 inch gypsum board or equivalent applied to the garage side. Access covers and pull-down stairs must be protected as prescribed or the stair/hatch assembly must have an approved fire-resistance rating.

Section R-214.1 entitled, "Handrails," is modified and reads as follows:

Section R-214.1 Handrails: Handrails having minimum and maximum heights of 30 inches and 38 inches, respectively, measured vertically from the nosing of the treads, shall be provided on at least one side of the stairways of three or more risers and shall be continuous the full length of the stairs.

Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guardrails.

The handgrip portion of the handrails shall have a circular cross section with an outside diameter of at least 1-1/4 inches and not greater than 2-5/8 inches or the shape shall provide an equivalent gripping surface. The handgrip portion of handrails shall have a smooth surface with no sharp corners.

Handrails projecting from a wall shall have a space of not less than 1-1/2 inches between the wall and the handrail.

Section R-214.2 entitled, "Guardrails," is modified and reads as follows:

Section R-214.2 Guardrails: Porches, balconies, or raised floor surfaces located more than 30 inches above the floor or grade below shall have guardrails not less than 36 inches in height. Required guardrails on open sides of stairways, raised floor areas, balconies, and porches shall have intermediate rails or ornamental closures which will not allow passage of an object 4 inches or more in diameter.

EXCEPTION: Existing structures may replace or repair guardrails with baluster spacings and a height which is equivalent to the previously existing guardrail detail but the pre-existing safety level may not be reduced by any such action.

Section R-216.2.3 entitled, "Attics or Crawl Spaces" is modified to read as follows:

Section R-216.2.3 Attics or Crawl Spaces: Within an attic or crawl space where entry is made only to repair utilities, foam plastics shall not require any special thermal barrier or protection except that the floor ceiling systems shall completely isolate the attic and crawl spaces from the habitable areas. Bathroom vents, kitchen exhausts, and dryer exhausts may pass through such areas without special requirements if installed with approved metal duct work.

EXCEPTION: Foam plastics which are required by either state or federal law to be covered or protected.

Section R-216.2.3.1 entitled "Plenums and Equipment Areas," is added and reads as follows:

Section R-216.2.3.1 Plenums and Equipment Areas: Attics or crawl spaces which are used as an air plenum system, envelope system, or which are used for mechanical equipment areas (such as furnaces) shall be protected against ignition by one and one-half (1-1/2) inch thick mineral fiber insulation, one-fourth (1/4) inch thick plywood, three-eighths (3/8) inch particle board, one-fourth (1/4) inch hardboard or three-eighths (3/8) inch gypsum wallboard, corrosion-resistant steel having a base metal thickness of sixteen-thousandths (0.016) inch, or other approved material installed in such a manner that the foam plastic is not exposed. The protective covering shall be consistent with the requirements for the type of construction.

Figure R-303 entitled "Minimum Foundation Requirements," is modified as follows:

Fixture R-303: The minimum footing thickness shall be 8 inches.

Section R-304.1.1 entitled "Mortar Types," is added and reads as follows:

Section R-304.1.1 Mortar Types: Mortar and grout shall conform to the requirements of BOCA National Building Code Section 1402.6.

Section R-309.2 entitled, "Access," is modified and reads as follows:

Section R-309.2 Access: An access crawl hole 18 inches by 24 inches shall be provided to the under-floor space. The access opening shall not align with any door in a manner which may present a safety hazard if the access cover were misplaced.

Section M-1106 entitled, "Appliance Access," is modified and reads as follows:

M-1106 Appliance Access: Appliances shall be accessible for inspection, service, repair, and replacement without removing permanent construction or other furnaces, boilers, or water heaters. Unless otherwise specified, not less than 30 inches of working space and platform shall be provided to service the appliance.

EXCEPTION: Room and unit heaters may be installed with an 18 inch minimum working space. A platform shall not be required for room and unit heaters.

Section M-1301.4 entitled, "Separate Furnaces, When Required," is added and reads as follows:

Section M-1301.4 Separate Furnaces, When Required: Whenever an existing forced air furnace is installed or replaced in a two-family dwelling or duplex, no recirculation of air between the dwelling units shall be permitted.

Section M-1401 entitled, "General," is modified and reads as follows:

Section M-1401 General: A vented decorative appliance, vented wall furnace, or space heater shall not be located under a stairway and shall not be installed as a central heating system. Such equipment shall not serve as the primary source of heat in a dwelling unit unless otherwise approved by the Mechanical Official.

Section M-1402.2 entitled, "Gas Logs," is modified and reads as follows:

Section M-1402.2 Gas Logs: Approved gas logs may be installed only in solid-fuel-burning fireplaces provided:

1. The gas log is installed only in accordance with the manufacturer's instructions.
2. If the fireplace is equipped with a damper, removed.

3. The minimum flue passageway shall be not less than 1 square inch per 2,000 Btu/h input.
4. Gas logs when equipped with a pilot shall have a listed safety shut-off valve.

Section M-1402.3 entitled, "Gas Log Lighters," is added and reads as follows:

Section M-1402.3 Gas Log Lighters: Gas log lighters are prohibited.

Section M-1403 entitled, "Floor Furnace Location," is deleted in its entirety.

Section M-1404 entitled, "Floor Furnace Access," is deleted in its entirety.

Section M-1405 entitled, "Floor Furnace Installation," is deleted in its entirety.

Section M-1410 entitled, "Unvented Room Heaters," is modified and reads as follows:

Section M-1410 Unvented Room Heaters: Unvented fuel burning room heaters including those equipped with oxygen depletion sensors and listed by an approved testing agency are prohibited in all occupancies covered by this code.

EXCEPTION: Portable, unvented, liquid fuel-fired equipment is restricted to use in single-family dwellings.

Section P-2001.4 entitled, "Scope," is added and reads as follows:

Section P-2001.4 Scope: The provisions of this Code are an addition to any applicable State of Illinois Statutes regarding plumbing installations and materials.

Section P-2005 entitled, "Support," is deleted in its entirety.

Section 2104.1 entitled, "Materials-Water Supply," is modified and reads as follows:

Section 2104.1 Materials-Water Supply: Materials for underground water supply systems, water-service pipe and lawn sprinkler systems, may be a minimum of Type L copper tube, brass, cast-iron pressure pipe or galvanized steel. Any material subject to corrosion shall be protected when installed in corrosive soils. Approved fittings shall be used on the water-supply system or water-service piping.

Underground piping for water-service and lawn-sprinkling systems, when installed outside of the foundation walls of the building, may be of pressure-related plastic conforming to the standards specified in Table P-2104.1. The minimum pressure rating shall be 160 psi at 73 degrees Fahrenheit.

Chapter 22 entitled, "Plumbing, Drainage, Waste, and Vent Systems (DWV)," is deleted in its entirety.

Section P-2307 entitled, "Size," is deleted in its entirety.

Section P-2313.1 entitled, "General," is modified and reads as follows:

Section P-2313.1 General: Shower compartments shall have at least 1024 square inches of floor area and be of sufficient size to inscribe a circle with a diameter not less than 30 inches. The wall area above built-in tubs having installed shower heads and in shower compartments shall be constructed as per Section R-502.6. Such walls shall form a water-tight joint with each other and with either the tub, receptor, or shower floor.

Section P-2403.3 entitled, "Size," is modified and reads as follows:

Section P-2403.3 Size: The water-service pipe shall be of sufficient size to furnish water to the dwelling in required quantities and pressures, but in no case shall be less than one inch nominal diameter. Exact sizing to account for total demand and for pressure drop due to friction loss may be determined by standard engineering practice, (see Appendix E) or by Tables in Section P-2406.6 Total demand in water-supply fixture units shall be determined from Table Nos. P-2406.2 and P-2406.3.

Sections P-2406.2 through P-2407 are deleted in their entirety.

Chapter 25 entitled, "Sewers and Private or Individual Sewage Disposal Systems," is deleted in its entirety.

Part IV Electrical, is deleted in its entirety.

Part VII Energy Conservation, is deleted in its entirety.

Appendix D entitled, "Engineered Procedure for Sizing Plumbing Vents," is deleted in its entirety.

Appendix E entitled, "Detailed Procedure for Sizing the Building Water Supply System," is deleted in its entirety.

Secs. 5-34 - 5-40. Reserved.

ARTICLE V RESERVED

Secs. 5-41 - 5-50. Reserved.

ARTICLE VI ELECTRICAL CODE

Sec. 5-51. Adoption of the National Electrical Code. The National Electrical Code (NFPA 70 - 1990) as copyrighted by the National Fire Protection Association is hereby adopted and incorporated herein by reference, as if fully set out in this ordinance, with the additions and changes prescribed hereinafter.

Sec. 5-52. Effect of State Law. The adoption of the 1990 National Electrical Code (NFPA 70 - 1990) herein pursuant to home rule powers is not intended to negate any state statute on the same subject except insofar as this Article imposes a more stringent requirement or standard than does the state statute.

Sec. 5-53. Amendments, Deletions, and Modifications. The following additions, deletions, amendments or substitutions, as defined in Article I, Section 5 of this ordinance, are hereby made to the National Electrical Code.

ARTICLE #90 Administration and Enforcement:

Section 90-1. General:

A. Title: This Code shall be known as the Electrical Code of the City of Urbana, Illinois, hereinafter referred to as the Electrical Code or "this Code".

B. Scope: The design, installation, maintenance, alteration, and inspection of the electrical systems shall comply with the requirements of this Code.

C. Intent: This Code shall be construed liberally and justly to insure public health, safety, and welfare insofar as they are affected by the installation and maintenance of electrical systems.

D. Safety: This Code contains provisions necessary for safety. Compliance therewith and proper maintenance will result in an installation essentially free from hazard, but not necessarily efficient, convenient, or adequate for good service or future expansion of electrical use.

E. Non-Instruction: This Code is not intended as a design specification nor as an instruction manual for untrained persons.

F. Liability: This article shall not be construed to affect the responsibility or liability of any party owner, operating, controlling, or installing any electrical equipment, for damage to persons or property caused by any defect therein, nor shall the City be held as assuming such liability by reason of the inspection or reinspection authorized herein or the certificate of approval issued as herein provided, or by reason of the approval or disapproval of any equipment authorized herein.

G. Building Safety Code Board of Appeals: All appeals and variations of the Electrical Code shall be heard by the Building Safety Code Board of Appeals as established in Article 124.1 - 124.7 of the BOCA National Building Code 1990 as amended.

Section 90-2 Applicability: The provisions of this Code shall apply to the installations and equipment within, on, or around public and private buildings, or other structures, including mobile homes, recreational vehicles, floating buildings, and other premises such as yards, carnival, parking, and other lots and industrial substations.

A. Also covered are:

1. Installation of conductors that connect to the supply of electricity.
2. Installation of other outside conductors on the premises.
3. Installation of optical fiber cable.
4. Certain low voltage installations.

B. It is the intent that this Code cover all premises wiring or wiring other than utility owned metering equipment, on the load side of the service point of buildings, structures, or any other premises not owned or leased by the utility. Also, it is the intent that this Code cover installations in buildings used by the utility company for purposes such as office buildings, warehouses, garages, machine shops, and recreational buildings which are not an integral part of a generating plant, substation, or control center.

C. This Code shall not cover:

1. Installations in ships, watercraft other than floating buildings, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles.
2. Installations underground in mines.
3. Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communication purposes.
4. Installations of communication equipment under the exclusive control of communication utilities, located outdoors or in building spaces used exclusively for such installations.
5. Installations under the exclusive control of electric utilities for the purpose of communication, or metering, or for the generation, control, transformation, transmission, and distribution of electric energy located in buildings used exclusively by utilities for such purposes or located outdoors on property owned or leased by the utility or on public highways, streets, roads, etc., or outdoors by established rights on private property.

D. Matters not provided for: Any requirements essential for the safe operation of any appliance or electrical system not specifically provided for by this Code shall be determined by the Electrical Official.

E. Continuation of unlawful use: It shall be unlawful to install, extend, alter, repair, or maintain electrical systems in or adjacent to buildings except in conformity with this Code.

Section 90-3 Existing Electrical Systems:

A. Application: This Code shall apply to existing electrical systems described in this section.

1. Electrical systems in a building occupied for occupancies or uses other than those for which it was occupied at the time this Code became applicable.
2. Electrical systems in a building moved as specified in Section 90-6.

B. Additions or Alterations: Any addition or alteration, regardless of cost, made to an electrical system shall be made in conformity with applicable regulations of this Code. Where additions or alterations subject parts of existing systems to loads exceeding those permitted herein, such parts shall be made to comply with this Code.

C. Existing Use Continued: Except as otherwise provided in this Code a provision in this Code shall not require the removal, alteration, or abandonment of, nor prevent continued use of, an existing electrical system; provided the system conforms with the codes in existence at the time of its installation.

Section 90-4 Repairs and Maintenance:

A. Maintenance: All electrical systems, both existing and new, and all parts thereof shall be maintained in a safe condition. All devices or safeguards which are required by this Code shall be maintained in good working order.

B. Owner Responsibility: The owner or the owner's designated agent shall be responsible for the maintenance of electrical systems.

Section 90-5 Demolition: No building or structure shall be demolished until the electrical service has been properly terminated by the utility company. The Electrical Official may require notification of termination, in writing from the utility company.

Section 90-6 Moved Structures: The electrical systems in a building or structure which is to be moved or relocated must comply with the minimum requirements for rewiring existing construction before such building may be occupied, (See Section 120-5).

Section 90-7 Approval:

A. It shall be unlawful for any person to use any electrical device, apparatus, wiring material, or current limiting device of any kind that does not meet the Standards of Underwriters Laboratories or other approved testing laboratories, listed in Appendix A of the Building Code, as to safety and adequacy.

B. The Electrical Official may waive specific requirements in this Code or permit alternate methods, where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

This Code may require new products, constructions, or materials which may not yet be available at the time the Code is adopted. In such event, the authority having jurisdiction may permit the use of the products, construction, or materials which comply with the most recent previous edition of this Code adopted by this jurisdiction.

C. Research and Investigations: The Electrical Official shall require that sufficient technical data be submitted to substantiate the proposed use of any material or assembly, and if it is determined that the evidence submitted is satisfactory proof of performance for the use intended, its use may be approved subject to the requirements of this Code. The costs of all tests, reports, and investigations required under these provisions shall be paid by the applicant.

D. Special Permission: The authority having jurisdiction for enforcing this Code may grant exception for the installation of conductors and equipment not under the exclusive control of the electric utilities and used to connect the electric utility supply system to the service-entrance conductors of the premises served, provided such installations are outside a building or terminate immediately inside a building wall.

E. Accepted Industry Practice: In the absence of provisions not specifically contained in this Code or approved rules, accepted industry practice in respect to material, equipment, or method of installation will serve as the standard for enforcement by the Electrical Official governing electrical installations.

Section 90-8 Electrical Official:

A. General: The Electrical Inspector of the Building Safety Division of the Department of Community Development Services of the City of Urbana shall be designated the Electrical Official for the purposes of this Code.

B. Relief from Personal Responsibility: The Electrical Official, officer or employee charged with the enforcement of this Code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of Official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The Official or any subordinate shall not be liable for costs in any action, suit, or proceeding that may be instituted in pursuance of the provisions of this Code; and any officer of the Office of Electrical Inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

Section 90-9 Duties and Powers:

A. General: The Electrical Official shall enforce all the provisions of this Code relative to the installation, alteration, repair, maintenance, or operation of all electrical systems, devices, and equipment, except as may otherwise be specifically provided for by other requirements or as provided in the following sections.

1. The provisions of this Code may be modified or waived by special permission, by the Electrical Official where such permission is allowed by a section in this Code.

B. Application and Permits:

1. The Electrical Official shall receive applications and issue permits for the installation and alteration of electrical systems and equipment.
2. The Electrical Official shall have the authority to deny issuance of an electrical permit to an applicant who is delinquent in obtaining inspections as required in Section 90-16 or delinquent in compliance with notices and orders.

C. Notices and Orders: The Electrical Official shall issue all necessary notices or orders to remove illegal or unsafe equipment or require repairs or replacement of such equipment.

D. Inspections: The Electrical Official shall make all the required inspections, or may accept reports of inspection by approved services or individuals.

E. Rule Making Authority: The Electrical Official shall have power as may be necessary in the interest of public safety, health, and general welfare to adopt and promulgate rules and regulations to interpret and implement the provisions of this Code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving working stresses or fire protection requirements specifically provided in this Code, or of violating approved engineering practice involving public safety.

F. The Electrical Official is hereby empowered to attach to electrical cabinets and equipment, any Official notice or seal to prevent or permit use of electricity and it shall be unlawful for any other person to put or attach such seal or notice, or to break, change, destroy, tear, mutilate, cover, relocate, or otherwise deface or injure any such official notice or seal posted or duly signed by the Electrical Official.

Section 90-10 Permits:

A. The Electrical Official shall examine or cause to be examined all applications for permits and amendments thereto within a reasonable time after filing. If the application or the plans do not conform to the requirements of all pertinent laws, such application shall be rejected. If the Electrical Official is satisfied that the proposed work conforms to the requirements of this Code and all laws and ordinances applicable thereto, a permit shall be issued as soon as practical.

1. No electrical equipment or system shall be altered or installed without first obtaining an electrical permit.

EXCEPTION: A permit shall not be required for minor electrical repairs (involving no new work, alterations, or change whatever) that are necessary and incident to the maintenance only in good condition of an established plant, installation or system of wiring. However, this exception does not permit the installation of any new circuits or the extension of any circuits already installed.

B. Application for Permits: Application for an electrical permit shall be made on forms prepared and provided by the Electrical Official.

C. Applications for electrical permits shall be made only by those persons qualified, as defined by this Code, to perform electrical work.

1. In no case shall anyone apply for a permit to do work which they are not authorized by the owner or owner's agent to perform.

D. Plans and Specifications: The application for the permit shall be accompanied by specifications and plans drawn to scale, with sufficient clarity and detail dimension to show the nature and character of the work to be performed. When quality of materials is essential for conformity to this Code, specific information shall be essential for conformity to this Code, specific information shall be given to establish such quality; and this Code shall not be cited, or the term "legal" or its equivalent to be used, as a substitute for specific information. The Electrical Official may waive the requirement for filing plans when the work involved is of a minor nature.

E. Revocation: The Electrical Official may revoke a permit or approval issued under the provisions of this Code in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based.

F. Suspension: Any permit issued shall become invalid if the authorized work is not commenced within six months after issuance of the permit or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work.

Section 90-11 Conditions of Permit:

- A. Qualifications of Contractors:** Except as indicated in 90-12 herein, electrical permits shall be issued only to contractors licensed by the City of Urbana to perform such work.
- B. Payment of Fees:** A permit shall not be issued until the fees prescribed in Chapter 14 (licenses and permits) of the Urbana Code of Ordinances are submitted.
- C. Code Compliance:** The permit shall be authorization to proceed with the work and shall not be construed as authority to violate, cancel, or set aside any of the provisions of this Code, except as specifically stipulated by approved modification as described in the application.
- D. Permit Compliance:** All work shall conform to the approved application and plans for which the permit has been issued, and any approved amendments thereto. Modifications or changes in the work shall not be made without first obtaining approval from the Electrical Official and paying any additional required fees.
- E. Permits are not transferable.** A permit shall be valid only to the party authorized to do the work as indicated on the application and any bona fide employees, as allowed by this Code.
- F. Annual Permits:** The Electrical Official may issue annual permits under the following conditions:
 - 1. Application shall be made annually in a form approved by the Electrical Official
 - 2. No permits shall be issued until the proper fees have been paid.
 - 3. The application for an annual permit shall include the name of the supervisory electrician that is to be responsible for the work. The electrical inspector shall be notified prior to any change in the supervising electrician. The supervising electrician shall be licensed as required in this Code.
 - 4. Work performed under the annual permit shall be limited to minor installations or alterations. Separate electrical permits shall be obtained for major changes in electrical equipment or apparatus, changes in service, relocation of major pieces of equipment or high voltage devices and/or electrical remodeling of areas or spaces including changes in lighting.
 - 5. An annual permit shall be issued only to those businesses, companies, or corporations which use qualified people in modifications and equipment changes. Annual permits may be issued to cover malls, hospitals, factories, and other organizations which have employees for the full-time and constant maintenance and repair of electrical systems.
 - 6. The annual permit shall specify each and every building location or premises where work is to be performed along with the name of the designated supervising electrician.

7. The designated supervising electrician shall maintain a log of all work performed during each month for which the permit was issued. This log shall list the type and location of all work performed under the annual permit. Work not listed on the log and all major electrical work shall require a separate electrical permit. The designated supervising electrician shall update and maintain the log for review by the Electrical Official.
8. Any person violating any of the provisions of this article applicable to annual electrical permit certificates shall be subject to the penalties provided and in addition thereto, the annual electrical permit certificate issued to such person shall be revoked by the Electrical Inspector in writing to the party involved, and any unexpired fee therein shall be retained by the City, provided however, that revocation by the Electrical Official shall be subject to appeal to the Building Safety Code Board of Appeals.

Section 90-12 Registration of Electrical Contractors:

- A. Permits for electrical work shall be issued only to registered electrical contractors as defined herein.

EXCEPTION: Permits may be issued to the owner/occupant of a single-family dwelling used exclusively for living purposes, including the usual accessory buildings to perform electrical work in said dwelling, provided the person is a bona fide owner of such dwelling and that the same will be occupied by the owner for at least one year, and the owner shall personally purchase all material and perform all labor in connection therewith, and provided that all workmanship, methods, and materials shall meet the requirements of this article.

- B. Contractors shall become registered by applying to the Electrical Official. Upon satisfactory compliance with this section, the Electrical Official shall issue a Certificate of Registration authorizing the applicant to engage in such business during the fiscal period for which it is issued.
 1. Applications for registration of an electrical contractor shall not be taken unless submitted with the proper fee as prescribed in Chapter 14, (Licenses and Permits), of the Urbana Code of Ordinances.
 2. **Assurances Required:** Registration as required above shall require filing with the Electrical Official a statement that such contractor shall restore the city streets, alleys, sidewalks, parking, and all other city property to as good a condition as the same were before such contractor disturbed such for work performed by the contractor.
 3. **Applications:** Registration shall require completion of the application upon the form approved by the Electrical Official.
 4. The application shall specify the supervising electrician(s) responsible for the performance and/or supervision of any and all electrical work to be performed as authorized by a permit obtained by the applicant.

5. In the event of any change or termination of the Supervising Electrician, the registered electrical contractor shall have five days in which to apply for revision of registration or to have another registered electrical contractor apply for a permit and to complete the unfinished work.
6. Any electrical contractor properly licensed in any other jurisdiction, where the licensing requirements of said other jurisdiction are deemed equivalent to Urbana requirements by the Electrical Official, who wishes to perform permit-required work in Urbana, shall submit an application along with proof of current license and the fee prescribed for reciprocal registration as prescribed in Chapter 14 of the Urbana Code of Ordinances. If reciprocal registration is denied, the applicant may either successfully complete the licensing requirements of a supervising electrician in Urbana or an appeal may be made within seven days of receipt of denial to the Building Safety Code Board of Appeals. The Building Safety Code Board of Appeals shall either confirm or deny registration by a majority vote.
7. Certificates of registration shall expire on the 30th day of June following issuance. Application for renewal shall be made by submitting the proper fee and by submitting any changes to the original application on or before 30 days after the date of expiration. Failure to renew registration July 31 shall require submission of a new application and double the prescribed fee. Any renewal or re-registration which has been expired, revoked, suspended, or otherwise invalid for a period longer than 90 days shall require re-examination of the supervising electrician.
8. Performance of permit-required electrical work without a valid registration as an electrical contractor in Urbana shall be deemed a violation of this Code.
9. Any false statement on the application for registration shall constitute fraud, and cause the registration to be null and void.
10. If in the opinion of the Electrical Official any electrical contractor registered under this Code shall have willfully or repeatedly violated any of the provisions of this Article, the Electrical Official shall refer written charges against such offending registered electrical contractor to the Building Safety Code Board of Appeals. Upon the receipt of such written charges, the Building Safety Code Board of Appeals shall within (14) fourteen calendar days after majority vote of those present, determine whether or not such registered electrical contractor's license shall be suspended or revoked by the City. In no event may a suspension exceed six (6) months. The Electrical Inspector shall keep a suitable record of all registrations issued and a suitable record of all suspensions or revocations by the Board.

Section 90-13 Approval of the Supervising Electrician:

- A.** Before any permit to install or alter electrical work shall be issued to any person entitled to secure permits under this Section, such person shall appoint or employ a person, who may be himself/herself, or some other person, for the purpose of the electrical regulations of this Article, who shall be known as the supervising electrician.
- 1.** The supervising electrician shall be employed on a full-time basis with the electrical contractor, and should be available if necessary for any and all inspections if requested by the Electrical Official.
- B.** The supervising electrician shall have had at least two (2) years or four thousand (4,000) hours experience in the installation, alteration, repair, and maintenance of electrical wires, equipment, and apparatus, or an experience equivalent thereto. Applicants shall furnish the names and addresses of former employers, periods of time employed, and in what capacity. Proof of such service shall be furnished in a manner satisfactory to the Electrical Official. Every applicant provided for in this Section shall be required to answer a reasonable number of questions in writing as determined by the Electrical Official to show that the applicant has sufficient knowledge and technical training to supervise the installation, alteration, repair, and maintenance of electrical wires and apparatus authorized by permits issued by the Electrical Official. Applicants shall be required to answer to the satisfaction of the Electrical Official at least seventy (70) percent of the questions prepared by the Electrical Official. Any person denied status as a supervising electrician by the Electrical Official may appeal the denial to the Building Safety Code Board of Appeals. The Board, following a hearing of evidence, shall confirm or reverse the Electrical Official's decision by a majority vote of those members present.
- C.** Examinations or re-examinations shall be administered by the Electrical Official within a reasonable time period during working hours upon a request for such and receipt of the electrical examination fee as prescribed in Chapter 14 of the Urbana Code of Ordinances.
- D.** Should the applicant fail to achieve a seventy (70) percent score on the first examination, the applicant may re-test at the next available test date. Three such failures to achieve a seventy (70) percent score will require a waiting period of one-hundred eighty (180) days from the last examination before subsequent re-examination.
- E.** The Electrical Official may limit the size, scope, and type of electrical work which the supervising electrician shall be authorized to perform, based upon the electrician's experience, technical education, and performance on the supervising electrician examination. Such limitations shall be recorded on the Certificate of Registration(s) and shall authorize said supervising electrician to perform electrical work as follows:
- 1.** One- and Two-Family detached dwelling electrical work.
 - 2.** Sign and/or emergency lighting installation.
 - 3.** Low voltage systems.
 - 4.** Air conditioning and heating installations limited to residential use.

5. Motor fuel dispensing systems.
6. Limited to the specific business and based upon successful completion of the HVAC and Maintenance electrical exam.

Appeals of limitations shall be treated the same as an appeal of denial as described in 90-13(B) of this Code.

Section 90-14 Registration of Electronic Fire Protection Contractors:

- A. A permit shall be required for the installation of electronic fire protection systems, low voltage or otherwise, including all fire alarm systems and electronic supervising components of fire suppression systems.
- B. Contractors who install and/or maintain electronic fire protection systems shall be registered electrical contractors as prescribed in 90-12 or shall be registered as Electronic Fire Protection System Contractors.
 1. The Electrical Official shall issue registrations as Electronic Fire Protection Systems Contractors (EFPSC) upon submittal of an application for registration along with proof of a valid State of Illinois license to perform such work. The application shall include the supervising electrician who shall, at a minimum, be approved for the installation of fire alarms.

Section 90-15 Fees:

Fees for permits, testing, licensing, and inspections shall be as prescribed in Chapter 14, (Licenses and Permits), of the Urbana Code of Ordinances.

Section 90-16 Inspections:

All work and equipment for which a permit is obtained under this Code shall be inspected and approved by the Electrical Official. Any portion of work intended to be concealed by any permanent portion of the building or by site work shall not be concealed until inspected and approved by the Official. When installation of any equipment is complete, a final inspection shall be made. Equipment regulated by this Code shall not be connected to the power supply and placed in normal operation until it complies with all applicable requirements of this Code, and a final inspection has been completed.

- A. The Electrical Inspector may order the uncovering of any work which has been concealed and which may prevent reasonable inspection. The uncovering and subsequent repair work shall be performed at the owners of the buildings' expense and the Electrical Official shall not be held responsible for the failure of the permit holder to have the work inspected.

- B. Inspection of Annual Permits**
1. The Electrical Official shall make periodic inspections of sites where work is authorized by an annual permit.
 2. The possessor of a valid annual electrical permit shall be responsible for maintaining a log of work and for assisting the Electrical Official in determining the work performed, within reasonable limits.
- C.** No wiring shall be concealed prior to inspection and approval. It shall be the responsibility of the contractor to request inspections as required, also to arrange for entrance to a building, and provide for removal of covers, devices, etc., as is necessary for inspection.
- D. Final Inspection:** Upon completion of the electrical work and before final approval is given, the Electrical Official shall inspect the work and observe the final test to insure compliance with the requirements of this Code.
- E. Right of Entry:** In the discharge of duties, the Electrical Official or an authorized representative shall have the authority, subject to applicable law, to enter at any reasonable hour any building, structure, or premises in the city limits of Urbana, to enforce the provisions of this Code.

Section 90-17 Workmanship:

All work shall be conducted, installed, and completed in a workmanlike and approved manner so as to secure the results intended by this Code.

Section 90-18 Electrical Power Supply:

It shall be unlawful for any individual, partnership, corporation, group, or association to supply electricity to any electrical equipment if a permit is required for its installation unless such connection has been authorized by the Electrical Official. It shall be unlawful to make connections to equipment that has been disconnected or ordered disconnected by the Electrical Official.

Section 90-19 Emergency Disconnections: Any person owning or controlling electric wires or apparatus for the transmission of light, heat, or power shall in case of emergency, upon the request of any official of the Fire Department or the Electrical Official disconnect such wires or apparatus as may be designated by such Official.

Section 90-20 Correction/Abatement of Hazards: When any electrical work is found by the Electrical Official to be dangerous to persons or property because it is defective or improperly installed, the person responsible for the electrical system shall be notified by the Electrical Official in writing, and required to make the necessary correction within the time specified in such written notice, and if the person shall fail to make these required corrections, the Electrical Official shall have the power and authority to disconnect or order the discontinuance of electrical service to the electrical equipment or to the entire structure; provided, upon receipt of such written notice from the Electrical Official, the person named as responsible therein shall have the right to submit an appeal to the Building Safety Code Board of Appeals if submitted within three (3) calendar days from receipt of such written notice, provided however, that the

Electrical Official shall have the authority to require immediate corrections or to order the disconnection of any electrical device or system which, in the Electrical Official's opinion, shall constitute a fire hazard or shall otherwise be unsafe to the occupants of the building.

Section 90-21 Stop Work Orders:

- A. **Notice to Stop Work:** Upon notice from the Electrical Official that work on any building, structure, or premises is being conducted contrary to the provisions of this Code or in an unsafe or dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. It shall state the conditions under which electrical work may be resumed.
- B. **Unlawful Continuance:** Any person who shall continue any work in or about the structure 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 a violation of this Code.

Section 90-22 Violations:

- A. **Unlawful Acts:** It shall be unlawful for any person, firm, or corporation to erect, construct, alter, repair, remove, demolish, or operate electrical equipment regulated by this Code, or cause same to be done, in conflict with or in violation of any of the provisions of this Code.
- B. **Notice:** The Electrical Official shall serve a notice of violation or order on the person responsible for the extension, repair, removal, demolition, or operation of electrical equipment or systems in violation of the provisions of this Code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit issued under the provisions of this Code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.
- C. **Penalties:** Any person who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter, or repair electrical equipment or systems in violation of an approved plan or directive of the Electrical Official, or of a permit issued under the provisions of this Code, shall be subject to the penalties prescribed in Section 1-10 of the Urbana Code of Ordinances.
- D. **Service:** The notice shall be deemed to be properly served upon such owner if (1) a copy thereof is delivered to the owner personally or (2) a copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid, and a copy thereof is posted in a conspicuous place on the premises where the violation exists. If the notice is served by mailing and posting, the service shall be deemed effective on the third day after mailing and posting.

Section 90-23:

The appeal of any provision of this Code or any requirement or action by the Electrical Official shall be heard by the Building Safety Code Board of Appeals.

Article 120 entitled, "General Rules for Electrical Installations" is added and reads as follows:

Article 120 -- Urbana, IL General Rules for Electrical Installations

Section 120-1: The following rules shall apply to all electrical work and materials within the corporate limits of Urbana, Illinois, and shall apply specifically where other requirements in this Code conflict or are less stringent.

Section 120-2 Classification of Wiring:

- A. All wiring, above fifty (50) volts used for light, heat, or power shall be classified as "A" or "B".
- B. **Definitions**
 - 1. Class "A" wiring shall generally include conductors installed in approved raceways but shall specifically exclude cable types: AC, NM, NMC, SNM, SE, USE, and UF.
 - 2. Class "B" wiring shall be all wiring which is not class "A".
- C. Class "A" wiring shall be used for new construction and rewiring in all buildings or structures of all USE GROUPS except R-3, R-4, and accessory buildings to R-3 and R-4 (as defined by the BOCA National Building Code, 1990).

EXCEPTION: Within Use Group R-2, rooming houses with occupancy of less than fifteen (15) persons and apartment buildings when less than four stories in height.

EXCEPTION: Where special permission is granted as permitted in Section 90-9 of this Code.

Section 120-3 HVAC/Roof Top Appliances: In all buildings or structures, a separate disconnect shall be installed for each appliance or combustion heating unit. The disconnect shall be provided in sight and within reach of the unit in addition to any disconnecting means provided at the branch panel. In new construction or rewiring, a separate circuit shall be provided.

Section 120-4 Ground Fault Receptacles; where required:

- A. All new construction, residential, and commercial.
 - 1. All fifteen (15) and twenty (20) amp 120 volt convenience receptacles installed outdoors at grade level shall be GFCI protected.
 - 2. All fifteen (15) and twenty (20) amp 120 volt convenience receptacles and lights installed in bathrooms shall be GFCI protected.

- B. In new residential construction.**
1. At least two weatherproof duplex receptacles, properly grounded and GFCI protected shall be installed on each new one- and two-family residence on opposite sides of the residence as near as possible front and rear and for each unit of a multi-family dwelling at grade level.
 2. At least one wall receptacle outlet shall be installed in each bathroom adjacent to the basin location in all residential occupancies. The total bathroom circuit(s) in each bathroom shall be GFCI protected.

EXCEPTION: Permanently installed electric resistance heating equipment does not require GFCI protection.

- C. Existing residential buildings:**
1. Any bathroom shall have a GFCI protected receptacle located adjacent to or in the vicinity of the lavatory or wash basin.
 2. Any rewiring shall require that all electrical fixtures, equipment, outlets, and devices shall be GFCI protected, as required for new construction, where such equipment or device is within arm's reach of the bathtub/shower unit.
 3. Any rewiring shall require all 120 volt single-phase 15 or 20 amp receptacles located within six (6) feet of a kitchen sink at a counter top surface be GFCI protected.
 4. Any rewiring shall require at least one GFCI protected receptacle to be installed in a basement.

Section 120-5 Requirements for Rewiring Existing Residences:

- A.** For the purpose of this section, installation of a new service shall constitute rewiring.
- B.** The electrical system shall comply with all requirement for new construction and shall specifically comply with Article 210 of this Code except as follows:
1. Every habitable space in a dwelling unit, and every guest room shall contain at least two separate and remote duplex receptacle outlets. Where such spaces are larger than 120 square feet, an additional remote duplex receptacle outlet shall be required for each additional 50 square feet or fraction thereof, above 120 square feet.
 2. Every mechanical room shall have at least one receptacle.
EXCEPTION: Small mechanical rooms or equipment closets where a receptacle is located within ten feet of such room's entrance.
 3. Every public hall, interior stairway, water closet compartment, bathroom, kitchen, laundry room, and furnace room shall be adequately illuminated. At least one electrical light fixture shall be provided with a wall switch (or pull switch were approved by the Electrical Official).
 4. Exterior lighting of entrance ways for all residential buildings shall be required and shall comply with Section 623.11 of the BOCA National Building Code, 1990.

5. Refer also to Section 120.4 above for requirements regarding ground fault protection.
6. Existing exposed knob and tube wiring and its associated fixtures shall be abandoned and the affected circuits rewired accordingly. All outlet connections shall be contained within an approved box.

Section 120-6 Additional Load on Existing Service: It shall be the responsibility of the contractor or other authorized person adding additional circuits or equipment to existing services to determine beforehand if the service is of sufficient size and capacity to carry such additional load according to the rules established under other Sections of this Article, and if not, it shall be unlawful to make the addition until the service has been increased to required size.

Section 120-7: All existing and new residential services shall comply with the following:

- A. New residential service capacity shall not be less than one-hundred-ampere, twelve-circuit, three-wire, 120/240 volt for residences less than six hundred twenty-five (625) square feet of floor space; one-hundred -ampere, twenty-circuit, three-wire, 120/240 volt for residences six hundred twenty-five (625) to two thousand (2,000) square feet of floor space; two hundred-ampere, thirty-circuit, three-wire, 120/240 volt for residences two thousand (2,000) square feet or more of floor space. Existing sixty-ampere services serving single-family residences shall be replaced if the load is in excess of ten (10) kilowatts as computed in accordance with this Code.
- B. For the purpose of applying Subsection (A), basements are not included in square footage area of floor space, unless occupied by one or more sleeping rooms, apartments, or places of business, in which case they are to be figured at one-half area per square foot. For purposes of interpretation, square footage is to be calculated from outside dimensions of building or structure, less garages, open porches, and breezeways, except as herein provided.

Article 210, Section 210-52b(1) of the National Electrical Code 1990 is amended to read as follows:

Section 210-52b(1): The two or more 20-ampere small appliance branch circuits required by Section 220-4(b) shall serve all receptacle outlets, including refrigeration equipment, in the kitchen, or similar area of a dwelling unit. Such circuits, whether two or more are used, shall have no other outlets.

Article 215, Section 215-2 of the National Electrical Code 1990 is amended by adding "C" to read as follows:

Section 215-2:

- C. Feeder conductors shall have an ampacity rating equal to or greater than the rating of the fused disconnect switch supplied by the feeder. Feeders employing circuit breakers, as overcurrent protection, shall have an ampacity equal to or greater than the rating of the device, not excluding the requirements of Section 240-3 and Article 430.

EXCEPTION: As allowed under Section 90-9.

Article 230, Section 230-43 of the National Electrical Code 1990 is amended to read as follows:

Section 230-43 Wiring Methods for 600 Volts, Nominal or Less: Service entrance conductors shall be installed in accordance with the applicable requirements of this Code covering the type of wiring method used and limited to the following methods: (1) rigid metal conduit; (2) intermediate metal conduit; (3) electrical metallic tubing; (4) wireways; and (5) auxiliary gutters.

EXCEPTION: Rigid non-metallic conduit shall be permitted for underground service installations and service raceways beyond the meter enclosure or current transformer enclosure, provided all portions of raceway are constructed with rigid non-metallic conduit.

Approved cable tray systems shall be permitted to support cables approved for use as service-entrance conductors. See Article 318.

Article 230, Section 230-70(A) of the National Electrical Code 1990 is amended to read as follows:

Section 230-70:

- A. Location:** The service disconnecting means shall be installed either inside or outside of a building or other structure at a readily accessible location nearest the point of entrance of the service conductors. The service disconnecting means shall not be located more than twenty-five (25) feet of conductor length from the point of service.

Article 300, Section 300-13 of the National Electrical Code 1990 is amended by adding "C" to read as follows:

Section 300-13:

- C.** Automatic pressure type connections are not approved for the connection of snap switches and receptacles.

Article 310, Section 310-2(B) of the National Electrical Code 1990 is amended to read as follows:

Section 310-2:

B. Conductor Material: Conductors in this Article shall be copper unless otherwise specified.

EXCEPTION 1: Underground service entrance conductors may be aluminum or copperclad aluminum.

EXCEPTION 2: As allowed under Section 90-9.

Article 310, Section 310-5 of the National Electrical Code 1990 is amended to read as follows:

Section 310-5: Table 310-5 Voltage rating of conductors up to 2,000 volts shall be (minimum) #12 copper (AWG) - #14 and aluminum or copperclad aluminum not permitted.

Article 333, Section 333-4 of the National Electrical Code 1990 is amended to read as follows:

Section 333-4 Construction: Type AC cable shall be an approved cable with acceptable metal covering. The insulated conductors shall conform with Section 333-5.

Type AC cables are branch-circuit and feeder cables with armor of flexible metal tape. Cables of the AC type, except ACL, shall have an internal bonding strip of copper in intimate contact with the armor for its entire length.

Article 334, Section 334-23 of the National Electrical Code 1990 is amended to read as follows:

Section 334-23 Grounding: Type MC cable shall contain an individual grounding conductor to provide an adequate path for equipment grounding as provided by Article 250.

Article 350, Section 350-5 of the National Electrical Code 1990 is amended to read as follows:

Article 350 Section 350-5: Flexible metal conduit is not approved as a grounding means.

Article 351, Section 351-9 of the National Electrical Code 1990 is amended to read as follows:

Section 351-9 Grounding: Liquidtight flexible metal conduit is not approved as a grounding means.

Article 352, Section 352-9 of the National Electrical Code 1990 is added and reads as follows:

Section 352-9 Grounding: Metal surface raceways are not approved as a grounding means.

Section 370-17a of the National Electrical Code 1990 is amended to read as follows:

Section 370-17a: Boxes used at lighting fixture outlets shall be designed for the purpose. At every outlet used exclusively for lighting, the box shall be a metal box so designed or installed that a fixture may be attached.

EXCEPTION: Non-metallic boxes may be used where the fixture is supported independently of the non-metallic box.

Secs. 5-54 - 5-60. Reserved.

ARTICLE VII PLUMBING CODE

Sec. 5-61. Adoption of the 1990 BOCA National Plumbing Code, 8th edition. The 1990, 8th edition BOCA National Plumbing Code as promulgated and published by Building Officials and Code Administrators International, Inc., is hereby adopted as the Plumbing Code of the City of Urbana, Illinois; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the said BOCA National Plumbing Code are hereby referred to, adopted and made a part hereof, with the additions, insertions, deletions, and changes prescribed in Section 5-63.

Sec. 5-62. Effect of State Law. The adoption of the 1990 BOCA National Plumbing Code herein pursuant to home rule powers is not intended to negate any state statute on the same subject except insofar as the article imposes a more stringent requirement or standard than does the state statute. Specifically, where differences occur between the 1990 BOCA National Plumbing Code and the 1993 State of Illinois Plumbing Code, the code rule that, in the opinion of the Plumbing/Mechanical Official, provides the greater protection to the public's safety, health, and property shall apply.

Sec. 5-63. Additions, Modifications, Deletions, and Substitutions. The following sections of the 1990 8th edition, BOCA National Plumbing Code are amended or changed as defined hereinafter.

Section P-100.1 entitled, "Title," is amended to read as follows:

Section P-100.1 Title: These regulations shall be known as the Plumbing Code of the City of Urbana. Any and all references in the Building Code or any other Ordinance of the City of Urbana which references a plumbing code shall reference this Plumbing Code, hereinafter referred to as "this code."

Section P-101.4 entitled, "Referenced Standards," is amended to read as follows:

Section P-101.4 Referenced Standards: In the absence of provisions not specifically contained in this Code or approved rules, the regulations, specifications, and standards listed in Appendix A, (as amended), shall be deemed to represent accepted plumbing practice with respect to the materials, equipment, systems, or methods of construction therein specified and shall serve as the enforceable codes, regulations, and standards governing plumbing systems and installations. Where differences occur between provisions of this Code and referenced standards, the provisions of this Code shall apply, except as provided in Section 2 of this Article.

Section P-104.1 entitled, "Continuation," is amended and reads as follows:

Section P-104.1 Continuation: The legal use and occupancy of any structure existing on the effective date of this Code, or for which it had been heretofore approved, shall be continued without change except as shall be specifically covered in this Code.

Section P-109.1 entitled, "General," is amended to read as follows:

Section P-109.1 General: The term "Code Official," as used in this Code, shall refer to the Plumbing/Mechanical Official.

Section P-110.7 is deleted.

Section P-111.10 entitled, "Application for Right-of-Way Work," is added and reads as follows:

Section P-111.10 Application for Right-of-Way Work: City Engineering Division approval shall accompany an application for any plumbing work in the right-of-way and/or any sanitary or storm sewer connections regardless of location.

Section P-111.11 entitled, "E.P.A. Permit," is added and reads as follows:

Section P-111.11 E.P.A. Permit: An application for sanitary sewer connection shall be accompanied by an E.P.A. permit where required by state law or sanitary district regulations.

Section P-112.1.1 entitled, "Separate Permits Required," is added and reads as follows:

Section P-112.1.1 Separate Permits Required: A permit shall authorize plumbing work to be performed at only one address. Each structure, building, parcel, or address shall require a separate permit.

Section P-112.8 entitled, "Private Sanitary Disposal Permits," is added and reads as follows:

Section P-112.8 Private Sanitary Disposal Permits: A permit for a private sanitary disposal system shall not be issued by this Department until proper approval and the required permits have been obtained as required by state law and Chapter 24 of the Urbana Code of Ordinances.

Section P-112.9 entitled, "Excavation Permit," is added and reads as follows:

Section P-112.9 Excavation Permit: A permit for work within the right-of-way and/or for the connection of any storm or sanitary sewer to a public system, shall not be issued until approval from the City Engineer has been documented.

Section P-112.10 entitled, "Permit Denial," is added and reads as follows:

Section P-112.10 Permit Denial: The Plumbing Official shall have the authority to deny issuance of a plumbing permit to any applicant who is delinquent with respect to permits and notices previously issued to applicant.

Section P-114.2 entitled, "Fees," is amended and reads as follows:

Section P-114.2 Fees: The application for a plumbing permit shall be submitted along with the prescribed fees as published in Chapter 14, (licenses and fees) of the Urbana Code of Ordinances.

Section P-114.3 entitled, "Water Heating Equipment Permit Fees," is added and reads as follows:

Section P-114.3 Water Heating Equipment Permit Fees: Water heating equipment which is defined as a "water heater" by the Mechanical Ordinance, shall be subject to the plumbing fee schedule and water heating equipment which is defined as a hot water supply boiler or hot water heating boiler shall be subject to the mechanical fee schedule as prescribed in (Chapter 14 of the Urbana Code of Ordinances).

Section P-115.4 entitled, "Waste Retention and Disposal," is added and reads as follows:

Section P-115.4 Waste Retention and Disposal: The Plumbing/Mechanical Official shall have the authority, subject to applicable law, to inspect at any reasonable time, any waste separator, serving any structure, to ensure that proper waste retention and disposal operations are being maintained.

Section P-117.2.1 entitled, "Service of Notices," is added and reads as follows:

Section P-117.2.1 Service of Notices: The notice shall be deemed to be properly served upon such owner if (1) a copy thereof is delivered to the owner personally or (2) a copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid, and a copy thereof is posted in a conspicuous place on the premises where the violation exists. If the notice is served by mailing and posting, the service shall be deemed effective on the third day after mailing and posting.

Section P-117.4 entitled, "Penalties," is amended and reads as follows:

Section P-117.4 Penalties: Any person who violates any provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter, install, or repair plumbing equipment or systems in violation of this Code shall be subject to the penalties as prescribed in Section 1-10 of the Urbana Code of Ordinances. Each day that a violation continues shall be deemed a separate offense.

Section P-118.2 entitled, "Unlawful Continuance," is amended and reads as follows:

Section P-118.2 Unlawful Continuance: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties prescribed in Section 1-10 of the Urbana Code of Ordinances.

Section P-122.1.1 entitled, "Building Safety Code Board of Appeals," is added and reads as follows:

Section P-122.1.1 Building Safety Code Board of Appeals: All appeals shall be heard by the Building Safety Code Board of Appeals as prescribed in the BOCA National Building Code, 1990 as amended.

Sections P-122.2 through P-122.7 are deleted.

Section P-200.5 entitled, "Plumbing/Mechanical Official," is added and reads as follows:

Section P-200.5 Plumbing/Mechanical Official: Wherever the terms "Code Official," "Administrative Authority," or "Plumbing Official" are used in this Code or in codes and standards referenced by this Code, they shall be held to mean the Plumbing/Mechanical Official of the Building Safety Division of the City of Urbana, Illinois, Community Development Services Department.

Section 300.2 entitled, "Basic Plumbing Principles," is added and reads as follows:

Section 300.2 Basic Plumbing Principles: The basic principles (1-23) listed in Appendix B of the 1990 BOCA National Plumbing Code shall be included and adopted as part of the enforceable text of the Code.

Section 302.2 entitled, "Residential," is added and reads as follows:

Section 302.2 Residential: One- and Two-Family homes for which a building permit for initial construction is issued after July 1, 1994, with levels below grade which are provided with plumbing fixtures or drains must have overhead discharge and no gravity discharge to the sewer system.

Section 303.2 entitled, "Public Systems Available," is amended and reads as follows:

Section 303.2 Public Systems Available: A public water supply or public sewer system shall be considered available to a building when the building is located within 100 feet of the public water main or sewer.

Section 1208.3 entitled, "Waste Connection," is amended and reads as follows:

Section 1208.3 Waste Connection: Domestic dishwashing machines shall discharge into a tailpiece wye of the kitchen sink trap. Commercial machines shall discharge through an air gap to a trapped fixture or hub drain.

APPENDIX A: Referenced standards: is amended by adding the following:

Promulgating Agency: CABO (Council of American Building Officials)

Standard: 1989 edition, CABO One- and Two-Family Dwelling Code, (Chapters 20 through 25).

1993 Illinois State Plumbing Code

Promulgating Agency: Illinois Department of Public Health

Referenced in Code Section No. P-101.4, and Urbana Ordinance, Article VII, Section 2.

Secs. 5-64 - 5-70. Reserved.

ARTICLE VIII MECHANICAL CODE

Sec. 5-71. Adoption of the 1990 BOCA National Mechanical Code, Seventh edition. The 1990 BOCA National Mechanical Code, seventh edition, as published by Building Officials and Code Administrators International, Inc., is hereby adopted as the mechanical code of the City of Urbana, Illinois; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the said BOCA National Mechanical Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions, and changes prescribed in Section 3 of this Ordinance.

Sec. 5-72. Effect of State Law. The adoption of the 1990 BOCA National Mechanical Code herein pursuant to home rule powers is not intended to negate any state statute on the same subject except insofar as this article imposes a more stringent requirement or standard than does the state statute.

Sec. 5-73. Additions, Deletions, Modifications, and Amendments. The following sections of the 1990, seventh edition, BOCA National Mechanical Code, are amended and/or changed as defined in this ordinance, as follows:

Section M-100.1 entitled, "Title," is amended to read as follows:

Section M-100.1 Title: This code (as amended) shall be known as the Mechanical Code of the City of Urbana, Illinois, hereinafter referred to as the Mechanical Code, or "this code".

Section M-100.2.1 entitled, "Expanded Scope," is added and reads as follows:

Section M-100.2.1 Expanded Scope: In buildings of Use Group R-4 as defined in BOCA 1990 National Building Code, the 1989 edition of the CABO One- and Two-Family Dwelling Code (as amended) shall govern mechanical installations and any provisions otherwise herein contained may not apply to that Use Group.

Section M-101.1 entitled, "General," is amended to read as follows:

Section M-101.1 General: The provisions of this code shall apply to all mechanical installations and their appurtenances in all buildings and structures, including those mechanical installations, systems, and appurtenances that are addressed in the referenced standards in Appendix "A".

Section M-101.5.1 entitled, "Accepted Engineering Practice," is added and reads as follows:

Section M-101.5.1 Accepted Engineering Practice: In the absence of provisions not specifically contained in this code or approved rules, the regulations, specifications, and standards listed in Appendix A shall be deemed to represent accepted engineering practice with respect to the materials, equipment, systems, or methods of construction therein specified and shall serve as the enforceable codes, regulations, and standards governing such mechanical systems and installations.

Section M-109.1 entitled, "General," is amended to read as follows:

Section M-109.1 General: The position of the Plumbing/Mechanical Inspector is hereby affirmed as an inspection position within the Building Safety Division of the Department of Community Development Services and shall be designated hereinafter as the "Plumbing/Mechanical Official" for the purposes of this code. The term "Code Official," as used in this code, shall refer to the "Plumbing/Mechanical Official."

Section M-110.6.1 entitled, "Requirement Determination," is added and reads as follows:

Section M-110.6.1 Requirement Determination: When any particular mechanical equipment, installation, or lack thereof is not specifically addressed in this code or in any of the codes or standards referenced by this code, the Plumbing/Mechanical Official shall determine the code requirements.

Section M-111.1.1, Item #4, "Steam and Water Piping," is deleted.

Section M-112.1.1 entitled, "Separate Permits Required," is added and reads as follows:

Section M-112.1.1 Separate Permits Required: A permit shall authorize mechanical work to be performed at only one address. Each structure, building, parcel, or address shall require a separate permit.

Section M-112.2 entitled, "Approved Plans," is deleted.

Section M-112.5 entitled, "Permit Denial," is added and reads as follows:

Section M-112.5 Permit Denial: The Plumbing/Mechanical Official shall have the authority to deny issuance of a mechanical permit to any applicant who is delinquent with respect to permits and notices previously issued to applicant.

Section M-114.2 entitled, "Periodic Inspections," is deleted.

Section M-114.3 entitled, "Fee Schedule," is amended to read as follows:

Section 114.3 Fee Schedule: The fees for all mechanical work shall be as prescribed in Chapter 14 in the Urbana Code of Ordinances.

Section M-115.2.1 entitled, "Final Testing," is added and reads as follows:

Section M-115.2.1 Final Testing: When approved by the Mechanical Official, the contractor may submit evidence of final testing, in a form approved by the Mechanical Official, as an alternative to actual observation of final testing by the Mechanical Official.

Section M-117.2.1 entitled, "Service of notices," is added and reads as follows:

Section M-117.2.1 Service of notices: The notice shall be deemed to be properly served upon such owner if (1) a copy thereof is delivered to the owner personally or (2) a copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid, and a copy thereof is posted in a conspicuous place on the premises where the violation exists. If the notice is served by mailing and posting, the service shall be deemed effective on the third day after mailing and posting.

Section M-117.4 entitled, "Penalties," is amended to read as follows:

Section M-117.4 Penalties: Any person who violates any provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter, or repair mechanical equipment or systems in violation of this code shall be subject to the penalties as prescribed in Section 1-10 of the Urbana Code of Ordinances. Each day that a violation continues shall be deemed as a separate offense.

Section M-118.2 entitled, "Unlawful Continuance," is amended to read as follows:

Section M-118.2 Unlawful Continuance: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties prescribed in Section 1-10 of the Urbana Code of Ordinances.

Section M-119.1 entitled, "Approval," is deleted.

Section M-122.1.1 entitled, "Building Safety Code Board of Appeals," is added and reads as follows:

Section M-122.1.1 Building Safety Code Board of Appeals: All appeals shall be heard by the Building Safety code Board of Appeals as referenced in the BOCA National Building Code, 1990, as amended.

Sections M-122.2 entitled, "Membership of Board," through M-122.7 entitled, "Court Review," are deleted.

Section M-200.5 entitled, "Plumbing/Mechanical Official," is added and reads as follows:

Section M-200.5 Plumbing/Mechanical Official: Wherever the terms "Code Official," "Authority Having Jurisdiction," or "Administrative Authority," are used, (in this code or in referenced codes and standards), they shall be held to mean the Plumbing/Mechanical Official of the Building Safety Division of the City of Urbana, Community Development Services Department.

Section M-306.3 entitled, "Screens," is added and reads as follows:

Section M-306.3 Screens: Screens shall have a square mesh no smaller than 1/4 inch.

Section M-307.5 entitled, "Ventilation Control," is added and reads as follows:

Section 307.5 Ventilation Control: Where mechanical ventilation is required, automatic controls shall be provided so that minimum air circulation, outdoor air intake and exhaust air discharge shall be maintained continuously during periods of occupancy. Timers, continuous operation, or approved interlocks may be used to satisfy this requirement.

Section M-401.3 entitled, "Fuel-Burning Equipment," is added and reads as follows:

Section M-401.3 Fuel-Burning Equipment: All fuel-burning heating equipment, both newly installed and existing, shall be equipped with an approved supervised pilot/ignition assembly (flame safeguard).

Section M-405.4 entitled, "Equipment on Roofs," is added and reads as follows:

Section M-405.4 Equipment on Roofs: A roof on which mechanical equipment is to be installed shall be capable of supporting the additional weight and dynamic action loads.

Section M-406.1.1 entitled, "Sleeping Rooms," is added and reads as follows:

Section M-406.1.1 Sleeping Rooms: Gas-fired or liquid fuel-fired equipment and appliances shall not be made accessible from sleeping rooms, bathrooms or any habitable rooms with doors normally kept closed unless otherwise approved by the Mechanical Official.

Section M-409 entitled, "Furnaces and Heaters," is added.

Section M-409 Furnaces and Heaters

Section M-409.1 entitled, "Heat Exchangers," is added and reads as follows:

Section M-409.1 Heat Exchangers: Forced air and gravity furnace heat exchangers shall not be repaired unless approved by the Plumbing/Mechanical Official.

Section M-409.2 entitled, "Floor Furnaces," is added and reads as follows:

Section M-409.2 Floor Furnaces: The installation of floor furnaces is prohibited in all occupancies.

Section M-409.3 entitled, "Dwelling Heating," is added and reads as follows:

Section M-409.3 Dwelling Heating: Wall furnaces, through-the-wall heaters, and space heaters shall not be installed as a central heating system. Such equipment shall not serve as the primary source of heat in a dwelling unit unless otherwise approved by the Plumbing/Mechanical Official.

Section M-409.4 entitled, "Direct Fired Heaters," is added and reads as follows:

Section M-409.4 Direct Fired Heaters: Direct gas-fired heaters may be installed only in occupancies of Use Group H, S, or F, unless otherwise approved by the Plumbing/Mechanical Official.

Section 609.0 entitled, "Hot Water Boilers, is added.

Section 609.0 Hot Water Boilers

Section M-609.1 entitled, "Low Water Cut-Off," is added and reads as follows:

Section M-609.1 Low Water Cut-Off: All hot water heating boilers and hot water supply boilers shall be protected with a low water cut-off control. The low water cut-off control shall automatically stop the combustion operation of the equipment when the water level drops below the safe water level as established by the manufacturer.

EXCEPTION: 1. Direct fired potable water storage (tank) type heating equipment; 2. Boilers with forced circulation supervision (flow switch protection).

Section M-609.2 entitled, "High Temperature Limit Controls," is added and reads as follows:

Section M-609.2 High Temperature Limit Controls: All hot water heating boilers and hot water supply boilers shall be equipped with an auxiliary high limit aquastat in addition to the high limit device supplied by the manufacturer. The auxiliary control shall limit the water temperature to the maximum for the application.

Section M-609.3 entitled, "Potable Water Heating Equipment," is added and reads as follows:

Section M-609.3 Potable Water Heating Equipment: Direct-fired storage water heaters and direct-fired heat exchanger (non-storage) water heaters that do not exceed any of the following criteria shall be considered as "WATER HEATERS";

- A. Maximum operating pressure: 160 psig
- B. Maximum operating temperature: 180 degrees Fahrenheit
- C. Maximum storage capacity: 120 gallons
- D. Maximum heat input: 200,000 BTU/HR

Potable water heating equipment which exceeds any of the above shall be considered as "Hot Water Supply Boilers," and shall comply with the adopted standards for such equipment.

Section M-609.4 entitled, "Swimming Pool Heaters," is added and reads as follows:

Section M-609.4 Swimming Pool Heaters: Pool heaters and similar use heaters shall be considered as hot water heating boilers and shall comply with the adopted standards for such equipment.

Section M-801.2 entitled, "Fuel Gas Pipe, Table M-801.2 is amended to read as follows:

Section M-801.2 Fuel Gas Pipe, Table M-801.2: Delete the references to copper or copper alloy pipe and copper or copper alloy tubing from this Table.

Section M-804.3 entitled, "Overpressure Protection," is added and reads as follows:

Section M-804.3 Overpressure Protection: When the fuel gas supply pressure exceeds the maximum working pressure of the connected (downstream) gas utilization equipment, the connected equipment shall be protected against overpressure by two approved devices, both of which must fail simultaneously in order to overpressurize the downstream system. Two approved overpressure protection devices shall be: redundant pressure regulators in series or a single pressure regulator with an independent relief valve installed downstream of regulator.

Section M-805.5 entitled, "Piping Through Foundation Walls," is amended to read as follows:

Section M-805.5 Piping Through Foundation Walls: Gas piping shall enter a building at a minimum of six inches above grade. Gas piping shall not be installed under or in a slab floor or below grade (underground) through the foundation or basement wall of a building.

Section M-807.4 entitled, "Piping in Concealed Locations," is amended to read as follows:

Section M-807.4 Piping in Concealed Locations: Portions of a gas piping system installed in concealed locations shall not have unions, tubing fittings, running threads, right and left couplings, bushings, non-tapered thread couplings, swing joints, valves or devices.

Section M-807.7 entitled, "Unused Gas Piping," is added and reads as follows:

Section M-807.7 Unused Gas Piping: Gas piping which is no longer in use shall be disconnected at its source of supply. The supply shall be permanently capped or plugged.

Section M-810.3 entitled, "Commercial Equipment," is added and reads as follows:

Section M-810.3 Commercial Equipment: Commercial cooking equipment, (other than single-family dwelling), and other commercial/industrial gas-fired equipment shall be connected with approved, listed, commercial type, fuel gas hose connectors.

EXCEPTION: Large equipment which cannot easily move or vibrate may be connected with rigid pipe.

Section 810.4 entitled, "Coupler Valves," is added and reads as follows:

Section 810.4 Coupler Valves: Gas-fired equipment which is easily or routinely moved, or is equipped with wheels or casters shall be equipped with an approved (quick-disconnect) coupler valve.

Section 1203.2.3 entitled, "Termination," is amended by adding the following last sentence to the current text:

Section 1203.2.3 Termination: The vent system shall be protected from bird and other animal infestation.

Section M-1212.5 entitled, "Common Venting," is added and reads as follows:

Section M-1212.5 Common Venting: When appliances or equipment located on different floor levels connect to the same chimney/passageway or vent, the appliances or equipment and the chimney/vent shall be separated from spaces intended for occupancy. All equipment and chimney/vents shall be accessed only from outside of the occupied spaces.

Section M-1213.5 entitled, "Power Venting/Forced Draft Equipment Supervision," is added and reads as follows:

Section M-1213.5 Power Venting/Forced Draft Equipment Supervision: Power venting equipment shall be supervised by dual pressure controls or a single self-checking pressure control. All pressure controls shall be supplemented by a thermal cut-out device. Sail switches and centrifugal switches are not acceptable as means of supervision.

Supervision devices shall prove the existence of proper draft at the equipment/appliance flue outlet before allowing fuel combustion.

Section M-1405 entitled, "Fireplace Accessories," is added.

Section M-1405 Fireplace Accessories

Section M-1405.1 entitled, "Gas Log Lighters," is added and reads as follows:

Section M-1405.1 Gas Log Lighters: Gas log lighters are prohibited.

Section M-1405.2 entitled, "Gas Logs," is added and reads as follows:

Section M-1405.2 Gas Logs: Gas logs shall be listed by a nationally recognized testing laboratory and shall be approved by the Mechanical Official. When a gas log is installed in a fireplace, the fireplace damper shall be permanently removed.

Section M-1500.2 entitled, "Annual Inspections," is deleted.

Section M-1602.1.1 entitled, "Negative Pressure," is added and reads as follows:

Section M-1602.1.1 Negative Pressure: Ventilation and exhaust systems shall be designed and installed so that negative pressure from the ventilation system cannot adversely affect the flues, vents, chimneys, or combustion air supply for fuel-burning equipment.

Section M-1603.3 entitled, "Return Air," is added and reads as follows:

Section M-1603.3 Return Air: Air from any boiler/furnace room, bath/toilet room, kitchen, trash room, janitor closet, garage, storage room, or any room containing toxic, flammable, corrosive, radioactive, or pathogenic materials shall not be recirculated.

Section M-2101 entitled, "Inspections," is deleted.

Secs. 5-74 - 5-80. Reserved.

ARTICLE IX PROPERTY MAINTENANCE CODE

Sec. 5-81. Adoption of the 1990 BOCA National Property Maintenance Code, Third Edition. The BOCA National Property Maintenance Code/1990, third edition, as published by the Building Officials and Code Administrators International, Inc., is hereby adopted as the Property Maintenance Code of the City of Urbana, Illinois, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the said BOCA National Property Maintenance Code are hereby referred to, adopted, and made a part hereof, with the additions, insertions, deletions, and changes prescribed in Section 5-83.

Sec. 5-82. Effect of State Law. The adoption of the 1990 BOCA National Property Maintenance Code herein, pursuant to home rule powers, is not intended to negate any State statute on the same subject except insofar as this article imposes a more stringent requirement or standard than does the State statute. The standards referenced in this Code and listed in Appendix A shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between common provisions of this Code and any other code or standard referenced by this Code, the provisions which afford the greatest degree of life safety shall apply.

Sec. 5-83. Additions, Deletions, Modifications, and Amendments. The following sections and subsections of the BOCA National Property Maintenance/1990, third edition, are amended and/or revised as defined in this Ordinance, as follows:

Section PM-100.1 entitled, "Title", is amended to read as follows:

PM-100.1 Title: This Code (as amended) shall be known as the Property Maintenance Code of the City of Urbana, Illinois hereinafter referred to as the Property Maintenance Code, or "this Code".

Section PM-103.2 entitled, "Additions, Alterations, or Repairs" is added and reads as follows:

PM-103.2 Additions, Alterations, or Repairs: Additions, alterations, or repairs to any structure required under this code shall conform with the requirements of NBC 103.3.

Section PM-104.3.1 "Nonconforming Conditions" is added and reads as follows:

PM-104.3.1 Nonconforming conditions: If additional nonconforming conditions are encountered during the course of any approved alteration or repair which were not considered or known initially, the Property Maintenance Inspector shall have the authority to require compliance with this code of such additional conditions. The determination of what is necessary to bring such conditions into compliance shall take into consideration the use of alternatives and/or equivalent approaches as provided for in this code.

Section PM-104.5 entitled "Access by Owner or Operator" is amended to read as follows:

PM-104.5 Access by Owner or Operator: In order to safeguard the safety, health, and welfare of the general public, the Code Official is authorized to enter any structure or premises at any reasonable time for the purpose of making inspections and performing duties under this Code. The owner, operator, or occupant of every dwelling, multiple-dwelling, dwelling unit, rooming unit, or person in charge thereof, shall give the Enforcement Officer free access to such dwelling. If the occupant refuses to consent to the inspection, a search warrant may be obtained: (a) where there is probable cause to believe that a violation exists within the particular structure; or (b) where a determination has been made to conduct a periodic systematic inspection of certain areas of the City.

Section PM-104.10 entitled, "Relief from Personal Responsibility", is amended to read as follows:

PM-104.10 Relief from Personal Responsibility: The Property Maintenance Official, officer, or employee charged with the enforcement of this Code or Property Maintenance Board of Appeals Member, while acting for the jurisdiction, shall not thereby be rendered personally liable, and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Code shall be defended by the legal representative of this jurisdiction until the final termination of the proceedings. The subordinate of the Building Official shall not be liable for costs in any action, suit, or proceeding that may be instituted in pursuance of the provisions of this Code; and any Officer of the Office of Property Maintenance Inspection, acting in good faith and without malice, shall be free from liability from acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

Section PM-105.6.1 entitled, "Standards for Closure", is amended to read as follows:

PM-105.6.1 Standards for Closure: Any structure required to be closed shall have all unsecured windows and doors sufficiently covered with a minimum of 1/2 inch exterior grade plywood or equivalent material, cut to fit over the opening, and firmly attached with screws to a one inch minimum depth spaced at the maximum of 12 inches apart. The plywood or equivalent material shall be suitably coated with an appropriate neutral color blending with or harmonizing with the exterior colors of the structure as inconspicuously as possible.

Section PM-106.2.2 entitled, "Registration of Vacant Structures", is added to read as follows:

PM-106.2.2 Registration of Vacant Structures: Whenever any building in the city becomes a public nuisance as defined within this code, or is a blighting influence, or hereafter becomes vacant or unoccupied and any of the doors, windows, or other openings into such a building are boarded up or otherwise secured by any means other than conventional methods used in the design of the building, the owner thereof shall within thirty (30) days of notification register such building as a vacant structure. Notification shall be by letter sent by first class postage prepaid to the person who last paid the general real estate taxes on the property. Such registration shall be valid for a period of six (6) months. The required fee for registration is set forth in Chapter 14 of the Urbana Code of Ordinances. The registration of the vacant structure shall not preclude action by the City to pursue demolition of the structure under the provisions of this code.

Section PM-106.2.3 entitled, "Vacant Structure Plan", is added to read as follows:

PM-106.2.3 Vacant Structure Plan: When a structure is initially registered as required under PM-106.2.2 a written vacant structure plan shall be submitted by the owner or agent with a proposed date for either repairing the structure to comply with all applicable housing, health, fire, and safety laws, rules, and regulations within the time frame of the proposed date or for demolition of the structure within the time frame of the proposed date.

This plan must be implemented and completed within six (6) months of the date that the building is first registered under this ordinance. The Building Official may extend the period of compliance for an additional six (6) months up to a period of two (2) years from the date that the premises was originally registered. This extension shall be granted only in instances where the owner has demonstrated a good faith effort to comply with the plan that they have filed pursuant to this ordinance. An extension of two (2) years for the implementation of the vacant structures plan is intended to serve as an "outside limit" for registration.

Exterior property maintenance standards will be strictly enforced for all vacant structures on the registry.

The original vacant structures plan and time frame shall remain in affect despite a change of ownership. If there is a change of ownership, then a new registration statement shall be properly made within ten (10) days from the date of said change indicating the names and/or addresses of the new owner(s). The new registration statement shall be made in the same manner and form as herein prescribed.

Section PM-106.2.4 entitled, "Inspection of Vacant Structures" is added and reads as follows:

PM-106.2.4 Inspection of Vacant Structures: Upon registration of any building pursuant to Section PM-106.2.2, or when any such vacant building comes to the attention of the Housing Inspector, they shall cause inspections to be made of the premises to determine the condition of such building and premises and whether there exists any fire, safety, or health hazards or violations on the premises. The vacant structure shall be inspected prior to occupancy for compliance with the provisions of this code.

Section PM-106.3 entitled, "Service," is amended to read as follows:

Section PM-106.3 Service: The notice shall be deemed to be properly served upon such owner if (1) a copy thereof is delivered to the owner personally or (2) a copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid, and a copy thereof is posted in a conspicuous place on the premises where the violation exists. If the notice is served by mailing and posting, the service shall be deemed effective on the third day after mailing and posting.

Section PM-109.1 entitled, "Unlawful Acts", is amended to read as follows:

PM-109.1 Unlawful Acts: It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, remove, demolish, use or occupy any structure or equipment regulated by this Code, or maintain a vacant structure without a valid Vacant Structure Certificate or cause the same to be done, contrary to, or in conflict with, or in violation of any of the provisions of this Code, or fail to obey a lawful order of the code official, or to remove a placard or notice posted under the provisions of this code.

Section PM-109.2 entitled, "Penalty", is amended to read as follows:

PM-109.2 Penalty: Any person, firm, or corporation, who shall violate any provision of this Code shall, upon conviction thereof, be subject to a fine of not less than one dollar (\$1.00) nor more than five-hundred dollars (\$500.00) at the discretion of the Court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

Section PM-110.3 entitled, "Order," is amended to read as follows:

Section PM-110.3 Order: The order shall specify a time in which the owner shall comply therewith and specify repairs, if any. The order shall be served on the owner of record or an agent where an agent is in charge of the building and upon the holder of any encumbrance of record. The order shall be deemed to be properly served upon such person if (1) a copy thereof is delivered to the person personally or (2) a copy thereof is mailed to the person by regular, first-class U.S. mail, postage prepaid, and a copy thereof is posted in a conspicuous place on the premises where the violation exists. If the order is served by mailing and posting, the service shall be deemed effective on the third day after mailing and posting.

Section PM-110.4 entitled, "Failure to Comply", is amended to read as follows:

PM-110-4 Failure to Comply: Whenever the owner of a property fails to comply with a demolition order within the time prescribed, the Code Official shall seek a court order requiring the owner to demolish the said structure and upon failure to do so within a specified time, authorizing the Code Official to cause the structure or part thereof to be razed and removed. The costs incurred shall be reimbursed as specified by State Statute.

Section PM-110.5 entitled, "Salvage Materials", is deleted.

Section PM-111.1 entitled, "Petition", is amended to read as follows:

PM-111.1 Petition: Any person effected by any notice which has been issued in connection with the enforcement of any provision of this Code, or of any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Appeals Board as herein established provided that such person shall file, with the administrative secretary of the Board, a written petition requesting such hearing and containing a statement of the grounds therefore within fourteen (14) days after the date the notice was served. Any violation notice served pursuant to this Code shall automatically become an order if written petition for a hearing is not filed. The Board shall be obligated to call a public meeting within forty-five (45) days after a receipt of a request for a hearing.

Section PM-111.2 entitled, "Appeals Board", is amended to read as follows:

PM-111.2 Appeals Board: There shall be created a Property Maintenance Code Board of Appeals, hereafter referred to as the "Board". The Board shall have the power and shall be charged with the duty to hear and decide all appeals and variation requests. The members of the Existing Structures Code Board of Appeals that are presently serving on the effective date of this Ordinance are hereby appointed to the Property Maintenance Code Board of Appeals at the time that this Ordinance becomes effective, for the remainder of the term each respectively held.

Section PM-111.2.1 entitled, "Membership", is amended to read as follows:

PM-111.2.1 Membership: The board shall consist of five (5) members who shall be appointed by the Mayor subject to confirmation of the corporate authorities. The board members shall be qualified by education and experience in the building profession and collectively shall have the duty, responsibility, and authority to decide the matters referred to them by this Ordinance. Two (2) alternate members may be appointed, under the above procedure, who shall serve on the Board only in the absence of one or more of the regular members or in the case of conflict of interest of one or more of the regular members. Regular and alternate members shall serve for a term of three (3) years. The term of each member shall be staggered and shall expire at midnight June 30th of the year that the term is to expire.

Section PM-111.2.2 entitled, "Vote", is amended to read as follows:

PM-111.2.2 Officers of the Board: The Mayor, shall designate one member to serve as chairperson, who shall hold that office until a successor is appointed. The Board shall select one of their members as the official secretary of the Board, who shall sign the minutes of the meeting of the Board. The Building Official, or a representative appointed by the Building Official, shall serve as the administrative secretary to the Board, and shall take all petitions, and shall keep all minutes, records, and files of the Board.

Section PM-111.2.3 entitled, "Financial Interest", is deleted.

Section PM-111.3 entitled, "Records", is amended to read as follows:

PM-111.3 Appeals: The Board shall have the power and shall be charged with the duty to hear and decide appeals from any notice, decision, or determination made by the Building Official or their authorized agent under this Code and appeals from any notice, decision, or determination made by the Building Official involving existing residential buildings and made under those sections of the City's building code which specify requirements for existing residential buildings.

Section PM-111.3.1 entitled, "Variations", is added and reads as follows:

PM-111.3.1 Variations: The Board shall have the power and shall be charged with the duty to hear and decide requests for specific variations in the application of any provisions of this Code and any provision for existing buildings in the building code in those instances involving existing residential buildings where there are practical difficulties in the way of carrying out the strict letter of the law, so that the spirit and intent of the law shall be observed, public safety be secured, and substantial justice be done. Such variation shall be for limited periods of time and the Board's decision shall be filed with the City Clerk as a matter of public record. All variations granted by the Board will be filed with the County Recorder of Deeds as a lis pendens so as to put all new owners on notice.

Section PM-111.3.2 entitled, "Quorum", is added and reads as follows:

PM-111.3.2 Quorum: Four (4) members of the Board shall constitute a quorum. In granting a variance for an application of any provision applicable to an existing residential building, affirmative votes of three (3) members shall be required; in modifying or overruling a notice, decision, or determination of the Building Official, affirmative votes of four (4) members shall be required. No member of the Board shall vote upon any question in which they have an interest.

Section PM-111.4 entitled, "Records", is added and reads as follows:

PM-111.4 Records: The administrative secretary to the Board shall keep a record of each meeting so that the record clearly shows the decisions made by the Board.

Section PM-201.0 entitled, "Applied Meaning of Words and Terms", is modified as follows:

PM-201.0 Applied Meaning of Words and Terms

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

- (1) **Throw:** Minimum throw of one (1) inch which penetrates the strike not less than three-fourths (3/4) inch.
- (2) Cylinders shall be designed or protected so that they cannot be gripped by pliers or other wrenching devices.
- (3) The lock parts thereof shall not bear any numbers or letters which may reveal a combination from which a key or similar control device could be fashioned and which could deactivate the locking device.
- (4) **Striker Plate:** Steel striker plates shall be firmly secured with a minimum of two screws having a minimum length of two and one-half (2 1/2) inches each. Screws shall penetrate the framing members behind the jamb. In other than wood construction, the manufacturer's recommendations shall be followed.

Deterioration: The condition or appearance of a building or part thereof, characterized by breaks, holes, rot, crumbing, cracking, peeling, rusting, or any other evidence of physical decay or neglect; or excessive use or lack of maintenance.

Dwellings

Rooming house is deleted.

Dormitory: A building arranged or used to provide sleeping accommodations for more than 15 people, in one room or in a series of closely associated rooms under joint occupancy, with or without meals but without individual cooking facilities, which would include college dormitories, fraternities, sororities, and military barracks.

Hotel: A building used to provide separate sleeping facilities for 16 or more guests ordinarily transient, with or without meals, but where meals are provided or sold such as furnished through the joint use of a commercial kitchen and dining facility as in the case of a cafe or restaurant. Hotels may include buildings referred to as inns, clubs, motels, and hotel apartments. The authority having jurisdiction shall decide if such a structure with sleeping facilities for less than 16 persons shall be classified as a rooming house.

Boarding, lodging, or rooming house: A building arranged or used to provide sleeping arrangements for 15 or fewer persons, including buildings where separate sleeping rooms are provided or rented on either a transient or permanent basis, with or without cooking facilities but without separate cooking facilities.

One-family dwelling: A building containing one dwelling unit with not more than four (4) unrelated persons.

Duplex dwelling: A building containing two dwelling units with not more than four (4) unrelated persons in each unit.

Dwelling unit: One (1) or a suite of two (2) or more rooms in a building, designed for and used by one family for living and sleeping purposes, containing its own kitchen, bathroom, and having its own independent entry/access from the exterior to the structure or from a common interior hallway.

Family: A basic group of one (1) or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants, together with not more than three (3) additional persons not related by blood, adoption, or marriage.

Secured building: Any building or structure on which any of the doors, windows, or other openings into such a building are boarded up or otherwise closed by approved means other than conventional methods used in the design of the building.

Vacant and open building: Any structure or part of a structure which is unoccupied and is deemed hazardous due to the fact that the building is open to trespass and has not been secured.

Section PM-301.4 entitled, "Weeds", is deleted.

Section PM-301.8 entitled, "Motor Vehicles", is deleted.

Section PM-301.9 entitled, "Storage Areas", is added and reads as follows:

PM-301.9 Storage Areas: All approved open salvage yards and open storage areas shall be completely obscured from surrounding property by a solid screen not less than six (6) feet in height. Storage of debris, junk, or construction materials, which are not associated with an approved use, permitted by the Urbana Zoning Ordinance, or approved construction at that site, shall be prohibited.

Section PM-301.10 entitled, "Loading Areas", is added and reads as follows:

PM-301.10 Loading Areas: All loading areas, automobile service stations, and drive-in food establishments shall be paved with bituminous, concrete, or equivalent surfacing and shall be free from dirt and other litter and kept in good repair. When lighted for nighttime use, lights shall not be permitted to cast directly upon dwellings nearby.

Section PM-302.6 entitled, "Roofs and Drainage," is amended to read as follows:

PM-302.6 Roofs and Drainage: The roof and flashing shall be sound, tight, and not have defects which might permit entry of rain. Roof drainage shall be adequate to prevent dampness or deterioration within the walls or interior portion of the building. Where provided, gutter and down spouts shall be safely secured, free from holes and defects, and maintained in a workmanlike state of maintenance and repair. Roof water shall not be discharged in a manner that creates a public nuisance.

Section PM-302.10.1 entitled, "Stairs and Porches," is added to read as follows:

PM-302.10.1 Stairs and Porches: Every stair, porch, fire escape, balcony, and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the anticipated loads and shall be maintained in sound condition and good repair. The treads and risers of every flight of stairs shall be uniform in width and height. Every stair, porch, and fire escape shall be maintained free of hazardous conditions such as snow, ice, mud, and other debris.

Section PM-302.11.2 entitled, "Openable Windows," is amended to read as follows:

PM-302.11.2 Openable Windows: Every window, other than a fixed window shall be capable of being easily opened and shall have the hardware to hold it in the open position and hardware integral to lock it in the closed position.

Section PM-302.12 entitled, "Insect Screens," is amended to read as follows:

PM-302.12 Insect Screens: During the period from April 15 to November 1 every door, window, and other outside opening used or required for ventilation purposes servicing a building containing habitable rooms, food preparation areas, food service areas, or any areas where products used in food for human consumption are processed, manufactured, packaged, stored, shall be supplied with an approved tight fitting screen of not less than 16 mesh per inch and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required for out swinging doors or other types of openings which make screening impractical, provided other approved means, such as air curtains or insect repellent fans are employed.

Section PM-302.13 entitled, "Doors," is amended to read as follows:

PM-302.13 Doors: Every hinged exterior door or dwelling unit entrance door shall be made of metal or solid core wood construction, one and three-eighths inch minimum thickness and shall be equipped with an approved single-cylinder deadbolt locking hardware. Where observation is not otherwise provided, a peep sight shall be installed in the main entrance door to each dwelling unit. Patio type doors shall have locking hardware sufficient to prevent disengagement of the active panel. All door hardware shall be maintained in good condition.

Section PM-302.16 entitled, "Storage of Firewood, etc.," is added and reads as follows:

PM-302.16 Storage of Firewood, etc.: Building materials, lumber, firewood boxes, cartons, or other containers, machinery, scrap metal, junk, raw material, fabricated goods and other items shall not be stored in such a manner as to become infested with rodents. Stored items must be elevated at least 12 inches off the ground. Firewood, in piles exceeding 20 cubic feet, must be located at least 10 feet from buildings used for human habitation, and may be piled no more than six feet high, from the point of elevation above grade.

Section PM-303.3.1 entitled, "Bathroom and Kitchen Floors," is added and reads as follows:

PM-303.3.1 Bathroom and Kitchen Floors: Every toilet, bathroom, and kitchen floor surface shall be constructed and maintained as to permit such floors to be kept in a clean and sanitary condition.

Section PM-303.3.2 entitled, "Kitchen and Bathroom Walls and Counters," is added and reads as follows:

PM-303.3.2 Kitchen and Bathroom Walls and Counters: Every toilet room, bathroom, and kitchen wall and counter surface shall be constructed and maintained so as to permit such surfaces to be kept in a clean and sanitary condition. Where such surface is exposed to direct contact with water, it shall be substantially impervious to water.

Section PM-303.3.3 entitled, "Basements, Cellars, Crawl Spaces," is added and reads as follows:

PM-303.3.3 Basements, Cellars, Crawl Spaces: In every building basements, cellars, and crawl spaces shall be maintained as to prevent conditions conducive to decay or deterioration of the structure. All areas shall not be permitted to accumulate junk, rubbish, and waste to such an extent as to create a fire hazard or to endanger public health or safety.

Section PM-303.3.4 entitled, "Continual Flooding Incidents," is added and reads as follows:

PM-303.3.4 Continual Flooding Incidents: Continued or repeated incidents of building flooding as determined from the official records as provided in Section PM-104.11 of this Code will require the unit to be vacated without recourse under the provisions of Section PM-105.1 of this Code.

Section PM-303.4 entitled, "Lead-based Paint," is deleted.

Section PM-403.3 entitled, "Area for Sleeping Purposes," is amended and reads as follows:

PM-403.3 Area for Sleeping Purposes: Every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet (6.51 m²) of floor area, and every room occupied for sleeping purposes by more than one person shall contain at least 40 square feet (3.72 m²) of floor area for each occupant thereof. This section shall not be used to determine the amount of off-street parking required for a dwelling unit and it shall not effect the definition of a dwelling or the limitation of the number of non-related persons who may reside therein. The provisions of the Urbana Zoning Ordinance shall control in such matters.

Section PM-403.8 entitled, "Minimum Ceiling Heights", is amended to read as follows:

PM-403.8 Minimum Ceiling Heights: Habitable spaces, other than kitchens, shall have a clear ceiling height of not less than 7 feet. Hallways, corridors, laundry areas, bathrooms, toilet rooms, and kitchens shall have a clear ceiling height of not less than 6 feet 10 inches.

Exceptions:

1. Beams or girders spaced not less than 4 feet on center and projecting not more than 4 inches below the required ceiling height, provided the minimum clear height is not less than 6 feet 8 inches.
2. In attics or top half-stories, the ceiling height shall be not less than 7 feet over not less than one-third of the minimum area required by this code when used for sleeping, study, or similar activity. In calculating the floor area of such rooms, only those portions of the floor area of the room having a clear ceiling height of 5 feet or more shall be included.
3. Basement rooms in one and two-family dwellings used exclusively for laundry, study, or recreation purposes having a ceiling height of not less than 6 feet 8 inches with not less than 6 feet 4 inches of clear height under beams, girders, ducts, and similar obstructions.

Section PM-503.3 entitled, "Hotels", is amended to read as follows:

PM-501.3 Hotels and Dormitories: Where private water closets, lavatories, and baths are not provided, one water closet, one lavatory and one bathtub or shower accessible from a public hallway shall be provided for each ten occupants.

Section PM-502.1 entitled, "Privacy", is amended to read as follows:

PM-502.1 Privacy: Toilet rooms and bathrooms shall provide privacy and shall not be used as the only passageway to a hall or other space, or to the exterior. A toilet room or bathroom in a dwelling unit shall be accessible from any sleeping room without passing through another sleeping room.

Section PM-502.1.1 entitled, "Partitions", is added and reads as follows:

PM-502.1.1 Partitions: Every nonresidential structure that requires or supplies a water closet shall provide within the toilet room partitions, enclosures, or compartments for privacy and shall comply with fixture clearance requirements of the plumbing code listed in Appendix A for such installations.

Section PM-503.1.1 entitled, "Showers," is added and reads as follows:

PM-503.1.1 Showers: All shower enclosures and wall surfaces subject to direct exposure to water shall be constructed of smooth and non-absorbent materials with water tight joints, and shall be maintained as to contain and be substantially impervious to water and maintained in a sanitary condition.

Section PM-504.4 entitled, "Water Heating Facilities," is amended to read as follows:

PM-504.4 Water Heating Facilities: Water heating facilities shall be properly installed, maintained, and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower, and laundry facility at temperatures of not less than 110 degrees Fahrenheit. No fuel burning appliances or equipment shall be located in sleeping rooms, bathrooms, clothes closets, or in closets or confined spaces opening into bathrooms or bedrooms. An approved combination temperature/pressure relief valve and relief valve discharge pipe which terminates to within six inches of the floor shall be maintained on all water heaters. All gas water heaters shall have a gas shut-off valve within easy access of the water heater.

Section PM-601.1 entitled, "Residential Buildings," is amended and reads as follows:

PM-601.1 Residential Buildings: Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of 65 degrees Fahrenheit (18 degrees Celsius) at a level of 3 feet (914 mm) above the floor and at a distance of 3 feet (914 mm) from the exterior walls in all habitable rooms, bathrooms, and toilet rooms based on the outside design temperature required for the locality by the Mechanical Code listed in Appendix A.

Every owner and operator of any building who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory, or guest room on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from September 15 to May 15 to maintain a room temperature of not less than 65 degrees Fahrenheit, (18 degrees Celsius) in all habitable rooms, bathrooms, and toilet rooms at all times. The temperature shall be measured at a point 3 feet (914 mm) above the floor and 3 feet (914 mm) from the exterior walls. When the outdoor temperature is below the outdoor design temperature required for the locality by the Mechanical Code listed in appendix A, the owner or operator shall not be required to maintain the minimum room temperatures, provided the heating system is operating at full capacity, with supply valves and dampers in a full open position.

Section PM-601.2 entitled, "Non-Residential Structures," is amended to read as follows:

PM-601.2 Non-Residential Structures: Every enclosed occupied work space shall be supplied with sufficient heat during the period from October 1 to May 15 to maintain a temperature of not less than 65 degrees Fahrenheit, (18 degrees Celsius) during all working hours. The temperature shall be measured at a point three feet, (914 mm) above the floor and three feet (914 mm) from exterior walls.

Exceptions:

1. Processing, storage, and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Section PM-601.3.1 entitled, "Enclosure," is added and reads as follows:

PM-601.3.1 Enclosure: All furnace/mechanical areas containing fuel-fired equipment shall have a fire rated ceiling or approved sprinkler protection. All fuel-fired furnace/mechanical equipment located in occupied areas shall be enclosed by a one-hour fire resistance rated wall construction.

Exception: Equipment and equipment areas exclusively servicing and located in individual dwelling unit or tenant space.

Section PM-601.4.4 entitled, "Combustion Air," is amended to read as follows:

PM-601.4.4 Combustion Air: An adequate supply of air for complete combustion of the fuel and for ventilation of the space shall be provided for fuel-burning equipment.

Section PM-601.4.6 entitled, "Boiler Inspection," is added and reads as follows:

PM-601.4.6 Boiler Inspection: Each boiler and pressure vessel shall be inspected in accordance with the requirements of the State of Illinois Office of the State Fire Marshall Division of boiler and pressure vessel safety. A current copy of the inspection certificate shall be posted in the boiler room.

Section PM-601.4.7 entitled, "Gas Connections," is added and reads as follows:

PM-601.4.7 Gas Connections: Gas appliances and equipment shall be connected by rigid pipe. A union shall be installed between the appliance/equipment and the appliance shut-off valve. All appliance/equipment gas connections shall be equipped with a drip leg, (dirt trap) placed at the appliance/equipment point of connection.

Exception: Approved, listed, flexible connectors shall be used when the connected appliance is subject to vibration and/or is easily moved, (e.g., domestic gas cook stoves and domestic gas clothes dryers). Existing gas piping that does not pose a danger, (i.e., undersized, kinked, or exposed to damage) may remain in use until replacement of the appliance and then will be installed in accordance with the Mechanical Code listed in Appendix A.

Section PM-601.5 entitled, "Fireplaces," is amended to read as follows:

PM-601.5 Fireplaces: Fireplaces and solid burning appliances shall be stable and structurally safe, and connected to an approved chimney or flue. Wood burning appliances shall be installed and maintained in accordance with the manufacturer's specifications and the Mechanical Code of the City of Urbana.

Section PM-602.1.1 entitled, "Receptacles," is amended to read as follows:

PM-602.1.1 Receptacles: Every habitable space or dwelling shall contain at least two separate and remote duplex receptacle outlets. Habitable spaces and dwelling units of 120 square feet in area shall have at least three separate and remote duplex outlets. A duplex outlet shall be required for each additional 50 square feet or fraction thereof. Every laundry area shall contain at least one grounded type receptacle. Every bathroom shall contain at least one wall mounted ground fault circuit interrupter, (GFCI) protected receptacle. All counter top electrical receptacles within six feet of the kitchen sink and exterior receptacles shall be GFCI protected.

Section PM-602.1.2 entitled, "Lighting Fixtures," is amended to read as follows:

PM-602.1.2 Lighting Fixtures: Every outdoor entrance, interior hallway, stairway, kitchen, water closet compartment, bathroom, laundry room, mechanical room, and other spaces used for storage or containing equipment requiring servicing shall be illuminated by at least one approved electric lighting fixture.

Section PM-602.1.3 entitled "Service," is amended to read as follows:

PM-602.1.3 Service: The size and usage of appliances and equipment shall be used as a basis for determining the need for additional facilities in accordance with NFPA 70 listed in Appendix A. Every dwelling unit shall be served by a main service which is not less than 60 amp, three wire. Every service shall have adequate distribution with proper grounding and bonding and sized in accordance with the National Electrical Code listed in Appendix A. All occupants of the dwelling unit shall have ready access to all overcurrent devices protecting the conductor supplying that occupancy.

Section PM-602.2 entitled "Installation," is amended to read as follows:

PM-602.2 Installation: All electrical equipment, wiring, and appliances shall be properly installed and maintained in a safe and approved manner. Overcurrent devices shall be sized according to the ampacity of the distribution wire. All plug type fuses shall be type "S" non-tamperable. All switches, receptacles, and junction boxes shall have approved cover plates, be securely mounted, and all electrical receptacles shall have adequate tension.

Section PM-602.2.1 entitled, "Outlet Extensions," is added and reads as follows:

PM-602.2.1 Outlet Extensions: The use of extension cords and outlet multipliers is prohibited except for temporary extensions sized appropriately for the use, and such devices may be approved by the Code Official as safe.

Section PM-603.1 entitled, "General," is amended to read as follows:

PM-603.1 General: Elevators, dumbwaiters, and escalators shall be maintained to safely sustain imposed loads, to operate properly, and to be free of physical and fire hazards. A current copy of the City of Urbana elevator license shall be displayed in each elevator.

Section PM-701.1.1 entitled, "Types of Exits," is added and reads as follows:

PM-701.1.1 Types of Exits: Approved exits may include doorways, passageways, corridors, interior stairways, exterior stairways, escalators, smoke proof enclosures, ramps, horizontal exits, bridges, balconies, fire escapes, and combinations thereof constructed and arranged as provided in this code and applicable sections of the Building Code as listed in Appendix A.

Section PM-701.2 entitled, "Locked Doors," is amended to read as follows:

PM-701.2 Locked Doors: All doors in the required means of egress shall be readily openable from the inner side without the use of keys, except as provided in the Building Code listed in Appendix A. Exits from dwelling units, rooming units, guest rooms, and dormitory units shall not lead through other such units or through toilet rooms or bathrooms which have lockable doors.

Section PM-701.3 entitled, "Exit Signs," is amended to read as follows:

PM-701.3 Exit Signs: All means of egress shall be indicated with approved exit signs where required for the Building Code listed in Appendix A. All exit signs shall be maintained visible and all illuminated exit signs shall be illuminated at all times that the building is occupied. Existing exit signs may continue to be used pending the approval of the Code Official.

Section PM-701.3.1 entitled, "Egress Illumination," is added and reads as follows:

PM-701.3.1 Egress Illumination: All means of egress shall be equipped with artificial lighting in accordance with the requirements for new buildings in the Building Code listed in Appendix A. Emergency lighting shall be provided in accordance with Table PM-701.3.1 and when required, shall be installed and maintained in an approved manner.

Table PM-701.3.1

Emergency Lighting

<u>Use Group</u>	<u>Where Required</u>
R (Hotels, Dormitories)	Where more than 25 rooms, unless all rooms have direct exits to the outside at grade level.
Apartments	Where greater than three stories or more than 12 units.
Rooming/Lodging	All.
One- and Two-Family	Not required.
A (Assembly)	All except those used for religious worship exclusively, with a capacity less than 300.
E (Education)	All.
M (Mercantile)	All except those with 3,000 square feet or less on a single floor level.
B (Business)	When two or more stories above the level of exit discharge, or when more than 100 occupants on any level above or below the level of exit discharge, or when more than 1,000 occupants.
H (High Hazard)	All.
I (Institutional)	All.
S (Storage)/F (Factory)/Industrial	All except when not normally occupied; or when occupied only during daylight hours with adequate natural illumination of all portions of the means of egress.

Section PM-701.4 entitled, "Number of Exits," is amended and reads as follows:

PM-701.4 Number of Exits: Every habitable or occupiable floor level shall have access to not less than two (2) remote and independent exits;

Exceptions:

1. Floor levels complying with the requirements of the Building Code listed in Appendix A.
2. Any dwelling unit with an exit directly to the street or yard at ground level, or by the way of an outside stair or enclosed stairway serving that unit exclusively, and not communicating with any floor level below the level of exit discharge, may have a single exit.
3. The stairway is completely enclosed by barriers having a fire resistance rating of at least one hour with self-closing one-hour fire protection rated doors protecting all openings between the stairway enclosure and the building;
 - (a) The stairway does not serve more than one-half story below the level of exit discharge.
 - (b) All corridors serving as access to exits have at least a one hour fire resistance rating.
 - (c) There is not more than 35 feet of travel distance from the entrance door of any living unit to an exit.
 - (d) Three-quarter hour fire rated horizontal and vertical separation between living units is provided.

Section PM-701.4.1 entitled, "Arrangements of Exits," is added and reads as follows:

PM-701.4.1 Arrangements of Exits: Where more than one exit is required, such exits shall be remote from each other and so arranged and constructed as to minimize any possibility that more than one exit may be blocked by any fire or emergency condition.

Section PM-701.4.2 entitled, "Travel Distance," is added and reads as follows:

PM-701.4.2 Travel Distance: The maximum length of exit access travel shall be as specified in Section 807.5 of the Building Code. The Code Official may require a reduction of these travel distances, not to exceed 25 percent, where fire resistance ratings of exit access and exit way elements do not meet the requirements of the Building Code.

Section PM-701.6 entitled, "Exit Enclosure," is amended to read as follows:

PM-701.6 Exit Enclosure: All interior exits shall be enclosed with approved assemblies.

Section PM-701.6.1 entitled, "Enclosure Rating," is added and reads as follows:

PM-701.6.1 Enclosure Rating: Enclosures connecting not more than four (4) floor levels shall have a fire resistance rating of not less than one-half (1/2) hour with approved opening protectives. Enclosures connecting more than four floor levels shall have a fire resistance rating of not less than one-hour with approved opening protectives.

Section PM-701.6.2 entitled, "Protectives," is added and reads as follows:

PM-701.6.2 Protectives: Doors opening into exit corridors and door assemblies in exit enclosures required to have a fire resistance rating shall be self-closing or automatic closing by smoke detection, with a 20-minute fire resistance rating. All separation doors shall be constructed to resist the passage of smoke and shall be equipped with closing and latching hardware.

Exceptions:

1. One and three-quarter inch solid bonded wood core doors may be approved in the place of a labeled 20-minute fire resistance door.
2. Existing non-rated room doors in buildings of Use Group R-2 protected by an approved supervised automatic alarm system may remain until normal maintenance requires their replacement.
3. Non-rated assemblies opening onto a corridor may remain in buildings equipped with approved corridor or full fire suppression systems, and where the Building Code allows a corridor fire resistance rating of less than one-half hour.

Section PM-701.7 entitled, "Dead End Travel Distance", is amended to read as follows:

PM-701.7 Dead End Travel Distance: All corridors which serve more than exit shall provide direct connection to such exits. The length of a dead end corridor shall not exceed 35 feet in all uses except mercantile, business, industrial, and storage which may have a dead end or common path of travel of up to 50 feet. The dead end travel distance limitation shall be increased to 70 feet in all use groups except "H" when the building is equipped throughout with an approved automatic fire suppression system.

Section PM-701.8 entitled, "Emergency Escape," is amended to read as follows:

PM-701.8 Emergency Escape: Every sleeping room below the fourth story of Use Group R Occupancies shall have at least one operable window or exterior door approved for emergency egress or rescue or shall have access to not less than two approved independent exits. The units must be openable from the inside to a full clear opening without the use of separate tools, special knowledge, keys or excessive force. Where windows are provided as a means of egress or rescue, they shall have a sill height of not more than 44 inches (1118 mm) above the floor.

Exception: The existing sleeping room windows in private dormitories are not required to meet minimum egress size requirements as long as there is an approved continuously supervised monitored corridor fire alarm system and two independent approved means of egress from each floor level. However, upon window replacement, they will be required to meet minimum emergency egress window size requirements.

Section PM-701.8.1 entitled, "Dimensions," is added and reads as follows:

PM-701.8.1 Dimensions: The minimum net clear opening height dimension shall be 22 inches (559 mm). The minimum net clear opening width dimensions shall be 20 inches, (508 mm). The net clear opening area shall in no case be less than 4 square feet, (0.4 meters squared).

Section PM-701.8.2 entitled, "Escape Area," is added and reads as follows:

PM-701.8.2 Escape Area: Each egress window from sleeping rooms must have a minimum total glass area of not less than 5 square feet (0.5 meters squared) in the case of ground floor windows and not less than 5.7 square feet (0.53 meters squared) in all other cases.

Exception: Buildings equipped throughout with complete automatic fire suppression systems.

Section PM-701.9 entitled, "Aisles", is amended to read as follows:

PM-701-9 Aisles: In all occupancies, aisle ways shall have a minimum unobstructed clearance of 44 inches (1118 mm) where serving an occupant load of greater than 50, and 36 inches (914 mm) where serving an occupant load of not greater than 50.

Section PM-701.11 entitled, "Fire Escape Stairs," is added and reads as follows:

PM-701.11 Fire Escape Stairs: Fire escape stairs may be used as an element of the required means of egress, subject to the requirements and limitations of Section 820.0 of the Building Code and Table PM-701.11. Fire escape stairs shall be exposed to the smallest number of door and window openings possible.

Table PM-701.11

Fire Escape Stairs

	Fire Escape Stairs New	Fire Escape Stairs Previously Approved
Minimum Widths	22 inches (55.9 cm) clear between rails	18 inches (45.7 cm) clear between rails
Minimum Horizontal	22 inches (55.9 cm)	18 inches (45.7 cm)

Dimension any Landing or Platform	clear	clear
Maximum Riser Height	8 inches	12 inches (30.5 cm)
Minimum Tread, Exclusive of Nosing	8 inches	8 inches
Minimum Nosing or Projection	No requirement	No requirement
Construction	Compliance with Section 820.3 of the Building Code	Compliance with Section 820.3 of the Building Code
Winders	None	Permitted subject to capacity penalty
Risers	None	No requirement
Spiral	None	Permitted subject to capacity penalty
Maximum Height Between Landings	12 feet (3.7 m)	12 feet (3.7 m)
Headroom, Minimum	6 feet, 8 inches (203 cm)	6 feet, 8 inches (203 cm)
Handrail Height	42 inches (107 cm)	42 inches (107 cm)
Access to Escape	Door or Casement Windows 24 inches by 6 feet, 6 inches (61 cm by 198 cm) or double-hung windows 30 inches by 36 inches (76 cm by 91 cm) clear opening	Windows
Level of Access Opening	Not over 12 inches (30.5 cm) above floor, steps if higher	Same

Discharge to Ground	Swing stair section permitted if approved by authority having jurisdiction	Swinging stair or ladder if approved by authority having jurisdiction
Capacity, Number of Persons	45 per unit, if access by door; 20 if access by climbing over a window sill	10; if winders or ladder from bottom balcony, 5; if both, 1

Section PM-701.11.1 entitled, "Access," is added and reads as follows:

PM-701.11.1 Access: Access to a fire escape stair shall be directly to a balcony, landing, or platform. These shall be no higher than the floor or window sill level and no lower than eight inches below the floor level nor 18 inches below the window sill.

Section PM-701.12 entitled, "Shaft Enclosures," is added and reads as follows:

PM-701.12 Shaft Enclosures: All vertical shafts shall be protected in such a fashion as to provide a barrier to fire penetration.

Section PM-703.1 entitled, "General," is amended to read as follows:

PM-703.1 General: All residential use groups shall have a minimum of a one-half hour fire resistance rating between dwelling units. The fire resistance ratings of floors, walls, ceilings, and other elements and components shall be maintained.

Section PM-704.1.1 entitled, "Fire Alarm System," is added and reads as follows:

PM-704.1.1 Fire Alarm System: All buildings shall be equipped with a fire alarm system as required by the Building Code listed in Appendix A.

Exception: Previously approved manual fire alarm systems shall be accepted as meeting this requirement.

Section PM-704.3 entitled, "Fire Standpipe Systems," is amended to read as follows:

PM-704.3 Fire Standpipe Systems: All buildings having a floor used for human occupancy located more than four stories above grade shall be provided with standpipes according to the Building Code listed in Appendix A, except that an automatic water supply, hose, and cabinets are not required. The standpipe shall have a Fire Department approved connection, with hose connections at each floor level. Hose connections shall be identified and accessible. If provided with hose, it shall be in proper position, ready for operation, dry, and free of deterioration.

Section PM-704.4 entitled, "Fire Extinguishers," is amended to read as follows:

PM-704.4 Fire Extinguishers: Portable fire extinguishers shall be installed and maintained in all occupancies other than one- and two-family dwellings in accordance with NFPA Standard No. 10 and the Fire Prevention Code listed in Appendix A. All residential occupancies shall have a minimum 2A10BC extinguisher per floor level accessible to all occupants of that floor, except that multiple family dwellings may have a minimum of one 1A10BC extinguisher located in each dwelling unit.

Section PM-704.5 entitled, "Smoke Detectors," is amended to read as follows:

PM-704.5 Smoke Detectors: A minimum of one approved single-station or multiple-station smoke detector shall be installed in each guest room, suite, or sleeping area in buildings of Use Groups R-1 and I-1 and in dwelling units in the immediate vicinity of the bedrooms in buildings of Use Groups R-2, R-3, and R-4. In buildings of Use Group R-3, smoke detectors shall be required on every story of the dwelling unit including basements. In dwelling units with split levels, a smoke detector installed in the upper level shall suffice for the adjacent lower levels provided that the lower level is less than one full story below the upper level. If there is an intervening door between the adjacent levels, a smoke detector shall be installed on both levels. All detectors shall be installed in accordance with NFPA 74 listed in Appendix A. When actuated the smoke detector shall provide an alarm suitable to warn the occupants within the individual room or dwelling unit.

Section PM-704.6 entitled, "High Hazard Use," is added and reads as follows:

PM-704.6 High Hazard Use: All buildings and portions thereof of high hazard use as defined by the Building Code listed in Appendix A shall be equipped throughout with an approved automatic fire suppression system.

Section PM-704.7 entitled, "Commercial Kitchen Exhaust Systems," is added and reads as follows:

PM-704.7 Commercial Kitchen Exhaust Systems: Commercial kitchen exhaust hood and duct systems, other than steam tables, completely enclosed ovens, cooking appliances located within a dwelling unit, and not used for commercial purposes and auxiliary cooking equipment that does not produce grease laden vapors, shall be equipped with an approved automatic fire suppression system.

Section PM-801.4 entitled, "Garbage Facilities," is amended to read as follows:

PM-801.4 Garbage Facilities: The owner of every dwelling shall supply one of the following: An approved mechanical food waste grinder in each dwelling unit, an approved incinerator unit in the structure for the use of the occupants in each dwelling unit, or an approved leak-proof outside garbage container. Such facilities shall be sufficient to meet the needs of the occupants.

Section PM-801.6 entitled, "Supplied Fixtures and Equipment," is added and reads as follows:

PM-801.6 Supplied Fixtures and Equipment: The owner or occupant of a structure or part thereof shall keep the supplied equipment and fixtures therein clean and sanitary, and shall be responsible for the exercise of reasonable care in their proper use and operation. The owner shall maintain the equipment and fixtures in a good and proper operating condition.

Section PM-801.7 entitled, "Furnished by the Occupant," is added and reads as follows:

PM-801.7 Furnished by the Occupant: The equipment and fixtures furnished by the occupant of a structure shall be properly installed, and shall be maintained in good working condition, kept clean and sanitary, and free of defects, leaks, or obstructions.

Section PM-802.1 entitled, "Owner," is amended to read as follows:

PM-802.1 Owner: The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

Section PM-802.2 entitled, "Maintenance," is substituted for "Occupant," and reads as follows:

PM-802.2 Maintenance: The owner of any structure shall be responsible for the continued vermin-free condition of the structure.

Section PM-802.3 entitled, "Single Occupancy," is amended and reads as follows:

PM-802.3 Single Occupancy: The owner of a structure containing a single dwelling unit or of a single nonresidential structure shall be responsible for extermination on the premises except when infestation is caused by failure of an occupant to prevent such infestation.

Section PM-802.4 entitled, "Multiple Occupancy," is amended and reads as follows:

PM-802.4 Multiple Occupancy: The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house, or a nonresidential structure shall be responsible for extermination in all areas of the structure and exterior property. When infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for the cost of extermination.

Section PM-802.5 entitled, "Continued Rat Infestation," is added and reads as follows:

PM-802.5 Continued Rat Infestation: Continued or repeated incidents of rat infestation determined from the official records as provided in Section PM-104.11 of this Code shall require the installation of rat and vermin proof walls. The rat and vermin proof walls shall be installed in accordance with the Building Code listed in Appendix A.

Secs. 5-81 - 5-90. Reserved.

ARTICLE X RESERVED

Secs. 5-91 - 5-489. Reserved.

ARTICLE XI FLOOD HAZARD AREAS**Sec. 5-490. Authority.**

This article is passed pursuant to the Home Rule Powers granted under Article VII, Section 6 of the Illinois Constitution of 1970 and the general powers granted to a municipality under Illinois Municipal Code.

Sec. 5-491 Findings of fact.

(a) The flood hazard areas in the city and the extraterritorial area over which the city exercises jurisdiction are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

(b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

Sec. 5-492. Statement of purpose.

It is the purpose of this article to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
- (6) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- (7) Make federally subsidized flood insurance available for property in the city; and
- (8) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

Sec. 5-493. Methods of reducing flood losses.

In order to accomplish its purpose, this article includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage; and
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

Sec. 5-494. Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

Appeal means a request for a review of the city engineer's or building official's interpretation of any provision of this article or a request for a variance.

Base flood means the flood having a one per cent chance of being equalled or exceeded in any given year. The base flood is also known as the one-hundred-year flood. The base flood elevation (BFE) at any location is as defined in section 5-496 and section 5-503 of this article.

BFE is the abbreviation for base flood elevation.

Building means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles and travel trailers to be installed on a site for more than 180 days.

City engineer or building official means the city engineer or building official of the city as it pertains; whichever official by training, experience, or ordinance is best assigned to review and approve a particular type of development or a particular development issue which may arise in the administration of this flood damage prevention article.

Development means any human-made change to improved or unimproved real estate, including, but not limited to:

- (1) Construction, reconstruction, or placement of a building or an addition to a building valued at more than one thousand dollars (\$1,000.00);
- (2) Installing a manufactured home on a site or preparing a site for a manufactured home;

- (3) Drilling, mining, installing utilities or facilities, construction of roads, bridges or similar projects.
- (4) Construction or erection of levees, walls or fences;
- (5) Filling, dredging, grading, excavating, or other nonagricultural alterations of the ground surface;
- (6) Permanent storage of materials; or
- (7) Any other activity that might change the direction, height, or velocity of floodwaters or surface waters.

"Development" does not include:

- (1) Maintenance of existing buildings and facilities such as re-roofing or re-surfacing roads;
- (2) Repairs made to a damaged building that do not change the building's exterior dimensions and that are valued at less than fifty (50) per cent of the value of the building before the damage occurred;
- (3) Gardening, plowing, and similar agricultural practices that do not involve filling, grading, or construction of levees.

Existing manufactured home park or manufactured home subdivision means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this article.

Expansion to an existing manufactured home park or manufactured home subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete or the construction of streets).

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation or run-off of surface waters from any source.

Flood insurance rate map (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood insurance study means the official report provided in which the Federal Insurance Administration has provided flood profiles, as well as the flood boundary-floodway map and the water surface elevation of the base flood. The "flood insurance study" consists of the flood boundary-floodway map, the flood insurance rate map and a technical narrative.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.10 foot.

Manufactured home or Prefabricated building means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

New construction means structures for which the "start of construction" commenced on or after the effective date of this article.

New manufactured home park or manufactured home subdivision means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads and the construction of streets) is completed on or after the effective date of this article.

SFHA is the abbreviation for special flood hazard area.

Special flood hazard area (SFHA) means those lands within the jurisdiction of the city that are subject to the inundation by the base flood. The SFHA's of the city are generally identified as such on the flood insurance rate map of the city prepared by the Federal Insurance Administration and dated January 16, 1981, as amended, and the Flood Insurance Rate Map of the County of Champaign, dated March 1, 1984.

Start of construction means the first placement of permanent construction of a structure (other than a manufactured home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a manufactured home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of a structure or any part thereof on its piling or foundation. For manufactured homes not within a manufactured home park or manufactured home subdivision, "start of construction" means the affixing of the manufactured home to its permanent site. For manufactured homes within manufactured home parks or manufactured home subdivisions, "start of construction" is the date on which the construction of facilities for servicing the site on which the manufactured home is to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

Structure means a walled and roofed building, a manufactured home, or a gas or liquid storage tank, that is principally above ground.

Substantial improvement means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) per cent of the market value of the structure either:

- (1) Before the improvement or repair is started; or
- (2) If the structure has been damaged and is being restored to its market value before the damage occurred.

If the applicant is unable to produce reasonable evidence of the market value prior to the occurrence of flood damage, the city engineer or building official shall establish the market value by multiplying the assessed valuation by three (3).

For purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

- (1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
- (2) Any alteration of a structure listed on the national register of historic places or a state inventory of historic places.

Variations means a grant of relief from the requirements of this article which permits construction in a manner that would otherwise be prohibited by this article.

Sec. 5-495. Lands to which this article applies.

This article shall apply to special flood hazard areas within the jurisdiction of the city.

Sec. 5-496. Basis for establishing special flood hazard areas.

The special flood hazard areas identified by the Federal Insurance Administration in an engineering report entitled "The Flood Insurance Study for the City of Urbana," dated July 16, 1980, as amended, with accompanying flood insurance rate maps and flood boundary-floodway maps and flood hazard boundary maps of the County of Champaign dated March 1, 1984, are hereby adopted by reference and declared to be a part of this article. The flood insurance study is on file at the Department of Community Development Services, City of Urbana.

Sec. 5-497. Abrogation and greater restrictions.

This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and other ordinance easement, covenant, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Sec. 5-498. Interpretation.

In the interpretation and application of this article, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Sec. 5-499. Warning and disclaimer of liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on engineering considerations. Larger floods can and will occur on rare occasions.

Flood heights may be increased by man-made or natural causes. This article does not imply that land outside the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the city, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

Sec. 5-500. Development permit - Required; application.

No person, firm, or corporation shall commence any development in the SFHA without first obtaining a development permit from the city engineer or building official. The city engineer or building official shall issue a development permit if the proposed development meets the requirements of this article.

A development permit shall be obtained before construction or development begins within any special flood hazard area established in section 5-496. Application for a development permit shall be made on forms furnished by the city engineer or building official. The application shall include, but not be limited to, plans in triplicate, prepared under the supervision of and sealed by a licensed architect, engineer or land surveyor, drawn to scale, showing property line dimensions of the site and in those parts of the site that are below the base flood elevation, drawings or other information which will show the following:

- (1) Existing and/or proposed grade elevations, in relation to mean sea level;
- (2) The location and dimensions, where applicable, of all existing and/or proposed development, structures, fill, storage of materials, drainage facilities, etc.;
- (3) Elevation in relation to mean sea level, of the lowest floor, including basement, of all structures;
- (4) Elevation in relation to mean sea level to which any structure and/or development has been or will be floodproofed;
- (5) Existing and/or proposed direction of flow of surface drainage and flood flows;
- (6) Existing and/or proposed location of all watercourses and drainage facilities;
- (7) Description of the extent to which any watercourses will be altered or relocated as a result of proposed development;

- (8) Certification by a registered professional engineer that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in subsection 5-508(2); and
- (9) Such other information as the city engineer or building official deems necessary to ensure that the development is consistent with the purposes set forth in this article.

Sec 5-501. Same -- Review.

Upon receipt of the application for development permit, the city engineer or building official shall:

- (1) Review all development permit applications to determine that the permit requirements of section 5-500 have been satisfied;
- (2) Inform the applicant of any and all other local, state, and federal permits that may be required for this type of development activity of which the city has been informed and acknowledged in writing by other local, state, and federal agencies. The city's development permit will only be issued on the condition that the above specified permits are obtained. The city engineer or building official shall not issue a use permit unless all required permits of which the city has been informed and acknowledged have been obtained;
- (3) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of subsection 5-509(1) are met;
- (4) Compare the elevation of the site to the base flood elevation. Any development located on land higher than the base flood elevation is not in the SFHA and, therefore, not subject to the requirements of this article.

Sec. 5-502. Reserved.

Sec. 5-503. Base flood elevation.

This article's protection standard is the base flood according to the best data available to the Illinois State Water Survey's Flood Plain Information Repository. Whenever a party disagrees with the best available data, said party may finance the detailed engineering study needed to replace existing data. The detailed engineering study shall be submitted to the Illinois Department of Transportation, Division of Water Resources, and the city engineer for review and approval.

- (1) The base flood elevation for the SFHA's of the Boneyard Creek, McCullough Creek and Saline Branch shall be as delineated on the one-hundred-year flood profiles in the flood insurance study of the city prepared by the Federal Insurance Administration and dated July 16, 1980, as amended.

- (2) The base flood elevation for each of the remaining SFHA's delineated as an "A" zone on the flood hazard boundary map of the County of Champaign/flood insurance rate map of the City of Urbana shall be the one-hundred-year flood depth calculated by the applicant's engineer according to the formulas presented in "Depth and Frequency of Floods in Illinois," published by the U. S. Geological Survey, 1976, as amended, or according to formulas which may be recommended by the state water survey.
- (3) The base flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the Flood Insurance Rate Map of the City.
- (4) The base flood elevation for the SFHAs of those parts of unincorporated Champaign County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of Champaign County prepared by the Federal Emergency Management Agency and dated September 1, 1983.

Sec. 5-504. Alteration of watercourses.

- (a) The applicant shall notify adjacent communities and the State of Illinois Department of Transportation, Division of Water Resources, and other governmental units of jurisdiction prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- (b) [The city shall] require [of the applicant] that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished. The applicant shall provide a statement from the appropriate party accepting such maintenance responsibility.

Sec. 5-505. Interpretation of FIRM boundaries.

The city engineer or building official may make interpretations where needed, as to the exact location of the SFHA, for example, where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 5-506.

Sec. 5-506. Variance procedure.

(a) *Appeal board.*

- (1) The Building Safety Code Board of Appeals as established by Ordinance No. 8788-40, as amended, shall hear and decide appeals and requests for variances from the requirements of this article.
- (2) The Building Safety Code Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirements, decision or determination made by the city engineer or building official in the enforcement or administration of this article.
- (3) Those aggrieved by the decision of the Building Safety Code Board of Appeals, or any taxpayer, may appeal such decision to the court of appropriate jurisdiction.

- (4) In passing upon such applications, the Building Safety Code Board of Appeals shall consider all technical evaluations, all relevant factors, standards specified in other sections of this article, and:
- a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The availability of alternative locations for the proposed use which are not subjected to flooding or erosion damage;
 - f. The compatibility of the proposed use with existing and anticipated development;
 - g. The relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
 - h. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i. The expected heights, velocity, duration, rate of rise, and sediment transport of the waters and the effects of wave action, if applicable, expected at the site; and
 - j. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (5) Upon consideration of the factors of subsection (a)(4) and the purposes of this article, the Building Safety Code Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this article.
- (6) The building official shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.
- (b) *Conditions for variances.*
- (1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items a through j in subsection (a)(4) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification for issuing the variance increases.
 - (2) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.
 - (3) Variances shall not be issued within any designated floodway if any increases in flood levels during the base flood discharge would result.

- (4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Variances shall only be issued upon:
- a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public as identified in subsection (a)(4), or conflict with existing local laws or ordinances.
- (6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

The building official shall also notify the applicant in writing that a variance from the requirements of this ordinance that would lessen the degree of protection to a building will:

- a. result in increased risk to life and property; and
- b. require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of all risk and liability and agrees to hold the City of Urbana harmless in the event of a flood.

Sec. 5-507. Provisions for flood hazard reduction - Generally.

In all areas of special flood hazards the following standards are required:

- (1) *Anchoring.*
- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
 - b. All manufactured homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Special requirements shall be that:
 1. Over-the-top ties be provided at each of the four (4) corners of the manufactured home, with two (2) additional ties per side at intermediate locations, with manufactured homes less than fifty (50) feet long requiring one additional tie per side;
 2. Frame ties to be provided at each corner of the home with five (5) additional ties per side at intermediate points, with manufactured homes less than fifty (50) feet long requiring four (4) additional ties per side;
 3. All components of the anchoring system be capable of carrying a force of four thousand eight hundred (4,800) pounds; and
 4. Any additions to the manufactured home be similarly anchored.

- (2) ***Construction materials and methods.*** All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage and using methods and practices that minimize flood damage. These requirements may be met by any of the following methods:
- a. A structure may be constructed on a permanent landfill in accordance with the following:
 1. The area to be filled shall be cleared of all standing trees, brush, down timber, trash, and other growth or objects unsuitable for use as foundation material.
 2. The fill shall be placed in layers no greater than one foot deep before compaction, and compacted to no less than ninety-five (95) per cent of standard density.
 3. The surface of the fill shall be at or above the BFE. The fill shall extend at least ten (10) feet beyond the foundation of the structure before sloping below the BFE.
 4. The fill shall be protected against erosion and scour during flooding by vegetation cover, rip-rap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than three (3) horizontal to one vertical.
 5. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
 6. The building official shall maintain a record of the "as built" elevation of the lowest floor of the structure and certification to items 1 through 5 above, as provided by a registered architect, engineer or land surveyor.
 - b. A structure may be elevated in accordance with the following:
 1. The structure or improvements shall be elevated on stilts, piles, walls, crawl space, or other foundation that is permanently open to floodwaters and not subject to damage by hydrostatic pressures.
 2. The foundation and supporting member shall be anchored, shaped and aligned so as to minimize exposure to known hydrodynamic forces such as currents, waves, and floating debris.
 3. All areas below the BFE shall be constructed of materials resistant to flood damage. The lowest floor (including basement) and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the BFE. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the BFE.
 4. The building official shall maintain a record of the "as built" elevation of the lowest floor of the structure, as provided by a registered architect, engineer, or land surveyor.
 5. No area below the BFE shall be used for storage of items or materials subject to flood damage unless such items or materials are declared "property not covered" by a standard flood insurance policy of the National Flood Insurance Program.

6. Any future alteration of the area below the BFE that violates the requirements of this section shall be deemed a violation of this article.
 7. The enclosure shall have a minimum of two (2) permanent openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- c. A nonresidential building may be floodproofed in accordance with the following:
1. A registered professional engineer shall certify that the building has been designed so that below the BFE, the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood. The building design shall take into account flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and impacts from debris or ice.
 2. Floodproofing measures shall be operable without human intervention and without an outside source of electricity.
 3. All new water and sewer facilities shall be located and constructed so as to minimize flood damage.
 4. The building official shall maintain the registered engineer's certificate and a record of the "as built" elevation to which the building was floodproofed.

(3) *Subdivision or planned unit development proposals.*

- a. All subdivision and planned unit development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and planned unit development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- c. All subdivisions and planned unit developments shall have adequate drainage provided to reduce exposure to flood damage.
- d. Plats or plans for new subdivisions and planned unit developments shall display the following flood data:
 1. The boundary of the SFHA;
 2. The boundary of the floodway, if shown on available SFHA maps;
 3. Easements of lands dedicated to the public for channel maintenance purposes; and
 4. The BFE for each building site.

(4) *Other development requirements.*

- a. The city council shall take into account flood hazards, to the extent that they are known, in all official actions related to land management, use and development, including, but not limited to, annexation agreements, plats both inside and outside the city limits, capital improvements programming, and acquisition.
- b. Plans for the development activities to be undertaken by the city in the SFHA shall be reviewed by the city engineer to ensure that they comply with this article. Except as exempted by law, no other local government shall be relieved of compliance with this article.
- c. No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety unless:
 1. The total cumulative effect on the proposed development, when combined with all other existing and anticipated development, will not increase the base flood elevation more than one foot for the affected hydraulic reach of the stream and will not increase flood damages or potential flood damages;
 2. A permit has been issued by the Illinois Department of Transportation, Division of Water Resources as required by this ordinance in Section 5-509-(2); and
 3. For all projects involving channel modifications or fill (including levees,) the City of Urbana shall submit sufficient data to the Federal Emergency Management Agency to revise the regulatory flood maps and profiles.

Sec. 5-508. Same -- Specific standards.

In all SFHA where base flood elevation data have been provided as set forth in section 5-496, Basis for establishing special flood hazard areas, or in section 5-503, Base flood elevation, the following standards are required:

- (1) *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.
- (2) *Nonresidential construction.* New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation, or, together with attendant utility and sanitary facilities, shall:
 - a. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - c. Be certified by a registered professional engineer that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in subsection 5-507(2)c.

(3) *Manufactured homes.*

- a. Manufactured homes shall be anchored in accordance with subsection 5-507(1)b.
- b. New manufactured home parks and manufactured home subdivisions; expansions to existing manufactured home parks and manufactured home subdivisions; existing manufactured home parks and manufactured home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds fifty (50) per cent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and manufactured homes not placed in a manufactured home park or manufactured home subdivision shall meet the requirements of Article VII of the Urbana Zoning Ordinance and the following:
 1. Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be at or above the base flood level;
 2. Adequate surface drainage and access for a hauler are provided; and
 3. In the instance of elevation on pilings, that:
 - (i.) Lots are large enough to permit steps;
 - (ii.) Piling foundations are placed in stable soil no more than ten (10) feet apart; and
 - (iii.) Reinforcement is provided for pilings more than six (6) feet above the ground level.
- c. No manufactured home shall be placed in a floodway, except in an existing manufactured home park or an existing manufactured home subdivision. All manufactured homes to be placed or substantially improved within Zones A1-30, AH, and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of this ordinance.

Sec. 5-509. Same -- Floodways.

Located within areas of special flood hazard established in section 5-496 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- (1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

- (2) A permit has been issued by the Illinois Department of Transportation, Division of Water Resources. The development permit for a site in a floodway (or in a Riverine SFHA where no floodway has been identified) shall not be issued by the City unless the applicant first obtains a permit or written documentation that an IDOT permit is not required from the Illinois Department of Transportation, Division of Water Resources.
- (3) If subsections (1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of section 5-507 through 5-509, provisions for flood hazard reduction.
- (4) Prohibit the placement of any manufactured homes, except in an existing manufactured home park or existing manufactured home subdivision.

Sec. 5-510. Penalties for noncompliance.

The city engineer or building official may determine, upon due investigation, that a violation of the minimum standards of this article exists and if the owner fails after ten (10) days' notice to correct the violation(s), the city may make application to the circuit court for the injunction requiring conformance with this article or make such other order as the court sees necessary to secure compliance with the article. Any person who violates this article shall, upon conviction thereof, be fined not less than twenty-five dollars (\$25.00), nor more than five hundred dollars (\$500.00) per offense. A separate offense shall be deemed committed upon each day on which a violation occurs or continues. Failure to comply with the requirements of a permit or conditions of a variance resolution shall be deemed to be a violation of this article. Nothing herein shall prevent the city from taking other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person(s) responsible.

Secs. 5-511 -- 5-520. Reserved.

ARTICLE XII MOBILE HOME PARKS AND MOBILE HOMES**Sec. 5-521. Definitions.**

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

Applicant means any person making application for license of certificate of occupancy.

Ceases to occupy means the person or persons lawfully occupying the mobile home unit on [April 1, 1991] has vacated the mobile home unit. In the absence of an oral or written statement by such persons that they are terminating their occupancy, termination will be presumed if both water and electrical utilities to the mobile home are terminated and there is a continuous absence of any lawful occupancy of such mobile home for a period of six (6) months. Despite the termination of such water and electrical utilities and such continuous absence, it will not be presumed to be vacated if the owner of such mobile home has paid the rent due on the lot occupied by the mobile home.

Certificate of occupancy. See "mobile home certificate of occupancy."

Condominium mobile home park means, for the purpose of this article, a mobile home park as herein defined except the mobile home sites or stands are individually owned pursuant to the Illinois Condominium Property Act.

Department means the department of community development services, unless otherwise indicated.

Frontage means that portion of a mobile home site abutting a private or public street.

License means a license certificate issued by the city allowing a person to operate and maintain a mobile home park.

Licensee means the person, persons, corporations, partnerships or other entity to whom the city issued a license for operation of a mobile home park.

Lot line, rear means the lot line opposite the front lot line. For purposes of establishing the required rear yard, in the case of an irregularly shaped or three-sided lot, it shall mean a line within the lot, ten (10) feet long, concentric with and at the maximum distance from the front lot line. A lot need not have a rear lot line.

Manufactured home means a structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forth (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating air-conditioning, and electrical systems contained therein.

Mobile home means a movable or portable unit, designed and constructed to be towed on its own chassis, comprised of frame and wheels, and designed to be connected to utilities for year-round occupancy and to provide for complete independent living facilities, including provisions for cooking, sleeping and sanitation. The term includes units containing parts that may be folded, collapsed or telescoped when being towed and then expanded to provide additional cubic capacity, and units composed of two (2) or more separately towable components designed to be joined into one integral unit capable of being again separated into components, for repeated towing. Removal of wheels, towing devices or any other alteration does not qualify a mobile home as a conventional single-family dwelling. A mobile home shall, for purposes of this article, exclude travel trailers or other mobile units not intended for year-round occupation.

Mobile home certificate of occupancy (sometimes referred to herein as simply "certificate of occupancy") means a permit, issued by the building official, authorizing the occupancy of the mobile home, as based upon compliance with applicable ordinance provisions together with any special conditions or stipulations.

Mobile home owner means the party possessing title to a mobile home or the purchaser of a mobile home under a bona fide contract.

Mobile home park means a contiguous parcel of land planned and improved for the placement of five (5) or more mobile homes where sites are rented or purchased pursuant to the Illinois Condominium Property Act.

Mobile home park service building means a permanent structure housing laundry, office, sanitation or other community facilities as required in mobile home parks for use by mobile home park occupants.

Mobile home site means a parcel of land clearly delineated on the mobile home park site plan, intended for the placement of an individual mobile home and for the exclusive use of its occupants.

Mobile home stand means that part of an individual mobile home site which has been constructed for the placement of a mobile home.

Occupancy or occupied means the residing of an individual or individuals overnight in a mobile home or the installation, storage or use of equipment, merchandise or machinery.

Owner-operator means licensee.

Person means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, county, municipality, the State of Illinois or any political subdivision or department thereof, or any other entity.

Plat means a scaled map, plan or layout showing the subdivision of land and indicating the location and boundaries of individual lots including, but not limited to, exhibiting the following:

- (1) The name, location or address of the mobile home park, its owner and operator;
- (2) Location of all property lines, existing streets, easements, utilities, sewers and any other significant features;
- (3) Date, north arrow, graphic scale (not less than one inch to one hundred (100) feet) on all drawings submitted;
- (4) All buildings, structures and mobile home stands;
- (5) Total number of mobile home sites;
- (6) Approximate gross density per acre; and
- (7) All mobile home parks located in a floodplain shall file evacuation plans indicating vehicular access and escape routes, including mobile home hauler routes, with the appropriate disaster preparedness authorities.

Sale means the transfer of ownership, either presently or at a definite time in the future, upon compliance with an agreement to transfer ownership.

Smoke detector means a U.L. 217 approved smoke detector.

Street, private means a service way with an all-weather, dustless surface, which provides access to a property for the use of a limited number of persons or purposes, and which has not been publicly dedicated.

Type S fuses means fuses that are nontamperable and installed by the following schedule:

Wire Size	Fuse (amp.)
#14	15
#12	20
#10	30

(Ord. No. 8182-78, § 1, 5-17-82; Ord. No. 8889-83, § 1, 6-5-89)

Sec. 5-522. Purpose.

The purpose of this article is to provide minimum standards to safeguard life and property by regulating (and controlling) operation, placement and occupancy of mobile homes, mobile home parks and condominium mobile home parks. (Ord. No. 8182-78, § 2, 5-17-82)

Sec. 5-523. License required to establish, maintain and operate a mobile home park.

No person shall establish, maintain, conduct or operate a mobile home park after the effective date of the ordinance from which this article derived [Ord. No. 8182-78] without first obtaining a license therefore from the city, except that mobile home parks as herein defined in existence on the effective date of the ordinance from which this article derived [Ord. No. 8182-78] shall not be required to pay for their initial license until July 1, 1982. The mobile homes which are located within the park as well as all common areas of the park must comply with the exterior maintenance provisions of this article. Failure to comply with these exterior maintenance provisions shall be grounds for denial of the annual mobile home park license. The exteriors of the mobile homes and all common park areas shall be inspected annually. (Ord. No. 8182-78, § 3, 5-17-82; Ord. No. 9091-81, § 1, 2-18-91)

Sec. 5-523.1. Rules and regulations to be established.

Each mobile home park licensed by the city shall establish rules and regulations as authorized under an Act Concerning Mobile Home Parks and the Rights of Mobile Home Owners and Mobile Home Residents, (Chapter 80, Section 201 et seq., Ill. Rev. Stat. 1989) approved September 14, 19979 and effective January 1, 1980, which said rules and regulations shall obligate the tenant expressly to those tenants duties set forth in the aforesaid statute and shall promulgate such rules and regulations in the manner specified and set forth in said statute. (Ord. No. 9091-81, § 2, 2-18-91)

Sec. 5-524. Standards for existing mobile home parks.

- (a) **Roadways and access.**
 - (1) All streets and driveways in every park shall be maintained in a passable and reasonably dust-proof condition at all times, and all streets and driveways in all parks shall have a minimum width of twenty (20) feet.
 - (2) When in the opinion of the department adequate emergency access is not provided to emergency vehicles. the department may require the licensee to provide adequate access where possible.

(b) Mobile home sites, pacing and density.

- (1) Individual mobile home lot frontage and lot area as well as overall mobile home park density shall be in compliance with the Urbana Zoning Ordinance as it applies to existing mobile home parks.
- (2) No mobile home shall be parked closer than five (5) feet to the side lot lines of a park, or closer than ten (10) feet to a public street, alley or building. There shall be an open space of at least ten (10) feet adjacent to the sides of every mobile home and five (5) feet adjacent to the ends of every mobile home.
- (3) Pads, runners or piers shall be provided for each lot.
- (4) Mobile home sites shall contain no other principal use than a mobile home as defined herein. Principal uses other than a mobile home as defined herein shall be discontinued one year from the effective date of the ordinance from which this article derived.

(c) Potable water supply.

- (1) Where a public water supply is available such supply shall be used.
- (2) The distribution system shall supply water at a minimum pressure of twenty (20) pounds per square inch (PSI) during periods of peak demand and usage at the faucets.
- (3) Water service connection.
 - a. Water service connection shall not be less than three-fourths inch inside diameter and shall not serve more than one mobile home at any time.
 - b. All water risers shall be at least one-half inch in inside diameter and terminate at least four (4) inches above finished ground level. (See figure 1 attached hereto by reference.)
 - c. All materials (piping and cock and valves, etc.) used in the water riser and connection shall comply with Illinois State Plumbing Code.
 - d. Combination stop and waste valves and cocks shall not be installed in an underground service piping.
- (4) Approved fire hydrants shall be accessible to the mobile home park within five hundred (500) feet of any mobile home.

(d) Sewage disposal system.

- (1) All sewage and other water carried waste shall be disposed of into a municipal sewage system whenever a sewer is adjacent or within one hundred (100) feet of any position of a mobile home.
- (2) The sewage collection system within the park shall be adequate to carry the sewage load. (Note: 1--Adequate based on a maximum number of mobile home spaces and two hundred fifty (250) gallons per space per day. 2--There shall be no discharging of raw or partially treated sewage or waste water onto the surface of the ground, nor shall there be any escape of odors from sewage systems.)
- (3) Sewer service connection.
 - a. Each mobile home site shall be provided with a sewer connection in accordance with figure 2 attached hereto by reference.
 - b. Sewer connections in unoccupied sites shall be so closed that they will emit no odors or cause a breeding place for flies or other insects, etc.
 - c. At all sewer connections, the sewer riser shall extend four (4) inches above the ground. (See figure 2 attached hereto by reference.)

(e) Electrical system. Mobile home parks shall meet the requirements of the most recently adopted electrical code of the City of Urbana applicable to mobile home park electrical distribution systems except for the following:

- (1) Individual mobile home service pedestals not meeting the requirements of the electrical code shall be allowed to exist if such service is adequate for the mobile home it serves and safe until such mobile home served is moved or related, but in no case be allowed to exist later than July 1, 199\85.
- (2) Mobile home park electrical distribution systems which are not adequate to meet demand as calculated by the electrical code must come into conformance with the code no later than July 1, 1985.
- (3) Overhead distribution lines shall be eighteen (18) feet above streets or roadways and have three (3) feet clearance from any structure.

(f) Exterior lighting. Adequate lighting shall be provided for all streets, walkways, buildings an other facilities subject to nighttime use. There shall be a minimum illumination level of 0.1 footcandles maintained on all streets. Mobile home parks shall come into conformance with this requirement by July 1, 1985.

(g) Insect and rodent control.

- (1) Adequate insect and rodent control measures shall be employed by the mobile home park owner. All buildings shall be reasonably flyproof and rodentproof, and rodent harborages shall not be permitted to exist in the park or pathways.
- (2) The mobile home park owner is responsible for the elimination of any insect, rat or mice problem in the general areas of the mobile home park. The individual mobile home owner is responsible for the elimination of any insect, rat or mice problem associated with his or her mobile home including the underside area of said mobile home.

(h) Fuel supply and storage. All handling and storage of natural gas, liquified petroleum gas (LPG), fuel oil or other flammable liquid or gases should be installed and maintained in accordance with applicable state and local government codes and regulations. Each mobile home site shall have an accessible and listed gas shut-off valve installed. Such valve shall not be located under a mobile home. Whenever a mobile home site outlet is not in used, the shut-off valve shall be plugged to prevent accidental discharge.

(i) Mobile home park maintenance and operation regulations.

- (1) The person to whom a license for a mobile home park is issued shall provide adequate supervision to maintain the mobile home park in compliance with this article and keep its facilities and equipment in good repair and in a clean and sanitary condition.
- (2) The mobile home park owner or caretaker shall inspect the mobile home park weekly to determine that the potable water supply, sewage treatment facilities and water and sewage service connections are functioning in a safe and sanitary manner.
- (3) The mobile home park owner or caretaker shall inspect the mobile home park weekly to determine that the collection of garbage and refuse, cutting of grass and weeds, the storage of lumber and construction materials, and the removal of abandoned automobiles and equipment is being performed in a satisfactory manner. The park owner or caretaker shall be responsible for the removal of any abandoned vehicle in accordance with the provisions of the Urbana Local Traffic Ordinance (#8485-48).
- (4) The correction of all deficiencies noted by the mobile home park owner or caretaker must be accomplished within such time as may be otherwise required by this Code.

- (5) The park owner or operator shall check weekly to determine that any vacant mobile home is adequately secured to prevent it from being an attractive nuisance. Upon finding such unit unsecured, the park owner or caretaker shall require the homeowner to close it, or shall take necessary measures to close it. Upon failure of any homeowner to repair or remove any unit which has been placarded as "Not Approved for Occupancy" or in cases where the homeowner cannot be determined, it shall become the responsibility of the licensee to remove the mobile home. (Ord. No. 8182-78, § 4, 5-17-82; Ord. No. 8788-40, § 2, 11-16-87)

Sec. 5-525. Standards for new mobile home parks.

New mobile home parks shall comply with the Urbana Zoning Ordinance. In addition, they shall comply with all applicable provisions of section 5-524 above. ;(Ord. No. 8182-78, § 5, 5-17-82)

Sec. 5-526. Inspection and certificate of occupancy.

(a) After the effective date of this section [April 1, 1991], no mobile home may be placed in an Urbana mobile home park and/or occupied unless such mobile home has been issued a certificate of occupancy by the City of Urbana and such certificate of occupancy has not been revoked.

(b) A certificate of occupancy for a mobile home unit shall be issued to those mobile units which meet the standards set forth for mobile homes in section 5-531 of the Urbana City Code. A certificate of occupancy, once issued shall be valid until revoked.

(c) Any person affected by any notice which has been issued in connection with the enforcement of any provision of this section or of any rule or regulation adopted pursuant thereto may request and shall be granted a hearing on the matter before the Existing Structures Code Board of Appeals, provided that such person shall file, with the administrative secretary of the board, a written petition requesting such hearing and containing a statement of the grounds therefore within fourteen (14) days after the day the notice was served. Any violation notice served pursuant to this section shall automatically become an order if written petition for a hearing is not filed. The board shall be obligated to call a public meeting within forty-five (45) days after receipt of a request for a hearing. There is a filing fee for an appeal which is set forth in section 14-7 of the Code of Ordinances.

(d) If a certificate of occupancy is revoked, the holder of such certificate shall have the right to appeal such revocation to the Existing Structures Code Board of Appeals.

(e) After the effective date of this section [April 1, 1991], no mobile home shall be occupied after the occupancy which legally existed on the effective date of this section [April 1, 1991] ceases or after the mobile home is sold until such mobile home has been inspected by the City of Urbana to determine if the mobile home complies with the standards set forth for mobile homes in section 5-531.

(f) The owner of each and every mobile home park now located in the city shall promptly place on the front door of a mobile home where occupancy ceases as defined in this article, a notice to the effect that the mobile home cannot again be reoccupied without first being inspected by the city and found to be in compliance with the standards set forth for mobile homes in section 5-531. The notice referred to in this section shall be supplied without cost to the mobile home park owner by the city. (Ord. No. 8182-78, § 6, 5-17-82; Ord. No. 9091-81, § 4, 2-18-91)

Sec. 5-527. Term of certificate of occupancy.

Except as otherwise provided herein, a certificate of occupancy shall be for a term equal to the period the mobile home exists at the same mobile home site or stand. A certificate of occupancy may be transferred to successive owners so long as the mobile home remains at the same mobile home site or stand and remains in substantial compliance with the provisions of this article. (Ord. No. 8182-789, § 7, 5-17-82)

Sec. 5-528. Application for certificate of occupancy.

Application for a certificate of occupancy shall be made to the department prior to placing a mobile home in a mobile home park or moving it within a mobile home park. The applicant shall be informed of the standards for mobile homes contained in this article. The mobile home owner, through said application, agrees to an inspection by the department within thirty (30) days after placement or movement of said mobile home to determine compliance with this article. Said application shall include the following information.

- (1) Name of mobile home owner;
- (2) Mobile home park where mobile home is to be placed;
- (3) Serial number and make of mobile home; and
- (4) Mobile home owner's mailing address. (Ord. No. 8182-78, § 8, 5-17-82)

Sec. 5-529. Fee for certificate of occupancy.

The fee for a certificate of occupancy is found in Chapter 14 [section 14-7] of this Code. ;(Ord. No. 8182-78, § 9, 5-17-82)

Sec. 5-530. Waiver of fee for certificate of occupancy.

For mobile homes existing in mobile home parks on the effective date of the ordinance from which this article derived, the fee for the certificate of occupancy shall be waived so long as the mobile home remains on the same site or stand, but a certificate of occupancy is still required. A certificate of occupancy shall be issued after inspection by the department and finding that the mobile home is in substantial compliance with the standards in this article. Such inspection shall be conducted within one year of the effective date of the ordinance from which this article derived. (Ord. No. 8182-78, § 10, 5-17-82)

Sec. 5-531. Mobile home standards.

(a) In order to obtain a certificate of occupancy a mobile home must meet the following requirements:

- (1) **License.** The mobile home park in which the mobile home is placed must be licensed.
- (2) **Smoke detector.** Every mobile home must have at least one approved smoke detector in operating condition within fifteen (15) feet of every room used for sleeping purposes.
- (3) **Fire extinguisher.** Every mobile home, except owner occupied mobile homes, must contain at least one ten-pound A.B.C. fire extinguisher in working order and easily accessible from the interior of the mobile home.
- (4) **Plumbing system.**
 - a. The plumbing system must be safe, sanitary in condition and maintained in accordance with accepted engineering practices and codes.
 - b. The mobile home shall be connected to the mobile home park sewer system via a nonflexible airtight connection.
- (5) **Heating and Air Conditioning System.** [The heating and air conditioning system] must be safe and installed in accordance with accepted engineering practices and codes. Fireplaces must be approved to U.L. mobile home standard 1482 and installed according to manufacturer's specifications.
- (6) **Electrical System.**
 - a. [The electrical system] shall meet the provisions of the most recently adopted electrical code of the city applicable to existing mobile homes.
 - b. When plug fuses and fuseholders are used they shall be nontamperable Type S fuses sized as herein defined.
- (7) **Exterior of Mobile Home.** Exterior walls and roofs shall be structurally sound and tight and free from defects which might admit rain or dampness. All exterior surface materials, including wood, composition, or metal siding, shall be maintained weatherproof and shall be properly surface coated when required to prevent deterioration. Every window, door, and frame shall be constructed and maintained in such relation to the adjacent wall construction so as to be weathertight. Every window sash shall be fully supplied with approved glazing materials which are without open cracks and holes.

- (8) **Accessory Structures.** Accessory structures or storage sheds were allowed by the licensee shall be of proper construction, weather-tight, properly anchored and not less than eighteen (18) inches from a mobile home rear or side lot line. A permit is required to erect such a structure when it exceeds one hundred (100) square feet in area.
- (9) **Gas System.** Each mobile home utilizing gas shall be connected to the mobile home site outlet by a listed flexible mobile home connector of sufficient capacity to supply gas to the connected load. Approved rigid pipe and fittings shall be used between the flexible connector and the mobile home sit gas outlet if the distance between the mobile home site gas outlet and the mobile home gas service connection exceeds six (6) feet. All gas outlet risers, regulators, meters, valves, or other exposed equipment shall be protected from physical damage by vehicles or other causes.
- (10) **Stairs and Porches.** Every stair, porch, deck, and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the anticipated loads and shall be maintained in sound condition and good repair.
- (11) **Skirting.** Noncombustible skirting is required to be installed around the perimeter of the mobile homes. The required skirting must be securely attached and maintained against deterioration.
- (12) **Storage.** Storage of debris, junk, or construction materials, which are not associated with an activity which has been authorized by a valid building permit for that specific site shall be prohibited.
- (13) **Tiedowns.** All mobile homes must be securely anchored in accordance with the tiedown requirements of the State of Illinois Department of Public Health.
- (14) **Interior of Mobile Home.** Floors, walls, (including windows and doors), ceilings, and other interior surfaces shall be maintained in good, clean, sanitary, and structurally sound condition.
- (b) All manufactured/mobile homes proposed to be parked in a mobile home park must have been manufactured since June 15, 1976, and must comply with the construction standards of the National Manufactured Housing Construction and Safety Standards Act of 1974. Compliance with said act shall be verified by the presence of the permanently attached H.U.D. seal/emblem on the home. No mobile homes manufactured prior to June 15, 1976, that are not officially certified as having been manufactured in full compliance with the National Manufactured Housing Construction and Safety Act of 1974 shall be permitted to be placed in a mobile home park. (Ord. No. 8182-78, § 11, 5-17-82; Ord. No. 8788-40, § 2, 11-16-87; Ord. No. 8889-83, § 2, 6-5-89; Ord. No. 9091-81, § 3, 2-18-91).

Section 5-532 Violations. Failure of mobile home owner to obtain a certificate of occupancy or to meet minimum standards contained herein for mobile homes is a violation of this article. (Ord. No. 8182-78, § 12, 5-17-82).

Section 5-533 Notice. When the department determines there has been a violation of this article, the department shall cause written notice to be served upon the owner containing a description of the violation, order to vacate or remove said mobile home, if necessary, and/or corrective actions. (Ord. No. 8182-78, § 13, 5-17-82).

Section 5-534 Penalty. Any person who violates the provisions of this article shall, upon conviction thereof, be fined as provided in Section 1-10 of this Code and in addition shall pay all costs and expenses involved in litigation. A separate offense shall be deemed committed upon each day during or upon which a violation occurs or continues after due notice is served. (Ord. No. 8182-78, § 14, 5-17-82)

Section 5-535 Saving Clause. Nothing in this article hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of this Ordinance, [Ord. No. 8788-40]; nor shall any just or legal right of remedy of any character be lost, impaired, or affected by this article. (Ord No. 8788-40, §2, 11-16-87)

Sections 5-536 -- 5.550. Reserved.

ARTICLE XIII FIRE PREVENTION CODE

Sec. 5-551. Adoption of Fire Prevention Code. That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Urbana, being marked and designated as "The BOCA National Fire Prevention Code, Eighth Edition, 1990," as published by the Building Officials and Code Administrators International, Inc. is hereby adopted as the Fire Prevention Code of the City of Urbana, in the State of Illinois; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said BOCA National Fire Prevention Code are hereby referred to, adopted and made a part hereof, with the additions, insertions, deletions and changes, if any, prescribed in Section 5-552.

Sec. 5-552. Additions, Modifications and Deletions. The following sections and subsections of the BOCA National Fire Prevention Code, 1990 amended or changed in the following respects.

"Add" preceding a provision in this section means that such provision is hereby added to and made a part of the BOCA National Fire Prevention Code 1990, as though fully set forth therein at the referenced section.

"Delete" preceding a provision of this section means that such provision deletes the referenced section from the BOCA National Fire Prevention Code 1990.

"Amend" preceding a provision of this section means that such provision amends the referenced section of the BOCA National Fire Prevention Code 1990, to read as provided and that such provision is added to and made a part of such code as though fully set forth at the referenced section number.

Section F-100.1 entitled, "Title," is amended to read as follows:

Section F-100.1 Title: These regulations as set forth herein shall be known as the Fire Prevention Code of the City of Urbana and are hereby referred to as such or as "this Code".

Section F-104.1 entitled, "Enforcement Officer," is amended to read as follows:

Section F-104.1 Enforcement Officer: It shall be the duty of the Chief of the Fire Department or his duly authorized representative to enforce the provisions of the Fire Prevention Code as set forth herein. The designated enforcement officer of this Code is referred to herein as the fire official.

Section F-106.2 entitled, "Permits Required," is amended to read as follows:

Section F-106.2 Permits Required: Permits shall be obtained from the Fire Official according to the local adopting legislation. Inspection or permit fees shall be stipulated in the local adopting legislation. Permits shall, at all times, be kept in the premises designated therein, and shall be subject to inspection by the fire official.

Section F-106.8 entitled, "Schedule of fees," is added and reads as follows:

Section F-106.8 Schedule of Fees: Any person required to obtain more than one permit as set forth above to engage, at any specifically defined-single location, in any business activity involving the handling, storage or use of hazardous substances, materials or devices; or to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities, shall be required to pay the amount specified in Section 14-7 of the Urbana Code of Ordinances.

Section F-111.3 entitled, "Violation Penalties," is amended to read as follows:

Section F-111.3 Penalties for Violations: Any person, firm or corporation violating any of the provisions of this code or failing to comply with any order issued pursuant to any section hereof, shall be subject to the following penalties. Upon conviction thereof shall be fined not less than one dollar (\$1.00) nor more than five hundred dollars (\$500.00) for each offense. Each day that a violation continues, after a service of notice, shall be deemed a separate offense.

Section F-112.1 entitled, "Application for Appeal," is amended to read as follows:

Section F-112.1 Application for Appeal: Any person shall have the right to appeal to the board of appeals from a decision of the code official. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better method of fire prevention is used. The application shall be filed on a form obtained from the code official within 15 days after the notice was served.

Section F-112.1.1 entitled, "Board of Appeals," is added and reads as follows:

Section F-112.1.1 Board of Appeals: All appeals shall be heard by the Building Safety Code Board of Appeals as referenced in the BOCA National Building Code, 1990, as amended.

Section F-112.2 through F-112.7 are deleted.

Section F-301.2 entitled, "Allowable Burning," is amended to read as follows:

Section F-301.2 Allowable Burning: Allowable burning shall be allowed without prior notification to the code official for highway safety flares, smudge pots, fires set by a public official in the performance of their duties, and recreational fires used for cooking provided the fires are in a device designed for cooking.

Section F-308.4 entitled, "Portable Unvented Fuel Burning Heating Equipment," is added and reads as follows:

Section F-308.4 Portable Unvented Fuel Burning Heating Equipment: Portable unvented fuel burning heating appliances shall not be permitted in occupancies covered by this code.

Section F-309.1 entitled, "Hood System Required," is added and reads as follows:

Section F-309.1 Hood System Required: 5. Systems previously approved by the fire official.

SECTION F-313.0 FIRE LANES

Section F-313.0 entitled, "Designation," is amended as follows:

Section F-313.1 Designation: Fire lanes shall be provided for all buildings that are set back more than 150 ft (45.75 m) from a public road or exceed 30 ft (9.14 m) in height and are set back over 50 ft (15.25 m) from a public road.

Exception: Where buildings are protected throughout with an approved automatic sprinkler system, the provisions of this section may be modified by the authority having jurisdiction.

Section F-313.1.1 entitled, "Specifications," is added and reads as follows:

Section F-313.1.1 Specifications: Fire lanes shall be not less than 20 ft (6.1 m) of unobstructed width, able to withstand live loads of fire apparatus and have a minimum of 13 ft 6 in (4.1 m) of vertical clearance. An approved turnaround for fire apparatus shall be provided where an access road is a dead end and is in excess of 150 ft (45.8 m) in length. The turnaround shall have a minimum centerline radius of 50 ft (15.3 m). The grade of the fire lane shall be within the limits established by the authority having jurisdiction. More than one (1) fire apparatus road shall be provided when it is determined by the authority having jurisdiction that access by a single road may be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.

Exceptions:

1. T or Y turnaround arrangements are permitted.
2. When acceptable to the authority having jurisdiction, turnaround arrangements other than a cul-de-sac may be used.

Section F-313.1.2 entitled, "Bridges and Elevated Surfaces," is added and reads as follows:

Section F-313.1.2 Bridges and Elevated Surfaces: Where a bridge is required to be used as access, it shall be constructed and maintained using live design loading sufficient to carry the imposed loads of the fire apparatus. Where an elevated surface is used as access, that portion utilized by fire apparatus shall be constructed and maintained to accommodate fire apparatus.

Section F-313.2 entitled, "Obstructions," is amended as follows:

Section F-313.2 Obstructions: Fire lanes shall be maintained free of all obstructions at all times. Fire lanes shall be marked with free-standing signs or marked curbs, sidewalks, or other traffic surfaces that have the words "FIRE LANE-NO PARKING" painted in contrasting colors at a size and spacing approved by the authority having jurisdiction.

Section F-319.0 entitled, "Fire Resistance Ratings," is added and reads as follows:

Section F-319.0 Fire Resistance Ratings: Floors, walls, ceilings and other elements and components required to develop a fire resistance rating or act as a smoke barrier shall be maintained so that the respective fire resistance rating of the enclosure, separation or construction is preserved.

SECTION F-401.0 MEANS OF EGRESS

Section F-401.1 entitled, "Number of Exits," is amended to read as follows:

Section F-401.1 Number of Exits: Every habitable or occupiable floor level shall have access to not less than two (2) remote and independent exits:

EXCEPTIONS:

1. Floor levels complying with the requirements of the Building Code listed in Appendix A.
2. Any dwelling unit with an exit directly to the street or yard at ground level, or by way of an outside stair or enclosed stairway serving that unit exclusively, and not communicating with any floor below the level of exit discharge, may have a single exit.
3. The stairway is completely enclosed by barriers having a fire resistance rating of at least one hour with self-closing one-hour fire protection rated doors protecting all openings between the stairway enclosure and the building;
 - A. The stairway does not serve more than one-half story below the level of exit discharge.
 - B. All corridors serving as access to exits have at least a one-hour fire resistance rating.

- C. There is not more than 35 feet of travel distance from the entrance door of any living unit to an exit.
- D. Three-quarter hour fire rated horizontal and vertical separation between living units is provided.

Section F-401.1.1 entitled, "Types of Exits," is amended to read as follows:

Section F-401.1.1 Types of Exits: Approved exits may include doorways, passageways, corridors, interior stairways, exterior stairways, escalators, smoke proof enclosures, ramps, horizontal exits, bridges, balconies, fire escapes and combinations thereof constructed and arranged as provided in this Code and applicable sections of the Building Code listed in Appendix A.

Section F-401.2.1 entitled, "Enclosure Rating," is added and reads as follows:

Section F-401.2.1 Enclosure Rating: Enclosures connecting not more than four (4) floor levels shall have a fire resistance rating of not less than one-half (1/2) hour with approved opening protectives. Enclosures connecting more than four floor levels shall have a fire resistance rating of not less than one-hour with approved opening protectives.

Section F-401.2.2 entitled, "Protectives," is added and reads as follows:

Section F-401.2.2 Protectives: Doors opening into exit corridors and door assemblies in exit enclosures required to have a fire-resistance rating, shall be self-closing or automatic closing by smoke detection with a 20-minute fire-resistance rating. All separation doors shall be constructed to resist the passage of smoke and shall be equipped with latching and closing hardware.

EXCEPTIONS:

1. 1-3/4 inch solid bonded wood core doors may be approved in place of a labeled 20-minute fire-resistance door.
2. Existing non-rated room doors in buildings of use group R-2 protected by an approved supervised automatic alarm system may remain until normal maintenance requires their replacement.
3. Non-rated assemblies opening onto a corridor may remain in buildings equipped with approved corridor or full fire suppression systems, and where the Building Code allows a corridor fire-resistance rating of less than one-half hour.

Section F-401.3.1 entitled, "Arrangement of Exits," is amended to read as follows:

Section F-401.3.1 Arrangement of Exits: Where more than one exit is required, such exits shall be remote from each other and so arranged and constructed as to minimize any possibility that more than one exit may be blocked by any fire or emergency condition.

Section F-401.3.2 entitled, "Travel Distance," is added and reads as follows:

Section F-401.3.2 Travel Distance: The maximum length of exit access travel shall be as specified in Section 807.5 of the Building Code. The code official may require a reduction of these travel distances, not to exceed 25%, where fire-resistance rating of exit access and exitway elements do not meet the requirements of the Building Code.

Section F-401.5 entitled, "Dead End Travel Distance," is amended to read as follows:

Section F-401.5 Dead End Travel Distance: All corridors which serve more than one (1) exit shall provide direct connection to such exits. The length of a dead end corridor shall not exceed 35 feet in all uses except mercantile business, industrial, and storage which may have a dead end or common path of travel of up to 50 feet. The dead end travel distance limitation shall be increased to 70 feet in all use groups except "H" when the building is equipped throughout with an approved automatic fire suppression system.

Section F-401.6 entitled, "Emergency Escape," is added and reads as follows:

Section F-401.6 Emergency Escape: Every sleeping room below the fourth story in buildings of use Group R and I-1 shall have at least one (1) approved emergency escape window or door subject to the requirements and exceptions of Section 809.4 of the Building Code.

Section F-401.7 entitled, "Fire Escape Stairs," is added and reads as follows:

Section F-401.7 Fire Escape Stairs: Fire Escape stairs may be used as an element of required means of egress, subject to the requirements and limitations of Section 821.0 of the Building Code and Table F-401.7. Fire escape stairs shall be exposed to the smallest number of door and window openings possible.

Table 401.7

Fire Escape Stairs

	Fire Escape Stairs New	Fire Escape Stairs Previously
Approved Minimum Widths	22 inches (55.9 cm) clear between rails	18 inches (45.7 cm) clear between rails
Minimum Horizontal Dimension any Landing or Platform	22 inches (55.9 cm) clear	18 inches (45.7 cm) clear
Maximum Riser Height	9 inches (22.9 cm)	12 inches (30.5 cm)
Minimum Tread, Exclusive of Nosing	9 inches (22.9 cm) 9 inches (22.9 cm)	

Minimum Nosing or Projection	1 inch (2.5 cm)	No requirement
Construction	Compliance with Section 821.3 of the Building Code	Compliance with Section 821.3 of the Building Code
Winders	None	Permitted subject to capacity penalty
Risers	None	No requirement
Spiral	None	Permitted subject to capacity penalty
Maximum Height Between Landings	12 feet (3.7 m)	12 feet (3.7 in)
Headroom, Minimum	6 feet, 8 inches (203 cm)	6 feet, 8 inches (203 cm)
Handrail Height	42 inches (107 cm)	42 inches (107 cm)
Access to Escape	Door or Casement Windows 24 inches by 6 feet, 6 inches (61 cm by 198 cm) or double-hung windows 30 inches by 36 inches (76 cm by 91 cm) clear opening	Windows
Level of Access Opening	Not over 12 inches (30.5 cm) above floor, steps if higher	Same
Discharge to Ground	Swing stair section permitted if approved by authority having jurisdiction	Swing stair or ladder if approved by authority having jurisdiction
Capacity, Number of Persons	45 per unit, if access by door; 20 if access by climbing over a window sill	10; if winders or ladder from bottom balcony, 5; if both, 1

Section F-401.8.1 entitled, "Access," is added and reads as follows:

Section F-401.8.1 Access: Access to a fire escape stair shall be directly to a balcony, landing or platform. These shall be no higher than the floor or window sill level and no lower than 8 in. (20.3 cm) below the floor level nor 18 in (45.7 cm) below the window sill.

SECTION F-403.0 ILLUMINATION AND SIGNS

Section F-403.1 entitled, "Egress Illumination," is amended to read as follows:

Section F-403.1 Egress Illumination: All means of egress shall be equipped with artificial lighting in accordance with the requirements for new buildings in the Building Code listed in Appendix A. Emergency lighting shall be provided in accordance with Table F-403.1 and when required shall be installed and maintained in an approved manner.

TABLE F-403.1

EMERGENCY LIGHTING

<u>Use Group</u>	<u>Where Required</u>
Use Group R	
Hotel/Dormitories:	When more than 25 rooms, unless all rooms have direct exit to outside at grade level.
Apartments:	When greater than 3 stories or more than 12 units.
Rooming/Lodging:	All
One & Two Family	Not required
A (Assembly):	All except those for religious worship exclusively with a capacity less than 300.
E (Education):	All
M (Mercantile):	All except those with 3000 square feet or less on a single floor level.

B (Business):	When two or more stories above level of exit discharge, or when more than 100 occupants on any level above or below the level of exit discharge, or when more than 1000 occupants.
H (High Hazard)	All
I (Institutional):	All
S (Storage)/F (Factory)/Industrial	All except when not normally occupied; or when occupied only during daylight hours with adequate natural illumination of all portions of the means of egress.

Section F-404.1 entitled, "Fire Protection Systems," is amended to read as follows:

Section F-404.1 Fire Protection Systems: Approved sprinkler protection system or equivalent systems shall be installed in accordance with the appropriate NFPA standard in Appendix A. Systems shall be installed in the following locations:

1. **High Hazard Use:** All buildings and portions thereof of high hazard use shall be equipped throughout with an approved automatic fire suppression system:
2. **Mercantile Occupancies:**
 - A. When a single story exceeds 15,000 sq. ft.
 - B. Buildings that exceed 30,000 sq. ft. in gross area.
 - C. Throughout stores below the floor of exit discharge when such stories have an area exceeding 2,500 sq. ft. when used for the sale, storage or handling of combustible goods and merchandise.
3. **Windowless story:** An automatic fire suppression system shall be provided throughout every story or basement of all buildings where there is not provided at least one of the following types of openings:
 - A. An exterior stairway that conforms to the requirements of Section 817.0 of the Building Code, or an outside ramp that conforms to the requirements of Section 816.0 of the Building Code, leading directly to grade in each 50 lineal feet (15240 mm) or fraction thereof of exterior wall in the story or basement, no at least one side of the building.

- B. Openings entirely above the adjoining ground level totaling 20 square feet (1.9m) in each 50 lineal feet (15240 mm) or fraction thereof of exterior wall in the story or basement, on at least one side of the building. Openings shall have minimum dimensions of not less than 22 inches (559 mm). Such openings shall be accessible to the fire department from the exterior and shall be unobstructed to allow fire fighting and rescue operations from the exterior.

When openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22860 mm) from such openings, the story shall be equipped throughout with an automatic sprinkler system or openings as specified herein shall be provided on at least two sides of the exterior wall of the story. If any portion of a basement is located more than 75 feet (22860 mm) from the openings required in this section, the basement shall be equipped throughout with an automatic sprinkler system.

Exception: Building of Use Group R-3 as classified by the Building Code.

4. All buildings classified as Use Group I-2 by the Building Code.
5. All buildings with four (4) or more stories when classified R-I hotels by the Building Code.
6. All R-2 apartments when classified as public assisted elderly housing when three (3) or more stories in height and 50 or more units.

The approved automatic sprinkler systems shall be installed within a reasonable time period acceptable to the authority having jurisdiction, but not to exceed five (5) years from the date of adoption of this ordinance.

Section F-404.3 entitled, "Fire Standpipes," is amended to read as follows:

Section F-404.3 Fire Standpipes: All buildings having floors used for human occupancy located more than four stories above grade shall be provided with standpipes according to the building code listed in Appendix A except that an automatic water supply, hose, and cabinets are not required. The standpipes shall have an approved fire department connection with hose connections at each floor level.

Section F-404.5 entitled, "Fire Protective Signaling System," is amended to read as follows:

Section F-404.5 Fire Protective Signaling System: All buildings shall be equipped with a fire protective signaling system in accordance with the building code listed in Appendix A.

EXCEPTION: Previously approved manual alarm systems shall be accepted as meeting this requirement.

SECTION F-407.0 FIRE DEPARTMENT ACCESS

Section F-407.1 entitled, "Fire Department Key Boxes Approval," is added and read as follows:

Section F-407.1 Fire Department Key Boxes Approval: Approval of fire department key boxes shall be of an approved type and be installed in a location approved by the Urbana Fire Department in accordance with manufacturer's recommendations.

Section F-407.2 entitled, "Where Required," is added and read as follows:

Section F-407.2 Where Required: A fire department key box shall be installed when access to or within the building or area is unduly difficult because of secured openings, or when buildings with a fire detection or suppression system are monitored by alarm companies with direct notification to the dispatch center or unsupervised local alarms, and where immediate access is necessary for life saving or fire fighting purposes.

Section F-407.3 entitled, "Key Box Contents," is added and read as follows:

Section F-407.3 Key Box Contents: Key boxes shall contain the following:

1. Keys to locked points of egress whether on the interior or exterior of such buildings.
2. Keys to locked mechanical rooms.
3. Keys to locked electrical rooms.
4. Keys to other areas as directed by the Assistant Chief of Fire Prevention and the Fire Chief.

Section F-500.2.2 entitled, "Calculated Sprinkler System Safety Factor," is added to read as follows:

Section F-500.2.2 Calculated Sprinkler System Safety Factor: Calculated sprinkler systems shall have a minimum safety gap of 5 p.s.i. or 10% (whichever is larger) above the required water supply at the sprinkler riser.

Section F-509.4 entitled, "False Alarm," is added and read as follows:

Section F-509.4 False Alarm: False alarm means an alarm signal eliciting a response by the fire department when a situation requiring a response by the fire department does not in fact exist. False alarm does not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user. Alarms resulting from the following conditions are not considered false alarms:

1. Criminal activity or unauthorized entry.
2. Earthquake causing structural damage to the protected premises.
3. High winds sufficient to activate detection system or causing physical damage to the protected premises.
4. Flooding of the related premises due to overflow of natural drainage.
5. Lighting causing physical damage to protected premises.

6. Telephone line malfunction verified in writing to the fire department by at least a first line telephone company supervisor.
7. Electrical service interruption verified in writing to the department by the local power company.
8. Communication to METCAD or a fire department before a unit is dispatched to investigate clearly indicating that the alarm resulted from an authorized system test or other noncriminal cause.
9. An alarm caused on the reasonable but mistaken belief that a fire or medical emergency is in progress.

Section F-509.5 entitled, "Excessive False Alarm and Assessment," is added and reads as follows:

Section F-509.5 Excessive False Alarm and Assessment:

- A. If any alarm system produces four (4) false alarms in any calendar year, the code official shall provide written notice of the fact, which shall be given by certified mail or delivery to the owner or responsible party requiring them to take corrective action in regard to false alarms and informing the owner or occupant of the false alarm fee schedule provided herein.
- B. Owner or responsible parties installing a new system or making substantial modifications to any existing system shall be entitled to a grace period during which alarms generated by such system shall be deemed nonfalse alarms. The grace period shall cease thirty (30) days after installation of or modification to an alarm system.
- C. Upon any alarm system producing five (5) or more false alarms in a calendar year, a fee of five-hundred dollars (\$500.00) per false alarm shall be charged to the owner or responsible party.

SECTION F-511.0 FIRE PROTECTIVE SIGNALING SYSTEMS

Section F-511.2.2 entitled, "Supervised Systems Testing," is added and reads as follows:

Section F-511.2.2 Supervised Systems Testing: All fire protection systems shall be tested in the presence of and shall be approved by the Building Official and the fire official (or their authorized agents) where supervision of a system is required. No more than 90 seconds shall elapse between the time that a fire protection system device activates and notification is received by the local fire dispatching jurisdiction.

Section F-511.4 entitled, "Local Alarm Signs," is added and reads as follows:

Section F-511.4 Local Alarm Signs: Local fire alarm systems shall be equipped with signs stating "When Alarm Sounds, Call 9-1-1." Sign shall be installed in a location to be determined by the Urbana Fire Department.

Section F-513.3 entitled, "Hardwired Smoke Detectors in R-I Occupancies (Hotels-Motels)" is added as follows:

Section F-513.3 Hardwired Detectors in R-I Occupancies: Hotel and motel sleeping rooms shall be equipped with single station hardwired smoke detectors. Approved detectors shall be installed in accordance with NFPA 74 as referenced in Appendix A. The approved hardwired single station smoke detectors shall be installed within a reasonable time period acceptable to the authority having jurisdiction, but not to exceed two (2) years from the date of adoption of this ordinance.

SECTION F-2700.0 FIREWORKS

Section F-2700.4 entitled, "Definition," is added and reads as follows:

Section F-2700.4 Definition: Fireworks shall mean and include any combustible or explosive composition, or any substance or combination of substance, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, dago bombs, sparklers, smoke bombs, snakes or other devices of like construction which are ignited by a match, lighter or similar open flame device and any device containing any explosive or flammable compound, or any tablets or other devices containing any explosive substance, except that the term "fireworks" shall not include auto flares, paper caps containing not in excess of an average of .25 grain (16.2 mg) of explosive content per cap, and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times; provided; however, that items that are less than .25 grain (16.2 mg) of explosive substance, including but not limited to smoke bombs, snakes, and items which are ignited by a match, lighter or similar open flame devices shall be considered fireworks; the sale, storage and display of which shall be prohibited.

Section F-2805.5 entitled, "The Installation of New Above Ground Flammable and Combustible liquid storage tanks," is added and reads as follows:

Section F-2805.5 The Installation of New Above Ground Flammable and Combustible Storage Tanks: New above ground storage tanks shall conform to the following requirements:

1. Above ground tanks may be installed at the following facilities under the following circumstances:
 - A. Agricultural storage, which is limited to farms, tree nurseries, fish farms, tree farms, sod farms or orchards;
 - B. Storage at commercial, industrial, governmental or manufacturing establishments for fueling vehicles used in connection with their business;
 - C. Storage at construction sites for refueling construction equipment;

2. Dispensing at the facilities specified in subsections 1A, 1B or 1C shall only be in accordance with the following:
- A. After an inspection of the premises and operations has been made and approval granted by the code official (approval shall be granted if curb pumps are not present and if pumps are not located in any portion of a public roadway);
 - B. The dispensing is done on premises not open to the public;
 - C. The tanks are safeguarded against collision, spillage or overflow to the satisfaction of the authorities having jurisdiction;
 - D. Each tank system is listed or approved for such aboveground use by the Office of the State Fire Marshal; in granting such approval, the Code Official shall consider the following elements: leaks, compatibility of the tank and line with the product contained in the tank, whether any equipment has been recalled by the manufacturer, whether wiring at the dispensing location is in a rigid metal conduit within a radius of 30 feet and is otherwise in compliance with the National Electric Code (NFPA 70) 1987 (no subsequent dates or editions) and whether the dispensing location has seal-offs at all connections;
 - E. A top-fill opening shall be provided and shall be equipped with a closure designed so that it may be locked;
 - F. A vent shall be provided to relieve such vacuum or pressure as will develop in normal operation; such vent shall have a minimum unobstructed opening of one and one-half inches in diameter and the vent shall be elevated to a height of at least four feet (unless directed in writing by the Code Official to a greater height, based on construction characteristics of the tank and fire safety considerations) or in which approval in writing for a lower height is granted by the Code Official, such approval to be based upon construction characteristics of the tank in question or unique physical conditions prevent a vent of that height from being installed;
 - G. Tanks shall be equipped with a permanently connected pumping device listed by Underwriters Laboratories (UL) (as printed on Page 4 of the Fire Protection Equipment Directory published by Underwriters Laboratories, January, 1988 (no subsequent dates or editions)) or FM Engineering (as printed on Page ii of the Factory Mutual System Approval Guide 1989 published by Factory Mutual Research Corporation, 1989 (no subsequent dates or editions)); the pump shall be equipped with a padlock to prevent tampering; an antisiphoning device shall be included in the pump discharge and siphons or internal pressure discharge devices are prohibited; gravity method of discharge is prohibited;

- H. Tanks for the storage of flammable or combustible liquids shall be marked with the name of the product which they contain and "FLAMMABLE - KEEP FIRE AND FLAME AWAY", both in letters at least four inches high and in contrasting color from the tank on which they are marked;
- I. A maximum of two aboveground tanks per facility of up to 2,500 gallons each shall be allowed for storage of flammable or combustible liquids, provided such liquid is stored outside buildings in a tank(s) constructed throughout of steel and made vapor tight (as determined by such tests as a pressure test and volumetric test); tanks shall be designed and constructed according to standards specified in 41 IL Adm. Code 160.15, 160.70-160, 160.80-240; and
- J. Tanks as provided in this subsection shall be kept outside and at least 30 feet from any building, or combustible or flammable stored liquids, liquid petroleum and shall be so located or such additional distance to buildings shall be provided to insure that no vehicle, equipment or vessel being filled directly from any such tank shall be closer than 30 feet to any building, combustible or flammable stored liquid, liquid petroleum (LP) gas tank or property lines, except that a tank protected within a two-hour fire resistant enclosure (the time, in minutes or hours, that materials or assemblies have withstood a fire exposure as established in accordance with the test procedures of NFPA 251, Standard Methods of Fire Tests of Building Construction and Materials, 1985 (or subsequent dates or editions)) may be located adjacent to a structure after a request in writing to construct such an enclosure has been submitted to the Office of the State Fire Marshal, and the Office has issued an acknowledgement in writing.

Section F-2901.2 entitled, "Identification," is amended to read as follows:

Section F-2901.2 Identification: Identification on all buildings, tanks and containers containing materials and chemicals as described in F-2900.1 shall be labeled using the NFPA 704 labeling system.

Section F-2901.2.1 entitled, "NFPA 704 Label Specifications," is added and reads as follows:

Section F-2901.2.1 NFPA 704 Label Specifications: Labels when required shall be labeled as follows:

	TOTAL SIZE OF FOUR LABELS	EACH COLORED LABEL	HEIGHT OF NUMBERS	WIDTH OF NUMBERS	THICKNESS OR STROKE
ON BUILDING	30" sq.	15" sq.	9"	4.2	15/16
OUTSIDE TANK	20" sq.	10" sq.	6"	2.8	5/8
INSIDE TANK	15"	7.5	4½"	2.1	15/32

All letters and numbers shall be reflective. Building labels shall be placed at a minimum of ten (10) feet from the ground and not more than twelve (12) feet.

The building label shall be placed on the front of the building. Additional building or tank label placement—Final decision to be determined by the code official. These signs shall be classified as official signs under the provisions of Section IX-5 of the Urbana Zoning Ordinance.

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updated 4/12/95

DEPT. OF COMMUNITY DEVELOPMENT SERVICES
BUILDING SAFETY DIVISION
115 W. MAIN STREET, P.O. BOX 946
URBANA, IL 61801-0946

The BOCA® National Property Maintenance Code/1990

Model building regulations for the protection
of public health, safety and welfare.



THIRD EDITION

As recommended and maintained
by the active membership of

**BUILDING OFFICIALS & CODE
ADMINISTRATORS INTERNATIONAL, INC.**

4051 W. Flossmoor Rd.
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Founded in 1915

708/799-2300



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About the BOCA® organization

Founded in 1915, Building Officials and Code Administrators (BOCA) International, Inc., is a nonprofit service organization dedicated to professional code administration and enforcement for the protection of public health, safety and welfare. BOCA's objectives span both public and professional interests, and the organization's primary activities include the following:

- To serve the public's need for sound and progressive construction regulation through promulgation of the *BOCA National Code* series of model regulatory construction codes. The *BOCA National Codes* are performance-oriented model codes responsive to the latest advancements in construction technology.
- To serve governmental units, code administration personnel, and related building industry professionals by providing authoritative technical, educational and informational services relating to all specialty areas of code administration and enforcement.

The nation's original professional association for construction code officials, BOCA currently serves a membership that includes both regulatory officials and a wide variety of private sector building and construction professionals. This broad membership base of professional participation assists in maintaining the *BOCA National Codes* as responsive consensus documents published and promulgated in the public interest. BOCA's headquarters building is located in Country Club Hills, Illinois. The organization also operates several satellite offices.

The *BOCA National Codes*

BOCA's complete model code services program is dedicated to the improvement of construction regulations, and the effective administration, organization, and methods of enforcement of these regulations by professionally staffed state and local governmental units.

To accomplish this, BOCA provides a complete model code services package, the "backbone" of which is the *BOCA National Code* series. *BOCA National Codes* available in completely revised and updated 1990 editions include the *National Building Code*, *National Mechanical Code*, *National Plumbing Code*, *National Fire Prevention Code*, *National Property Maintenance Code*, *National Private Sewage Disposal Code* and *National Energy Conservation Code*.

Democratic National Code Revision

The *BOCA National Codes* are maintained in their current, responsive state through a democratic public hearing and revision procedure which allows all interested parties the opportunity to both propose changes to code provisions and testify regarding such change proposals. Change proposals to the *BOCA National Codes* are either accepted or rejected by vote of the organization's Active Members, who are practicing regulatory code officials in the employ of units of government, and other voting members. Voting on change proposals is conducted at the organization's Annual Conference, at which time final testimony is heard. Public hearings on proposed code changes are held prior to the Conference at BOCA's annual Spring Meeting.

Each of the *BOCA National Codes* is completely updated and published in a new edition every three years. Code change activity is conducted annually within each three-year edition cycle. The first and second year's approved changes are published in supplement form, and the third year's revisions are incorporated directly into the next code edition. Each new edition reflects all changes approved by BOCA's voting members since issuance of the previous edition.

(Continued on inside back cover)

NOTE: The *BOCA National Codes* are designed for adoption by state or local governments by reference only. Jurisdictions adopting them may make necessary additions, deletions and amendments in their adopting document. Incorporation of any part of the *BOCA National Codes* in codes published by states, local governments, regulatory agencies, individuals or organizations is expressly prohibited. When your jurisdiction has adopted one or more of the *BOCA National Codes*, please send a copy of the adopting document to the BOCA Executive Offices.

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Printed in the United States of America
First printing: January, 1990
Second printing: May, 1990

PREFACE

Since 1964, BOCA has been publishing model code requirements related to maintenance of existing buildings for human occupancy and habitation, beginning with the *BOCA Basic Housing Code*. The scope and content of the *BOCA Basic Housing Code* was eventually expanded to provide minimum maintenance requirements for all types of structures and premises with publication of the *1978 BOCA Basic Property Maintenance Code*.

There also exists an increased desire to emphasize property maintenance requirements and to retain only the property improvement provisions that are determined to be minimum standards for public health and safety in existing buildings. In response to these needs, the *1990 BOCA National Property Maintenance Code* has been extensively revised to contain clear property maintenance requirements with minimum property improvement provisions. This document is intended to provide the code official with the authority to consider and approve alternative solutions to code compliance problems.

ADOPTION INFORMATION

The *BOCA National Codes* are designed and promulgated to be adopted by reference by ordinance. Jurisdictions wishing to adopt the *BOCA National Property Maintenance Code/1990* as an enforceable regulation governing existing structures and premises should insure that certain factual information is included in the adopting ordinance at the time adoption is being considered by the appropriate governmental body. The following sample adoption ordinance addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

SAMPLE ORDINANCE FOR ADOPTION OF THE 1990 BOCA NATIONAL PROPERTY MAINTENANCE CODE

Bill Number _____ Ordinance Number _____

AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS 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 INSURE 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 STRUCTURES; KNOWN AS THE PROPERTY MAINTENANCE CODE.

Be it ordained by the (*Governing Body*) of the (*Name of Jurisdiction*) as follows:

SECTION 1. ADOPTION OF PROPERTY MAINTENANCE CODE.

That a certain document, three (3) copies of which are on file in the office of the (*Jurisdiction's Keeper of Records*) of the (*Name of Jurisdiction*), being marked and designated as "The BOCA National Property Maintenance Code, Third Edition, 1990" as published by the Building Officials and Code Administrators International, Inc., be and is hereby adopted as the Property Maintenance Code of the (*Name of Jurisdiction*), in the State of (*State Name*); for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said BOCA National Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this ordinance.

SECTION 2. INCONSISTENT ORDINANCES REPEALED.

That Ordinance Number (*Present Ordinance Number*) of the (*Name of Jurisdiction*) entitled (*Full Title of Present Ordinance*) and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

A GUIDE TO USE OF THE BOCA[®] NATIONAL PROPERTY MAINTENANCE CODE

The format and provisions of *The BOCA National Property Maintenance Code* are designed to provide units of government with an effective regulatory means of providing minimum health and safety requirements for existing buildings and structures.

The following step-by-step approach is recommended for use in determining the code's application to particular buildings and building uses within a governmental jurisdiction.

1. Determine the use of the building or property in question.
2. Determine compliance with the applicable provisions related to the condition and maintenance of the exterior property and structure as set forth in Article 3.
3. Determine compliance with the applicable provisions related to the condition and maintenance of features essential to health and sanitation for the interior structure areas contained in Articles 3, 4 and 8.
4. Determine compliance with the applicable provisions for safety, health and sanitation for plumbing, mechanical and electrical systems covered by Articles 5 and 6.
5. Determine compliance with all applicable aspects for fire safety in Articles 7 and 9 related to removal and abatement of fire hazards.

NOTE TO BOCA[®] NATIONAL CODE USERS

The 1990 editions of the *BOCA National Codes* contain, for the benefit and convenience of code users, vertical lines and/or asterisks in the outside margins of some pages.

As in previous editions, vertical lines in the margin indicate approved changes to the text of code requirements. Editorial changes are not so marked. For example, lines shown in the margins of the *1990 BOCA National Codes* indicate content requirement changes since the 1987 editions. The 1990 editions also use asterisks in the margins to indicate locations from which 1987 code text has either been deleted or relocated elsewhere in the code.

These features are designed to streamline the review process for jurisdictions wishing to adopt current, up-to-date provisions.

Several new features are reflected in the 1990 editions of the *BOCA National Codes*.

Selected terms set forth in Article 2 (Definitions) are italicized where they appear in the code text. Additionally, an indenting feature is now used in tandem with the codes' decimal-based section numbering system to indicate the hierarchy of each subsection.

The values stated in the U.S. customary units of measurement are to be regarded as code requirements. The metric equivalents of U.S. customary units may be approximate.

THE BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

SECTION 3. ADDITIONS, INSERTIONS AND CHANGES.

That the BOCA National Property Maintenance Code is amended and revised in the following respects:

Section PM-100.1 (page 1, second line). Insert: *(Name of Jurisdiction)*

Section PM-109.2 (page 7, third line). Insert: *(Dollar amounts in two locations)*

Section PM-109.2 (page 7, fourth line). Insert: *(Number of days)*

Section PM-302.12 (page 17, first line). Insert: *(Dates in two locations)*

Section PM-601.1 (page 27, tenth line). Insert: *(Dates in two locations)*

Section PM-601.2 (page 27, second line). Insert: *(Dates in two locations)*

SECTION 4. SAVING CLAUSE.

That nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 5. DATE OF EFFECT.

That the *(Jurisdiction's Keeper of Records)* shall certify to the adoption of this Ordinance, and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval as required by law.

TABLE OF CONTENTS

Article 1	ADMINISTRATION AND ENFORCEMENT	1
Section		
PM-100.0	General	
PM-101.0	Validity	
PM-102.0	Application of codes and regulations	
PM-103.0	Approval	
PM-104.0	Duties and powers of code official	
PM-105.0	Condemnation	
PM-106.0	Notices and orders	
PM-107.0	Placarding	
PM-108.0	Emergency measures	
PM-109.0	Violations	
PM-110.0	Demolition	
PM-111.0	Right to appeal	
Article 2	DEFINITIONS	11
PM-200.0	General	
PM-201.0	Applied meaning of words and terms	
Article 3	GENERAL REQUIREMENTS	15
PM-300.0	General	
PM-301.0	Exterior property areas	
PM-302.0	Exterior structure	
PM-303.0	Interior structure	
Article 4	LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS	19
PM-400.0	General	
PM-401.0	Light	
PM-402.0	Ventilation	
PM-403.0	Occupancy limitations	
Article 5	PLUMBING FACILITIES AND FIXTURE REQUIREMENTS	23
PM-500.0	General	
PM-501.0	Required facilities	
PM-502.0	Toilet rooms	
PM-503.0	Plumbing fixtures	
PM-504.0	Water system	
PM-505.0	Sanitary drainage system	
PM-506.0	Storm drainage	

THE BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

Article 6 MECHANICAL AND ELECTRICAL REQUIREMENTS 27

Section	
PM-600.0	General
PM-601.0	Heating facilities
PM-602.0	Electrical facilities
PM-603.0	Elevators, escalators and dumbwaiters

Article 7 FIRE SAFETY REQUIREMENTS 31

PM-700.0	General
PM-701.0	Means of egress
PM-702.0	Accumulations and storage
PM-703.0	Fire resistance ratings
PM-704.0	Fire protection systems

Article 8 RESPONSIBILITIES OF PERSONS 35

PM-800.0	General
PM-801.0	Sanitary condition
PM-802.0	Extermination

Article 9 HAZARD ABATEMENT IN EXISTING BUILDINGS 37

PM-900.0	General
PM-901.0	Elevator recall
PM-902.0	Mechanical equipment control

LIST OF APPENDICES

Appendix A	REFERENCED STANDARDS	39
Appendix B	LEGAL NOTES	41
Appendix C	METRIC EQUIVALENTS	47

ARTICLE 1

ADMINISTRATION AND ENFORCEMENT

SECTION PM-100.0 GENERAL

PM-100.1 Title: These regulations shall be known as the Property Maintenance Code of [NAME OF JURISDICTION] hereinafter referred to as this code.

PM-100.2 Scope: This code is to protect the public health, safety and welfare in all existing *structures*, residential and nonresidential, and on all existing *premises* by establishing minimum requirements and standards for *premises, structures, buildings, equipment, and facilities* for light, *ventilation*, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; fixing the responsibility of *owners, operators, and occupants*; regulating the occupancy and use of existing *structures and premises* and providing for administration, enforcement and penalties.

PM-100.3 Intent: This code shall be construed liberally and justly to insure public health, safety and welfare insofar as they are affected by the continued use and maintenance of *structures and premises*.

PM-100.4 Referenced standards: The standards referenced in this code and listed in Appendix A shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced standards, the provisions of this code shall apply.

PM-100.5 Existing remedies: The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any buildings which are dangerous, unsafe, and unsanitary.

PM-100.6 Workmanship: All repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner.

SECTION PM-101.0 VALIDITY

PM-101.1 Validity: If any section, subsection, paragraph, sentence, clause or phrase of this code shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this code which shall continue

THE BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

in full force and effect, and to this end the provisions of this code are hereby declared to be severable.

PM-101.2 Saving clause: This code shall not affect violations of any other ordinance, code or regulation existing prior to the effective date hereof, and any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

SECTION PM-102.0 APPLICATION OF CODES AND REGULATIONS

PM-102.1 Application of other codes: Any repairs or alterations to a *structure*, or changes of use therein, shall be done in accordance with the procedures and provisions of the building, plumbing and mechanical codes listed in Appendix A.

PM-102.2 Other regulations: The provisions in this code shall not be construed to prevent the enforcement of other ordinances or regulations which prescribe standards other than those provided herein. In the event of conflict, the most restrictive provision shall apply.

SECTION PM-103.0 APPROVAL

PM-103.1 Approved materials and equipment: All materials, equipment and devices approved for use by the code official shall be constructed and installed in accordance with such approval.

PM-103.2 Modifications: Where there are practical difficulties involved in carrying out structural or mechanical provisions of this code, the code official shall be permitted to vary or modify such provision upon application of the *owner* or the *owner's* representative, provided that the spirit and intent of the law shall be observed and public welfare and safety assured.

PM-103.3 Records: The application for modification and the final decision of the code official shall be in writing and shall be officially recorded in the permanent records of the department.

PM-103.4 Used materials and equipment: Used materials, equipment and devices shall not be reused unless such materials have been reconditioned, tested and placed in good and proper working condition and approved for use by the code official.

PM-103.5 Alternative materials and equipment: The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided any such alternative has been approved. An alternative material or method of construction shall be approved when the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire-resistance, durability and safety.

PM-103.6 Research and investigations: The code official shall require that sufficient technical data be submitted to substantiate the proposed use of any material

or assembly, and if it is determined that the evidence submitted is satisfactory proof of performance for the use intended, the code official shall approve the use of such material or assembly subject to the requirements of this code. The cost of all tests, reports and investigations required under these provisions shall be paid by the applicant.

SECTION PM-104.0 DUTIES AND POWERS OF CODE OFFICIAL

PM-104.1 General: The code official shall enforce all the provisions of this code.

PM-104.2 Notices and orders: The code official shall issue all necessary notices and orders to abate illegal or unsafe conditions to insure compliance with the requirements of this code for the safety, health, and general welfare of the public.

PM-104.3 Inspections: In order to safeguard the safety, health and welfare of the public, the code official is authorized to enter any *structure* or *premises* at any reasonable time for the purpose of making inspections and performing duties under this code.

PM-104.4 Right of entry: If any *owner, occupant, or other person* in charge of a *structure* subject to the provisions of this code refuses, impedes, inhibits, interferes with, restricts, or obstructs entry and free access to any part of the *structure* or *premises* where inspection authorized by this code is sought, the administrative authority shall be permitted to seek, in a court of competent jurisdiction, an order that such *owner, occupant or other person* in charge cease and desist with such interference.

PM-104.5 Access by owner or operator: Every *occupant* of a *structure* or *premises* shall give the *owner* or *operator* thereof, or agent or employee, access to any part of such *structure* or its *premises* at reasonable times for the purpose of making such inspection, maintenance, repairs, or alterations as are necessary to comply with the provisions of this code.

PM-104.6 Credentials: The code official and authorized representatives shall carry proper credentials of their respective office for the purpose of inspecting any and all buildings and *premises* in the performance of duties under this code.

PM-104.7 Coordination of enforcement: Inspection of *premises*, the issuance of notices and orders and enforcement thereof shall be the responsibility of the code official so charged by the jurisdiction. Whenever inspections are necessary by any other department, the code official shall make reasonable effort to arrange for the coordination of such inspections so as to minimize the number of visits by inspectors, and to confer with the other departments for the purpose of eliminating conflicting orders before any are issued. A department shall not, however, delay the issuance of any emergency orders.

PM-104.8 Rule-making authority. The code official shall have powers to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions; but such rules shall not have the effect

THE BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

of waiving working stresses or fire protection requirements specifically provided in this code or violating an accepted engineering practice involving public safety.

PM-104.9 Organization: The code official shall appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of this code and as authorized by the appointing authority. The code official is authorized to designate an employee as deputy and shall exercise all the powers of the code official during the temporary absence or disability of the code official.

PM-104.10 Relief from personal liability: Any code official, officer or employee who acts in good faith in the discharge of duties of enforcement of this code is relieved of all personal liability for any damage accruing to *persons* or property as a result of such acts or alleged failure to act. Further, the code official shall not be held liable for any costs in any action, suit or proceeding that is instituted by the code official in the enforcement of this code. In any of these actions, the official or employee shall be defended or represented by the jurisdiction's attorney-at-law until the final termination of the proceedings.

PM-104.11 Official records: An official record shall be kept of all business and activities of the department specified in the provisions of this code, and all such records shall be open to public inspection at all appropriate times and under reasonable regulations to maintain the integrity and security of such records.

SECTION PM-105.0 CONDEMNATION

PM-105.1 General: When a *structure* or part thereof is found by the code official to be unsafe, or when a *structure* or part thereof is found unfit for human occupancy or use, or is found unlawful, such *structure* shall be *condemned* pursuant to the provisions of this code and shall be placarded, vacated and shall not be reoccupied without approval of the code official. Unsafe equipment shall be placarded and placed out of service.

PM-105.2 Unsafe structure: An unsafe *structure* is one in which all or part thereof is found to be dangerous to life, health, property, or the safety of the public or the *occupants* of the *structure* by not providing minimum safeguards for protection from 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 likely.

PM-105.3 Unsafe equipment: 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*.

PM-105.4 Structure unfit for human occupancy: A *structure* is unfit for human occupancy or use whenever the code official finds that such structure is unsafe, unlawful, or because of the degree in which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or

ment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the *structure* or to the public.

PM-105.5 Unlawful structure: An unlawful *structure* is one found in whole or in part to be occupied by more *persons* than permitted under this code, or was erected, altered or occupied contrary to law.

PM-105.6 Closing of vacant structures: If the *structure* or part thereof is vacant and unfit for human habitation, occupancy or use and is not in danger of structural collapse, the code official shall be permitted to post a placard of *condemnation* on the *premises* and order the *structure* closed up so as not to be an attractive nuisance to youngsters. Upon failure of the *owner* to close up the *premises* within the time specified in the order, the code official shall cause the *premises* to be closed 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.

SECTION PM-106.0 NOTICES AND ORDERS

PM-106.1 Notice to owner or to person or persons responsible: Whenever the code official determines that there has been a violation of this code or has reasonable grounds to believe that a violation has occurred, or whenever the code official has *condemned* any *structure* or equipment under the provisions of Section PM-105.0, notice shall be given to the *owner* or the *person* or *persons* responsible therefore in the manner prescribed below. If the code official has *condemned* the property or part thereof, the code official shall give notice to the *owner* and to the *occupants* of the intent to placard and to vacate the property or to order equipment out of service.

PM-106.2 Form: Such notice prescribed in Section PM-106.1 shall:

1. Be in writing;
2. Include a description of the real estate sufficient for identification;
3. Include a statement of the reason or reasons why the notice is being issued;
4. Include a correction order allowing a reasonable time for the repairs and improvements required to bring the *dwelling unit* or *structure* into compliance with the provisions of this code, and;
5. Include an explanation of the *owner's* right to seek modification or withdrawal of the notice by petition to an appeals board or appropriate review board.

PM-106.3 Service: Such service shall be deemed to be properly served upon such *owner* if a copy thereof is delivered to the *owner* personally; or by leaving the notice at the usual place of abode, in the presence of someone in the *family* of suitable age and discretion who shall be informed of the contents thereof; or by certified or registered mail addressed to the *owner* at the last known address with return receipt requested; or if the certified or registered letter is returned with receipt showing that the letter has not been delivered, by posting a copy thereof in a conspicuous place in or about the *structure* affected by such notice, and at least one publication of such notice in a local newspaper of general circulation.

THE BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

PM-106.4 Service on occupant: When a *condemnation* order is served on an *occupant* other than the *owner* or *person* responsible for such compliance, a reasonable time to vacate the property after noncompliance shall be stated. *Owners* or *persons* responsible for compliance shall vacate at the time set for correction of defects if there is failure to comply.

PM-106.5 Penalties: Penalties for noncompliance with orders and notices shall be as set forth in Section PM-109.2.

PM-106.6 Transfer of ownership: It shall be unlawful for the *owner* of any *dwelling unit* or *structure* who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

SECTION PM-107.0 PLACARDING

PM-107.1 Placarding of structure: After the *condemnation* notice required under the provisions of this code has resulted in an order by virtue of failure to comply within the time given, the code official shall post on the *premises* or *structure* or parts thereof, or on defective equipment, a placard bearing the words: "Condemned as unfit for human occupancy or use", and a statement of the penalties provided for any occupancy or use or for removing the placard. The *owner* or the *person* or *persons* responsible for the correction of violations shall have removed themselves from the property on failure to comply with the correction order in the time specified, but other *occupants* shall be given a reasonable time thereafter to vacate.

PM-107.2 Prohibited use: Any *person* who shall occupy a placarded *premises* or *structure* or part thereof, or shall use placarded equipment, and any *owner* or any *person* responsible for the *premises* who shall let anyone occupy a placarded *premises* shall be liable for the penalties provided by this code.

PM-107.3 Removal of placard: 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 subject to the penalties provided by this code.

SECTION PM-108.0 EMERGENCY MEASURES

PM-108.1 Vacating structures: When, in the opinion of the code official, there is actual and immediate danger of failure or collapse of a *structure* which would endanger life, or when any *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 the proximity of any *structure* because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or use of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. He shall cause to be posted at the main entrance to such *structure* a notice reading as follows: "This structure is unsafe and its use or occupancy has been prohibited by the code official." 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 *structure*.

PM-108.2 Temporary safeguards: Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is actual and immediate danger of collapse or failure of a *structure* or other hazardous condition which would endanger life, the code official shall order the necessary work to be done including the boarding-up of accessible openings, to render such *structure* temporarily safe and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

PM-108.3 Closing streets: When necessary for the public safety, the code official shall temporarily close sidewalks, streets, places and *premises* adjacent to such unsafe *structure*, and prohibit the same from being used.

PM-108.4 Emergency work: For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

PM-108.5 Costs of emergency work: Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on certificate of the code official. The legal counsel of the jurisdiction shall institute appropriate action against the *owner* of the *premises* where the unsafe *structure* is or was located for the recovery of such costs.

PM-108.6 Hearing: Any *person* ordered to take emergency measures shall comply with such order forthwith. Any affected *person* shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

SECTION PM-109.0 VIOLATIONS

PM-109.1 Unlawful acts: It shall be unlawful for any *person*, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, use or occupy, let to another for use or occupy or permit another *person* to use or occupy any *structure* or equipment regulated by this code, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this code, or to fail to obey a lawful order of the code official, or to remove or deface a placard or notice posted under the provisions of this code.

PM-109.2 Penalty: Any *person*, firm or corporation, who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than [AMOUNT] nor more than [AMOUNT] or imprisonment for a term not to exceed [NUMBER] days, or both, at the discretion of the court. Each day that a violation

THE BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

PM-109.3 Prosecution: In case of any unlawful acts the code official shall institute an appropriate action or proceeding at law to exact the penalty provided in Section PM-109.2. Also, the code official shall ask the jurisdiction's legal representative to proceed at law or in equity against the *person* responsible for the violation for the purpose of ordering that *person*:

1. To restrain, correct or remove the violation or refrain from any further execution of work;
2. To restrain or correct the erection, installation, maintenance, repair or alteration of such *structure*;
3. To require the removal of work in violation, or;
4. To prevent the occupation or use of the *structure* which is not in compliance with the provisions of this code.

SECTION PM-110.0 DEMOLITION

PM-110.1 General: The code official shall order the *owner* of any *premises* upon which is located any *structure* or part thereof, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, and so that such *structure* would be unreasonable to repair the same, to raze and remove such *structure* or part thereof; or if such *structure* can be made safe by repairs, to repair and make safe and sanitary or to raze 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 years, to raze and remove such *structure* or part thereof.

PM-110.2 Unreasonable repairs: Whenever the code official determines that the cost of such repairs would exceed 100 percent of the current value of such *structure*, such repairs shall be presumed unreasonable and it shall be presumed for the purpose of this section that such *structure* is a *public nuisance* which shall be ordered razed without option on the part of the *owner* to repair.

PM-110.3 Order: The order shall specify a time in which the *owner* shall comply therewith and specify repairs, if any. The order shall be served on the *owner* of record or an agent where an agent is in charge of the building and upon the holder of any encumbrance of record in the manner provided for service of a summons by a court of record. If the *owner* or a holder of an encumbrance of record cannot be found, the order shall be served by being posted on the main entrance of the building and published once each week for three successive weeks in a newspaper authorized to provide service by publication.

PM-110.4 Failure to comply: Whenever the *owner* of a property fails to comply with a demolition order within the time prescribed, the code official shall cause the *structure* or part thereof to be razed and removed, either through an available public agency or by contract or arrangement with private *persons*, and the cost of such razing and removal shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate.

PM-110.5 Salvage materials: When any *structure* has been ordered razed 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 at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such razing 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 use of the *person* who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

SECTION PM-111.0 RIGHT TO APPEAL

PM-111.1 Petition: Any *person* affected by any notice which has been issued in connection with the enforcement of any provision of this code, or of any rule or regulation adopted pursuant thereto, shall have the right to request and shall be granted a hearing on the matter before the board; provided that such *person* shall file, in the office of the board, a written petition requesting such hearing and containing a statement of the grounds therefore within 20 days after the day the notice was served.

PM-111.2 Appeals board: In order to protect existing *structures* in the jurisdiction by vigorous enforcement of the provisions of this code, there shall be and is hereby created a code appeals board, hereafter referred to as the board, consisting of five members who shall be appointed by the chief executive officer of the jurisdiction.

PM-111.2.1 Membership: Each member shall be a licensed professional engineer or architect, or a builder or superintendent of building construction, with at least ten years experience, for five years of which that board member shall have been in responsible charge of work; and there shall not be more than two members of the board selected from the same profession or business; and at least one of the professional engineers shall be a licensed structural or civil engineer of architectural engineering experience.

Each member shall have been a resident of the jurisdiction for at least one year prior to appointment. The chief executive officer shall appoint for a term of one year an alternate member of such board in addition to the five members above provided for, who shall act with full power only when a member of the board refuses to vote because of interest or when a member is absent. The chief executive officer shall appoint one member of the department who shall act as secretary to the board.

PM-111.2.2 Vote: The board shall hear all appeals relative to the enforcement of this code, and by a concurring vote of the majority of its members shall reverse or affirm wholly or partly, or modify, the decision appealed from, and shall make such order or determination as in the opinion of the board ought to be made. Failure to secure such concurring votes shall be deemed a confirmation of the decision of the code official.

PM-111.2.3 Financial interest: A member of the board shall not participate in any hearings or vote on any appeal in which that member has a direct or indirect

THE BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

financial interest, or is engaged as a contractor, or is engaged in the preparation of plans and specifications, or in which that member has any personal interest.

M-111.3 Records: The secretary of the board shall keep a record of each meeting so that the record shows clearly the basis for each decision made by the board.

ARTICLE 2

DEFINITIONS

SECTION PM-200.0 GENERAL

PM-200.1 Scope: Unless otherwise expressly stated, the following terms shall, for the purpose of this code, have the meanings indicated in this article.

PM-200.2 Interchangeability: Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

PM-200.3 Terms defined in other codes: Where terms are not defined in this article and are defined in the building, plumbing or mechanical codes listed in Appendix A, they shall have the same meanings ascribed to them as in those codes.

PM-200.4 Terms not defined: Where terms are not defined, through the methods authorized by this section, they shall have their ordinarily accepted meanings such as the context implies.

PM-200.5 Parts: Whenever the words "*dwelling unit*," "*dwelling*," "*premises*," "*building*," "*rooming house*," "*rooming unit*," "*story*," or "*structure*" are used in this code, they shall be construed as though they were followed by the words, "or any part thereof."

SECTION PM-201.0 APPLIED MEANING OF WORDS AND TERMS

Approved: Approved by the code official.

Basement: That portion of a building which is partly or completely below grade.

Bathroom: A room containing *plumbing fixtures* including a bathtub or shower.

Building code: The building code officially adopted by the legislative body of this jurisdiction, or other such codes officially designated by the legislative body of the jurisdiction for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and *structures*.

Code official: The official who is charged with the administration and enforcement of this code, or any duly authorized representative. *

Condemn: To adjudge unfit for use or occupancy.

IE BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

wellings: (See Section PM-200.5)

Rooming house: A building arranged or used for lodging, with or without meals, for compensation and not occupied as a *one-family dwelling* or a *two-family dwelling*.

Multiple family dwelling: A building containing more than two *dwelling units* and not classified as a *one- or two-family dwelling*.

Rooming unit: Any room or group of rooms forming a single habitable unit used or intended to be used for sleeping and/or living, but not for cooking purposes.

Dormitory: A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same *family group*.

Hotel: Any building containing six or more guest rooms, intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests.

One-family dwelling: A building containing one *dwelling unit* with not more than five lodgers or boarders.

Two-family dwelling: A building containing two *dwelling units* with not more than five lodgers or boarders per *family*.

Dwelling unit: A single unit providing complete, independent living facilities for one or more *persons*, including permanent provisions for living, sleeping, eating, cooking and sanitation.

xterior property: The open space on the *premises* and on adjoining property under the control of *owners* or *operators* of such *premises*.

xtermination: The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

amily: An individual or married couple and the children thereof with not more than two other *persons* related directly to the individual or married couple by blood or marriage; or a group of not more than five unrelated *persons*, living together as a single housekeeping unit in a *dwelling unit*.

arbage: The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

abitable space: Space in a structure for living, sleeping, eating, or cooking. *Bathrooms*, toilet compartments, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

ifestation: The presence, within or contiguous to, a *structure* or *premises* of insects, rats, vermin or other pests.

et for occupancy or let: To permit possession or occupancy of a *dwelling*, *dwelling unit*, *rooming unit*, building or *structure* by a *person* who shall be legal *owner* or not be the legal *owner* of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded

DEFINITIONS

Occupant: Any person living or sleeping in a building; or having possession of a space within a building.

Openable area: That part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Operator: Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

Owner: Any person, agent, operator, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Person: An individual, corporation, partnership or any other group acting as a unit.

Plumbing: The practice, materials, and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances, and appurtenances within the scope of the plumbing code listed in Appendix A.

Plumbing fixture: A receptacle or device which is either permanently or temporarily connected to the water distribution system of the premises, and demands a supply of water therefrom; or discharges used water, liquid-borne waste materials, or sewage either directly or indirectly to the drainage system of the premises; or which requires both a water supply connection and a discharge to the drainage system of the premises.

Premises: A lot, plot or parcel of land including the buildings or structures thereon.

Public nuisance: Includes the following:

1. The physical condition, or use of any premises regarded as a public nuisance at common law; or
2. Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or
3. Any premises which has unsanitary sewage or plumbing facilities; or
4. Any premises designated as unsafe for human habitation or use; or
5. Any premises which is manifestly capable of being a fire hazard, or are manifestly unsafe or unsecure as to endanger life, limb or property; or
6. Any premises from which the plumbing, heating and/or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided; or
7. Any premises which is unsanitary, or which is littered with rubbish or garbage, or which has an uncontrolled growth of weeds, or;
8. Any structure or building that is in a state of dilapidation.

BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

damaged by fire to the extent so as not to provide shelter, in danger of collapse or failure and dangerous to anyone on or near the *premises*.

bish: Combustible and noncombustible waste materials, except *garbage*, and the term, shall include the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

cture: That which is built or constructed, including without limitation because of enumeration, buildings for any occupancy or use whatsoever, fences, signs, billboards, fire escapes, chute escapes, railings, water tanks, towers, open grade steps, sidewalks or stairways, tents or anything erected and framed of component parts which is fastened, anchored or rests on a permanent foundation or on the ground.

st room: A room containing a water closet or urinal but not a bathtub or shower.

ilation: The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

ctmanlike: Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work.

': An open space on the same lot with a building.

ARTICLE 3

GENERAL REQUIREMENTS

SECTION PM-300.0 GENERAL

PM-300.1 Scope: The provisions of this article shall govern the minimum conditions and standards for maintenance of *structures* and *exterior property*.

PM-300.2 Responsibility: The *owner* of the *premises* shall maintain the *structures* and *exterior property* in compliance with these requirements. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy or use *premises* which do not comply with the requirements of this article.

PM-300.3 Vacant structures and land: All vacant *structures* and *premises* thereof or vacant land shall be maintained in a clean, safe, secure, and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION PM-301.0 EXTERIOR PROPERTY AREAS

PM-301.1 Sanitation: All *exterior property* and *premises* shall be maintained clean, safe, sanitary and free from any accumulation of *rubbish* or *garbage*.

PM-301.2 Grading and drainage: All *premises* shall be graded and maintained to prevent the accumulation of stagnant water thereon, or within any *structure* located thereon.

Exception: Water retention areas and/or reservoirs approved by the code official.

PM-301.3 Sidewalks and driveways: All sidewalks, walkways, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free of hazardous conditions. Stairs shall comply with the requirements of Section PM-302.10.

PM-301.4 Weeds: All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of 10 inches (254 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

I-301.5 Rat harborage: All *structures* and *exterior property* shall be kept free from rat *infestation*. Where rats are found, they shall be promptly *exterminated* by approved processes which will not be injurious to human health. After *extermination*, proper precautions shall be taken to prevent *reinfestation*.

I-301.6 Exhaust vents: Pipes, ducts, conductors, fans, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

I-301.7 Accessory structures: All accessory *structures*, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

I-301.8 Motor vehicles: Except as provided in other regulations, not more than one currently unregistered and/or uninspected motor vehicle shall be parked, kept stored on any property and no vehicle shall at any time be in a state of major disrepair, disrepair, or in the process of being stripped or dismantled.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided such work is performed inside a *structure* or a similarly enclosed area designed and approved for such purposes.

SECTION PM-302.0 EXTERIOR STRUCTURE

-302.1 General: The exterior of a *structure* shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare.

-302.2 Street numbers: Each building to which a street number has been assigned shall have such number displayed in a position easily observed and readable from the public right-of-way. All numbers shall be in arabic numerals at least 3 inches (76 mm) high and 1/2-inch (13 mm) stroke.

-302.3 Structural members: All structural members shall be maintained free from deterioration, and capable of safely bearing the imposed dead and live loads.

-302.4 Foundation walls: All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent entry of rats.

-302.5 Exterior walls: All exterior walls shall be free of holes, breaks, loose setting materials; and maintained weatherproof and properly surface-coated where required to prevent deterioration.

-302.6 Roofs and drainage: The roof and flashing shall be sound, tight, and free of defects which might admit rain. Roof drainage shall be adequate to prevent seepage or deterioration in the walls or interior portion of the building. Roof water shall not be discharged in a manner that creates a *public nuisance*.

-302.7 Decorative features: All cornices, belt courses, corbels, terra cotta trim, facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

GENERAL REQUIREMENTS

PM-302.8 Overhang extensions: All canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a safe and sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

PM-302.9 Chimneys and towers: All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe, sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

PM-302.10 Handrails and guardrails: Every flight of stairs which is more than four risers high shall have a handrail on at least one side of the stair, and every open portion of a stair, landing or balcony which is more than 30 inches (762 mm) above the floor or grade below shall have guardrails. Handrails shall not be less than 30 inches (762 mm) nor more than 42 inches (1067 mm) high, measured vertically above the nosing of the treads. Guardrails shall not be less than 30 inches (762 mm) high above the floor of the landing or balcony. Every handrail and guardrail shall be firmly fastened and capable of bearing normally imposed loads and shall be maintained in good condition.

PM-302.11 Window and door frames: Every window, door and frame shall be kept in sound condition, good repair and weather-tight.

PM-302.11.1 Glazing: All glazing materials shall be maintained free of cracks and holes.

PM-302.11.2 Openable windows: Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

PM-302.12 Insect screens: During the period from [DATE] to [DATE] every door, window and other outside opening used or required for *ventilation* purposes serving any building containing *habitable* rooms, food preparation areas, food service areas, or any areas where products used in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required for out-swinging doors or other types of openings which make screening impractical, provided other approved means, such as air curtains or insect repellent fans are employed.

PM-302.13 Doors: All exterior doors and hardware shall be maintained in good condition. Locks at all entrances to *dwelling units*, *rooming units* and guest rooms shall tightly secure the door.

PM-302.14 Basement hatchways: Every *basement* hatchway shall be maintained to prevent the entrance of rats, mice and surface water.

OCA NATIONAL PROPERTY MAINTENANCE CODE/1990

302.15 Guards for basement windows: Every *basement* window which is able shall be supplied with rat-proof shields, storm windows or other approved protection against the entry of rats.

SECTION PM-303.0 INTERIOR STRUCTURE

303.1 General: The interior of a *structure* and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

303.2 Structural members: The supporting structural members of every building shall be maintained structurally sound, and capable of carrying the imposed loads.

303.3 Interior surfaces: All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling paint, cracked plaster, decayed wood, and other defective surface conditions shall be corrected.

303.4 Lead-based paint: Interior and exterior painted surfaces of dwellings, schools and day care facilities, including fences and outbuildings, that contain in excess of 0.06 percent lead by weight shall be removed or covered in an approved manner. Any surface to be covered shall first be marked with warnings as to the content of such surface.

303.5 Accumulation of rubbish or garbage: The interior of every *structure* shall be free from any accumulation of *rubbish*, or *garbage*.

303.6 Insect and rat harborage: All *structures* shall be kept free from insect and rat infestation. All structures in which insects or rats are found shall be promptly exterminated by approved processes that will not be injurious to human health. For extermination, proper precautions shall be taken to prevent reinfestation.

303.7 Stairs and railings: All interior stairs and railings shall be maintained in good condition and good repair.

303.8 Handrails and guardrails: Every flight of stairs which is more than 48 inches high shall have a handrail on at least one side of the stair, and every open landing of a stair, landing or balcony which is more than 30 inches (762 mm) above floor or grade below shall have guardrails. Handrails shall not be less than 30 inches (762 mm) nor more than 42 inches (1067 mm) high, measured vertically above the nosing of the tread or above the floor of the landing or balcony. Guardrails shall not be less than 30 inches (762 mm) high above the floor of the landing or balcony. Every handrail and guardrail shall be firmly fastened and capable of bearing normally imposed loads and shall be maintained in good condition.

ARTICLE 4

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

SECTION PM-400.0 GENERAL

PM-400.1 Scope: The provisions of this article shall govern the minimum conditions and standards for the light, *ventilation* and space for the occupancy of a *structure*.

PM-400.2 Responsibility: The *owner* of the *structure* shall provide and maintain light, *ventilation* and space conditions in compliance with these requirements. A *person* shall not occupy as *owner-occupant*, or permit another *person* to occupy or use any *premises* that do not comply with the requirements of this article.

PM-400.3 Alternative devices: In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* shall be permitted when complying with the *building code* listed in Appendix A.

SECTION PM-401.0 LIGHT

PM-401.1 Habitable spaces: Every *habitable space* shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total window area, measured between stops, for every *habitable space* shall be 8 percent of the floor area of such room, except in kitchens when artificial light is provided in accordance with the provisions of the *building code* listed in Appendix A. Wherever walls or other portions of a *structure* face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

PM-401.2 Common halls and stairways: Every common hall and stairway, other than in *one-and two-family dwellings*, shall be lighted at all times with at least a 60 watt standard incandescent light bulb or equivalent for each 200 square feet (18.60 m²) of floor area, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). Every exterior stairway shall be illuminated with a minimum of one foot candle (10.76 lux) at floors, landings and treads.

BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

-401.3 Other spaces: All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe use of the space and the appliances, equipment and fixtures.

SECTION PM-402.0 VENTILATION

-402.1 Habitable spaces: Every *habitable space* shall have at least one operable window. The total *operable area* of the window in every room shall be at least 45 percent of the minimum glazed area required in Section PM-401.1.

-402.2 Bathrooms and toilet rooms: Every *bathroom* and *toilet room* shall comply with the *ventilation* requirements for *habitable spaces* as required by Section PM-401.1, except that a window shall not be required in spaces equipped with mechanical *ventilation* system that complies with the following:

1. Air exhausted by a mechanical *ventilation* system from a *bathroom* within a *dwelling unit* shall be exhausted to the exterior and shall not be recirculated to any space, including the space from which such air is withdrawn.
2. Air exhausted by a mechanical *ventilation* system from all other *bathrooms* or *toilet rooms* shall be exhausted to the exterior without recirculation to any space or not more than 85 percent of the exhaust air shall be recirculated where the system is provided effective absorption and filtering equipment complying with the mechanical code listed in Appendix A.

-402.3 Cooking facilities: Unless approved through the certificate of occupancy, cooking shall not be permitted in any *rooming unit* or *dormitory unit*, and a cooking facility or appliance shall not be permitted to be present in a *rooming unit* or *dormitory unit*.

Exception: Where specifically approved in writing by the code official.

-402.4 Process ventilation: Where injurious, toxic, irritating or noxious fumes, gases, dust, or mists are generated, a local exhaust *ventilation* system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

-402.5 Clothes dryer exhaust: Clothes dryer venting systems shall be independent of all other systems and shall be vented in accordance with the manufacturer's recommendations.

SECTION PM-403.0 OCCUPANCY LIMITATIONS

-403.1 Privacy: *Dwelling units*, *hotel units*, *rooming units* and *dormitory units* shall be arranged to provide privacy and be separate from other adjoining spaces.

-403.2 Access from sleeping rooms: Sleeping rooms shall not be used as the primary means of access to other sleeping rooms or *habitable spaces*.

Exception: *Dwelling units* that contain fewer than two bedrooms.

-403.3 Area for sleeping purposes: Every room occupied for sleeping purposes by one *occupant* shall contain at least 70 square feet (6.51 m²) of floor area,

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

and every room occupied for sleeping purposes by more than one *person* shall contain at least 50 square feet (4.65 m²) of floor area for each *occupant* thereof.

PM-403.4 Water closet accessibility: Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom.

PM-403.5 Overcrowding: *Dwelling units* shall not be occupied by more *occupants* than permitted by the minimum occupancy area requirements of Table PM-403.5.

**Table PM-403.5
MINIMUM OCCUPANCY AREA REQUIREMENTS**

Space	Minimum occupancy area in square feet ^b		
	1-2 occupants	3-5 occupants	6 or more
Living room ^a	No requirements	120	150
Dining room ^a	No requirements	80	100
Kitchen	50	50	60
Bedrooms	Shall comply with Section PM-403.3		

Note a. See Section PM-403.6 for combined living room/dining room spaces.

Note b. 1 square foot = 0.093 m².

PM-403.6 Combined spaces: Combined living room and dining room spaces shall comply with the requirements of Table PM-403.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

PM-403.7 Prohibited use: Kitchens, nonhabitable spaces and interior public areas shall not be used for sleeping purposes.

PM-403.8 Minimum ceiling heights: *Habitable* spaces, other than kitchens, shall have a clear ceiling height of not less than 7 feet 4 inches (2235 mm). Hallways, corridors, laundry areas, *bathrooms*, *toilet rooms*, and kitchens shall have a clear ceiling height of not less than 7 feet (2134 mm).

Exceptions

1. Beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height, provided the minimum clear height is not less than 6 feet 8 inches (2033 mm).
2. Dropped or furred ceilings over no more than one-half of the minimum floor area required by this code, provided no part of such dropped or furred ceiling is less than 7 feet (2134 mm) in height.
3. Rooms used exclusively for sleeping, study, or similar uses and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

. *Basement* rooms in *one-and two-family dwellings* used exclusively for laundry, study, or recreation purposes having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts, and similar obstructions.

-403.9 Minimum room widths: A *habitable* room, other than a kitchen, shall be less than 7 feet (2133 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

-403.10 Food preparation: All spaces to be used for food preparation shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

ARTICLE 5

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

SECTION PM-500.0 GENERAL

PM-500.1 Scope: The provisions of this article shall govern the minimum *plumbing* facilities and *plumbing fixtures* to be provided.

PM-500.2 Responsibility: The *owner* of the *structure* shall provide and maintain such *plumbing* facilities and *plumbing fixtures* in compliance with these requirements. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy or use any *structure* or portion thereof or *premises* which does not comply with the requirements of this article.

SECTION PM-501.0 REQUIRED FACILITIES

PM-501.1 Dwelling units: Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located.

PM-501.2 Rooming houses: At least one water closet, lavatory and bathtub or shower shall be supplied for each four *rooming units*.

PM-501.3 Hotels: Where private water closets, lavatories, and baths are not provided, one water closet, one lavatory and one bathtub or shower accessible from a public hallway shall be provided for each ten *occupants*.

PM-501.4 Employee's facilities: Employees shall have a minimum of one water closet, one lavatory and one drinking facility available for use.

PM-501.4.1 Drinking facilities: Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler, or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in *toilet rooms* or *bathrooms*.

SECTION PM-502.0 TOILET ROOMS

PM-502.1 Privacy: *Toilet rooms* and *bathrooms* shall provide privacy and shall not be used as the only passageway to a hall or other space, or to the exterior.

BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

M-502.2 Location: *Toilet rooms and bathrooms serving hotel units, rooming units, or dormitory units, shall be accessible by traversing not more than one flight of stairs and be accessible from a common hall or passageway.*

M-502.3 Location of employee toilet facilities: Toilet facilities shall be accessible within the employees' regular working area. The path of travel to the facilities shall not exceed a travel distance of 500 feet (152m) or traverse more than one flight of stairs. Employee facilities shall either be separate facilities or public customer facilities.

Exception: Facilities required for employees in storage buildings or kiosks located in adjacent buildings under the same *ownership, lease, or control*, shall be a maximum distance of travel of 500 feet (152 m) from the employees' regular working area to the facilities.

SECTION PM-503.0 PLUMBING FIXTURES

M-503.1 General: All *plumbing fixtures* shall be properly installed and maintained in working order and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such *plumbing fixtures* are designed. All *plumbing fixtures* shall be maintained in a safe, sanitary and usable condition.

M-503.2 Fixture clearances: *Plumbing fixtures* shall have adequate clearances for use and cleaning.

SECTION PM-504.0 WATER SYSTEM

M-504.1 General: Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other *plumbing fixture* shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water.

M-504.2 Contamination: The water supply shall be maintained free from contamination and all water inlets for *plumbing fixtures* shall be located above the flood level rim of the fixture. Shampoo basin faucets, janitor sink faucets, and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

M-504.3 Supply: The water supply system shall be installed and maintained to provide a supply of water to *plumbing fixtures*, devices, and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free of defects and leaks.

M-504.4 Water heating facilities: Water heating facilities shall be properly installed, maintained, and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110 degrees F. (43 degrees C.). A gas-burning water heater shall be located in a room other than a room for

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

mally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

SECTION PM-505.0 SANITARY DRAINAGE SYSTEM

PM-505.1 General: All *plumbing fixtures* shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

PM-505.2 Maintenance: Every *plumbing stack, vent, waste and sewer line* shall function properly and be kept free from obstructions, leaks and defects.

SECTION PM-506.0 STORM DRAINAGE

PM-506.1 General: Drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall not be discharged in a manner that creates a *public nuisance*.

ARTICLE 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

SECTION PM-600.0 GENERAL

PM-600.1 Scope: The provisions of this article shall govern the minimum mechanical and electrical facilities and equipment to be provided.

PM-600.2 Responsibility: The *owner* of the *structure* shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy or use any *premises* which does not comply with the requirements of this article.

SECTION PM-601.0 HEATING FACILITIES

PM-601.1 Residential buildings: Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of 65 degrees F. (18 degrees C.) at a level of 3 feet (914 mm) above the floor and a distance of 3 feet (914 mm) from the exterior walls in all *habitable* rooms, *bathrooms* and *toilet rooms* based on the outside design temperature required for the locality by the mechanical code listed in Appendix A.

Every *owner* and *operator* of any building who rents, leases or *lets* one or more *dwelling unit*, *rooming unit*, *dormitory* or guest room on terms, either express or implied, to furnish heat to the *occupants* thereof shall supply sufficient heat during the period from [DATE] to [DATE] to maintain a room temperature of not less than 65 degrees F. (18 degrees C.) in all *habitable* rooms, *bathrooms* and *toilet rooms* during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 60 degrees F. (16 degrees C.) during other hours. The temperature shall be measured at a point 3 feet (914 mm) above the floor and 3 feet (914 mm) from the exterior walls. When the outdoor temperature is below the outdoor design temperature required for the locality by the mechanical code listed in Appendix A, the *owner* or *operator* shall not be required to maintain the minimum room temperatures, provided the heating system is operating at full capacity, with supply valves and dampers in a full open position.

PM-601.2 Nonresidential structures: Every enclosed occupied work space shall be supplied with sufficient heat during the period from [DATE] to [DATE] to main-

THE BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

tain a temperature of not less than 65 degrees F. (18 degrees C.) during all working hours. The temperature shall be measured at a point 3 feet (914 mm) above the floor and 3 feet (914 mm) from the exterior walls.

Exceptions

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which *persons* are primarily engaged in vigorous physical activities.

PM-601.3 Cooking and heating equipment: All cooking and heating equipment, components, and accessories in every heating, cooking, and water heating device shall be properly installed and maintained free from leaks and obstructions.

PM-601.4 Mechanical equipment: All mechanical equipment shall be properly installed and maintained in safe working condition, and capable of performing the intended function.

PM-601.4.1 Flue: All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances that are labeled for unvented operation.

PM-601.4.2 Clearances: All required clearances to combustible materials shall be maintained.

PM-601.4.3 Safety controls: All safety controls for fuel-burning equipment shall be maintained in effective operation.

PM-601.4.4 Combustion air: A supply of air for complete combustion of the fuel and for *ventilation* of the space shall be provided for the fuel-burning equipment.

PM-601.4.5 Energy conservation devices: Devices purporting to reduce fuel consumption by attachment to a fuel appliance, to the fuel supply line thereto, or the vent outlet or vent piping therefrom shall not be used unless labeled for such use and the installation is specifically approved.

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PM-601.5 Fireplaces: Fireplaces and solid fuel-burning appliances shall be properly installed and maintained in a safe working condition.

SECTION PM-602.0 ELECTRICAL FACILITIES

PM-602.1 Facilities required: Every building used for human occupancy shall be provided with an electrical system in-compliance with the requirements of Sections PM-602.1.1 through PM-602.2.

PM-602.1.1 Receptacles: Every *habitable space* in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded type receptacle. Every *bathroom* shall contain at least one receptacle.

MECHANICAL AND ELECTRICAL REQUIREMENTS

PM-602.1.2 Lighting fixtures: Every public hall, interior stairway, water closet compartment, *bathroom*, laundry room and furnace room shall contain at least one electric lighting fixture.

PM-602.1.3 Service: The size and usage of appliances and equipment shall be used as a basis for determining the need for additional facilities in accordance with NFPA 70 listed in Appendix A. Every dwelling shall be served by a main service which is not less than 60 ampere, three wire.

PM-602.2 Installation: All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

PM-602.3 Electrical system hazards: Where it is found that the electrical system in a *structure* constitutes a hazard to the *occupants* or the *structure* by reason of inadequate service, improper fusing, insufficient outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

SECTION PM-603.0 ELEVATORS, ESCALATORS AND DUMBWAITERS

PM-603.1 General: Elevators, dumbwaiters, and escalators shall be maintained to safely sustain imposed loads, to operate properly, and to be free of physical and fire hazards.

PM-603.2 Elevators: In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

ARTICLE 7

FIRE SAFETY REQUIREMENTS

SECTION PM-700.0 GENERAL

PM-700.1 Scope: The provisions of this article shall govern the minimum conditions and standards for fire safety relating to *structures* and exterior *premises*, including fire safety facilities and equipment to be provided.

PM-700.2 Responsibility: The *owner* of the *premises* shall provide and maintain such fire safety facilities and equipment in compliance with these requirements and the fire prevention code listed in Appendix A. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy or use any *premises* that do not comply with the requirements of this article.

SECTION PM-701.0 MEANS OF EGRESS

PM-701.1 General: A safe, continuous and unobstructed means of egress shall be provided from the interior of a *structure* to a public way.

PM-701.2 Locked doors: All doors in the required means of egress shall be readily *openable* from the inner side without the use of keys, except as provided in the *building code* listed in Appendix A. Exits from *dwelling units*, *rooming units*, guest rooms, and *dormitory* units shall not lead through other such units, or through *toilet rooms* or *bathrooms*.

PM-701.3 Exit signs: All means of egress shall be indicated with approved exit signs where required by the *building code* listed in Appendix A. All exit signs shall be maintained visible and all illuminated exit signs shall be illuminated at all times that the building is occupied.

PM-701.4 Number of exits: In nonresidential buildings, every story used for human occupancy more than six stories above grade shall be provided not less than two independent exits. In residential buildings every story exceeding two stories above grade shall be provided not less than two independent exits. In stories where more than one exit is required, all *occupants* shall have access to at least two exits. Every story used for human occupancy totally below grade greater than 2,000 square feet shall be provided not less than two independent exits.

OCA NATIONAL PROPERTY MAINTENANCE CODE/1990

Exceptions: A single exit is acceptable under any one of the following conditions:

- Where the building is equipped throughout with an automatic fire suppression system and an automatic fire alarm system with smoke detectors located in all corridors, lobbies and common areas, or;
- Where the building is provided with an automatic fire alarm system and the exit is a smokeproof enclosure or pressurized stairway, or;
- Where an existing fire escape conforming to the *building code* listed in Appendix A is provided in addition to the single exit.
- In stories that require only one exit in accordance with the requirements of the *building code* listed in Appendix A.
- In buildings of Use Group R-3.

-701.5 Exit capacity: The capacity of the exits serving a floor shall be sufficient for the occupant load thereof as determined by the *building code* listed in Appendix A.

-701.6 Corridor enclosure: All corridors serving an occupant load of greater than 30 and openings therein shall provide an effective smoke barrier. All transoms, screens, doors and other openings shall be closed or shall be self-closing.

Exception: Corridors which are in compliance with the *building code* listed in Appendix A.

-701.7 Dead-end travel distance: All corridors which serve more than one exit shall provide direct connection to such exits. The length of a dead-end corridor shall not exceed 35 feet (10668 mm) where the building is not equipped throughout with an automatic fire suppression system. The dead-end travel distance limitation shall be increased to 70 feet (21336 mm) where the building is equipped throughout with an automatic fire suppression system.

-701.8 Emergency escape: Every sleeping room located in a *basement* shall have at least one openable window or exterior door approved for emergency egress rescue; or shall have access to not less than two approved independent exits.

Exception: Buildings equipped throughout with a complete automatic fire suppression system.

-701.9 Aisles: In all mercantile occupancies, aisleways shall have a minimum unobstructed clearance of 44 inches (1118 mm) where serving an occupant load of greater than 50, and 36 inches (914 mm) where serving an occupant load of not greater than 50.

-701.10 Information signs: A sign shall be provided at each floor landing in interior stairways more than three stories above grade, designating the floor level above the floor of discharge. All elevator lobby call stations on all floor levels in buildings more than 75 feet (22860 mm) above the lowest level of fire department access shall be marked with approved signs reading as follows: "Use Stairways in Case of Fire — Do Not Use Elevators."

SECTION PM-702.0 ACCUMULATIONS AND STORAGE

PM-702.1 Accumulations: *Rubbish, garbage* or other materials shall not be stored or allowed to accumulate in stairways, passageways, doors, windows, fire escapes, or other means of egress.

PM-702.2 Hazardous material: Combustibles, flammable, explosive or other hazardous material, such as paints, volatile oils and cleaning fluids, or combustible *rubbish*, such as waste paper, boxes and rags, shall not be accumulated or stored unless such storage complies with the applicable requirements of the *building code* and the *fire prevention code* listed in Appendix A.

SECTION PM-703.0 FIRERESISTANCE RATINGS

PM-703.1 General: The fire-resistance rating of floors, walls, ceilings, and other elements and components shall be maintained.

PM-703.2 Maintenance: All required fire-resistance rated doors or smoke barriers shall be maintained in good working order, including all hardware necessary for the proper operation thereof. The use of door stops, wedges and other unapproved hold-open devices is prohibited.

SECTION PM-704.0 FIRE PROTECTION SYSTEMS

PM-704.1 General: All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in proper operating condition at all times.

PM-704.2 Fire suppression system: Fire suppression systems shall be maintained in good condition and free from mechanical injury. Sprinkler heads shall be maintained clean, free of corrosion, paint, and damage.

PM-704.3 Standpipe systems: Hose connections shall be identified and accessible. The hose shall be in proper position, ready for operation, dry, and free of deterioration.

PM-704.4 Fire extinguishers: All portable fire extinguishers shall be visible, accessible, and shall be maintained in an efficient and safe operating condition.

PM-704.5 Smoke detectors: All residential occupancies shall be provided with a minimum of one approved single-station smoke detector in the sleeping area, guest room or suite of a *hotel, motel, lodging house, boarding house or dwelling unit*. The detectors shall be located in accordance with the *building code* listed in Appendix A. When actuated, the smoke detector shall provide an alarm suitable to warn the *occupants* within the individual room or unit.

PM-704.5.1 Tampering: Anyone tampering or interfering with the effectiveness of a smoke detector shall be in violation of this code.

ARTICLE 8

RESPONSIBILITIES OF PERSONS

SECTION PM-800.0 GENERAL

PM-800.1 Scope: The provisions of this article shall govern the responsibilities of *persons* for the maintenance of *structures*, equipment, and *exterior property*.

SECTION PM-801.0 SANITARY CONDITION

PM-801.1 Cleanliness: Every *occupant* of a *structure* shall keep that part of the *structure* and *exterior property* which such *occupant* occupies, controls, or uses in a clean and sanitary condition. Every *owner* of a *structure* containing a *rooming house*, a *hotel*, a *dormitory*, two or more *dwelling units*, or two or more nonresidential occupancies shall maintain, in a clean and sanitary condition, the shared or public areas of the *structure* and *exterior property*.

PM-801.2 Disposal of rubbish: Every *occupant* of a *structure* shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in approved containers.

PM-801.3 Disposal of garbage: Every *occupant* of a *structure* shall dispose of *garbage* in a clean and sanitary manner by placing such *garbage* in an approved garbage disposal facility or approved *garbage* containers.

PM-801.4 Garbage facilities: The *owner* of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each *dwelling unit*, an approved incinerator unit in the *structure* for the use of the *occupants* in each *dwelling unit*, or an approved leakproof, covered outside *garbage* container.

PM-801.4.1 Containers: The operator of every establishment producing *garbage* shall provide, and at all times cause to be used, leakproof approved containers provided with closefitting covers for the storage of such materials until removed from the *premises* for disposal.

PM-801.5 Rubbish storage facilities: The *owner* of every occupied *premises* shall supply approved covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish*.

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OCA NATIONAL PROPERTY MAINTENANCE CODE/1990

SECTION PM-802.0 EXTERMINATION

802.1 Owner: The *owner* of any *structure* shall be responsible for *extermination* within the *structure* prior to renting or leasing the *structure*.

802.2 Occupant: The *occupant* of any *structure* shall be responsible for the *inured ratproof* condition of the *structure*, and if the *occupant* fails to maintain *atproof* condition, the cost of *extermination* shall be the responsibility of the *tenant*.

802.3 Single occupancy: The *occupant* of a *structure* containing a single *dwelling unit* or of a single nonresidential *structure* shall be responsible for the *extermination* of any insects, rats or other pests on the *premises*.

802.4 Multiple occupancy: The *owner* of a *structure* containing two or more *dwelling units*, a multiple occupancy, a *rooming house*, or nonresidential *structure* shall be responsible for the *extermination* of any insects, rats or other pests in the *public* or shared areas of the *structure* and *exterior property*. When *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, *occupants* shall be responsible for *extermination*.

ARTICLE 9

HAZARD ABATEMENT IN EXISTING BUILDINGS

SECTION PM-900.0 GENERAL

PM-900.1 Scope: The provisions of this article are intended to provide a reasonable degree of safety to *persons* occupying existing buildings that do not conform to the minimum requirements of the *building code* listed in Appendix A by requiring alterations to such existing buildings as provided for in this article.

PM-900.2 Application of other codes: All alterations to an existing building which are caused directly or indirectly by the enforcement of this code shall be done in accordance with the applicable procedures and provisions of the *building code*, plumbing code, mechanical code and NFPA 70 listed in Appendix A.

PM-900.3 Continued maintenance: All service equipment, means of egress devices and safeguards which are required by this article or which were required by a previous statute or another code in a building or *structure* when erected, altered or repaired shall be maintained in good working order. The requirements of this article are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing buildings. These requirements are intended to require existing buildings that do not comply with these provisions to be altered to provide a minimum level of safety as required herein.

PM-900.4 Alternative methods and systems: The provisions of this article are not intended to exclude the acceptance and approval of alternative methods and systems where such alternative methods and systems provide equivalent safety to the *occupants* of the existing buildings.

PM-900.5 Responsibility: The *owner* of the existing building or *structure* shall provide and maintain such facilities, equipment and systems in compliance with these requirements and the fire prevention code listed in Appendix A.

SECTION PM-901.0 ELEVATOR RECALL

PM-901.1 Required: All elevators having a travel distance of 25 feet (7620 mm) or more above or below the primary level of elevator access for emergency firefighting or rescue personnel shall conform to the requirements of Rule 211.3 of

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BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

SECTION PM-902.0 MECHANICAL EQUIPMENT CONTROL

PM-902.1 Smoke and heat detection: Each recirculating air or exhaust system serving more than one floor in buildings that exceed six stories in height shall be equipped with approved smoke and heat detection devices in accordance with the mechanical code listed in Appendix A. The devices shall stop the fan(s) automatically and shall be of the manual reset type. Automatic fan shutdown is not required when the system is part of an approved smoke removal or control system.

APPENDIX A

REFERENCED STANDARDS

The following is a listing of the standards referenced in this code, the effective date of the standard, the promulgating agency of the standard and the section(s) of this code that refer to the standard.

ASME American Society of Mechanical Engineers
345 East 47th Street
New York, New York 10017

Standard reference number	Title	Referenced in code Section number
A17.1 — 87	Safety Code for Elevators and Escalators	PM-901.1

BOCA Building Officials and Code Administrators
4051 West Flossmoor Road
Country Club Hills, Illinois 60478-5795

Standard reference number	Title	Referenced in code Section number
NBC — 90	BOCA National Building Code	PM-102.1 PM-200.3, PM-400.3, PM-401.1, PM-701.2, PM-701.3, PM-701.4, PM-701.5, PM-701.6, PM-702.2, PM-704.5, PM-900.1, PM-900.2
NMC — 90	BOCA National Mechanical Code	PM-102.1 PM-200.3, PM-402.2, PM-601.1, PM-900.2, PM-902.1
NPC — 90	BOCA National Plumbing Code	PM-102.1 PM-200.3, PM-201.0, PM-900.2
NFPC — 90	BOCA National Fire Prevention Code	PM-700.2 PM-702.2, PM-900.5

NFPA National Fire Protection Association
Batterymarch Park
Quincy, Massachusetts 02269

Standard reference number	Title	Referenced in code Section number
70 — 90	National Electric Code	PM-602.1.3 PM-900.2

APPENDIX B

LEGAL NOTES

A code is a legislative instrument and therefore, legal and administrative aspects of the code are influenced by court decisions in cases brought to trial. The code herein lists some of these legal notes.

B.1 Enforcement

The Supreme Court of the United States in *Queenside Realty v. City of New York* (328 U.S. 80-85) affirmed previous rulings of the Court of Appeals of the State of New York, Appellate Division of the Supreme Court and the Supreme Court at Special Term in New York County which upheld the validity of a 1944 statute requiring the installation of sprinkler systems in existing lodging houses on nonfireproof construction (see same case below, 294 N.Y. 917, 63, N.E. 2d 116, 295 N.Y. 567, 64 N.E. 2d 278, aff'g. 269 App. Div. 691, 54 N.Y.S. 2d 394). The appellant alleged that the building was safe for occupancy as a lodging house, and did not constitute a fire hazard or a danger to the occupants; that it complied with all building laws and regulations at the time of its construction; that part of it was fireproof and that the rest was constructed so as not to be dangerous to occupants; that the regulations existing prior to 1944 were adequate and sufficient to prevent loss of life in lodging houses of this particular type. It was further alleged that this lodging house had a market value of about \$25,000, that the cost of complying with the 1944 law would be about \$7,500; and that the benefits to be obtained by the changes were negligible. By reason of those circumstances, the 1944 law was alleged to violate the due process clause of the Fourteenth Amendment. It was also alleged to violate the equal protection clause of the Fourteenth Amendment since it was applicable to lodging houses "existing" prior to the 1944 law, but not to identical structures erected thereafter. Appellee answered, denying the material allegations of the bill, and moved to dismiss. The Supreme Court granted the motion. The Appellate Division affirmed without opinion (269 App. Div. 691, 54 N.Y.S. 2d 394). On appeal to the Court of Appeals, the judgment was likewise affirmed without opinion (294 N.Y. 917 63 N.E. 2d 116). The case is here on appeal, the Court of Appeals having certified by its remitter that questions involving the Fourteenth Amendment were presented and necessarily passed upon (295 N.Y. 567, 64 N.E. 2d 278). The opinion of the court included the following eight headnotes.

1. The courts are not concerned with the wisdom of legislation or the need of it.
2. State legislation requiring the installation of sprinkler systems in buildings of non-fireproof construction used as lodging houses does not violate the equal protection clause of the Fourteenth Amendment even as applied to a building that is largely, though not entirely, fireproof and safeguarded by a fire alarm system, constant watchman service, or other safety arrangements.
3. The owner of a building does not acquire immunity against exercise of the police power in respect thereof because he constructed it in full compliance with the existing laws.
4. The police power is one of the least limitable of the governmental powers, and in its operation often cuts down property rights.

BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

- So long as the legislature has power to deal with the prescribed class, a statute may be sustained though some of the objects affected by it may be wholly innocent.
- A statute requiring the installation of a sprinkler system in existing lodging houses of nonfireproof construction does not violate the equal protection clause of the Fourteenth Amendment because it is inapplicable to buildings subsequently erected for, or subsequently converted into, lodging houses, where it is not shown that there are in existence lodging houses of that category which will escape the law.
- The legislature is entitled to hit an evil that exists, and need not take into account new and hypothetical inequalities that may come into existence as time passes or as conditions change.
- Lack of equal protection is found in the actual existence of an invidious discrimination, not in the mere possibility that there will be like or similar cases which will be treated more leniently.

1 Single family dwellings

enforcement of housing code regulations in the area of single family, owner-occupied dwellings has been held to be constitutional, as long as a valid power objective is comprehended within the jurisdiction enforcing the code. A city ordinance, which required a permit before the owner of a single family, owner-occupied home could legally bring a portable plastic swimming pool onto the property was declared constitutional by the Illinois Supreme Court. The court pointed out that municipalities may properly impose restrictions upon individual property owners where these are necessary for the protection of the public health, safety or welfare. It is only where the regulations objected to do not bear upon such an end that there may be a lack of due process of law or denial of equal protection under the law. *Palangio v. City of Chicago*, 23 Ill. 2d 570, 179 N.E. 2d 633 (1962). The New York Court of Appeals applied similar reasoning to enforce a requirement of a permit against the owner of a single family house who sought to park and maintain a house trailer on her premises. *People v. Perle*, 206 Misc. 2d 244, 132 N.Y.S. 2d 693 (1954) Aff'd. 309 N.Y. 866, 132 N.E. 2d 284 (1955).

Responsibility of owners and occupants

Len v. City of Milwaukee, 8 Wisc. 2d 318, 99 N.W. 2d 156 (1959); *Paquett v. City of Fall River*, 338 Mass. 368, 155 N.E. 2d 775 (1959); *Richards v. City of Columbia*, 227 S.C. 538, 132 S.E. 2d 683 (1955).

Basic equipment and facilities

A city ordinance requiring each dwelling to be equipped with an inside bathroom including toilet, lavatory, basin, bathtub and/or shower connected to hot and cold water lines, with electric heating facilities, and connected to a public sewer, was upheld. *Louisville v. Thompson*, 196 Ky. App. 339 S.W. 2d 869 (1960). The court held that legislation that is otherwise reasonable does not necessarily become unreasonable because it may require repair, improvement, or even removal of existing equipment in order to comply with it.

Contra: *Early Estates, Inc. v. Housing Board of Review*, 93 R.I. 277, 174 A. 2d 117 (1961). In *City of Providence* was authorized under state law to enact minimum housing standards. A city ordinance which established such standards required a rear hallway light in a tenement's three story tenement and was held a valid exercise of the police power by the Supreme Court of Rhode Island, but a section requiring the installation of hot water facilities in a third floor tenement was held to be invalid, and in excess of statutory authority, to require facilities related to "uncleanliness" of dwellings and which were needed to make such dwellings "fit for human habitation."

B.3.1 Health-related criteria

Basic Principles of Healthful Housing, 2nd edition, 1971, American Public Health Association, Washington, D.C., (see Principles 16 through 19).

Paquett v. City of Fall River, 338 Mass. 368 155 N.E. 2d 775 (1959); *Louisville v. Thompson*, (Ct. App. Ky.) 339 S.W. 2d 869 (1960); *Boden v. City of Milwaukee*, 8 Wisc. 2d 318, 99 N.W. 2d 156 (1959); *Richards v. City of Columbia*, 227 S.C. 538, 88 S.E. 2d 683 (1955); *City of Newark v. Charles Realty Co.*, 9 N.J. Super. 442, 74 A. 2d 630 (1950).

An ordinance requiring the removal of privy vaults and the substitution of water closets was held within the power of St. Louis under the scope of the police power doctrine. *City of St. Louis v. Nash* (S. Ct. Mo.) 260 S.W. 985 (1924). In *Paquette v. City of Fall River*, 338 Mass. 368, 155 N.E. 2d 775 (1959), the Supreme Judicial Court of Massachusetts upheld a city ordinance requiring inspection for provision of hot water, window screens and certain standards of electrical services, toilet facilities, and floor space. These provisions were stated to be clearly within the scope of the police power.

The Colorado Supreme Court affirmed the ruling of a lower court which declared that a Denver ordinance which applies standards of sanitation and cleanliness, heating and electrical facilities, maintenance of buildings, floor space, height of basement ceilings, and maximum number of persons allowed to use bathroom facilities constitutional, though having a retrospective effect and delegating authority to an executive department. *Apple v. City and County of Denver*, 390 P. 2d 91 (1964).

B.4 Light and ventilation

The Colorado Supreme Court affirmed the ruling of a lower court which declared that a Denver ordinance which applied standards of sanitation and cleanliness, heating and electrical facilities, maintenance of buildings, floor space, height of basement ceilings, and maximum number of persons allowed to use bathroom facilities constitutional, though having a retrospective effect and delegating authority to an executive department. *Apple v. City and County of Denver*, 390 P. 2d 91 (1964); *Boden v. City of Milwaukee*, 8 Wisc. 2d 318, 99 N.W. 2d 156 (1959); *Richards v. City of Columbia*, 227, S.C. 538, 88 S.E. 2d 683 (1955).

B.5 Maintenance of interior

Replaster: *Boden v. City of Milwaukee*, 8 Wisc. 2d 318, 99 N.W. 2d 156 (1959); *City of Newark v. Charles Realty Co.*, 9 N.J. Super. 442, 74 A. 2d 630 (1950). Repaint: *Paquette v. City of Fall River*, 338 Mass. 368, 155 N.E. 2d 775 (1959); *City of Newark v. Charles Realty Co.*, 9 N.J. Super. 442, 74 A. 2d 630 (1950).

B.6 Space, use and location requirements

The Colorado Supreme Court affirmed the ruling of a lower court which declared that a Denver ordinance which applied standards of sanitation and cleanliness, heating and electrical facilities, maintenance of buildings, floor space, height of basement ceilings, and maximum number of persons allowed to use bathroom facilities constitutional, though having a retrospective effect and delegating authority to an executive department. *Apple v. City and County of Denver*, 390 P.2d 91 (1964); *Paquette v. City of Fall River*, 338 Mass. 368, 155 N.E. 2d 775 (1959).

B.6.1 Health-related criteria

Housing Programmes; The Role of Public Health Agencies, World Health Organization (Geneva), Public Health Papers No. 25., pp. 100-102, 1964.

THE BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

Calhoun, J.B. "Population density and social pathology," *Scientific American*, 32 (206), pp. 139-146, 1962.

Christian, J.J., "Phenomena associated with population density," *Proceedings of the National Academy of Science*, 47; pp. 429-449, 1961.

Loring, W.C., "Housing characteristics and social disorganization," *Journal of Social Problems*, 3:3, Jan., 1956.

Gruenberg, E.M., "Community conditions and psychoses of the elderly," *American Journal of Psychiatry*, 110, (12), pp. 888-903, June, 1954.

McBriety v. City of Baltimore, 219 Md. 223, 148, 148 A.2d 408 (1959).

In *Richards v. City of Columbia*, 227 S.C. 538, 88 S.E. 2d 683 (1955), the South Carolina Supreme Court affirmed a lower court judgment that a city ordinance requiring alteration, repair, or destruction of houses deemed unfit for human habitation, and containing a list of standards for decision was not invalid as an arbitrary exercise of police power, except for portion declaring that the rehabilitation director or commission could determine which houses were unfit for human habitation without legislative direction. Plaintiff landowner's injunction therefore failed.

B.7 Inspections

The decisions of the United States Supreme Court in *Camara v. Municipal Court of San Francisco*, 387 U.S. 523 (1967), and *See v. City of Seattle*, 387 U.S. 541 (1967), have made clear that housing code and sanitary inspections of nonpublic areas in dwelling or business premises are "searched" within the meaning of the Fourth Amendment of the U.S. Constitution and, unless consented to, can only be conducted or compelled under a search warrant procedure.

Under these holdings, the occupant of premises who refuses to permit an inspection of nonpublic areas for which a warrant has not been obtained may not be punished for such a refusal. (For a more detailed discussion of the holdings in these cities and their administrative implications, see: Edelman, S., "Search warrants and sanitation inspections — The new look in enforcement", *American Journal of Public Health*, 58(5), 930, 1968: 45 *Denver Law Journal* 296, 1968).

An ordinance provides for the seeking of a cease and desist order when an inspector is refused entry. There is a lack of legal authority in most states for the issuance of a search warrant in connection with proceedings other than those of a criminal nature.

The use of a court order is intended to meet the requirements of the Supreme Court holdings (i.e., that there be reference of the question of entry to an impartial magistrate) pending change in state law which a requirement that an administrative warrant or order issue would necessitate in most jurisdictions.

B.8 Notice of violation

Such notice is intended to comply with constitutional requirements of due process, as was stated in *Hoehamer v. Village of Elmwood Park*, 361 Ill. 423, 198 N.E. 345 (1932): "An orderly proceeding in which a person is served with notice, actual or constructive, and has an opportunity to be heard and to protect and enforce his rights before a court with power to hear and determine the cause, is due process of law."

Questions discussed in the previous note on inspections are present in the area of reinspections and in initial inspections of a tenant's rooms

a search, where the penalties to be imposed are of a criminal or quasi-criminal nature. (See *Chapman v. United States*, 365 U.S. 610 (1961), where a landlord gave police officers entry to a defendant's rented house wherein he maintained an illegal still. The evidence obtained in the search was declared inadmissible by the Supreme Court. Where the obligation to be enforced is that of the landlord as opposed to the tenant, the landlord's consent to inspection of the tenant's dwelling, dwelling unit or rooming unit is, of course, binding upon him.)

B.9 Penalties

Civil penalties are proposed in lieu of the more common criminal sanctions. This gives implementation to the recommendations of Judah Gribetz and Frank P. Grad in "Housing Code Enforcement — Sanctions and Remedies," 66 *Columbia Law Review* 1254, 1966. The inadequacy and historically demonstrable failure of the criminal sanction and the plan for a shift toward a cumulative civil penalty are reflected in this article.

B.10 Repair

Repair is designed to replace the more common remedies of placarding, vacation of the premises and receivership. Its advantages lie in the fact that tenants in repairable multiple dwellings need not be forced to look for other lodgings and that the jurisdiction need not involve itself as a landlord, with buildings to manage awaiting repairs. The cost of repairs is met both by a potential civil action and through the mechanism of the revolving fund.

Authority for a city under the police power to require private action for repair and to recover the cost of work done if the individual required to make the improvement does not act has long been upheld, although it has not been invoked frequently in recent cases. (See *City of Independence v. Purdy*, 46 Iowa 202 (1877), where the city filled in a defendant's stagnant pond and was allowed to recover the cost in a private action. The authorization for civil recovery of such costs eliminates the long delay which is attendant when liens are imposed on property, since these are mere clouds on title, to be paid at that indefinite time in the future when the property is transferred.)

B.11 Demolition

It is a well settled law that municipal ordinances may provide for the condemnation of buildings failing to comply with their provisions. (See *City of Nashville v. Weakley*, 170 Tenn. 278, 95 S.W. 2d 37 (1936), in which it was held, among other things, that a property owner has a duty to keep property in such a state of repair so as not to endanger the public, and when the property owner fails in such duty, the municipality may perform demolition at the owner's expense.)

The provisions prohibiting an owner from permitting reoccupation of a voluntarily vacated dwelling, dwelling unit or rooming unit in a structure scheduled for demolition represents an attempt to protect occupants from dangerous conditions, but does not apply the traditional and harsher condition that the structure be vacated forthwith at the time at which the demolition order is issued. This is an attempt to balance the need of the tenant to find other accommodations with the need to protect the public health, safety and welfare.

The provisions requiring that the excavation left when an unfit structure has been removed be filled in is an obvious, but often neglected means of protecting the public health and safety.

APPENDIX C

METRIC EQUIVALENTS

- 1 inch equals 25.4 millimeters
- 1 foot equals 304.8 millimeters
- 1 square inch equals 645.16 square millimeters
- 1 square foot equals 0.093 square meters
- 1 cubic foot equals 0.028 cubic meters
- 1 cubic yard equals 0.765 cubic meters
- 1 gallon equals 0.00379 cubic meters
- 1 pound (avdp.) equals 0.454 kilograms
- 1 ton equals 0.907 metric ton or 907.2 kilograms
- 1 pound per square inch equals 6.895 kilo-Pascals or 0.000703 kilogram per square millimeter
- 1 pound per foot equals 1.489 kilograms per meter
- 1 pound per square foot equals 47.88 Pascals or 4.882 kilograms per square meter
- 1 pound per cubic foot equals 16.02 kilograms per cubic meter
- 1 foot per minute equals 0.00508 meters per second
- 1 inch per ton equals 0.028 millimeters per kilogram
- 1 cubic foot per square foot equals 0.301 cubic meters per square meter
- 1 gallon per minute per square foot equals 0.00068 cubic meters per second per square meter
- 1 gallon per minute equals 0.0000631 cubic meters per second
- 1 mile per hour equals 0.447 meters per second
- 1 cubic foot per minute equals 0.0004719 cubic meter per second
- 1 foot candle equals 10.764 lux
- 1 inch water column (at 60 degrees F.) equals 248.84 Pascals
- 1 ton per square foot equals 9765 kilograms per square meter
- 1 degree (angle) equals 0.01745 radian
- 1 Btu per hour per square foot per degree F. equals 5.678 Watts per square meter per degree K
- 1 Btu per hour equals 0.2931 Watt
- 1 Btu per cubic foot equals 10.468 Watts per cubic meter
- Temperature (degrees C.) equals [temperature (degrees F.) -32] divided by 1.8
- 1 degree F. per minute equals 0.00926 degrees C. per second

INDEX

By section number

A

Above grade, PM-701.8
Accepted engineering practice, PM-104.8
Access
 By owner, PM-104.5
 Egress, PM-701.0
 Fire extinguishers, PM-704.4
 From sleeping rooms, PM-403.2
 Plumbing fixtures, access for cleaning, PM-503.2
 Standpipes, PM-704.3
 To public way, PM-701.1
 Water closet, PM-502.2
 Water closets as passageway, PM-502.1
Adjacent
 Exhaust vents, PM-301.6
 Privacy (Hotel units, lodging units), PM-403.1
Administration
 Scope, PM-100.2
Agent
 Access to premises, PM-104.5
 Demolition order, PM-110.3
 Extermination, PM-802.4
Air
 Combustion air, PM-601.4.4
Aisles
 Minimum width, PM-701.9
Alteration
 Applicability of building code, PM-102.1
 Condemnation, PM-105.1
 Existing structures, PM-102.1
 Inspection, PM-104.3
 Prosecution, PM-109.3
 Unlawful acts, PM-109.1
Anchor
 Architectural trim, PM-302.7
 Signs, marquees, and awnings, PM-302.8
Appeal
 Appeals board, PM-111.2;
 Financial interest, PM-111.2.3
 Hearing, emergency orders, PM-108.6
 Membership, PM-111.2.1
 Petition, PM-111.1
 Records, PM-111.3
 Right to appeal, PM-111.1
 Vote, PM-111.2.2
Appliance
 Light, PM-401.3
 Ventilation, PM-402.3
Approval
 Alternatives, PM-103.5, PM-900.4
 Authority, PM-103.0
 Modifications, PM-103.2
Approved
 Cooking and heating equipment, PM-601.3
 Definition, PM-201.0
 Energy conservation devices, PM-601.4.5
 Fireplaces, PM-601.5
 Garbage storage facilities, PM-801.4
 Insect screens, PM-302.12
 Installation, electrical facilities, PM-602.2
 Light, habitable rooms, PM-401.1
 Maintenance of plumbing fixtures, PM-503.1
 Required plumbing facilities, PM-501.0
 Rubbish storage facilities, PM-801.5
 Storage, PM-702.2
 Storm drainage, PM-506.1
 Structural members, PM-303.2
 Ventilation, toilet rooms, PM-402.2
Architectural, architect
 Structural members, PM-303.2

Trim, PM-302.7
Artificial
 Lighting of habitable rooms, PM-401.1
 Lighting of other rooms, PM-401.3
Automobile
 Motor vehicles, PM-301.8
Awning
 Signs, marquees and awnings, PM-302.8

B

Balcony
 Handrails, PM-303.8
 Stairs and porches, PM-302.10
Basement
 Definition, PM-201.0
 Hatchways, PM-302.14
Bathroom
 Floors, PM-303.3
 Heating facilities, PM-601.1
 Hotels, PM-501.3
 Lighting, PM-602.1.2
 Locked doors, PM-701.2
 Minimum occupancy area requirements,
 Table PM-403.5
 Outlets required, PM-602.1.1
 Overcrowding, Table 403.5
 Residential buildings, PM-601.1
 Toilet rooms, PM-402.2
 Ventilation, PM-402.2
Bathtub
 Required facilities, PM-501.1
 Rooming houses, PM-501.2
 Sewage system, PM-505.1
 Water heating facilities, PM-504.4
 Water system, PM-504.1
Boiler
 Condemnation, PM-105.1
Business
 Structural members, PM-303.2

C

Capacity
 Heating facilities, PM-601.1, 601.2
Car (see Automobile)
Ceiling
 Basement rooms, PM-403.8
 Electrical outlets, fixtures, PM-602.1
 Fireresistance ratings, PM-703.1
 Interior surfaces, PM-303.3
 Light, habitable rooms, PM-401.1
 Minimum height, PM-403.8
Cellar
 Hatchways, PM-302.14
 Window guards, PM-302.15
Change, modify
 Applicability of building code, PM-102.1
 Emergency order, PM-108.2
Chimney
 Exterior structure, PM-302.9
 Fireplaces, PM-601.5
 Flue, PM-601.4.1
Cleaning
 Access for cleaning, PM-503.2
 Bathroom and kitchen floors, PM-303.3
 Disposal of garbage, PM-801.3
 Disposal of rubbish, PM-801.2
 Interior sanitation, PM-303.5
 Interior surfaces, PM-303.3
 Plumbing facilities, maintained, PM-503.1
 Required plumbing facilities, PM-501.0
 Responsibility of persons, PM-801.1
 Standpipe systems, PM-704.3
 Trash containers, PM-801.4.1
 Vacant structures and land, PM-300.3

THE BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

- Clearance
 - Heating facilities, PM-601.4.2
 - Closing
 - Vacant structures, PM-105.6
 - Clothes dryers
 - Exhaust, PM-402.5
 - Code official
 - Condemnation, PM-105.1
 - Coordination of enforcement, PM-104.7
 - Credentials, PM-104.6
 - Demolition, PM-110.1
 - Duties, PM-104.1
 - Electrical system, PM-602.3
 - Emergency order, PM-108.1
 - Enforcement authority, PM-104.1
 - Failure to comply with demolition order, PM-110.4
 - Garbage storage facilities, PM-801.4
 - Inspections, PM-104.3
 - Lead-based paint, PM-303.4
 - Membership of board of appeals, PM-111.2.1
 - Notice of violation, PM-106.1
 - Notices and orders, PM-104.2
 - Official records, PM-104.11
 - Overcrowding, PM-403.5
 - Personal liability, PM-104.10
 - Placarding, PM-107.1
 - Prosecution, PM-109.3
 - Removal of placard, PM-107.3
 - Right of entry, PM-104.4
 - Rule making authority, PM-104.8
 - Structural members, PM-303.2
 - Transfer of ownership, PM-106.6
 - Unreasonable repairs, PM-110.2
 - Vacant structures, PM-105.6
 - Voting of appeals board, PM-111.2.2
 - Cold water
 - Hotels, PM-501.3
 - Required facilities, PM-501.1
 - Rooming houses, PM-501.2
 - Water system, PM-504.1
 - Combustible
 - Heating facilities, PM-601.4.2
 - Storage, PM-702.2
 - Combustion
 - Combustion air, PM-601.4.4
 - Compartment
 - Bathroom, PM-402.2
 - Condemnation
 - Closing of vacant structures, PM-105.6
 - Failure to comply, PM-110.4
 - General, PM-105.1
 - Notices and orders, PM-106.1
 - Placarding, PM-107.1
 - Removal of placard, PM-107.3
 - Service on occupant, PM-106.4
 - Conflict, contradiction
 - Coordination of enforcement, PM-104.7
 - Financial interest, PM-111.2.3
 - Violations, PM-109.1
 - Connection
 - Plumbing fixtures, PM-503.1
 - Sewage system, PM-505.1
 - Water heating, PM-504.4
 - Water system, PM-504.1
 - Construction
 - Existing structures, PM-102.1
 - Fireplaces, PM-601.5
 - Right to appeal, PM-111.1
 - Violations, PM-109.1
 - Container
 - ...
 - Contractor
 - Financial interest, PM-111.2.3
 - Control
 - Insect and rat control, PM-301.5
 - Safety controls, PM-601.4.3
 - Cooling
 - Cooling towers, PM-302.9
 - Corridor
 - Egress, PM-701.6
 - Electrical outlets, PM-602.1
 - Light, PM-401.2
 - Toilet rooms, access, PM-501.3, PM-502.2, PM-502.3
 - Trash, refuse, PM-303.5
 - Court
 - Demolition, PM-110.3
 - Egress, PM-701.1
 - Light, PM-401.1
 - Storm drainage, PM-506.1
- ### D
- Damp, dampness
 - Roofs, PM-302.6
 - Window, door frames, PM-302.11
 - Dangerous, hazardous
 - Abatement, Art. 9
 - Condemnation, PM-105.1
 - Demolition, PM-110.1
 - Electrical, PM-602.3
 - Elevators, PM-603.1
 - Existing remedies, PM-100.5
 - Fire safety, PM-700.1, Art. 9
 - Heating facilities, PM-601.3
 - Public areas, PM-301.3
 - Decoration
 - Exterior structure, PM-302.7
 - Demolition
 - Existing remedies, PM-100.5
 - Failure to comply, PM-110.4
 - General, PM-110.1
 - Order, PM-110.3
 - Salvage materials, PM-110.5
 - Unreasonable repairs, PM-110.2
 - Violations, PM-109.1
 - Detectors
 - Fire alarms, PM-704.1
 - Smoke, PM-704.5, PM-902.1
 - Deterioration
 - Exterior walls, PM-302.5
 - Direct
 - Egress, PM-701.1
 - Toilet rooms, PM-502.2, PM-502.3
 - Disposal
 - Disposal of garbage, PM-801.4.1
 - Disposal of rubbish, PM-801.2
 - Grading and drainage, PM-301.2
 - Door
 - Exit doors, PM-701.2
 - Fire, PM-703.2
 - Hardware, PM-302.13
 - Insect screens, PM-302.12
 - Interior surfaces, PM-303.3
 - Locked doors, PM-701.2
 - Storage, PM-702.1
 - Weather-tight, PM-302.11
 - Window and door frames, PM-302.11
 - Dormitory (lodging house, hotel, motel)
 - Definition, PM-201.0
 - Flammable matter, PM-702.2
 - Lead-based paint, PM-303.4

INDEX

- Grading, PM-301.2
- Plumbing connections, PM-503.1
- Storm drainage, PM-506.1
- Duct
 - Exhaust vent, PM-301.6
- Dust
 - Process ventilation, PM-402.4
- Dwelling
 - Bathtub or shower, PM-501.1
 - Cleanliness, PM-801.1
 - Definition, PM-201.0
 - Electrical, PM-602.1
 - Garbage storage, PM-801.4
 - Heating facilities, PM-601.1
 - Kitchen sink, PM-501.1
 - Lead-based paint, PM-303.4
 - Locked doors, PM-701.2
 - Required plumbing facilities, PM-501.1
 - Rubbish storage, PM-801.5
 - Space requirements, PM-403.5
 - Water closet and lavatory, PM-501.1
- E**
- Egress
 - Aisles, PM-701.9
 - Capacity, PM-701.5
 - Common halls and stairways, PM-401.2
 - Corridors, PM-701.6
 - Dead ends, PM-701.7
 - Dual egress, PM-701.4
 - Emergency escape, PM-701.8
 - Exit doors, PM-701.2
 - Exit facilities, PM-303.8
 - Fire escapes, PM-701.4
 - General, PM-701.1
 - Hazard abatement, PM-701.0
 - Insect control, PM-302.12
 - Locked doors, PM-701.2
 - Number of exits, PM-701.4
 - Signs, PM-701.3
 - Stairs, porches and railings, PM-303.8
 - Waste accumulation, PM-702.1
- Electric, electrical
 - Condemnation, PM-105.1
 - Defective system, PM-602.3
 - Facilities required, PM-602.1
 - General, PM-600.1
 - Installation, PM-602.2
 - Outlets required, PM-602.1.1
 - Responsibility, PM-600.2
- Elevator (moving stairways)
 - Condemnation, PM-105.1
 - General, PM-603.1
 - Maintenance, PM-603.2
 - Recall, PM-901.1
 - Signs, PM-701.10
- Emergency
 - Coordination of enforcement, PM-104.7
 - Emergency orders, PM-108.1
 - Escape, PM-701.8
- Enforcement
 - Application of building code, PM-102.1
 - Coordination, PM-104.7
 - Duties and powers, PM-104.1
 - Other regulations, PM-100.4
 - Petition to appeal, PM-111.1
 - Scope, PM-100.2
- Engineer
 - Structural members, PM-303.2
- Entrance
 - Demolition order, PM-110.3
- Emergency order, PM-108.1
- Energy conservation devices, PM-601.4.5
- Fire protection systems, PM-704.1
- Fire safety requirements, responsibility, PM-700.2
- Fire safety requirements, scope, PM-700.1
- Flue, PM-601.4.1
- Installation, PM-601.4
- Interior structure, PM-303.1
- Light, PM-401.3
- Mechanical, detectors, PM-902.1
- Placarding, PM-107.1
- Prohibited use, PM-107.2
- Responsibility, PM-600.2
- Responsibility of persons, PM-800.1
- Safety controls, PM-601.4.3
- Scope, PM-100.2
- Scope, mechanical and electrical, PM-600.1
- Supplied fixtures and equipment, PM-801.1
- Violation, PM-109.1
- Erect
 - Condemnation, PM-105.1
 - Prosecution, PM-109.3
 - Unlawful acts, PM-109.1
- Exception
 - Rule making authority, PM-104.8
- Exhaust
 - Clothes dryer, PM-402.5
 - Exhaust vents, PM-301.6
 - Process ventilation, PM-402.4
- Existing
 - Appeals, PM-111.2
 - Remedies, PM-100.5
 - Scope, PM-100.2
 - Structural members, PM-303.2
 - Structures, PM-102.1
 - Validity, PM-101.1, PM-101.2
- Exterior
 - Decorative features, PM-302.7
 - Door hardware, PM-302.13
 - Egress, PM-701.1
 - Exterior structure, PM-302.3
 - Exterior walls, PM-302.5
 - Heating facilities, residential, PM-601.1
 - Insect and rat control, PM-301.5
 - Lead-based paint, PM-303.4
 - Sanitation, PM-301.1
 - Scope, PM-300.1
 - Street numbers, PM-302.2
 - Tobacco rooms, access, PM-502.1
 - Weather-tightness, PM-302.11
- Exterminate
 - Definition, PM-201.0
 - Insect and rat control, PM-301.5
 - Insect and rat harborage, PM-303.6
 - Multiple occupancy, PM-802.4
 - Responsibility of owner, PM-802.1
 - Responsibility of tenant-occupant, PM-802.2
 - Single occupancy, PM-802.3
- F**
- Fan
 - Exhaust vents, PM-301.6
- Fee, expenses
 - Closing vacant structures, PM-105.6
 - Demolition, PM-110.2, PM-110.4
 - Extermination, PM-802.2
 - Relief from personal liability, PM-104.10
 - Responsibility, fire safety, PM-700.2
- Fence
 - Accessory, PM-301.7
 - Lead-based paint, PM-303.4

BOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

- Fire suppression system, PM-704.2
- General, fire protection systems, PM-704.1
- Responsibility, fire safety, PM-700.2
- Rule making authority, PM-104.8
- Scope, PM-100.2
- Scope, fire safety, PM-700.1
- Standpipe system, PM-704.3
- Storage, PM-702.2
- Flammable liquid
 - Condemnation, PM-105.1
 - Flammable matter, PM-702.2
- Area, flooring
 - Area for sleeping purposes, PM-403.3
 - Bathroom and kitchen floors, PM-303.3
 - Fire-resistance ratings, PM-703.1
 - Interior surfaces, PM-303.3
 - Minimum ceiling heights, PM-403.8
 - Minimum room width, PM-403.9
 - Space requirements, PM-403.0
- Area, preparation
 - Heating facilities, PM-601.3
 - Sanitary condition, PM-801.1
 - Ventilation, PM-402.3
- Area, foundation
 - Condemnation, PM-105.1
 - Exterior surfaces, PM-302.4
 - Foundation walls, PM-302.4
- Area, frame
 - Window and door frames, PM-302.11
- Area, gas
 - Energy conservation devices, PM-601.4.5
 - Exhaust vents, PM-301.6
 - Process ventilation, PM-402.4
- Area, glazing
 - Window sash, PM-302.11.1
- Area, grade
 - Drainage, PM-301.2
 - Egress, PM-701.1
 - Handrails, PM-303.8
- Area, guard
 - Basement windows, PM-302.15
 - Handrails, PM-303.8
- Area, habitable
 - Definition, PM-201.0
 - Light, PM-401.1
 - Minimum ceiling height, PM-403.8
 - Minimum room width, PM-403.9
 - Nonresidential heating facilities, PM-602.1
 - Prohibited use, PM-403.7
 - Required plumbing facilities, PM-501.1
 - Residential heating facilities, PM-601.1
 - Space requirements, PM-403.0
 - Ventilation, PM-401.1
- Area, handrail
 - Exit facilities, PM-303.8
 - Handrails, PM-302.10, PM-303.8
 - Stairs and porches, PM-303.8
- Area, hardware
 - Door hardware, PM-302.13, PM-701.2
 - Openable windows, PM-302.11.2
- Hazardous (see Dangerous)
- Heat, Heating
 - Bathub or shower, PM-504.4
 - Condemnation, PM-105.1
 - Cooking and heating equipment, PM-601.3
 - Energy conservation devices, PM-601.4.5
 - Kitchen sink, PM-504.4
 - Other facilities, PM-501.2
- Water closet and lavatory, PM-504.4
- Water heating, PM-504.4
- Water system, PM-504.0
- Height
 - Minimum ceiling height, PM-403.8
- Hot (see Heating)
- Hotels, lodging houses and dormitory units, motels
 - Definition, PM-201.0
 - Flammable storage, PM-702.2
 - Lead-based paint, PM-303.4
 - Locked doors, PM-701.2
 - Privacy, PM-403.1
 - Toilet rooms, PM-501.3
- I
- Ice, snow
 - Public areas, PM-301.3
- Identification
 - Credentials, PM-104.6
 - Written notice, PM-106.2
- Infestation
 - Condemnation, PM-105.1
 - Definition, PM-201.0
 - Insect and rat harborage, PM-303.6
- Insects
 - Garbage storage facilities, PM-801.4
 - Insect and rat control, PM-301.5
 - Insect and rat harborage, PM-303.6
 - Insect screens, PM-302.12
 - Plumbing fixtures, PM-503.1
- Inspections
 - Authority, PM-104.3
- Inspector
 - Access by owner or operator, PM-104.4
 - Coordination of enforcement, PM-104.7
 - Credentials, PM-104.6
 - Inspections, PM-104.3
 - Official records, PM-104.11
- Intent
 - Administration and enforcement, PM-100.3
 - Rule making authority, PM-104.8
- Interior
 - Exit facilities, PM-303.8
 - Interior structure, PM-303.1
 - Interior surfaces, PM-303.3
 - Lead-based paint, PM-303.4
 - Means of egress, PM-701.1
 - Sanitation, PM-303.5
- J
- Jurisdiction
 - Title, PM-100.1
- K
- Kitchen
 - Electrical outlets required, PM-602.1
 - Floors, PM-303.3
 - Kitchen sink, PM-501.1
 - Minimum area, Table 403.5
 - Minimum width, PM-403.9
 - Prohibited use, PM-403.7
 - Water heating facilities, PM-504.4
- L
- Landing
 - Handrails, PM-303.8
- Laundry
 - Room lighting, PM-602.1.2

- Lavatory
 - Hotels, PM-501.3
 - Required facilities, PM-501.0
 - Rooming houses, PM-501.2
 - Sewage system, PM-505.1
 - Water heating facilities, PM-504.4
 - Water system, PM-504.1
 - Lead paint, PM-303.4
 - Lease (sell, rent)
 - Salvage materials, PM-110.5
 - Transfer of ownership, PM-106.6
 - Lien
 - Closing of vacant structures, PM-105.6
 - Demolition, PM-110.4
 - Failure to comply, PM-110.4
 - Light, lighting
 - Common halls and stairways, PM-401.2, PM-602.1.2
 - Condemnation, PM-105.1
 - Electrical outlets required, light fixtures, PM-602.1
 - Exit signs, PM-701.3
 - Habitable rooms, PM-401.1
 - Light and ventilation, general, PM-400.1
 - Other spaces, PM-401.3
 - Responsibility, PM-400.2
 - Scope, PM-100.2
 - Spaces or rooms, PM-401.1, PM-602.1.2
 - Toilet rooms, PM-402.2, PM-602.1.2
 - Live, living
 - Loads, structural members, PM-302.3
 - Minimum occupancy area requirements, Table PM-403.5
 - Load, loading
 - Elevators, escalators and dumbwaiters, PM-603.1
 - Exit facilities, PM-303.7
 - Handrails, PM-303.8
 - Live load, PM-302.3
 - Loads, stairs and porches, PM-302.3
 - Overcrowding, PM-403.5
 - Structural members, PM-303.2
 - Lodging houses (see Dormitory)
- M**
- Material
 - Clearances, heating facilities, PM-601.4.2
 - Salvage, PM-110.5
 - Means of egress (see Egress)
 - Mechanical
 - Garbage storage facilities, PM-801.4
 - Installation, PM-601.4
 - Responsibility, PM-600.2
 - Scope, mechanical and electrical requirements, PM-600.1
 - Ventilation, general, PM-400.3
 - Ventilation, toilet rooms, PM-402.2
 - Mercantile (retail)
 - Structural members, PM-303.2
 - Minimum
 - Ceiling height, PM-403.8
 - Number of exits, PM-701.4
 - Occupancy area requirements, Table 403.5
 - Room width, PM-403.9
 - Scope, PM-100.1
 - Modification (see Change)
 - Motel (see Hotels)
- N**
- Natural
 - Lighting, PM-401.0
 - Ventilation, PM-402.0
 - Notice
 - Coordination, PM-104.7
 - Emergency orders, general, PM-108.1
 - Emergency orders, hearing, PM-108.6
 - Form, PM-106.2
 - Orders, PM-104.2
 - Penalties, PM-106.5
 - Placarding of structure, PM-107.1
 - Service, PM-106.3
 - Transfer of ownership, PM-106.6
 - Noxious
 - Process ventilation, PM-402.4
 - Weeds, PM-301.4
 - Nuisance
 - Closing of vacant structures, PM-105.6
- O**
- Obstruction
 - Light, PM-401.1
 - Right of entry, PM-104.4
 - Occupancy (see Use)
 - Open
 - Habitable rooms, PM-402.1
 - Locked floors, PM-701.2
 - Stair drainage, PM-506.1
 - Openable
 - Definition, PM-201.0
 - Locked doors, PM-701.2
 - Windows, PM-302.11.2
 - Operator
 - Definition, PM-201.0
 - Ordinance, rule
 - Petition to appeal, PM-111.1
 - Validity, PM-101.0
 - Outlet
 - Electrical, PM-602.1
 - Owner
 - Access, PM-104.5
 - Closing of vacant structures, PM-105.6
 - Definition, PM-201.0
 - Demolition, PM-110.1
 - Extermination, PM-802.1
 - Failure to comply, PM-110.4
 - Insect and rat control, PM-301.5
 - Multiple occupancy, PM-802.4
 - Order, PM-106.1
 - Placarding of structure, PM-107.1
 - Responsibility, PM-300.2
 - Responsibility, fire safety, PM-700.2
 - Responsibility, light, ventilation, PM-400.2
 - Responsibility, mechanical and electrical, PM-600.2
 - Responsibility, plumbing facilities, PM-500.2
 - Right of entry, PM-104.4
 - Rubbish storage, PM-801.5
 - Scope, PM-100.2
 - Service on occupant, PM-106.4
 - Structural members, PM-303.2
 - Supplied fixtures and equipment, PM-801.1
 - Transfer of ownership, PM-106.6
 - Unreasonable repairs, PM-110.2
- P**
- Passageway
 - Accumulations and storage, PM-702.1
 - Common hall and stairway, PM-401.2
 - Toilet rooms, direct access, PM-502.1
 - Penalty
 - Notices and orders, PM-106.5
 - Placarding of structure, PM-107.1
 - Prohibited use, PM-107.2
 - Removal of placard, PM-107.3
 - Scope, PM-100.2

IOCA NATIONAL PROPERTY MAINTENANCE CODE/1990

- ermin)
 - Condemnation, PM-105.1
 - Insect and rat control, PM-301.5
 - Multiple occupancy, PM-802.4
 - 1, post
 - Closing, PM-105.6
 - Condemnation, PM-105.1
 - Demolition, PM-110.3
 - Emergency order, PM-108.1
 - Notice to owner, PM-106.1
 - Placarding of structure, PM-107.1
 - Prohibited use, PM-107.2
 - Removal, PM-107.3
 - ing
 - Access, PM-503.2
 - Clean and sanitary, PM-503.1
 - Connectors, PM-503.1
 - Contamination, PM-504.2
 - Definition, PM-201.0
 - Fixtures, PM-503.1
 - Nonresidential structures, PM-501.4
 - Required facilities, PM-501.0
 - Responsibility, PM-500.2
 - Scope, PM-500.1
 - Sewage system, PM-505.0
 - Storm drainage, PM-506.0
 - Supply, PM-504.3
 - Handrails, PM-303.8
 - Stairs and porches, PM-303.7
 - le (temporary)
 - Cooking equipment, PM-601.3
 - Fire extinguishers, PM-704.4
 - ure
 - Water supply, PM-504.3
 - ia, privacy
 - Bathtub or shower, PM-501.1
 - Dwelling unit limitations, PM-403.1
 - Exhaust vents, PM-301.6
 - Required plumbing facilities, PM-501.1
 - Sewage system, PM-505.1
 - Water closet and lavatory, PM-501.1
 - Water system, PM-504.1
 - arty, premises
 - Access to public property, PM-701.1
 - Cleanliness, PM-801.1
 - Condemnation, PM-105.1
 - Containers, PM-801.4.1
 - Definition, PM-201.0
 - Demolition, PM-110.1
 - Emergency orders, PM-108.1
 - Responsibility, PM-300.2
 - Scope, PM-300.1
 - Exhaust vents, PM-301.6
 - Extermination, multiple occupancy, PM-802.4
 - Extermination, single occupancy, PM-802.3
 - Failure to comply, PM-110.4
 - Flammable matter, PM-702.2
 - Grading and drainage, PM-301.2
 - Insect and rat control, PM-301.5
 - Light and ventilation, responsibility, PM-400.2
 - Responsibility, PM-800.1
 - Storm drainage, PM-506.1
 - Vacant structure and land, PM-300.3
 - ection
 - Basement windows, PM-302.15
 - Fire protection systems, PM-704.1
 - Interior structure, PM-303.3
 - Lead-based paint, PM-303.4
 - Rule making authority, PM-104.8
 - Signs, marquees and awnings, PM-302.8
 - ic
 - Access to public property, PM-701.1
 - Cleanliness, PM-801.1
 - Condemnation, PM-104.1
 - Demolition, PM-110.2
 - Exhaust vents, PM-301.6
 - Extermination, PM-802.4
 - Hotels, PM-501.3
 - Insect and rat control, PM-301.4
 - Inspections, PM-104.3
 - Notices and orders, PM-104.2
 - Official records, PM-104.11
 - Prohibited use, PM-403.7
 - Public areas, PM-301.3
 - Rule making authority, PM-104.8
 - Sewage system, PM-505.1
 - Toilet rooms, PM-502.2
 - Vacant structures and land, PM-300.3
 - Water system, PM-504.1
- ## R
- Rain
 - Basement hatchways, PM-302.14
 - Exterior walls, PM-302.5
 - Roofs, PM-302.6
 - Window and door frames, PM-302.11
 - Rats
 - Basement hatchways, PM-302.14
 - Condemnation, PM-105.1
 - Exterior surfaces, PM-302.4
 - Extermination, tenant-occupant, PM-802.2
 - Guards for basement windows, PM-302.15
 - Insect and rat control, PM-301.5
 - Plumbing fixtures, PM-503.1
 - Single occupancy, PM-802.3
 - Record
 - Official records, PM-104.11
 - Right to appeal, PM-111.3
 - Rehabilitation
 - Alterations, PM-102.1
 - Inspections, PM-104.3
 - Repairs, PM-102.1
 - Scope, PM-100.2
 - Repair
 - Access by owner or operator, PM-104.5
 - Application of building code, PM-102.1
 - Chimneys, PM-302.9
 - Connections, PM-503.1
 - Decorative features, PM-302.7
 - Demolition, PM-110.1
 - Demolition order, PM-110.3
 - Door hardware, PM-302.13
 - Existing structures, PM-102.1
 - Exit facilities, PM-303.7
 - Exterior surfaces, PM-302.1
 - Form of notice, PM-106.2
 - Public areas, PM-301.3
 - Sewage system, PM-505.1
 - Signs, marquees and awnings, PM-302.8
 - Stairs and porches, PM-302.3
 - Transfer of ownership, PM-106.6
 - Unlawful acts, PM-109.1
 - Unreasonable repairs, PM-110.2
 - Weather-tight, PM-302.11
 - Residential
 - Extermination, PM-802.3, PM-802.4
 - Flammable matter, PM-702.2
 - Insect screens, PM-302.12
 - Lead-based paint, PM-303.4
 - Over structures, PM-502.3
 - Residential heating, PM-601.1
 - Motor vehicles, PM-301.8
 - Scope, PM-100.2
 - Responsibility
 - Enforcement authority, PM-104.1
 - Extermination, multiple occupancy, PM-802.4
 - Extermination, owner, PM-802.1
 - Extermination, single occupancy, PM-802.3
 - Extermination, tenant-occupant, PM-802.2
 - Fire safety, PM-700.2

- Light and ventilation, PM-400.2
 - Mechanical and electrical, PM-600.2
 - Placarding of structure, PM-107.1
 - Plumbing facilities, PM-500.2
 - Relief from personal liability, PM-104.10
 - Responsibility, PM-300.2, PM-800.1
 - Rubbish storage, PM-801.5
 - Scope, PM-100.2
 - Supplied fixtures and equipment, PM-801.1
 - Revoke, remove
 - Demolition, PM-110.1
 - Existing remedies, PM-100.5
 - Lead-based paint, PM-303.4
 - Placarding, PM-107.1
 - Process ventilation, PM-402.4
 - Prosecution, PM-109.3
 - Removal of placard, PM-107.3
 - Rubbish storage, PM-801.5
 - Unlawful acts, PM-109.7
 - Right of entry
 - Duties and powers of code official, PM-104.4
 - Inspections, PM-104.3
 - Roof
 - Exterior surfaces, PM-302.6
 - Roofs, PM-302.6
 - Storm drainage, PM-506.1
 - Room
 - Cooking facilities, PM-402.3
 - Direct access, PM-502.1
 - Electrical outlets, PM-602.1
 - Heating facilities, PM-601.1
 - Habitable rooms, light, PM-401.1
 - Habitable rooms, ventilation, PM-402.1
 - Light, PM-401.0
 - Minimum ceiling heights, PM-403.8
 - Minimum occupancy area requirements, Table PM-403.5
 - Minimum width, PM-403.9
 - Overcrowding, PM-403.5
 - Prohibited use, PM-403.7
 - Required, PM-501.1
 - Rooming houses, PM-501.2
 - Separation of units, PM-403.1
 - Sleeping, PM-403.3
 - Rubbish, trash
 - Containers, PM-801.4.1
 - Definition, PM-201.0
 - Disposal, PM-801.2, PM-801.3
 - Garbage storage, PM-801.4
 - Rubbish storage, PM-801.5
 - Sanitation, PM-303.5
 - Storage, PM-303.5
- S**
- Safety
 - Decorative features, PM-302.7
 - Chimney, PM-302.9
 - Condemnation, PM-105.1
 - Containers, PM-801.4.1
 - Cooking and heating equipment, PM-601.3
 - Dwelling units, PM-501.1
 - Egress, PM-701.1
 - Electrical installation, PM-602.2
 - Emergency orders, PM-108.1
 - Exterior structure, PM-302.1
 - Fire extinguishers, PM-704.4
 - Fireplaces, PM-601.5
 - Foundation walls, PM-302.4
 - General fire safety requirements, PM-700.1
 - Handrails, PM-303.8
 - Heating facilities, PM-601.0
 - Inspections, PM-104.3
 - Intent, PM-100.3
 - Interior storage, PM-303.5
 - Light, PM-401.0
 - Other spaces, PM-401.3
 - Plumbing fixtures, PM-503.1
 - Public areas, PM-301.3
 - Responsibility, fire safety requirements, PM-700.2
 - Rule making authority, PM-104.8
 - Safety controls, PM-601.4.3
 - Scope, PM-100.2
 - Stairs and porches, PM-302.10
 - Stairs, porches and railings, PM-303.8
 - Structural members, PM-302.3
 - Vacant structures and land, PM-300.3
 - Ventilation, PM-402.0
 - Sanitary
 - Bathroom and kitchen floors, PM-303.3
 - Cleanliness, PM-801.1
 - Containers, PM-801.4.1
 - Disposal of garbage, PM-801.3
 - Disposal of rubbish, PM-801.2
 - Exterior construction, PM-302.1
 - Food preparation, PM-801.1
 - Furnished by occupant, PM-801.1
 - Interior surfaces, PM-303.3
 - Nonresidential, PM-501.4
 - Other spaces, PM-401.3
 - Plumbing fixtures, PM-503.1
 - Required plumbing facilities, PM-501.0
 - Sanitation, PM-303.5
 - Scope, PM-100.2
 - Supplied fixtures and equipment, PM-801.1
 - Vacant structures and land, PM-300.3
 - Sash
 - Glazing, PM-302.11.1
 - Screens
 - Insect screens, PM-302.12
 - Security
 - Vacant structures and land, PM-300.3
 - Self-closing
 - Insect screens, PM-302.12
 - Separation
 - Fire resistance ratings, PM-703.1
 - Privacy, PM-403.1
 - Separation of units, PM-403.1
 - Water closet and lavatory, PM-501.1
 - Service
 - Electrical, PM-602.1
 - Notices and orders, PM-106.3
 - Service on occupant, PM-106.4
 - Sewer
 - General, PM-505.1
 - Maintenance, PM-505.2
 - Shower
 - Bath tub or shower, PM-501.1
 - Rooming houses, PM-501.2
 - Sewage system, PM-505.1
 - Water heating facilities, PM-504.4
 - Water system, PM-504.1
 - Sign
 - Exit signs, PM-701.3
 - Signs, marquees and awnings, PM-302.8
 - Single family dwelling
 - Common halls and stairways, PM-401.2
 - Definition, PM-201.0
 - Extermination, PM-802.3
 - Flammable matter, PM-702.2
 - Foundation wall, PM-302.4
 - Insect and rat control, PM-301.5
 - Storage, PM-702.2
 - Sink
 - Kitchen sink, PM-501.1
 - Sewage system, PM-505.1
 - Water supply, PM-504.1
 - Size
 - Habitable room, light, PM-401.1
 - Habitable room, ventilation, PM-402.1
 - Sleeping
 - Area for sleeping purposes, PM-403.3
 - Cooking facilities, PM-402.3

Scope, PM-100.2, PM-400.1
 Toilet rooms, PM-402.2

Vermin
 General, condemnation, PM-105.1
 Insect and rat control, PM-301.5
 Multiple occupancy, PM-802.4

Violation
 Condemnation, PM-105.1
 Notice, PM-106.1
 Penalty, PM-109.2
 Placarding of structure, PM-107.1
 Prosecution, PM-109.3
 Transfer of ownership, PM-106.6
 Unlawful acts, PM-109.1
 Validity, PM-101.2

Volatile
 Flammable matter, PM-702.2

W

Walk
 Public areas, PM-301.3

Wall
 Accessory structures, PM-301.7
 Exterior surfaces, PM-302.1
 Exterior walls, PM-302.5
 Foundation walls, PM-302.4
 General, fire-resistance rating, PM-703.1
 Interior surfaces, PM-303.3
 Outlets required, PM-602.1
 Residential buildings, PM-601.1

Waste
 Accumulations, PM-702.1
 Disposal of garbage, PM-801.3
 Disposal of rubbish, PM-801.2
 Dwelling units, PM-501.1
 Exhaust vents, PM-301.6
 Flammable matter, PM-702.2
 Garbage storage facilities, PM-801.4
 Maintenance, PM-505.2
 Rubbish storage facilities, PM-801.5

Water
 Basement hatchways, PM-302.14
 Bathroom and kitchen floors, PM-303.3
 Bathtub or shower, PM-501.1
 Connections, PM-504.1
 General, sewage, PM-505.1
 General, storm drainage, PM-506.1
 General, water system, PM-504.1
 Hotels, PM-501.3
 Kitchen sink, PM-501.1
 Rooming houses, PM-501.2
 Supply, PM-504.3
 Toilet rooms, PM-402.2
 Water closet and lavatory, PM-501.1
 Water heating facilities, PM-504.4

Weather climate
 Heating facilities, PM-601.0
 Rule making authority, PM-104.8

Weatherstrip
 Chimneys, PM-302.9
 Exterior walls, PM-302.5
 Glazing, PM-302.11.1
 Roofs, PM-302.6
 Signs, marquees and awnings, PM-302.8
 Window & door frames, PM-302.11

Weeds
 Noxious weeds, PM-301.4

Wind
 Weather-tight, PM-302.11
 Window and door frames, PM-302.11

Window
 Accumulations, PM-702.1
 Emergency escape, PM-701.8
 Glazing, PM-302.11.1
 Guards for basement windows, PM-302.15
 Habitable rooms, PM-401.1

Insect screens, PM-302.12
 Interior surface, PM-303.3
 Openable windows, PM-302.11.2
 Toilet rooms, PM-402.2
 Weather-tight, PM-302.11
 Window and door frames, PM-302.11

Worker
 Employee facilities, PM-502.3

Workmanship
 Definition, PM-201.0
 Workmanship, PM-100.6

(Continued from inside front cover)

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