

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 7 (“BUILDINGS”) OF THE OAK PARK VILLAGE CODE ARTICLE 13 (“PROPERTY MAINTENANCE CODE”) TO ADOPT THE 2024 INTERNATIONAL PROPERTY MAINTENANCE CODE REPLACING THE CURRENT 2009 IPMC VERSION

WHEREAS, pursuant to the authority granted by Section 11-30-1 *et seq.* of the Illinois Municipal Code, 65 ILCS 5/11-30-1 *et seq.*, and pursuant to its home rule powers, the Village of Oak Park (“Village”) has determined to adopt the *International Property Maintenance Code, 2009 Edition* (“IPMC”), as set forth in this Ordinance; and

WHEREAS, pursuant to the Municipal Adoption of Codes and Records Act, 50 ILCS 220/0.01 *et seq.*, (hereinafter the “Act”) the Village is authorized to adopt by reference any code, as that term is defined in the Act; and

WHEREAS, the *International Property Maintenance Code, 2024 Edition* (hereinafter the “IPMC”), is a code as defined in the Act and the *Code* has been available for viewing as required by the Act and pursuant to Section 1-2-4 of the Illinois Municipal Code, 65 ILCS 5/1-2-4.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein as though fully set forth.

Section 2. Village Code Amended. Chapter 7 (“Buildings”) of the Oak Park Village Code Article 13 (Property Maintenance) is hereby amended by adding the underlined language from the 2024 IPMC and deleting the overstricken language from the 2009 IPMC to read as follows:

ARTICLE 13 PROPERTY MAINTENANCE CODE

7-13-1: ADOPTION

A. The International Property Maintenance Code, 2024 edition ("IPMC"), as published by the International Code Council, is hereby adopted by the Village by reference and is made a part hereof as if fully set forth in this section with the additions, insertions, deletions and changes set forth in section 7-13-2 of this article. To the extent that the provisions of the IPMC are inconsistent with any codes previously adopted by the Village by reference, the provisions of the IPMC shall govern unless specifically set forth in this code. In the event of a conflict between any provisions of the IPMC and any provision of the Oak Park Village Code, the provisions of the Oak Park Village Code shall govern.

B. There shall be three (3) copies of the International Property Maintenance Code, 2024 edition, kept on file for public inspection in the Office of the Village Clerk.

7-13-2: AMENDMENTS

The International Property Maintenance Code, 2024 edition, as adopted pursuant to section 7-13-1 of this article is hereby amended by adding the underlined language and deleting the overstricken language as follows:

Section 101.1 Title. These regulations, as amended and adopted by the Village shall be known as the Property Maintenance Code of the Village of Oak Park, hereinafter referred to as "this code."

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

~~SECTION 103 Department of Property Maintenance Inspection is renamed Department Of Development Customer Services~~ SECTION 103 Department of Neighborhood Services

Section 103.1 General. Creation of agency. ~~The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the code official. The Department of Development Customer Services is hereby assigned to enforce this code and the executive official in charge thereof, the Director of Development Customer Services or the Director's duly appointed designee, shall be known as the code official. The Neighborhood Services Department is hereby assigned to enforce this code and the official in charge thereof, the Neighborhood Services Director or the Director's designee, shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.~~

Section 105.3.2 Obligation. A property owner shall allow a code official, upon proper request, to inspect a dwelling unit in association with the provisions of the Village Code Article 12-2-6 Inspections of Buildings; Violations; Suspension and Revocation of License.

~~**Section 106 Means of Appeal**~~ is deleted in its entirety and is replaced with a new **Section 106 Board of Appeals**, as follows:

Section 106.1 General. In order to hear and decide appeals of orders, decisions or

determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals which shall be the Village's Building Codes Advisory Commission.

Section 106.2 Limitations on Authority. 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 form of construction is proposed. The board shall have no authority to waive requirements of this code.

Section 106.3 Application for Appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written appeal is filed within twenty (20) calendar days after the day the decision, notice or order was served. An appeal filed or received by the Village shall not be eligible to be heard after a citation has been issued which is the subject of the appeal.

Section 106.4 Violation Penalties Board Decision. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Any person who shall violate any provision of this code shall, upon conviction, be punished by a fine of not less than twenty dollars (\$20.00) nor more than seven hundred fifty dollars (\$750.00), and each day that a violation continues shall constitute a separate and distinct offense. The board of appeals shall modify or reverse the decision of the code official or the code official's designee or a notice or order issued under this code upon a concurring vote of a majority of the total number of appointed board members. The board of appeals shall have the discretion to allow a variance from the provisions of the code if, after having received a written report, certified by a licensed architect or engineer, the board of appeals determines that strict compliance with the code is impractical from an engineering, architectural or structural standpoint, that the spirit and intent of the code has been met and life safety has not been materially compromised as a result of the variance. The decision of the board of appeals shall be in writing and shall be furnished to the appellant and to the building official.

Section 106.5 Administration. The code official shall take immediate action in accordance with the decision of the board of appeals. Appeals of decisions of the building official or a notice or order issued under this code (other than those of immediate threat to life safety) shall stay the enforcement of the decision, notice or order until the appeal is heard by the board of appeals and a decision is rendered.

Section 106.6 Stays of Enforcement. Appeals of notices and orders (other than imminent danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the board of appeals.

Section 107.4 Violation Penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been

~~served shall be deemed a separate offense. Any person who shall violate any provision of this code shall, upon conviction, be punished by a fine of not less than twenty dollars (\$20.00) nor more than seven hundred fifty dollars (\$750.00), and each day that a violation continues shall constitute a separate and distinct offense. Any person who violates a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state law or the Village Code. Any person who violates any provision of this code shall upon conviction be punished by a fine of not less than twenty dollars (\$20.00) nor more than seven hundred fifty dollars (\$750.00), and each day that a violation continues shall constitute a separate and distinct offense. No fine shall be levied for a day upon which a written appeal is filed with the Village through the date the board of appeals issues its written decision on the appeal.~~

~~Section 107.7~~ Section 109.6.1 Pre-Sale Inspection of Buildings Containing Four Or More Units.

No building containing four (4) or more dwelling units shall be sold unless the seller furnishes the buyer with a report of presale inspection no more than one hundred twenty (120) days prior to the closing and no later than the day of the closing on the sale of the property. Said report of presale inspection shall be based on an inspection of all dwelling units by the Village and shall be issued by same. The report shall provide that the building ~~complies with all applicable~~ is in compliance with all applicable building and zoning regulations of the Village, or, in the alternative, set forth the building and/or zoning violations present at the building. The request for a presale inspection must be made at least two (2) weeks prior to the scheduled date of the closing. An inspection made pursuant to this section satisfies the annual inspection requirement of section ~~12-3-6A~~ 12-2-6A of the Village Code. A sale for purposes of this section includes contract sales, exchanges, conversions to condominiums and transfers of possession or control of a building. A person participating in such a sale in violation of this section, either as a seller or by receipt of a sales commission in connection therewith, shall be subject to the applicable penalties as provided in this code. Any contract executed in violation of this section shall be voidable by a buyer. Nothing herein shall relieve the buyer from compliance with section ~~12-3-6A~~ 12-2-6A of the Village Code.

~~Section 111.1 General.~~ ~~In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals which shall be the Village's Building Code Advisory Commission. The code official shall order the owner of any premises upon which is located any structure, which in the code official judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond three months, unless approved by the building official.~~

CHAPTER 2

DEFINITIONS

Add the following definitions to **Section 202 General Definitions**:

Cultivated Garden. A cultivated garden is a combination of a garden from which weeds have been removed and the soil has been loosened to improve the retention and penetration of air, water and nutrients.

Days. Unless otherwise stated, "days" shall mean calendar days.

Parking Area. A parking area is any parcel of land used for the parking of motor vehicles and having a capacity of one to four (4) motor vehicles and excluding places where motor vehicles are parked within a building.

Responsible Party. Except as may otherwise be specified herein, the owner or the owner's designated agent shall be considered a responsible party for ensuring compliance with this code. In addition, any other person or entity that may be reasonably considered to have a role or responsibility in the creation, continuation, or correction of any violation of this code shall be considered a responsible party or additional responsible party for such violation. A licensed real estate agent or broker whose sole authority is to show and lease property for rent shall not be considered a responsible party subject to penalties under this code.

The definition for "Rooming House" shall be modified as follows:

Rooming House. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling. A primary or accessory building or structure or part thereof, in which living and sleeping quarters (but not meals or cooking facilities) are provided by prearrangement for compensation on a weekly or longer basis for three (3) or more persons who are not members of the keeper's family.

CHAPTER 3

GENERAL REQUIREMENTS

~~Delete **Section 302.4 Weeds** in its entirety and make reference to Village Code as follows: Refer to Village Code chapter 20, article 7. **Section 302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8) inches in height. 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.~~

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with ~~Section 107.3~~ Section 108.3 and as prescribed by the authority having jurisdiction. Upon failure to

comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Section 302.8.1 Parking. It shall be unlawful for the owner of a property to allow parking of a motor vehicle upon any unimproved surface. As used in this section, the term "unimproved surface" includes, but is not limited to, grass and dirt surfaces or any other surface not in compliance with the pavement design standards in Oak Park's Zoning Ordinance.

Section 302.140 Surface of Parking Areas And Driveways. ~~The surface of parking areas and driveways serving as access to parking areas shall consist of standard blacktop or equivalent material, or shall be constructed by excavating the parking or driveway area to a six inch (6") (152.4 mm) depth and placing six inches (6") (152.4 mm) of compacted gravel or crushed stone therein. Compacted gravel surfaces may not be used in areas or pathways required for ingress and egress to and from a building or structure.~~ The surface of parking areas and driveways serving as access to parking areas shall consist of a minimum five-inch (5") thick unreinforced concrete slab or standard blacktop or other equivalent material approved by the Building Official, or shall be constructed by excavating the parking or driveway area to a six-inch (6") (152.4 mm) depth and placing six inches (6") (152.4 mm) of compacted gravel or crushed stone thereupon. Compacted gravel surfaces may not be used in areas or pathways required for ingress and egress to and from a building or structure.

Section 302.121 Security Gates. Metal security gates and bars on the exterior or interior of doors or windows of commercial establishments are prohibited. Metal security gates or bars on doors or windows not facing a public street or sidewalk are permitted.

Section 302.12 Landscaping.

A. Duty to prune. Trees, bushes or other shrubbery on private property adjacent to a street right-of-way shall be pruned in such a manner so as to not obstruct or shade street lights, obstruct the passage of pedestrians on sidewalks or vehicles in the street, obstruct the ability to see traffic signs, obstruct the view of any intersection or create a public safety hazard in general.

B. Turf maintenance. Areas where grass turf has been established shall be maintained without bare areas of soil or ruts caused by pedestrian or vehicle use.

Section 304.3 Premises Identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 3 inches (~~4 3~~ 76 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm) and be permanently affixed. If a garage is built adjacent to an alley, the rear address number shall be placed in a conspicuous location on the side of the garage facing the alley. A rear address number shall not be required where the rear of the property is not adjacent to an alley.

CHAPTER 4

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

Section 403.1 Habitable Spaces. Every habitable room shall have one or more of the following ventilation systems:

- A. At least one window which can be easily opened, with the total of all such openable window area in such room at least 45 percent of the minimum window area size required by section 402.1; or
- B. A ventilator or similar device, leading directly to outside air, with effective opening area equivalent to openable window area required under subsection 403.1(A) of this section; or
- C. A forced air ventilation system, properly installed, maintained in safe and good working condition, supplying outside air to such room, which meets the requirements of the ~~2009~~ current International Property Maintenance Code. A forced air ventilation system may not substitute for natural ventilation in sleeping rooms.

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be ~~at least~~ not less than 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m²). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

Section 404.4.6 Basement Occupancy. No basement space shall be used as a habitable room or dwelling unit unless:

- A. The minimum clear ceiling height is ~~7 feet~~ 6 feet 8 inches (2134 mm) ~~2033 mm~~, as permitted in section 404.3.
- B. The minimum glazed area is 8 percent of the floor square footage for habitable rooms.
- C. The minimum ventilation area is 50 percent of the glazed area or is 4 percent of the square footage for habitable rooms.
- D. The basement complies with the ~~2009~~ 2021 International Residential Code for emergency escape.
- E. The floors and walls are impervious to leakage of underground and surface runoff water or measures have been taken to mitigate the effects of water penetration and are

insulated against dampness; and

F. The dwelling unit meets the other requirements of this code.

Section 404.4.7 Basement and Third Floor Occupancy for Rooming Houses. No license required by this article shall be issued to any person proposing to use a basement or any part thereof as a habitable room for rooming house purposes. Third floor occupancy of any frame dwelling shall not be permitted without the written approval of the Neighborhood Services Director, ~~Chief of the Fire Department~~ Fire Chief and the ~~Director of Public Health~~ Public Health Director.

Section 404.5.23 Age Limit. For purposes of this section, children under three (3) years of age shall not be counted in determining the occupancy of any dwelling unit.

CHAPTER 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

Section 602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 15 of each year to May 15 of the succeeding year to maintain a temperature in all habitable rooms, bathroom and toilet rooms as follows:

1. A minimum temperature of sixty-eight degrees Fahrenheit (68°F) from six thirty o'clock (6:30) A.M. to eleven o'clock (11:00) P.M. and
2. A minimum temperature of sixty-five degrees Fahrenheit (65°F) from eleven o'clock (11:00) P.M. to six thirty o'clock (6:30) A.M.

The minimum temperature shall be averaged throughout any dwelling unit or rooming unit and shall be maintained without undue restriction of ventilation as to interfere with proper healthful conditions.

Exception:

When the outdoor temperature is below the winter outdoor design temperature for the ~~locality~~ Village, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity.

Section 605.2 Receptacles. Every habitable space in a dwelling shall contain ~~at least~~ not less than two separate and remote receptacle outlets. Every laundry area shall contain ~~at least~~ not less than one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain ~~at least~~ not less than one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets

shall have the appropriate faceplate cover for the location. Existing electrical systems shall be maintained to the same standards as required by the applicable code under which it was originally installed unless the system is altered or there is some known defect or unsafe condition in the system.

CHAPTER 7

FIRE SAFETY REQUIREMENTS

Section 703.3.4 Occupancy Above Garages. Where a habitable room, rooming unit or dwelling unit is located above an area used for parking or storage of motor vehicles, a fire stop of one-hour fire resistant materials, approved by the Board Of Fire Underwriters Laboratory, shall be provided above such area and below the floor of such room or unit.

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Section 3. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

ADOPTED this ____ day of _____, 2025, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enyia				
Trustee Parakkat				
Trustee Robinson				
Trustee Straw				
Trustee Wesley				

APPROVED this ____ day of _____, 2025.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this ____ day of _____, 2025.

Christina M. Waters, Village Clerk