
THE VILLAGE OF FRANKLIN PARK
COOK COUNTY, ILLINOIS

ORDINANCE

NUMBER 0910-VC-31

**AN ORDINANCE AMENDING TITLE 8 OF THE VILLAGE CODE OF
THE VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS
(INTERNATIONAL PROPERTY MAINTENANCE CODE)**

BARRETT F. PEDERSEN, Village President
TOMMY THOMSON, Village Clerk

JUAN ACEVEDO
PAUL BELLENDIR
TOM BRIMIE
JOHN JOHNSON
CHERYL MCLEAN
ROSE RODRIGUEZ
Trustees

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THE VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS
(INTERNATIONAL PROPERTY MAINTENANCE CODE)**

WHEREAS, the Village of Franklin Park, Cook County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and Board of Trustees of the Village of Franklin Park (the "*Corporate Authorities*") are charged with the responsibility of establishing and updating building construction and safety codes, standards and regulations in the Village to ensure that matters pertaining to safety issues and concerns are examined and addressed in order to protect the health, safety and welfare of the residents of the Village; and

WHEREAS, the Corporate Authorities are committed to providing the residents of the Village with building construction and safety codes standards and regulations that are consistent and predictable, that reflect the latest standards in technology and safety, and that readily adapt to advances and provide uniformity with nationally recognized standards and requirements; and

WHEREAS, in accordance with the Illinois Municipal Code, copies of the International Property Maintenance Code, 2006 Edition, have been duly filed in the office of the Village Clerk and made available for public use, inspection and examination for a period no less than thirty (30) days before the adoption of this Ordinance by the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. Chapter 6 ("*International Property Maintenance Code*") of Title 8 ("*Building and Building Regulations*") of the Village Code of Franklin Park, Illinois, is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

CHAPTER 6: INTERNATIONAL PROPERTY MAINTENANCE CODE

CHAPTER 6: ADOPTED CODES

8-6-1: ADOPTION OF CODE

~~The rules and regulations of the Building Officials and Code Administrators International, Inc., as contained in the following code: "The International Property Maintenance Code, 1998 Edition" as published by the Building Officials and Code Administrators International, Inc., Country Club Hills, Illinois are hereby adopted and incorporated as fully as if set out at length herein.~~

8-6-1: 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE:

The International Property Maintenance Code, 2006 edition, and referenced standards, as published by the International Code Council, a copy of which is on file and available for public use, inspection and examination in the office of the Village Clerk, is hereby adopted as the Property Maintenance Code of the Village, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fee therefore; and each and all of the regulations, provisions, conditions and terms of said Property Maintenance Code are hereby referred to and made a part hereof, as if fully set out in this Section of the Village Code with the additions, insertions, deletions and changes, if any, prescribed in Section 8-6-2 of the Village Code. The adoption of the International Property Maintenance Code shall not be construed as preventing the enforcement of or as repealing the provisions of any ordinance,

regulation, standard or code adopted by the Village which is more restrictive than the provisions of this Section. In the event any provision of this Section conflict with any other ordinance, regulation, standard or code adopted by the Village, the more restrictive shall be applicable.

8-6-2: REVISIONS TO THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE:

Section 101.1: Insert “*Village of Franklin Park, Cook County, Illinois*”.

Section 103.1: Delete “*Department of Property Maintenance*” and insert “*Department of Inspectional Services*.”

Section 103.2: Delete Section “*Appointment*” in its entirety.

Section 103.3: Delete Section “*Deputies*” in its entirety.

Section 103.5: Insert “*See Title 11 of Village Code of Franklin Park*.”

Section 106.4: Delete Section “*Violation Penalties*” in its entirety and substitute the following “*See violation penalties section of Chapter 6*.”

Section 111: Delete Section 111 “*Means of Appeal*” in its entirety and substitute
the following:

“*Section 111 Right to Appeal. 111.1 Court Review. A person shall have the right to appeal the final written decision of the code official by applying to the appropriate court of law to correct errors of law. Application for review shall be made in the manner and time required by law following the final written decision of the code official.*”

Section 302.4: Insert “*10 inches*”.

Section 303.2: Delete Section 303.2 “*Enclosures*” in its entirety and substitutes the following:

“*303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water 24 inches (610 mm) or more in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Gates and doors in such barriers shall swing in the outward direction, away from the pool. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be*”

located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section."

Section 304.3: Delete the first sentence of Section 304.3 "Premise Identification" in its entirety and substitute the following sentence:

"Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the public way fronting the property and shall also have such approved address numbers placed in a position to be plainly legible and visible from the rear of the property."

Section 304.14: Insert "April 15 to October 31".

Section 507.1: Add to Section "General" the following:

"1) Window Well Drain and Perimeter Drainage: All window wells shall have adequate drainage installed. A drain pipe of not less than four (4) inches in diameter shall be connected to a tee fitter incorporated with the building foundation footing drain tile system. A perimeter drain with leaders from window wells is required at basement. A four (4) inch diameter perimeter drain tile at footing shall be set on a minimum of two (2) inches of stone and covered with a minimum of six (6) inches of stones. The total height of the stone used shall be a minimum of twelve (12) inches (2" + 4" + 6" = 12). The top of the tile must be below the top of the footing; 2) Sump Pump Discharge: The sump pump discharge of the perimeter drain tile system shall be connected to the Village storm sewer system or as directed by the Department of Inspectional Services. The discharge of the sump pump shall be storm water and shall not be connected to or discharged into the sanitary sewer; 3) Downspouts: All downspouts and storm water sump pumps shall be discharged in a manner directed by the Department of Inspectional Services. Downspouts and storm water sump pumps may discharge onto the property, if absorbed into soil on the property, if approval in advanced by the Department of Inspectional Services provided a grading plan is approved by the

Village Engineer. No drainage shall run onto adjacent properties."

Section 602.3: Insert "October 15 to April 15".

Section 602.4: Insert "October 15 to April 15".

Section 604.2: Delete the second sentence of Section 604.2 entitled "Service" in its entirety and substitute the following sentence:

"Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 100 amperes."

8-6-2: PENALTY:

~~Any person, firm or corporation who shall violate any provision of this chapter or of the codes and regulations adopted by this chapter or who shall fail to comply with any of the requirements thereof, shall upon conviction be fined in an amount not less than two hundred fifty dollars (\$250.00) nor more than seven hundred fifty dollars (\$750.00) for each such violation or failure to comply. Each day that a violation or failure to comply continues shall be deemed a separate offense.~~

8-6-15: VIOLATION PENALTIES:

Any person, firm or corporation who shall violate a provision of this chapter or of the codes and regulations herein adopted or who shall fail to comply with any of the requirements thereof, shall be fined in an amount not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00), or to such other remedies as provided by law, for each such violation or failure to comply. Each day that a violation or failure to comply continues shall be deemed a separate offense.

Section 3. 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, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 4. This Ordinance, and its parts, are declared to be severable and any section, subsection, sentence, clause, provision, or portion of this Ordinance that is declared invalid such

decision shall not affect the validity of any other portion of this Ordinance, which shall remain in full force and effect. The Corporate Authorities hereby declare that the passage of this Ordinance would have occurred, irrespective of the fact that any one or more of its sections, subsections, sentences, clauses, provisions, or portion thereof, was at the time of passage invalid or unconstitutional.

Section 5. If any part of this Ordinance is found to be in conflict with any other ordinance, resolution, motion or order or parts thereof, the most restrictive or highest standard shall prevail.

Section 6. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted herein and hereby shall take full force and be in effect on January 1, 2010, at 12:00 A.M., Central Standard Time, due to the urgent nature of the matter herein in order to establish uniform standards and regulations throughout the Village and to ensure that the health, safety and welfare of the residents of the Village is duly protected.

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ADOPTED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois this 21st day of December 2009, pursuant to a roll call vote, as follows:

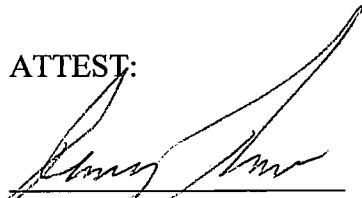
	YES	NO	ABSTAIN	ABSENT	PRESENT
ACEVEDO	X				
BELLENDIR	X				
BRIMIE	X				
JOHNSON	X				
MCLEAN	X				
RODRIGUEZ				X	
PRESIDENT PEDERSEN					
TOTAL	5			1	

APPROVED by the President of the Village of Franklin Park, Cook County, Illinois on this 21st day of December 2009.



BARRETT F. PEDERSEN
VILLAGE PRESIDENT

ATTEST:



TOMMY THOMSON
VILLAGE CLERK