

WINNEBAGO COUNTY  
PROPERTY MAINTENANCE CODE



Effective July 1, 2016  
Updated September 12, 2017

## **Introduction**

The *Winnebago County Property Maintenance Code* is adapted from the *2015 International Property Maintenance Code (IPMC)* with local amendments developed by the Winnebago County Health Department and the Winnebago County State's Attorney's Office. The amended version of the *2015 IPMC* was adopted by the Winnebago County Board on June 9, 2016 and became effective on July 1, 2016.

The *Winnebago County Property Maintenance Code* can be found in Chapter 18, Article IX of the *Winnebago County Code*. This code is available on-line at:

[https://www.municode.com/library/il/winnebago\\_county/codes/code\\_of\\_ordinances?nodeId=COCO\\_CH18BUBURE\\_ARTIXPRMACO](https://www.municode.com/library/il/winnebago_county/codes/code_of_ordinances?nodeId=COCO_CH18BUBURE_ARTIXPRMACO)

The *2015 International Property Maintenance Code* cannot be reproduced by Winnebago County, but can be found on-line through the International Code Council's website at:

<https://codes.iccsafe.org/public/document/toc/551/>

Hard copies of the *2015 IPMC* and local amendments can also be viewed in-person at the Environmental Health Center of the Winnebago County Health Department located in Room 205 at 401 Division Street in Rockford, Illinois.

**Winnebago County Amendments to the  
2015 International Property Maintenance Code**

- (1) Section 101.1 is amended to read as follows:

*101.1 Title.* These regulations shall be known as the International Property Maintenance Code of the County of Winnebago, Illinois, hereinafter referred to as “this code.”

- (2) Section 102.3 is amended to read as follows:

*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, National Electrical Code, International Mechanical Code, International Residential Code, Illinois State Plumbing Code, International Fuel Gas Code, as adopted by Winnebago County, or any codes or ordinances otherwise applicable. Nothing in this code shall be construed to cancel, modify or set aside any provision of the County of Winnebago Zoning Ordinance.

- (3) Section 103.1 is amended to read as follows:

*103.1 General.* The Neighborhood Code Enforcement Program is hereby created within the Winnebago County Health Department and the executive official in charge thereof shall be known as the code official.

- (4) Section 103.2 is amended to read as follows:

*103.2 Code Official.* The code official shall be the Public Health Administrator of the Winnebago County Health Department.

- (5) Section 103.3 is amended to read as follows:

*103.3 Deputies.* The code official shall have the authority to appoint a deputy(s). Such employees shall have powers as delegated by the code official.

- (6) Sections 103.4 and 103.4.1 are hereby deleted in their entirety.

- (7) Section 103.5 is amended to read as follows:

*103.5 Fees.* The fees for activities and services performed by the Department in carrying out its responsibilities under this code shall be as approved by the County Board.

- (8) Section 103.6 is added to read as follows:

*103.6 Restriction of employees.* An official or employee connected with the enforcement of this code, shall not be engaged in, or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of construction documents thereof, unless that person is the owner of the building; nor shall such officer or employee engage in any work that conflicts with official duties or with the interest of the department.

- (9) Section 106.2 is amended to read as follows:

*106.2 Notice of violation.* Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the person responsible for the violation in accordance with Section 4-4(b) of the Winnebago County Code of Ordinances. Such notice shall be in the form prescribed by Section 4-4(b) and shall be deemed to be properly served if a copy thereof is delivered as detailed in Section 4-4(d).

- (10) Section 106.3 is amended to read as follows:

*106.3 Prosecution of violation.* Any person who shall violate a provision of this code, or fail to completely therewith, or with any of the requirements thereof, shall be subject to the code hearing provisions established by Winnebago County Code Chapter 4, or may be prosecuted before a court of competent jurisdiction upon proper filing of a complaint seeking appropriate relief. Nothing in this section 106.3 is meant to limit a criminal prosecution of state statutes in any way.

- (11) Section 106.4 is amended to read as follows:

*106.4 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 subject to the general provisions established by Winnebago County Code of Ordinances Chapter 1, Division 11, unless otherwise specifically provided for in this code.

- (12) Section 107.6 is amended to read as follows:

*107.6 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 such dwelling unit or structure 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. The effect on transfer of ownership of the violating dwelling unit or structure shall be governed by Section 4-10 of the Winnebago County Code of Ordinances.

- (13) Section 109.1 is amended to read as follows:

*109.1 Imminent danger.* When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation 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, operation of defective or dangerous equipment, or when the structure is unfit for human habitation, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at the primary entrance to such structure a notice to the effect that the structure is unsafe and occupancy of the structure is prohibited. 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 demolishing the same.

- (14) Section 110.2 is hereby deleted in its entirety.

- (15) Section 110.3 is amended to read as follows:

*110.3 Failure to comply.* If the owner of a premises or owner's authorized agent fails to comply with a demolition order within the time prescribed, demolition may be undertaken by the County of Winnebago in accordance with the provisions of Section 5-1121 of the Illinois Counties Code, 55 ILCS 5/5-1121.

- (16) Section 110.4 is hereby deleted in its entirety.

- (17) Section 111.1 is amended to read as follows:

*111.1 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 Director of Environmental Health or his/her designee at the Winnebago County Health Department, provided that a written

application for appeal is filed within 20 days after the day the decision, notice or order was served. The application shall state with specificity the decision, notice or order being appealed and the reason for the appeal. After giving the applicant the opportunity to be heard and present evidence, the Director of Environmental Health or his/her designee may sustain the decision of the code official or modify or reverse the decision of the code official. Copies of that decision shall be provided to the applicant and the code official.

(18) Sections 111.2, 111.2.1, 111.2.2, 111.2.3, 111.2.4, 111.2.5, 111.3, 111.4, 111.4.1, 111.5, 111.6, 111.6.1 and 111.6.2 are hereby deleted in their entirety.

(19) Section 111.8 is amended to read as follows:

*111.8 Stays of enforcement.* Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the Director of Environmental Health or his/her designee.

(20) Section 112.4 is amended to read as follows:

*112.4 Failure to comply.* Any person who shall continue any work 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 liable for a fine of not less than \$200.00 and not more than \$1,000.00.

(21) Section 202 is amended to add the following general definitions:

**BLIGHT.** A deteriorated condition which impairs or destroys the health and safety of the property and or the neighborhood in which it exists.

**DEBRIS.** The remains of an object or substance that has been broken up, destroyed or deteriorated over time.

**REFUSE.** All putrescible and non-putrescible solids (except body wastes) including garbage, rubbish, ashes and dead animals.

(22) Section 301.4 is added to read as follows:

*301.4 Discontinuance of service.* No owner, operator, occupant, or other responsible person shall cause any service, facility, equipment, or utility which is required under this code to be removed, shut off, or discontinued from any occupied dwelling or dwelling units, except for such temporary interruptions as may be necessary while actual repairs or alterations are in progress or during temporary emergencies where discontinuance of service is approved by the code official. This section shall not be interpreted as

preventing a utility company from discontinuing services for reasons allowed by law.

- (23) Section 302.1 is amended to read as follows:

*302.1 Sanitation.* All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition. All useable material shall be stored inside an approved structure, unless such material is being used as part of an active construction project on the property.

- (24) Section 302.4 is amended to read as follows:

*302.4 Weeds.* The regulation of weeds shall be governed by the provisions of Section 50-291 *et seq.* of the Winnebago County Code.

- (25) Section 302.7 is amended to read as follows:

*302.7 Accessory structures.* All accessory structures, including, but not limited to, detached garages, fences and walls, shall be maintained structurally sound and in good repair.

- (26) Section 302.8 is amended to read as follows:

*302.8 Motor vehicles.* The provisions of Section 50-13 of the Winnebago County Code govern the storage of inoperable motor vehicles within the bounds of unincorporated Winnebago County, Illinois.

- (27) Section 302.10 is added to read as follows:

*302.10 Cisterns.* Pursuant to the authority granted by Section 5-1072 of the Illinois Counties Code, 55 ILCS 5/5-1072, cisterns unused and abandoned shall be filled with clean fill and sealed with a non-removable cover as prescribed by the authority having jurisdiction.

- (28) Section 304.14 is amended to read as follows:

*304.14 Insect screens.* During the period from April 1 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

- (29) Section 304.18.2 is amended to read as follows:

*304.18.2 Windows.* All operable windows that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.

- (30) Section 305.7 is added to read as follows:

*305.7 Carbon monoxide detector.* Every dwelling unit shall be outfitted with a carbon monoxide detector as required by the Illinois Carbon Monoxide Detector Act, 430 ILCS 135/1 *et seq.*

- (31) Section 308.2.1.1 is added to read as follows:

*308.2.1.1 Storage capacity.* The total capacity of all provided garbage cans, rubbish cans, and/or bulk storage containers shall be sufficient to meet the needs of all of the occupants of the dwelling or dwelling units from one scheduled collection time until the next scheduled collection time.

- (32) Section 309.1 is amended to read as follows:

*309.1 Infestation.* Structures shall be kept free from insect and rodent infestation. Structures in which insects or rodents are found shall be promptly exterminated through the use of approved processes that will not be injurious to human health by a licensed pest control operator. Safety data sheets shall be provided by the licensed pest control operator to the occupants of the structure upon application of chemicals. After pest elimination, proper precautions shall be taken to prevent reinfestation.

- (33) Section 404.7.1 is added to read as follows:

*404.7.1 Floor surface.* In all spaces to be occupied for food preparation purposes, the floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

- (34) Section 503.4 is amended to read as follows:

*503.4 Floor surface.* Every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.



(35) Section 602.3 is amended to read as follows:

*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 October 1<sup>st</sup> to April 1<sup>st</sup> to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

(36) Section 602.4 is amended to read as follows:

*602.4 Occupiable work spaces.* Indoor occupiable work spaces shall be supplied with heat during the period from October 1<sup>st</sup> to April 1<sup>st</sup> to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

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.

(37) Section 604.2.1 is added to read as follows:

*604.2.1 Access.* The occupants of every dwelling unit shall have immediate access to the electrical panel which services their dwelling unit.