

**VILLAGE OF ROYAL
CHAMPAIGN COUNTY, ILLINOIS**

2013 MINIMUM HOUSING STANDARDS ORDINANCE

**PASSED BY THE BOARD OF TRUSTEES AND
APPROVED BY THE PRESIDENT
OF THE VILLAGE OF ROYAL, ILLINOIS
THIS 1ST DAY OF APRIL 2013**

Published in pamphlet form by the authority of the Village Board of Trustees of the Village of Royal, Champaign County, Illinois, this 2nd day of April 2013.

**VILLAGE OF ROYAL
ROYAL, ILLINOIS**

Ordinance No. _____

April 1, 2013

2013 MINIMUM HOUSING STANDARDS ORDINANCE

WHEREAS, the corporate authorities of the Village of Royal, Illinois, have determined that it is appropriate and in the public interest that a minimum housing standards ordinance be enacted; and,

WHEREAS, the corporate authorities of the Village of Royal, Illinois, heretofore adopt Ordinance No. _____, dated April 1, 2013, establishing certain minimum housing standards for the Village of Royal, Illinois; and,

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

SECTION 1. RESPONSIBILITY

No person shall hereafter construct or let to another for the occupancy any dwelling for the purpose of living, sleeping, cooking or eating therein which does not comply with the requirements of section 2 hereof.

SECTION 2. SANITATION AND HEALTH REQUIREMENTS

- A. Plumbing Every dwelling unit shall contain a kitchen sink in good working condition, and shall contain a room or compartment affording privacy which is equipped with a flush water closet and lavatory basin in good working order, and shall contain a room affording privacy which is equipped with a bathtub or shower in good working order.

- B. Water supply and Sewage Disposal Every dwelling unit shall have a hot water system and be properly connected to the public water supply and sewage disposal system in accordance with the Rules and Regulations of the Illinois Department of Public Health.

- C. Heating Every dwelling shall have a safe and properly operating heating system capable of raising room temperature in all parts of the dwelling to 70* F. during the minimum temperature months.
- D. Natural Light and Ventilation Every habitable room in the dwelling unit shall have at least one operable window facing directly to outdoor open space. Every outer door, operable window or other outside opening shall be adequately screened for protection against flies, mosquitoes or other insects except rooms with mechanical ventilation.

A habitable room is any room used for sleeping, dining, sitting, cooking, congregation, or other occupancy use, but does not include bathrooms, hallways, utility rooms, laundry rooms, pantries closets or storage rooms.

- E. Artificial Lighting and Electricity Every habitable room shall contain at least two wall type electrical convenience outlets and a ceiling lighting fixture or three electric convenience outlets; every waste closet compartment, bathroom, hall and utility or service room shall contain at least one electric light fixture; and every stairway shall be safely lighted. All such outlets and fixtures shall be connected to an approved source of electric power and maintained in safe working condition. All electrical outlets in bathrooms, water closet compartments, sink area of kitchens, and outside shall be ground fault circuits.
- F. First Floor Every dwelling shall contain least twelve hundred (1200) square feet of habitable floor space.
- G. Structural Soundness Every foundation, floor, wall, ceiling and roof shall be constructed and maintained in a weatherproof, watertight and rodent proof condition and shall be kept in good repair. The bottom of the footings for all foundations shall have a minimum of forty-two (42) inches of earth cover.
- H. Trash and Rubbish Disposal Every dwelling unit shall be supplied with adequate facilities for the disposal of rubbish, garbage and waste in a clean and sanitary manner.
- I. Yard All yards, vacant lots and other open space around a dwelling shall be maintained free of trash, high weeds, vegetation, stagnant water, rubbish and mechanical equipment, including trucks and automobiles, which has fallen in disuse.
- J. Cellar Occupancy Prohibited No cellar space shall be used as a principal habitable room.

- K. Trailer Occupancy No trailer shall be occupied for dwelling except as specified in the Village of Royal zoning ordinance.
- L. Doors Every dwelling shall have a minimum of two doors for ingress and egress. The first door shall be at the front of the dwelling and the second door shall be on the back or side of the dwelling opposite the front door.

SECTION 3. BUILDING PERMIT AND INSPECTION

- A. No person shall hereinafter construct any dwelling for the purpose of living, sleeping, cooking or eating therein without first obtaining a Building Permit therefore from the Village Clerk of Royal.
- B. No person shall hereinafter make major repairs, reconstruction or additions to existing dwellings or accessory buildings without first obtaining a building permit therefore from the Village Clerk of Royal.
- C. The building permit required in Subparagraph A of this Section 4 shall be issued by the Village Clerk of Royal, upon 1) payment of the prescribed fee therefore and 2) presentation to him/her of plans, specifications and drawings of the proposed dwelling evidencing compliance with the requirements of this minimum housing standard Ordinance, as written, and 3) compliance with all other applicable ordinances, including the zoning ordinance.
- D. The Village Clerk of Royal, or his/her designate shall make periodic and routine inspection of said dwelling unit under construction. One inspection shall be before interior insulation, drywall or sheeting has been applied. There shall be no fees charged, assigned or levied to the permit holder for inspections.

SECTION 4. CERTIFICATE OF OCCUPANCY REQUIRED

No person shall occupy any dwelling for the purpose stated in Section 1 hereof until a Certificate of Occupancy therefore has been issued by the Village Clerk of Royal.

SECTION 5. APPEAL TO THE ZONING BOARD OF APPEALS

Appeals from decisions of the Village Clerk of Royal, arising from this minimum Housing Standards Ordinance may be taken to the Zoning Board of Appeals in accordance with the provisions of Article 12 of the Village Zoning Ordinance, which said Article 12 shall

govern the rights and procedure for the appeals under this Minimum Housing Standards Ordinance.

SECTION 6. UNFIT DWELLINGS

- A. Any dwelling or dwelling unit which is found to have any of the following defects shall be condemned as unfit for human habitation and shall be designated and placarded by the Village Clerk of Royal.
1. One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin-infested as to create a serious hazard to the health or safety of the occupants thereof or of the public.
 2. One which lacks illumination, ventilation or sanitation facilities adequate to protect the health or safety of the occupants thereof or of the public, or where such facilities or protection are not in good working order.
 3. One which, because of its general condition or location, is unsanitary, unsafe or otherwise hazardous to the health or safety of the occupants thereof or of the public.
 4. One which violated the requirements of this ordinance's requirements as set forth in Section 2., and which, because of those conditions cannot be occupied without hazard to the occupants' health and safety.
- B. Any dwelling or dwelling unit condemned as unfit for human habitation and so designated and placarded by the Village Clerk of the Village of Royal, shall be vacated within a reasonable time, not to exceed sixty (60) days, as ordered by the Village Clerk of the Village of Royal. No such dwelling or dwelling unit shall again be used for human habitation until the defect or defects upon which the condemnation and placarding were based have been eliminated and written approval has been secured from, and the placard removed by, the Village Clerk of Royal.

No person shall deface or remove the placard from any such dwelling or dwelling unit except as provided in this section.

- C. Any person affected by any notice or order relating to the condemning and placarding of a dwelling or dwelling unit as unfit for human habitation may request and shall be granted a hearing before the Board of Appeals on the matter after the date of such order and placarding, as provided in Section 6 hereof.

D. A dwelling unit which is subject to condemnation and placarding as unfit for human habitation may be ordered demolished by the Village Clerk of Royal if it is determined by the Village Clerk of Royal that such defects upon which the condemnation order is based cannot be economically remedied. Demolition according to requirements hereof may be required of the owner within a reasonable period of time to be not less than sixty (60) days after the notice is served on said owner. Such demolition shall have the effect of fulfilling the requirements of removing the defects if the dwelling structure is razed to ground level and any subsurface area is filled with solid materials to ground level.

E. A dwelling which has been condemned as unfit for human habitation and ordered demolished and which has not been demolished by the owner within the time specified in such demolition order, may be demolished at the expense of the owner according to the following procedure:

1. In accordance with the provisions of section 5/11-31-1 of Chapter 65 of Illinois Compiled Statutes, the corporate authorities may apply to the Circuit Court of Champaign County, Illinois, for an order authorizing the demolition of said dwelling or building as unfit for human habitation, after at least fifteen (15) days written notice has been served on the owner and the owner has failed to comply with said notice. Service of all notices shall be made on the owners or owner if possible, but where, after diligent search the identity or whereabouts of the owners or owner of such buildings shall not be ascertainable, notice mailed to the person or persons in whose name such real estate was last assessed shall constitute notice under this Section

2. After an order of demolition is entered in the Circuit Court of said Champaign County, the corporate authorities shall then proceed to demolish said building or dwelling as follows:

(a) At least two bids shall be secured upon the cost of demolition of the said building or dwelling and a contract shall be awarded to the lowest responsible, responsive bidder, unless the Village Board of Trustees determines that it is in the best interest of the Village of Royal to do otherwise.

(b) The payment of said contract shall be from the General Fund of the Village of Royal.

(c) The cost of demolition of said building shall be recoverable from the owner or owners of such real estate, and shall be a lien thereon, which lien shall be subordinated to all prior liens and encumbrances; provided, that

within one hundred eighty (180) days or whatever longer or shorter period, if any, is prescribed by applicable Illinois statute, after said cost and expenses is incurred, the Village of Royal, or person performing the service by authority of the Village of Royal, shall file of the lien in the office of the Recorder of Deeds of Champaign County, Illinois, said notice to consist of a sworn statement setting out (1) A description of the real estate sufficient for identification thereof; (2) The amount of money, cost or expenses payable for said demolition; (3) Date or dates which said cost or expense was incurred by said Village of Royal.

(d) Upon the payment of said cost or expense by the owner or owners interested in said property after notice of lien has been filed, the lien shall be released by the Village of Royal or person in whose name the lien has been filed.

(e) The lien may be enforced by proceedings to foreclosure as in the case of mortgages pursuant to statute and the Village's costs of foreclosure as specified in said Section 5/11-3/1 are recoverable in such proceedings

(f) The lien may also be enforced as provided in Section 5/11-31-1(c), (d) of (e) of said statute, in which case the procedures set forth therein shall apply.

(g) If the provisions of applicable state statutes, including said Section 5/11-31-1, conflict with the provisions of this ordinance, then the provisions of such statute shall apply.

SECTION 7. EFFECTIVE DATE/ PUBLICATION

This ordinance shall be effective upon its passage and publication in pamphlet form as provided by law.

This ordinance includes provisions prior Ordinance 72, which were included herein without change, and thus those provisions remain in effect with, after the effective date of this ordinance, the additional provisions thereof. The substantive provisions of this April 1, 2013, ordinance shall apply hereafter, to the extent constitutionally permissible, and the substantive provisions of the prior ordinance, as amended shall otherwise apply to all notices, appeals, and

court proceedings occurring after the effective date of this April 1, 2013, ordinance.

SECTION 8. SEVERABILITY

If any provision of this ordinance is determined to be invalid, the other provisions of the ordinance shall remain in full force and effect. Should any clause in Section 6 be invalid, all remaining clauses will be subject to state law statutory requirements for dangerous and unsafe buildings.

PRESENTED, PASSED and APPROVED at a regular meeting of the President and Board of Trustees of the Village of Royal, Illinois, on this 1st Day of April, 2013.

Approved:

Robert J. Vilven

Village President

Attest:

James M. Wright

Village Clerk

STATE OF ILLINOIS)
) SS
CHAMPAIGN COUNTY)

CERTIFICATE

I, James M. Wright, certify that I am the duly elected and acting Village Clerk of the Village of Royal, Champaign County, Illinois

I further certify that on the 1st day of April, 2013, the Corporate Authorities of such Village of Royal, Illinois, passed and approved Ordinance No. _____ entitled:

2013 MINIMUM HOUSING STANDARDS ORDINANCE

which provided by its terms that it should be published in pamphlet form.

The pamphlet for of this Ordinance No. _____, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the Village Office, The Royal Bank and Vilven Tire co., Inc., commencing on this 2nd day of April 2013, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for the public inspection upon request in the office of the Village Clerk.

DATED at Royal, Illinois, this 15th day April, 2013.

James M. Wright

Village Clerk

Village of Royal, Illinois