



June, 2025

RE: Intended amendments, additions and/or deletions to the 2024 International Property Maintenance Code to be adopted by the City of Lincoln, IL.

General: All references to “code official” shall be assumed to mean “Building and Safety Official”

General: All references to the “International Plumbing Code”, shall be assumed to mean “The most current version of the State of Illinois Plumbing Code”.

Chapter 1

- 1) Section 101.1 - Insert *City of Lincoln*
- 2) Section 102.3 - Delete and replace with: *Repairs, additions or alterations to a structure, or change of occupancy, shall be done in accordance with the procedures and provisions of the Building Codes as adopted by the City of Lincoln. Nothing in this code shall be construed to cancel, modify or set aside any provision of the City of Lincoln Zoning Ordinance.*
- 3) Section 103.1 - Delete Section in its entirety and replace to read: *The Building and Safety Department shall be created in accordance to City of Lincoln Municipal Code, section 1-18.*
- 4) Section 103.2 – Delete
- 5) Section 103.3 - Delete
- 6) Section 105.1 - Remove *Code Official* and replace with *Building and Safety Official or Designee*.
- 7) Section 105.2.2 – Delete exception.
- 8) Section 106.1 - Delete and replace with: *In order to hear and decide appeals of orders, decisions or determinations made by the Building and Safety Official or a notice or order issued under this code shall have the right to appeal to the Zoning Board of Appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice or order was issued. All decisions and findings shall be provided in writing to the appellant with a duplicate copy to the Building and Safety Official.*
- 9) Section 106.2 - Delete and replace with: *An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equivalent or better form of construction is proposed. The board does not have authority to waive requirements of the code or interpret the administration of this code. A person's exercise of an appeal does not preclude or abate criminal enforcement for the violation of this code.*
- 10) Section 106.3 - Delete in its entirety.
- 11) Section 109.1 – Add: *Notwithstanding anything in this section to the contrary, the City of Lincoln expressly retains all statutory powers and rights to address unsafe structures.*
- 12) Section 109.3 - Replace first sentence to read: *The Building and Safety Official shall cause a report to be made on an unsafe condition.*
- 13) Section 109.4 - Delete and replace with: *Whenever the Building and Safety 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 in the manner as prescribed by City of Lincoln procedure.*
- 14) Section 109.4.1 - Delete in its entirety.
- 15) Section 109.4.2 - Delete in its entirety.
- 16) Section 111.1 - Delete and replace with: *Whenever the Building and Safety Official determines any structure is so old, dilapidated or has become so out of repair and is dangerous, unsafe, unsanitary and otherwise unfit for human habitation or occupancy the Building and Safety Official may order its demolition as prescribed by City of Lincoln procedure and State of Illinois Statute.*



Chapter 2

- 1) Section 201.3 - Replace with: *When terms are not defined in this code, they shall have the meanings as described in the Building Codes has adopted by the City of Lincoln.*
- 2) Section 201.4 – Add additional sentence to read: *Merriam-Webster's unabridged Dictionary of the English Language shall be considered as providing ordinarily accepted meanings.*
- 3) Section 202 – Add the following definition to read: *OPEN STORAGE. The outside storage of goods, materials, merchandise, or equipment on a lot or tract including the placement of storage containers such as vaults, shipping containers or other vehicles for storage. Open storage does not include the storage of furniture, cooking equipment, heaters, firewood, fire pits, and other items designed to be stored outside of a residential building if stored in a manner which does not create a risk to the health or safety of the public or constitute a public nuisance.*

Chapter 3

- 1) Section 301.4 – Add this Section, titled “Unlawful Structures”: *It is an offense for an owner, owner's representative, occupant or person with care, custody or control of property to erect, alter or maintain an unlawful structure, as described in section 109.1.4 of this ordinance, upon said property.*
- 2) Section 301.5 – Add this Section, titled “Workmanship”: *It is an offense for an owner, owner's representative, occupant or person with care, custody or control of property to make repairs, maintenance work, alterations or installations that are not performed in a workmanlike manner and installed in accordance with the manufacturer's instructions and intended use and as defined in section 202 of this ordinance.*
- 3) Section 302.2 – Changed to read as follows: *Premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within structure located thereon or to cause erosion or encroachment onto public right of ways or neighboring private properties.*
 - a. *Exception: Approved retention areas or reservoirs.*
- 4) Section 302.4 – Delete in its entirety and replace with:

All exterior property areas shall be maintained in a safe and healthy manner.

1. *It is an offense for an owner, owner's representative, occupant or person with care, custody or control of property to fail to maintain the exterior property as follows:*
 - a. *All noxious grass and weeds shall be prohibited. To be defined as those reaching a height of greater than eight (8) inches in height and not to include manicured or cultivated gardens and flowers.*
 - b. *Dead or dying trees that adversely affect public health and safety, or that of the property or neighboring properties shall be removed.*
 - c. *Damaged trees that adversely affect public or private health and safety shall be trimmed to eliminate health or safety concerns.*
 - d. *Diseased or insect-infested trees, shrubs or other vegetation that adversely affect public or private health and safety shall be removed.*
 - e. *Exterior property areas and landscaping shall be maintained to minimize property damage and eliminate public safety hazards.*
 - f. *Trees, shrubs and all other vegetation shall be maintained to allow a vertical clearance of at least seven (7) feet above sidewalk pavement and fourteen (14) feet above street pavement.*
 - g. *Trees, shrubs, boulders or other objects located along paved alleys shall be maintained one (1) foot back from the paved alley edge and so as to allow a vertical clearance of at least fourteen (14) feet.*
 - h. *Turf grasses and groundcover that are located adjacent to alleys shall be maintained even with the paved edge.*
 - i. *Gravel, pavers, bricks, concrete or asphalt that are located adjacent to the alley shall be maintained level with the paved alley surface, unless otherwise prohibited.*



Chapter 3 Cont.

2. Conditions described in subsection 302.4(1) of this section constitute public health and safety hazards.
3. Abatement of public health and safety hazards.
 - a. 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 or trim trees, shrubs, ground cover and all other vegetation thereon, and the costs incurred for such work shall be paid by the owner or agent responsible for the property. The charges to be collected by the city under this section shall include, in addition to the costs and expenses of cutting, trimming or correcting a condition upon a tract of land, the sum equal to that as charged by city staff or authorized contractor, which sum is hereby found to be the cost to the city of administering the terms of this section.
- 5) Section 302.6 - Revise to add: *dryer vents and oven/stove vents*
- 6) Section 302.6.1 - Revise to add: *dryer vents and oven/stove vents*
- 7) Section 302.8 – Change to read: *An inoperable or unlicensed motor vehicle shall not be parked, kept or stored in public view and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside approved spray booth. And as further defined in Section 202 of this code.*
 - a. *Exception: A vehicle may undergo any type of overhaul, including body work, provided such work is performed in and contained within an enclosed structure on the same lot.*
- 8) Section 302.10 – Add this section titled **302.10 Open Storage prohibited.** *It is an offense for an owner, owner's representative, occupant or person with care, custody or control of property to allow open storage, as defined in subsection 202 of this ordinance, in a residential district.*
- 9) Section 304.2 – This section is being reorganized for better clarity and understanding to read:
It is an offense for an owner, owner's representative, occupant or person with care, custody, or control of property to fail to maintain the protective treatment on any exterior surface in good condition, weather resistant or watertight, including but not limited to:
 1. *Exterior wood surfaces, other than decay-resistant woods, shall have an appropriate protective treatment.*
 2. *Paint shall not be peeling, flaking or chipped.*
 3. *Siding and masonry joints and joints between the building envelope and the perimeter of windows, doors and skylights shall be sound.*
 4. *Metal surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion.*
 5. *Oxidation stains shall be removed from exterior surfaces unless the surface is designed for stabilization by oxidation.*
- 10) Section 304.7 – This section is being reorganized for better clarity and understanding to read:
It is an offense for an owner, owner's representative, occupant or person with care, custody, or control of property to fail to maintain a roof and roof drainage in good repair, free from defects or in a manner that creates a nuisance, including but not limited to:
 1. *The roof and flashing shall be sound, tight and not have defects.*
 2. *Roof drainage shall be adequate to prevent dampness or deterioration in the wall or interior portion of the structure.*
 3. *Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions.*
 4. *Water runoff shall not be discharged in manner that creates a public nuisance or encroaches on neighboring properties.*



Chapter 3 (cont.)

- 11) Section 304.9 – Delete in its entirety and replace with: *It is an offense for an owner, owner's representative, occupant or person with care, custody, or control of property to fail to maintain overhang extensions in good repair and sound condition. Overhang extensions shall include but is not limited to eaves, fascia, soffits, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts. Where 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.*
- 12) Section 304.14 – Delete in its entirety and replace with: *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 not less than 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 replant fans are employed.*
- 13) Section 305.1.1 – Delete in its entirety and replace with:
"Unsafe Conditions": The following conditions are deemed potentially unsafe and shall be repaired or replace to comply with the International Building Code or the International Residential Code, as adopted:
 1. *A structural member or component has deterioration or distress that appears to reduce the load carrying capacity, is exceeded by nominal loads, the load effects or the required strength.*
 2. *The anchorage of the floor or roof to walls or columns and to the columns to foundations have deterioration, distress or by way of disengaged attachment appears to reduce its load-carrying capacity.*
 3. *Structures or components thereof have deterioration or distress that appear to reduce its load-carrying capacity.*
 4. *Stairs, landings, balconies and all similar walking surfaces, including guards and railings, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects.*
 5. *Foundation systems that are not firmly supported by footings and are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.*
- 14) Section 307.3 – Add section to read: **Section 307.3 Openings.** *Any opening in guards must be spaced in accordance with the International Building Code or International Residential Code as adopted.*
- 15) Section 308.1 – Delete in its entirety and replace with: *All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. Disposal of rubbish and garbage shall be in accordance with the City of Lincoln Municipal Code Title 7, Chapter 16.*
- 16) Section 309.1 – Replace structures with premises.

Chapter 5

- 1) Section 505.3 – Delete in its entirety and replace with: *The water supply system of all occupied structures shall be installed and maintained to provide an active 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 from defects and leaks.*
- 2) Section 507.1 – Delete in its entirety and replace with: *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 or encroaches on neighboring properties.*



Chapter 6

- 1) Section 602.2 – Delete in its entirety and replace with: *Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.*
- 2) Section 602.3 – Add dates, to be from October 1 to May 1.
- 3) Section 602.4 – Add dates, to be from October 1 to May 1.
- 4) Section 604.2 – Delete in its entirety and replace with: *The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the building codes as adopted by the City of Lincoln. 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.*

Chapter 7

- 1) Section 703.2 – Delete in its entirety and replace with: *Where any components are not maintained and do not function as intended or do not have the fire resistance required by the code under which the building was constructed or altered, such components or portions thereof shall be deemed unsafe conditions in accordance with the International Fire Code, as adopted. Components or portions thereof determined to be unsafe shall be repaired or replaced to conform to that code under which the building was constructed or altered.*
- 2) Section 703.3 – Delete in its entirety and replace with: *The required fire-resistance rating of fire-resistance rated construction, including walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and joint systems, shall be maintained in accordance with the International Fire Code, as adopted.*
- 3) 703.3.2 – Delete in its entirety and replace with: *Required smoke barriers and smoke partitions shall be maintained to prevent the passage of smoke.*
- 4) Section 704.4 – Delete in its entirety and replace with: *Opening protectives shall be maintained in an operative condition. The application of field- applied labels associated with the maintenance of opening protectives shall follow the requirements of the approved third-party certification organization accredited for listing the opening protective. Fire doors and smoke barrier doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced whenever fused or damaged. Fire door assemblies shall not be modified.*