
Rental Habitability Ordinance

Ordinance No. 867 adopted October 21, 2010 by the Champaign County Board established the Rental Habitability Ordinance of Champaign County, Illinois.

PURPOSE The provisions of this ordinance shall apply to all residential rental properties and shall constitute the minimum maintenance requirements necessary to ensure adequate habitability of residential rental buildings except for any additional relevant requirements in the Champaign County Nuisance Ordinance.

APPLICABILITY The provisions of this ordinance shall not apply to any of the requirements for residential rental property maintenance that are included herein that are identified as the **responsibility of the tenant** in a written lease except requirement 7.I. that is nontransferable by lease.

ENFORCEMENT The minimum maintenance requirements for habitability established by this ordinance are not enforced by Champaign County but are specifically intended to be relevant to tenant claims under the Residential Tenants' Right to Repair Act (765 ILCS 742 *et. seq.*) and to further the authority granted by 55 ILCS 5/5-1063 related to building maintenance.

STANDARD OF MAINTENANCE QUALITY Repairs, maintenance work, alterations or installations required by this ordinance shall be performed in a reasonable manner and in compliance with any relevant manufacturer's requirements.

DEFINITIONS **HABITABLE:** Any space for human occupation and use such as vestibules, hallways, stairways, corridors, living rooms, bedrooms, kitchens, pantries, bathrooms, closets, and storage spaces.

RENTAL UNIT: Any dwelling unit, rooming unit, dormitory room, guestroom, or portion of a building that is rented, leased, or let.

OWNER: An individual, firm, association, syndicate, partnership, corporation, corporation, company, organization, trust, or any other legal entity having a proprietary interest in a building, property, lot, or tract of land.

ROOM: Any interior **HABITABLE** space that is larger than 70 square feet and with a minimum horizontal dimension of eight feet.

TENANT: The person or persons that occupy a **RENTAL UNIT**.

NOTE: This handout summarized the major provisions applying in unincorporated areas only. Cities and Villages may have different regulations. Other restrictions may apply.

Champaign County Department of Planning & Zoning, 1776 E. Washington Street, Urbana, Illinois 61802.
Phone: (217) 384-3708. Fax: (217) 819-4021.

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MINIMUM MAINTENANCE REQUIREMENTS FOR HABITABILITY

The OWNER of any RENTAL UNIT is hereby required to maintain the premises and to promptly perform all needed repairs to any building containing a RENTAL UNIT and to each RENTAL UNIT including but not limited to repairs, maintenance, and services of the following types:

- A. Building Exterior. The building exterior shall be maintained in a structurally sound and weatherproof condition and free from holes, or defects that allow rain or weather to enter.
- B. Exterior and interior stairs. All stairways shall meet the minimum egress requirements of the Illinois State Fire Marshal's Life Safety Code and be structurally sound and maintained in good repair.
- C. Doors. All exterior doors, door assemblies, and hardware shall be maintained in good condition. Locks at all entrances to any RENTAL UNIT shall tightly secure the door.
- D. Deadbolt locks. Doors providing access to any RENTAL UNIT shall be equipped with a deadbolt lock. Deadbolt locks shall have a minimum lock throw of at least one (1) inch. A sliding bolt shall not be considered an acceptable deadbolt lock. Deadbolt locks shall be properly installed according to manufacturer's specifications and maintained in good working condition. All required deadbolt locks shall be designed and installed in such a manner so as to be operable from inside of the RENTAL UNIT by only a knob.
- E. Building interior.
 - (1) All HABITABLE interior areas shall be maintained in good repair, structurally sound and in a sanitary condition.
 - (2) All interior surfaces, including windows and doors, shall be maintained in good repair and sanitary condition.
 - (3) Paint that is peeling, chipping, flaking, or abraded shall be repaired.
 - (4) Cracked or loose surfaces shall be repaired.
- F. Windows and skylights. Windows and skylights shall be maintained in good repair, and shall be structurally sound and weather tight.
 - (1) Glazing. All glazing materials shall be maintained free from cracks and holes.
 - (2) Openable windows. Windows that are not fixed windows shall be easily openable and with hardware capable of holding the window in an open position.
 - (3) Insect screens. Between May 14 to September 15 of every year each openable window in each HABITABLE room shall be provided a tightly fitting screen of not less than 16 mesh per inch.

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**MINIMUM
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continued

- G. Garbage facilities and service.
- (1) Every occupied RENTAL UNIT shall be provided covered outdoor garbage containers for use by the tenant however multiple tenants may be provided with a single covered container provided it is of adequate size.
 - (2) Every occupied RENTAL UNIT shall be provided with regular and timely removal (pickup) of normal daily household waste.
- H. Plumbing and plumbing fixtures.
- (1) All plumbing shall meet the requirements of the Illinois Plumbing Code.
 - (2) Plumbing fixtures including hot water heaters shall be properly installed and maintained in good working condition, and shall be kept free from obstructions, leaks, and defects.
- I. Heating. Each RENTAL UNIT shall be supplied with heat during the period from September 15 to May 15 of every year and sufficient to maintain a temperature of not less than 65° in all habitable rooms. This requirement shall be nontransferable by lease.
- J. Appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances (including refrigerator), and water heating appliances shall be properly installed and maintained in a good working condition and all necessary services (gas, electrical, etc.) required for operation shall be provided and in good working order.
- K. Electrical system and equipment.
- (1) Each RENTAL UNIT shall be provided with an electrical system including electrical equipment, wiring, and appliances that shall be properly installed and maintained in a safe working condition.
 - (2) Each occupied RENTAL UNIT shall be provided with a working electrical service.
 - (3) Electrical outlets. Each habitable space shall be served by at least two separate and remote receptacle outlets except only one outlet shall be required per bathroom.
- L. Each building containing a RENTAL UNIT and each RENTAL UNIT shall be provided with smoke and carbon monoxide detectors as required by the Illinois State Fire Marshal's Life Safety Code.
- M. Each RENTAL UNIT shall be provided with a mailbox meeting the requirements of the U.S. Postal Service.

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**SEVERABILITY,
PUBLICATION,
& EFFECTIVE
DATE**

- A. Severability. Should any part of this ordinance be declared invalid by court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this ordinance.
- B. Publication. Within 15 days of the adoption of this ordinance the County Clerk shall cause notice to be published in a newspaper of general circulation within the County stating that this ordinance has been adopted including the effective date of the ordinance and the availability of copies of the office of the Zoning Administrator.
- C. Effective Date. This ordinance shall be in full force and effect ten days after the date of publication.

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