



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4955

by Rep. Susana A Mendoza

SYNOPSIS AS INTRODUCED:

New Act

Creates the Safe Housing Act. Provides that every permanent dwelling unit in the State must be constructed in accordance with the building code or codes adopted by the municipality or county in which the unit is located. Provides that if a permanent dwelling unit is not located in a municipality or county that has adopted a building code, it must at least have a foundation that meets certain standards. Requires that a permanent dwelling unit be inspected by the municipality or county in which it is located to determine compliance with the applicable standards. Provides for a civil penalty against a person who permits a permanent dwelling unit to be occupied without meeting the requirements of the Act. Provides that the Act applies to every permanent dwelling unit in the State with respect to which construction is begun on or after the effective date of the Act, except that the Act does not apply to any permanent dwelling unit located in Chicago. Limits the exercise of home rule powers. Effective immediately.

LRB095 18525 DRJ 44611 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning housing.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Safe
5 housing Act.

6 Section 5. Building standards.

7 (a) Every permanent dwelling unit in this State must be
8 constructed in accordance with the building code or codes
9 adopted by the municipality in which the unit is located or, if
10 the unit is not located in a municipality, the building code or
11 codes in effect in the county in which the unit is located.

12 (b) If a permanent dwelling unit is not located in a
13 municipality or county that has adopted a building code, or if
14 the municipality or county in which the unit is located has
15 adopted a building code or codes that do not include a
16 requirement that the unit be attached to a permanent
17 foundation, then the unit must be attached to a permanent
18 foundation. For purposes of this subsection, "permanent
19 foundation" means a closed perimeter formation consisting of
20 materials such as concrete, mortared concrete block, or
21 mortared brick extending into the ground below the frost line,
22 which may include, but need not be limited to, cellars,
23 basements, or crawl spaces, but does exclude the use of piers.

1 Section 10. Inspection before occupancy. Before a
2 permanent dwelling unit may be occupied, the municipality in
3 which the unit is located or, if the unit is not located in a
4 municipality, the county in which the unit is located must
5 inspect the unit and, based on that inspection, determine that
6 the unit complies with all of the requirements of Section 5. A
7 municipality or county may issue a permanent occupancy
8 certificate with respect to a permanent dwelling unit only
9 after making an inspection of the unit and a determination of
10 compliance in accordance with this Section.

11 Section 15. Violation; civil penalty. If a person permits a
12 permanent dwelling unit to be occupied in violation of Section
13 10, that person is subject to a civil penalty in an amount of
14 \$1,000 for each day he or she permitted the unit to be occupied
15 in violation of Section 10. The penalty may be imposed by the
16 governing body of the municipality or county after notice to
17 the person and an opportunity for a hearing.

18 Section 20. Applicability.

19 (a) Except as provided in subsection (b), this Act applies
20 to every permanent dwelling unit in the State with respect to
21 which construction is begun on or after the effective date of
22 this Act.

23 (b) This Act does not apply to any permanent dwelling unit

1 located in the City of Chicago.

2 Section 25. Home rule. A home rule unit may not regulate
3 the construction of permanent dwelling units in a manner less
4 restrictive than the regulation by the State of the
5 construction of permanent dwelling units under this Act. This
6 Section is a limitation under subsection (i) of Section 6 of
7 Article VII of the Illinois Constitution on the concurrent
8 exercise by home rule units of powers and functions exercised
9 by the State.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.