

# Village of La Grange Park BUILDING CODES & REGULATIONS

*Adopted July 11, 1995*

## **AMENDMENTS**

Amended 4/10/01 (Ordinance #676)

Amended 8/12/03 (Ordinance #731)

Amended 4/27/04 (Ordinance #751)

Amended 11/26/13 (Ordinance #979)

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### **§ 7.210 TITLE**

This Article will be known as the Building Code of the Village of La Grange Park.

### **§ 7.211 PURPOSE**

The purpose of this Chapter is to provide for the safety, health and public welfare through structural strength and stability, means of egress, adequate light and ventilation and protection to life and property from fire and hazards incidental to the design, construction, alteration, removal or demolition of buildings or structures. This Chapter sets forth requirements which are considered reasonable and are held in every instance to be the minimum for the promotion of public health, safety and the general welfare.

### **§ 7.212 CHAPTER AS REMEDIAL**

This Chapter shall be construed to secure its expressed intent, which is to insure public safety, health and welfare insofar as they are affected by building construction, through structural strength, adequate egress facilities, sanitary equipment, light and ventilation, and fire safety; and, in general, to secure safety to life and property from all hazards incident to the design, erection, construction, alteration, removal or demolition of all buildings and structures.

### **§ 7.213 DEFINITIONS**

The following words and phrases as used in this Title shall have the following meanings unless a different meaning is required by the context. Where terms are not defined herein and are defined elsewhere in this Code, they shall have the meanings as so defined.

#### **Accepted Engineering Practice.**

That which conforms to accepted principles, tests or standards of nationally recognized technical or scientific authorities.

**Accessible.** Refers to any opening in the exterior of a building larger than eight (8) inches by twelve (12) inches; (e.g. door, window, transom, vent duct, skylight, etc. that is within either:

- (1) Eighteen (18) feet of the ground or the roof of an adjoining structure;
- (2) Fourteen (14) feet of any window, fire escape or ledge; or
- (3) Four (4) feet of another opening larger than eight (8) inches or twelve (12) inches, a fire escape or a ledge in or projecting from the same wall as such opening or an adjacent wall, and leading to another building or structure.

**Alcove.** A recess adjoining and connecting with a larger room, with an unobstructed opening into such room.

**Alteration.** A change in size, shape, character or use of a structure.

**Approved.** "Approved," as applied to a material, device, or method of construction, shall mean approved by the Director of Fire and Building under the provisions of this Chapter, or approved by other authority designated by law to give approval in the matter in question.

**Approved Rules.** The legally adopted rules of the Director of Fire and Building or of an agency having jurisdiction over the Village, or whose rules have been formally adopted by the Village.

**Area.** The maximum horizontal projected area of the building or structure at or above grade.

**Areaway.** An uncovered subsurface space adjacent to a building.

**Attic.** The space between the ceiling beams of the top habitable story and the roof rafters.

**Attic, Habitable.** An attic that has a stairway as a means of access and egress and in which at least fifty percent (50%) of the required area has a ceiling height of at least seven feet six inches (7' 6").

**Automatic Sprinkler.** Equipment, comprising a system of pipes with orifices, all adequately sized, and designed to apply water automatically to fire.

**Basement.** A portion of a building located partly underground, but having not less than one-half ( $\frac{1}{2}$ ) its clear floor-to-ceiling height below the average grade of the adjoining ground.

**Basement Room.** Any room in a building where the average finished grade along the outside wall of said room is more than three (3) feet above the floor of said room.

**Building.** Anything constructed for shelter or enclosure of persons, animals, chattels or moveable property of any kind and which is permanently affixed to the land.

**Building, Accessory.** A subordinate building or portion of a principal building, the use of which is incidental to that of the principal building and customary in connection with that use.

**Building, Completely Enclosed.** A building separated on all sides from the adjacent open space or from other buildings or other structures, by a permanent roof and behind exterior walls or party walls, pierced only windows and normal entrance or exit doors.

**Building, Existing.** A building erected prior to the adoption of this Chapter, or one for which a legal building permit has been issued prior to the adoption of this chapter.

**Building Height.** The height in feet shall be taken as the vertical distance from the average grade adjacent to the building to the mean height of the roof. In determining height, parapet walls not exceeding three feet (3') in height from the roof surface, penthouse, roof tanks, bulkheads, chimneys and similar roof structures shall not be included unless the aggregate area of such structures exceeds one-third ( $\frac{1}{3}$ ) of the area of the roof of the building.

**Building Inspector.** The individual(s) charged with the administration and enforcement of this Chapter. The Building Inspector may be an employee of the Village or independent contractor assigned to this role.

**Building Line.** The set back or yard line, established by law, beyond which a building shall not be built or extend.

**Building Permit.** A permit issued by the Village for construction, erection or alteration of a structure or building.

**Building, Principal.** A non-accessory building in which the principal use of the lot on which it is located is conducted.

**Building Service Equipment.** The mechanical, electrical or elevator equipment, including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating, ventilation, fire fighting and transportation facilities essential for the habitable occupancy of the building or structure for its designated use and occupancy.

**Burglary Resistant Glazing Material.** Glass and glasslike materials which comply with or exceed the Underwriters Laboratories' standard for burglary resistant glazing materials as follows: Withstand the impact of a five (5) pound steel ball dropped from a height of ten (10) feet concentrated within a five (5) inch diameter area of the surface without release from the frame.

**Ceiling.** The overhead inside finish of a room; the surface of the room parallel to and opposite the floor.

**Ceiling Height.** The clear vertical distance from the finished floor to the finished ceiling.

**Cellar.** A portion of any dwelling having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

**Central Heating System.** A system supplying heat to one or more dwelling units or more than one room.

**Certificate of Occupancy.** The certificate issued by the Village permitting the occupation and use of a building in accordance with the approved plans and specifications which certifies compliance with the provisions of law for the use and occupancy of the building in its several parts together with any special stipulations or conditions of the building permit.

**Change of Use.** The alteration of the use of a building or structure to a new use which imposes other special provisions of law governing building construction, equipment or exits.

**Chase.** A vertical slot in a wall provided to accommodate piping, conduit or ducts.

**Chimney.** A primarily vertical enclosure containing one or more flues.

**Combination Dead Latch and Dead Bolt.** A device combining a dead latch and dead bolt operable by knobs from inside and outside by a key, which can be retracted from the inside by turning the knob from the outside by a key.

**Combustible Material.** A combustible material is a material which cannot be classified as noncombustible in accordance with that definition.

**Commercial Buildings.** Building other than a dwelling.

**Contractor.** A person, firm or corporation who is licensed to engage in the business of construction, altering, moving, demolishing buildings, structures and/or parts thereof, or in work incidental to the above operations, either for himself or for others.

**Corporate Counsel.** Whenever used in this Code, it shall mean the Village Attorney for the Village of La Grange Park.

**Court.** An open, uncovered and unoccupied space on the same lot with a building and enclosed wholly or partly by buildings, walls or other enclosing devices.

**Court, Inner.** Any court enclosed wholly by buildings, walls or other enclosing devices.

**Court, Outer.** A court extending to and opening upon a street, public alley, or other approved open space, not less than 15 feet (4572mm) wide, or upon a required yard.

**Cylinder Guard.** A hardened steel ring or plate surrounding the otherwise exposed portion of a cylinder lock to prevent cutting, prying, pulling or wrenching with common tools.

**Dead Bolt.** A bolt which has no automatic spring action and which is operated by a key, thumb turn or lever and is positively held fast in the protected position.

**Dead Latch.** A latch which is positively held in latched position with a strike by an added integral bolt-type mechanism and is released by a key from the outside and a knob or similar actuator from the inside.

**Development.** Any man-made change to improved or unimproved real estate, including, but not limited to, construction of or substantial improvements to buildings or other structures, the placement of mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations.

**Dilapidated.** Fallen into ruin, decay or disrepair in excess of ten percent (10%) of the volume of the structure.

**Director of Fire and Building.** Position responsible for managing the Fire Department, fire inspections, building, zoning and code enforcement activities within the Village of La Grange Park.

**Door Scope.** A system of lenses encased for convenient installation in entrance doors permitting an inside viewer to observe a one hundred eighty (180) degree area of the outside with the door closed.

**Dormitory.** A room occupied by more than two (2) unrelated adult persons.

**Double Cylinder Dead Bolt.** A dead bolt lock actuated by a key from the inside and outside.

**Draftstopping.** Building materials installed to prevent the movement of air, smoke, flames and gases to other areas of a building through large concealed passages such as attic spaces and floor assemblies with suspended ceilings or open web trusses.

**Dwelling.** A building or portion thereof designed or used for residential purposes, including single and multiple family uses, but not including house trailers, mobile homes or lodging rooms in hotels, motels or lodging houses.

**Dwelling, Detached.** A residential building and/or attached garage which is entirely surrounded by open space on the same lot.

**Dwelling, Multiple Family.** A residential building designed and built as a group of individual dwelling units, each for a single family, but which units may touch each other by virtue of common or party walls and/or floors and ceilings, and which contain two (2) or more dwelling units.

**Dwelling, Single Family Attached.** A residential building designed and built as a dwelling unit for one family, but which may touch another single family dwelling on one or more sides, with or without party walls, but which is located as the only dwelling unit on a single specific lot or parcel of ground.

**Dwelling Unit.** A group of rooms constituting all or part of a dwelling, which are arranged, designed, used or intended for use exclusively as living quarters for one family.

**Efficiently Living Unit.** Any room having cooking facilities used for combined living, dining and sleeping purposes.

**Exit.** That portion of a means of egress which is separated from all other spaces of a building or structure by construction or equipment as required in this Chapter to provide a protected way of travel to the exit discharge.

**Exterior Property Area.** The open space on the premises and on adjoining property under the control of owners or operators of such premises.

**Extermination.** The control and elimination of insects, rodents, or other pests by elimination their harborage places; by removing or making inaccessible materials that may serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

**Family.** One or more persons each related to the other by blood, marriage or adoption, or a group of not more than three (3) persons not so related, together with his or her domestic servants, maintaining a common household in a single dwelling unit.

**Firestopping.** Building materials installed to prevent the movement of flame and gases to other areas of a building through small-concealed passages in building components such as floors, walls and stairs.

**Floor.** The inside bottom finish of a room.

**Floor Area, Gross.** Gross floor area shall be the floor area within the perimeter of the outside walls of the building under consideration, without deduction for hallways, stairs, closets, thickness of walls, columns, or other features.

**Floor Area, Net.** For the purpose of determining the number of persons for whom exits are to be provided, net floor area shall be the actual occupied area, not including attics, accessory unoccupied areas or thickness of walls.

**Flue.** An enclosed passageway used for the removal of the products of combusting.

**Garage, Private.** An accessory building or an accessory portion of the principal building, including a carport, which is intended for and used to store the private vehicles of the family resident upon the premises, and in which no business, service or industry connected directly or indirectly with automotive vehicles is carried on.

**Garage, Public.** A building or structure for the storage or parking of more than four (4) passenger motor vehicles or motor powered boats, or more than one commercial motor vehicle.

**Garbage.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**Grade.** (A) For buildings adjoining one (1) street only, the elevation of the established curb at the center of the wall adjoining the street. (B) For buildings adjoining more than one (1) street, the average of the elevations of the established curbs at the center of all walls adjoining streets. (C) For buildings having no wall adjoining the street, the average level of the ground adjacent to the exterior walls of the building at exit locations. All walls approximately parallel to and not more than fifty (50) feet from a street are to be considered as adjoining the street.

**Grading Plan.** A land survey/plan prepared by a licensed Illinois land surveyor or engineer showing all elevation contours and topographical information, at intervals deemed necessary by the Village Director of Fire and Building.

**Grade Hallway; Grade Lobby; Grade Passageway.** An enclosed hallway, exit way, or corridor connecting a required exit to a street or to an open space or court communicating with a street.

**Gross Floor Area.** The total area of all habitable space in a building or structure.

**Guest.** Any person having the right to occupy a room for living or sleeping purposes.

**Guest Room.** Any room or rooms used, or intended to be used by a guest for sleeping purposes.

**Habitable Floor.** Any floor of a dwelling unit which is used for living purposes, including a basement.

**Habitable Room.** A room used for living, sleeping, eating or cooking purposes, but excluding baths, toilet rooms, storage spaces, utility rooms and corridors.

**Home Occupation.** Any gainful occupation engaged in by the occupant of a dwelling at or from the dwelling.

**Horizontal Separation.** A permanent open space between the building wall under consideration and the nearest line to which a building is or may be legally built. Cornices and eaves projecting less than twelve (12) inches, belt courses, bay windows and window sills projecting less than four (4) inches and drop awnings shall not be considered in determining horizontal separation.

**Hot Water.** Water at a temperature of not less than one hundred twenty (120) degrees Fahrenheit.

**Hotel (Motel).** Any building containing fifty (50) or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests, whether rent is paid in money, goods, labor or otherwise. It does not include any jail, hospital, asylum, sanitarium, orphanage, prison, detention home or other institution in which human beings are housed and detained under legal restraint.

**Infestation.** The presence within or around a dwelling, of any insects, rodents or other pests of such kind or in such numbers to cause a hazard to health or to be a nuisance.

**Insert.** A hardened steel roller inside unhardened bolts to prevent bolt cutting with common tools.

**Kitchen.** A room used, or designed to be used, for the preparation of food and/or cleaning of dishes and utensils.

**Latch** A spring-loaded device which automatically holds a swinging door shut upon closing by engaging a strike and which is released by turning a knob, lever or similar actuator from inside or outside.

**Load, Dead.** The weight of all permanent structural and nonstructural components of a building, such as walls, floors, roofs, ceilings, stairways and fixed service equipment.

**Load, Live.** The weight superimposed by the use and occupancy of the building or structure not including the wind load, or dead load.

**Louvers.** A series of removable fixed, slated or movable slats. (Glass louvers are descriptive of jalousies. Glass, wood or metal jalousies are considered to be louvers. Awning windows having sections more than twelve (12) inches in depth are not considered to be louvers).

**Masonry.** A built-up construction or combination of building units or such materials as clay, shale, concrete, glass gypsum or stone set in mortar or plain concrete.

- (1) **Hollow Masonry Unit.** A masonry unit whose net cross-sectional area in every plane parallel to the bearing surface is not less than sixty percent (60%) of the gross cross-sectional area measured in the same place.
- (2) **Masonry of Hollow Units.** Masonry consisting wholly or in part of hollow masonry units laid contiguously in mortar.
- (3) **Solid Masonry.** Masonry consisting of solid masonry units laid continuously in mortar, or consisting of plain concrete.
- (4) **Solid Masonry Unit.** A masonry unit whose net cross-sectional area in every plane parallel to the bearing surface is seventy five percent (75%) or more of its gross cross-sectional area measured in the same plane.

**Minimum Habitable Room Height.** A clear height from finished floor to finished ceiling of not less than eight (8) feet in the basement, cellar and upper stories and not less than seven and one-half (7 ½) feet for attic rooms and top half stories over not less than one-half (½) the floor area when used for sleeping, study or similar activity.

**Minimum Habitable Room Size.** A room with a minimum dimension of ten (10) feet and minimum area of one-hundred (100) square feet between enclosing walls or partitions, exclusive of closet and storage spaces.

**Motor Fuel Service Stations.** A structure, building, or premises or any portion thereof where a flammable fluid is stored, housed or sold for supply to motor vehicles.

**Motor Vehicle Repair Shop.** A building, structure or enclosure in which the general business of repairing motor vehicles is conducted, including a public garage.

**Multiple Family Dwelling.** Any building or structure used to provide sleeping accommodations for more than one (1) family unit or person who are not being detained involuntarily or for medical or other care or treatment including, but not limited to hotels, motels, rooming houses, dormitories, apartments, condominiums, duplexes and townhouses.

**Multiple Point Locks.** A system of lever-operated bolts that engage a door opening, at least at the head and sill, operated by a single knob or handled from the inside and optionally a cylinder locked handle from the outside.

**Municipality.** Whenever used in this Code, it shall mean the Village of La Grange Park.

**Nonconforming Structure.** A structure lawfully established which does not comply with all the regulations of this Code governing the bulk of structures located within any given district.

**Nonconforming Use.** The use of a structure or use of land that does not comply with the regulations of the Zoning Code governing use in the district in which it is located.

**Nonconforming Use, Legal.** The use of a structure or use of land which conformed with all of the codes, ordinances and other legal requirements applicable at the time such structure was erected, enlarged or altered, and the use thereof or the use of land was established.

**Occupant.** Any person in an area or room, for purposes of living, sleeping, working, visiting, entertainment, schooling, or health.

**Occupant Load.** The total number of persons that are permitted to occupy a building, or portion thereof, at any one time.

**Occupied Space.** The total area of all buildings or structures on any lot or parcel of ground projected on a horizontal plane excluding permitted projections as allowed by this Chapter.

**Operable Area.** The part of the window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

**Operator.** Any person having charge, care, management, or control of any dwelling or part of it, in which dwelling units or rooming units are let.

**Owner.** Any person who, alone, jointly or severally with others, holds legal or equitable title to any land, building, structure, dwelling, rooming house, dwelling unit or rooming unit.

**Partition.** A vertical separating construction between rooms or spaces.

**Partition, Bearing.** A partition used to support loads other than its own weight.

**Person.** Any person, firm or corporation, public or private, the State of Illinois and its agencies or political subdivision and the United States of America, its agencies and instrumentalities, any agent, servant, officer or employee of any of the foregoing.

**Plumbing (Plumbing Fixtures).** Water heating facilities, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bath tubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and other similarly supplied fixtures, together with all connections to water or sewer lines.

**Premises.** A lot or parcel of land including the buildings and structures thereon.

**Public Corridor.** An enclosed public passageway with access to and from individual apartments, offices or rooms leading to a public hallway or to the exit ways.

**Public Hallway.** A public corridor or space separately enclosed for providing common access to all the exit ways of a building in any story.

**Public Parking Deck.** An unenclosed or partially enclosed structure for the parking of motor vehicles, with no provision for the repairing or servicing of such vehicles.

**Rated.** Means as listed by the Underwriters Laboratories.

**Rat Harborage.** Any place where rats can live, nest or seek shelter.

**Rat Proof.** A form of construction which will prevent the entrance and exit of rats to and from a given space or building.

**Refuse.** Garbage, rubbish, ashes and dead animals.

**Repair.** The replacement of existing work with equivalent materials for the purpose of its maintenance, but not including additional work that would affect safety, or affect required exit facilities, or a vital element or an elevator, plumbing, gas piping, wiring, ventilating or heating installation or any work that would be in violation of a provision of this Chapter or any other law governing building construction.

**Residence Building.** A building in which sleeping accommodations or sleeping accommodations and cooking facilities as a unit are provided, except when classified as an institution under this Code.

**Roof Covering.** The covering applied to the roof for weather resistance, fire resistance or appearance.

**Roof Line.** Either the edge of the roof or the top of the parapet, whichever forms the top line of the building silhouettes; and where a building has several roof levels, this roof or parapet shall be the one belonging to that portion of the building on whose wall the sign is located.

**Roof Structure.** A structure above the roof or any part of a building enclosing a stairway, tank, elevator machinery or service equipment, or such part of a shaft as extends above the roof; and not housing living or recreational accommodations.

**Rubbish.** Combustible and non-combustible waste materials, except garbage; and the term shall include the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, plastics, mineral matter, glass, crockery and dust.

**Satellite Earth Station.** Any antenna which includes a reflector element, whether flat, concave or parabolic, which is designed for receiving television, radio, data or other signals from satellites or other sources, or for transmitting such signals to a receiving station.

**Service Rooms.** Any room used for storage, bath or utility purposes, and not included in the definition of habitable rooms.

**Shaft.** A space enclosed with side walls and extending through two (2) or more stories.

**Shall.** As used in this Code, means mandatory.

**Single Cylinder Dead Bolt.** A dead bolt activated from the outside by a key and from the inside by a knob, thumb turn, lever or similar actuator.

**Sliding Door Dead Bolt.** A single dead bolt which after penetration of the strike, expands or is pivoted hook type to resist sliding of the door by force.

**Sprinkled.** Equipped with an approved automatic sprinkler system.

**Stairway.** One or more flights of stairs and the necessary landings and platforms connecting them, to form a continuous and uninterrupted passage from one story to another in a building or structure.

**Story.** That portion of a building included between the floor surface and the surface of the next floor or roof above and having a height of not less than seven feet (7') except that space used exclusively for the housing of mechanical services for the building and having access limited to maintenance purposes only, shall not be construed as a story. A basement shall be construed as a story if the level of the finished floor is four feet (4') or less from the average finished grade adjacent to that floor. A story may have differing or "split" levels, in which case, the floor levels which have the least difference in floor level (five feet (5') or less) shall be constructed as being of the same story. A

mezzanine shall be construed as a story if its area exceeds one-third (1/3) of the floor directly below it, or if the vertical distance from the floor below the mezzanine to the floor or roof above the mezzanine exceeds twenty-three feet (23').

**Story, Half.** A space under a sloping roof which has the line of intersection of roof decking and wall not more than three feet (3') above the top floor level, and in which space not more than sixty percent (60%) of the floor area is completed for the principal for accessory uses.

**Strike.** A stationary metal plate designed to momentarily depress a moving latch for final secure engagement requiring a separate operation for disengagement.

**Structure.** Anything erected, the use of which requires more or less permanent location on the ground; or attached to something having a permanent location on the ground. An advertising or business sign or other advertising device, if detached or projecting, shall be construed to be a separate structure.

**Supplied.** Installed, furnished, or provided by the owner or operator at his expense.

**Temporary Housing.** Any tent, trailer, or other structure used for human shelter which is not affixed to the ground, to another structure or to any utilities system on the same premises for more than thirty (30) consecutive days.

**Trailer.** Any vehicle or similar portable structure originally designed or converted so as to provide living quarters, storage, business activities or sales.

**Use.** The purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied or maintained.

**Use Group.** The classification of a building or structure based on the purposes for which the building or structure is designed or used.

**Used.** Used or designed or intended to be used.

**Vent Shaft.** A court used only to ventilate or light a water closet, bath, toilet, or utility room or other service room.

**Ventilation.** The process of supplying and removing air by natural or mechanical means to or from any space. Mechanical ventilation is ventilation by power-driven devices. Natural ventilation is ventilation by opening to outer air through windows, skylights, doors, louvers, or stacks without wind driven devices.

**Village Board.** The President and Board of Trustees of the Village of La Grange Park, Cook County, Illinois.

## **Walls.**

- (1) Bearing Walls.** A wall which supports any load other than its own weight.
- (2) Cavity Wall.** A wall built of masonry units or of plain concrete, or a combination which the inner and outer widths of the wall are tied together with metal ties.
- (3) Curtain Wall.** An exterior non-bearing wall between columns or piers which is not supported by beams or girders at each story.
- (4) Division Wall.** An interior wall which divides a building into the required floor area and shall be constructed as a "fire wall."
- (5) Exterior or Enclosure Wall.** An outside wall or vertical enclosure of a building, other than a party wall.
- (6) Fire Wall.** A wall having adequate fire resistance and structural stability under fire conditions to accomplish the purpose of completely subdividing a building or of completely separating adjoining buildings to resist the spread of fire.
- (7) Foundation Wall.** That portion of an enclosing wall below the first tier of floor joists or beams nearest and above the grade line.
- (8) Panel Wall.** An exterior, non-bearing wall in a skeleton structure built between columns or piers and supported at each story.
- (9) Parapet Wall.** That portion of a wall which extends above the roof line and bears no load except as it may serve to support a roof structure.
- (10) Party Wall.** A wall on an interior lot line used or adapted for joint service between two (2) buildings.
- (11) Retaining Wall.** A wall constructed to support a body of earth or to resist lateral thrust.

**Window.** A glazed opening, including glazed doors, which open upon a yard, court, or recess from a court, or a vent shaft open and unobstructed to the sky.

**Workmanlike.** Whenever the words "workmanlike state of maintenance and repair" are used in this Chapter, they shall mean that such maintenance and repair shall be made in a reasonably skillful manner.

**Writing.** The term shall be construed to include handwriting, typewriting, printing, photo-offset or any other form of reproduction in legible symbols or characters.

**Written Notice.** A notification in writing delivered in person to the individual or to the parties intended or delivered at or sent by registered mail to the last business address known to the party giving the notice.

**Yard.** Open space on any lot or parcel which is unoccupied and unobstructed from its lowest level upward, except for permitted obstructions as otherwise provided for in this Code, which extends along the lot line and at right angles thereto to a depth or width as specified by the bulk regulations for the district in which the lot is located.

**Zoning.** The reservation of certain specified areas within a community or city for buildings and structures, or use of land, for certain purposes with other limitations such as height, lot coverage and other stipulated requirements.

**Zoning Board of Appeals.** The Zoning Board of Appeals of the Village of La Grange Park, Cook County, Illinois.

**Zoning Code.** The Zoning Ordinance of the Village of La Grange Park, Cook County, Illinois.

#### **§ 7.214 APPLICABILITY - EXEMPTIONS - MORE RESTRICTIVE REGULATIONS**

- (A)** This Chapter shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, occupancy and maintenance of all buildings and structures, and shall apply to existing or proposed buildings and structures; except as such matters are otherwise provided for in other ordinances or statutes, or in the rules and regulations authorized for promulgation under the provisions of this Chapter.
- (B)** All buildings and structures, and parts and appurtenances thereof, both existing and hereafter erected or installed shall be so maintained that the occupants and users thereof and others are reasonably safe from the hazards of fire, explosion, collapse, contagion and spread of infectious disease. If found by the Director of Fire and Building not so maintained, he may order necessary corrective work, repair, replacement or removal.
- (C)** No building or structure shall be considered, extended, repaired, removed or altered in violation of these provisions where the cost of the contemplated construction is more than \$100, unless a building permit authorizing such construction is first procured, and no building shall be demolished, in whole or substantial part, unless a demolition permit is procured, as provided herein.
- (D)** When the provisions contained in this Chapter conflicts with any other provisions contained in this Code or in any state or federal statute, the most restrictive or rigid provisions shall control.

## **§ 7.215 NON-CONFORMING STRUCTURES - STRUCTURES EXISTING ON DATE OF ADOPTION OF CHAPTER-STRUCTURES MOVED INTO VILLAGE**

- (A)** It shall be unlawful to use or occupy any building or structure, or part thereof, in violation of the provisions of this Chapter, except as otherwise provided for in this Chapter.
- (B)** The use and occupancy of any structure which is existing and legally conforming to regulations on the date of adoption of this Chapter may be continued without change, except as may be specifically provided for in this Chapter.
- (C)** Alterations or repairs may be made to any nonconforming structure without requiring the existing structure to comply with all the requirements of this Chapter, provided such alterations or repairs conform to the requirements of this chapter. Alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the structure.
- (D)** Alterations or repairs to an existing nonconforming structure, which are any part of the structure having a required fire-resistance rating may be made with the same materials of which the structure is constructed.
- (E)** In the event a nonconforming building or structure is altered or repaired beyond fifty percent (50%) of its then current replacement value, exclusive of foundation, the Village may require that the entire building or portions thereof be brought into compliance with all provisions of this Chapter.
- (F)** If the nonconforming structure is increased in floor area or number of stories, the entire structure shall be made to conform with the requirements of this Chapter in respect to means of egress, fire protection, fire suppression, light and ventilation and life safety.
- (G)** Any building or structure moved into or within the Village shall comply with the provisions of this Chapter for new buildings and structures and shall not be used or occupied in whole or in part until the certificates of occupancy shall have been issued by the Village.

## **§ 7.216 PUBLIC SAFETY & INSURANCE**

- (A) Insurance.** All contractors shall file with the Village, prior to the issuance of a building permit, a certificate of insurance with coverage as follows:
  - (1)** Public liability insurance for each person in the sum of One Hundred Thousand Dollars (\$100,000) and for each accident in the sum of Three Hundred Thousand Dollars (\$300,000).
  - (2)** Property damage insurance in the amount of Fifty Thousand Dollars (\$50,000) limited to

not less than Ten Thousand Dollars (\$10,000) for each accident.

- (B) Occupation of Streets, Sidewalks and Parkways.** Streets, parkways or sidewalks shall not be occupied with building materials between the hours of 6:00 p.m. and 6:00 a.m. No material shall be so placed as to render inaccessible any fire hydrant, valve chamber, manhole or catch basin, or obstruct the gutter or waterway of any street.
- (C) Bypass Walk.** Before any sidewalk is obstructed by scaffolding or other material, or is removed, a safe hard surfaced temporary bypass walk shall be constructed and maintained. Pedestrians shall be protected from vehicular traffic by a barricade or fence. During overhead construction, pedestrians shall further be protected from falling debris by solid overhead planking.
- (D) Barricades Required.** Any person using public property for storage of construction materials shall provide substantial and suitable barricades and shall provide, place and maintain proper and sufficient red lights or flares to guard and protect all traffic and passersby.
- (E) Damage to Barricading.** It shall be unlawful to move, remove, turn off, extinguish, diminish or disturb any light or barricade required by "D" above.
- (F) Mortar Beds.** Mortar beds or boxes shall be so placed and guarded as to protect the clothing of persons passing, and shall not be located upon any street or public way. Mortar beds or boxes shall not be placed upon any public walk, and no mortar shall be mixed upon any pavement surface or sidewalk surface.
- (G) Material on Public Property.** As soon as construction work is completed, all remaining construction material shall be promptly removed from public property and the streets and sidewalks shall be cleared and put in the same condition as before the construction work was started.
- (H) Removal of Rubbish - Public Property.** Rubbish or excavated material which is deposited on the sidewalks or streets shall be removed from day to day, as rapidly as produced. When materials or rubbish causing dust are handled they must be well wetted down.
- (I) Removal of Rubbish - Private Property.** Rubbish or materials shall not be thrown, dropped or swept from any floor above the ground or from any roof, but shall either be carried or lowered in such a manner as not to cause dust.
- (J) Public Inconvenience.** All building operations shall be conducted in a manner that least inconveniences the public and abutting property owners.
- (K) Protection of Passersby.** Where during construction an excavation or other hazard exists, the contractor shall provide and maintain a barricade or fence for the protection of passersby.

**(L) Performance Bond.** Prior to the issuance of a building permit, the applicant shall be required to submit a performance bond in accordance with Section 7.220 (B).

**(M) Reserved.**

**(N) Sewer and Plumbing Contractors.**

**(1)** Every person, firm or corporation desiring to engage in the business of making any sewer and/or plumbing installation in the Village of La Grange Park shall execute and file with the Village a surety company bond satisfactory to the Village payable to the Village in the penal sum of Ten Thousand Dollars (\$10,000), conditioned that the application shall well and faithfully observe all of the ordinances and other regulations of the Village relating to sewer and/or plumbing installations.

**(2)** Each plumbing contractor, and sewer contractor, shall be subject to the insurance requirements previously set forth in this section.

**(3)** Each plumbing contractor must be licensed in accordance with State Statute.

**(O) Electrical Contractors.** Every person, firm or corporation desiring to engage in the business of making electrical installations in the Village of La Grange Park shall execute and file with the Village a surety company bond satisfactory to the Village, payable to the Village in the penal sum of Ten Thousand Dollars (\$10,000) conditioned upon the applicant faithfully observing all the ordinances and other regulations of this Village relating to electrical installations. All electrical contractors must be registered in a municipality in Illinois and provide evidence that such registration is in good standing.

**(P) Contractors - Existing Violations.** The Village shall not be required to issue a building permit to any contractor or subcontractor responsible for existing code violations until such work has been corrected.

## **§ 7.217 APPROVED MATERIALS – MODIFICATIONS**

**(A) Construction Method.** All materials, equipment and devices approved for use by the provisions of this Chapter shall be constructed and installed only in accordance with such approval.

**(B) Modifications.** When there are practical difficulties involved in carrying out structural or mechanical provisions of this Chapter or of an approved rule, the Village may vary or modify such provision upon application by the owner or the owner's representative, provided that the spirit and intent of this Chapter shall be observed and public welfare and safety be assured.

- (C) Records.** The application for modification and the final decision of the Village shall be in writing and shall be officially recorded with the application for the permit in the permanent records of the Director of Fire and Building.
- (D) Used Materials and Equipment.** Used materials, equipment and devices may be utilized provided they have been reconditioned, tested and placed in good and proper working condition and approved for use by the Village.
- (E) Alternative Materials and Equipment.** The provisions of this Chapter are not intended to prevent the use of any material or method of construction not specifically prescribed by this Chapter, provided any such alternative has been approved. The Village may approve any such alternative provided the Village finds that the proposed design is satisfactory and complies with the intent of the provisions of this Chapter, and that the material, method or work offered is, for the purposes intended, at least the equivalent of that prescribed in this Chapter, in quality, strength, effectiveness, fire resistance, durability and safety.
- (F) Research and Investigations.** The Village shall require that sufficient technical data be submitted to substantiate the proposed use of any material or assembly and if it is determined that the evidence submitted is satisfactory proof of performance for the use intended, the Village may approve its use subject to the requirements of this Chapter. The costs of all tests, reports and investigations required under these provisions shall be paid by the applicant.
- (G) Research Reports.** The Village may accept as supporting data to assist in the determination duly authenticated research reports from approved sources for all materials or assemblies proposed for use which are not specifically provided for in this Chapter.

#### **§ 7.218 DIRECTOR OF FIRE AND BUILDING – DUTIES AND POWERS**

- (A) Authority.** It shall be the duty of the Director of Fire and Building to see to the enforcement of all the provisions of this Chapter and all other regulations relating to building or zoning and to inspect all buildings and structures and parts and appurtenances thereof regulated by this Chapter being erected, installed or altered as frequently as may be necessary to insure compliance with the provisions of this Chapter. The Director of Fire and Building is hereby authorized and it is his duty to administer and enforce the provisions of this Chapter, making such determinations, interpretations, and orders as are necessary therefore, and requiring such plats, plans and other descriptive material in connection with applications for permits as are necessary for him to judge compliance with this Chapter.

All authority and responsibility assigned to the Director of Fire and Building within this Article may be delegated to the Building Inspector, or other qualified personnel.

- (B) General.** The Director of Fire and Building shall enforce all the provisions of this Chapter and

shall act on any questions relative to the mode or manner of construction and the materials to be used in the erection, addition to, alteration, repair, removal, demolition, installation of service equipment and the location, use, occupancy and maintenance of all buildings and structures.

**(C) Inspections.** The Director of Fire and Building shall insure all required inspections, or the Director of Fire and Building may accept reports of inspections by approved agencies or individuals; and all reports of such inspections shall be in writing and certified by a responsible officer of such approved agency or by the responsible individual. The Director of Fire and Building may engage such experts as may be deemed necessary to report upon unusual technical issues that may arise during the course of construction. The cost of these experts shall be borne by the applicant.

**(D) Credentials.** The Director of Fire and Building and authorized representatives shall carry proper credentials for their respective office for the purpose of inspecting any and all buildings and premises in the performance of duties under this Chapter.

**(E) Rules Making Authority.** The Director of Fire and Building shall have power as may be necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations, to interpret and implement the provisions of this Chapter, to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions; but such rules shall not have the effect of waiving working stresses or fire resistance requirements specifically provided in this Chapter, or violating accepted engineering practice involving public safety.

**(F) Records.** The Director of Fire and Building shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections and notices and orders issued. Such records shall be retained in the official records so long as the building or structure to which they relate remains in existence unless otherwise provided by other regulations. Plans and specifications of houses and accessories, except survey plats and building plot plans may be destroyed after two (2) years. Those parts of plans for other buildings which may be useful for future periodic inspections shall be kept.

**(G) Supervision.** The Director of Fire and Building shall have the power to order all work stopped on construction, installation, alteration or repair of buildings and structures, and parts and appurtenances thereof, regulated by this Chapter, in the Village when such work is being done in violation of any provision relating thereto, or in violation of the zoning provisions of this Code.

## § 7.219 BUILDING PERMITS

**(A) Permit Required.** No person shall begin the erection, construction, alteration or repair, demolition or movement of any building or begin the clearing or excavating of the site of any proposed building or structure; or construct or alter the size or style of any fence; or

construct or maintain any driveway in or across any public walk, parkway or curb, without first having applied for and obtained a permit in writing to do so from the Village. All permits will be signed by the Director of Fire and Building or a duly appointed delegate. Permits shall be valid for a period of one (1) year from the date of issuance.

**(B) Application Form.** An application for a permit shall be submitted in such form as approved by the Director of Fire and Building. Such application shall contain the full names and addresses of the applicant and of the property owner, and if the owner is a corporate body, trustee, or partnership, the full name(s) and address(s) of its real party/ies in interest. In addition, said application shall be executed by the property owner or his/her/its duly authorized agent. The application shall also describe the proposed work. Execution of said application includes execution of a Reimbursement of Fees Agreement, as outlined in Section 7.220 (A)."

**(C) Plat of Survey Required.** At the time of applying for a permit, the applicant shall submit to the Director of Fire and Building two (2) copies of a plat of survey of the lot by an Illinois Registered Land Surveyor or professional engineer, showing the dimensions of the same and the position to be occupied by the proposed building, or by the building to be altered or added to, or by the building to be moved thereon, and the position of any other building or buildings that may be on the lot, including but not limited to swimming pools, decks, patios, sheds, etc., and landscaping.

**(D) Stormwater Management Plans.** When a new structure, driveway, patio or other non-permeable improvement to land is proposed, and will consist of more than two hundred-fifty (250) square feet of ground area coverage, a stormwater management plan shall be required.

The application shall include detailed plans and specifications for stormwater management, soil erosion control, existing and final grading on the subject property. Such plans and specifications will be on a drawing or drawings separate from all other plans and specifications, labeled as "Stormwater Management Plans." Such plans and specifications shall be prepared and certified by a professional engineer, shall be made in conformance with the requirements of the Director of Fire and Building, and shall include a certification by the applicant, related to stormwater management, soil erosion control, and grading shall be satisfied by the applicant at all times. Among other details, the required Stormwater Management Plans shall include:

**(1)** Drainage plans and soil erosion control during construction;

**(2)** Stormwater management plan identifying final grading of the subject property.

**(E) Site Plan.** Site plan shall be drawn to scale and include the location of all new construction, existing buildings and structures, trees over six-inch caliper on private property and within the public right-of-way immediately adjacent to the subject property, parking areas and

drives, water and sewer locations, and any other information deemed necessary by the Director of Fire and Building or Village Engineer.

**(F) Construction Plan Required.** Plans, drawings, specifications and calculations meeting the architectural, mechanical, structural and electrical requirements of this Chapter shall be presented to the Director of Fire and Building for his approval before a permit will be granted. Plans shall specifically show design live loads and occupant capacities for all spaces and floors. Three (3) sets of plans shall be submitted for review. When required by State Statutes, plans shall include the seal of an architect or structural engineer licensed in the State of Illinois.

If approved by the Director of Fire and Building, accessory structures one hundred (100) square feet or less shall not require drawings.

**(G) Proof of Compliance.** Permits shall not be issued until satisfactory proof has been submitted that an adequate and approved water supply and sewage facilities are available; that surface and roof drainage will not damage adjoining properties; that, to maintain the public safety because of the activity on and adjacent to the property, public pedestrian walks and curbs are provided and that access for police and fire equipment is provided on a satisfactory all weather roadway.

**(H) Construction Plans.** In all construction work for which a permit is required, the approved permit and stamped drawings and plans shall be kept on file at the construction site while the work is in progress. The permit placard shall be posted on the site at all times.

**(I) Alteration of Plans.** It shall be unlawful to erase, alter or modify any lines, figures or coloring contained upon drawings or plans bearing the approval stamp of the Director of Fire and Building or his duly appointed assistant or filed with him for reference. If during the progress of the execution of such work, it is desired to deviate in any manner affecting the construction or other essentials of the building from the terms of the application or drawing, notice of such intention to alter or deviate shall be given to the Director of Fire and Building and an amended plan showing such alteration or deviation shall be submitted and approved before such alteration or deviation shall be made. Plan alterations shall include the seal of an architect or structural engineer when required by the Director of Fire and Building.

**(J) Demolition of Buildings or Signs.**

**(1)** Before a building or sign may be demolished, the owner or agent shall notify all utilities having service connections within the structure such as water, electric, gas, sewer, etc. A permit to demolish a building or sign shall not be issued until a release is obtained from the utilities, stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner.

**(2)** The plan shall show the buildings or signs to be demolished and the buildings or signs on the same lot that are to remain. After the demolition, the premises will be placed in a satisfactory condition, free from all unsafe or hazardous conditions.

**(K) Action on Application.** Examination of permit applications and plans will be made within a reasonable time after a complete application is filed. If, after examination, the Director of Fire and Building finds no objections to the same and it appears that the proposed work will be in compliance with the laws and ordinances applicable thereto he shall approve such application and issue a permit for the proposed work as soon as practicable. If his examination reveals otherwise, he shall reject such application and notify the applicant.

**(L) Revocation of Permit.** The Director of Fire and Building may revoke a permit issued in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

**(M) Approval of Permit in Part.** Nothing in this Chapter shall be construed to prevent the Director of Fire and Building from issuing a permit for the construction of part of a building or structure before the entire plans and detailed statements of said building or structure have been submitted or approved, provided adequate information and detailed statements have been submitted for the same and have been found to comply with this Chapter.

**(N) Permit for Moving Building or Structure.** Before a building or structure may be moved, the owner or agent shall notify all utilities having service connections within the building or structure such as water, electric, gas, sewer and any other connections. A permit for moving a building or structure shall not be issued until a release is obtained from the utilities concerned stating that their respective connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner.

**(O) Payment of Fees.** A permit shall not be issued until all required fees have been paid.

**(P) Compliance with Chapter.** The permit shall be a license to proceed with the work and shall not be construed as authority to violate any of the provisions of this Chapter, except as stipulated by such modifications or variation as specifically approved by the Director of Fire and Building.

**(Q) Compliance with Permit.** All work shall conform to the approved application and plans for which the permit has been issued and any approved amendments thereto.

**(R) Compliance with Plan & Submittal of Spot Survey.** All new work shall be located strictly in accordance with the approved plan. One copy of a Spotted Survey, prepared by a registered land surveyor of the State of Illinois, will be required within fourteen (14) days after foundation is placed on the lot. Said Spotted Survey shall as a minimum include the following information:

- (1) Exact location and measurements of foundation.
- (2) Front, rear and side yard measurements.
- (3) True U.S.G.S. elevation of top of foundation wall and existing grade of curb, sidewalk, or existing grade of street or roadway.

No construction will be permitted past the decking over the foundation except for water, sewage and related items unless such platted survey has been filed and approved by the Director of Fire and Building. This requirement may be waived for additions to single family residential buildings having a floor area of less than five hundred square feet and accessory structures.

**(S) Extension and Expiration of Building Permit.** If after a building permit required by this Chapter shall have been granted, if the operation called for by such permit shall not have been started within six (6) months after the date thereof, such permit shall be void and no operation hereunder shall be begun. Where, under authority of a permit, work has begun and has not been prosecuted for a continuous or cumulative period of six (6) months, all rights under such permits shall thereupon terminate and work can be continued only after application for and issuance of a new permit. Where, under authority of a permit, work has not been completed with eighteen (18) months after the issuance of such permit and an occupancy permit issued, all rights under such permit shall thereupon terminate and work can be continued only after application for and issuance of a new permit. The fee for said new permit shall be equivalent to the fee applicable to the original building permit obtained.

**§ 7.220 PERMIT FEES, DEPOSITS, BONDS**

The permit fees and charges applicable to all development, building or construction within the Village shall be those fees and charges as set forth herein.

<b>One &amp; Two Family Residential Structures</b>	
New Structure	1.75% construction costs*
Addition	1.75% construction costs*
Interior Remodel	1.75% construction costs*
Garage	1.75% construction costs*
Temporary/Conditional Occupancy	\$100.00 per dwelling

*\*Plus all applicable deposit, bond, tap and meter fee requirements*

<b>Miscellaneous Residential Permit Fees</b>	
Above Ground Swimming Pool/Hot Tub	\$200.00
In-Ground Swimming Pool	1.5% construction cost + \$150.00 plan review
Driveway	\$125.00
Walkway or Patio	\$75.00
Fence	\$100.00
Generator	\$150.00 per unit
HVAC or Boiler Replacement	\$75.00 per unit
HVAC System – New	1.5% construction cost - min. \$75.00
Lawn Sprinkler/Irrigation System	\$75.00
Roof - New	\$125.00
Roof Repair	\$75.00
Accessory Structures <i>Including but not limited to: deck, gazebo, pergola, shed; not listed separately</i>	\$175.00 per structure
Repairs, Alterations, & Misc. <i>Including but not limited to: windows, siding, drain tile, plumbing, electric; not listed separately</i>	1.5% construction cost – min. \$75.00

<b>All Structures (Excluding One &amp; Two Family Residential)</b>	
New Structure/Remodel/Addition Under \$1,000,000 in construction costs \$1,000,000 - \$5,000,000 in construction cost Over \$5,000,000 in construction cost	1.5% construction cost + other fees* 1.0% construction cost added to above 0.5% construction cost added to above
Plumbing – New/Repairs/Alterations	\$100.00 up to 5 fixtures + \$10.00 each additional fixture
Electric – New/Repairs/Alterations	1.5% construction cost – min. \$100.00 + \$10.00 per circuit
HVAC or Boiler – New/Repairs/Replacement	1.5% construction cost – min. \$100.00 + \$25.00 per unit
Parking Lot – New/Resurface	1.5% construction cost – min. \$75.00
Repairs, Alterations, & Miscellaneous <i>Including but not limited to: windows, siding, drain tile, plumbing, electric; not listed separately</i>	1.5% construction cost – min. \$75.00
Occupancy – Final Multi-Family	\$50.00 per dwelling unit
Occupancy – Final Other	\$100.00
Occupancy – Temporary/Conditional	\$100.00 per unit

*\*Plus all applicable plumbing, electric, HVAC, tap, occupancy, deposit and bond fees and requirements.*

<b>Demolition</b>	
One & Two Family Structures	\$500.00*
Multi-Family	1.5% demolition cost – min. \$500.00*
Non-Residential	1.5% demolition cost – min. \$500.00*
Residential Garage/Accessory Structure	\$50.00

\*Plus \$2,500.00 required Site Management Bond

<b>Tap &amp; Water Fees</b>	
Water Tap	\$750.00
Sewer Tap	\$750.00
Water Use During Construction	\$300.00
Meter & Connection Fee	\$500.00

<b>Signs</b>	
Illuminated	\$125.00 each
Non-Illuminated	\$75.00 each
Face Change	\$75.00 each

<b>Elevators</b>	
New Elevator	\$250.00 + \$125.00 for each failed inspection
Safety Testing Inspection	\$125.00 each
Semi-Annual Inspection	\$60.00 each

<b>In-House Review Fees</b>	
In-House Review Fees (if applicable)	\$100.00 initial hour + \$50.00 each additional hour/resubmittal

**(A) Reimbursement of Fees Agreement.** Upon filing a permit application with the Village, the applicant shall be required to execute a Reimbursement of Fees Agreement in a form approved by the Village Attorney, requiring the reimbursement of all out-of-pocket costs and any in-house review fees incurred by the Village in relation to the application. The applicant shall also be required to provide a deposit, in accordance with the following schedule:

<b>One &amp; Two Family Structures</b>	
New Construction	\$2,500.00
Addition	\$1,000.00
Interior Remodel	\$250.00
Garage	\$500.00
<b>All Other Structures</b>	
New Construction/Addition	\$5,000.00
Alterations/Remodel	\$500.00

If the deposit is not sufficient to cover the out-of-pocket costs and in-house review fees incurred, the applicant will be required to pay any outstanding amounts. Upon final payment of all costs incurred by the Village, the Village shall refund the remaining balance of the deposit to the applicant.

**(B) Performance Bonds.**

**(1) Bond Requirement. *Timing of Payment Amount.*** Prior to the issuance of a building permit for each lot where street or sidewalk improvements are installed, a cash bond shall be deposited with the Village to indemnify the Village against damage to the streets, curbs, and sidewalks and parkways, and to insure the proper installation, repair and/or complete restoration of streets, curbs, sidewalks and/or parkways in accordance with the instructions of the Director of Fire and Building. The Village shall be under no obligation to pay interest on this money. It shall be the responsibility of the general contractor to notify the Village of any streets, curbs sidewalks or parkways that were damaged prior to the start of construction on a lot. The cash bond shall be submitted in accordance with the following schedule:

Sidewalk/Parkway Opening	\$500.00
½ Street Opening	\$1,000.00
Full Street Opening	\$1,500.00

**(2) Bond Refund.** Upon the final completion of all the work under the permit, so much of such deposit as necessary to reimburse the Village for the repair and/or restoration of the damaged streets, curbs, sidewalks or parkways shall be retained by the Village and

the remainder shall be returned to the depositor; provided, however, that nothing herein contained shall preclude the Village from maintaining an action against any person or persons to recover for damage done to any street, sidewalk or parkway.

**(C) Site Management Bond.**

- (1) Bond Requirement. Timing of Payment. Amount.** If a permit is to be issued for the demolition of a dwelling the applicant shall post with the Village, at the time of issuance of such permit, a Site Management Bond in the amount of \$2,500 cash. Such bond shall be in addition to all other application and processing fees, costs, escrows, and bonds.
- (2) Right to Draw on Bond.** The Village shall have the right at all times, at its option, to draw on the Site Management Bond for the costs (including without limitation legal fees and administrative expenses), incurred or to be incurred by the Village in exercising any of its rights in the event (a) the applicant undertakes any work in violation of any provision of the Building Codes and Regulations, or of any permit issued or plan approved, or (b) the applicant fails or refused to complete any work authorized by any permit issued under the Building Codes and Regulations in accordance with all plans approved in connection with said permit. The Village's determination of such costs shall be based either on costs actually incurred by the Village or on the Village's reasonable estimates of costs to be incurred.
- (3) Replenishment of Bond.** If the Village draws on the Site Management Bond, then the applicant shall replenish the bond to the full amount required by this ordinance immediately after written demand therefore, is made to the applicant by the Village. Applicant's failure to replenish the bond shall result in cancellation of the related permit, which permit shall not be therefore reissued except after the filing of a new application, payment of the permit fee(s), and establishment of a new Site Management Bond.
- (4) Return of Unused Bond.** The Village shall return all unused portions of the Site Management Bond to the applicant, without interest, as follows:
  - (i)** If the permit authorizes only demolition work, and no construction work is scheduled to take place within 30 days after the completion of demolition, then the Village shall return the bond within 30 days after the final inspection of the restoration of the subject property and approval of the work by the Director of Fire and Building.
  - (ii)** If the permit authorizes any construction work in addition to demolition work, then the Village shall return the money within 30 days after issuance of a final certificate of occupancy for such new structure.

**(D) Fee Payment.** In the absence of provisions to the contrary, all permit fees shall be paid in advance at the time of building permit application.

**(E) Re-inspection Fee.** Permit fees shall include all required building, electrical, plumbing, and mechanical inspections required for project completion. For each failed inspection, a re-inspection fee of \$75.00 will be assessed. Said fee must be paid prior to performance of the re-inspection.

**(F) Rules Sign.** Excavation projects, excluding single-family residential garages, shall be required to purchase and post a construction rules sign at the project site. The sign shall be supplied by the Village and provided upon permit issuance. A fee of \$50.00 will be assessed per sign.

**(G) Work Without Permit.** When work requiring a permit has been started prior to issuance of such permit, the permit fee shall be double the amount of the standard permit fee. The accompanying fine shall not exceed \$750.00. A stop work order may also be issued.”

**§ 7.220.1 RESERVED.**

**§ 7.220.2 CONSTRUCTION STANDARDS APPLICABLE TO NEW PRINCIPAL STRUCTURES AND BUILDING ADDITIONS**

**(A) Dust and Airborne Particulate Control Provisions.** The application shall include provisions for controlling dust and other airborne particles from the subject property, including without limitation a source of water and spraying equipment and any other measures to be taken to control airborne particles.

**(B) Fencing.** If the permit authorizes construction of a new principal structure, then the applicant shall cause a safety fence to be installed around the perimeter of the subject property, in a location and manner approved by the Director of Fire and Building. The fencing shall be installed not more than seven days nor less than four days before commencement of any work on the subject property pursuant to any permit issued. In addition to such perimeter fencing, the applicant shall cause safety fencing to be installed around every tree in the parkway abutting the subject property. Such tree fencing shall be located, so far as feasible, at the drip line of the tree, whether on public or private property.

**(C) New Water & Sewer Service Lines.** A new water connection and sewer service connection shall be provided for new construction of a principal structure. Such new connections shall also be made to homes being re-built following demolition of an existing structure.

**(D) Site Management Standards.** The following site management standards shall apply to all work:

- (1) Accessibility, Parking and Loading Standards.** No pavement or sidewalk within any public right-of-way shall be unavailable for public use at any time except during the time when such pavement or sidewalk is being removed and replaced. No such pavement or sidewalk that is removed and replaced shall be out of service for more than three days. No parking, loading, or storage of demolition debris, spoils or construction materials shall be permitted within any right-of-way, on any public property, or within 10 feet of any right-of-way of adjacent public or private property unless specifically approved by the village. The village may forbid parking in any particular location on a public right-of-way if the village determines that such parking has an adverse impact on neighboring property or on traffic control.
- (2) Particulate Control.** Airborne particles shall be controlled at the subject property at all times during work by means of water truck and spraying equipment or other water source capable of spraying and thoroughly saturating all portions of the structure and surrounding property affected by the work. Such spraying shall be undertaken at all times necessary to thoroughly control the creation and migration of airborne particles, including without limitation dust, from the subject property.
- (3) Gravel Mat.** When determined by the village engineer to be appropriate and practical, the applicant shall cause a gravel mat to be installed on the subject property of size and in a location sufficient to wash down all vehicles used on the subject property and to cause dirt and mud to be removed from the tires of such vehicles. The gravel mat shall be located so as not to interfere with any use by the public or public right-of-ways and not to cause any nuisance or inconvenience to adjacent public or private property.
- (4) Sanitation Facilities.** Any portable toilet on the subject property shall be located and oriented as required by the Director of Fire and Building. One such portable toilet shall be provided at every site of construction of a new principal structure, not later than immediately after completion of excavation of the foundation of the new structure. The proposed location of any portable toilet shall be depicted on plans submitted at the time of application for the review and approval of the Director of Fire and Building.
- (4) Litter Control and Clean Up.** Litter and debris at the subject property shall be controlled at all times. The applicant shall designate a person regularly present at the subject property as having responsibility to assure that no litter or debris migrates onto adjacent properties or public ways, and that all construction debris is contained in a waste receptacle of an appropriate size, and is hauled away from the subject property as needed so as to not constitute a nuisance.
- (5) Street and Sidewalk Cleaning.** The applicant shall cause all dirt, mud, gravel, and other debris from the subject property or related to any work conducted on the subject

property to be cleaned regularly every day from all sidewalks and streets adjoining and in the area of the subject property.

**(6) No Trespass.** No permit issued pursuant to this Section shall authorize or shall be construed to authorize any entry onto property adjoining the subject property or any work for which entry onto property adjoining the subject property is or may be necessary, unless a proper right of entry has been secured from the owner of such adjacent property.

**(8) Stormwater Management.** Stormwater shall be managed during all phases of demolition and new construction in accordance with the requirements of § 7.219(D).

**(E) Foundation Plan.** After construction of the foundation of any new building, and before any other work is commenced on such building, any person undertaking such work shall submit to the village an "as built" spotted survey foundation plan, showing top of foundation elevations and property boundaries. Such survey and foundation shall be approved by the Director of Fire and Building before the commencement of any other construction work on that site.

**(F) Damage to Property.** No person engaged in any work pursuant to a permit issued shall injure, damage, or destroy, or cause or allow to be injured, damaged, or destroyed, any property whether public or private, not owned by such person. In the event of any injury, damage, or destruction in violation of this provision, it shall be the duty of the person committing, inflicting, causing or allowing such injury, damage, or destruction to promptly repair and restore the injured, damaged, or destroyed property and to pay all of the costs and expenses of such repair and restoration. For purposes of this provision, a person shall be deemed to have caused or allowed injury, damage, or destruction or whenever any work being done by the person, or any contractor, subcontractor, agent, or employee of that person, shall have resulted in such injury, damage, or destruction.

**(G) Commencement of Construction or Site Restoration.** Either construction of an approved new structure shall have commenced, or the subject property shall have been fully restored in conformance with the approved site restoration plan, if any, or with such other plan as may be approved by the village, within 60 days after completion of demolition. The completion of site restoration shall be extended by one day for every business day that weather conditions prohibit restoration work on the subject property, as determined by the Director of Fire and Building.

**(H) Special Permit Fees.**

**(1) Additional Fee for Street Cleaning.** If the applicant shall fail to clean all sidewalks and streets adjoining and in the area of the subject property, then the applicant shall pay a special street cleaning fee of \$300 for each violation.

### 7.220.3 STANDARDS AND CONDITIONS APPLICABLE TO DEMOLITION PERMITS FOR PRINCIPAL STRUCTURES

**(A) Required Plans and Specification.** Every application for a permit shall be accompanied by the following:

**(1) Building Plans and Specifications.** If the application includes demolition of a principal structure, then the application will include building plans and specifications prepared in compliance with the provisions for any structure to be built on the subject property.

If commencement of construction of such structure is not planned to occur within 60 days after completion of demolition, then the application also shall include a detailed site restoration plan.

**(2) Site Restoration Plans and Specifications.** If the application includes a demolition of a principal structure and if commencement of construction of a new structure is not planned to occur within 60 days after completion of demolition, then the application shall include a detailed site restoration plan depicting all work required to restore the subject property, within 60 days after the completion of demolition, to a safe, clean condition until construction of a new structure has commenced, including without limitation backfilling of any excavation, grading, seeding, fencing, stormwater management, and the like.

**(3) Stormwater Management Plans.** When required under § 7.219 (D) the application shall include detailed plans and specifications for stormwater management, soil erosion control, and grading on the subject property. Such plans and specifications will be on a drawing or drawings separate from all other plans and specifications, labeled as "Stormwater Management Plans." Such plans and specifications shall be prepared and certified by a professional engineer, shall be made in conformance with the requirements of the Director of Fire and Building, and shall include a certification by the applicant, related to stormwater management, soil erosion control, and grading shall be satisfied by the applicant at all times. Among other details, the required Stormwater Management Plans shall include:

- (i)** Drainage plans and soil erosion control during demolition, if any; and
- (ii)** Stormwater management and soil erosion control during any period of time between completion of demolition and commencement of construction; and
- (iii)** Stormwater management commencing with preparation for foundation pouring and continuing during the entire new construction process until final grading of the subject property.

**(4) Site Plan of Lot.** Site plan shall be drawn to scale and include the location of all new

construction, existing buildings and structures, trees over six-inch caliper, parking areas and drives, water and sewer locations, and any other information deemed necessary by the Director of Fire and Building or Village Engineer.

**(B) Accessibility, Parking and Loading Plans.** The application shall include separate plans and specifications showing the location of all work affecting, and all parking and loading activities planned to take place on, public streets, sidewalks, and other rights-of-way. Such plans and specifications shall include, among other things, the location of pavement and sidewalk that may be affected by the proposed work; the impacts on such pavement and sidewalk; the proposed location for all parking of contractor and worker vehicles; the proposed location of any loading and unloading activities (including cement) to occur within any right-of-way; the proposed location of the gravel mat; proposed fencing or other protective measures; and temporary pavement or other temporary accessibility measures.

**(1) Materials and Spoils Storage Plans.** The application shall include plans depicting the proposed location for storage of materials and spoil on the subject property.

**(2) Dust and Airborne Particulate Control Provisions.** The application shall include provisions for controlling dust and other airborne particles from the subject property, including without limitation a source of water and spraying equipment and any other measures to be taken to control airborne particles.

**(C) Other Application Requirements.** Every application for a demolition permit shall include all of the following elements:

**(1) IEPA Approval.** If the application includes demolition of a principal structure and if the Illinois Environmental Protection Agency (the "IEPA") has promulgated regulations applicable to such demolitions, then the application shall include a certificate or letter of approval of the proposed work by the IEPA or a letter from the IEPA stating that IEPA approval is not required.

**(2) Certificate of Insurance.** The application shall include a certificate of insurance establishing that the applicant, or the owner of the subject property if different from the applicant, has insurance coverage in an amount of at least \$1,000,000 per occurrence for all damage to property adjoining the subject property resulting from the proposed work on the subject property by the applicant, the owner, or any employee, agent, contractor, or subcontractor of the applicant or the owner.

**(D) Fencing.** If the permit authorizes demolition or authorizes construction of a new principal structure, then the applicant shall cause a safety fence to be installed around the perimeter of the subject property, in a location and manner approved by the Director of Fire and Building. The fencing shall be installed not more than seven days nor less than four days before commencement of any work on the subject property pursuant to any permit issued. In addition to such perimeter fencing, the applicant shall cause safety fencing to be installed

around every tree in the parkway abutting the subject property. Such tree fencing shall be located, so far as feasible, at the drip line of the tree, whether on public or private property.

**(E) Site Management Standards.** The following site management standards shall apply to all work:

- (1) Accessibility, Parking and Loading Standards.** No pavement or sidewalk within any public right-of-way shall be unavailable for public use at any time except during the time when such pavement or sidewalk is being removed and replaced. No such pavement or sidewalk that is removed and replaced shall be out of service for more than three days. No parking, loading, or storage of demolition debris, spoils or construction materials shall be permitted within any right-of-way, on any public property, or within 10 feet of any right-of-way of adjacent public or private property unless specifically approved by the village. The village may forbid parking in any particular location on a public right-of-way if the village determines that such parking has an adverse impact on neighboring property or on traffic control.
- (2) Particulate Control.** Airborne particles shall be controlled at the subject property at all times during work by means of water truck and spraying equipment or other water source capable of spraying and thoroughly saturating all portions of the structure and surrounding property affected by the work. Such spraying shall be undertaken at all times necessary to thoroughly control the creation and migration of airborne particles, including without limitation dust, from the subject property.
- (3) Gravel Mat.** When determined by the village engineer to be appropriate and practical, the applicant shall cause a gravel mat to be installed on the subject property of size and in a location sufficient to wash down all vehicles used on the subject property and to cause dirt and mud to be removed from the tires of such vehicles. The gravel mat shall be located so as not to interfere with any use by the public or public right-of-ways and not to cause any nuisance or inconvenience to adjacent public or private property.
- (4) Sanitation Facilities.** Any portable toilet on the subject property shall be located and oriented as required by the Director of Fire and Building. One such portable toilet shall be provided at every site of construction of a new principal structure, not later than immediately after completion of excavation of the foundation of the new structure. The proposed location of any portable toilet shall be depicted on plans submitted at the time of application for the review and approval of the Director of Fire and Building.
- (5) Litter Control and Clean Up.** Litter and debris at the subject property shall be controlled at all times. The applicant shall designate a person regularly present at the subject property as having responsibility to assure that no litter or debris migrates onto adjacent properties or public ways and that all construction debris is contained in a waste receptacle of an appropriate size, and is hauled away from the subject property as needed so as to not constitute a nuisance.

**(6) Street and Sidewalk Cleaning.** The applicant shall cause all dirt, mud, gravel, and other debris from the subject property or related to any work conducted on the subject property to be cleaned regularly every day from all sidewalks and streets adjoining and in the area of the subject property.

**(7) No Trespass.** No permit issued pursuant to this Section shall authorize or shall be construed to authorize any entry onto property adjoining the subject property or any work for which entry onto property adjoining the subject property is or may be necessary, unless a proper right of entry has been secured from the owner of such adjacent property.

**(8) Stormwater Management.** Stormwater shall be managed during all phases of demolition and new construction in accordance with the requirements of this Code.

**(F) Site Management Bond.** Prior to the issuance of a demolition permit, the applicant shall be required to submit a site management bond in accordance with Section 7.220 (C)

**(G) Foundation Plan.** After construction of the foundation of any new building, and before any other work is commenced on such building, any person undertaking such work shall submit to the village an "as built" spotted survey foundation plan, showing top of foundation elevations and property boundaries. Such survey and foundation shall be approved by the Director of Fire and Building before the commencement of any other construction work on that site.

**(H) Damage to Property.** No person engaged in any work pursuant to a permit shall injure, damage, or destroy, or cause or allow to be injured, damaged, or destroyed, any property whether public or private, not owned by such person. In the event of any injury, damage, or destruction in violation of this provision, it shall be the duty of the person committing, inflicting, causing or allowing such injury, damage, or destruction to promptly repair and restore the injured, damaged, or destroyed property and to pay all of the costs and expenses of such repair and restoration. For purposes of this provision, a person shall be deemed to have caused or allowed injury, damage, or destruction or whenever any work being done by the person, or any contractor, subcontractor, agent, or employee of that person, shall have resulted in such injury, damage, or destruction.

**(I) Notices.** For the sole purpose of advising adjacent residents that a demolition authorized pursuant to this Code will be occurring, notices to adjacent owners shall be required of all applicants for a permit authorizing demolition of a dwelling at the time of application and, if a permit is issued, prior to commencement of demolition as follows:

**(1) Written Notice of Application; Certification.** Notice of filing of an application for a permit to demolish a dwelling shall be given to all residents of property within 250 feet of any part of the subject property. Such notice shall be in a form provided by the village

and shall be given by first class mail or by personal delivery not later than ten days after the filing of the application. The applicant shall file with the village, within 14 days after the filing of the application, written certification that such notice has been given properly. Such certification shall be in a form provided by the village. The village shall not process or approve and shall return to the applicant, any application for which such notice was not given or for which such certification was not filed as provided herein.

**(2) Notice of Commencement.** The applicant shall cause oral or written notice, to be given to the Director of Fire and Building the commencement of work pursuant to a permit issued pursuant to this section. Such notice shall be given not less than two business days or more than four business days in advance of such work. For purposes of this paragraph B, the term "work" shall mean any work on the subject property other than the installation of the protective fencing required and any approved erosion control.

**(3) Posted Notice of Commencement.** The applicant shall cause notice of the commencement of demolition to be given by posting the subject property in a prominent place with a sign announcing such commencement. The size, shape, color, and message of such sign shall be as required by the Director of Fire and Building. Such sign shall be posted not less than four days or more than seven days in advance of such announcement, and shall be maintained on the subject property until commencement of demolition.

**(4) Posted Notice of Rules and Regulations.** The applicant shall post on the subject property in a prominent place a sign containing notice of the rules and regulations applicable to demolition and construction work. Such sign shall be posted not less than four days or more than seven days in advance of the commencement of demolition. Such sign shall be maintained on the subject property until all work on the subject property has been completed and approved or until removal is approved by the Director of Fire and Building. The size, shape, color, and message of such sign shall be required by the Director of Fire and Building.

**(J) Commencement of Construction or Site Restoration.** Either construction of an approved new structure shall have commenced, or the subject property shall have been fully restored in conformance with the approved site restoration plan, if any, or with such other plan as may be approved by the village, within 60 days after completion of demolition. The completion of site restoration shall be extended by one day for every business day that weather conditions prohibit restoration work on the subject property, as determined by the Director of Fire and Building.

**(K) Special Permit Fees.**

**(1) Additional Fee for Street Cleaning.** If the applicant shall fail to clean all sidewalks and streets adjoining and in the area of the subject property, then the applicant shall pay a special street cleaning fee of \$300 for each violation. The village shall deduct any special

fee from the Site Management Bond.

## § 7.221 INSPECTIONS

**(A) Preliminary Inspection.** Before issuing a permit, the Director of Fire and Building may examine or cause to be examined all buildings, structures and sites for which an application has been filed for a permit to construct, enlarge, alter, repair, remove, or demolish.

### **(B) Required Inspections.**

**(1)** Inspections required under the provisions of this Chapter shall be made by the Director of Fire and Building or a duly appointed delegate. If an inspection has been scheduled and, in the opinion of the Director, after arrival on the inspection site, the job is not ready or has not progressed to a point where an inspection can be made properly or access is not possible to perform the inspection, a reinspection fee shall be charged. No further inspections shall be made until such time as the reinspection fee has been paid.

**(2)** Owner or contractor is required to call the Director of Fire and Building twenty-four (24) hours in advance, for the following:

- (i)** Footing Excavation
- (ii)** Backfill
- (iii)** Underground Plumbing
- (iv)** Slab
- (v)** Electric Service
- (vi)** Rough Electric & Rough Plumbing
- (vii)** Rough Frame
- (viii)** Insulation & Fire stopping
- (ix)** Building, Electrical & Plumbing Finals

**(3) Obstruction of Inspection.** No work shall be done which will cover or obstruct from view construction work, scheduled for inspection, which is not yet approved by the Director of Fire and Building or a duly appointed delegate.

**(C) Inspection Reports.** All inspection reports shall be in writing and shall be certified by the approved inspection agency or its authorized agent when expert inspection services are accepted. An identifying label or stamp permanently affixed to the product indicating that factory inspection has been made shall be accepted in lieu of the aforesaid inspection report in writing if the intent or meaning of such identifying label or stamp is properly substantiated.

**(D) Final Inspection.** Upon completion of the building or structure, and before issuance of the certificate of use and occupancy, a final inspection shall be made. All violations of the approved plans and permit shall be noted and the holder of the permit notified of the

discrepancies.

**(E) Right of Entry.** In the discharge of duties, the Director of Fire and Building or his authorized representative shall have the authority to enter at any reasonable hour any building, structure or premises in the jurisdiction to enforce the provisions of this Chapter.

#### **§ 7.222 STOP WORK ORDERS**

**(A) Authority.** The Director of Fire and Building shall have the power to order all work stopped on construction, installation, alteration or repair of buildings and structures, and part and appurtenances thereof, regulated by this Chapter, in the Village when such work is being done in violation of any provision relating thereto, or in violation of the zoning provisions of this Code, or when such work is being performed in an unsafe and dangerous manner. Work shall not be resumed after the issuance of such an order except on the written permission of the Director; provided, that if the stop work order is an oral one, it shall be followed by a written stop order within twenty-four (24) hours. Such written stop work order may also be served by any police officer.

**(B) Unlawful Continuance.** Any person who shall continue any work in or about the structure 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 to a fine of not less seventy five dollars (\$75) or more than seven hundred fifty dollars (\$750).

#### **§ 7.223 CERTIFICATES OF OCCUPANCY**

**(A) Occupancy Permits.** No structures or additions thereto constructed, moved, remodeled or reconstructed after the effective date of this Chapter shall be occupied and used for any purpose, and no land vacant on the effective date of this Chapter shall be used for any other use, unless an occupancy permit shall first have been obtained from the Village certifying that the proposed use or occupancy complies with all provisions of this Chapter.

**(1) Application for Occupancy Permit.** Every application for a building permit shall be deemed an application for an occupancy permit. Every application for an occupancy permit for a new or changed use of land or structure where no building permit is required shall be filed with the Director of Fire and Building and be in such a form and contain such information as the Director of Fire and Building shall provide by general rule.

**(2) Application for Occupancy Permits for Industrial Uses.** All applications for an occupancy permit for any use to be located in an industrial district, whether or not a building permit is required, shall be accompanied by sufficient information to enable the Director of Fire and Building to determine that all the applicable performance standards of the Zoning Ordinance can and will be complied with at all times.

**(3) Issuance of Occupancy Permit.** No occupancy permit for a structure or addition thereto constructed, moved, remodeled or reconstructed after the effective date of this Chapter shall be issued until such work has been completed, including off-street parking and loading spaces, and the premises having been inspected by the Director of Fire and Building and determined to be in full and complete compliance with the plans and specifications upon which the issuance of the building permit was based. No occupancy permit for a new use of any structure or land shall be issued until the premises have been inspected by the Director of Fire and Building and determined to be in full and complete compliance with all the applicable regulations for the Zoning district in which it is located. Pending the issuance of a permanent occupancy permit, a temporary occupancy permit may be issued to be valid for a period of time not to exceed six (6) months from its date of issuance pending the completion of any addition or during partial occupancy of the premises. A temporary occupancy certificate shall contain such conditions as the Village deems appropriate. In the event that any construction or building as to which a temporary occupancy permit has been issued has not been fully completed so as to comply with all applicable Village ordinances at the end of the six (6) month period, the Director of Fire and Building may cause said premises to be vacated and to remain vacated until full compliance with all applicable ordinances of the Village has been obtained. An occupancy permit shall be issued or written notice shall be given to the applicant stating the reasons why a certificate cannot be issued within twenty-one (21) days after the receipt of an application; or after the Director of Fire and Building is notified in writing that the structure or premises are ready for occupancy. All occupancy permits shall be executed by the Director of Fire and Building or a duly appointed delegate.

The Director of Fire and Building shall be free to note any deficiency in the plans, specifications, or construction of improvements for which building permits are required hereunder, irrespective of whether plans and/or specifications have been approved and regardless of whether building or occupancy permits have been issued.

**(B) Yielding of Occupancy by Contractor.** A contractor shall not yield occupancy of a building to the owner or tenant, nor shall the building or owner yield occupancy to a tenant until a certificate of occupancy has been posted.

**(C) Reinspection.** If a building or any part thereof fails approval in its final inspection, the violations of this Chapter or other ordinances shall be corrected by the contractor and notice given the Village that the building is ready for inspection. When the Village finds that the building is substantially completed after one (1) or more reinspections, it shall issue a certificate of occupancy.

**(D) Supplemental Requirements.** Notwithstanding any provision within this Chapter to the contrary, the following improvements and supplemental documentation shall be required prior to the issuance of a final occupancy certificate.

- (1) All fees and charges due and payable to the Village shall be remitted.
- (2) The water meter and raceway (conduit) for the remote water meter reader shall be installed and in service.
- (3) The buffalo box (water shut off) shall be adjusted to grade, accessible and operable.
- (4) Driveway and approach paving shall be completed.
- (5) Any replacement or repair to damaged curbs and gutters, streets, sidewalk, driveway and street lighting shall be completed.
- (6) All yards and parkway areas shall be sodded or seeded.
- (7) All other required landscaping shall be installed.
- (8) Address numbers shall be affixed to the building.

**(E) Temporary Occupancy Permit.** When in the opinion of the Director of Fire and Building a structure is substantially complete and meets the minimum life safety and health and sanitation codes but work on the structure and final grading, landscaping or public improvements have not been completed, the Director may issue a temporary certificate of occupancy; provided that the builder or owner posts a cash bond in an amount sufficient to cover the cost of finishing the structure or outside work; and further provided that the temporary certificate of occupancy shall expire within six (6) months of the date of issuance.

#### **§ 7.224 EMERGENCY MEASURES**

**(A) Vacating Structures.** When, in the opinion of the Director of Fire and Building, there is actual and immediate danger of failure or collapse of a building or structure or any part thereof, which would endanger life or when any structure or any part of a structure has fallen and life is endangered by the occupation of the building or structure, the Director of Fire and Building is hereby authorized and empowered to order and require the occupants to vacate the same forthwith. The Director of Fire and Building shall cause to be posted at each entrance to such building a notice reading as follows:

"This Structure is Unsafe and Its Use or Occupancy Has Been Prohibited by the Director of Fire and Building."

It shall be unlawful for any person to enter such building or structure except for the purpose of making the required repairs or demolishing the same.

**(B) Temporary Safeguards.** When, in the opinion of the Director of Fire and Building, there is actual and immediate danger of collapse or failure of a building or structure or any part thereof, which would endanger life, the Director of Fire and Building shall cause the necessary work to be done to render such building or structure or part thereof temporarily safe, whether or not the legal procedure herein described has been instituted.

**(C) Hazardous Building or Construction Condition.** A building or structure or part of appurtenance thereof or a construction condition found to be hazardous to life, limb or health, upon order of the Director of Fire and Building or enacting authority, shall be

corrected, repaired, replaced, vacated, demolished, or removed and the premises or work restored to or put in a safe condition within a reasonable period of time, as may be appropriate in each case, when such a finding has been made in writing, written notice of the findings and order has been given the owner or his agent or the contractor, and except in emergencies, a hearing on the order has been held before the Director of Fire and Building.

**(D) Closing Streets.** When necessary for the public safety, the Director of Fire and Building may temporarily close sidewalks, streets, buildings and structures, and places adjacent to such unsafe structures and prohibit the same from being used.

#### **§ 7.225 OFF-STREET PARKING**

All off-street parking and loading facilities, including driveways and pavement, shall be constructed in accordance with all provisions contained in the Zoning Ordinance of the Village of La Grange Park and such provisions are hereby incorporated into this Chapter by reference, as if fully set forth herein.

#### **§ 7.226 LOAD AND CAPACITY PLACARD**

Owner shall post and maintain a sign, placard or plate in approved form after making application so to do, showing safe loading for each floor, and safe capacity in persons at entrances of each room, floor, or building built, or used for any of the following purposes: school, church, public assembly, residential institution, a place for harboring or housing persons for correctional, medical, other care or treatment, storing materials, dance or recreational hall and establishments serving drinks or food.

#### **§ 7.227 HOURS FOR CONSTRUCTION WORK**

It shall be unlawful to engage in or conduct any activity in the construction of any building or structure, or the laying of any pavement, including but not limited to the making of an excavation, clearing of surface lane, and loading or unloading material, equipment or supplies, anywhere in the Village except between the hours of seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m. on weekdays, and between the hours of eight o'clock (8:00) a.m. and five thirty o'clock (5:30) p.m. on weekends or the following nationally recognized holidays: New Years Day, Memorial Day, July 4, Labor Day, Thanksgiving Day and December 25.

#### **§ 7.228 RULES ADOPTED BY REFERENCE**

The several published books or pamphlets described and referred to in this Chapter and the regulations and standards contained therein or in the described portions thereof, modified in some cases as noted herein, are hereby adopted by reference and made a part of this Chapter. In the event of a conflict between this Chapter or any part thereof and such regulations and standards adopted by reference, the provisions of this Chapter shall govern and prevail.

#### **§ 7.229 VIOLATION PENALTIES**

Any person who shall violate a provision of this Chapter or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Director of Fire and Building, or of a permit or certificate

issued under the provisions of this Chapter shall, if found guilty, be fined not less than seventy-five dollars (\$75) nor more than seven hundred-fifty dollars (\$750).

## § 7.230 BUILDING CODE ADOPTED

**(A) Code Adopted.** There is hereby adopted by reference as if fully set out herein that certain code known as the BOCA National Building Code/1999 14<sup>th</sup> Edition, prepared and published by the Building Officials and Code Administrators International, Inc., together with the additions, insertions, deletions and changes hereinafter set forth, three (3) copies of which have been on file for a period of more than thirty (30) days prior to the adoption of this Chapter and now are on file in the office of the Village Clerk.

**(B) Amendments.** The following additions, insertions, deletions and changes are hereby made to the BOCA National Building Code:

**(1) Section 101.1 Title.** Amend by deleting the words and punctuation marks, "(Name of Jurisdiction)" and in place thereof inserting the words "The Village of La Grange Park."

**(2) Section 101.5 Other Regulations.** Add: "The Village of La Grange Park Zoning Ordinance shall prevail concerning zoning regulations, signs, performance standards, accessory uses, and other matters covered by that ordinance."

**(3) Section 3408.2 Applicability.** Insert: "Effective date of this ordinance" where prescribed in first sentence.

**(4) Section 112.3.1 Fee Schedules.** As identified in § 7.220 of the Building Codes & Regulations.

**(5) Section 112.5 Refunds.** Delete in its entirety.

**(6) Section 116.4 Violation Penalties.** Delete section in its entirety and insert the following:

"**Section 116.4 Violation Penalties.** Any person who shall violate a provision of this Chapter or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this Chapter shall be guilty of a misdemeanor punishable by a fine of not less than seventy five dollars (\$75) nor more than seven hundred fifty dollars (\$750) or by imprisonment not to exceed thirty (30) days, or both such find and imprisonment. Each day that a violation continues shall be deemed a separate offense."

**(7) Section 117.2 Unlawful Continuance.** Delete this section in its entirety and insert the following:

**"Section 117.2 Unlawful Continuance.** Any person who shall continue any type of work in or about the structure 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 conditions, shall be liable to a fine of not less seventy five dollars (\$75) or more than seven hundred fifty dollars (\$750)."

**(8) Section 121 Means of Appeal.** Delete this section in its entirety and insert the following:

**(i) "Means of Appeal.** Any person affected by any notice which has been issued in connection with the enforcement of any provisions of this Code, or of any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing on the mater before the Zoning Board of Appeals; provided that such person shall file in the office of the Zoning Board of Appeals a written petition requesting such hearing and containing a statement of the grounds of the appeal. within ten (10) days after the day the notice was served."

**(ii) "Appeals Board.** The petition shall be heard by the Zoning Board of Appeals under the rules and procedures normally following by that Board. The decision of the Zoning Board of Appeals is final and does not require concurrence or approval of the Board of Trustees."

#### **§ 7.230.1 ONE AND TWO FAMILY DWELLING CODE ADOPTED**

**(A) Code Adopted.** There is hereby adopted by reference as if fully set out herein that certain code known as the International One and Two-Family Dwelling Code/1998 published by the Building Officials and Code Administrators International, three (3) copies of which have been on file for a period of more than thirty (30) days prior to the adoption of this Chapter and now are on file in the office of the Village Clerk.

**(B) Amendments.** The following additions, insertions, deletions and changes are hereby made to the One and Two Family Dwelling Code:

**(1) Section 101.1 Title.** Insert "The Village of La Grange Park" where prescribed in the first sentence.

**(2) Section 108.1 Alternate materials, methods and equipment.** Delete "ICBO Uniform Codes, ICC International Codes or SBCCI Standard Codes."

**(3) Table 301.2(1) Climatic and Geographic Design Criteria.** Insert "All specific criteria applicable to La Grange Park, Illinois."

## § 7.230.2 ACCESSIBILITY CODE ADOPTED

**(A) Code Adopted.** There is hereby adopted by reference as if fully set out herein that certain code known as the Illinois Accessibility Code/1997 prepared and published by the State of Illinois Capital Development Board, three (3) copies of which have been on file for a period of more than thirty (30) days prior to the adoption of this Chapter and now are on file in the office of the Village Clerk.

## § 7.231 MECHANICAL CODE ADOPTED

**(A) Code Adopted.** There is hereby adopted by reference as if fully set out herein that certain code known as the International Mechanical Code/1998 prepared and published by the Building Officials and Code Administrators International, Inc., together with the additions, insertion, deletions, and changes hereinafter set forth, three (3) copies of which have been on file for a period of more than thirty (30) days prior to the adoption of this Chapter and now are on file in the office of the Village Clerk.

**(B) Amendments.** The following additions, insertions, deletions, and changes are hereby made to the International Mechanical Code:

**(1) Section 101.1 Title.** Insert "Village of La Grange Park, Cook County, Illinois."

**(2) Section 106.5.2 Fee Schedule.** As identified in § 7.220 of the Building Codes & Regulations.

**(3) Section 106.5.3 Fee Refunds.** Delete in its entirety.

**(4) Section 108.4 Violation Penalties.** Delete Section 108.4 and replace with the following:

**"108.4 Violation Penalties.** Any person who shall violate a provision of this Chapter or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this Chapter shall be guilty of a misdemeanor punishable by a fine of not less than seventy five dollars (\$75) nor more than seven hundred fifty dollars (\$750) or by imprisonment not to exceed thirty (30) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense."

**(5) Section 108.5 Stop Work Order.** Insert seventy-five dollars (\$75) and seven hundred fifty dollars (\$750) where prescribed.

### § 7.232 PLUMBING CODE ADOPTED

- (A) Code Adopted.** There is hereby adopted by reference as if fully set out herein that certain code known as Illinois State Plumbing Code, 1998 Edition, three (3) copies of which have been on file for a period of more than thirty days (30) prior to the adoption of this chapter and now are on file in the office of the Village Clerk.
- (B) Work Without Permit; Fee.** No plumbing work shall be initiated or modified except upon a permit first issued by the Director of Fire and Building authorizing the installation, alteration or repair of plumbing fixtures or pipes. Where installation work has been started prior to the issuance of a permit, the permit fee for such work shall be twice the amount of the normal permit fee. No permit fee shall exceed the normal permit fee for such work by an amount exceeding \$100.

### § 7.233 ELECTRICAL CODE ADOPTED

- (A) Code Adopted.** There is hereby adopted by reference as if fully set out herein that certain code known as the National Electrical Code 1999 Edition, prepared and published by the National Fire Protection Association, together with the additions, insertions, deletions and changes herein set forth, a copy of which has been on file for a period of more than thirty (30) days prior to the adoption of this chapter and are now on file in the office of the Village Clerk.
- (B) Work Without Permit; Fees.** No electrical equipment shall be installed or altered except upon a permit first issued by the Director of Fire and Building authorizing the installation, alteration or repair of electrical equipment. Where electrical installation work has been started prior to the issuance of a permit, the permit fee for such work shall be twice the amount of the normal permit fee. No penalty fee shall exceed the normal permit fee for such work by an amount exceeding \$100.00.

### § 7.234 PROPERTY MAINTENANCE CODE ADOPTED

**(A) Inspections.**

- (1)** All buildings or structures within the scope of this Section and all construction or work for which a permit is required shall be subject to inspection by the Village in accordance with and in the manner provided by this Chapter.
- (2)** Inspection of premises and the issuing of orders in connection therewith under the provisions of this Chapter shall be the responsibility of the Director of Fire and Building.
- (3)** Any owner, renter or lessee, within ten (10) to fifteen (15) days prior to letting a dwelling or dwelling unit to the renter or lessee, may request the Village to inspect the dwelling or dwelling unit and to record its condition and its approval or rejection, as the condition

may warrant.

- (4) In any subsequent proceeding in court by the owner against the occupant of a dwelling or dwelling unit for negligent damage thereto, or by a renter or lessee against the owner for breach of warranty of habitability, or for violation of this Chapter, an inspection, pursuant to "3" above, shall be prima facie evidence of the condition of the dwelling or dwelling unit at the time of letting; provided that the occupant takes possession of the dwelling or dwelling unit within seventy-two (72) hours of the Village's inspection made pursuant to "3" above.
- (5) The Village is hereby authorized to enter and inspect any dwelling, dwelling unit, rooming unit, dormitory and surrounding premises subject to the provisions of this Chapter.
- (6) If any owner, occupant or other person in charge of a dwelling, dwelling unit or rooming unit, or of a multiple dwelling or a rooming house dwelling fails or refuses to permit access or entry for an inspection, the Village, upon a showing that a probable cause exists for the inspection, shall seek a court order from the Circuit Court of Cook County, restraining that person from interfering with the inspector's access and entry upon the premises.
- (7) The Village may collect, publish and disseminate information to the public concerning techniques of maintenance, repair and sanitation in housing and concerning the requirements of this Chapter.

**(B) Amendment of Property Maintenance Code.** There is hereby amended, for the above mentioned purposes, Village of La Grange Park Ordinances 303 and 304 by inserting "the BOCA National Property Maintenance Code, 1996 Edition" as published by the Building Officials and Code Administrators International, Inc., wherever the words "The BOCA Basic Property Maintenance Code/1996 Edition," are found.

**(C) Amendments to BOCA National Property Maintenance Code.** The following additions, insertions, deletions, and changes are hereby made to the BOCA Property maintenance Code:

**(1) Section PM-101.1 Title.** Insert the words "The Village of La Grange Park."

**(2) Section PM-106.2 Penalty.** Delete Section 106.2 and replace with the following:

**"106.2 Penalty.** Any person who shall violate a provision of this Chapter or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this Chapter shall be guilty of a misdemeanor punishable by a fine of not less than seventy five dollars (\$75) nor more

than seven hundred fifty dollars (\$750) or by imprisonment not to exceed thirty (30) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense."

- (3) Section PM-304.15 Insect Screens.** Insert June 1 to October 1 where prescribed in the first sentence.
- (4) Section PM 602.2.1 Heat Supply.** Insert September 15 to May 30 where prescribed in the first sentence.
- (5) Nonresidential structures PM 602.3 Heat Supply.** Insert September 15 to May 30 where prescribed in the first sentence.