


**ORDINANCE 8224
PAMPHLET**

**TEXT AMENDMENTS TO SECTIONS 150 OF THE VILLAGE CODE
MISCELLANEOUS AMENDMENTS**



PUBLISHED IN PAMPHLET FORM THIS 22ND DAY OF DECEMBER 2023, BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS.


Elizabeth Brezinski
Village Clerk

ORDINANCE NO. 8224

**AN ORDINANCE GRANTING APPROVAL OF TEXT AMENDMENTS
TO TITLE 15, CHAPTER 150 OF THE LOMBARD VILLAGE CODE**

(Local Amendments to Chapter 150 of Village Code)

WHEREAS, the Village of Lombard maintains a Building Code which is found in Title 15, Chapter 150 of the Lombard Code of Ordinances; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Building Code and make necessary changes; and,

WHEREAS, a review of the Building Code has been conducted by the Village of Lombard Board of Building Appeals on November 1, 2023; and,

WHEREAS, the Board of Building Appeals has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title 15, Chapter 150, Section 150.040 of the Lombard Village Code shall be amended to add text as underscored and delete text that is in strikeout, as set forth within Attachment "A" attached hereto and made a part hereof.

SECTION 2: That this ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this 7th day of December 2023.

First reading waived by action of the Board of Trustees this ____ day of _____, 2022.

Passed on second reading this 21st day of December 2023.

Ayes: Trustee LaVaque, Puccio, Dudek, Honig, Militello and Bachner

Nays: None

Absent: None

Ordinance No. 8224

Re: Chapter 150

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Approved by me this 21st day of December 2023.




Keith T. Giagnorio, Village President

ATTEST:



Elizabeth Brezinski, Village Clerk

Published by me in pamphlet form this 22nd day December 2023.



Elizabeth Brezinski, Village Clerk

Ordinance No. 8224

Re: Chapter 150

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EXHIBIT A
TEXT AMENDMENTS TO CHAPER 150 OF VILLAGE CODE

See attached pages

ARTICLE I. GENERAL PROVISIONS¹

§ 150.001 Title.

These regulations shall be known as the Building Code of the Village of Lombard, Illinois, hereinafter referred to as "this Code."

(Ord. No. 8017, § 1, passed 12-16-21)

§ 150.002 Scope.

The provisions of this Code shall apply to construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

(Ord. No. 8017, § 1, passed 12-16-21)

§ 150.003 Intent.

The purpose of this Code is to establish the minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire, explosion and other hazards, and to provide reasonable level of safety to fire fighters and emergency responders during emergency operations.

(Ord. No. 8017, § 1, passed 12-16-21)

§ 150.004 Interpretation.

This Code shall be interpreted according to the rules of statutory interpretation. In the event of a conflict, the published portion of this Code shall prevail over the other codes incorporated by reference.

(Ord. No. 8017, § 1, passed 12-16-21)

¹Editor's note(s)—Ord. No. 8017, § 1, passed December 16, 2021, repealed Art. I, §§ 150.001—150.011, 150.015—150.017, and enacted a new Art. I as set out herein and later amended. Former Art. I pertained to similar subject matter and derived from Ord. 2561, passed October 28, 1982; Ord. 2672, passed June 14, 1984; Ord. 2830, passed February 27, 1986; Ord. 2880, passed September 11, 1986; Ord. 5481, passed May 6, 2004; Ord. 6602, passed April 7, 2011; Ord. 6710, passed April 19, 2012; Ord. 6832, passed May 16, 2013; Ord. 6833, passed May 16, 2013; Ord. No. 7061, passed April 2, 2015; Ord. No. 7893, passed December 3, 2020; and Ord. No. 7937, passed March 18, 2021.

§ 150.005 Applicability.

- (A) General. Refer to Section 150.002.
- (B) Other laws. The provisions of this Code shall not be deemed to nullify any applicable provisions of DuPage County, State of Illinois or federal laws.

(Ord. No. 8017, § 1, passed 12-16-21)

§ 150.006 Building division.

- (A) Enforcement agency. There is hereby established a Building Division designated as a division of the Community Development Department and operated under the direction and supervision of the Community Development Director.
- (B) Appointment. The Community Development Director shall be appointed by the Village Manager on the basis of examination to determine their qualifications and will be governed by appropriate state statutes.
- (C) Deputies. The Community Development Director may detail such members of the Community Development Department as inspectors as shall from time to time be necessary.

(Ord. No. 8017, § 1, passed 12-16-21)

§ 150.007 Definitions and references.

- (A) Definitions. For the purpose of this Chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Attached dwelling. One which is joined to another dwelling at one or more sides by common fire-resistance rated walls or other approved separation assemblies.

Detached dwelling. One which is entirely surrounded by open space on the same lot.

Multi-family dwelling units, multi-family housing. A building, or portion thereof, containing three or more dwelling units.

New. Any structure constructed after the effective date of this Code.

- (B) References.
 - (1) Any reference in this Code to jurisdiction, corporate limits, or name of jurisdiction shall mean the Village of Lombard, Illinois.
 - (2) Any reference in this Code to the chief appointing authority shall mean the Village Manager or Village Board as authorized by ordinance.
 - (3) Any penalty or penalties referred to in this Code and locally adopted codes shall be the penalty or penalties as provided under Section 150.999 of this Code.
 - (4) Any reference to any sanitary district shall mean the Village of Lombard sewerage system or the Facilities Planning Area (FPA) District, whichever is applicable.
 - (5) Any reference to water department shall mean the Village of Lombard water system.
 - (6) Any reference to zoning or zoning ordinances shall mean the Village of Lombard zoning ordinances.
 - (7) Any reference to Commissioner of Police shall mean the Village of Lombard Chief of Police.

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- (8) Any reference to The Fire Department shall mean the Village of Lombard Fire Department.
 - (9) Any reference to The Health Department shall mean the DuPage County Health Department.
 - (10) Fire District No. 1 shall be all areas of the village excepting therefrom those zoned for single-family use and an R-3 two-family residence district. A fire district map shall be maintained by the Fire Chief and certified copies thereof shall be open to public reference or available by copies at all times during which the office of the Fire Chief is open. When uncertainty exists with respect to the boundaries of the district, as shown on the fire district map, the following rules shall apply:
 - (a) District boundary lines are either right-of-way lines of railroads, highways, streets, alleys, easements, tract, or lot lines, or such lines extended unless otherwise indicated.
 - (b) Where a district boundary line divides a lot in single ownership as of the date of adoption of this Chapter, and if more than 50 percent of the lot is located within the district, then the district boundaries shall be extended to include all of the lot.
 - (c) Where a district boundary line divides a lot in single ownership as of the date of adoption of this Chapter, and if less than 50 percent of the lot is located within the district, then the entire lot shall be excluded from the district.
 - (11) All advisory or text notes, other than the rules and regulations contained in the locally adopted codes are expressly excluded from this Chapter.
 - (12) In the event that any provision of the locally adopted codes is in conflict with any provisions of the Zoning Code (Chapter 155), or any amendment thereto of the village, the latter shall prevail and the conflict shall be of no effect.

(Ord. No. 8017, § 1, passed 12-16-21)

§ 150.008 Adoption of certain building codes.

This Chapter adopts and incorporates by reference certain codes. Not less than one hard copy of each code that is adopted and incorporated by reference shall be available for study at the Village Hall during regular business hours in which the Village Hall is open to public.

(Ord. No. 8017, § 1, passed 12-16-21)

§ 150.009 Materials of equivalent strength.

Wherever the building regulations of the ordinances of the village prescribe specifications for materials to be used or methods to be followed, any materials or methods which give equivalent strength, utility, and safety may be used in lieu of those specified in the building ordinances provided the materials or methods are approved in writing by the Community Development Director or their designee.

(Ord. No. 8017, § 1, passed 12-16-21)

§ 150.010 Accessible services.

All public buildings, and public places of accommodation or amusement, as defined by the Illinois Compiled Statutes (ILCS), or buildings required to provide accessible services shall meet or exceed all of the provisions of the Environmental Barriers Act (EBA) (410 ILCS 25/1 et seq.), the current Illinois Accessibility Code (ILAC), the current Americans with Disabilities Act (ADA) Standard for Accessible Design, and accessibility provisions included in the locally adopted codes.

(Ord. No. 8017, § 1, passed 12-16-21)

§ 150.011 Design criteria.

(A) For all structures built within the Village, the following climatic and geographical design criteria shall be followed:

TAB. 150.011(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA		
GROUND SNOW LOAD (psf)		25
WIND DESIGN	Ultimate Speed (mph)	115
	Topographic Effects	NO
	Special Wind Region	NO
	Windborne Debris Zone	NO
SEISMIC DESIGN CATEGORY		B
SUBJECT TO DAMAGE FROM	Weathering	SEVERE
	Frost Line Depth (inches)	42
	Termite	YES (MODERATE TO HEAVY)
WINTER DESIGN TEMP (°F)		-4
ICE BARRIER UNDERLAYMENT REQUIRED		YES
FLOOD HAZARD		Refer to Chapter 151
AIR FREEZING INDEX		2000
MEAN ANNUAL TEMP (°F)		49.4
EPA RADON ZONE		2

(B) For all structures built within the Village, the following Manual J design criteria shall be followed:

TAB. 150.011(2) MANUAL J DESIGN CRITERIA			
Elevation (feet)	758	Heating Temp Dif	72
Latitude (° North)	42	Cooling Temp Dif	15
Winter Heating	1	Wind Velocity Heating	15
Summer Cooling	88	Wind Velocity Cooling	7.5
Altitude Correction Factor	0.98	Coincident Wet Bulb	74
Indoor Design Temp (°F)	72	Daily Range	M
Design Temp Cooling (°F)	75	Winter Humidity	40
		Summer Humidity	2.25

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- (C) Metal trusses. All metal trusses shall be installed with a method approved by an Illinois licensed architect or engineer that prevents "truss uplift," or the finished ceiling material shall not be directly attached to the metal truss.

(Ord. No. 8017, § 1, passed 12-16-21)

§§ 150.012—150.014. Reserved.

§ 150.015 Retaining walls.

- (A) Definitions.

Height. Retaining wall height shall be measured from the bottom of the footing to the top of the wall.

Landscape wall. Type of a retaining wall without a surcharge and limited to 36 inches (915 millimeters) or less in height. Commonly used to create a seat wall, raised garden beds, planter borders, or similar.

Retaining wall. Any wall structure designed and used for supporting unbalanced fill (soil or other material) laterally.

Surcharge. Added load above a retaining wall, e.g. driveway, patio, swimming pool, or similar.

- (B) Design Requirements. All retaining walls shall be designed by an Illinois licensed Design Professional, unless:

- (1) Pre-engineered and approved construction methods are used and approved in writing by the Community Development Director or their designee.
- (2) Retaining wall is 36 inches (915 millimeters) or less in height and does not support a surcharge.
- (3) Retaining wall supporting a surcharge is 24 inches (610 millimeters) or less in height.

- (C) Timber Walls.

- (1) The retaining walls with a surcharge shall meet IDOT requirements for timber and preservation. No used timbers are allowed.
- (2) The landscape walls shall meet IDOT requirements for timber and preservation. No used timbers are allowed for landscape walls more than three feet (915 millimeters) in height.

- (D) Determination of Wall Type. When the Community Development Director or their designee has determined in writing that plans as submitted may be inadequate or the classification of a landscaping or retaining wall is not the same as requested by the party building said wall, an independent engineer designated by the Community Development Director or their designee shall be retained to review the plans. The cost of the independent review shall be paid by the party building said wall.

(Ord. No. 8017, § 1, passed 12-16-21)

§ 150.016 Reserved.

§ 150.017 Reserved.

ARTICLE IV. GENERAL CONSTRUCTION REQUIREMENTS²

§ 150.040 Residential Construction requirements.

(A) Applies to residential uses.

- (1) *Closets.* If a light is installed in a closet, it must be one of the following types:
 - a. Globe encased.
 - b. Fluorescent.
 - c. Recessed types.
 - d. LED.
- (2) *Interior doors.* Minimum width for basement **and bedroom** doors shall be two feet, six inches.
- (3) *Asphalt shingles.* Stapling shall not be permitted for roofs.
- (4) *Reroofing.*
 - (a) Re-roofing shall be allowed, but in no event shall more than two concurrent layers of shingles be allowed on any roof. The original roof unless removed shall count as one layer applied.
 - (b) Ice/Water shield or an equivalent product shall be installed as part of the roofing and/or re-roofing of any conditioned residential building, other than buildings with flat or low sloped roofs. Installed a minimum of 24" up from the outside wall of the building and must start at the outside edge of the eaves and 18" up on each side of valleys.
- (5) *Chimneys.* Flashing at chimneys shall be flashed into raked mortar joints in a step fashion and then remortared.

Ventless fireplaces are not allowed within the corporate limits of the Village of Lombard.
- (6) *Gutters and downspouts.*
 - (a) Gutters and downspout shall drain free-fall onto splash blocks directed away from adjacent property, or to storm sewer where available with approval of Public Works Director.
- (7) *Attached and built-in garages.*
 - (a) Doors (minimum 20 minute fire rated) shall be equipped with a self-closer. The common wall to the residence shall be protected with inch fire rated gypsum board or equivalent on the garage side to the underside of the roof sheathing or common wall and garage ceiling. If habitable rooms exist over any part of the garage, the complete interior of the garage shall be protected with inch fire rated (one hour) gypsum board. Central heating and/or air conditioning equipment may not be exposed in a garage area. Such equipment must be separated from the garage by one hour fire rated walls. Garage floor surfaces shall be of approved noncombustible materials.

²Editor's note(s)—Ord. No. 8116, § 1, passed January 5, 2023, changed the title of art. IV from "residential use special requirements" to "general construction requirements."

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- (b) Floors will be reinforced with six inch by six inch wire reinforcing material.
- (8) *Duct systems.*
- (a) All heat supply systems for forced air heating shall be of metal ducts except as permitted in subsection (c).
- (b) Warm air supply ducts will not run between studs on exterior walls to upper floors. The common wall between the house and the garage is considered as an exterior wall. Exterior and common walls shall be furred out to accommodate insulation and duct work. Warm air supply ducts in one story buildings shall terminate not more than 12 inches above floor.
- (c) Flexible duct: U.L. listed 181-Class 1, NFPA 90A and 90B, min. eight inch water gauge and max. six foot length.
- (9) *Concrete.*
- (a) When placing of concrete is suspended, it will be necessary to add reinforcing bars to footing or walls to prevent separation.
- (b) All foundation walls shall have a minimum of two #4 reinforcing bars embedded in the concrete.
- (c) Dry calcium chloride: In no way or manner shall dry calcium chloride be added to as an admixture to accelerate the setting time of poured-in-place concrete, except as provided hereinafter.
- (1) At no time shall calcium chloride be used if the temperature is 34 degrees F. and rising temperature is expected.
- (2) If and when calcium chloride is used, said calcium chloride shall not exceed one percent by weight of concrete as set forth in the American Concrete Manual of Concrete Practice (1970-Part I 202-5) and provided such admixture is introduced into the mixture at the concrete batch plant.
- (10) *Drain tile.* Footing drain tile shall be connected to a sump basin with cast iron pipe or plastic pipe with appropriate manufacturer's fittings (minimum four-inch diameter). Provide sump pump to eject to front or rear of property, within 15 feet of residence, but away from any adjacent properties. Connection to Village of Lombard storm sewer system requires approval from the Director of Public Works.
- (11) *Foundation.*
- Section R404: Delete all references to wood foundations.
- For one-story frame additions only, a trench foundation will be permitted when the concrete is placed monolithically at a minimum depth of 42 inches below grade and minimum trench width of ~~eight~~ twelve inches.
- (12) Bridging shall be required on all floor joists mid-span at intervals not exceeding eight feet.
- ~~(13)~~ *Construction site fencing.* Residential construction site fencing when a permit authorizes demolition or authorizes construction of a new principal structure or any other construction as determined by the Community Development Director or his/her designee, then the applicant, owner or general contractor shall cause a "safety fence" (fencing) to be installed around the area of construction, in a location and manner approved by the Community Development Director or his/her designee. The fencing shall be installed not more than seven days nor less than four days prior to the commencement of any demolition and/or new construction of a proposed structure on the subject property. The fencing shall consist of six foot high chain link fencing with driven posts to secure the chain link. The chain link fencing shall consist of #9 or #11 gauge metal and maximum mesh size of four inches or as approved by the Community Development Director or his/her designee. The fencing shall also include removable

panels or type of hinged gates, (25 percent maximum area of fencing) for construction/utility access, only on the street side where the utilities are entering the subject property. Removable panels (or type of hinged gate) shall be latched where there is no construction activity being performed on the construction site. The latch may be of wire composition or of other means as approved by the Community Development Director or his/her designee. The fencing shall remain in place on the subject property until the structure is made weather tight and safe and secure from unauthorized entry and until the beginning stages of final site improvements (i.e. final grading, sodding or seeding of the subject property).

The applicant, owner or general contractor shall cause tree fencing to be installed around the trees in the public right-of-way (parkway) abutting the subject property. Such tree fencing shall be located, if possible, at the drip line of the tree or as directed by the Community Development Director or his/her designee. The parkway tree fence shall remain in place until final inspection of the construction projects has been approved by the village. The required types of tree fencing protection shall be four foot high orange vinyl fencing or chain link fencing.

(143) *Sanitation facilities.* Any portable toilet on said property construction site may be located in the front area of the construction site, away from any sidewalks, and as close to the principal structure as possible, so as not to cause a blight in the neighborhood. One such toilet shall be provided at every construction site of a new principal structure no later than after the completion of the foundation excavation for the new structure. The portable toilet facility shall remain in place until the construction of the principal structure is nearly complete and the plumbing in the principal structure is functional. Improperly placed portable toilet facilities shall cause a "stop work order" to be issued and not lifted until the portable toilet has been moved to a satisfactory location as determined by the Building Division.

(154) *Site restoration guidelines.* If the application includes demolition of a principal structure and if commencement of the construction of a new principal structure does not occur within 30 days after completion of demolition, then the application shall include a detailed site restoration plan depicting all work require to restore the subject property, within 30 days after completion of the demolition, to a safe, clean condition until construction of a new principal structure has commenced, including without limitation backfilling of any excavation, grading, seeding, sodding, fencing, stormwater management and the like.

Additional fee for late work: If the applicant, or owner or general contractor shall fail to commence construction within 30 days or shall fail to complete site restoration within 30 days, as provided in this section, then the applicant, owner or general contractor shall be subject to a special late work permit fee of \$250.00 per day until such work is completed. The village shall deduct such fee from the construction deposit provided by this Code.

The Community Development Director or his/her designee may, at his discretion, extend the 30-day time limit to an additional 30 days upon special written request from the applicant, owner or general contractor.

Village right to enforce: Every permit authorizing demolition of a dwelling or structure issued pursuant to this Code, shall be conditioned on the agreement of the applicant, owner or general contractor of the subject property that if any work pursuant to a permit authorizing demolition of a dwelling or structure is undertaken in violation of any provision of this Code, then the village shall have the right at all times, but not the obligation, to enter onto the subject property and to cause any and all work to be done and actions to be taken to cure such violation. The applicant, owner or general contractor of the subject property shall be jointly and severally responsible for all costs and expenses incurred by the village, including without limitation attorney's fees and administrative expenses, in causing such cure. The village shall have the right, at its option, to draw on the construction deposit provided by this Code, or to demand payment directly from the applicant, owner or general contractor, for the cost of

such village work, including without limitation legal fees and administration expenses, based either on costs actually incurred by the village or on the village's reasonable estimates of costs to be incurred. The village shall give a written or oral 24-hour notice and an opportunity to cure to the applicant or owner/general contractor before taking such action; provided, however, that no such notice and opportunity to cure shall be required in the event of repeated violations or in the event that a condition on or near the subject property poses, in the determination of the village, a threat of any kind to the public health and safety.

(165) *Public sidewalks.* The public sidewalk shall not be removed unless required for construction purposes or if the public sidewalk can be replaced and open to foot traffic within 30 days. When a public sidewalk is removed for construction purposes such as utility or driveway, only the area of the public sidewalk requiring the work shall be removed. This area shall be replaced with compacted stone (three-inch base and CA6 top—six inches) within seven days of the completion of the utility or driveway work and shall have a new public sidewalk installed within 90 days of removal, weather permitting.

Whenever a public sidewalk is closed to pedestrian traffic the area shall be marked by barricades on both sides of the area where work is being performed. If, in the opinion of the Community Development Director (or designee), pedestrians need to be informed of the closure, additional barricades with signage will be erected at locations selected by the Community Development Director (or designee).

(176) *Construction site signage.* Construction signage shall be placed on all new residential construction.

The builder or developer shall place a construction information sign on the jobsite inside the construction fence on private property clear of any clear line of sight areas. The sign face shall be a minimum of 20 inches tall and 28 inches long and no larger than 48 inches tall and 96 inches long. This informational sign shall have lettering large enough to be read from the street curb. This sign is to be erected prior to the start of any construction and shall come down at issuance of the certificate of occupancy or completion. This sign shall have the following minimum information:

Address of site
Name of builder and/or developer
Twenty-four hour telephone contact number of builder.

The second sign shall be provided by the Village of Lombard and sold to the builder at the village's cost, rounded to the next whole ten dollars. The sign is to be attached to the construction safety fence on the street side clear of any clear line of site areas and facing the street. The sign is to be attached prior to demolition or construction and will be removed at the time the safety fence is removed. The sign is the property of the builder and may be reused until the information on the sign is no longer valid or legible. From the time the builder is notified he/she will have 30 days to replace the obsolete sign. The sign will have the following information:

Construction code of conduct
Village of Lombard's Building Division telephone number
Village of Lombard's website
Twenty-four hour village contact number
Emergency contact number

(187) *Hours of construction.*

See § 93.02(B) of the Lombard Village Code.

(B) Applies to townhouses (attached single family residences) and use group R-3.

(1) All dwelling units shall have attached garages and constructed above curb grade.

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- (2) Dwelling units shall be separated vertically by an accepted two hour wall assembly similar to UL Design U 301 and as approved by the Building Division.
 - (3) Dwelling units shall be separated horizontally by an accepted two hour floor-ceiling assembly similar to UL Design L 518 and as approved by the Building Division.
 - (4) Attic space shall be separated vertically by an accepted one-hour wall assembly similar to UL Design U 305 and as approved by the Building Division.
 - (5) Garage doors, common with dwelling units shall be equipped with a closer.
 - (6) The requirement of attached garages may be waived by the Community Development Director or his/her designee when approved on-site parking facilities are provided.
- (C) Reserved.
- (D) One-story frame detached garages and accessory structures.
- (1) Construction to follow Chapters 4, 6, 7, 8 and 9 and Village of Lombard minimum construction specification and detail sheet.
 - (2) Delete Section 403.1.4 Minimum depth, for single story detached garages only.

(Ord. 5290, passed 5/15/03; Ord. 5481, passed 5/6/04; Ord. 6439, passed 2/4/10; Ord. 6602, passed 4/7/11; Ord. 6710, passed 4/19/12) (Ord. 2561, passed 10-28-82; Ord. No. 7061, Exh. A, passed 4-2-15; Ord. No. 7937, § 1, 3-18-21; Ord. No. 8116, § 1, passed 1-5-23)

Editor's note(s)—Ord. No. 8116, § 1, passed January 5, 2023, amended the title of § 150.040 by removing the word "special."

Cross reference(s)—Penalty, see Section 150.999.

§ 150.041 Exceptions to general construction requirements.

Provided that the construction of the building meets all of the following requirements, the restrictions set forth in § 150.040(C)(1) and (2) shall be amended to read:

- (A) Access for emergency vehicles is provided to both the front and rear of the building;
- (B) A minimum eight-inch diameter watermain is looped around the building, with fire hydrants spaced as approved by the Fire Chief;
- (C) The building is constructed of non-combustible materials (i.e. masonry construction using metal studs);
- (D) The building is protected by an approved automatic sprinkler system designed to meet, at a minimum, NFPA 13R;
- (E) Each townhome unit within the building is separated by a two-hour rated masonry firewall, from the foundation to the underside of the roof deck, with factory fire retardant treated decking;
- (F) A place of refuge shall be provided from the third floor of the buildings.

(Ord. 4828, passed 6/15/00; Ord. No. 8116, § 1, passed 1-5-23)

Editor's note(s)—Ord. No. 8116, § 1, passed January 5, 2023, amended the title of § 150.041 by changing "special residential" to "general construction."

ARTICLE XVII. BUILDING PERMITS; FEES

§ 150.140 Permit required for erection, repair, or demolition of any building or structure; exceptions.

- (A) It shall be unlawful to proceed with the erection, enlargement, alteration, repair, removal, or demolition of any building, structure and associated electrical, plumbing and HVAC systems including fire suppression or detection work or any structural part thereof, installation of new or new or replacement of exterior windows or to construct, add onto or replace a hard surface a-driveway or patio (100 square feet or greater) or parking lot within the village unless a permit therefor shall have first been obtained from the Community Development Director or his/her designee. Such permit shall be posted in a conspicuous place upon the exterior of the premises for which it is issued, and shall remain so posted at all times until the work is completed and approved. Starting any work prior to the issuance of a required permit shall be cause to double the permit fee that is pertinent to the work that was started. Roof repair or replacement or parking lot or driveway constituting less than 25 percent of the total ~~roof~~-area shall not require a village building permit.
- (B) Exceptions. A permit shall not be required for the residing of a residential building or any minor repairs as may be necessary to maintain existing parts of buildings, but such work or operations shall not involve sandblasting, the replacement or repair of any structural load-bearing members, not reduce the means of exit, affect the light or ventilation, room size requirements, sanitary or fire-resistive requirements, use of materials not permitted by the building and environmental control provisions of this code, nor increase the height, area, or capacity of the building.

(Ord. 2561, passed 10-28-82; Am. Ord. 2800, passed 12-5-85; Am. Ord. 2830, passed 2-27-86; Ord. 5481, passed 5/6/04; Ord. 6461, passed 4/1/10; Ord. No. 6939, § 1, passed 4-17-14)

Cross reference(s)—Penalty, see § 150.999

§ 150.141 Permit fees.

- (A) *Residential flat fees.*

Air Conditioning Condenser	\$75.00
Basement Interior or Exterior Drain Tile/Water Proofing	\$95.00
Chicken Coop	\$50.00
Chimney Repair	\$75.00
Deck	\$95.00
Accessible Ramps Serving Existing Residential Dwelling Units	\$0.00
All Other Residential Accessibility Ramps	\$95.00
Demolition Permit - Garages/accessory buildings over 200 sq. ft.	\$107.00
Demolition Permit - House	\$236.00
Driveway/Approach	\$75.00
Electric Service Upgrade - 100 AMP	\$156.00
Electric Service Upgrade - 200 AMP	\$171.00
Fence	\$30.00
Fill and Grade (Up to 7,500 sq. ft.)	\$30.00
Furnace Replacement	\$75.00
Garage - Detached	
(Driveways and wrecking not included. Attached garages will require a full review):	
Two Car	\$205.00

Three Car	\$233.00
Four Cars and Up	\$287.00
Garage Floor Replacement	\$75.00
Generator	\$181.00
Irrigation/Lawn	\$95.00
Overhead Sewer Conversion	\$95.00
Overhead Sewer Conversion (If New Electric Being Added for Pump)	\$150.00
Patio (Any Size)	\$75.00
Radon Mitigation System	\$95.00
Roof- Replacement	\$75.00
Sanitary Sewer - New or Repair	\$95.00
Storm Sewer - New or Repair	\$95.00
Shed	\$75.00
Solar Panels	\$142.00
Stairs/Steps/Stoop	\$75.00
Swimming Pool - Above Ground (Without New Electric)	\$75.00
Swimming Pool - Above Ground (With New Electric)	\$150.00
Swimming Pool - Above Ground with Heater	\$210.00
Swimming Pool - In Ground	\$460.00
Swimming Pool - In Ground with Heater	\$520.00
Water Heater Replacement	\$75.00
Water Service - New or Repair	\$95.00
Window Replacement	\$75.00

Note: Residential permit fees not listed above can be found under Article XV, Chapter 150, § 150.141(B): Alteration, Repair or Remodeling or § 150.141(C) New Construction or Addition.

(B) *Residential single family/two family dwelling alterations, repairs and remodeling permit fees.*

- (1) *Alterations, repairs and remodeling.* Permit fees shall be based on the plan review fees, total construction cost of the project and individual cost/valuation of the electrical, plumbing and mechanical portions of the project.
- (2) *Plan review fees.*

Estimated total cost of the project:

\$50 to \$5,000	\$34.00
\$5,001 to \$25,000	\$49.00
\$25,001 to \$50,000	\$89.00
\$50,001 to \$75,000	\$111.00
\$75,001 to \$100,000	\$134.00
\$100,001 to \$200,000	\$222.00
\$200,001 to \$300,000	\$411.00
\$300,001 to \$500,000	\$490.00
\$500,001 and up	\$490.00 plus \$2.90/\$1,000 or portion thereof

Re-review fees/revised plans. After the initial plan review has been completed with a total construction cost of \$150,000.00 or more, a fee shall be charged for the re-review of revised or corrected building/architectural/engineering plans, which shall be the greater of: \$90.00 per hour of re-view time, or the actual cost billed to the Village by a third party for the plan re-review (Ord. 7552, adopted 07/20/2018).

(3) *Base building permit fee - Total construction cost including all costs of project.*

\$1 to \$500	\$75.00
\$500 to \$1,000	\$95.00
\$1,001 to \$2,500	\$113.00
\$2,501 to \$5,000	\$132.00
\$5,001 and up	\$132.00 plus \$6.15/\$1,000 in excess of \$5,001

(4) *Electrical, plumbing and/or mechanical.* Fees shall apply to all alterations, repair and remodeling of electrical, plumbing, and mechanical systems requiring a permit. Fees are calculated based on the value/cost of work, including material and labor at prevailing wage rates. Each type of system will need to be identified and calculated separately.

\$1 to \$500	\$75.00
\$500 to \$1,000	\$95.00
\$1,001 to \$5,000	\$190.00
\$5,001 to \$10,000	\$285.00
\$10,001 to \$20,000	\$380.00
\$20,001 to \$30,000	\$475.00
\$30,001 to \$40,000	\$570.00
\$40,001 to \$50,000	\$665.00
\$50,001 and up	\$665.00 plus \$5.65/\$1,000 in excess of \$50,001

Note: New construction and additions can be found under Article XV, Chapter 150, § 150.141 (C)).

(C) *Residential single family/two family dwelling; new construction and additions - Fees.*

(1) *New construction and additions.* Permit fees shall be based on the plan review fees, total construction cost of the project and individual cost/valuation of the electrical, plumbing and mechanical portions of the project.

(2) *Plan review fees.* Estimated total cost of the project.

\$50 to \$5,000	\$34.00
\$5,001 to \$25,000	\$49.00
\$25,001 to \$50,000	\$89.00
\$50,001 to \$75,000	\$111.00
\$75,001 to \$100,000	\$134.00
\$100,001 to \$200,000	\$222.00

\$200,001 to \$300,000	\$411.00
\$300,001 to \$500,000	\$490.00
\$500,001 and up	\$490.00 plus \$2.90/\$1,000 or portion thereof

Re-review fees/revise plans: After the initial plan review has been completed with a total construction cost of \$150,000.00 or more, a fee shall be charged for the re-review of revised or corrected building/architectural plans/engineering, which shall be the greater of: \$90.00 per hour of re-view time, or the actual cost billed to the village by a third party for the plan re-review (Ord. 7552, adopted 07/20/2018).

(3) *Base building permit fee - Total construction cost includes all costs of project.*

\$1 to \$500	\$75
\$500 to \$1,000	\$95.00
\$1,001 to \$2,500	\$113.00
\$2,501 to \$5,000	\$132.00
\$5,001 and up	\$132.00 plus \$4.75/\$1,000 in excess of \$5,001

(4) *Electrical, plumbing and/or mechanical.* Fees shall apply to all electrical, plumbing, and mechanical systems requiring a permit. Fees are calculated based on the value/cost of work, including material and labor at prevailing wage rates. Each type will need to be identified and calculated separately.

\$1 to \$500	\$75
\$500 to \$1,000	\$95.00
\$1,001 to \$5,000	\$190.00
\$5,001 to \$10,000	\$285.00
\$10,001 to \$20,000	\$380.00
\$20,001 to \$30,000	\$475.00
\$30,001 to \$40,000	\$570.00
\$40,001 to \$50,000	\$665.00
\$50,001 and up	\$665.00 plus \$5.65/\$1,000 in excess of \$50,001

(5) *Miscellaneous.*

Certificate of Occupancy/Certificate of Completion	\$100.00
Conditional Certificate of Occupancy	\$125.00
Certificate of Occupancy/Time extension/Name Change of Business or Owner	\$50.00
Right-of-Way Restoration Cash Bond	\$1,000.00
Erosion Control Bond	\$200.00

(6) *Unmetered water fees; new construction.*

Frame	\$71.00
Veneer	\$83.00
Solid Masonry	\$119.00

(7) *Water meters. Complete assembly with installation see §51.10 (c).*

¾" Size - New	\$280.70
1" Size - New	\$332.12
1 ½" Size - New	\$816.99
2" Size - New	\$965.49

(8) *Sewer and water connection fee. Per § 50.100*

(9) *Elevators, wheelchair lift and stair chair lift; single family/two family dwelling.*

Passenger, per Floor	\$149.00
Plan Review	\$304.00
Inspection - Semi-Annual	\$144.00
Wheelchair Lift/Chair Lift	\$112.00
Plan Review	\$112.00
Annual Inspection Fees	\$92.00

(D) *Fire protection; single family/two family dwelling.* Sprinkler systems designed to NFPA 13 or NFPA 13R, are subject to the sprinkler fee schedule for multi-family dwellings.

NFPA 13D Systems installed in single family detached dwellings: \$165.00

Exception: No fees will be assessed for plan review of the systems to be installed which are not required by Village Code.

(E) *Commercial flat fees.*

Boiler Replacement	\$98.00
Cell Tower, Antenna or Radio Replacement	\$98.00
Commercial Roof Replacement	\$198.00
Construction Trailer with Electric	\$166.00
Cubicle Electric (up to 30 cubicles)	\$98.00
Demolition (Interior Only)	\$98.00
Fence	\$30.00
Garage - Commercial/Industrial/Multi-Family (Driveway construction fee and wrecking fees not included)	
Two Car	\$277.00
Three Car	\$307.00
Four Cars and Up	\$342.00
Grease Trap - Replacement (Includes One Inspection)	\$98.00
Irrigation Lawn	\$98.00
Low Voltage (Key Card Security Access)	\$98.00
Replacement Roof - Top HVAC Unit (Each)	\$98.00
Sanitary Sewer - Repair	\$98.00
Signs -Attention Getting Devices, Banners, Temporary Signs and Inflatable Devices	\$30.00

Signs - Face Change Only (No Electric)	\$30.00
Storm Sewer - Repair	\$98.00
Swimming Pool - In Ground (see Sub-Section F3)	
Water Heater Replacement (Each)	\$98.00
Water Service - Repair	\$98.00

(F) *Commercial, industrial and multi-family structures, alterations, repairs and remodeling permit fees.*

(1) *Alterations, repairs and remodeling.* Permit fees shall be based on the plan review fees, total construction cost of the project and individual cost/valuation of the electrical, plumbing and mechanical portions of the project.

(2) *Plan review fees; examination of all plans by construction valuation.*

\$50 to \$5,000	\$43.00
\$5,001 to \$25,000	\$65.00
\$25,001 to \$50,000	\$113.00
\$50,001 to \$75,000	\$130.00
\$75,001 to \$100,000	\$173.00
\$100,001 to \$200,000	\$276.00
\$200,001 to \$300,000	\$524.00
\$300,001 to \$500,000	\$626.00
\$500,001 and up	\$626.00 plus \$4.30/\$1,000 or portion thereof

Re-review fees/revised plans: After the initial plan review has been completed with a total construction cost of \$150,000.00 or more, a fee shall be charged for the re-review of revised or corrected building/architectural/engineering plans which shall be the greater of: \$90.00 per hour of re-view time, or the actual cost billed to the Village by a third party for the plan re-review (Ord. 7552, adopted 07/20/2018).

(3) *Base building permit fee—Total construction cost, includes all costs of project.*

\$1 to \$1,000	\$105.00
\$1,001 to \$2,500	\$131.00
\$2,501 to \$5,000	\$154.00
\$5,001 and up	\$154.00 plus \$7.90/\$1,000 in excess of \$5,001

(4) *Electrical, plumbing and/or mechanical.* Fees apply to all new multiple-family dwellings, commercial, office, institutional, and all other types of buildings, alterations, additions and remodeling of electrical, plumbing, and mechanical systems requiring a permit. Fees are calculated based on the value/cost of work, including material and labor at prevailing rates. Each type will need to be identified and calculated separately.

\$1 to \$1,000	\$108.00
\$1,001 to \$5,000	\$216.00
\$5,001 to \$10,000	\$324.00

\$10,001 to \$20,000	\$432.00
\$20,001 to \$30,000	\$540.00
\$30,001 to \$40,000	\$648.00
\$40,001 to \$50,000	\$756.00
\$50,001 and up	\$756.00 plus \$7.30/\$1,000 in excess of \$50,001

(G) *New construction commercial, industrial, multi-family structures and additions permit fees.*

(1) *New construction permit fees.* Permit fees shall be based on the plan review fees, total construction cost of the project and individual cost/valuation of the electrical, plumbing and mechanical portions of the project.

(2) *Plan review fees; examination of all plans by construction valuation.*

\$50 to \$5,000	\$43.00
\$5,001 to \$25,000	\$65.00
\$25,001 to \$50,000	\$113.00
\$50,001 to \$75,000	\$130.00
\$75,001 to \$100,000	\$173.00
\$100,001 to \$200,000	\$276.00
\$200,001 to \$300,000	\$524.00
\$300,001 to \$500,000	\$626.00
\$500,001 and up	\$626.00 plus \$4.30/\$1,000 or portion thereof

Re-review fees/revised plans: After the initial plan review has been completed with a total construction cost of \$150,000.00 or more, a fee shall be charged for the re-review of revised or corrected building/architectural/engineering plans, which shall be the greater of: \$90.00 per hour of re-view time, or the actual cost billed to the Village by a third party for the plan re-review (Ord. 7552, adopted 07/20/2018).

(3) *Base building permit fee - Total construction cost, includes all costs of project.*

\$1 to \$1,000	\$105.00
\$1,001 to \$2,500	\$131.00
\$2,501 to \$5,000	\$154.00
\$5,001 and up	\$154.00 plus \$6.90/\$1,000 in excess of \$5,001

(4) *Electrical, plumbing and/or mechanical.* Fees apply to all new multiple-family dwellings, commercial, office, institutional, and all other types of buildings, alterations, additions and remodeling of electrical, plumbing, and mechanical systems requiring a permit. Fees are calculated based on the value/cost of work, including material and labor at prevailing rates. Each type will need to be identified and calculated separately.

\$1 to \$5,000	\$108.00
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\$1,001 to \$5,000	\$216.00
\$5,001 to \$10,000	\$324.00
\$10,001 to \$20,000	\$432.00
\$20,001 to \$30,000	\$540.00
\$30,001 to \$40,000	\$648.00
\$40,001 to \$50,000	\$756.00
\$50,001 and up	\$756.00 plus \$7.30/\$1,000 in excess of \$50,001

(5) *Miscellaneous.*

Certificate of Occupancy/Certificate of Completion	\$125.00
Conditional Certificate of Occupancy	\$150.00
Administrative Fee (only applies to ownership changes and other form changes that do not warrant an inspection)	\$50.00
Erosion Construction Bond	\$200.00
Right-of-Way Restoration Cash Bond	
Small and medium developments	\$2,000.00
Large and major developments shall follow the required completion guarantee requirements per § 155.601 et. seq. of Village Code and is based on the 115% of the Engineer's Opinion of Probable Cost.	

(6) *Parking lots - Commercial and industrial.*

1 to 5,000 Sq. Ft.	\$139.00
5,001 to 10,000 Sq. Ft.	\$208.00
10,001 to 15,000 Sq. Ft.	\$268.00
15,001 sq. ft. and up	\$393.00 plus \$0.04/per sq. ft. in excess of 15,001 sq. ft.
Mill/Overlay Only	\$200.00

(7) *Signs.*

Attention Getting Devices, Banners, Temporary Signs and Inflatable Devices	\$30.00
Attention getting devices, banners, temporary signs and inflatable devices permit fees shall not be applicable to any governmental unit or to any charitable organization as defined in "An Act to Regulate Solicitation and Collection of Funds for Charitable Purposes, Providing for Violations Thereof and Making an Appropriation Therefor", 225 ILCS 460/1.	
All Other Signs	
Per Sq. Ft. of Face	the greater of \$2.15 per sq. ft. or \$75.00
Electrical Service (Per Sign)	\$108.00

(8) *Wrecking permits - Commercial/multi-family or industrial building.*

0 to 5,000 Sq. Ft.	\$393.00
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5,001 to 10,000 Sq. Ft.	\$524.00
10,001 and up	\$524.00 plus \$5.00/per 1,000 sq. ft. or portion thereof
Cash Restoration Bond	\$2,000.00

(9) *Street openings.* Per § 97.080 of Village Code.

(10) *Water meters.* Complete Assembly with Installation, see §51.16.

(11) *Sewer and water connection fees.*

Sewer connection fee - See §50.100(d)

Water connection fee - See §50.100(d)

(12) *Elevators, escalators and dumbwaiters commercial, industrial and multi-family.*

Passenger, Escalator, Dumbwaiter, Dock Lift, per Floor	\$178.00
Plan Review	\$304.00
Inspection - Semi-Annual	\$161.00
Wheelchair Lift/Chair Lift	\$131.00
Plan Review	\$131.00
Annual Inspection Fees	\$101.00
Temp. Construction Towers	\$230.00
Pit Ladders, Door Repairs, Valves, Cylinders	\$165.00
Cab Modernization	\$306.00

(13) *Tanks for flammable liquid or combustible liquids commercial, industrial and multi-family.*

Installation	
1,000 Gal. Capacity or Less	\$458.00
Each 100 Gals. or fraction thereof over 1,000 Gals.	\$458.00 plus \$10.00/100 Gals.
Removal of Tanks	
All Sizes	\$328.00
Remote Dispensing Device	
Each Hose or Nozzle	\$149.00

(H) *Fire protection - Commercial, industrial and multi-family.*

(1) *New sprinkler systems.*

Include standpipes and fire pump as part of system.

NFPA 13 or NFPA 13R, are subject to the sprinkler fee schedule for single family and multi-family dwellings.

Number of Sprinklers:

1 - 20	\$338.00
21 - 100	\$738.00
101 - 200	\$940.00

201 - 300	\$1,155.00
301 - 500	\$1,588.00
Over 500	\$1,588.00 Plus \$3.00 per Sprinkler

(2) *Existing sprinkler systems.* Includes relocating sprinklers for building alterations, tenant build-outs and so forth. Note: All systems subject to design changes, upgrades to pipe sizes and so forth are subject to the fee schedule for new systems, regardless of size.

Number of Sprinklers:

1 - 20	\$165.00
21 - 100	\$230.00
101 - 200	\$940.00
201 - 300	\$1,155.00
301 - 500	\$1,588.00

Exceptions: For reviews of changes to existing systems involving over 100 sprinklers, the fees may be reduced by up to 50 percent where the base buildings sprinkler system was reviewed under this fee schedule.

(3) *Standpipe systems.*

Initial standpipe without fire pump:	\$295.00
Initial standpipe with fire pump:	\$433.00
Each additional standpipe as part of the same standpipe system/review	\$165.00

Note: Standpipes as part of a sprinkler system plan review are not subject to these fees.

(4) *Fire pumps.*

Fire Pump:	\$295.00
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Note: For pumps being installed to upgrade and/or enhance the design of an existing sprinkler or standpipe system, additional fees may apply for the review of the new design of the system being enhanced by pump.

(5) *Suppression systems - Chemical.*

Chemical suppression system for cooking surfaces/hoods:	\$230.00/Hood
Wet or dry chemical suppression system for special hazards:	\$505.00/System
"Clean agent" gaseous systems: Based on volume of protected space per system.	
1 - 5,000 cu. ft.	\$505.00
5,001 - 10,000 cu. ft.	\$719.00
Over 10,000 cu. ft.	\$893.00

(6) *Suppression systems - Carbon dioxide.*

Carbon Dioxide Systems: Based on pounds of suppression agent.

1 - 100	\$505.00
101 - 300	\$719.00

301 - 500	\$869.00
501 - 750	\$1,012.00
751 - 1,000	\$1,155.00
Over 1,000 Pounds	\$1,189.00

(7) *Fire alarm systems.*

New fire alarm systems base review fee (includes panel replacement):	\$295.00
Add for detection device, notification appliance, etc., tied to system:	\$6.00/Device
Existing fire alarm system base review fee (Include Relocating Existing Devices):	\$165.00
Add for detection device, notification appliance, etc., tied to system:	\$6.00/Device

- (8) *Special consultation.* For any fire protection concerns in which the Community Development Director, Fire Chief or Fire Marshal determine that additional technical resources or technical assistance is required from sources outside of the village staff, the village's cost of additional consultant services are paid for at the billed rate as charged to the village by the consultant. Examples where such fees may apply include, but are not limited to:
- (a) Plan review of smoke control systems;
 - (b) Life Safety plan review for covered malls or other similar type structures; and/or
 - (c) Plan review of projects where performance based design is used to comply with codes.
- (i) *Engineering plan review and inspection of public improvements.* Engineering plan review and inspection of public improvements shall be subject to the following fees:
- (1) *First engineering review and comments on engineering plan:* One percent of engineer's estimated cost of all public improvements as defined in Title 15, Chapter 15, Section 154.703 of this Code plus \$500.00.
 - (2) *Subsequent engineering plan re-reviews -* The greater of:
 - (a) \$90.00 per hour of re-review time, or
 - (b) The actual cost billed to the village by a third party for the plan re-review, as provided for by Chapter 16 of this Code.
 - (3) *Inspection of project improvements:*
 - (a) Three percent of engineer's estimated cost of all public improvements, as defined in Title XV, Chapter 154, § 154.703 of this Code.
 - (b) In addition to the fee set forth in subsection (a) above, inspections conducted before 7:30 a.m. or after 4:00 p.m. on weekdays, and/or at any time on weekends and holidays, when available, shall be billed at a rate which shall be greater of:
 - (i) \$100.00 per hour of inspection time; or
 - (ii) The actual cost billed to the village, by a third party, for inspection, as provided for by this Chapter 16 of Code which shall apply even if the permittee, or the permittee's authorized agent or contractor, fails to show up for a scheduled inspection. Any inspections conducted before 6:00 a.m. or after 5:00 p.m. on weekdays, and at any time on weekends and holidays, when available, shall be subject to a two-hour minimum inspective time, which shall apply even if the permittee, or the permittee's authorized agent or contractor, fails to

show up for a scheduled inspection. charged to the permittee, including no-shows. Said inspection fee shall be in addition to the normal three-percent fee referenced in the first sentence of this subsection.

- (4) *Fees.* The engineering review and inspection fee for a new single family residence shall be \$125.00 per lot for each vacant lot that is part of a major plat of subdivision and \$360.00 per lot for an infill or teardown lot.
 - (5) *Issuance of permits.* No construction permits shall be issued by the village until all engineering plan review fees have been paid.
 - (6) *Issuance of occupancy certificates.* No occupancy certificates shall be issued by the village until all outstanding engineering fees have been paid.
- (J) *Planning services fees.* All major plats of subdivision and major developments, as defined in Title 15, Chapter 15, § 154.703, shall be subject to the following planning review fees:
- (1) A fee of 0.25 percent of total improvements costs (includes all public and private improvements, exclusive of interior buildout/improvement costs) for the first \$4,000,000.00 and 0.13 percent for total development costs above \$4,000,000.00.
 - (2) No construction permits shall be issued by the village until all planning review fees have been paid.
 - (3) No occupancy certificates shall be issued by the village until all outstanding planning review fees have been paid.
- (K) *Other fees.*
- (1) *Plan review fee.*
 - (a) Plan review fees shall be paid if the plan review has been completed by the village and/or its agents. This fee shall apply even if the permit applicant withdraws the permit application, or does not pick up the permit.
 - (b) All plan review fees to be paid at time of application for all permits with a construction cost over \$500,000.00.
 - (2) *Traffic impact advisory services.* In addition to all other fees established by this § 150.141, all applications for building permits, and all applications for as Plan Commission, Zoning Board of Appeals or Village Board review, that have a substantial traffic impact as determined by the Inter-Departmental Review Committee shall be accompanied by a deposit of \$1,000.00 to be used for traffic impact analysis services. If the village's cost for such services exceeds the deposit, the applicant shall reimburse the additional costs incurred by the village. Any such reimbursement shall be made prior to the final consideration of the development proposal by the Village Board or prior to the issuance of a building permit, whichever occurs first. If such traffic impact analysis services costs are less than the deposit, the Village shall return the difference to the applicant. The total cost incurred by the applicant for such services shall not exceed \$10,000.00.
 - (3) *Overtime inspection fees.* Inspections conducted before 7:30 a.m. or after 4:00 p.m. on weekdays, and anytime on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour per inspector, including no-shows, when available. Said inspection fee shall be in addition to any requisite fees referenced elsewhere within § 150.141 or as set forth within Chapter 16 of this Code, whichever is greater, and shall be paid prior to issuance of any certificates of occupancy or approval of final inspections. In addition, any inspections conducted before 6:00 a.m. or after 5:00 p.m. on weekdays, and at any time on weekends and holidays, when available, shall be charged with a minimum of two hours charged to the permittee, including no-shows.

(4) *Re-inspection fees.* In the event that a building permit related inspection by the village or its agent results in a failed inspection, either as a result of the construction activity not meeting code provisions, or the construction otherwise not being in compliance with the improved plans, the following additional fees shall be assessed:

- (a) First failed inspection - no additional fee.
- (b) Second or subsequent failed inspections - \$65.00 for a single-family residential project and \$80.00 for all other projects.

In the event that the permittee and/or the permittee's contractor does not have the project site ready for an inspection at the time and on the date the inspection was scheduled to occur, the additional fee set forth in subsection (b) above shall be assessed.

- (L) *Determination of construction cost.* For purposes of this chapter, the estimated cost of construction shall be based upon the value of the respective improvement and not the cost a given permittee incurs in the construction of the improvement. The permit applicant shall provide the village with the estimated cost of construction as part of the permit submittal process. If the village does not concur that the submitted estimated cost of construction properly reflects the estimated project cost, the village shall determine the estimated project cost, based upon the latest edition of the R. W. Means Manual.
- (M) *Government entities.* Requirements relative to; bonds and letters of credit shall be waived in accordance with §14.02 of this Code.

(Ord. 2561, passed 10-28-82; Am. Ord. 2627, passed 9-8-83; Am. Ord. 2951, passed 5-28-87; Am. Ord. 2961, passed 6-25-87; Am. Ord. 2980, passed 9-3-87; Am. Ord. 3152, passed 5-4-89; Ord. 4796, passed 4/27/00; Ord. 5253, passed 2/20/03; Ord. 5387, passed 11/20/03; Ord. 5464, passed 4/1/04; Ord. 5627, passed 4/21/05; Ord. 5921, passed 9/21/06; Ord. 6063, passed 06/21/07; Ord. 6331, passed 5/7/09; Ord. 6461, passed 4/1/10; Ord. 6468, passed 4/15/10; Ord. 6521, passed 9/2/10; Ord. 6833, passed 5/16/13; Ord. No. 6938, § 1, passed 4-17-14; Ord. No. 6939, § 2, passed 4-17-14; Ord. No. 7184, §§ 3—5, passed 2-4-16; Ord. No. 7285, § 1, passed 10-20-16; Ord. No. 7345, § 1, passed 4-6-17; Ord. No. 7350, §§ 1, 2, passed 4-6-17; Ord. No. 7552, §§ 1, 2, passed 7-19-18; Ord. No. 7553, §§ 1—3, passed 7-19-18; Ord. No. 7554, § 1, passed 7-19-18; Ord. No. 7555, § 3, passed 7-19-18; Ord. No. 7623, § 2, passed 1-17-19; Ord. No. 7891, §§ 1, 2, passed 12-3-20; Ord. No. 8037, § 1, passed 3-3-22; Ord. No. 8120, § 1, passed 1-5-23; Ord. No. 8165, § 1, passed 6-15-23)

§ 150.142 Time limit for permits.

- (A) An applicant or property owner must take possession of a permit within 30 days after notification that a permit has been approved. The date of notification for the purpose of this section shall be the date on which a telephone call or electronic correspondence is made informing the applicant or owner that their permit was approved. If an applicant or owner does not take possession of a permit within 30 days from the date the permit was approved by the village, then the permit shall have lapsed and the application for that permit shall be considered to be withdrawn. However, any permits that are withdrawn as a result of this subsection shall still be subject to the permit fee payment provisions of Section 150.141(K).
- (B) A single-family residential permit may be cancelled by the applicant or the owner, if work has not begun. The applicant or the owner must request cancellation of the permit, in written form, to the Director of Community Development or his/her designee. The plan review fee shall be retained by the village. Any fees associated with water and sewer connections, water meters, construction bonds or miscellaneous bonds shall be refunded at 100 percent to the applicant or the owner. The remainder of the single-family residential building permit fees shall be refunded to the applicant or the owner as follows:
 - (1) Permits cancelled less than 30 calendar days after issuance will be refunded at 100 percent minus the review fee and the administrative fee.

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- (2) Permits cancelled less than 180 calendar days after issuance will be refunded at 50 percent.
- (3) Permits cancelled less than 365 calendar days after issuance will be refunded at 25 percent.
- (C) All other building permits may be cancelled by the applicant or by the owner within 180 calendar days of issuance, in written form, to the Community Development Director or his/her designee. The plan review fee shall be retained by the village. Any fees associated with water and/or sewer connections, water meters, construction bonds, and miscellaneous bonds shall be refunded at 100 percent to the applicant or the owner. The remainder of the building permit fees shall be refunded to the applicant or the owner at 50 percent of the applicable fees, if the request is made in written form within 180 calendar days of the date of issuance.
- (D) A permit, once issued, shall be valid for a period of one year for all single-family residential construction. The Community Development Director or his/her designee may grant two extensions of time for additional periods not to exceed six months each, provided a fee of 25 percent of the original cost of the permit shall be charged at the time each extension is granted. Where, under authority of a permit or extended permit work has been started, and has been abandoned for a continuous period of 12 months, all rights under such permit shall thereupon terminate. The extension fee may be waived at the discretion of the Community Development Director or his/her designee, if the delay was caused by an act of nature, labor strike, casualty accident or other event beyond the control of the applicant or the owner.
- (E) For all commercial, industrial, institutional and multiple-family construction permits for buildings of 100,000 square feet of gross floor area or less, a permit once issued shall be valid for 12 months. For construction projects greater than 100,000 square feet of gross floor area, a permit shall be valid for 24 months. The Community Development Director or his/her designee may grant two extensions of up to six months each, provided that ten percent of the original permit fee, has been paid. Any additional plan review fee or associated fee shall be charged according to the permit fee schedule and will be in addition to the ten percent renewal fee charge. If the three-year deadline to complete work has been exceeded and the work has received valid past inspections, full current permit fees are due upon renewal for all remaining work to be undertaken as part of the project.
- (F) Any building permit which is duly issued by the village, pursuant to § 150.140, shall automatically become invalid if the work which is the subject of the permit is not commenced within 180 days of the date the permit was issued. After the permit is issued, it shall be the obligation of the applicant to take reasonable and appropriate action so that the work, which is the subject of the permit, is commenced and completed in a diligent manner. The occurrence of the event described above involving the immediate preceding delay, the permit shall automatically become invalid unless the unpermitted delay is caused by an act of nature, labor strike, casualty or accident. In the event of such an act of nature, labor strike, casualty or accident which results in such an unpermitted delay, the applicant shall promptly notify the Community Development Director or his/her designee in writing, describing in reasonable detail the circumstances of the unpermitted delay. For the purpose of this section the definition of the word "work" shall be held to mean, "labor performed for the number of hours that the construction industry accepts as constituting a work day."
- (G) Any permit that has become invalid will require a new permit application to be completed and submitted to the Community Development Department. The applicant or the owner shall be required to pay 50 percent of all building fees, if the application is made within six months of the permit becoming invalid. After six months of the permit becoming invalid, a new building permit will be required. The new permit shall be reviewed with respect to all codes that are enforced by the village, as of the date of the new permit being applied for.
- (H) Any permitted work that is not completed by the permit expiration date(s), including extensions, shall be maintained in a safe condition. Any unsafe conditions that may exist, as determined by the Community Development Director or his/her designee, shall be immediately made safe or remove the dangerous structure or portion thereof, as determined at the discretion of the Community Development Director or his/her designee, and a contractor selected by the Community Development Director or his/her designee,

shall make the structure, the site or portion thereof safe, at the owner's expense. All costs associated with making the structure, the site or portion thereof safe, including but not limited to legal fees, staff hours, and any contractual work, shall be the responsibility of the owner. If all costs associated with making the structure, the site or portion thereof safe are not paid within 30 days of receipt of invoice from the village, a lien shall be placed upon the property.

- (I) Any permitted construction that has been idle for a period of six months after permit issuance is invalid and the applicant or the owner shall be held in violation of village ordinance and will be subject to being ticketed. The applicant or the owner of the property may be subject to fines of up to \$750.00 per day, for each day the property is found in violation of village ordinance.
- (J) In light of the COVID-19 pandemic's adverse impacts on the ability to complete construction projects in a timely manner, the following time requirements, as set forth in subsections (D), (E), (F) and (I) above, relative to construction projects, and the permits issued in relation thereto, are hereby extended, as set forth below, for all projects which, as of October 12, 2020, have been issued a building permit(s):

Subsection Above	Current Time Reference	Revised Time Reference
(D)	one year	15 months
(D)	12 months	15 months
(E)	12 months	15 months
(E)	24 months	27 months
(F)	180 days	270 days
(I)	six months	nine months

(Ord. No. 7760, § 1, passed 12-5-19; Ord. No. 7861, § 1, passed 10-1-20)

Editor's note(s)—Ord. No. 7760, § 1, adopted Dec. 5, 2019, amended § 150.142 in its entirety to read as herein set out. Former § 150.142 pertained to time limit for building permits and derived from Ord. 2561, passed Oct. 28, 1982; Ord. 5481, passed May 6, 2004; and Ord. 5914, passed Sep. 7, 2006.

§ 150.143 Contractor registration and insurance requirements.

For purposes of this subsection, a contractor is defined as any person or firm performing work as a general contractor, carpenter, electrician, plumber, sewer and water contractor, excavator, concrete contractor, roofer, heating ventilation and air conditioning (HVAC) contractor, masonry contractor, iron or steel contractor, lawn sprinkler contractor, fire sprinkler contractor, paver and elevator contractor.

- (A) All contractors, as defined in subsection (A) above, performing work within the village shall be required to apply for and receive contractor registration approval from the Village's Community Development Department, Building Division, prior to receiving a building permit and/or commencing contractor activities. Approved contractor registrations shall be effective for one year from the date of issuance. Contractors shall keep their registration in good standing throughout the year in which they are performing contractor services within the village. The cost for an annual contractor registration shall be \$100.00.
- (B) Along with completing the contractor registration online or completing the contractor registration form, all contractors must place on file with the Community Development Department, Building Division, an insurance policy to meet or exceed the following: \$300,000.00 single limit manufacturers and contractor's general liability. The insurance requirement provisions shall not apply to any contractors who are required to be licensed and/or regulated pursuant to the preemption powers of the State of Illinois in the Illinois Compiled Statutes.

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- (C) Electrical contractors and communications contractors must be registered; certificate of insurance. It is unlawful for any person, firm or corporation to engage in the business of electrical contractor or communications contractor within the Village, without being registered in the manner hereinafter set forth.
- (1) Registration. Any person, firm or corporation desiring to engage in the business of an electrical contractor or communications contractor shall:
- (a) Furnish a copy of license issued by any city, village or town in the State of Illinois that was obtained only after the passage of a recognized written test.
- (b) Homeowner. A homeowner shall be registered by application to the village. Said registration shall be restricted to allow work only on the homeowners' personal and primary residence. A qualification test shall be passed in order to secure this registration and permits to install, modify or revise an electrical service or service conductors. No electrical work shall be allowed under this provision in commercial, industrial or multifamily residential occupancies. Work done on these type occupancies shall be performed only by a registered electrical contractor.
- (D) Plumbing Contractors. It is unlawful for any person, firm or corporation to engage in the business of plumbing contractor within the Village, without meeting the provisions of 225 ILCS 302/3.
- (E) All Other Construction Disciplines. Nothing herein contained shall prohibit the owner occupant or lessee occupant of a single-family residence, or the owner of a single-family residence under construction for his or her occupancy, from planning, installing, altering or making repairs to such residence. The provisions within this section shall not apply in the following instances:
- (1) construction of any public improvement components, as defined within Chapter 154 of Village Code; or
- (2) any project defined as a Major Development, as defined within Chapter 154 of Village Code.
- (F) Any listed contractor on a building permit application form must be registered with the Illinois Secretary of State, if the business is a partnership, LLC, LLP or corporation; and/or the provisions of 805 ILCS 405 et seq., if applicable.

(Ord. 2561, passed 10-28-82; Am. Ord. 3150, passed 4-20-89; Ord. 6580, passed 2/3/11; Ord. 6717, passed 5/3/12; Ord. No. 7761, § 1, passed 12-5-19; Ord. No. 7890, § 2, passed 12-3-20)

§ 150.144 Deposit required for protection of public properties.

- (A) The applicant requesting a permit to build a new principal structure or undertaking work within the public right of way not covered under § 150.145, shall be required to place on deposit the amount set forth in § 150.141 as part of the building permit which will ensure public right-of way restoration, such as sidewalks, curbs, parkway landscaping and other parkway improvements. This requirement shall not be required for permits to repair or replace existing driveways or sidewalks.
- (B) Upon completion of work within the public right of way and inspection approval by the village, a refund of the deposit referenced in subsection (A) above shall be issued by the village to the person, firm or corporation making said deposit, provided that all portions of the public right-of-way, and appurtenances thereto have been restored to the village's satisfaction. Construction deposits under this section shall be retained until the requirements of subsection 150.152(D) have been met.
- (C) (1) When any earth, gravel, or other material is caused to roll, flow, or wash upon any street, the person causing or having responsibility for causing, the earth and like material to be placed or rest on the street,

shall cause the same to be removed from the street within 24 hours after deposit, unless said deposit is of sufficient quantity or such a nature that would cause either a safety hazard or a spreading problem beyond which would be considered reasonable as determined by the Community Development Director or his/her designee. In that event the earth, gravel, or other material shall be removed immediately. In the event it is not, the Village Manager or his/her designee shall cause to remove said dirt, gravel, or other material and the person causing said earth, gravel, or other materials to be placed or allowing it to be placed on the street shall be billed for the cost of removal or such.

(2) If the person causing or allowing the earth, gravel, or other material to rest upon any street, is a permittee, for example, an individual who has a permit from the village, the cost of such by the village may be deducted from any type of miscellaneous deposit said permittee has. Any violation of this section shall be as provided in division (D) of this section.

(D) Failure to restore said public right-of-way shall place the entire deposit in default, plus any amount required over the deposited amount to restore the public way shall be recorded as a lien against the property.

(Ord. 2561, passed 10-28-82; Am. Ord. 2830, passed 2-27-86; Am. Ord. 2888, passed 9-25-86, Ord. 4095, passed 11/16/95; Ord. 6581, passed 2/3/11)

§ 150.145 Sewer and water repair deposits.

A deposit of \$250.00 shall be required for restoration of parkway and sidewalks for sewer and water service repairs of residential property. A deposit of \$500.00 shall be required for restoration of parkway and sidewalks for sewer and water service repairs of nonresidential property. If it is necessary to open parkway on the opposite side of the street, an additional \$250.00 will be deposited.

(Ord. 2561, passed 10-28-82; Ord. 3581, passed 2/3/11)

§ 150.146 Application for building permits.

The Community Development Director or his/her designee shall upon review and approval of the plan submitted issue permits for the construction or alteration of buildings and structures provided all the other requirements of ordinances have been approved by the respective departments.

(Ord. 2561, passed 10-28-82)

§ 150.147 Reserved.

§ 150.148 Starting permits.

(A) A starting permit may be issued for the construction of the foundation (excludes 1 and 2 family residences) provided the plans are complete and approved as described in §§ 150.147 through 150.156.

(B) The holder of a starting permit for the foundation or other underground work shall proceed at his own risk without assurance that a permit for the entire structure will be granted.

(Ord. 2561, passed 10-28-82)

§ 150.149 Technical data required.

- (A) The Community Development Director or his/her designee shall require, as necessary, other pertinent information such as soil tests, compaction reports, and technical data that will provide the necessary structural strength and fire resistance qualities of the buildings. He shall require, as necessary, other reports from technical testing laboratories during construction all at the applicant's expense and shall become part of the building permit file.
- (B) In an area having substandard bearing soils, the applicant shall be required to submit soil testing reports with recommendations certified by a registered professional engineer.
- (C) Any building exceeding two stories in height above grade will be required to submit soil testing reports along with application.

(Ord. 2561, passed 10-28-82)

Cross reference(s)—Penalty, see § 150.999

§ 150.150 Submission of architectural plans.

Application for a new building permit shall require submission of ~~three sets of stamped and signed~~ architectural plans or drawings in accordance with International Residential Code (IRC) Section 106 or International Building Code (IBC) Section 107 as applicable. complete with all details showing plumbing, electrical, heating, and ventilation schedules and diagrams.

Plans and drawings for new construction, additions or any type of remodeling with a construction cost over \$10,000.00 shall be required to be signed and sealed by an Illinois licensed Architect or Structural Engineer.

(Ord. 2561, passed 10-28-82; Ord. 5481, passed 5/6/04; Ord. 6602, passed 4/7/11)

§ 150.151 Topographical survey.

~~A Three-sets-of~~ topographical survey prepared by a registered engineer based on one-foot intervals, including surrounding adjacent buildings and other appurtenances within 20 feet of the subject property with foundation elevation and elevation of other permanent structures, using true U.S.G.S. elevation standards plus existing grade of curb, sidewalks, and roadways.

(Ord. 2561, passed 10-28-82)

§ 150.152 Engineering drawings.

- (A) Applications for building permits for all development shall include ~~four-a~~ sets of engineered engineering drawings. Applications for building permits for all development in special management areas (flood plains, wetlands, areas having substandard bearing soils) shall in addition be subject to those application requirements which may be required by the County of DuPage.
- (B) Drawings shall be prepared by an Illinois Registered Engineer and include but not be limited to: all existing and proposed grades, proposed storm water runoff and storm water management facilities (with calculations utilizing TR20, TR55, or other methodology with prior approval of the Community Development Director), existing and proposed curb cuts for street access, private development improvements which will be dedicated to the village and for which the village will accept ownership and maintenance responsibility,

and other details as required by the Community Development Director to determine compliance with village regulations.

- (C) Prior to final inspection, an "as built" record drawing of the grading plan prepared by an Illinois Registered Engineer shall be submitted to Private Engineering Services Division for review and approval. Issuance of any Certificate of Occupancy, as well as return of applicable fees, bonds, and/or letters of credit are subject to approval of said "as built" record drawing.
- (D) When deemed necessary the Community Development Director may send the engineering drawings to an independent, third-party agency for review. The Community Development Director shall periodically place before the Board of Trustees for their approval, a contract for said third-party review services. Upon approval of the contract by the Board of Trustees the Community Development Director shall establish review fees such that the cost of review whether performed by Private Engineering Services staff or third-party agency, in addition to any such other administrative fees charged by the village, shall be borne by the permit applicant.

(Ord. 2561, passed 10-28-82; Am. Ord. 2830, passed 2-27-86, Ord. 3591, passed 8/20/92, Ord. 3944, passed 12/15/94)

§ 150.153 Plat of survey.

~~Two copies of a~~ plat of survey prepared by a registered land surveyor shall be submitted.

(Ord. 2561, passed 10-28-82)

§ 150.154 Plot plan.

A plot plan will also be filed in triplicate or made part of the prepared plans showing size of the proposed building, distances of yards or setbacks, parking spaces, and maneuvering areas, including illumination where required.

(Ord. 2561, passed 10-28-82)

§ 150.155 Floor area tabulation.

Floor area will be tabulated using the sum of all levels using outside dimensions, including attached garages, except cellar level as defined in the zoning ordinance.

(Ord. 2561, passed 10-28-82)

§ 150.156 Accessibility requirements.

All plans submitted for permit shall provide and illustrate the accessibility requirements along with dimensions of height, width, and the like.

(Ord. 2561, passed 10-28-82)

§ 150.157 Issuance of building permits.

- (A) No permit will be considered valid unless plans are signed or stamped by the Fire Chief or his/her designee and/or the Community Development Director or his/her designee, whichever is applicable.

(B) The Village shall not issue any permit for the construction of any building or structure in violation of any valid restriction imposed by law.

(C) No building permit shall be issued unless engineering drawings required under § 150.152 shall have been reviewed by the Community Development Director or his/her designee, to certify the details shown on the drawings comply with applicable local regulations, and full payment has been made for any review.

(Ord. 2561, passed 10-28-82; Am. Ord. 2789, passed 10-24-85; Am. Ord. 2953, passed 5-28-87; Am. Ord. 2954, passed 5-28-87, Ord. 3591, passed 8/20/92; Ord. No. 7349, § 1, passed 4-6-17)

§ 150.158 Reserved.

Editor's note(s)—Ord. No. 3926, passed November 3, 1994, repealed § 150.158, which pertained to Construction Deposits.

§ 150.159 Roofing contractors; proof of certification to be filed.

(A) Every roofing contractor or person providing roofing services shall file proof of certification of registration as required by the Illinois Roofing Industry Licensing Act with the village prior to any permit to construct, reconstruct, alter, maintain, or repair a roof within the village, being issued to the roofing contractor.

(B) In the event the contractor does not have a certificate of registration, proof of application of said registration shall be accepted until April 1, 1986.

(Ord. 2800, passed 12-5-85)

Cross reference(s)—Penalty, see § 150.999

§ 150.160 Reserved.

Editor's note(s)—Ord. No. 7286, § 1, adopted October 20, 2016, repealed § 150.160, which pertained to expedited permit review process and fees and derived from '70 Code, § 15.10.190.

~~ARTICLE XX. UNSAFE STRUCTURES; DANGEROUS OR ABANDONED BUILDINGS~~

~~§ 150.200 Issuance of stop work order to remove illegal or unsafe conditions.~~

~~The Fire Chief or his/her designee or the Community Development Director or his/her designee shall issue stop work orders to remove illegal or unsafe conditions or use of materials or substandard construction methods during construction to insure compliance to the code and for the safety, health, and general welfare of the public. The builder shall have the right to an appeal of any stop work order to the Board of Building Appeals.~~

~~{Ord. 2561, passed 10-28-82}~~

~~§ 150.201 Treatment of dangerous and abandoned buildings.~~

~~Except as provided in §§ 150.200—150.204, treatment of dangerous and abandoned buildings shall be governed by §§ 150.206 and 150.207.~~

~~{Ord. 2561, passed 10-28-82}~~

~~§ 150.202 Emergency measures.~~

~~(A) When, in the opinion of the Fire Chief or the Community Development Director, 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 part of a structure has fallen and life is endangered by the occupation of the building or structure, the Fire Chief or the Community Development Director in the absence of the Village Manager or acting Village Manager is hereby authorized and empowered to order and require the occupants to vacate the same immediately.~~

~~(B) The Fire Chief or the Community Development Director shall cause to be posted at each entrance to such building a notice reading as follows: This structure is hereby declared as unsafe pursuant to § 150.202 of the Village of Lombard Code, and its use or occupancy has been prohibited by the Fire Chief or Community Development Director, and it shall be unlawful for any person to enter such building or structure except for the purpose of making the required repairs or of demolishing the same. You may contact the Fire Chief or Community Development Director at the village to request an informal hearing on this prohibition.~~

~~The Fire Chief or the Community Development Director posting such notice shall also file a statement to the Board of Trustees that such a notice has been filed and request the Village Clerk to serve written notice on the owner or occupant of such premises.~~

~~{Ord. 2561, passed 10-28-82, Ord. 3750, passed 8/26/93}~~

~~§ 150.203 Temporary safeguards.~~

~~(A) When, in the opinion of the Fire Chief or the Community Development Director there is actual and immediate danger of collapse or failure of a building or structure or any part thereof which would endanger life, he shall cause the necessary work to be done to render such building or structures or any part thereof temporarily safe, whether or not the legal procedure as set forth in § 150.206 has been instituted. This section is not any limitation of the statutory authority granted the Fire Chief in 65 ILCS 5/11-80 et seq.~~

~~(B) After temporary repairs have been made, a hearing shall be held before the Board of Building Appeals to determine the validity of the Fire Chief's or the Community Development Director's order.~~

~~{Ord. 2561, passed 10-28-82}~~

~~§ 150.204 Costs of emergency repairs.~~

~~Costs incurred in the performance of emergency work pursuant to § 150.203 shall be paid from the corporate funds of the village on certificate of the Fire Chief or the Community Development Director; and the legal authority of the village shall institute appropriate action against the owner of the premises where the unsafe building or structure was located for the recovery of such costs.~~

~~{Ord. 2561, passed 10-28-82}~~

~~§ 150.205 Closing streets.~~

~~When necessary for the public's safety, the Fire Chief or the Community Development Director may temporarily close sidewalks, streets, buildings, and structures and places adjacent to such unsafe structures, and prohibit the same from being used.~~

~~{Ord. 2561, passed 10-28-82}~~

~~§ 150.206 Dangerous or abandoned buildings prohibited; abatement.~~

~~(A) For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning:~~

~~(1) *Abandoned building.* Any building, accessory buildings, shed, fence, or other man-made structure which, because of its condition or because of lack of doors or windows is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure. The maintenance of any building in any such condition shall constitute a violation of this section, and the fact that such building is boarded up or otherwise closed shall not remove it from being a violation under this section.~~

~~(2) *Dangerous building or unsafe building.*~~

~~(a) Any building, accessory buildings, shed, fence, or other man-made structure which is dangerous to the public health because of its condition, and which may cause or aid in the spread of disease, or injury to the health of the occupants in it, or other neighboring structures;~~

~~(b) Any building, accessory buildings, shed, fence, or other man-made structure which, because of faulty construction, age, lack of proper repair, or any other cause is especially liable to fire and constitutes or creates a fire hazard;~~

~~(c) Any building, accessory buildings, shed, fence, or other man-made structure which, by reason of faulty construction or any other cause, is liable to cause injury or damage by collapsing or by a collapse or fall of any part of the structure.~~

~~(B) It is unlawful to maintain or permit the existence of any dangerous or abandoned building in the village; and it shall be unlawful for the owner, occupant, or person in custody of any dangerous or abandoned building to permit the same to remain in a dangerous condition, or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition, or to permit any building to continue to remain in an abandoned condition.~~

~~(C) Abatement.~~

~~(1) Whenever the Village Manager, Community Development Director or Fire Chief shall be of the opinion that any building or structure in the village is a dangerous building, he shall file a written statement to that effect with the Board of Trustees. The Village Clerk shall thereupon cause written notice to be served upon the owner thereof, and upon the occupancy thereof, if any, by personal service. Such notice shall state that the building has been declared to be in a dangerous condition and that such dangerous condition must be removed or remedied by repairing or altering the building or by demolishing it; and that the condition must be remedied by repairing or altering the building or by demolishing it; and that the condition must be remedied within 15 days of the date of receipt of notice. The Village Manager, Community Development Director, or Fire Chief shall also post such notice on each entrance to such structure. The notice shall be in substantially the following form:~~

~~"To: _____~~

~~(Owner-occupant of premises)~~

~~This is a notice regarding the premises known and described as~~

You are hereby notified that ~~(description of the dangerous building, house, or garage, etc.)~~ on the premises above-mentioned has been condemned as a nuisance and a dangerous building after inspection by _____ because of the following:

~~(here insert facts as to the dangerous condition)~~

You may contact _____ at the village to request an informal hearing on this condemnation.

Unless you have taken steps to remedy this condition within 15 days of your receipt of this notice, the village will petition the Circuit Court of DuPage County to authorize action to be taken to demolish said building or restore it to a safe condition, the costs thereof to be charged to you."

~~(2) Such notices shall be served on the owner by personal service, or where after diligent inquiry the identity or whereabouts of the owner of any such building are not ascertained, then notice shall be mailed to the person or persons in whose name the real estate was last assessed. If the person receiving such notice has not complied therewith within 15 days from the time the notice is served upon such person or persons, the Village Manager shall, upon order of the Board of Trustees, initiate proceedings to remedy the condition or demolish the dangerous building as hereinafter set forth.~~

~~(D) Condemnation. The Village Manager shall apply to the circuit court of DuPage County for an order authorizing the demolition or repair of the dangerous, unsafe, or abandoned building. After the entry of an order by the circuit court, the Village Manager shall proceed in accordance with the order to demolish or repair the building, either having the personnel or the village perform such activity or authorizing some other person or persons to perform the necessary services.~~

~~(E) Costs.~~

~~(1) The cost of such demolition or repair shall be recovered from the owner of the real estate, and shall be a lien thereon which lien shall be superior to any existing liens and encumbrances excepting taxes; provided that within 60 days after such cost and expense is incurred, the village or such person having been authorized to perform the service by the village shall file notice of lien in its or his own name, in the office of the Recorder of Deeds in the county in which the real estate is located.~~

~~(2) The Village Manager is authorized and directed to file such lien in the event the services have been performed by the village or its employees. The notice shall consist of a sworn statement setting out a description of the real estate sufficient for identification thereof; the amount of money representing the cost and expense incurred or payable for the service; and the date or dates when the cost and expense was incurred by the village.~~

~~(3) Upon payment of the cost and expense by the owner of, or persons interested in the property, after notice of lien has been filed, the lien shall be released by the village or person in whose names the lien has been filed; and the release may be filed of record as in the case of filing notice of lien. The lien may be enforced by proceedings to foreclose as in case of mortgages or mechanics' liens. Suit to foreclose this lien shall be commenced within three years after the date of filing notice of lien.~~

~~{Ord. 1244, passed /67} ('70 Code, § 9.24.010) ('70 Code, § 9.24.020) ('70 Code, § 9.24.030) ('70 Code, § 9.24.040) ('74 Code, § 9.24.050) (Ord. 3750, passed 8/26/93)~~

~~Cross reference(s) — Penalty, see § 150.999~~

~~§ 150.207 Procedures.~~

~~In addition to the other remedies provided for herein pertaining to the abatement of dangerous or abandoned buildings, the village may also proceed in accordance with Sections 11-31-1 and 11-31-2 of the Illinois Municipal Code (65 ILCS 5/11-31-1 and 11-31-2), or may pursue any other remedy provided by law.~~

~~(Ord. 4335, passed 7/17/97)~~