

ORDINANCE 6372

**AN ORDINANCE APPROVING TEXT AMENDMENTS
TO TITLE 3, CHAPTER 32 AND TITLE 15, CHAPTER 150 AND OF THE CODE OF
LOMBARD, ILLINOIS**

WHEREAS, the Village of Lombard maintains an Administrative Code which is found in Title 3, Chapter 32 of the Code of Lombard, Illinois; and,

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

WHEREAS, the Board of Trustees deem it reasonable to make necessary text amendments to accurately reflect the roles and responsibilities of selected Village staff and Village Departments in the application of the Administrative and Building Codes.

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 3, Chapter 32, Section 32.020 through 32.025 of the Code of Lombard, Illinois is hereby amended in part to read as set forth in Exhibit A attached hereto and a part hereof.

SECTION 2: That Title 3, Chapter 32, Sections 32.065 through 32.068 of the Code of Lombard, Illinois is hereby amended in part to read as set forth in Exhibit B attached hereto and a part hereof.

SECTION 3: That Title 15, Chapter 150, of the Code of Lombard, Illinois is hereby amended in part to read as set forth in Exhibit C attached hereto and a part hereof.

SECTION 4: That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2009.

First reading waived by action of the Board of Trustees this 3rd day of September, 2009.

Passed on second reading this 3rd day of September, 2009.

Ayes: Trustees Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

Nays: None

Absent: None

Approved this 3rd day of September, 2009.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published by me this 4th day of September, 2009.


Brigitte O'Brien, Village Clerk

EXHIBIT A

§ 32.020 CREATED; QUALIFICATIONS; TERM.

(A) There is created a Board of Building Appeals which shall consist of five members who shall be appointed pursuant to the provisions of this subchapter by the President with the advice and consent of the Board of Trustees of the village.

(B) Members of the Board shall be chosen on the basis of their experience in one or more of the following occupations:

- (1) State of Illinois licensed engineer or architect.
- (2) Builder or person employed in the building construction trade.
- (3) Plumber.
- (4) Electrician.

(C) Appointments shall be for a term of three years, and each member so appointed shall be a resident of the village.
(70 Code, § 2.32.010) (Ord. 2575, passed 2-10-82)

§ 32.021 POWERS AND DUTIES.

The Board of Building Appeals shall have the following powers and duties:

(A) Prepare and recommend to the President and Board of Trustees of the village any changes or amendments to the Building Code deemed necessary for the proper development of the village.

(B) Hear appeals from decisions of the Community Development Director or Fire Chief or their designees regarding any clarification or interpretation of the provisions of the Building Code concerning materials, methods, systems, or arrangement of materials for construction permitted under the provisions of the Building Code, Fire Prevention Code and the Life Safety Code.

(C) Recommend the adaptability or safety of any building materials, methods, or arrangements of materials not provided for in the Building Code and which have not been previously approved for use to the Community Development Director or the Fire Chief or their designees; however, that nothing herein shall allow the Board of Building Appeals to approve any building materials, methods, or arrangements of materials specifically prohibited under the Building Code, Fire Prevention Code or the Life Safety Code.
(70 Code, § 2.32.020) (Ord. 2575, passed 2-10-82)

§ 32.022 COMMENCEMENT OF TERM, REMOVAL, OFFICERS.

(A) All terms of the members shall commence on June 1.

(B) If any member, without reason, misses more than three meetings in any 12-month period, said member may be removed and replaced by the President and Board of Trustees.

(C) The President and Board of Trustees shall appoint a Chairperson annually, as of June 1.

(D) The Community Development Director or his designated departmental representative shall act as Secretary for the Board, and it shall be the duty of the Secretary to keep detailed records of all proceedings on file.

('70 Code, § 2.32.030) (Ord. 2575, passed 2-10-82)

§ 32.023 NOTICE OF MEETING.

The Board shall meet upon notice from the Chairperson or the Secretary within 15 days of the filing of an appeal, or at stated periodical meetings, as determined by the Board.

('70 Code, § 2.32.040) (Ord. 2575, passed 2-10-82)

§ 32.024 PUBLIC HEARING.

All hearings shall be open to the public, and all persons whose interest may be affected by the matter which is the subject of the appeal shall be given an opportunity to be heard.

('70 Code, § 2.32.050) (Ord. 2575, passed 2-10-82)

§ 32.025 DECISIONS OF BOARD.

The Board shall affirm, modify, or reverse the decision of the Community Development Director or Fire Chief or their designees by a majority vote of the three voting members, and such action shall be by resolution. Certified copies of the resolution shall be furnished to the appellant and to the Community Development Director or Fire Chief or their designees. An applicant may appeal the decision of the Board to the Board of Trustees by a written request for same filed with the Village Clerk within ten days after receiving written notice of the decision appealed from. An appeal from the decision of the Board of Trustees shall be in accordance with the terms of the Administrative Review Act of the state as amended from time to time.

('70 Code, § 2.32.060) (Ord. 2575, passed 2-10-82)

EXHIBIT B

§ 32.065 CREATED; MEMBERSHIP.

There is hereby created an Electrical Commission which shall consist of six members who shall reside in the village and who shall be appointed by the President with the advice and consent of the Board of Trustees as follows: Chief Electrical Inspector shall be a member and ex officio Chairperson of the Commission. Of the five remaining, a registered professional engineer, a representative of an inspectional bureau maintained by Fire Underwriters or the Chief of the Fire Department, an electrical contractor, a journey electrician, and a representative of an electrical supply company shall be appointed. If there is no person residing in the village qualified under one of the above descriptions, the President may appoint another person to fill the position with the advice and consent of the Board of Trustees.

('70 Code, § 2.33.010) (Ord. 2575, passed 2-10-82)

§ 32.066 POWERS.

The Electrical Commission shall have the power and duty to prepare and recommend to the President and Board of Trustees of the village the following:

(A) Safe and practical standards and specifications for the installation, alteration, and use of electrical equipment designed to meet the necessities and conditions of the particular locality.

(B) Reasonable rules and regulations governing the issuance of permits by the Electrical Inspection Division.

(C) Reasonable fees for inspections by the Inspection Division of all electrical equipment installed or altered within the village.

('70 Code, § 2.33.020) (Ord. 2575, passed 2-10-82)

§ 32.067 TERM.

Each member of the Electrical Commission shall be appointed for a four-year term.

('70 Code, § 2.33.030) (Ord. 2575, passed 2-10-82)

§ 32.068 INSPECTION DIVISION.

There is hereby created in the village an Electrical Inspection Division within the Building Division. Said Division shall be under the control of the Community Development Director. . The Electrical Inspection Division shall consist of an Electrical Inspector and such personnel as may from time to time be required. The Electrical Inspector shall be appointed by the Village Manager, and shall be responsible for completing all electrical inspections and enforcing the provisions of the Electrical Code of the village.

('70 Code, § 2.33.040) (Ord. 2575, passed 2-10-82)

**EXHIBIT C
AMENDMENTS TO:**

**TITLE XV: LAND USAGE
CHAPTER 150: BUILDING CODE**

§ 150.006 DEFINITIONS, REFERENCES.

(B) References:

(1) Any reference in the *Code Official in the 2000 Edition of the International Building Code* shall be read as the Village Community Development Director.

§ 150.008 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 method 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.

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

§ 150.017 DETERMINATION OF WALL AS LANDSCAPING OR RETAINING.

When the Community Development Director or his/her 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 his/her designee shall be retained to review the plans. The cost of the independent review shall be paid by the party building said wall.

(Ord. 2880, passed 9-11-86)

INTERNATIONAL RESIDENTIAL CODE, 2000 EDITION

§ 150.035 ADOPTION BY REFERENCE.

All provisions as listed in the International Residential Code, 2000 Edition, are hereby adopted and incorporated by reference with the following changes:

Section R302.5: 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 (7) days nor less than four (4) 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 (6) 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 (4) 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% 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 (4) foot high orange vinyl fencing or chain link fencing.

Section R302.6 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.

Add Section R302.7: 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 thirty (30) days after completion of demolition, then the application shall include a detailed site restoration plan depicting all work required to restore the subject property, within thirty (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 thirty (30) days or shall fail to complete site restoration within thirty (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 thirty (30) day time limit to an additional thirty (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 twenty-four (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.

Section R302.8: 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 thirty (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 (3) inch base and CA6 top – six (6) inches) within seven (7) days of the completion of the utility or driveway work and shall have a new public sidewalk installed within ninety (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).

Add Section R302.9: 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 site areas. The sign face shall be a minimum of twenty (20) inches tall and twenty-eight (28) inches long and no larger than forty-eight (48) inches tall and ninety-six (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 (24) 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 thirty (30) days to replace the obsolete sign. The sign will have the following information:

Construction Code of Conduct

Village of Lombard's Building Division's Telephone Number

Village of Lombard's website

Twenty-four (24) hour Village contact number

Emergency Contact Number

***RESIDENTIAL USES SPECIAL REQUIREMENT
(USE GROUPS R-2, R-3 AND R-4)***

§ 150.040 SPECIAL RESIDENTIAL REQUIREMENTS.

(A) Applies to all uses R-2, R-3 and R-4

Section R404: Delete all references to masonry foundations and wood foundations. All new foundations shall be of concrete construction only.

For one (1) story frame additions only, a trench foundation will be permitted when the concrete is placed monolithically at a minimum depth of forty-two (42) inches below grade and minimum trench width of eight (8) inches.

(15) CHIMNEY - A prefabricated chimney may be used provided that:

(a) It is a U.L. approved Class "A" all fuel flue with anon-corrosive housing, rain cap and bird screen except that a U.L. approved Class "B" flue may be utilized when no all/fuel high heat producing equipment is present or anticipated and must be approved in writing by the Community Development Director.

(b) U.L. approved all fuel fireplace and flue assembly with a non-corrosive housing, rain cap and bird screen (unless all components above the roof surface are of approved stainless steel).

(16)

CONSTRUCTION SITE FENCING

(a) In addition to the installation and erection of soil erosion (silt) fencing, per Private Engineering Services direction, the owner/general contractor shall cause a "safety fence" to be installed around the perimeter of the subject property, in a manner and location as approved by the Building Division. The fencing shall be installed not more than seven (7) days nor less than four (4) days prior to the commencement of any demolition and/or construction of a proposed structure on the subject property, unless otherwise authorized by the Community Development Director and/or his/her designee. In addition to such safety fencing around the perimeter of subject property, the owner/general contractor shall cause fencing to be installed around 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 Building Division. The parkway fencing shall remain in place until the completion of said construction on subject property. The safety fencing shall remain on subject property until the structure is made weather-tight, safe and

secure from unauthorized entry. Suggested type of fencing for construction site and parkway tree protection would be the 4'-0" high orange vinyl safety fencing or chain link fencing.

(b) "No trespassing" signs shall be installed on safety fencing at all four sides of the construction site and on the structure itself, to warn of unauthorized entry onto the subject property, unless a proper right-of-entry has been secured from the owner/general contractor of the subject property.

(17) SANITATION FACILITIES

Any portable toilet on said property construction site shall be located as much as possible toward the proposed structure location and not placed near sidewalks or in the front area of the construction site so as not to cause a blight in the neighborhood. One such toilet shall be provided at every construction site of a new principle structure. During the demolition phase, the portable toilet may be located in the front of the property. Upon completion of the demolition, the portable toilet shall be removed or if construction is to immediately commence, the portable toilet shall be moved to a more suitable location on the construction site as directed by the Building Division. 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.

(B) Applies to Use Group R-2

(1) Maximum number of dwelling units shall be eight (8) per building.

(2) Minimum building separation shall be 30 linear feet between each building. Fire walls will not be accepted in lieu of linear separation.

(3) Building height shall be limited two (2) stories or 35 feet.

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

(5) Dwelling units shall be separated vertically by an accepted two (2) hour wall assembly similar to UL Design U 301 and as approved by the Building Division.

(6) Dwelling units shall be separated horizontally by an accepted two (2) hour floor-ceiling assembly similar to UL Design L 518 and as approved by the Building Division.

(7) Attic space shall be separated vertically by an accepted one (1) hour wall assembly similar to UL Design U 305 and as approved by the Building Division.

(8) Garage doors, common with dwelling units shall be "B" Label (one-hour) with closer.

(9) 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) Applies to use group R-3

§150.041 EXCEPTIONS TO SPECIAL RESIDENTIAL REQUIREMENTS

Provided that the construction of the building meets all of the following requirements, the restrictions set forth in Section 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 (8) 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 four (4) 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)

§ 150.062 ELECTRICAL CONTRACTORS MUST BE REGISTERED; CERTIFICATE OF INSURANCE.

It is unlawful for any person, firm or corporation to engage in the business of electrical contractor within the Village of Lombard, as herein defined, without being registered as an electrical contractor in the manner hereinafter set forth.

(D) Revocation of Permits. The Community Development Director or his/her designee is authorized to revoke any permit or certificate obtained by fraud, misrepresentation, or in any way contrary to the provisions of the electrical regulations of this code, for installation, alteration, repair and use of any electrical equipment.

(E) Certificate of Insurance. Any person, firm or corporation desiring to engage in the business of an electrical contractor or communication contractor shall furnish a \$300,000 single limit liability manufacturers and contractors liability certificate naming the Village of Lombard as an additional insured.

§ 150.063 PERMIT REQUIRED

No person shall install any electrical conduits, electrical wires, electrical equipment, apparatus or communications, data, computer, or fiber optics cables, conduits, equipment or apparatus in any building or structure, for which a permit is required, until such permit shall have been secured. In case any work is begun without a permit authorizing said work, the Community Development Director or his/her designee shall have the power to stop said work and order all persons engaged therein to stop and desist until the proper permit is secured.

DISCONNECTION OF ELECTRICAL SERVICES

Any person who violates the provisions of the National Electrical Code of the Village of Lombard Section 150.060 or who maintains any electrical wiring or apparatus or communication, data, computer, or fiber optic cable or equipment found to be dangerous to life and property, the Community Development Director or his/her designee is hereby empowered to cut-off or otherwise disconnect current to said electrical wires or apparatus.

§ 150.064 PENALTY

(A) Any person, firm or corporation who is registered under this Chapter, and so violates any provision of this Chapter, shall be considered to be in violation of the Chapter and, upon conviction, shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each violation. It in the opinion of the code authority further punitive action shall be deemed necessary to enforce compliance, such code authority shall have the right to rescind the certificate of the violator for such period of time as appears justified.

(B) Any person having been stopped from installing electrical work as outlined in Section 150.063 shall, when securing the permit to continue pay double the permit fees as a penalty.

(C) Any person who violates the provisions of the Electrical Code 150.060 of the Village of Lombard or who maintains any electrical wiring or apparatus found to be dangerous to life and property, the Community Development Director or his/her designee is hereby empowered to cut-off or otherwise disconnect current to said electrical wires or apparatus. The Fire Chief or his/her designee shall also have authority to authorize the cut-off or disconnection of such services in emergency conditions.

(Ord. 5481, passed 5/6/04)

§ 150.066 ADOPTION BY REFERENCE AMENDMENTS, ADDITIONS, AND DELETIONS

(A) The 1990 edition of the National Electrical Code, and latest amendments, and as modified by this Ordinance, is adopted by reference.

In the event any provisions, articles, wording, and the like, of the 1990 Edition of the National Electrical Code and latest amendments, are in conflict with any Ordinances, Amendments, and/or Addendum, as recognized and approved by the Electrical Commission of the Village of Lombard and/or as adopted by the Village of Lombard, or in conflict with the state law, the most restrictive provisions, articles, wording, and the like, shall prevail.

Wiring methods and/or materials approved by the 1990 National Electrical Code, but amended, deleted, prohibited or requiring special and express written permission by this Ordinance as noted in (B), (C) or (D) below shall be considered to be amended, deleted, prohibited or requiring special and express written permission where ever and there after mentioned or referenced in the 1990 National Electrical Code.

(B) The following articles of the National Electrical Code shall be deleted for the purpose of this Chapter: Article 230.40, Ex.3, 230.41, Ex.(d), 320, 322, 326, 328, 334, 336.10, 338, 340.10(4), 362, 394, 396, and 398.

(C) Construction allowed by Article 330, 332, 352, 356, 366.10(E)(2), 382, 384 and 388 of the National Electrical Code shall be permitted with the special and express written permission of the electrical inspector of the Building Division, and only in those instances where the conditions and standards that may be applicable to such construction are safe and existent, as determined by the electrical inspector.

(D) The following Articles of the "National Electric Code of 1990" are amended as follows:
Article 110-14 Electrical Connections.

(A)

The use of stab type screwless pressure terminals of the conductor push-in type is strictly prohibited.

(B)

The use of device terminals for splicing is prohibited.

Article 110.26

Spaces About Electrical Equipment. (a) Dead Front Assemblies – When in the judgment of the Chief Electrical Inspector or his/her designee, the conditions of the installation or the equipment being installed or modified require additional clearances at front, sides or rear of electrical equipment, such additional clearances shall be provided.

LIFE SAFETY CODE—2000 EDITION

§ 150.070 ADOPTION OF CODE BY REFERENCE.

(A) There is hereby adopted by the Village a certain code known as the "Life Safety Code, 2000 Edition" developed and adopted by the National Fire Protection Association for the purpose of prescribing regulations to minimize danger to life from fire, smoke, fumes, or panic when buildings or other structures are vacated upon the occurrence of a fire, and the said code is hereby adopted and incorporated herein as if fully set herein.

(B) Not less than three copies of the code hereby adopted in division (A) of this section, in book form, have been filed in the office of the Village Clerk for use and examination by the public at least 30 days prior to the adoption of this chapter, and that not less than three copies of said code are now filed in the office of the Village Clerk.

§ 150.071 ENFORCEMENT.

The Bureau of Fire Prevention, operated under the direction and supervision of the Chief of the Fire Department of the Village shall be the authority having jurisdiction to apply, interpret, and enforce the provisions of the "Life Safety Code, 2000 Edition" adopted hereby. (Penalty, see § 150.999)

§ 150.072 APPEAL.

Any person aggrieved by any decision of said Fire Prevention Bureau, applying, or interpreting any provision of the "Life Safety Code, 2000 Edition" may appeal such decision to the Board of Building Appeals of the village. Said appeal shall be commenced by the filing of a written request for hearing on the Board of Building Appeals. The Board of Building Appeals shall give written notice of a public hearing to the party so requesting, to be held within 30 days of the filing of such request. At such hearing the aggrieved party shall show cause why the decision of the Fire Prevention Bureau should be modified or overruled. The Board of Building Appeals shall determine whether the decision of the Fire Prevention Bureau was in accordance with the provisions and intent of this chapter and shall issue a written order setting forth its findings and ruling thereon. This order shall be filed with the Secretary of said Board and shall be served upon all parties appearing or represented at said hearing.

ASME/ANSI ELEVATOR CODE

§ 150.075 ADOPTION BY REFERENCE; AMENDMENTS.

The adoption of the Elevator Code. ASME/ANSI A17.1 - 1987 Safety Code for Elevators and Escalators including ASME/ANSI A17.1a 1988 Addenda shall hereby govern the design, construction, installation, operation, inspection, testing, maintenance, alteration, and repair, is adopted by reference with the following amendments:

§ 150.076 INSPECTION REQUIRED.

Every elevator, movable stage, movable orchestra floor, platform lift, dumbwaiter, or escalator now in operation, or which may hereafter be installed, together with the hoistway and all equipment thereof shall be inspected under and by the authority of the Community Development Director at least once every six months, and in no case shall any new equipment be placed in operation until an inspection of the same has been made. It shall be the duty of every owner, agent, lessee, or occupant of any building wherein any such equipment is installed, and of the person in charge or control of any such equipment to permit the making of a test and inspection of such elevator, dumbwaiter, or escalator, and all devices used in connection therewith upon demand being made by the Community Development Director, or by his authorized elevator inspector within five days after such demand has been made.
(Ord. 2561, passed 10-28-82) Penalty, see § 150.999

§ 150.077 CERTIFICATE OF INSPECTION.

(A) Whenever any elevators, movable stage, movable orchestra floor, platform lift, dumbwaiter, or escalator has been inspected and the tests herein required shall have been made of all safety devices with which such equipment is required to be equipped, and the result of such inspection and tests shows such equipment to be in good condition, and that such safety devices are in good working condition and in good repair, it shall be the duty of the Community Development Director to issue or cause to be issued a certificate setting forth the result of such inspection and tests containing the date of inspection, the weight which such equipment will safely carry and a statement to the effect that the shaft doors, hoistway, and all equipment, including safety devices, comply with all applicable provisions of § 150.075, upon the payment of the inspection fee required by the building provisions of the building.

(B) It shall be the joint and several duty of the owner, agent, lessee, or occupant of the building in which such equipment is located and of each person in charge or control of such equipment to frame the certificate and plat the same in a conspicuous place in each elevator and near such dumbwaiter, movable stage, movable orchestra floor, platform lift, or escalator. The words safe condition in this section means that it is safe for any load up to the approved weight named in such certificate.
(Ord. 2561, passed 10-28-82) Penalty, see § 150.999

§ 150.079 SUSPENSION OF OPERATION.

Whenever any elevator inspector finds any elevator or dumbwaiter, its equipment and hatchway, including doors or any escalator, movable stage, movable floor, or platform lift in an unsafe condition, he shall immediately report the same to the elevator inspector in charge, who shall report it to the Community Development Director together with a statement of all the facts relating to the condition of such equipment. It shall be the duty of the Community Development Director, upon receiving from the elevator inspector in charge a report of the unsafe condition of such equipment and hatchway, including doors, to order the operation of such equipment to be stopped and to remain inoperative until it has been placed in a safe condition, and it shall be unlawful for any agent, owner, lessee, or occupant of any building, wherein any such equipment is located, to permit or allow the same to be used after the receipt of a notice, in writing that such equipment is in an unsafe condition, and until it has been restored to a safe and proper condition as required by the building provisions of the building code.
(Ord. 2561, passed 10-28-82) Penalty, see § 150.999

INTERNATIONAL FIRE PREVENTION CODE—2000 EDITION

§ 150.105 ADOPTION BY REFERENCE; AMENDMENTS.

(A) There is hereby adopted by the village a certain code known as "The International Fire Code, 2000 Edition, as published by the International Code Council for the purpose of prescribing regulations to minimize danger to life and property from fires and explosions arising from the storage, handling, and use of hazardous substances, materials, and devices, and from hazardous conditions in the use or occupancy of buildings or premises. The terms and conditions of the 1990 Edition are hereby to be in full force and effect as adopted by the Village in its entirety and subject to any amendments made thereto.

(B) Not less than three copies of the code hereby adopted in division (A) above, in book form, have been filed in the office of the Village Clerk for use and examination by the public at least 30 days prior to the adoption of this chapter, and that not less than three copies of said code are now filed in the office of the Village Clerk.

(C) "The International Fire Code, 2000 Edition", adopted pursuant to division (A) above, is amended as follows:

Sec. 101.1 Insert Village of Lombard

Sec. 102.4 shall read as follows: The design and construction of new structures to provide egress facilities, fire prevention and built in protection equipment shall, in part, comply...

Section 102.6 Change the last line to read: Where differences occur between the provisions of this code and the referenced standards, the more stringent shall apply.

Section 104.1 shall read as follows: The code official acting as the authority having jurisdiction, shall have the authority to adopt and promulgate rules and regulations, to interpret and complement the provisions of this code and other applicable Ordinances, Codes and Standards, and to secure the intent thereof, and to designate requirements applicable because of local and climatic, and other conditions. Such rules shall not have the effect of waiving any fire safety requirements specifically provided in this Code or in any other applicable Ordinance, Code or Standard or of violating accepted engineering practice involving public safety.

Section 104.7.1 shall read as follows: Material and Equipment Reuse: Materials, equipment, and devices shall not be reused unless such elements have been reconditioned, tested and place in good and proper working condition and approved by the authority having jurisdiction.

Section 104.9 Add the following to the end of the last sentence.....and approved in writing by an appropriate registered state licensed design professional.

Add to Section 105.1.1: All permit fee requirements are deleted except as outlined in the fee ordinances.

Sec. 105.2.4 Change to read as follows: Action on Application: Permit criteria as format shall be developed by the Fire Chief or his/her designee based on an analysis of the specific application or use, applicable provisions of the code and/or available technical data. The Fire Chief or his/her designee shall cause to be made necessary inspections and tests to assure the use and activities meet the permit criteria. Costs for such inspections, research and tests are the responsibility of the applicant.

Sec. 106.2 the first line shall read as follows: The code official shall endeavor to make all of the required inspections, or the code official shall accept reports of inspections by approved agencies or individuals. Approval of agencies or individuals is granted by the authority having jurisdiction.

Section 110.1.1 Insert the following after "required by Section 311"...and other applicable Ordinances, Codes and Standards.

Add Sec. 110.1.3 Special Equipment: Special fire protection equipment shall be installed when adequate fire protection is not being provided or hazardous or dangerous conditions exist. The special fire protection equipment shall be installed in accordance with the requirements of this code and the building code listed in Section 311 and any other applicable Ordinances, Codes and Standards.

Sec. 202. General Definitions. Revised to read: Fireworks (See Sec. 3302.1): Add to definition: The term fireworks shall mean and include any explosive composition or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect of a temporary exhibitional nature by explosion, combustion, deflagration or detonation, and shall include blank cartridges, toy cannons in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, sky rockets, Roman candles, bombs or other fireworks of like construction and any fireworks containing any explosive compound; or any tablets or other device containing any explosive substance, or containing combustible substances producing visual effects. The term "fireworks" shall not include snake or glow worm known as "party poppers", "booby traps", or "snappers", "trick matches", "cigarette loads" and "auto burglar alarms", toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps containing twenty-five hundredths grains or less of explosive compound are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for the explosion; and toy pistol paper or plastic caps which contain less than twenty-five hundredths grains of explosive mixture; the sale and use of which shall be permitted at all times.

Sec. 315.4 Add the following:

315.4 Stock Maintenance. All stock shall be kept in a neat, orderly, compact manner in accord with good housekeeping practices. Storage shall not be within two (2) feet of the ceiling or the floor or roof structural members, eighteen (18) inches from the sprinkler heads nor shall storage obstruct egress from a building.

315.4.2 Packing Materials. Wherever and whenever stock is dispensed directly from a shipping container and combustible material is used as protective packing, such packing material shall be removed from the

container and taken care of by removing to the outside in closed containers. Such container shall be kept closed at all times except when removing stock therefrom.

315.4.3 Removal of Packing and Waste Materials. No persons shall store in any building excess amounts of combustible empty packing cases, wooden or plastic pallets, barrels, boxes, rubber tires, shavings, excelsior, rubbish, paper bags, litter, hay, straw and similar combustibles. Aisleways and storage of the above mentioned combustibles necessary for the performance of business shall be kept in an orderly and neat manner. Combustible materials shall be removed daily or more often as is necessary to suitable vaults, bins, dumpsters, compactors or separate buildings. Such practices shall be as approved by the Fire Chief or his/her designee.

Add Section 503.7 Fire Lanes.

Public Access and Fire Lanes on Private Property, Devoted to Public Use, shall be provided so that:

(1) Public or private access is provided to each building so that the first responding fire department pumper unit will be able to be so located that all points of the interior of the building may be reached by one hundred fifty (150) feet of initial attack hose.

(a) Where the size or height of the building does not allow this regulation to be met, an interior standpipe system equipped with fire department hose connections approved by the Fire Official may be allowed as an exception. The standpipe system shall be connected to a public water system.

1) Design and installation shall meet the design criteria for a Class I or III system of NFPA No. 14.

(2) Public or private access for motor fire apparatus shall be provided around the building so that there may be proper operation of ladders and mechanically elevated mechanisms. Minimum width of the fire lanes shall be 18 feet with greater widths to accommodate vehicles when turning and laddering buildings.

(3) Access routes shall be so arranged that fire department apparatus may respond from all points of the building to adjacent fire hydrants along routes not to exceed three hundred (300) feet from the most remote point of the building to the closest fire hydrant.

(4) Fire lanes on private property shall be approved by the Fire Chief or his/her designee and parking of motor vehicles otherwise obstructing such fire lanes or access routes shall be prohibited at all times. Permanent all-weather signs identifying fire lanes and accessways shall be posted.

(5) Public or private fire department access roads and ways shall be all weather, properly maintained and accessible at all times. Such access roads and ways shall be a minimum of six (6) inches of granular stone surfaced by at least two (2) inches of bituminous asphalt material or such other construction acceptable to the Fire Chief.

(6) Access roads shall be not less than fifteen (15) feet from the building and further if the height of the building requires a greater set back to ladder the building.

(7) Access routes shall be continuous around the building.

(a) This requirement may be modified by the Fire Chief or his/her designee where adequate building access openings and a complete fire suppression system are provided.

(b) Where cul-de-sacs are permitted, paved turnaround diameters shall be not less than 94 feet in non-residential areas and 90 feet in residential areas. The maximum length of cul-de-sacs shall not exceed the lengths specified in Section 5 of Lombard's Subdivision and Development Ordinance.

Add Section 511 Fire Department Rapid Entry System. (also see Section 506)

511.1 General. The Fire Chief or his/her designee shall require all new construction that is required to be equipped with an approved fire alarm system that consists of smoke and/or heat detection and all buildings required to be equipped with a complete sprinkler system to have an approved key box system.

511.2 Purpose. The purpose of the rapid entry key system is to allow the fire department to gain immediate access to a building in emergency situations without forcible entry.

511.3 Location. The installation of the approved key box shall be approved by the Fire Chief or his/her designee.

511.4. Contents. The approved key box shall contain keys to gain necessary access as required by the Fire Chief or his/her designee.

511.5 Alarms. At the request of the owner or lessee, the Fire Chief or his/her designee shall permit him to install a key box tamper switch connected to the building's alarm system. If the owner or lessee chooses to connect the key box to an alarm then they shall comply with the following requirements:

(1) If the building is protected by a burglar alarm system, the key box shall be connected to that system.

(2) If the building is not protected by a burglar alarm system, the key box may be connected to the fire alarm providing the connection is on the trouble side signaling an alarm. Connection to the fire alarm

requires the key box to be zoned separately from any fire detection and noted on the fire alarm annunciator panel as KEY BOX.

Add Sec. 512.0 to read:

Sec. 512.0 Miscellaneous Provisions.

512.1 Hazardous Areas. Rooms used for storage, boiler or furnace rooms, fuel storage, janitors closets, maintenance shops and kitchens shall be separated from other building areas by assemblies having a fire resistance rating of not less than one hour with appropriate protection of openings into the rooms.

512.2 Fire Procedure Notice. Owners, managers, and agents of motels, hotels and places of assembly shall post and maintain in a conspicuous location within each dwelling unit and in access routes, a written notice which explains what procedures to use in the event of a fire. The notice shall contain a diagram of all fire exits.

Add to end of Section 901.6 All fire protection equipment systems shall be tested annually. This testing is to be by qualified personnel and documentation of all testing is to be submitted to the Bureau of Fire Prevention upon completion. Testing on a more frequent basis shall be required if specified in the applicable NFPA standard.

Add to end of Section 901.7 Systems Out of Service. Automatic fire suppression systems shall not be out of service for more than eight (8) hours for additions, alterations, maintenance or repairs without the approval of the Fire Chief or the designated representative.

Control Valve Operator/Firewatch. When any fire suppression system must be taken out of service, for any length of time, a responsible person shall be stationed at the control valve(s) to immediately activate the system in case of fire or shall provide a firewatch as the Fire Chief or his/her designee may determine.

Add Section 2201.7. Removal of Pumps: Upon the cessation of business of any automotive service station, the pumps used to dispense fuel shall be removed within 14 days of the cessation of business. Said requirements shall be abandonment or removal of underground tanks contained herein in Section 3404.2.13.

Section 3404.2.13 is deleted with the following added: Underground tanks taken out of service shall be safeguarded or disposed of by any one of the three following methods:

(a) Placed in a "temporarily out of service" condition. Tank shall be rendered "Temporarily out of service" only when it is planned that they will be returned to active service within time limits established by the Chief of Fire Department, or pending removal or abandonment within 45 days. Said 45 day limit may be extended by the Board of Trustees upon showing of good cause of such extension.

(b) Abandoned in place with proper safeguarding.

(c) Removed. Any such abandonment or removal of underground tanks shall occur within 45 days of the cessation of business.

(Ord. 5481, passed 5/6/04)

§ 150.106 BUILDING DIVISION.

(A) 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. The Community Development Director shall be appointed by the Village Manager on the basis of examination to determine his qualifications and will be governed by appropriate state statutes.

(B) The Community Development Director may detail such members of the Community Development Department as inspectors as shall from time to time be necessary.

§ 150.113 PERMIT REFUSAL.

Whenever the Chief of the Fire Department or the Community Development Director disapproves an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department or the Community Development Director to the President and Board of Trustees within 30 days from the date of the decision appealed.

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

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 or to construct or hard surface a driveway 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 constituting less than 25% of the total roof area shall not require a village building permit.

Special Consultation

For any fire protection concerns in which the Village of Lombard Community Development Director, Fire Chief or Fire Marshal determine that additional technical resources or technical assistance is required from sources outside of the Village of Lombard staff, the following fee may be charged by the Village of Lombard. – Fee \$147.00 per hour or portion thereof.

Examples where such fees may apply are as follows: Plan review of smoke control systems; Life Safety plan review for covered malls or other similar type structures; plan review of projects where performance based design is used to comply with codes.

§ 150.142 TIME LIMIT FOR BUILDING PERMITS.

(A) An applicant or property owner must take possession of a permit within thirty (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 phone call 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 thirty (30) days, then the permit shall have lapsed and the application for that permit shall be destroyed after ninety (90) days if the applicant has not reapplied.

(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 and the administrative 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% 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 thirty (30) calendar days after issuance will be refunded at 100% minus the review fee and the administrative fee.

- (2) Permits cancelled less than one hundred eighty (180) calendar days after issuance will be refunded at 50%.

- (3) Permits cancelled less than three hundred sixty five (365) calendar days after issuance will be refunded at 25%.

(C) All other building permits may be cancelled by the applicant or by the owner within one hundred eighty (180) calendar days of issuance, in written form, to the Community Development Director or his/her designee. The plan review fee and the administrative fee shall be retained by the Village. Any fees associated with water and sewer connections, water meters, construction bonds and miscellaneous bonds shall be refunded at 100% to the applicant or the owner. The remainder of the building permit fees shall be refunded to the applicant or the owner at 50% of the applicable fees, if the request is made in written form within one hundred eighty (180) calendar days of the date of issuance.

(D) A permit, once issued, shall be valid for a period of one year for all residential construction except multi-family construction. The Community Development Director or his/her designee may grant two extensions of time for additional periods not to exceed six (6) months each, provided a fee of 25% 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 twelve (12) months, all rights under such permit shall thereupon terminate by limitations, and the permit fee shall be forfeited.

(1) 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 and multi-family construction of less than 1000,000 square feet, a permit once issued shall be valid for twelve (12) months. For construction projects greater than 100,000 square feet but less than 200,000 square feet, a permit once issued shall be valid for eighteen (18) months. For construction projects greater than 200,000 square feet, a permit shall be valid for twenty-four (24) months. The Community Development Director or his/her designee may grant two (2) extensions of up to six (6) months each, provided that 10% of the original building permit fee, has been paid. Any additional plan review fee or associated fee shall be charged according to the Building Permit Fee Schedule and will be in addition to the 10% renewal fee charge.

(F) Any building permit which is duly issued by the Village, pursuant to Section 150.140, shall automatically become invalid if the work which is the subject of the permit is not commenced within sixty (60) 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 permit shall become invalid if no work is conducted on the construction site for fifty (50) or more working days during any given sixty (60) working day period. 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 building permit application to be completed and submitted to the Building Division. The applicant or the owner shall be required to pay 100% of the administration fees, as well as 50% of all building fees, if the application is made within six (6) months of the permit becoming invalid. After six (6) months of the permit becoming invalid, a new building permit will be required. The new permit shall be reviewed with respect to all building and fire codes that are currently enforced by the Village, as of the date of the new permit being applied for. Permit fee calculations shall be charged at 100% of the fees that were in effect at the time of the original review.

(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 thirty (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 (6) 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 shall be responsible for fines of up to seven hundred-fifty (\$750.00) dollars per day, for each day the property is found in violation of Village ordinance.

(Ord. 2561, passed 10-28-82; Ord. 5481, passed 5/6/04; Ord. 5914, passed 9/7/06)

§ 150.143 INSURANCE REQUIRED.

Excavators, plumbers, sewer contractors, building movers, and wrecking contractors must place on file with the Building Division, an insurance policy to meet or exceed the following: \$300,000 single limit manufacturers and contractors liability naming the village as an insured.

(Ord. 2561, passed 10-28-82; Am. Ord. 3150, passed 4-20-89)

§ 150.144 DEPOSIT REQUIRED FOR PROTECTION OF PUBLIC PROPERTIES.

(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.

§ 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)

§ 150.149 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) Penalty, see § 150.999

§ 150.152 ENGINEERING DRAWINGS.

(A) Applications for building permits for all development shall include four sets of engineered 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)

§ 150.157 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, the Community Development Director or his/her designee, and the Director of Public Works.

(D) No building permit shall be issued unless engineering drawings required under Section 150.152 shall have been reviewed by the Private Engineering Services Division, or an independent, third-party agency, pursuant to Section 150.152 (D) and stamped and signed 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.

§ 150.174 FIRE FLOW REQUIREMENTS.

The Fire Department shall have the authority and responsibility to regulate and determine minimum fire flow required for any structure (risk) and determine if public water supplies are capable of meeting the required fire flow. The calculation method to determine minimum required fire flow shall be:

***UNSAFE STRUCTURES; DANGEROUS OR
ABANDONED BUILDINGS***

§ 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 Section 150.202 of the Village of Lombard Code, and its use or occupancy has been prohibited by the Fire Chief or the 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 the 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)

PARTIAL OCCUPANCY

§ 150.220 PARTIAL OCCUPANCY OF BUILDINGS.

(A) The Community Development Director and Fire Chief, or their designees, shall determine that any building under construction shall be completed in a manner as described hereinafter before any occupancy whatsoever shall be permitted whether whole or in part.

(B) Due to architectural characteristics and design it may be required that additional protection and fire separation shall be proved for the health, safety, and welfare of the occupants before any partial occupancy is permitted.

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

OCCUPANCY

§ 150.245 PERMIT REQUIRED.

(A) An occupancy permit is required whenever any building or structure is used for any purpose other than the construction of that building or structure. An occupancy permit shall not be issued to an applicant who has not complied with all of the building, health, subdivision, zoning, and any other local ordinance of the village or laws of the state. In the event an applicant has complied with a substantial portion of the village ordinances and laws of the state, and made the building safe and habitable, but has not complied with a minor portion of the village ordinances, said applicant, upon a showing that the building is safe for occupancy, may set up an escrow account with the village wherein sufficient moneys, as determined by the village, are deposited to guarantee that the building or site shall be completed in compliance with all the building, health, subdivision, zoning, and any other ordinance of the village or laws of the state.

(B) An occupancy permit shall be issued to an applicant who complied with all building, health, subdivision, zoning, and any other ordinance of the village or laws of the state.

(C) The permit shall be signed by the Fire Chief or his/her designee and the Community Development Director or his/her designee.

(D) Partial occupancy of building may be allowed as defined in §§ 150.220 through 150.235. An occupancy permit for partial occupancy of the building is also required whenever any building or

structure is used for any purpose other than the construction of that building or structure.

(E) "As built" plans and drawings of any new commercial construction, additions and interior alterations in a CADD format shall be required to be submitted to the Building Division when the project is completed and approved by the Fire Department and Building Division. The CADD format plans, both in paper form and CADD disk, shall be submitted prior to the issuance of any Certificate of Occupancy or Certificate of Completion to the applicant, general contractor, developer, building owner, etc.

(Ord. 2561, passed 10-28-82; Ord. 5933, passed 10/5/06) Penalty, see § 150.999

§ 150.246 ISSUANCE OF CERTIFICATE OF OCCUPANCY OR OCCUPANCY PERMIT; FILING OF CERTIFIED COPIES.

(A) Prior to the issuance of any certificate of occupancy or occupancy permit, the Community Development Director of the Village shall:

(1) Place on file with the County Supervisor of Assessors and the York Township Assessor an unexecuted certificate of occupancy, said unexecuted copy to be in the same form and manner as the proposed certificate of occupancy save for the approval and execution by the or the Community Development Director .

(2) Obtain from the person applying for the certificate of occupancy or occupancy permit a receipt to be obtained by the owner from the Supervisor of Assessments or Township Assessor indicating that the unexecuted certificate of occupancy or occupancy permit has been filed as indicated in division (A) above.

(B) Upon the issuance of a certificate of occupancy or occupancy permit, whether the certificate or permit is of an interim or permanent nature, the Community Development Director shall file with the County Supervisor of Assessments and the York Township Assessor's offices a certified copy of the certificate of occupancy or occupancy permit. The cost for said certificates shall be as follows, effective April 20, 2004.

Single Family Residences / Multi-Family Dwellings

Conditional Certificate of Occupancy: \$100.00

Final Certificate of Occupancy \$ 75.00

Commercial, Industrial, Assembly

Conditional Certificate of Occupancy: \$125.00

Final Certificate of Occupancy \$100.00

(Ord. 2561, passed 10-28-82, Ord. 3721, passed 7/1/93; Ord. 5464, passed 4/6/04)

DEMOLITION, MOVING OF BUILDINGS

§ 150.260 ISSUANCE OF DEMOLITION PERMIT RESTRICTED WHERE PRIVATE WELL OR SEPTIC TANK EXISTS.

(A) Demolition or wrecking permits will not be issued (or any other object removed whatsoever) where a private well or septic tank exists until such well is sealed by a licensed and registered well driller and the septic tank pumped and filled, and affidavits filed with the State Bureau of Mines, County Health Department, and Building Division.

(B) The Community Development Director or his/her designee, shall inspect the demolition site to ensure that the water and sewer connections are sealed in accordance with the law, and the septic tank has been pumped and filled.

(Ord. 2561, passed 10-28-82) Penalty, see § 150.999

§ 150.261 PERMIT REQUIRED TO MOVE BUILDINGS.

It is unlawful to move any building or other structure on, over, or across any public street in the village without having first secured a permit from the Director of Public Works and the Building Division.

(Ord. 2561, passed 10-28-82) Penalty, see § 150.999

§ 150.268 BACKFILLING AND GRADING OF FORMER BUILDING SITE.

In the event any building or structure is moved from a site within the village and upon the removal of the foundation, the excavation, pits, cesspools, wells, and sewer connections shall be completely backfilled with clean fill material only (no debris), with the top six (6) inches of fill being topsoil with hydro-mat, hydro-seed or sod, and tamped so as to leave the site at grade level or in a manner acceptable to the Community Development Director or their designee. Such site shall also be left free of debris and material. Failure to complete the site restoration within thirty (30) days will result in the applicant, owner or general contractor being subject to a special late work fee of \$250.00 per day until such work is completed. The Village shall deduct such fee from the construction deposit.

(Ord. 2561, passed 10-28-82; Ord. 6310, passed 3/5/09) Penalty, see § 150.999

GRADE CHANGES

§ 150.281 SUBMISSION OF TOPOGRAPHICAL SURVEY PREREQUISITE TO ISSUANCE OF PERMIT.

Applications to the Community Development Department for Fill and Grade Change Permits shall contain:

(1) A topographical survey using U.S.G.S. datum of the area contributing to a nuisance or creating stagnant pools. The survey shall be prepared by a registered land surveyor, and shall have been produced not more than five (5) years prior to the date of application, nor shall the survey have been produced prior to the completion of any change of grade upon the subject or adjacent parcels of property.

(2) A final grading plan prepared by a registered engineer, providing that such altering or change of grade shall not result in a material change in the flow of storm or surface water, which will be detrimental to adjacent or nearby properties.

(3) In the case of a single-family residence, the submittal requirements may be waived upon determination of the Community Development Director, or his/her designee, that the scale of the project is insufficient to

result in a material change in the flow of storm or surface water, which will be detrimental to adjacent or nearby properties.

(Ord. 2561, passed 10-28-82, Ord. 3438, passed 8/15/91)

§ 150.283 DRAINAGE FLOW AFFECTED; PROPERTY OWNER CONSENT REQUIRED; PERMIT FEES; PERMIT LIMITATIONS; RENEWAL OF PERMITS.

(A) In such cases where the filling in of land will adversely affect the adjoining or nearby real estate in the flow of established drainage, it will be necessary for the applicant hereunder to get consent or an agreement with the property owners so adversely affected and involved. Such consent or agreement shall be recorded, and in such form as to constitute a perpetual easement providing for the construction, operation, and maintenance of any new drainage courses adversely affecting property other than that of the applicant.

(B) The filing fee for such application for a permit shall be .002 dollars per square foot of the total area of the lot or lots on which the fill or grade change is located, or \$15 whichever is greater.

(C) Upon receipt of a notification of a permit denial, or a "Notice of Violation and Order to Abate", the person named in said notification shall have ten (10) days from receipt of notification to file a written request with the Community Development Director for appeal to the Public Works Committee. No permit shall be issued nor shall any fill or grading take place during the pendency of the appeal to the Public Works Committee.

(C) Permits shall be valid for 6 months from the date of issuance.

(D) Permits may be renewed with the approval of the Community Development Director, or his/her designee. Submittal of a current topographical survey showing existing grades as the time of renewal, shall be required in all cases where a survey was required for the original permit. Fees for renewal permits shall be limited to the filing fee, no additional deposit shall be required.

(Ord. 2561, passed 10-28-82, Ord. 3438, passed 8/15/91)

§ 150.287 DENIAL OF PERMIT; NOTICE OF VIOLATION; ADMINISTRATIVE APPEALS

(A) Whenever a permit application is denied, the applicant shall be supplied within 7 days of such decision, written notification thereof stating the reasons for the denial. Notification shall be delivered by certified mail, return receipt requested.

(B) Whenever it is determined that a violation of this subchapter has occurred, a "Notice of Violation and Order to Abate" shall be served upon the owner and/or the occupant, of the property on which the violation has occurred, by personal service or by certified mail, return receipt requested, in accordance with Title 9, Chapter 94, Section 94.03 of this Code.

(C) Upon receipt of a notification of a permit denial, or a "Notice of Violation and Order to Abate", the person named in said notification shall have ten (10) days from receipt of notification to file a written request with the Community Development Director for appeal to the Public Works Committee. No permit shall be issued nor shall any file or grading take place during the pendency of the appeal to the Public Works Committee.

(D) Stop work orders shall be administered in accordance with provisions of Section 150.366 and 150.368 and the amount of fines assessed for violation of these provisions pertaining to grade changes shall be that listed in Section 150.999 of this Code despite any other Code provision to the contrary.

PRIVATE SWIMMING POOLS

These requirements are in addition to those in BOCA Section 623.0

§ 150.317 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

APPURTENANCES. All structures, equipment, appliances, filters, pumps, disinfection equipment, water heaters, and all other facilities pertaining to and intended for the operation and maintenance of the pool itself, toys, and flotation equipment excepted.

POOL. Any construction, portable or permanent, for wading or swimming, with a surface area of 63 square feet or more, or with a capacity greater than 950 gallons, and built above grade or below grade, or partially above grade and partially below grade, constructed of concrete, metal, rubberized cloth, or other similar substances.

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

§ 150.318 PERMIT REQUIRED.

(A) No private pool or appurtenances thereto shall be constructed, installed, enlarged, or altered until a permit therefor has been obtained from the Building Division and the Zoning Department.

(B) Application for a permit shall be in writing in the form prescribed by the Building Division and the Zoning Department. Such application may require plans for the construction or erection of the pool proposed by the applicant.

(C) Plans shall accurately show dimensions and construction of the pool and appurtenances, and properly establish the distances to lot lines, buildings, walks and fences, details of water supply system, drainage and water disposal systems, and all appurtenances pertaining to the pool. Reasonably detailed plans of their structure, including vertical elevations, may be required by the Building Division and the Zoning Department.

(Ord. 2561, passed 10-28-82) Penalty, see § 150.999

§ 150.319 PERMIT AND INSPECTION FEES.

A fee of \$15 shall be required for all applications which show electrical connections. Notice to the Building Division will be required upon completion of electrical construction and before such construction is covered up by any other work.

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

§ 150.320 LOCATION.

(A) Pools shall be permitted on any residential property.

(B) All pools shall comply with the regulations of the Village Zoning Ordinance.

(Ord. 2561, passed 10-28-82, Ord. 4065, passed 8/3/95) Penalty, see § 150.999

§ 150.321 FENCES AND WALLS AROUND POOLS.

(A) All pools must be enclosed by a fence or wall either around the periphery of the yard containing the pool or around the pool itself. The fence or wall shall be not less than four feet (4') in height nor more than eight feet (8') to the water's edge of the pool. The fence or wall shall also meet the requirements of the Lombard Zoning Ordinance.

(B) Pools that have an overall height of at least four feet (4') above grade and are only accessible by means of folding or otherwise removable ladder so as to make unauthorized entry into the pool difficult shall be exempt from the fence requirements as set forth above.

(Ord. 2561, passed 10-28-82; Ord. 4699, passed 9/2/99) Penalty, see § 150.999

§ 150.322 WATER SUPPLY AND CONTROL.

(A) No source of water, other than that secured from the village waterworks distribution system, shall be used in private pools. However, those persons having wells on their property providing potable water, as approved by the Community Development Director, may use such well for the purpose of filling their pool.

§ 150.337 PLATTED SURVEY FOR SINGLE- OR TWO-FAMILY DWELLINGS.

(A) No single-family or two-family dwelling shall proceed with framing above the foundation except a deck on a full cellar foundation until a platted survey prepared by a registered land surveyor, showing position of foundation and measurements front, rear, and side yards with the U.S.G.S. data as to the top of foundation height is submitted to the Community Development Director for his approval. Exception will be made to permit sewer or water installation or other construction requirements lying outside of foundation at the builder's risk.

(B) The platted survey shall be submitted to the Public Works Director for approval. If not approved, a variance shall be requested or revisions made and resubmitted for approval.

(Ord. 2561, passed 10-28-82) Penalty, see § 150.999

§ 150.340 ENGINEERING INSPECTIONS

(A) Every development for which an engineered drawing is required under Section § 150.152 of the Code of Ordinances shall be subject to inspection by the Director of Community

Development or his/her designee, including, but not limited to, an independent, third-party agency. As a condition of application for building permit the developer shall grant access to the development to the Community Development Director or his/her designee for the purposes of performing said inspections.

(B) The actual cost of said engineering inspection(s) shall be borne by the permit applicant and shall be in addition to any such other fees charged by the Village.

(C) The developer or his/her designee shall have a representative on site at the time the inspection is made. The Community Development Director or his/her designee shall have the authority to issue stop work orders at any time compliance with approved plans or Village ordinances has not been satisfied and/or require removal of any and all work proceeding to bury, obscure or otherwise conceal uninspected portions of the development.

(D) If the development fails to satisfy the conditions of the approved plans or applicable Village ordinances, or fails to fully pay for the engineering inspection the Community Development Director or his/her designee shall withhold approval of the Certificate of Occupancy until such time as compliance is satisfied.

RADIO AMPLIFICATION SYSTEMS IN CERTAIN BUILDINGS

§ 150.354 OWNER RESPONSIBILITY FOR COMPLIANCE

It shall be the responsibility of the owner of any existing building or structure to cause said building or structure to come into compliance with the provisions of Sections 150.350 through 150.361 of this Code and to be maintained thereafter in full compliance therewith. All existing buildings or structures shall comply with Sections 150.350 through 150.361 of this Code within one (1) year after being notified by the Village to do so. An extension of one (1) additional year may be granted by the Fire Chief with an approved phase in plan. All buildings or structures constructed after June 1, 2006 (the effective date of the requirements of Sections 150.350 through 150.361 of this Code), shall be constructed and maintained in compliance with the provisions of Sections 150.350 through 150.361 of this Code.

(Ord. 5847, passed 5/4/06)

§ 150.356 INADEQUATE RADIO COVERAGE

When a building or structure fails to support adequate radio coverage, the owner of same must present a compliance plan to the Village's Fire Chief and the Village's E911 PSAP Communications Center's Chief RF Engineer, within ninety (90) days after the discovery of said failure, to address the inadequate radio coverage. The owner of the building or structure shall, within one (1) year of the approval of the compliance plan, have the approved plan enacted. A one (1) year extension for the implementation of the compliance plan may be granted by the Fire Chief with an approved phase in plan.

(Ord. 5847, passed 5/4/06)

§ 150.357 QUALIFICATIONS OF TESTING PERSONNEL

All tests under Sections 150.352, 150.353, or 150.355 of this Code shall be conducted, documented and signed by a person in possession of a current FCC general radio telephone operator license. All test records shall be retained at the inspected premises by the building/structure owner, with a copy thereof being submitted to the Village's Fire Chief within thirty (30) days of when the test has been conducted. In the event the test indicates a failure to comply with the requirements of Sections 150.350 through 150.361 of this Code, appropriate repairs shall be made and additional tests conducted until said tests indicate that the building/structure meets the requirements of Sections 150.350 through 150.361 of this Code.

(Ord. 5847, passed 5/4/06)

§ 150.358 INSPECTIONS

Village personnel, or their agents, after providing reasonable notice to the owner or his/her/their/its representative, shall have the right to enter any building or structure which is subject to the requirements of Sections 150.350 through 150.361 of this Code to conduct field-testing to be certain that the required level of radio coverage is present.

(Ord. 5847, Passed 5/4/06)

§ 150.359 PROPERTY OWNER MAINTENANCE RESPONSIBILITIES

(A) Once a radio amplification system has been found to be in compliance with the requirements of Sections 150.350 through 150.361 of this Code, the building/structure owner shall be responsible for maintaining said radio amplification system thereafter in full compliance with the provisions of said sections. A maintenance contract shall be provided to the Community Development Director and Fire Chief or his designee, with the name of the contractor who will supply a twenty-four (24) hours per day, seven (7) days per week, emergency response within two (2) hours after notification by either the Village or the building/structure owner. The maintenance contract shall contain contact information relative to the contractor including, but not limited to phone numbers. The building/structure owner shall also submit contact information for the building/structure owner to the Village, including but not limited to phone numbers for the building/structure owner.

(B) The building/structure owner shall be responsible for making any repairs, replacements or upgrades to the radio amplification system, as directed by the Village, should the radio amplification system fail to work properly.

(Ord. 5847, passed 5/4/06)

§ 150.360 EXEMPTIONS

The provisions of Sections 150.350 through 150.361 of this Code shall not apply to buildings or structures less than fifty thousand (50,000) square feet in area unless special construction needs are required in the building or structure whereby the building/structure construction type prohibits adequate radio coverage as defined in Section 150.350 above.

(Ord. 5847, passed 5/4/06)

ADMINISTRATION; ENFORCEMENT

§ 150.365 RESPONSIBILITY FOR ENFORCEMENT AND ADMINISTRATION.

(A) The Community Development Director

and his authorized agents shall have the responsibility of enforcing all the provisions of the building code.

(B) The Community Development Director, or his/her designee, shall maintain all records of plans, permits, and other criteria required in the approval of all building permits and such records shall be available for inspection by the public.

(C) The Community Development Director, or theirhis/her designees, shall inspect any and all portions of a building or structure under construction, or that is being repaired.

(D) The Community Development Director, or their designees,his/her designee shall submit all requests for the use of new materials or assemblies to the Board of Building Appeals for approval. Upon which records shall be maintained and information forwarded to the corporate authorities, as provided under Chapter 150 of this code.

(E) The Community Development Director, or his/her designee, his/her designee shall submit monthly and yearly comparison reports of all building activities to the corporate authorities.

(F) The Fire Chief Community Development Director, or their designees, his/her designee shall have the power to interpret the rules and regulations of the building code as necessary in the interest of safety, health, and general welfare. Interpretations of this building code are subject to administrative review as set forth in § 150.366.

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

§ 150.999 PENALTY.

(2) When any person, firm or corporation proceeds under subsection (1) in settling and compromising a claim, it shall be the responsibility of the Building Division to verify the correction of the Code violation. No claim may be settled or compromised pursuant to subsection (1) unless the Building Division has verified that the Code violation has been corrected.

(3) The violation notices issued under subsection (1) shall be a courtesy in lieu of arrest. If the person, firm or corporation accused of the violation does not settle the claim, a complaint or notice to appear will be issued for that violation and the person, firm or corporation shall be subject to any and all applicable penalties set forth in this Village code.

(Ordinance 3701, passed June 3, 1993, Ord. 4104, passed 12/7/95)