

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 15, CHAPTER 150,
SECTION 150.142 OF THE LOMBARD VILLAGE CODE IN REGARDS TO TIME
LIMITATION FOR BUILDING PERMITS AND CANCELLATION FEES

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard,
DuPage County, Illinois, as follows:

SECTION 1: That Title 15, Chapter 150, Section 150.142 of the Lombard Village Code is amended to read in its entirety as follows:

§ 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 Fire Chief 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:
 - a. Permits cancelled less than thirty (30) calendar days after issuance will be refunded at 100% minus the review fee and the administrative fee.

- b. Permits cancelled less than one hundred eighty (180) calendar days after issuance will be refunded at 50%.
 - c. 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 Fire Chief 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 Fire Chief 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.
 - a. The extension fee may be waived at the discretion of the Fire Chief 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 100,000 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 Fire Chief 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: (a) 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 either of the two events described in (a) or (b) in 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 Fire Chief 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 Bureau of Inspectional Services. 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 Fire Chief or his/her designee, shall be immediately made safe or remove the dangerous structure or portion thereof, as determined at the discretion of the Fire Chief or his/her designee, and a contractor selected by the Fire Chief 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.

SECTION 2: 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 _____, 2006.

First reading waived by action of the Board of Trustees this ____ day of _____, 2006.

Passed on second reading this _____ day of _____ 2006, pursuant to a

roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2006.

William J. Mueller
Village President

ATTEST:

Bridgitte O'Brien
Village Clerk

Published by me in pamphlet form this _____ day of _____, 2006.

Brigitte O' Brien
Village Clerk