

CHAPTER 6

BUILDINGS

ARTICLE I - DANGEROUS BUILDINGS

6-1-1 **DEFINITIONS.** The term “**Dangerous Building**” as used in this Article is hereby to mean and include:

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

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

(C) Any building, shed, fence, or other man-made structure which, by reason of faulty construction or any other cause is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure;

(D) Any building, shed, fence, or other man-made structure which, because of its condition or because of lack of doors or windows is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure.

Any such dangerous building in the City is hereby declared to be a nuisance.

6-1-2 **PROHIBITION.** It shall be unlawful to maintain or permit the existence of any dangerous building in the City and it shall be unlawful for the owner, occupant, or person in custody of any dangerous building to permit the same to remain in a dangerous condition or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition.

6-1-3 **ABATEMENT.** Whenever the Mayor or his designated representative, or any other authorized officer of the City shall be of the opinion that any building or structure in the City is a dangerous building, he shall file a written statement to this effect with the City Clerk. The Clerk shall thereupon cause written notice to be served upon the owner thereof and upon the occupant thereof, if any, by certified mail or by personal service. Such notices shall state that the building has been declared to be in a dangerous condition, and that such dangerous condition must be removed or remedied by repairing or altering the building or by demolishing it; and that the condition must be remedied at once. Such notice shall be served upon the proper parties not less than **fifteen (15) days** before the City shall file application with the County Circuit Court for an order authorizing the demolition or repair of said building. Such notice may be in the following terms:

"TO: _____: (OWNER/OCCUPANT of premises) of the premises known and described as _____
_____.

'You are hereby notified that _____
_____ (describe building) on the premises above mentioned has been condemned as a nuisance and a dangerous building after inspection by _____
_____.

'The causes for this decision are _____

(here insert the facts as to the dangerous condition)

'You must remedy this condition or demolish the building immediately within **fifteen (15) days** from the date of this notice or the City will proceed to do so."

In the event that the building is not demolished or repaired or altered within the **fifteen (15) day** period of time elapsing from the date of the service of notice, then the City shall institute application before the County Circuit Court requesting an order authorizing the demolition, alteration, or repair of said building premises and the cost of such entailments shall be recovered from the owner or owners of such real estate and shall be a lien thereon.

6-1-4 **LIEN.** Charges for demolishing, repairing or altering of such building shall be a lien upon the premises. A bill representing the cost and expense incurred or payable for the service shall be presented to the owner. If this bill is not paid within **thirty (30) days** of submission of the bill, a notice of lien of the cost and expense thereof incurred by the City shall be recorded in the following manner:

- (A) A description of the real estate sufficient for identification thereof.
- (B) The amount of money representing the costs and expenses incurred or payable for the service.
- (C) The date or dates when said costs and expenses were incurred or payable for the service by the City and shall be filed within **sixty (60) days** after the cost and expense is incurred.

6-1-5 **PAYMENT.** Notice of such lien claim shall be mailed to the owner of the premises if his address is known. Upon payment of the cost and expense after notice of lien has been filed, the lien shall be released by the City or person in whose name the lien has been filed and the release shall be filed of record in the same manner as filing notice of the lien.

6-1-6 FORECLOSURE OF LIEN. Property subject to a lien for unpaid charges shall be sold for non-payment of the same, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be in the name of the City, after lien is in effect for **sixty (60) days.**

ARTICLE II - BUILDING AS NUISANCE

6-2-1 BUILDING CONDITION - NUISANCE. The Mayor or his designated representative shall report to the City Council when any building in the City is in a dangerous condition and constitutes a nuisance.

6-2-2 TIME LIMIT. The owner of such building shall repair or alter it so as to make it safe within **ninety (90) days** from the time the notice is served upon him in the manner provided by law.

6-2-3 NOTIFICATION. The Mayor or his designated representative shall place a notice on all "dangerous and unsafe buildings", which notice shall read as follows:

"This building has been found to be a dangerous and unsafe building by the Mayor. This notice shall remain on this building until it is repaired, vacated or demolished in accordance with the notice which has been given the owner, occupant, lessee, mortgagee, or agent of this building, or person or persons in whose name or names such building was last assessed, and all other persons having an interest in said building as shown by the land records of the County Recorder of Deeds. It is unlawful to remove this notice until such notice is complied with."

6-2-4 DANGEROUS AND UNSAFE BUILDINGS DEFINED. All buildings or structures which have any or all of the following defects shall be deemed "dangerous and unsafe buildings".

(A) Those whose interior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.

(B) Those which, exclusive of the foundation, show **thirty-one percent (31%)** or more of damage or deterioration of the supporting member or members, or **fifty percent (50%)** of damage or deterioration of the non-supporting enclosing or outside walls or covering.

(C) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.

(D) Those which have been damaged by fire, wind, or other causes so as to have become dangerous to life, safety, morals, or the general health and welfare of the occupants or the people of the City.

(E) Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease, so as to cause injury to the health, morals, safety or general welfare of those living therein.

(F) Those having light, air, and sanitation facilities which are inadequate to protect the health, morals, safety, or general welfare of human beings who live or may live therein.

(G) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes, or other means of communication.

(H) Those which have parts thereof which are so attached that they may fall and injure members of the public or property.

(I) Those which, because of their condition, are unsafe, unsanitary, or dangerous to the health, morals, safety or general welfare of the people of this City.

(J) Those buildings existing in violation of any provision of the Building Code of this City, or any provision of the Fire Prevention Code, or any other ordinances of the City.

(K) Those vacant buildings with unguarded openings shall be deemed to constitute a fire hazard and to be unsafe within the provisions of this Code.

(L) Those buildings which are uncompleted or abandoned.

6-2-5 STANDARDS FOR REPAIR, VACATION OR DEMOLITION. The following standards shall be followed in substance by the Mayor or his authorized representative in ordering repair, vacation, or demolition:

(A) If the "dangerous and unsafe building" is in such condition as to make it dangerous to the health, morals, safety, or general welfare of its occupants, it shall be ordered to be vacated.

(B) If the "dangerous and unsafe building" can reasonably be repaired so that it will no longer exist in violation of the terms of this Code, it shall be ordered repaired.

(C) In any case where a "dangerous and unsafe building" is **fifty percent (50%)** damaged or decayed, or deteriorated from its original value or structure, it shall be demolished, and in all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of this Code, it shall be demolished. In all cases where a "dangerous and unsafe building" is a fire hazard existing or erected in violation of the terms of this Code, or any ordinance of the City, or statute of the State of Illinois, it shall be demolished.

(See "Non-Conforming Uses" of the Zoning Code)

6-2-6 DANGEROUS AND UNSAFE BUILDINGS - NUISANCES. All dangerous and unsafe buildings within the terms of this Article are hereby declared to be public nuisances and shall be repaired, vacated, or demolished as hereinbefore and hereinafter provided.

6-2-7 **DUTIES OF THE ATTORNEY.** The City Attorney shall apply to the Circuit Court for an order authorizing the demolition, repair, or vacation of dangerous and unsafe buildings or uncompleted or abandoned buildings when notices have not been complied with and when requested to do so by the Mayor or his authorized representative.

6-2-8 **LIENS.** The cost of repair, demolition, vacation, or enclosure shall be recoverable from the owner or owners of such real estate and shall be a lien thereon, which lien shall be subordinate to all prior existing liens and encumbrances; provided that within **sixty (60) days** after said cost and expense is incurred, the City or person performing the service by authority of the City, in his or its own names, shall file notices of lien in the office of the County Recorder of Deeds. The notice shall consist of a sworn statement setting out:

- (A) A description of the real estate sufficient for identification therefor;
- (B) The amount of money representing the cost and expense incurred or payable for the service; and
- (C) The date or dates when said cost and expense was incurred by the City.

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

ARTICLE III - BUILDING OPERATIONS

6-3-1 USE OF STREETS. The use of streets for the storage of materials in the process of construction or alteration of a building may be granted where the same will not unduly interfere with traffic and will not reduce the usable width of the roadway to less than **eighteen (18) feet**; provided that no portion of the street other than that directly abutting on the premises on which work is being done shall be used except with the consent of the owner or occupant of the premises abutting on such portion. Any person seeking to make such use of the street shall file with the Village Clerk a bond with corporate sureties to be approved by the Village Board, to indemnify the Village for any loss or damage which may be incurred by it by reason of such use and occupation.

6-3-2 NIGHT OPERATIONS. No construction or alteration operations shall be carried on at nighttime if the same are accompanied by loud noises.

6-3-3 SIDEWALKS. No sidewalk shall be obstructed in the course of building, construction or alteration without a special permit from the Mayor or his authorized representative being first obtained.

6-3-4 SAFEGUARDS. It shall be the duty of the person doing any construction, altering or wrecking work in the Village to do the same with proper care for the safety of persons and property. Warnings, barricades and lights shall be maintained wherever necessary for the protection of pedestrians or traffic; and temporary roofs over sidewalks shall be constructed wherever there is a danger to pedestrians from falling articles or materials. **(See Chapter 33 - Streets for additional requirements)**

ARTICLE IV - RESERVED

ARTICLE V - BUILDING CODES

6-5-1 **PURPOSE.** The purpose of this Article is to provide for safety, health, and public welfare through structural strength and stability, means of egress, adequate light and ventilation, and protection to life and property from fire and hazards incident to the design, construction, repair, alteration, maintenance, removal, or demolition of buildings and structures, and to control the architectural design of buildings or structures erected or to be erected within the corporate limits of the City.

6-5-2 **SCOPE.** The provisions of this Article apply to the construction, site work alteration, equipment, addition, repair, replacement, removal, demolition, location, use, occupancy, and maintenance of all buildings and structures, and shall apply to existing or proposed buildings and structures; except as otherwise provided for in the City Zoning Code, or other ordinances or statutes.

6-5-3 **CODES ADOPTED.** The model codes hereinafter set forth are hereby adopted by reference and made a part of this City Code, as amended.

- (A) The International Building Code/2006
- (B) The International Mechanical Code/2006
- (C) The International Fuel Gas Code/2006
- (D) The International Fire Code/2006
- (E) National Electrical Code NFPA 70/2008
- (F) The International Energy Conservation Code/2012
- (G) The International Existing Building Code/2006
- (H) The International Residential Code/2006
- (I) The Illinois State Plumbing Code of 2004
- (J) The Illinois Accessibility Code of 1997
- (K) The International Property Maintenance Code of 2015

(Ord. No. 1425; 12-17-19)

6-5-4 **AMENDMENTS TO BUILDING CODE.** The following provisions shall further apply and shall supersede any and all references listed within the adopted edition of the International Building Code – 2006 Edition.

- (A) **Additions, Insertions and Changes.**
 - (1) Section 101.1 – Insert “City of Breese”.
 - (2) Section 106.1.4 – Insert the following: Plans on Job Required: A set of the approved plans is required to be on the job site at the time of inspection.
 - (3) Insert Subsection 106.2.1:
Section 106.2.1 – Compliance with Plot Plan. It shall be the responsibility of the builder/developer to submit to the Building Department a spot survey prepared by a Registered Land Surveyor after the foundation is installed. This survey must be at a scale of not less than **one inch equal to thirty feet (1" = 30')**. The survey must also indicate the elevation above sea level of the top of the foundation wall and the top of the curb and sidewalk at lot lines extended relative to a United States

Geological Survey benchmark. No construction will be allowed to proceed except for decking, underground water and sewer, and related items until the spot survey is approved by the Building and Zoning Department. This Section applies to principal structures only and not to additions or accessory structures.

- (4) Section 108.2 – Schedule of permit fees: Add the following: Building Permit fee schedule shall be determined by the City of Breese Fee Ordinance.
- (5) Section 112.3 – Delete the section in its entirety and replaced with the following: The City Council shall be the Board of Appeals.
- (6) Section 113.4 – Violation Penalties: Insert the following at the end of the section: The penalties shall be as determined by the City of Breese Fee Ordinance.
- (7) Section 501.2 – Premises identification: Add the following at the end of the section: The use of script address is not allowed.
- (8) Section 501.2.1 – Add the following: Tenant Identification. All buildings with multiple tenants or units shall have signs in the corridor across from the elevator door. This direction signage shall indicate the direction to each number tenant space. All tenant spaces shall have a sign, which indicates the tenant space number. The signs shall be constructed of durable materials, be permanently installed, and be readily visible. Letters and numbers shall contrast with the background and shall be a minimum of **two (2) inches** in height.
- (9) Section 706.10: Add the following new section: Tenant Separation: Each tenant shall be separated from other tenant spaces by fire barriers (walls and floor ceiling assemblies) having at least a **one (1) hour** fire rating.
- (10) Section 901.6 – Change to read as follows: All water flow switches, valve supervision, trouble signals, fire alarm systems shall transmit an alarm to a location approved by the fire official.
- (11) Add section 903.7 Sprinkler system design criteria. Sprinkler hydraulic designs for NFPA 13 and NFPA 13R systems shall be designed with a minimum of a **five (5) pound** difference between the sprinkler system design including hose requirements and the available water supply. The **five (5) pound** safety factor shall be applied to the water flow test after any adjustments for a seasonal low.
- (12) Section 1101.3 shall be added to read in its entirety: When there is a conflict between this Chapter and the Illinois Accessibility Code, the stricter of the two codes shall apply.
- (13) Section 1612.3 Insert the City of Breese.
- (14) Section 1612.3 Insert August 2, 2007.
- (15) Sections 1805.1.9 with regard to Footings and Foundations: All references to wood footings and foundations are deleted. The use of wood footings and foundations is prohibited.
- (16) Section 2701.1 Delete the reference to the ICC Electric Code and insert the National Electric Code 2008 edition.

- (17) Section 2901.1: Delete references to the International Plumbing Code and add the following: The Village Building Official shall require that the provisions of the current "Illinois Plumbing Code Law", 225 Illinois Compiled Statutes 320/1 et seq., as presently in force, or as the same may be hereafter amended or modified, and the same is hereby incorporated herein by reference and adopted as the standard for the purposes of this Ordinance. Any conflicts concerning the provisions of these codes shall be determined by the strictest standard contained in the code provisions.
- (18) Section 2902: Delete the section in its entirety.
- (19) Sections 3410.2: Insert 1980.
- (20) Reference Standards
Delete the reference to the ICC Electric Code
Delete the references to the International Plumbing Code in sections 101.4.4, 415.6.4, 717.5, 903.3.5, 1206.3.3, 2901.1, 2902.1, 3401.3 and insert the Illinois Plumbing Code.
Adopt the following appendix.
 - (a) Appendix A – Employee qualifications
 - (b) Appendix C – Group U Agricultural Buildings
 - (c) Appendix D – Fire Districts
 - (d) Appendix F – Rodent proofing
 - (e) Appendix G – Flood Resistant Construction
 - (f) Appendix H - Signs
 - (g) Appendix I – Patio Covers
 - (h) Appendix J - Grading

6-5-5 **AMENDMENTS TO MECHANICAL CODE.** The following provisions shall further apply and shall supersede any and all references listed within the adopted edition of the International Mechanical Code – 2006 Edition.

(A) **Additions, Insertions and Changes.**

- (1) Section 101.1 – Insert "City of Breese".
- (2) Section 106.5.2 Fee schedule: Add the following: Building Permit fee schedule shall be determined by the City of Breese Fee Ordinance.
- (3) Sections 106.5.3: Delete in its entirety.
- (4) Section 108.4: Delete the section and add the following: The penalties shall be as determined by the City of Breese Fee Ordinance.
- (5) Section 108.5: Stop Work Orders: Delete the last sentence and replace with the following: "Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as established by the City of Breese Fee Ordinance."
- (6) Section 109.2: Delete the section in its entirety and insert the following: The City Council shall be the Board of Appeals.
- (7) Reference Standards
Delete the reference to the ICC Electric Code

Delete the references to the International Plumbing Code in sections 301.8, 908.5, 1002.1, 1002.2, 1002.3, 1005.2, 1006.6, 1008.2, 2009.3, 1101.4, 1201.1, 1206.2, 1206.3, 1401.2 and insert the Illinois Plumbing Code.

Adopt the Appendix A

- (a) Appendix A – Combustion Air Openings and Chimney Connector Pass-throughs

6-5-6 **AMENDMENTS TO FUEL GAS CODE.** The following provisions shall further apply and shall supersede any and all references listed within the adopted edition of the International Fuel Gas Code – 2006 Edition.

(A) **Additions, Insertions and Changes.**

- (1) Section 101.1: Insert "City of Breese".
- (2) Section 106.5.2 Fee schedule: Add the following: Building Permit fee schedule shall be determined by the City of Breese Fee Ordinance.
- (3) Sections 106.5.3: Delete in its entirety.
- (4) Section 108.4: Delete the section and add the following: The penalties shall be as determined by the City of Breese Fee Ordinance.
- (5) Section 108.5 Stop Work Orders: Delete the last sentence and replace with the following: "Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as established by the City of Breese Fee Ordinance.
- (6) Section 109.2: Delete the section in its entirety and insert the following: The City Council shall be the Board of Appeals.
- (7) Reference Standards
Delete the reference to the ICC Electric Code
Delete the references to the International Plumbing Code in sections 301.6, 624.2.1.1, 624.2 and insert the Illinois Plumbing Code.
Adopt the Appendix A – D.
 - (a) Appendix A – Sizing and Capacities of Gas Piping
 - (b) Appendix B – Sizing of Venting Systems Serving Appliances equipped with Draft Hood, Category I Appliances and Appliances Approved for Use with Type B Vents
 - (c) Appendix C – Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems
 - (d) Appendix D – Recommended Procedure for Safety Inspection of Existing Appliance Installations

6-5-7 **AMENDMENTS TO FIRE CODE.** The following provisions shall further apply and shall supersede any and all references listed within the adopted edition of the International Fire Code – 2003 Edition.

(A)

Additions, Insertions and Changes.

- (1) Section 101.1: Insert "City of Breese".
- (2) Section 105 Permits: Delete the section in its entirety.
- (3) Section 108.3: Delete the section in its entirety and insert the following: The City Council shall be the Board of Appeals.
- (4) Section 109.3: Delete the section and add the following: The penalties shall be as determined by the City of Breese Fee Ordinance.
- (5) Section 111.4 Failure to Comply: Delete the section and replace with the following: "Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as established by the City of Breese Fee Ordinance.
- (6) Section 505.1 Address numbers: delete in the sixth line: "or alphabet letters".
- (7) Add section 903.7 "Sprinkler system design criteria": Sprinkler hydraulic designs for NFPA 13 and NFPA 13R systems shall be designed with a minimum of a **five (5) pound** difference between the sprinkler system design, including hose requirements, and the available water supply. The **five (5) pound** safety factor shall be applied to the water flow test after any adjustments for a seasonal low.
- (8) Section 3204.3.1.1 should be replaced with: "Fire Department should determine the requirement."
- (9) Section 3404.2.9.5.1: Fire Department should determine the requirements.
- (10) Section 3406.2.4.4: Fire Department should determine the requirement.
- (11) Section 3804.2: Fire Department should determine the requirement.
- (12) Reference Standards
Delete the reference to the ICC Electric Code
Delete the references to the International Plumbing Code in sections 903.3.5, 912.5, 2211.2.3, 2704.2.2.6 and insert the Illinois Plumbing Code.
Adopt the Appendix D Fire Apparatus Access Roads.

6-5-8 **AMENDMENTS TO ELECTRICAL CODE.** The following provisions shall further apply and shall supersede any and all references listed within the adopted Edition of the National Electrical Code – 2008 Edition – N.F.P.A. No. 70.

(A)

Additions, Insertions and Changes.

- (1) Article 310.2(B): Delete "aluminum, copper-clad aluminum, or".
- (2) Article 314-3: shall be deleted and the use thereof prohibited.
- (3) Article 394: "concealed knob-and-tube wiring" shall be deleted and such use prohibited.

6-5-9 **AMENDMENTS TO ENERGY CONSERVATION CODE.** The following provisions shall further apply and shall supersede any and all references listed within the adopted edition of the International Energy Conservation Code – 2012 Edition.

(A) **Additions, Insertions and Changes.**

- (1) Section C101.1 Insert "City of Breese".
- (2) Referenced Standards
Delete the reference to the ICC Electric Code.

6-5-10 **AMENDMENTS TO THE INTERNATIONAL EXISTING BUILDING CODE.** The following provisions shall further apply and shall supersede any and all references listed within the adopted Edition of the International Existing Building Code – 2006 Edition.

(A) **Additions, Insertions and Changes.**

- (1) Section 101.1: Insert "City of Breese".
- (2) Section 112.3: Delete the section in its entirety and insert the following: The City Council shall be the Board of Appeals.
- (3) Section 1301.2: Insert 1980.
- (4) Referenced Standards
Delete the reference to the ICC Electric Code.
Delete the references to the International Plumbing Code in sections 101.2, 410.2, 503.2, 610.1, 810.1, 810.2, 810.3, 810.5.
- (5) Add the following appendix.
Appendix A – Guidelines for Seismic Retrofit of Existing Buildings.
Appendix A-1 Seismic Strengthening Provisions for unreinforced masonry bearing wall construction.
Chapter A-2 Earthquake hazard reduction in existing reinforced concrete and reinforced masonry wall buildings with flexible diaphragms.
Chapter A-2 Exit Terminals of Mechanical Draft and Direct-Vent Systems.
Chapter A-3 Prescriptive provisions for seismic strengthening of cripple walls and sill plate anchorage of light, wood-frame residential buildings.
Chapter A-4 Earthquake hazard reduction in existing wood frame residential buildings with soft, weak or open front walls.
Chapter A-5 Earthquake hazard reduction in existing concrete buildings and concrete with masonry in fill buildings Procedures for Safety Inspections of an Existing Appliance Installation.
Appendix B Supplementary accessibility requirements for existing buildings and facilities.
Resource A Guidelines on fire ratings of archaic materials and assemblies.

6-5-11 **AMENDMENTS TO RESIDENTIAL CODE.** The following provisions shall further apply and shall supersede any and all references listed within the adopted Edition of the International Residential Code – 2006 Edition.

(A)

Additions, Insertions and Changes.

- (1) Section R101.1: Insert "City of Breese".
- (2) Section R112.3: Delete the section in its entirety and insert the following: The City Council shall be the Board of Appeals.
- (3) Table: 301.2(1) the following information shall be inserted in the Table

Ground Snow Load	20
Wind Speed	3 second 90 normal 75
Seismic Condition	D-1
Subject to Damage from	
Weathering	SEVERE
Frost Line Depth	30 inches
Termite	MODERATE to HEAVY
Decay	SLIGHT to MODERATE
Winter Design Temperature	6 degrees
Ice Shield Underlayment	Yes
Flood Hazard	See local flood ordinance
Air Freezing Index	1000
Mean Annual Temp	55 degrees
- (4) Section R309.2 Separation Required: Delete words "one-half (1/2) inch gypsum board" and add "five-eighths (5/8) inch gypsum board".
- (5) Sections R403 Footings, including R403.2: All references to wood footings and foundations are deleted. The use of wood footings and foundations is prohibited.
- (6) Delete Chapters 25, 26, 27, 28, 29, 30, 31, and 32. Refer to State of Illinois Department of Public Health Plumbing Code of 1998.
- (7) Reference Standards
Delete the reference to the ICC Electric Code.
Delete the references to the International Plumbing Code in sections 104.11.
- (8) Adopt the following appendices.
Appendix A Sizing and Capacities of Gas Piping
Appendix B Sizing of Venting Systems
Appendix C Exit Terminals of Mechanical Draft and Direct-Vent Systems
Appendix F Radon Control Methods
Appendix G Swimming Pools, Spas and Hot Tubs

6-5-12 **AMENDMENTS TO THE ILLINOIS PLUMBING CODE.** The following provisions shall further apply and shall supersede any and all references listed within the adopted Edition of the International Plumbing Code – 2004 Edition.

(A)

Additions, Insertions and Changes.

- (1) There are no changes to the Illinois Plumbing Code.

6-5-13 **AMENDMENTS TO THE ILLINOIS ACCESSIBILITY CODE.** The following provisions shall further apply and shall supersede any and all references listed within the adopted Edition of the International Accessibility Code – 1997 Edition.

(A) **Additions, Insertions and Changes.**

- (1) There are no changes to the Illinois Accessibility Code.

6-5-14 **AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE.** The following provisions shall further apply and shall supersede any and all references listed within the adopted Edition of the International Property Maintenance Code – 2015 Edition.

(A) **Additions, Insertions and Changes.**

- (1) All references to the "International Plumbing Code" shall be replaced by the "Illinois Plumbing Code"
- (2) Section 101.1: Insert "City of Breese"
- (3) Section 302.4: Insert "City Maximum Allowance"
- (4) Section 602.3: Insert "September through the following May"
- (5) Section 602.3: Insert "September through the following May"
- (6) Adopt the following Appendices:
Appendix A Boarding Standard

(Ord. No. 1425; 12-17-19)

6-5-15 **LIMITATIONS ON CONSTRUCTION HOURS.**

(A) **General Construction and Carpentry.** There shall be no outdoor construction or carpentry activities generating noise at any time other than the following:

- | | | |
|------------------------------|---|------------------------|
| Monday through Friday | - | 7:00 A.M. to 7:00 P.M. |
| Saturday | - | 8:00 A.M. to 5:00 P.M. |
| Sunday and National Holidays | - | 8:00 A.M. to 4:00 P.M. |

Construction activity for emergencies may be allowed during the restricted time periods only upon issuance of a permit by the Building Commissioner.

(B) **Operation of Heavy Construction Equipment, Trucks of Class D and Above Registration, Excavation and Demolition.** There shall be no operation of heavy construction equipment, or excavation, or demolition activities involving the use of excavating or earth-moving equipment including loaders, back-hoes, jack hammers, or similar equipment on Sunday or National holidays or at any time other than the following:

- | | | |
|-----------------------|---|------------------------|
| Monday through Friday | - | 7:00 A.M. to 5:00 P.M. |
| Saturday | - | 8:00 A.M. to 5:00 P.M. |

Construction activity for emergencies may be allowed during the restricted time periods only upon issuance of a permit by the Building Commissioner. **(Ord. No. 1996-O-41, 09-17-96)**

(Ord. No. 1271; 01-15-13)

ARTICLE VI - BUILDING PERMIT FEES

6-6-1 **TITLE.** This Article shall be more commonly referred to as the "City of Breese Construction and Building Permit Fee Ordinance".

6-6-2 **BUILDING ELECTRICAL AND PLUMBING PERMIT FEES.** Except as provided herein, the Building, Electrical, and Plumbing Permit Fee Schedule shall be as stated in Exhibit "A" of this Article. Reference to "Group" and "Type of Construction" on said exhibit shall correspond with the definition and description of those terms as found in Sections 302-312 of the International Building Code - 2006 Edition, adopted by the City in Ordinance No. 1271. The building, plumbing, and electrical permit fees shall be established according to the International Code Council (ICC) table for Square Foot Construction Costs (as periodically updated).

The multipliers for each permit shall be as follows:

Building Permit	0.0015
Electrical Permit	0.0005
Plumbing Permit	0.0005

The formula for permit fee shall be as follows:

Building Sq/Ft x Cost per Sq/Ft x Multiplier = Permit Fee

Underground plumbing inspection fee - \$30.00

The minimum fee for a Building Permit shall be no less than **Fifty Dollars (\$50.00)** for all structures where a new foundation is required. The minimum Electrical and Plumbing Permit Fee shall be **Sixty Dollars (\$60.00)**.

At the expiration of a Building, Electrical, or Plumbing Permit, the City may issue a **three (3) month** extension of the permit upon payment of a **One Hundred Fifty Dollar (\$150.00)** fee, provided the property owner, contractor, and subcontractor have otherwise complied with the Ordinances of the City in the construction of the project. No more than **four (4)** such extensions shall be granted.

There shall be a **Twenty Dollar (\$20.00)** re-inspection fee per re-inspection for each type of permit.

6-6-3 **OCCUPANCY PERMIT.** There shall be a **Two Hundred Dollar (\$200.00)** Occupancy Permit Fee payable at the time of the issuance of a Building, Electrical, or Plumbing Permit. The fee shall be refunded at the time an Occupancy Permit is issued less any re-inspection fees due and owing.

6-6-4 **FINES AND PENALTIES.** Certain fines and penalties shall be assessed against contractors, sub-contractors, and/or property owners for violations of certain provisions of the Ordinance Related to Building Codes and Fire Regulations No. 1271. Said fines and penalties are more particularly set forth on attached Exhibit "B", attached hereto and incorporated herein by reference.

6-6-5 **AMENDMENTS.** The fees and fines as set forth herein shall be reviewed and amended by Ordinance passed by the City Council on a biannual or annual basis upon the recommendation of the Department of Public Works.

(Ord. No. 1272; 01-15-13)

ARTICLE VII – TEMPORARY DUMPSTERS ON PRIVATE PROPERTY

6-7-1 **PRIVATE PROPERTY.**

(A) Dumpsters may be placed on private property only by Permit issued by the City Building Inspector/Code Administrator.

(B) The dumpster shall be placed in a location approved by the City Building Inspector/Code Administrator.

(C) The dumpster may not be placed on an easement or a right of way without the approval of the City Building Inspector/Code Administrator as provided in **Section 6-7-2** below.

(D) There shall be no fee for the initial permit which shall be of **ninety (90) day** duration.

(E) After expiration of the initial **ninety (90) day** time period for the initial permit, a renewal permit shall be issued upon request for an additional **thirty (30) days** upon payment of a **Fifty Dollar (\$50.00)** renewal fee, provided the applicant has complied with all requirements of the City with respect to the permit.

(F) Failure to obtain a permit to place a dumpster on private property shall result in a fine of **Twenty-Five Dollars (\$25.00)** per each day that the dumpster is located on private property in the City.

(G) Failure to renew an expired permit shall result in a fine of **Twenty-Five Dollars (\$25.00)** per day for each day that the dumpster is located on private property within the City after expiration of a permit.

6-7-2 **STREETS AND RIGHTS OF WAY.**

(A) Dumpsters may be placed on a public street or alley only with the permission of the Director of Public Works and with a permit issued by the City.

(B) Barricades must be placed at both ends of the dumpster if located on a public right of way or alley.

(C) No street, or alley, or fire hydrant may be blocked to vehicular traffic by the dumpster.

(D) The fee and fine schedule for a permit for the placement of a dumpster located on a public street, right of way, or alley shall be the same as located on private property.

(Ord. No. 1419; 08-06-19)

EXHIBIT "A"

**CITY OF BREESE
INTERNATIONAL CODE COUNCIL
BUILDING VALUATION DATA AUGUST 2012**

Group (2012 International Building Code)		Type of Construction								
		IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1	Assembly; theaters, with stage	214.15	206.92	201.66	193.17	181.41	176.32	186.72	165.85	159.28
	Theaters without stage	196.04	188.81	183.56	175.06	163.31	158.22	168.62	147.76	141.18
A-2	Assembly; nightclubs	168.81	164.02	159.44	153.03	143.74	139.85	147.38	130.27	126.58
A-2	Assembly; restaurants, bars, Banquet halls	167.81	163.02	157.44	152.03	141.74	138.85	146.38	128.27	125.58
A-3	Assembly; churches	197.95	190.72	185.47	176.97	165.36	160.27	170.53	149.81	143.23
A-3	Assembly; general, community halls Libraries, museums	165.62	158.39	152.13	144.64	132.00	127.91	138.19	116.44	110.87
A-4	Assembly; arenas	195.04	187.81	181.56	174.06	161.31	157.22	167.62	145.76	140.18
B	Business	172.54	166.23	160.58	152.72	138.52	133.37	146.42	121.73	115.93
E	Educational	181.70	175.44	170.22	162.46	151.32	143.23	156.78	131.65	127.18
F1	Factory and industrial, moderate hazard	103.30	98.45	92.55	88.98	79.28	75.88	85.02	65.42	61.37
F2	Factory and industrial, low hazard	102.30	97.45	92.55	87.98	79.28	74.88	84.02	65.42	60.37
H1	High hazard, explosives	96.79	91.94	87.04	82.47	73.97	69.57	78.51	60.11	NP
H2,3,4	High hazard	96.79	91.94	87.04	82.47	73.97	69.57	78.51	60.11	55.06
H-5	HPM	172.54	166.23	160.58	152.72	138.52	133.37	146.42	121.73	115.93
I-1	Institutional; supervised environment	171.33	165.32	160.70	153.74	141.19	137.46	149.84	126.68	122.17
I-2	Institutional; hospitals	292.97	286.66	281.01	273.15	257.93	NP	266.85	241.14	NP
I-2	Institutional; nursing homes	202.53	196.12	190.57	182.71	168.50	NP	176.41	151.70	NP
I-3	Institutional; restrained	196.53	190.21	184.57	176.71	164.01	157.86	170.41	147.22	139.42
I-4	Institutional; day care facilities	171.33	165.32	160.70	153.74	141.19	137.46	149.84	126.68	122.17
M	Mercantile	125.80	121.01	115.43	110.02	100.45	97.56	104.37	86.98	84.29
R-1	Residential; hotels	172.82	166.81	162.19	155.22	142.85	139.11	151.49	128.33	123.82
R-2	Residential; multiple family	144.89	138.87	134.26	127.29	115.60	111.87	124.24	101.08	96.58
R-3	Residential; one- and two-family	136.37	132.66	129.29	126.07	121.04	118.03	122.07	113.10	105.93
R-4	Residential; care/assisted living facilities	171.33	165.32	160.70	153.74	141.19	137.46	149.84	126.68	122.17
S-1	Storage; moderate hazard	95.79	90.94	85.04	81.47	71.97	68.57	77.51	58.11	54.06
S-2	Storage; low hazard	94.79	89.94	85.04	80.47	71.97	67.57	76.51	58.11	53.06
U	Utility, miscellaneous	71.79	67.80	63.46	59.92	53.77	50.29	57.04	42.06	39.83

EXHIBIT "B"

**CITY OF BREESE
BUILDING PERMIT FINE SCHEDULE**

- (A) These fees are applicable to the general contractor, sub-contractor and the owner/property owner. In addition to a ticket being issued, a stop work order will be issued to remain in effect until the ticket has been paid and the violation has been corrected.

<u>Offense</u>	<u>Fine*</u>
1. Working without a permit when one is required.	\$100.00
2. Proceeding without an inspection. (Must pass inspection prior to being covered up.)	\$100.00
3. Scheduling an inspection and not being prepared when the inspectors arrive.*** Fee shall double each time an inspector must return to the site for the same inspection. (e.g. First time on site and not prepared - no charge, second time - \$25.00, third time - \$50.00, fourth time - \$100.00...)	\$25.00**
4. Mud on pavement bears a written warning for the first offense. The General Contractor is advised in the warning to remove mud from pavement within two (2) hours (General Contractor is responsible for notifying Sub-contractors.) Notice also states that this will be the only warning throughout the entire project. If the City observes or receives another complaint, a stop work order shall be issued along with a ticket. First time offense - written warning, second offense - \$50.00, third offense - \$100.00, fourth offense - \$150.00 and so forth.	\$50.00
5. Failure to call for a final inspection.	\$100.00
6. Occupying the structure before issuance of Certificate of Occupancy.	\$100.00
7. A Certificate of Occupancy fee of \$200 is paid when the Building Permit is issued, to be used as a bond. This bond is reimbursed 100% upon completion of construction and a permanent Certificate of Occupancy is issued at time of Final Inspection. If issued a temporary Certificate of Occupancy and work is not completed in the time allotted on the temporary occupancy permit, then \$100 of the bond is forfeited as a fine. Failure to obtain the permanent Certificate of Occupancy within 120 days of issuance of temporary occupancy permit shall forfeit the remaining \$100 as a fine.	\$200.00****

- * If offender(s) refuses the ticket or refuses to pay the fine, the Stop Work Order shall remain in effect and the fine shall continue to accrue each day the violation exists.
 - ** Does not apply to re-inspections of corrected work.
 - *** Applies to all inspections.
 - **** Bond is refundable if all provisions are met.
- (B) Notification is made to the permit holder of the applicable penalties when permit application is submitted. They must read the information sheets provided and sign to verify that they have read and understand them. A copy will be returned to them and the homeowner if applicable.
- (C) For working without a permit, both the General Contractor and the Homeowner will receive a ticket. For covering up work without an inspection, or for scheduling an inspection without being prepared, both the General Contractor and the sub-contractor shall receive a fine. Failure to call for a Final Inspection and occupying the structure without a Certificate of Occupancy, both the owner and General Contractor shall be issued fines.

(Date)

(Date)