

## CHAPTER 6

## BUILDING REGULATIONS

## ARTICLE I - GENERALLY

**6-1-1 PERMIT REQUIRED.** It shall be unlawful for any person, firm, or corporation to construct, alter, remove, demolish, or to begin or to commence construction, alteration, removal, or installing equipment for the operation of a building or structure without first filing with the Building Official of the Village an application in writing and obtaining a permit for said construction, alteration, removal, demolition, or installation of said equipment.

**6-1-2 APPLICATION FOR PERMIT.**

(A) **Form.** Application for a building permit as herein required shall be made upon such form as the corporate authorities may prescribe. Such application shall contain at a minimum, the full name and address of the applicant for said permit, whether said applicant shall be the owner or the builder or contractor, and if the applicant is other than an individual, the names of its duly authorized officials shall be included in the application. The application shall describe the proposed work or construction and shall supply such additional information as may be required by the corporate authorities in order to determine whether the proposed construction or repair shall meet the purpose set out by this Chapter of lessening and avoiding the hazards to persons and damage to property resulting from flooding.

(B) **Persons Authorized to Make Application.** Applications shall be made by the owner or lessee or agent of either, or the architect, engineer or builder employed in connection with the proposed work. If such application is made by a person other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner in fee or the person making the application that the proposed work is authorized by the owner in fee and that the person making the application is authorized to make such application.

(C) **Amendments to Application.** Nothing in this Chapter shall prohibit the filing of amendments to an application or to a plan or other record accompanying same, at any time before the completion of the work for which the permit was issued. Such amendments shall be filed with and be deemed a part of the original application, if approved before the certificate of occupancy has been issued, otherwise a new application for the alteration shall be made and a permit secured.

**6-1-3 PLANS TO ACCOMPANY APPLICATION; REQUIREMENTS.** Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing when necessary, floor plans, sections, elevations, structural details, computations, and stress diagrams, as the Building Official may require.

(A) All new construction which is to be used as residential property shall have two exits for fire escapes. The application shall show the location of all utilities and utility easements on the premises, and no structure shall be built on or over any utility easement.

(B) All electrical wiring and plumbing shall meet the most current Building Officials and Code Administration International Inc., (B.O.C.A.) Building Code, and the current Life Safety Code, and the current Illinois Plumbing Code and the current National Electric Code.

(C) **Setback Requirements.** All new structures, including an addition to an existing structure or a new unattached structure shall be set back a minimum of **five (5) feet** from the adjoining property line. In addition, the drip line of any new structure shall be set back a minimum of **three (3) feet** from the adjoining property line. Any privacy fence built between properties are required to have a **three (3) foot** setback from the property line. A fence may be placed directly on the property line provided there is a written agreement signed by both property owners. Such agreement shall be placed on file at the Village Office. This in order to forestall any future disagreements between adjacent properties in regards to said fence. Any fence containing barbed wire is strictly forbidden. Variance from said requirements may be

obtained by written agreement among all adjoining property owners which shall be submitted with any application, and such agreement shall be subject to approval by the Board of Trustees.

**(Ord. No. 2004-02; 02-05-04)**

**6-1-4**            **PLOT PLAN.** When required by the Building Official, there shall be submitted a plot plan in a form and size designated by the Building Official for filing permanently with the permit record, drawn to scale, with all dimensions figured, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

**6-1-5**            **REPAIRS.** Repairs may be made without filing an application or obtaining a permit, unless such repairs amount to a "substantial improvement," the cost of which equal or exceeds **fifty percent (50%)** of the actual cash value of the structure either (a) before the improvement is started, or (b) if the structure has been damaged and is being restored before the damage occurred.

**6-1-6**            **ACTION UPON APPLICATION.** The Building Official shall examine applications for permits, within a reasonable time after filing. If, after examination, he finds no objections to the same and it appears that the proposed work will be in compliance with the laws and ordinances applicable thereto and the proposed construction of work will be safe, he shall approve such application and issue a permit for the proposed work as soon as practicable. If his examination reveals otherwise, he shall reject such application, note his findings in a written report to be attached to the application and deliver a copy to the applicant.

Within **seven (7) calendar days** after the filing of the application, the Building Official shall examine the application for such permits to insure the plan has met all proper utility easement requirements and Fire Marshal requirements. **(Ord. No. 2004-02; 02-05-04)**

**6-1-7**            **REVOCATION OF PERMIT.** The Building Official may revoke a permit or approval issued in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

**6-1-8**            **APPROVAL OF PERMIT IN PART.** Nothing in this Chapter shall be construed to prohibit the Building Official from issuing a permit for the construction of part of a building or structure before the entire plans and detailed statements of said building or structure have been submitted or approved, provided adequate information and detailed statements have been submitted for the same and have been found to comply with this Chapter.

**6-1-9**            **PERMIT FOR APPROVAL.** No permit to remove a building or structure shall be issued until notice of application thereof shall have been given to the owners of property adjoining the property upon which the building or structure is to be removed and to the owners of wires or other impediments the temporary removal of which will be necessary, and an opportunity has been given said owners to be heard upon such application; nor until a bond in an adequate sum has been filed with the officer of proper authority, to indemnify and save harmless the municipality from damage. **(Ord. No. 2013-13; 11-07-13)**

**6-1-10**           **COMPLIANCE WITH PERMIT.** All work performed under a permit issued by the Building Official shall conform to the approved application and plans, and approved amendments thereto. The location of all new construction as shown on the approval plot plan or an approved amendment thereto shall be strictly adhered to.

**6-1-11            REDUCING OR DIMINISHING LOT AREA.** It shall be unlawful to reduce or diminish the area of a lot or plot of which a plot plan has been filed and has been used as the basis for a permit, unless a revised plot plan showing the proposed changes in conditions shall have been filed and approved; provided that this shall not apply when the lot is reduced by reason of a street opening or widening or other public improvement.

**6-1-12            SIGNATURE TO PERMIT.** Every permit issued by the Building Official under the provisions of this Chapter shall have his signature affixed thereto; but this shall not prohibit him from authorizing a subordinate to affix the Building Official's signature.

**6-1-13            EXPIRATION OF PERMIT.** A permit under which no work is commenced within **six (6) months** after issuance shall expire by limitation and a new permit shall be secured before work is started.

**6-1-14            POSTING OF PERMIT.** A copy of the permit shall be kept on the premises for public inspection during the prosecution of the work and until the completion of the same. The Building Official may require a certified copy of the approved plans to be kept on the premises at all times from the commencement of the work to the completion thereof.

**6-1-15            COMMENCEMENT NOTICE TO BE GIVEN.** The Building Official shall be given at least **twenty-four (24) hours'** notice of the starting of work under a permit.

**6-1-16            PERMIT FEES.** Permit fees under this building permit system shall be as follows:  
 (A) Permit to demolish, shall be **Thirty Dollars (\$30.00)** per project.  
 (B) Permit to construct, alter, or improve a building or structure under **Section 6-1-1**, shall be **Thirty Dollars (\$30.00)**.

**6-1-17            BUILDING OFFICIAL.** The Building Official appointed hereunder, and charged with the administration and enforcement of this building permit system is the Village Clerk.

**6-1-18            BUILDING PERMIT COMMITTEE.**  
 (A) There is hereby created a committee of the Board of Trustees of the Village to be known as the "Building Permit Committee," said committee to be appointed by the Mayor and to consist of not less than **three (3) members** of the Board of Trustees. Such committee shall be appointed annually and shall serve until their successors are appointed.

(B) The Building Permit Committee is hereby directed and empowered to adopt rules and regulations for the use of the Village Clerk in his capacity as the "Building Official" in order that enforcement of said regulations requiring the issuance of building permits under the terms of this Chapter shall be uniformly enforced upon all of the residents of the Village.

(C) The Building Permit Committee is directed to adopt said rules and regulations after presenting the same to the Mayor. If the Mayor shall approve said rules and regulations, the committee is directed to have the same printed or mimeographed in book or pamphlet form for the use of the Building Official of the Village.

(D) The Building Permit Committee is hereby authorized from time to time to make such recommendations as may best carry out and implement the spirit of this Chapter in order that the damage to property and person resulting from floods in the Village shall be minimized. **(Ord. No. 515; 10-09-75)**

**6-1-19** **LOT SIZE FOR RESIDENCES.** After **September 2, 1971**, no place for human habitation shall be situated on, or erected, or located upon any tract, plot, or lot of land or portion thereof in the Village, less than **six thousand (6,000) square feet** in size. **(Ord. No. 503; 09-02-71)**

**(Ord. No. 515; 10-09-75)**

## **ARTICLE II – NATIONAL LIFE SAFETY CODE**

**6-2-1** **LIFE SAFETY CODE.** The 2000 National Life Safety Code, as amended from time to time, is hereby adopted as the law of the Village. **(Ord. No. 2009-02; 05-07-09)**