

CHAPTER 150: BUILDING REGULATIONS; CONSTRUCTION

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GENERAL PROVISIONS

§ 150.001 FIRE LIMITS.

(A) *Limits.* The fire limits of the city are defined as follows: that portion of Blue Island bounded on the north by the city limits, on the west by the centerline of Greenwood Avenue and Greenwood Avenue if extended to the south as far as the centerline of 135th Street, and south on the centerline of 135th Street by a line 400 feet west of and parallel to the centerline of Western Avenue; on the south by the city limits, on the east by a line of 400 feet east of and parallel to the centerline of Western Avenue as far north as the centerline of 135th Street and north of the centerline of 135th Street by the centerline of Rexford Street and of Rexford Street if extended to the centerline of Vermont Street and by the centerline of Gregory Street north of the centerline of Vermont Street and the centerline of Gregory Street if extended, also that portion of Blue Island bounded on the west by the centerline of Greenwood Avenue, on the east by the city limits and on the north and south by lines drawn on each side of, running parallel to and 130 feet distant from the centerline of Vermont Street and that part of the city which is bounded on the east by California Avenue, on the north by 139th Street, on the northwest by Coopers Grove Road, on the west by Kedzie Avenue and on the south by the city limits.

(B) *New construction.*

(1) All materials used for exterior wall construction of any building or structure hereinafter erected within the fire limits shall be of masonry. However, frame construction shall be allowed in all residence districts for garages or other accessory buildings which are designed and intended as an accessory use, but not for residential occupancy.

(2) All materials used for interior wall, ceiling and floor construction of all buildings or structures hereinafter erected within the fire limits, including garages and accessory buildings, shall be of fire-resistive materials with a fire rating of not less than two-hours in accordance with the current standards established by the American Insurance Association or its successors.

(3) All buildings or structures hereinafter erected within the fire limits, including garages and accessory buildings, shall comply with all other applicable city zoning, building or other ordinances or applicable state law.

(C) *Existing buildings or structures.*

(1) In a district zoned residential within the fire limits, an existing wood frame building may be enlarged by a frame addition not to exceed 200 square feet in area. However, the building may not be increased in height. A frame building in a district zoned commercial or industrial may not be enlarged unless the addition is built in accordance with the requirements of this section. The exterior walls of any addition to a brick or similar building in all zoning districts shall be constructed with the same material as the existing building or structure. However, any building used exclusively for residential purposes, the habitable portions of which are enclosed by exterior walls of brick or masonry, may have added an enclosed porch or an enclosure of an existing porch with the material or materials constituting the exterior walls of the enclosed porch of a fire-resistive material with a fire rating of not less than three-fourths of an hour in accordance with the current standards established by the American Insurance Association or its successors. A frame building in all zoning districts may be altered by the construction of exterior walls or the covering of the frame exterior walls with fire-resistive materials having a fire rating of not less than two hours in accordance with the current standards established by the American Insurance Association or its successors.

(2) All materials used for interior wall, ceiling and floor construction in altering, enlarging or repairing an existing building or structure within the fire limits, including garages and accessory buildings, shall be of fire-resistive materials with a fire rating of not less than two hours in accordance with the current standards.

(3) A frame building within the fire limits which is damaged by fire to an extent greater than 50% of its value shall not be repaired or rebuilt.

(D) *Wooden frames.* No building or structure of wood frame or other combustible construction shall be moved from without to within the fire limits, or from one lot to another lot therein.

(1991 Code, § 150.002) (Ord. 1837, passed 7-13-1959; Ord. 2120, passed 2-23-1970; Ord. 2134, passed 9-28-1970; Ord. 2293, passed 11-25-1975) Penalty, see § 150.999

§ 150.002 FEES AND DEPOSITS.

(A) *General contractor registration fees.* The annual registration fee for all contractors who shall register with the city shall be \$100. Such registration shall be valid for a period of one year from the date of purchase.

(B) *Plumbing, electrical permit fees.* The following are the fees and deposits which shall be paid by a plumbing and sewer contractor at the time application for a plumbing or sewer permit is filed with the Building Department, which fees and deposits shall be forthwith transmitted to the City Collector:

(1) *Permit fee for tapping water main.*

- (a) For each one-inch tap to water main: \$300;
- (b) For each tap larger than one inch: \$400; and
- (c) Plumbing contractor to provide all labor and materials for taps over one inch.

(2) *Fee for use of fire hydrant meter.* Deposit for fire hydrant meter: \$200. Fee to be returned after subtraction of the amount to be paid for water usage and/or damage to meter;

(3) *Permit fee for connection to sewer.* All work to be tested by the city before back filling: \$200;

(4) *Inspection fees.*

- (a) Five fixtures or less: \$50;
- (b) For each additional fixture: \$10; and
- (c) Sprinkler systems (per head): \$1.

(5) *Water service.*

- (a) Replacement of water service: \$60; and
- (b) Installation of new water service: \$75.

(6) *Deposits and inspection fees for opening streets and parkways.*

- (a) 1. Street openings: \$300; and
- 2. Amount returned 45 days after completion: \$200.
- (b) 1. Parkway openings: \$125; and
- 2. Amount returned 45 days after completion: \$75.

(C) *Electrical contractor permit fees.* The following are the fees and deposits which shall be paid by an electrical contractor at the time application for an electrical permit is filed with the Building Department, which fees and deposits shall be forthwith transmitted to

the City Collector:

(1) *Service inspection fees.*

- (a) One hundred amperes service: \$30;
- (b) Two hundred amperes service: \$50;
- (c) Four hundred amperes service: \$75;
- (d) Any service over 400 amperes: \$100;
- (e) Fifteen amperes circuit (per circuit fee): \$10;
- (f) Twenty amperes circuit (per circuit fee): \$15;
- (g) All circuits exceeding 20 amperes (per circuit fee): \$20;
- (h) One motor or equivalent: \$25;
- (i) Each additional motor fee: \$10; and
- (j) Minimum electric permit:
 - 1. Residential: \$30; and
 - 2. Commercial or industrial: \$50.

(2) *Outdoor signs.* Neon and internal illuminated signs:

- (a) Per square foot: \$1; and
- (b) Electrical connection fee: \$35.

(3) *Single-family residences.* Single-family residences will have minimum 100 amperes service for central air conditioning system prior to approval.

(D) *Bonding.* With every application for a permit there shall be filed by the applicant with the City Clerk an indemnification bond, payable to the city, for the use by any person, corporation or other entity with whom such applicant shall thereafter contract to do work, indemnifying any such person, corporation or entity for damages caused by or sustained because of the failure of such applicant to perform the work so contracted for in accordance with provisions and requirements of the city. The minimum amount of said indemnification bond is as follows:

- (1) For electrical work: \$1,000;
- (2) For plumbing work: \$20,000;
- (3) For sewer work: \$20,000;
- (4) For wrecking or demolition work: \$20,000.

(E) *Licenses, permits.* With every application for an electrical permit there shall be filed, with the Building Commissioner, a copy of the applicant's City of Chicago electrician's license. With every application for a plumbing permit, there shall be filed with the Building Commissioner a copy of the applicant's state plumber's license.

(F) *Miscellaneous fees and charges.*

- (1) A \$25 re-inspection fee will be charged for each re-inspection required to be made to re-inspect the work performed by each trade whose work must be inspected. This fee must be paid prior to the re-inspection.
- (2) An additional \$50 will be charged for each permit required to be issued when work on a job has been started prior to issuance of all required permits.
- (3) A \$25 fee will be charged when a dumpster is brought to a work site.

(G) *Effective date.* This section shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. A full, true and complete copy of this section shall be published in pamphlet form, by authority of the City Council as corporate authorities.

(Ord. 99-247, passed 4-6-1999) Penalty, see § 150.999

§ 150.003 DEPARTMENT OF BUILDINGS; BUILDING COMMISSIONERS.

(A) (1) There is hereby established a department of the city which shall be known as the Department of Buildings and which shall consist of a Building Commissioner and such assistants as may be provided for from time to time by the City Council.

(2) There is hereby created the office of Building Commissioner. This officer shall be appointed by the Mayor, by and with the consent of the City Council. His or her compensation shall be fixed by the City Council. He or she shall, before entering upon the duties of his or her office, enter into a bond in the sum of \$2,000 conditioned upon the faithful performance of the duties of his or her office, with sureties to be approved by the City Council. The Building Commissioner shall be the head of the Department of Buildings and shall

have the management and control of all matters and things pertaining to the Department. It shall be his or her duty to enforce all of the provisions of this chapter and all other ordinances relating to the erection, alteration, repair, removal or safety of buildings. He or she shall perform all duties required of him or her by the provisions of this chapter and other applicable ordinances and other duties required of him or her by the Mayor and City Council.

(1991 Code, § 150.150)

(B) (1) It shall be the duty of the Building Commissioner to enforce the provisions of this chapter and, for that purpose, he or she shall have the power of a police officer.

(2) The Building Commissioner shall check all applications, and all plans and specifications, for a building permit before the permit is issued.

(3) The Building Commissioner shall have the right of entry to any building or structure within the city, whether or not under construction, to perform any duty imposed upon him or her under this code.

(4) If construction in progress is found not to be in compliance with this chapter or any other ordinance of the city, the Building Commissioner is empowered to order the immediate stop of the work, and the work shall forthwith be stopped until adequate provisions for compliance are made. If, at completion, the construction is found to have been done not in compliance with these provisions, the Building Commissioner may refuse to issue a certificate of occupancy for any use of the building until compliance is reached.

(5) The Building Commissioner shall have the power to reject alternate materials or methods if they do not meet the standards established by this chapter, to inspect all of the buildings and structures within the city, shall have the power of judgment as to unsafe and hazardous buildings and structures, and shall have the authority to secure compliance with the provisions and purposes of this chapter.

(1991 Code, § 150.151)

(Ord. 1837, passed 7-13-1959)

BUILDING CODES

§ 150.015 FINDINGS.

It is in the best interest of the Mayor and City Council to adopt such building codes to safeguard the health, safety and welfare of the citizens of the city and protect property by the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures within the city.

(Ord. 12-168, passed 3-13-2012)

§ 150.016 TITLE.

This subchapter shall be known as the "Building Code of the City of Blue Island".

(Ord. 12-168, passed 3-13-2012)

§ 150.017 AUTHORITY.

The Building Code of the city is authorized pursuant to authority granted under the Illinois Municipal Code, including, but not limited to, Div. 30 of the Illinois Municipal Code (65 ILCS 11-30-1 et seq.)

(Ord. 12-168, passed 3-13-2012)

§ 150.018 PURPOSE.

This subchapter is enacted to provide for the minimum requirements to safeguard life or limb, health and the public safety and welfare and the protection of property by regulating and controlling the construction, alteration, removal, demolition, maintenance, materials and use and occupancy of all buildings and structures, providing for the issuance of permits and collection of fees therefore within the city.

(Ord. 12-168, passed 3-13-2012)

§ 150.019 JURISDICTION.

The territorial jurisdiction of this subchapter shall include all of the city.

(Ord. 12-168, passed 3-13-2012)

§ 150.020 INTERPRETATION.

For purposes of interpretation and application, the provisions of this subchapter shall be held to be minimum requirements. Any provision of this subchapter that imposes more stringent regulations, requirements or limitations than are imposed by any other applicable statute or regulation of the state, then the provisions of this subchapter shall govern.

(Ord. 12-168, passed 3-13-2012)

§ 150.021 2012 INTERNATIONAL BUILDING CODE ADOPTED; SUPPLEMENTAL REGULATIONS.

(A) *Adoption.* The city shall hereby adopt the 2012 International Building Code® by reference as if fully set forth herein.

(B) *Supplemental regulations.*

SECTION 1.1: FENCE

All fence permit applications shall be accompanied a staked plat of survey performed by a license surveyor dated no less than six (6) months from the date of application.

SECTION 1.2: FENCE POST INSTALLATION

REQUIREMENTS

All fence posts regardless of composite material shall extend a minimum of thirty-six (36) inches below grade.

Chain link fences shall use only metal posts and all fence posts shall be anchored in concrete thirty-six (36) inches in depth.

The diameter of the fence post anchor hole shall be four times the size of the width of the post.

SECTION 1.31: FACING OF FENCE

Any fence erected on a property line or within one foot of any property line shall be so constructed that the fence posts or other supports for such fence shall be placed or located on that side of the fence which faces the property of the person erecting or causing such fence to be erected, provided, however, that in the case of a fence erected under a mutual agreement between two adjoining properties, the fence posts or other supports may be placed on whichever side such property owners by mutual agreement may elect.

SECTION 1.3.2: ALLOWABLE FENCE HEIGHT

No fence on any lot or parcel of ground located in any area zoned residential shall exceed six (6) feet in height above the side/walk grade or above the surface of the ground where no grade is established, except that a fence designed and used to enclose a swimming pool may be more than six (6) feet but not more than eight (8) feet in height above the grade as aforesaid.

SECTION 1.3.3: ALLOWABLE FENCE LOCATION

No fence on any lot or parcel of ground located in a residential zone may be erected on any portion of such lot or parcel within the front yard of a residential structure.

SECTION 1.4: USE OF SECURITY WIRE IN FENCE

APPLICATIONS

All fences with the exception of those located in areas zoned Industrial shall be strictly prohibited from using security wire on a fence. Security wire is commonly referred to as, but not limited to: Barbed wire or Razor Wire.

SECTION 1.5: RELOCATION OF WATER

METERING DETECTION DEVICE.

When a water metering detection device is located within the boundary area of a proposed fence to be erected it shall be the responsibility of the occupant and/or contractor to notify the City of Blue Island Water Department prior to the construction of said fence. After the aforementioned device has been relocated by City of Blue Island water department personnel and all applicable permits have been secured such work may be allowed to commence.

(Ord. 12-168, passed 3-13-2012)

§ 150.022 2012 INTERNATIONAL EXISTING BUILDING CODE ADOPTED.

The city shall hereby adopt the 2012 International Existing Building Code® by reference as if fully set forth herein.

(Ord. 12-168, passed 3-13-2012)

§ 150.023 2012 INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED.

The city shall hereby adopt the 2012 International Energy Conservation Code® by reference as if fully set forth herein.

(Ord. 12-168, passed 3-13-2012)

§ 150.024 2012 INTERNATIONAL MECHANICAL CODE ADOPTED.

The city shall hereby adopt the 2012 International Mechanical Code® by reference as if fully set forth herein.

(Ord. 12-168, passed 3-13-2012)

§ 150.025 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED; SUPPLEMENTAL REGULATIONS.

(A) *Adoption.* The city shall hereby adopt the 2012 International Property Maintenance Code® as if fully set forth herein.

(B) *Supplemental regulations.*

101.1: TITLE.

Insert “the City of Blue Island”

102.3: APPLICATION OF OTHER CODES.

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the City's most currently adopted building, fire, electrical, mechanical and plumbing codes. Nothing in this code shall be construed to cancel, modify or set aside any provision of the City of Blue Island Zoning Code.

103.5: FEES.

Insert "The appropriate City of Blue Island fee schedule."

108.4: PLACARDING.

Delete the word "Condemned" and insert "Not Approved For Occupancy."

108.5: PROHIBITED OCCUPANCY.

Delete in entirety and insert:

Any person who shall occupy a placarded premises or structure or any part thereof, or shall use placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises, shall be liable for the penalties provided by this code. Notwithstanding the foregoing, access to a placarded structure may be permitted to a person or owner, for the limited purpose of removing personal property of said person or owner from said structure, provided they i) obtain permission of the City of Blue Island Building Department prior to said access, and ii) are accompanied by a City of Blue Island Building Department employee during the time of said access. The time and manner of access to a placarded structure shall be determined by the City of Blue Island Building Department during normal operating hours of the Building Department. Access to a structure pursuant to this Subsection is within the sound discretion of the Building Department and may be denied on the basis of safety, health, or hazard.

109.1: IMMINENT DANGER.

Delete "This Structure Is Unsafe and Its Occupancy has been Prohibited by the Code Official" and insert "NOT APPROVED FOR OCCUPANCY."

112.4: FAILURE TO COMPLY.

Delete "of not less than \$50.00 dollars or more than \$750.00 dollars."

112.5: FAILURE TO OBTAIN BUILDING PERMIT.

Whenever the code official finds any work regulated by this code being performed without the appropriate City Building Permit being displayed, the code official is authorized to post a "STOP WORK" warning on the jobsite until such time as the proper permits are obtained.

201.3: TERMS DEFINED IN OTHER CODES.

Delete in its entirety.

SECTION 202: GENERAL DEFINITIONS.

Shall be amended to include the following definitions:

Accessory Structure. A structure, whether temporary or permanent, the use of which is incidental and secondary to that of the principal building and is located on the same premises.

Basement. A portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.

Building. Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and which is permanently affixed to the land.

Building Code. The building code officially adopted by the legislative body of this jurisdiction, or such other code as may be officially designated by the legislative body of the jurisdiction for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures.

Building Official. The official designated by the jurisdiction to enforce building, zoning or similar laws, or his duly authorized representative.

Cellar. A portion of a building located partly or wholly underground and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

Dilapidated. A building, structure, or part thereof which is in a state of ruin or shabbiness resulting from neglect. The term implies a hazard to life or property.

Dwellings.

One-family dwelling: A building containing one dwelling unit.

Two-family dwelling: A building containing two (2) dwelling units.

Multi-family apartment house: A building or portion thereof containing more than two (2) dwelling units.

Boarding house, tourist house: A building arranged or used for the lodging with or without meals, for compensation, by more than five (5) and not more than twenty (20) individuals.

Rooming house: A building or part thereof, in which sleeping quarters (but not meals or cooking facilities) are provided by prearrangement for compensation on a weekly or longer basis for 3 or more persons.

Hotel: Any building containing six (6) or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests.

Dwelling Unit. A single unit providing complete, independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation. Exterior Property Areas. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

Extermination. The control and elimination of insects, rodents, or other pests by eliminating their harboring places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigation, trapping; or by any other recognized and legal pest elimination approved by the health officer.

Garbage. Wastes resulting from the handling, preparation, cooking and consumption of food including wastes from the handling, storage and sale of produce. Grade. The average level of the finished surface of the ground adjacent to the exterior Hotel. See "Dwellings."

Infestation. The presence, within or contiguous to, a structure or premises, of insects, rodents, vermin or other pests.

Junk Vehicle. Any vehicle which is without a currently valid license plate or plates and is in either a rusted, wrecked, discharged, dismantled, partly dismantled, inoperative, or abandoned condition. A junked vehicle shall be classified as to its condition in one (1) of the two (2) following categories:

Restorable: A junked vehicle that is in a condition whereby repairs to same could be made to place it in operating condition without exceeding the estimated value when repaired.

Wreck: A junked vehicle in such condition that it is economically unsound to restore same to operating condition considering the repairs to be made, age of the vehicle, market value of the vehicle if it were restored or in such condition that the public officer, in his opinion determines that it warrants such classification.

The code official shall make the final determination as to the classification to be assigned to any one (1) particular vehicle.

Maintenance. Conformance of a building and its facilities to the code under which the building was constructed.

Multifamily Dwellings. See "Dwellings".

Occupant. Any person, living, sleeping, cooking, or eating in, or having actual possession of a dwelling unit or rooming unit. Refuse. See "Rubbish."

Rehabilitation. Repairs to, or replacement of, present elements of any existing building, such as windows, stairs, flooring, wiring, etc.; or rearrangement of rooms, by the relocation of partitions or walls; or by the installation of new bathrooms or kitchens; or the general replacement of the interior or portions of the interior of a building; which may or may not include changes to structural elements such as floor systems, roof systems, columns, or load bearing interior or exterior walls.

Renovation. A building and its facilities made to conform to present day minimum standards of sanitation, fire and life safety.

Service Facilities. Those facilities and fixtures necessary for the supply of such required basic services as heat, electricity, hot and cold water, and sewage disposal.

Unsanitary Condition. A condition constituting a danger or hazard to the health of a person or persons occupying or frequenting a building or premises, or to the general public.

SECTION 301.2.1: RESPONSIBILITY OF LESSOR.

Any dwelling unit, offered for rental, is required to be inspected by Building Department inspectors prior to occupancy. All rental units must be clean, sanitary, pest free and in good repair. All required or supplied equipment, fixtures and structural elements shall function as intended by the manufacturer or builder of said item. All walls and ceilings to be either freshly painted or grease free, cleaned and sanitized.

SECTION 302.3: SIDEWALKS AND DRIVEWAYS.

Delete in entirety and insert:

All sidewalks, walkways, stairs, driveways, parking spaces and similar paved areas for public use shall be kept in a proper state of repair and free of all snow, ice, mud and other debris. If any sidewalk or driveway or portion thereof by virtue of its state of repair shall constitute a danger to public health and safety, the sidewalk or driveway or portion thereof shall be replaced.

Property owners shall maintain all parkway areas, curb lines, easements and alleyways to the midpoint adjacent to their property. Tree maintenance and planting in the parkways shall be done in accordance with any applicable ordinances.

SECTION 302.4: WEEDS.

Insert "six (6) inches."

Add new:

Section 302.4.1: Yards.

All residential yard areas not covered by buildings, gardens or common landscaping will be maintained with grass.

SECTION 302.8: MOTOR VEHICLES.

Delete in entirety and insert:

Except as provided in other regulations, not more than one (1) currently unregistered and/or uninspected motor vehicle shall be parked on any property in a residential district. No vehicle shall be allowed to be in a state of major disassembly, disrepair or in any condition as defined as a “junk vehicle”, nor shall it be in the process of being stripped or dismantled. A vehicle of any type shall not at any time undergo major overhaul, including bodywork, in a residential district. No automotive repair business of any type shall be allowed on residential properties.

SECTION 302.8.1: MOTOR VEHICLE PARKING,

All parking areas for motor vehicles shall be paved with bituminous, concrete or an equivalent surface and shall be kept free from litter and debris and in good repair. Boats, watercraft, recreational watercraft, recreational vehicles, trailers and campers or any vehicle pulled by another vehicle or upon a trailer may only be parked in barrier areas in the rear yard. The surface in these areas shall be bituminous, concrete, gravel or an equivalent surface and shall be kept free from litter, debris and in good repair. The barriers shall be constructed of concrete, landscape timbers or other equivalent material approved by the building department.

SECTION 302.8.3: MOTOR VEHICLE PARKING,

NON-RESIDENTIAL.

Except as provided in other regulations and approved by the code official, not more than two (2) currently unregistered and/or uninspected motor vehicles shall be permitted on any property in a non-residential district, and any vehicle shall not at any time be in the process of being stripped or dismantled.

SECTION 302.9.1: DUMPING UPON A WATERWAY.

Depositing or throwing refuse or garbage of any kind in a channel, river, stream or any waterway is prohibited.

SECTION 302.9.2: LITTERING.

Throwing or depositing garbage or refuse of any kind, including but not limited to cans, bottles, paper and plastic, in any street, alley, park or public way within the City is unlawful.

SECTION 302.10: REMOVAL OF UNUSED FUEL OIL

DRUMS.

Fuel oil drums or tanks, which are no longer in use to store fuel oil for heating, shall be removed prior to the transfer of ownership of any real property in which they are located. Removal shall be accomplished as a condition of approval of the premises for sale by the building department. The Building Department may order immediate removal of any fuel oil drums or tanks that it determines endangers or may endanger the public’s health, safety or welfare if not removed. The owner or occupant of the real property shall remove the fuel oil drum or tank immediately if ordered to do so in this situation.

SECTION 302.11: CARETAKER.

In every multiple dwelling two (2) units or more there shall be a person or entity designated by the owner, whose duties include maintaining the commonly used parts of the premises. It shall be the responsibility of the property owner to provide the name and emergency contact information for the designated individual or entity to the Building Department and update it as needed. It shall be the responsibility of the Building Commissioner to maintain these records.

SECTION 302.12: PROVISION OF SERVICE

FACILITY, EQUIPMENT OR UTILITY.

No owner, operator or occupant shall cause any service facility, equipment or utility which is required under this housing code, to be removed from, shut off and/or discontinued from any occupied dwelling unit, except such temporary interruption as may be necessary while actual repairs or alterations are in process, when discontinuance of service is approved by the Building Commissioner, and except during temporary emergencies.

SECTION 302.13: OUTDOOR STORAGE AREAS.

Business Zoning Districts: All storage, with the exception of “limited” display of merchandise, shall be in completely enclosed buildings or obscured from public view by a solid fence or wall not less than eight (8) feet in height or by densely planted vegetation so designed and planted as to be 75 percent opaque when viewed horizontally between two (2) feet and eight (8) feet above ground level.

Residential Zoning Districts: All outdoor storage for a continuous period exceeding 15 days in length shall be enclosed or obscured from view as required for storage in business districts. However, the storage of such functional items as children’s play structures, firewood, and operable automobiles and bicycles shall be exempt from this provision.

SECTION 304.3: PREMISES IDENTIFICATION.

Delete in entirety and insert:

All buildings shall have an appropriate address marking affixed to the structure in a location and size that is visible and legible to any public safety or emergency vehicle from the street. All buildings that are accessible from a public alley vehicle shall also have an appropriate address marking affixed in a location and size that is visible and legible to any public safety or emergency vehicle from the public alley. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

SECTION 304.5.1: BASEMENTS FREE FROM
DAMPNESS.

Cellars, basements and crawl spaces shall be maintained reasonably free from dampness to prevent conditions conducive to decay or deterioration of the structure.

SECTION 304.7: ROOFS AND DRAINAGE.

Insert at end:

“and the discharge hose must be at least five (5) feet away from all property lines. Sump pump discharges must be directed to the rear of the property and must end at least ten (10) feet from property lines. All residential gutters and downspouts shall be disconnected from entry into the sewer system except in those instances when the Building Commissioner or his designee determines that a discharge of water cannot be made into a yard area without causing a problem to the property owner or to an adjacent property.”

SECTION 304.14: INSECT SCREENS.

Delete “During the period from (DATE) to (DATE)

SECTION 305.3.1: BATHROOM AND KITCHEN
FLOORS.

Every toilet, bathroom and kitchen floor surface shall be constructed and maintained so as to be substantially impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition and uniform in appearance.

SECTION 307.1: GENERAL.

Delete in entirety and insert:

Every interior and exterior flight of stairs shall conform to the applicable codes and requirements of the currently adopted version of the International Residential Code.

SECTION 308.3.1: GARBAGE FACILITIES.

Delete in entirety and insert:

The owner of every multi-family dwelling containing four (4) units or more, and all commercial businesses, shall contract with a private scavenger service for disposal of all garbage, rubbish, trash or other disposables. All such items are required to be placed in leakproof containers equipped with close-fitting covers, provided by the scavenger service for the storage of such materials. All garbage, rubbish, trash or other disposable items are to be placed in the container, no higher than the top of the container, with the lids closed at all times, until removed from the premises by the scavenger company. In the event that the garbage, rubbish, trash or other disposable items exceeds the top of the container and the lids cannot be tightly closed it is the responsibility of the owner or operator of the dwelling or business to contact the scavenger service for more frequent pick-ups or additional containers. No garbage, rubbish, trash or other disposables are to be placed or left on the ground.

SECTION 308.3.2: CONTAINERS.

Delete in entirety and insert:

All single family, two or three unit dwellings, are required to have a sufficient number of garbage totters. There should be a minimum of one totter per unit. All garbage, rubbish, trash or other disposable items are to be placed inside the totter and the lid kept tightly closed at all times. If there is more garbage, rubbish, trash or other disposable items than can be properly kept in a single totter with the lid tightly closed it is the responsibility of the owner to obtain an additional totter or totters. If more than one totter per unit is needed, they are available at an additional charge. The waste hauler having the current service contract with the City supplies garbage totters to be used. No garbage, rubbish, trash or other disposables are to be placed or left on the ground.

SECTION 308.3.3: USE OF GARBAGE BAGS.

Plastic bags outside the garbage container may only be used for leaves, grass clippings, newspapers or magazines. Papers and magazines not in containers must be bundled and tied. No wet garbage is to be placed in any plastic bag.

SECTION 308.3.4: SANITATION.

The owner of every dwelling is responsible to keep the area where garbage is stored in a clean and sanitary condition.

SECTION 309.4: MULTIPLE OCCUPANCY.

Delete “the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.”

And add “all areas of the structure and exterior property. All extermination that is done in any residential building having two or more residential units shall be performed by an exterminator having a current state certification.”

SECTION 309.4.1: PROOF OF EXTERMINATION.

The owner of any rental unit shall provide proof that the unit has been exterminated prior to tenant occupying the unit.

SECTION 308.5: OCCUPANT.

Delete in entirety.

SECTION 404.1: PRIVACY.

Delete in entirety and add:

“Every dwelling unit shall be arranged in such a manner that each room is accessible from every other room without the use of hallways, rooms or other areas not exclusively a part of such dwelling unit. No dwelling unit shall be accessible from any hallway, room or other area not exclusively a part of such dwelling unit except through a doorway equipped with a door and a lock.”

SECTION 404.4.6: BASEMENT ROOMS.

Basement rooms partially below grade shall not be used for living purposes unless:

1. more than half its clear floor to ceiling height is above the average grade of the adjoining ground;
2. required minimum window area of every habitable room is entirely above the grade of the ground adjoining such window area;
3. the dwelling unit meets the other requirements of this Property Maintenance Code.

SECTION 404.6: EFFICIENCY UNIT.

Change “three” to “two.”

SECTION 502.5: PUBLIC TOILET FACILITIES.

Delete “International Plumbing Code” and add “most currently adopted plumbing code.”

SECTION 505.4: WATER HEATING FACILITIES.

Delete “of not less than 110 degrees F (43 degrees C).”

And add “in accordance with the most currently adopted plumbing code.”

SECTION 602.2: RESIDENTIAL OCCUPANCIES.

Delete in entirety and add:

Every dwelling unit, or rooming unit shall have heating facilities which are properly installed, are maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments contained therein to a temperature of 72 degrees Fahrenheit at a distance of 18 inches above floor level when the outside temperature is a minimum 10 degrees Fahrenheit; provided that gas or electric appliances designed exclusively for cooking or water heating purposes shall not be considered as heating facilities within the meaning of this provision.

A minimum temperature of 72 degrees Fahrenheit from 6:30 A.M. to 11:00 P.M. and 65 degrees Fahrenheit from 11:00 P.M. to 6:30 A.M. averaged throughout any dwelling unit or rooming unit shall be maintained without such undue restriction of ventilation, as to interfere with proper healthful conditions.

SECTION 602.3: HEAT SUPPLY.

Delete in entirety.

SECTION 602.4: OCCUPIABLE WORK SPACES.

Delete “during the period from (DATE) to (DATE)”

SECTION 602.5: ROOM TEMPERATURE

MEASUREMENT.

Delete in entirety.

SECTION 604.2: SERVICE.

Delete “60 amperes” and add “100 amperes”

SECTION 702.2: AISLES.

Delete “International Fire Code” and add, “most currently adopted Fire Code.”

SECTION 702.4: EMERGENCY ESCAPE OPENINGS.

Delete “Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the

minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.”

SECTION 702.4.1: SECURITY COVERINGS.

Burglar bars, grilles, grates, gates or any other security type devices shall be prohibited from use in any and all applications.

SECTION 704.1: GENERAL.

Delete “International Fire Code” and add, “most currently adopted Fire Code.”

SECTION 704.2: SMOKE ALARMS.

Delete “International Fire Code” and add, “most currently adopted Fire Code.”

SECTION 704.3: POWER SOURCE.

Change “Exception: Smoke alarms” to “Exception: Existing smoke alarms”

APPENDIX A - BOARDING STANDARD.

Delete in entirety.

(Ord. 12-168, passed 3-13-2012)

§ 150.026 STATE STATUTES ADOPTED.

The city shall hereby adopt the following state statutes by reference as if fully set forth herein:

- (A) 210 ILCS 115(2010), Mobile Home Act;
- (B) 210A ILCS 120(2010), Mobile Home Tiedown Act;
- (C) 210A ILCS 117(2010), Abandoned Mobile Home Act; and
- (D) 430 ILCS 115/1(2010), State Manufactured Housing And Mobile Home Safety Act.

(Ord. 12-168, passed 3-13-2012)

§ 150.027 2008 ILLINOIS FOOD SERVICE SANITATION CODE ADOPTED.

The city shall hereby adopt the 2008 Illinois Food Service Sanitation Code® as if fully set forth herein.

(Ord. 12-168, passed 3-13-2012)

§ 150.028 2012 INTERNATIONAL RESIDENTIAL CODE ADOPTED.

The city shall hereby adopt the 2012 International Residential Code® as if fully set forth herein.

(Ord. 12-168, passed 3-13-2012)

§ 150.029 2012 NFPA 1, UNIFORM FIRE CODE ADOPTED; SUPPLEMENTAL REGULATIONS.

(A) *Adoption.* The city shall hereby adopt the 2012 NFPA 1, Uniform Fire Code® as if fully set forth herein.

(B) *Supplemental regulations.*

SECTION 10.1- MONITORING OF FIRE ALARM AND

AUTOMATIC SPRINKLER SYSTEMS.

Newly installed Automatic sprinkler systems, and Fire detection systems shall be supervised directly by the Blue Island Dispatch Center and transmit signals via wireless radio transmitter. Existing Automatic sprinkler systems and Fire detection systems shall be converted to transmit directly to the Blue Island Dispatch Center via wireless radio transmitter by January 1, 2014.

SECTION 10.2-PLACEMENT OF COMBINATION

STYLE SMOKE/CO ALARMS IN EXISTING

APARTMENT BUILDINGS.

Existing apartment buildings shall be required to have combination style smoke/co alarms in all corridors, and in all sleeping areas. Such devices shall be hard wired directly to the buildings electrical system and shall have battery back-up.

SECTION 10.3- NEW CONSTRUCTION OF NON-

SINGLE FAMILY RESIDENTIAL STRUCTURES.

The first responding fire department apparatus shall be able to reach all interior points of a newly constructed non-single family residential structure with a 150 foot initial attack hose or a distance approved by the code official and/or Fire Chief. Where this

requirement cannot be met, an interior standpipe system equipped with fire department hose connections will be required. The standpipe system shall be installed in accordance with the currently adopted version of NFPA 14 (Standard for installation of standpipe and hose systems). The standpipe system shall be connected to a public water system, and shall have a fire department connection.

(Ord. 12-168, passed 3-13-2012)

§ 150.030 2004 ILLINOIS STATE PLUMBING CODE ADOPTED; SUPPLEMENTAL REGULATIONS.

(A) *Adoption.* The city shall hereby adopt the 2004 Illinois State Plumbing Code® as if fully set forth herein.

(B) *Supplemental regulations.*

SECTION 11.1-CHANGES TO PLUMBING CODE.

The construction and installation of all plumbing and sewerage within the City of Blue Island shall conform to the regulations set forth in the Illinois Plumbing Code, 2004 Edition, as published by the Illinois Department of Public Health, as revised from time to time, and the Rules and Regulations contained in 77 Illinois Administrative Code, Part 890, as amended from time to time, for regulating and governing the conditions and maintenance of all property, buildings and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of said Plumbing Code and Rules and Regulations contained in 77 III. Admin. Code, Part 890, which is on file in the Clerk's Office of the City of Blue Island, are hereby adopted and made a part hereof as if fully set out in this Ordinance, with the exception of those sections of the Illinois Plumbing Code and with the exception of those Sections of 77 III. Admin. Code, Part 890, which are amended in Sub-section 2 of this Ordinance."

SUB-SECTION 2. The following sections of the Illinois Plumbing Code, 2004 edition and/or the following Sections of 77 III. Admin. Code, Part 890 are hereby adopted by the City of Blue Island as the City of Blue Island Plumbing Code with the following amendments:

A. Section 890.320 shall be amended by adding the following sentence to Subsection d) entitled "Soldered Joints" as follows: "All excess solder and flux shall be wiped from copper tubing and copper sweat fittings."

B. Section 890.520 entitled "Gasoline, Oil and Flammable Liquids" shall be amended by amending the first sentence to read as follows: "Commercial vehicle repair garages, gasoline stations, storage facilities, enclosed parking garages, fire stations, emergency vehicle garages, and all facilities with grease racks or pits, and oil change facilities shall be provided with floor drains or trench drains connected to an approved gas or oil interceptor."

C. Section 890.1190 entitled "Water Supply Control Valves and Meter shall be amended by adding the following language as Subsection h): "h) Meter Valves Required: Valves shall be required on both the inlet and outlet side of all water meters and valves shall not be less in size than the size of the building's water service. The inlet side valve shall be a ball-type valve, either straight through or angled, equipped with padlock wings. Meter valves shall conform to A.W.W.A. standards for brass valves. A drip valve shall be installed on the discharge side of the meter."

D. Section 890.1200 entitled "Water Service Sizing" shall be amended as indicated below: Subsection a) shall be amended as follows: "a) Water Service Pipe Sizing. Water service pipe and fittings shall be a minimum 1" Type K copper."

The third sentence regarding the prohibition of the use of plastic water pipe shall be deleted.

E. Section 890.1210 entitled "Design of a Building Water Distribution System" shall be amended as follows:

Subsection f) 1) entitled "Air Chambers" shall be amended to read as follows: "1) An air chamber will be installed at all fixture supplies. Such air chambers shall be at least 12 inches in length and at least the same size as the fixture supply. An air chamber installed on a riser shall be at least 24 inches in length and at least the same size as the riser."

F. Section 890.1210 entitled "Design of a Building Water Distribution System" shall be amended by adding the following Subsection: "j) Branch Lines Sizes. The maximum length of such branch pipes shall be: 3/8" 6 feet; 1/2" 20 feet; 3/4" 60 feet."

G. Section 890.1360 entitled "Sanitary Wastes Below Sewer" shall be amended by adding the following sentence to the end of Subsection b): "Sump Pumps and Ejector Pumps must be designed with a minimum of 34 horse power and sump pumps and ejector pumps must each be capable of discharging a minimum of 3,000 gallons per hour."

H. Section 890.1500 entitled "Installation of Wet Venting" shall be amended by deleting the Section 890.1500 in its entirety since the City of Blue Island does not allow Wet Venting.

I. Section 890.1520 entitled "Circuit and Vent Looping" shall be amended by deleting Section 890.1520 in its entirety since the City of Blue Island does not allow Circuit and Vent Looping.

J. Section 890, Appendix A shall be amended as follows: All reference to PVC Pipe with Cellular Core shall be deleted in its entirety. Cellular Core Pipe is not allowed by the City of Blue Island. **SUB-SECTION 3:** The construction of all plumbing and sewerage subsequent to the adoption of this Ordinance shall meet the accessibility requirements of the 2004 Edition of the Illinois Plumbing Code, 77 HI. Admin. Code, Part 890 and the Illinois Accessibility Code, all as amended from time to time.

SUB-SECTION 4. That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SUB-SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form

as provided by law.

SECTION 11.2-EXPOSURE OF WALLS AND CEILINGS.

When walls or ceilings are opened or exposed for any purpose the plumbing system contained within shall be required to meet the provisions of the aforementioned adopted code.

(Ord. 12-168, passed 3-13-2012)

§ 150.031 2005 NATIONAL ELECTRICAL CODE ADOPTED; SUPPLEMENTAL REGULATIONS.

(A) *General.* The city shall hereby adopt the 2005 National Electrical Code® as if set forth herein.

(B) *Supplemental regulations.*

SECTION 12.1: USE OF ALUMINUM WIRE.

The use of aluminum wire shall be strictly prohibited in all applications.

SECTION 12.2: USE OF METALLIC FLEXIBLE TUBING.

The use of Metallic flexible tubing (commonly referred to as: Whip/BX/Greenfield) in exposed areas shall not extend more than 6 feet from termination points.

SECTION 12.3: USE OF NON-METALLIC CABLE.

The use of non-metallic cable (commonly referred to as “Romex”) or any other soft sleeve type cable containing electrical conductors within shall be strictly prohibited from use in all applications.

SECTION 12.4: USE OF PLASTIC/PVC OR NON-METALLIC CONDUIT PIPE.

The use of plastic/pvc or any other non-metallic piping above grade shall be strictly prohibited from use in all applications. Any plastic/pvc or any other non-metallic pipe used in below grade applications shall be UL listed and approved for such usage.

SECTION 12.5: MINIMUM REQUIREMENT FOR DOUBLE METER SERVICES AND ABOVE.

In such applications when there is more than one meter as part of the electrical service that supplies any structure regardless of intent, a minimum of a 200-ampere riser and corresponding components as required by the aforementioned code shall be required.

SECTION 12.6: MINIMUM ELECTRICAL SERVICE REQUIREMENT.

The minimum electrical service allowable shall be 100 amperes.

In the event of rehabilitation or retrofitting of 50 percent or more of an existing electrical system that is less than 100 ampere shall require that system to be upgraded to the 100-ampere minimum.

When existing electrical systems are deemed unsafe by the Building Commissioner or his designee they shall be required to be placed out of service and replaced with the 100-ampere minimum required and/or 200-ampere riser requirement where double meters are present.

SECTION 12.7: EXPOSURE OF WALLS AND CEILINGS.

When walls or ceilings are opened or exposed for any purpose the electrical system contained within shall be required to meet the provisions of the aforementioned adopted code.

(Ord. 12-168, passed 3-13-2012)

§ 150.032 PLAN REVIEW; PERMIT PROCESS AND PROCEDURES; COMPONENTS.

(A) *General.* Plan reviews are necessary for projects including, but not limited to, structural alteration, new construction, extensive rehabilitation of over 1,200 square feet or \$10,000 in estimated cost. Construction prints, drawings and related documents shall be stamped by a licensed architect, structural engineer or other pertinently qualified professional engineer when submitted for plan review. Plan review and permit fees shall apply, and shall be paid at the time permit is granted and issued.

(B) *Components of the plan review process.* Planning Department Representative will review to ensure that the proposed project is in accordance with the city’s Zoning Code and Development Plan. Building Department staff will meet collectively and review to ensure that the proposed project meets the requirements of the applicable codes and provisions adopted by the city.

(Ord. 12-168, passed 3-13-2012)

§ 150.033 CONFLICTS.

(A) The housing stock and commercial properties located within the city are diverse and present many different scenarios, circumstances and situations to the Building Code officials due to the various ages and previously accepted construction methods. In the event of rehabilitation, addition or new construction, the Building Commissioner shall have the authority to grant variance in appropriate situations due to existing conditions as explained in the aforementioned.

(B) In the event where there is a conflict between the aforementioned adopted codes and provisions, the Building Commissioner or his or her designee shall render the final decision on which provision shall supersede.

(Ord. 12-168, passed 3-13-2012)

§ 150.034 EFFECTIVE DATE.

This subchapter shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. A full, true and complete copy of this subchapter shall be published in pamphlet form, by authority of the City Council as corporate authorities.

(Ord. 12-168, passed 3-13-2012)

BUILDING PERMITS

§ 150.045 REQUIRED.

No building shall be erected, altered or repaired within the city, nor shall any excavation preliminary thereto commence, unless a building permit has been obtained from the Building Commissioner. No person shall begin any work for which a building permit is required or begin any work or excavation in preparation for the work until a building permit has been obtained. It shall be the responsibility of all workers and persons furnishing materials to ascertain that a building permit, where one is required, has been properly issued before commencing work or delivery of materials.

(1991 Code, § 150.015) (Ord. 1837, passed 7-13-1959; Ord. 2089, passed 12-23-1968; Ord. 2330, passed 4-27-1976; Ord. 2332, passed 4-27-1976) Penalty, see § 150.999

§ 150.046 APPLICATION.

(A) *Application for permit.* The application for a building permit shall be made to the Building Commissioner in writing upon a form for that purpose. The application shall contain the name of the owner or owners and, if title is held by means of a land trust, the beneficiary or beneficiaries; the exact location of the proposed work; the character of the work; the proposed use or occupancy of all parts of the building; the estimated cost of the proposed work; and other required information. Plans and specifications shall be submitted with the application to the Building Commissioner for his or her approval. The application must be signed by the owner or all owners, the beneficiary or all beneficiaries of a land trust, the architect if one is engaged, and the contractor having primary responsibility for the progress of the work, all of whom shall be jointly and severally responsible for compliance with the provisions of city and state laws.

(B) *Plans and specifications.* The application for a building permit shall be accompanied by two sets of plans and specifications drawn to scale upon proper cloth or paper. It shall include a plot plan of the lot showing the relation of the lot to adjoining streets and alleys, the relation of the building to all boundary lines of the lot and the relation of the proposed new construction to existing buildings upon the lot, if any. Plans shall also show the proposed or existing arrangement of sewage, drain and water lines, and plumbing fixtures. The plans must bear the signature and seal of a architect licensed in the state pursuant to 225 ILCS 305, the state Architecture Practice Act of 1989. If the Building Commissioner deems the work as shown by plans to be in conformity with this code, with the Zoning Code and with other applicable ordinances, he or she shall stamp and approve both sets of plans. One set will be retained by him or her and one set will be kept on the building job as long as the work is in progress. Plans and specifications need not be submitted, at the discretion of the Building Commissioner, for small, simple and unimportant work.

(1991 Code, § 150.016) (Ord. 1837, passed 7-13-1959; Ord. 2089, passed 12-23-1968; Ord. 2330, passed 4-27-1976; Ord. 2332, passed 4-27-1976)

§ 150.047 ISSUANCE.

Upon approval of the application by the Building Commissioner, and upon payment of the permit fee, the City Clerk will issue a building permit to the applicant, with a card of suitable size and form for posting. The card shall bear the permit number, the date issued, the name and address of the applicant and the scope of the work granted under the permit. The card shall be posted conspicuously on the site of the work during the time the work is in progress.

(1991 Code, § 150.017) (Ord. 1837, passed 7-13-1959; Ord. 2089, passed 12-23-1968; Ord. 2330, passed 4-27-1976; Ord. 2332, passed 4-27-1976)

§ 150.048 SEPARATE PERMIT FOR EACH BUILDING; EXPIRATION OF PERMIT.

(A) A separate permit shall be obtained for each separate building.

(B) A building permit shall be void unless the work for which the permit is issued is begun within six months from the date of

issuance of the permit.

(C) All permits shall expire at the end of 18 months following the date of issuance; however, the Building Commissioner, for good cause shown, may grant an extension for an additional period not exceeding 12 months.

(1991 Code, § 150.018) (Ord. 1837, passed 7-13-1959; Ord. 2089, passed 12-23-1968; Ord. 2330, passed 4-27-1976; Ord. 2332, passed 4-27-1976)

§ 150.049 FEES.

A building permit fee shall be paid by the applicant to the City Clerk in accordance with the following:

(A) For each permit, \$5 per \$1,000 of the work valuation shall be paid; provided, no such permit fee shall be less than \$15; and, further provided that, no fee shall be charged when such valuation of work does not exceed \$100. Such valuation of the work for which the permit is granted is to be factual, of which the Building Commissioner may require proof, and may later recover the difference in fee between the valuation stated in the application and the actual valuation. Such fees shall be recorded by the City Clerk and placed to the General Fund of the city.

(B) (1) Any person, firm or corporation who begins or initiates any work for which a permit is required prior to obtaining a permit shall be required to pay, in addition to the applicable building permit fee, the sum of \$25.

(2) (a) This additional payment shall be made prior to the issuance of any permit to said person, firm or corporation.

(b) This additional payment shall be paid to the City Clerk and placed in the General Fund of the city. This additional payment shall be required to be made regardless of and in addition to any fines imposed by any court of competent jurisdiction for violation of the provisions of this chapter.

(1991 Code, § 150.019) (Ord. 1837, passed 7-13-1959; Ord. 2089, passed 12-23-1968; Ord. 2330, passed 4-27-1976; Ord. 2332, passed 4-27-1976)

§ 150.050 COMPLIANCE DEPOSIT.

(A) At the time of issuance of a building permit, the applicant or applicants shall deposit with the City Clerk, a sum of money, in cash, based on the cost of construction or estimated cost of construction as follows:

<i>Cost of Construction or Estimated Cost of Construction</i>	<i>Deposit</i>
\$100 or more, but less than \$2,000	\$100
\$2,000 or more, but less than \$10,000	\$200
\$10,000 or more	\$300

(B) The deposit shall be held by the City Clerk in a special account to ensure that the applicant or applicants will perform the following:

- (1) Proper notice of the required inspection is given to the Building Commissioner;
- (2) No work is done until the required inspections are made;
- (3) No building or part of a building is occupied until a final inspection has been made and a certificate of occupancy has been issued;
- (4) The construction site has been cleared of all construction debris;
- (5) Stopcocks, where required, have been properly installed and are in operating condition;
- (6) All construction debris has been removed from the public streets, alleys, parkways and sidewalks; and
- (7) All sidewalks damaged during construction have been replaced or compensation for damages has been made to the city.

(C) (1) If the applicant or applicants fail to perform divisions (B)(1), (B)(2) or (B)(3) above, the entire sum deposited shall be forfeited to the city and deposited in the General Fund of the city.

(2) If the applicant or applicants fail to perform divisions (B)(4), (B)(5), (B)(6) or (B)(7) above, the Superintendent of Public Works and the Superintendent of Streets shall perform the obligation, and the cost shall be charged against the deposit.

(3) If any part of the deposit shall then remain, the sum shall be refunded.

(4) Upon certification of the Building Commissioner, the Superintendent of Public Works, and the Superintendent of Streets that the applicant or applicants have complied with the obligations above, the City Clerk shall return the entire deposit. No interest shall be paid on the deposit.

(1991 Code, § 150.020) (Ord. 1837, passed 7-13-1959; Ord. 2089, passed 12-23-1968; Ord. 2330, passed 4-27-1976; Ord. 2332, passed 4-27-1976)

§ 150.051 INSPECTIONS.

All building or construction work for which a permit is issued shall be subject to inspection at any time by the Building Commissioner and, at certain stages of the work, he or she shall be notified by the permit holder or builder to inspect, as follows:

- (A) *Foundations.* After trenches are excavated, forms erected and foundation materials are on hand, but before the materials are poured or placed;
- (B) *Structural framework.* Before same is covered so as to hinder inspection;
- (C) *Lath.* After all lathing, interior and exterior, is in place and all plastering materials are on the job, but before plaster is applied; and
- (D) *Final inspection.* To be made the after building is completed and ready for occupancy.

(1991 Code, § 150.021) (Ord. 1837, passed 7-13-1959)

CONSTRUCTION AND REMODELING

§ 150.065 DEFINITIONS.

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

APARTMENT. Two or more rooms arranged for one or more persons living together as a single housekeeping unit, with cooking, living, sanitation and sleeping facilities in a multi-family dwelling.

DWELLING. A building or part thereof designed or used exclusively for residential occupancy.

(1) **DWELLING, MULTIPLE-FAMILY.** A residential building or portion thereof containing two or more dwelling units and for the purpose of this subchapter includes apartments, duplexes, rowhouses and condominiums.

(2) **DWELLING, SINGLE-FAMILY.** A residential building containing only one dwelling unit.

DWELLING UNIT. One or more rooms which are arranged, designed or used as living quarters for one family only.

(1991 Code, § 150.035) (Ord. 2062, passed 1-22-1968)

§ 150.066 REQUIREMENTS GENERALLY.

No new dwelling shall be constructed or erected within the city, except as hereinafter provided and except as provided in applicable provisions of § 150.001(B) and (C) of this chapter.

(A) *Lot area requirements.*

(1) The minimum lot area in square feet upon which a dwelling can be constructed is as follows:

<i>Type of Dwelling Unit</i>	<i>Minimum Lot Area in Square Feet</i>
1-family	3,124
2-family	3,750
3-family	5,000
4-family	6,250
5- or more family	7,500

(2) If the lot area in square feet is within 90% of the minimum set forth above, however, construction may be permitted thereon.

(B) *Additional minimum lot area.* The following additional minimum lot area in square feet per dwelling unit is required in the construction of a multiple-family dwelling of 7,500 square feet or more:

<i>Type of Dwelling Unit</i>	<i>Minimum Lot Area in Square Feet per Dwelling Unit</i>
Efficiency	1,000
1-bedroom	1,100
2-bedroom	1,200
3-bedroom	1,600
4-bedroom	2,000

(C) *Multiple-family dwellings.*

(1) Minimum unit square footage for multi-family dwellings shall be as follows:

<i>Dwelling</i>	<i>Square Feet</i>
Efficiency	500
1-bedroom	650
2-bedroom	850
3-bedroom	1,050
4-bedroom	1,200

(2) No floor area between fire walls shall exceed 3,500 square feet.

(D) *Single-family dwellings.* The minimum unit square footage in a single-family dwelling shall be 1,100 square feet of livable space.

(E) *Floor; lot area ratio.* **GROSS FLOOR AREA RATIO** shall mean the square footage of a dwelling measured from exterior walls. The floor-lot area ratio maximums by stories shall be as follows (basements not used for or as a dwelling unit shall not be counted in floor area ratio):

1-story	60%
2-story	70%
3-story or more	80%

(F) *Minimum distances between lot lines and exterior dwelling walls.*

(1) Dwellings not more than 50 feet in width may not be erected closer than three feet from side lot lines on interior lots, except for roof eaves which may extend to not more than 18 inches from the lot line. For dwellings more than 50 feet, but less than 100 feet, in width, side yard requirements shall be five feet from interior lot lines.

(2) A dwelling on a corner lot may not extend closer than ten feet from the side lot line abutting a side street.

(3) A dwelling may not be constructed closer to the front lot line than 15 feet, except where another distance is permitted under the provisions of the Zoning Code relating to front yards.

(4) A dwelling may not be constructed nearer to the rear lot line than permitted under the Zoning Code.

(G) *Height maximum requirement.* No dwelling shall be constructed exceeding 35 feet, nor more than three stories, in height.

(H) *Efficiency unit.* A dwelling unit consisting of one principal room, exclusive of bathroom, kitchen, hallway, closets or dining alcove, directly off the principal room.

(I) *Floor area ratio.* The floor area of the building on a residential lot divided by the area of the lot.

(J) *Lot.* A parcel of land, vacant or with a building, with its usual accessory buildings or use, including open space as required by this chapter. Lot lines are the lines bounding the lot. A corner lot shall be deemed to be a lot fronting on two or more streets and having a width of not more than 50 feet. An interior lot is a lot other than a corner lot.

(K) *Occupancy.* The use of any building or structure for any one or combination of the following purposes: residential, commercial or industrial.

(L) *Fire-resistive materials.* Materials used in floor construction for dwellings not to exceed three dwellings shall have a minimum one-hour fire rating in accordance with current standards established by the National Board of Fire Underwriters or its successors.

(M) *Materials used in floor construction.* For four or more dwellings extending more than one story in height shall have a minimum fire rating of two hours in accordance with current standards established by the National Board of Fire Underwriters or its successors. Wood floor joists shall not be used.

(N) *Liveloading capacity of floors.* Liveloading capacity of floors shall not be less than 40 pounds per square foot.

(O) *Exterior wall construction.* Multi-family exterior wall construction of multi-family dwellings shall be of masonry, and brick veneer construction shall not be used.

(P) *Bearing wall thickness.* Minimum bearing wall thickness (in inches) shall be as follows:

<i>Foundation (walls 32' or higher)</i>	<i>1st</i>	<i>2nd</i>	<i>3rd</i>
1-story	10	8	8
2-story	10	8	8
3-story	10	10	8

(Q) *Foundations.* Foundations of buildings over one story in height shall be of concrete only.

(R) *Means of egress.* All dwellings, except single-family dwellings, shall be provided with sufficient and proper types of exits to insure safety to the occupants, but not less than two means of egress from each dwelling unit, located as remotely from each other as the plan of the building will permit. The means of egress shall lead directly to a street, setback, yard or court opening to a street by means of an open passage that does not pass through another dwelling unit. Fire escapes shall not be considered means of egress.

(S) *Stairways.* Every stairway above the first floor shall be within the enclosing walls of the dwelling. One or two sides may be exposed to open air.

(1) *Windows in stairways.* Only solid glass block windows without openings are permitted in multi-family dwellings.

(2) *Stairway requirements.* The minimum requirements for stairs in dwellings are as follows.

(a) *Headroom.* Continuous clear headroom measured vertically from front edge of tread to a line parallel with stair run shall be not less than six feet, six inches.

(b) *Width.* Front stairs: 42 inches; rear stairs: 36 inches - all being clear of handrail.

(c) *Tread.* Nine and one-half inches, with nosing ten and one-fourth inches.

(d) *Riser.* Seven and three-fourths inches maximum and shall be of uniform height in any one story.

(e) *Winders.* No winders permitted in multi-family dwellings. For single-family dwellings, tread width measured at a point 18 inches from converging end shall equal the tread width on straight stair run, unless tread width at converging end is six inches or more.

(f) *Maximum stair run.* No stair run shall exceed five feet in height vertically without a stair landing.

(g) *Stair landing.* Minimum dimensions shall equal width of stairs.

(h) *Handrail.* A continuous handrail shall be installed on at least one side of each stair run and landing.

(T) *Roof covering.* Wood shingles as a roof covering on any dwelling are prohibited.

(U) *Damaged buildings.* No dwelling which has been more than 50% demolished by fire or other causes shall be repaired or remodeled, except to conform with the provisions of this chapter.

(1991 Code, § 150.035) (Ord. 2062, passed 1-22-1968)

§ 150.067 GARAGES.

The rules, regulations and specifications for the construction of garages shall be as follows.

(A) *Detached frame garage.*

(1) Concrete floor, with a minimum of four-inch concrete flooring;

(2) An eight-inch by eight-inch perimeter wall;

(3) Sand or stone fill is required; use of cinder fill is prohibited;

(4) A two-inch by four-inch single bottom plate with an anchor bolt six feet O/C;

(5) Double two-inch by four-inch top plate;

(6) Use of two-inch by four-inch studs 24 inch O/C;

(7) Double two-inch by four-inch corner studs and double studs next to all windows and doors;

(8) Double two-inch by 12-inch headers across overhead door openings;

(9) Use of two-inch by six-inch double headers over all window openings;

(10) Double two-inch by four-inch over service door openings;

(11) Minimum of two-inch by six-inch cross ties;

(12) Use of two-inch by six-inch rafters, 24 feet;

(13) Hips and ridges, two-inch by six-inch;

(14) Use of one-half inch plywood minimum roof sheathing;

(15) Use of 235 pound weight shingles; and

(16) Double walled construction required with one-half inch minimum gypsum sheathing.

(B) *Masonry garage.* A foundation of trench footing is permitted, at a minimum of eight inches wide, 36 inches below grade with a 16-inch bell footing.

(C) *Electrical requirements for all garages.*

- (1) Each garage must have a switch, light and grounded outlet.
- (2) Service to the garage must be on a separate circuit.

(D) *Maximum height of garages.* No portion of any garage shall exceed 15 feet in height.

(1991 Code, § 150.037) (Ord. 2340, passed 11-25-1976)

§ 150.068 RESIDENTIAL REMODELING OR CONVERSION.

(A) **RESIDENTIAL CONVERSION**, for the purposes of this section, is defined as the remodeling or rearranging of existing residential space to greater than its designed, present and usual residential occupancy in number of apartments, or in number of rental sleeping rooms, or in combination thereof; also such remodeling or rearranging of space heretofore unused for residential purposes to such purposes in any number of apartments or rooms.

(B) To protect the general welfare, the following provisions as to such conversions shall apply.

(1) The conversion of space above the second story in an existing building of over two stories in height to residential use, or to greater residential use, is prohibited.

(2) The conversion to residential use of an existing building or any part thereof which building was originally designed and built for commercial occupancy, or for mixed occupancy, shall comply as for new residential construction.

(3) Additions, either to side or height, to buildings in connection with conversions for residential purposes, shall comply as for new residential construction.

(4) The floor space, light and ventilation, and ceiling height requirements for each apartment and each rental sleeping room in space converted to that purpose shall be not less than as in §§ 200, 201 and 205 of the City of Chicago Building Code adopted by reference in § 150.069 of this chapter.

(5) Partitions and ceilings separating adjoining converted apartments or rental rooms, or one from the other, shall be not less than one-hour fire-resistive construction approved by the Building Commissioner. The interior side of any exterior wall in the case of wood frame buildings when such exterior wall is within ten feet proximity of another building, or any lot line, except a street or alley line, shall also be not less than one-hour fire-resistive construction approved by the Building Commissioner.

(6) When converted apartments or rental rooms are located on a second floor of any building, the floor joists of such second floor and the building framing and foundation shall be capable, in the opinion of the Building Commissioner, of properly supporting the increased load to be exerted thereupon.

(7) Each converted apartment shall be provided with its own private sanitation facilities, and where there are two or more converted rental rooms there shall be one set of sanitation facilities for every six persons or part thereof occupying such rooms, the facilities to be readily accessible to such occupants.

(8) Each converted apartment and/or two or more rental sleeping rooms located above the first floor shall have not less than two means of entrance and exit to and from the building without passing through the living quarters of others, either directly to the living quarters or to a common corridor, one means of which must be exterior to the building.

(9) The conversion of basement space to residential purposes shall comply as for new construction in accordance with Ch. 13-64 of the City of Chicago Building Code adopted by reference in § 150.069 of this chapter.

(10) The conversion of attic space over a first story to residential purposes shall comply with the applicable provisions of this section. The conversion of attic space above a second floor to a residential purpose is prohibited.

(1991 Code, § 150.038) (Ord. 1837, passed 7-13-1959) Penalty, see § 150.999

§ 150.069 CITY OF CHICAGO BUILDING CODE; WHEN APPLICABLE.

(A) Whenever this subchapter does not specifically cover the construction of any dwelling or any part thereof, the applicable provisions of the City of Chicago Building Code as may be from time to time amended, relating to the construction of residential dwelling units shall apply and are hereby adopted and incorporated in this subchapter as it set out at length herein. Three copies of such building code are now on file at the office of the City Clerk.

(B) In the event of a conflict between this subchapter and the Chicago Building Code, this subchapter shall control.

(1991 Code, § 150.039) (Ord. 2062, passed 1-22-1968)

OCCUPANCY

§ 150.080 CERTIFICATE OF OCCUPANCY REQUIRED.

No building or structure or any part thereof shall be occupied until a certificate of occupancy has been issued by the building Commissioner. The Building Commissioner shall issue the certificate only if, after inspection, he or she finds that the building or structure complies with city and state law and that the building or structure has been completed in accordance with the plans and specifications filed in support of the application for the building permit relating to the building or structure. The certificate shall show the permitted use for the building or structure. A temporary certificate may be issued for the temporary use of a portion of a building or

structure prior to the completion of the entire structure or building.

(1991 Code, § 150.050) (Ord. 2331, passed 4-27-1976) Penalty, see § 150.999

§ 150.081 HIGH HAZARD OCCUPANCIES.

(A) High hazard uses and occupancies, such as dry-cleaning plants, paint or lacquer spraying or any other use in which during the process or in the conduct of the business highly flammable, explosive or toxic substances are used or stored, shall be conducted in a building and location with fire-proof or resistive construction, fire protective systems and devices, in conformance with regulations on the quantity and manner of storage of the hazardous substances, and ventilation approved by the Building Commissioner and in accordance with nationally recognized good practice for that particular use. The reference for good practice shall be as set forth in the National Board of Fire Underwriters or an equal authority.

(B) Every automobile service station dispensing highly volatile fuels, and every warehouse or other building in which a highly hazardous substance is stored or handled, shall be of fire-proof construction approved by the Building Commissioner.

(1991 Code, § 150.051) (Ord. 1837, passed 7-13-1959) Penalty, see § 150.999

§ 150.082 INSTITUTIONAL OCCUPANCIES.

(A) Buildings used for institutional occupancies such as convalescent homes, homes for the aged or children or the handicapped, nurseries, nursing homes or sanitariums or sanatoriums shall not exceed one story in height, nor more than 2,500 square feet in area, when constructed of non-fire-resistive materials. Existing wood frame buildings converted to those occupancies may be exempt from those restrictions if equipped with a sprinkling system, with fire-resistant walls and ceilings, and with other fire and safety measures applicable to the case, and all approved by the Building Commissioner. In no case shall the building for such purpose exceed two stories in height.

(B) In any institutional building which is two stories in height, the interior access or accesses between the first and second floors shall be enclosed fire-resistant stair wells, provided with a swinging/ self-closing, close-fitting, fire-resistant door to prevent passage of flame, heat, gas and smoke. Each story shall also be provided with two or more separate means of entrance and exit, one of which is exterior to the building, and with doors opening outward.

(C) Basement or attic work or store rooms under or over an institutional occupancy shall be separated from such occupancy by not less than one-hour fire-resistant construction and be tight to prevent passage of flame, heat, gas and smoke. Boiler and furnace rooms in such an occupancy shall be as set forth in § 150.066 of this chapter.

(D) Any new institutional occupancy building shall be of fire-resistant construction throughout, designed by a licensed architect and approved by the National Board of Fire Underwriters and by the Building Commissioner.

(1991 Code, § 150.052) (Ord. 1837, passed 7-13-1959)

§ 150.083 PLACES OF ASSEMBLY.

The construction or alteration of or conversion to places of assembly such as theaters, auditoriums, churches, lodge and club rooms, places of sports and games, night clubs, taverns, restaurants, dance or lecture halls or other places of mass assembly, shall be only after the submittal of plans and specifications signed and sealed by an architect licensed by the state, and approved by the Building Commissioner and shall be in accordance with nationally recognized good practice for such structure and its particular use.

(1991 Code, § 150.053) (Ord. 1837, passed 7-13-1959)

§ 150.084 COMMERCIAL AND INDUSTRIAL OCCUPANCIES.

The erection, alteration of or conversion to a building for commercial and/or industrial use shall be only after the submittal of plans and specifications signed and sealed by an architect licensed by the state, and approved by the Building Commissioner, and shall be in accordance with nationally recognized good practice for the structure and its particular use.

(1991 Code, § 150.054) (Ord. 1837, passed 7-13-1959)

§ 150.085 BUILDINGS OVER TWO STORIES FOR RESIDENTIAL OR MIXED- RESIDENTIAL OCCUPANCY.

The erection or alteration of a building over two stories in height for residential or residential mixed with some other type of occupancy shall be only after the submittal of plans and specifications signed and sealed by an architect licensed by the state, and approved by the Building Commissioner, and shall be subject to all other provisions of this subchapter as to residential construction and conversion to residential occupancy.

(1991 Code, § 150.055) (Ord. 1837, passed 7-13-1959)

OFF-STREET PARKING

§ 150.100 LOCATION, SIZE AND ACCESS.

(A) *Location.* All parking spaces required to serve buildings or uses erected or established after the effective date of this section shall be located on the same zoning lot as the building or use served. Buildings or uses existing on the effective date of this section which are subsequently altered or enlarged so as to require the provision of parking spaces under this section may be served by parking facilities located on land other than the zoning lot on which the building or use served is located; provided, the facilities are within 400 feet

walking distance of a main entrance to the use served.

(1) Except as hereinafter provided, all parking spaces for single-family or multiple-family dwelling units and apartment buildings shall be located in the rear half of the lot.

(2) Where parking spaces are enclosed within the main structure or a garage, the enclosure shall not be located nearer to the street line than the building setback line as provided for in the zoning code.

(B) *Size.* A required off-street parking space shall be at least nine feet in width and at least 20 feet in length, exclusive of access drives, aisles, ramps and columns. The space shall have a vertical clearance of at least seven feet.

(C) *Access.* Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to the parking space. The aisle or driveway shall be accessible to a street or alley and located to least interfere with traffic movements.

(1991 Code, § 150.070) (Ord. 1837, passed 7-13-1959; Ord. 2026, passed 2-27-1967; Ord. 2249, passed 10-14-1974)

§ 150.101 CONSTRUCTION SPECIFICATIONS.

All off-street parking areas, loading facilities and driveways required by the city shall be constructed with concrete or asphalt surfaces and shall conform to the following standards.

(A) (1) Plans and specifications for parking areas, loading facilities and driveways shall be submitted to the City Clerk at the time application is made for a building permit for the construction, enlargement or alteration of a building or buildings to be served by the parking area, loading facilities and driveways. If no building construction, enlargement or alteration is to take place, application for a building permit to construct those areas shall be made to the City Clerk prior to commencement of construction of the areas.

(2) The plans and specifications shall show the location of the areas; the location of adjoining proposed or existing buildings, sidewalks and other structures; the proposed grade of the parking area; a cross-section of the area; the location of expansion joints; and the proposed means of storm water drainage.

(B) (1) The subgrade shall be prepared in accordance with the Illinois Standard Specifications for Road and Bridge Construction, adopted 7-2-1973.

(2) After the subgrade has been prepared, the contractor, prior to placing the proposed pavement, shall notify the Building Commissioner for an inspection of the subgrade.

(C) (1) Portland cement concrete parking areas, loading facilities and driveways shall be constructed at a minimal thickness of ten inches in accordance with the line and grade as indicated on the plans and specifications.

(2) This work shall be performed in accordance with the applicable articles under § 408 of the Illinois Standard Specifications for Road and Bridge Construction.

(3) Prior to pouring the proposed pavement, the contractor shall notify the Building Commissioner for an inspection of the forms and placement of proposed expansion joints where the proposed improvement may abut the existing back of curbs, walks or steps as well as at intermediate locations as the forms may provide.

(D) (1) Asphalt pavement parking areas, loading facilities and driveways shall be constructed on an eight-inch aggregate base course, type B, in accordance with the applicable articles under the Illinois Standard Specifications.

(2) After placing the base course, the asphalt paving surface shall be constructed with one and one-half inches of bituminous concrete binder course and a final surface of one-inch bituminous concrete surface course, Class I (modified).

(3) This work shall be performed in accordance with the Illinois Standard Specifications for Road and Bridge Construction.

(E) (1) No building, buildings or premises shall be used or occupied unless the parking areas, loading facilities and driveways serving them are improved. No certificate of occupancy shall be issued until those areas are constructed. However, if weather conditions prohibit the installation of the two and one-half inch asphalt surface course, a certificate of occupancy may be issued for occupancy of the building and the asphalt surface may be constructed not later than 12 months after the issuance of the certificate of occupancy.

(2) To secure the installation of the two and one-half inch asphalt surface, the owners and builder shall deposit with the City Clerk, at the time of issuance of the building permit, security in the form of a cash deposit equal to 125% of the cost as estimated by the Building Commissioner and an agreement that the surfacing will be completed within 12 months from the date of issuance of the certificate of occupancy.

(3) Upon satisfactory completion of the asphalt surfacing, the deposit shall be refunded to the owners and builder. In the event of failure of the completion of the surfacing within one year, the Building Commissioner shall cause the surfacing to be completed. The owners and builder, by making the deposit, grant permission to the Building Commissioner and contractors engaged by the city to come upon the premises and cause the surfacing to be completed. The cost for the surfacing shall be charged to said cash deposit. Any balance remaining after the work is completed shall be returned to the owners and builder.

(1991 Code, § 150.071) (Ord. 1837, passed 7-13-1959; Ord. 2026, passed 2-27-1967; Ord. 2249, passed 10-14-1974)

§ 150.102 LIGHTING.

(A) Except for single-family dwellings, all off-street parking areas shall be illuminated.

(B) The illumination shall be arranged so as not to reflect light into adjacent residential areas.

(1991 Code, § 150.072) (Ord. 1837, passed 7-13-1959; Ord. 2026, passed 2-27-1967; Ord. 2249, passed 10-14-1974)

§ 150.103 NUMBER OF SPACES.

(A) *Computation of parking spaces.* When determination of the number of off-street parking spaces required by this subchapter results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space.

(B) *Required spaces.* Off-street parking spaces shall be provided in the following amounts:

- (1) Single-family dwellings: one parking space, plus one additional parking space for each two roomers or lodgers accommodated;
- (2) Multiple-family dwellings and apartment buildings: one and one-half space for each dwelling unit contained in the building;
- (3) Hotels: at least one space for each three separate rooms and for each three suites of more than one room, one parking space;
- (4) Motels and mobile home parks: one parking space for each room in a motel and one space for each mobile home in a mobile home park;
- (5) Hospitals: one parking space for each three hospital beds;
- (6) Nursing, convalescent and similar homes: one space for each six patient beds;
- (7) Funeral homes: five parking spaces for each room used as a chapel or parlor;
- (8) Medical and dental clinics: three parking spaces for each doctor or dentist to be accommodated in such building;
- (9) Places of mass assembly, including theaters, but excluding churches: one parking space per ten seats of seating capacity. For this use, space provided for other parking uses which are located within 500 feet of the place of the assembly, which are not normally in use during the hours of the assembly, and which by consent are made available for the use of the assembly may be used to meet these requirements in proportion of the space to the requirements;
- (10) Private clubs, bowling alleys, restaurants and similar assemblies: one parking space for each 300 square feet of floor area;
- (11) Churches: one parking space per ten seats of seating capacity;
- (12) Retail business establishments: except for any lot which does not have access to a public alley, one parking space per 500 square feet of floor area, exclusive of storage rooms;
- (13) Industrial establishments: one parking space per five employees per maximum eight-hour shift; and
- (14) Other uses: parking spaces on the same basis as required for the most similar use as determined by the Planning Commission of the city.

(1991 Code, § 150.073) (Ord. 1837, passed 7-13-1959; Ord. 2026, passed 2-27-1967; Ord. 2249, passed 10-14-1974)

§ 150.104 OPEN PARKING LOTS IN SECOND RESIDENTIAL DISTRICTS.

The Zoning Board of Appeals may grant a special permit to allow an open parking lot in a second residential district, subject to the following.

(A) Public notice and hearing must be as for any other zoning ordinance.

(B) After the hearing and before granting the permit, the Zoning Board of Appeals shall find that the proposed parking lot will not substantially injure or interfere with the use and value of the adjacent residential property, that it would be impractical to require its location elsewhere, that the lot will be paved dust-free, that if illuminated the light will not be a nuisance to adjacent residents, that the lot will not encroach upon the property lines of the city or of adjoining properties, and that all requirements of the Zoning and Building Codes will be met.

(1991 Code, § 150.074) (Ord. 1837, passed 7-13-1959; Ord. 2026, passed 2-27-1967; Ord. 2249, passed 10-14-1974)

FENCES

§ 150.115 PERMIT REQUIRED; FEE.

(A) *Fence permit required.* No fence shall be constructed or erected on real property within the city limits until a permit to construct or erect the fence has been obtained from the Building Commissioner. A fence permit must be purchased by the owner of real property if construction is being done by said owner. A fence permit must be purchased by the contractor if the construction is being done by said contractor.

(B) *Application for permit.* An application for a fence permit shall be made to the Building Commissioner in writing upon a form furnished by the Building Commissioner for that purpose. The application shall contain the name of the owner, the location of the proposed fence to be erected, the material to be used in the construction thereof, and such other information as may be hereinafter required. Plans and/or drawings for such fence shall be submitted with the application.

(C) *Issuance of fence permit.* Upon approval of the application by the Building Commissioner, the Building Commissioner will issue

a fence permit to the applicant along with a card of suitable size and form for posting bearing the permit number, the date issued and the name and address of the applicant. Such card shall be posted conspicuously on the site of the work during all of the time such work is in progress.

(D) *Fence permit fee.* A fence permit fee shall be paid by the applicant to the City Clerk at the time of filing the application in the amount of \$15. Such fee shall be recorded by the City Clerk and placed in the General Corporate Fund of the city.

(E) *Inspection.* All fence construction shall be subject to inspection at any time by the Building Commissioner and in the event that such construction does not comply with the information contained in the application or the plans or drawings or any other provision of this subchapter, work shall be stopped by the Building Commissioner until such compliance is made.

(1991 Code, § 150.090) (Ord. 2371, passed 7-12-1977; Ord. 2526, passed 9-23-1980; Ord. 86-08, passed 2-11-1986)

§ 150.116 CONSTRUCTION REQUIREMENTS.

No fence shall be constructed unless it meets the following requirements.

(A) Any fence erected on a property line or within one foot of any property line shall be so constructed that the fence posts or other supports for such fence shall be placed or located on that side of the fence which faces the property of the person erecting or causing such fence to be erected. However, in the case of a fence erected under a mutual agreement between two adjoining properties, the fence posts or other supports may be placed on whichever side such property owners by mutual agreement may elect.

(B) No fence on any lot or parcel of ground located in any R-1 Single-Family Residential, or R-2 Two- and Three-Family Residential, as defined and established by Ch. 166, Zoning Code, of this code of ordinances or any amendment thereto, shall exceed six feet in height above the sidewalk grade, or above the surface of the ground where no grade is established, except that a fence designed and used to enclose a swimming pool may be more than six feet, but not more than eight feet in height above the grade as aforesaid.

(C) No fence on any lot or parcel of ground located in any R-1 Single-Family Residential, R-2 Two- and Three-Family Residential, C-1 Central Area or C-2 Highway Commercial District as defined and established by Ch. 166, Zoning Code, of this code of ordinances or any amendment thereto, may be erected on any portion of such lot or parcel of ground lying within the front yard as defined in said Zoning Code and as the same is applicable to such lot or parcel of ground, except as otherwise permitted by § 150.117 of this chapter.

(D) No fence on any real estate located in the R-1 Single-Family Residential and R-2 Two- and Three-Family Residential as defined and established by Ch. 166, Zoning Code, of this code of ordinances shall be erected in whole or in part of what is commonly known as barbed wire. No fence located on real estate in the C-1 Central Area Commercial, C-2 Highway Commercial, I-1 Limited Industrial and I-2 General Industrial Districts as defined and established by Ch. 166, Zoning Code, of this code of ordinances may be constructed in whole or in part of what is commonly known as barbed wire, except as otherwise permitted by § 150.117 of this chapter.

(1991 Code, § 150.091) (Ord. 2371, passed 7-12-1977; Ord. 86-08, passed 2-11-1986)

§ 150.117 VARIATIONS.

(A) *Purpose.* The Community Development and Human Services Committee may grant a variation in the regulations of this subchapter in harmony with its general purpose and intent, only in the specific instances and in accordance with standards and procedures hereinafter set forth.

(B) *Procedure and notice of hearing.* An application for a variation shall be filed in writing with the Building Commissioner on forms recommended by the Community Development and Human Services Committee. Such application shall be forwarded from the Building Commissioner to the Community Development and Human Services Committee with a request to hold a public hearing and thereafter set forth its findings and recommendations. The findings and recommendations of the Community Development and Human Services Committee shall be made in writing and shall be final. A copy of the findings and recommendations of the Community Development and Human Services Committee shall be submitted to the applicant within 14 days of the date upon which they are made. Notice of the time and place of such public hearing shall be published at least once, not more than 30 days or less than 15 days before the hearing, in a newspaper of general circulation published within the city.

(C) *Standards for variations of decorative or ornamental fences.*

(1) For the purpose of this division (C), the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CORNER SIDE YARD. A side yard which adjoins a street.

FRONT LOT LINE. The boundary of a lot which is along an existing or dedicated public street or, where no public street exists, is along a public way. The owner of a corner lot may select either street lot line as the **FRONT LOT LINE**.

FRONT YARD. A yard extending along the full length of the front lot line between the side lot lines.

FRONTAGE. All the property on one side of a street between the two nearest intersecting streets measured along the line of the street or, if dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

FRONTAGE, ZONING LOT. All the property of such zoning lot fronting on a street and measured between the side lot lines.

YARD.

1. An open space on the same lot with a building or structure unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted by this subchapter.

2. (A **YARD** extends along a lot line and to a depth or width specified in the yard requirements for the zoning district in which such zoning lot is located).

(2) Such fences may not exceed four feet in height.

(3) Fences in which the openings between the materials of the fence represent more than 70% of the total surface may be permitted as decorative fencing.

(4) Fences may not detract from the total appearance of the surrounding area.

(D) *Standards for variations of barbed wire fences.*

(1) A fence located on real estate in the C-1 Central Area Commercial, C-2 Highway Commercial, I-1 Limited Industrial and I-2 General Industrial Districts as defined and established by Ch. 166, Zoning Code, of this code of ordinances may be constructed in part of what is commonly known as barbed wire. However, such barbed wire shall be located at the top only of a fence being eight feet high above the sidewalk grade or eight feet high above the surface of the ground where no sidewalk grade is established, no more than three strands of said barbed wire may be so located, and such barbed wire shall be a continuation of said fence in a vertical plane or slanted to overhang the real estate which said fence is designed to enclose.

(2) No fence shall be erected in whole or in part of what is commonly known as barbed wire on real property in a C-1 Central Area Commercial District or C-2 Highway Commercial District if the real property located within a one square block area of the real property upon which the fence with barbed wire is to be erected is improved with more than 50% residential dwellings or if barbed wire would detract from the historical theme of the area as set forth in Ch. 158 of this code of ordinances.

(E) *Fee.* A sum of \$25 will be charged by the city for a variance application.

(1991 Code, § 150.092) (Ord. 86-08, passed 2-11-1986)

SIGNS, AWNINGS AND THE LIKE

§ 150.130 PERMIT REQUIRED; FEE.

(A) No person, firm or corporation shall erect or maintain any rigid or non-rigid awning, canopy, marquee or sign over any street, sidewalk, alley or other public way in the city without having obtained a permit. Permits for awnings, canopies, marquees or signs shall be issued by the City Clerk, subject to the approval of the Building Commissioner, upon payment of the fee provided. The permit shall designate the location of the proposed structure. The annual fee for permits shall be \$0.25 per square foot for each overhanging awning, canopy, marquee or sign.

(B) Each person, firm or corporation maintaining such a sign shall file with the City Clerk a bond or indemnity policy in the sum of \$50,000, conditioned to indemnify the city for any loss, damage or liability that may result from the construction or maintenance of the awning, canopy, marquee or sign. The bond or indemnity policy shall have sureties approved by the Mayor and City Council. If a blanket indemnity insurance policy against any loss or liability due to such signs or canopies is secured by the city, no bond shall be required.

(C) Temporary permits may be issued for maintenance of a temporary rigid or non-rigid awning, canopy, marquee or sign for a short time, not to exceed three weeks, upon payment of a fee of \$2 for each week or fraction thereof that the sign is to be maintained.

(D) The period for which permits required by this section shall run shall be the same as the general license year.

(E) It shall be the duty of the Building Commissioner to inspect or cause to be inspected every awning, canopy, marquee or sign extending over any sidewalk, street, alley or other public way not less than once yearly. In the event his or her inspection discloses a violation of the terms of this subchapter, he or she shall make a report in writing to the owner of the sign and the owner or occupant of the premises to which it is attached. The owner of the sign or the owner or occupant of the premises shall have ten days from the date of receipt of the notice of violation to comply with the provisions of this subchapter. If the violation is not corrected within ten days, the Building Commissioner is authorized to institute suit for removal of the sign or to file charges for the violation of the terms of this subchapter.

(1991 Code, § 150.105) (Ord. 2176, passed 5-8-1972) Penalty, see § 150.999

§ 150.131 CONSTRUCTION REQUIREMENTS.

(A) All rigid or non-rigid awnings, canopies, marquees or signs extending over any public sidewalk, street, alley or public place must be securely fastened and constructed so that there will be no danger of the same being dislodged by ordinary winds or falling from other cause and shall be constructed without ground support on the public right-of-way. All awnings, canopies or marquees constructed of combustible materials shall be fire-proof in accordance with city laws and shall be maintained in a safe and good condition.

(B) The lowest part of any rigid or non-rigid awning, canopy, marquee or sign shall be at least eight feet above the level of the walk or public way over which it extends. However, any support or framework shall be not less than seven and one-half feet above the walk or public way over which it extends. In no event shall a rigid or non-rigid awning, canopy, marquee or sign be erected or constructed over any public way used by vehicles if any part of its support or framework or any part of the sign is less than 15 feet above the level of the public way.

(C) The projection of signs from the property lines shall be as provided in the zoning code. No rigid or non-rigid awning, canopy or marquee shall be projected from the property line more than five feet. In no event shall the projection be closer than two feet from the curb line.

(1991 Code, § 150.106) (Ord. 2176, passed 5-8-1972)

MOVING OR WRECKING

§ 150.145 HOUSE MOVING.

Regulations concerning house movers and the process of house moving within the city shall be as in other city ordinances for the specific purpose of governing same.

(1991 Code, § 150.120) (Ord. 1837, passed 7-13-1959)

§ 150.146 BUILDING WRECKING.

(A) *General.* Regulations concerning building wreckers and the process of building wrecking within the city shall be as set forth in this section.

(B) *Permit required.* Before proceeding with the wrecking or tearing down of any building or other structure which is more than one story in height; has a ground floor area of more than 400 square feet; is situated immediately adjacent to or is located so closely to the line of any public street or alley that wrecking or tearing down will necessitate the use of some portion of the public way; or may endanger persons or property using or being upon the public way; a permit for the wrecking or tearing down shall be obtained by the owner or his or her agent from the City Clerk. It shall be unlawful to proceed with the wrecking or tearing down of any building or structure or any structural part unless the permit is obtained.

(1) Application for a permit shall be made in writing by the owner or his or her agent to the City Clerk who shall refer the same to the Building Commissioner, who shall inspect the premises affected and make report to the City Clerk before any permit is issued. Every application shall state the location and describe the building or other structure which it is proposed to wreck or tear down, the extent of the public ways to be occupied or obstructed, the dates when the work is to begin and the name and address of the person, firm or corporation proposing to do the wrecking or tearing down.

(2) If the Building Commissioner determines that the applicant has complied with the terms of this section and other applicable ordinances, he or she shall approve the issuance of the permit and the City Clerk shall issue the permit upon the payment of a permit fee of \$50. However, in the case of the wrecking or tearing down of a building or other structure which is not more than one story in height and has a ground floor area of not more than 400 square feet which can be torn down and removed without the obstruction of any public way and without the risk of injury to persons or property using or being upon any public way, no permit fee shall be required.

(C) *Safety requirements.* Upon the issuance of a permit, the building or other structure may be wrecked or torn down provided that all the work done shall be subject to the supervision of the Building Commissioner and to reasonable restrictions that he or she imposes to safeguard the public and to protect any public way. The work shall be protected by barricades, scaffolding and other similar devices as may be necessary to protect the public and to ensure safety to human life and to comply with the provisions of the Act of the General Assembly passed 6-3-1907, in force 7-1-1907, providing for the safety of workers in and about the construction and removal of buildings.

(D) *Surety bond or insurance.*

(1) Before any permit is issued granting authority to wreck a building or structure for which a permit is required, the person engaged in the work of wrecking the building shall file with the City Clerk a surety bond with sureties to be approved by the City Clerk in the amount of \$20,000 to indemnify, keep, and save harmless the city against any loss, cost, damage, expense, judgment or liability of any kind whatsoever which the city may suffer or which may accrue against, be charged to or be recovered from the city or any of its officials from anything done under any permit granted for the wrecking operations.

(2) However, the person engaged in the work of wrecking may, in lieu of the surety bond, file with the City Clerk a policy of insurance or a certificate evidencing the existence of a policy of insurance written by a reputable insurance company qualified to do business in the state. The policy shall be acceptable to the City Clerk and name the city as one of the insured. The policy of insurance shall be written to afford protection to the city against all claims by any person or persons who may sustain or suffer injury or damage to property as a result of anything done in and about the wrecking of the building. The limits of protection afforded by the insurance policy shall be not less than \$100,000 for injury to one person and not less than \$200,000 for injury to two or more persons and \$20,000 for damage to property. The insurance policy shall be kept in force at all times during the wrecking of the building or other structure and until the wrecking is fully completed.

(E) *Disposition of wreckage and debris.*

(1) All debris shall be removed from the site as the wrecking progresses.

(2) However, salvage materials may be temporarily stored on the premises upon condition that they be stored in a safe and neat manner and that they be removed upon the completion of the wrecking.

(3) In no case shall wreck materials or debris be permitted to fall upon any public way or any adjoining private property, or to occupy or obstruct a public way.

(4) Upon the completion of the demolition, and if a succeeding building is not to be immediately erected upon the site, the site shall be filled where necessary with soil, cinders or other firm material to a level equal to that of adjoining sidewalks, alleys or other properties.

(F) *Discontinuance of operation.*

- (1) No wrecking operation shall be discontinued or abandoned once it has been undertaken.
- (2) It shall be carried forward promptly and without unnecessary interruption.

(G) *Obstruction or opening of street.* In any case where the wrecking of any building or structure will require the obstruction of any public street or the opening of any public street or alley, the applicant, at the time of making application for the permit required by the terms of this section, shall also make application for and obtain any other permit which may be required in connection with the street obstruction or street opening pursuant to the terms of any other city law. The issuance of the permit required by this section shall be subject to the provisions of this section.

(H) *Protection of sidewalks.*

(1) In every case where the wrecking of any building or structure will or may cause or result in damage to any public sidewalk bordering the premises upon which the building or structure is situated, the applicant shall, as a condition precedent to the issuance of the permit required by the terms of this section, make a deposit of cash with the City Clerk in an amount not less than the amount estimated to be required to replace any sidewalk which may be damaged in connection with the wrecking operation.

(2) The cash deposit shall be held by the City Clerk until the wrecking operations are completed and any sidewalk damaged is repaired or replaced to the satisfaction of the Superintendent of Streets of the city, following which the cash deposit shall be returned to the person making the same.

(3) In the event any damaged sidewalk is not repaired or replaced within 30 days following the date of the completion of the wrecking operations or within a reasonable additional time allowed by the City Clerk because of weather conditions or other similar cause, the cash deposit or so much thereof as shall be necessary shall be used to pay the cost of repairing or replacing the damaged sidewalk.

(4) The remainder, if any, shall be returned to the person making the deposit.

(1991 Code, § 150.121) (Ord. 1864, passed 12-20-1960; Ord. 2304, passed 3-23-1976) Penalty, see § 150.999

DANGEROUS OR ABANDONED BUILDINGS

§ 150.160 DEFINITIONS.

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

ABANDONED BUILDING.

- (1) Any vacant building which is frequented by persons who are not lawful occupants of such structure;
- (2) Any vacant building which, by reason of lack of maintenance or by reason of the boarding-up of its doors and windows or other reasons, has a substantial adverse effect on the value of property in the immediate neighborhood;
- (3) A building, the principal use of which has been abandoned and that no longer has any function or use; or
- (4) Any vacant building which has had its doors or windows boarded up for emergency reasons for a period in excess of eight weeks.

BUILDING. Includes, but is not limited to, any residential, business or commercial structure, shed, garage or other structure.

DANGEROUS BUILDING.

- (1) Any building which is dangerous to the public health because of its construction or condition or which may cause or aid in the spread of disease or cause injury to the health of the occupants of it or of neighboring structures;
- (2) Any building which, because of faulty construction, age, lack of proper repair or any other cause, is especially susceptible to fire and constitutes or creates a fire hazard; or
- (3) Any building which, by reason of faulty construction, age or lack of repair, is likely to collapse or fall.

(1991 Code, § 150.135) (Ord. 2677, passed 1-8-1985)

§ 150.161 DECLARED TO BE NUISANCE.

- (A) Any dangerous or abandoned building in the city, as defined in § 150.160 of this chapter, is hereby declared to be a nuisance.
- (B) (1) It shall be unlawful to maintain or permit the existence of any dangerous or abandoned building in the city.

(2) 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, to occupy such building, or to permit it to be occupied while it is or remains in a dangerous condition.

(1991 Code, § 150.136) (Ord. 2677, passed 1-8-1985) Penalty, see § 150.999

§ 150.162 BOARDING-UP OF BUILDING PROHIBITED; EXCEPTION.

- (A) Every owner or occupant of a dwelling or dwelling unit shall maintain all doors and windows therein with glass or such other

glazing materials as are permitted by this subchapter.

(B) No owner or occupant of a dwelling or dwelling unit shall enclose, nor permit the enclosure, of any door or window by enclosing or covering any door or window with plywood, masonite, particle board or other lumber product (so-called boarding-up).

(C) Nothing in this section shall prohibit the boarding up of dwellings and dwelling units damaged by fire, tornado or other catastrophe for a period not to exceed eight weeks; however, the period of such permitted board-up may be extended by the Building Commissioner.

(1) Nothing in this section shall prohibit the builder of a new dwelling or dwelling unit from boarding-up doors and windows therein until such time as construction is complete and the unit is ready for occupancy.

(2) Nothing in this section shall be construed to prohibit the Chief of Police or the Chief of the Fire Department from causing a dwelling or dwelling unit to be boarded up when it is otherwise authorized by law for such official to do so, or when the public health, safety and welfare are endangered by the condition of any such dwelling or dwelling unit.

(1991 Code, § 150.137) (Ord. 2677, passed 1-8-1985) Penalty, see § 150.999

§ 150.999 PENALTY.

(A) In addition to such other remedies as are provided by law, any person, firm or corporation violating or failing to comply with any provision of this chapter shall, upon conviction, be fined not less than \$25, nor more than \$750. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

(1991 Code, § 150.999)

(B) Any person, firm, partnership or corporation required by the terms of § 150.002 of this chapter to pay a registration fee, permit fee, inspection fee, rate or other charge who fails to do so or violates or fails to comply with any provision of § 150.002 of this chapter shall, upon conviction thereof, be fined not less than \$50, nor more than \$750, for each offense, and a separate offense shall be deemed committed on each day during on or which a violation occurs or continues.

(C) Unless otherwise specified in the body of §§ 150.015 through 150.034 of this chapter any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions adopted by reference, or who refuses to remedy a violation of any such provision or to remedy a hazard of fire explosion, collapse, contagion or spread of infectious disease found to exist and duly ordered eliminated, shall, upon conviction thereof, be fined not less than \$50, nor more than \$750, for each offense. Nothing herein contained shall prevent the city from pursuing such other lawful action as is necessary for the restraint, correction and abatement of any violations.

(Ord. 99-247, passed 4-6-1999; Ord. 12-168, passed 3-13-2012)