

ORDINANCE NO. 672

VILLAGE OF BELLEVUE, ILLINOIS

ORDINANCE ADOPTING BUILDING CODE

WHEREAS, Section 11-30-4 of the Illinois Municipal Code (65 ILCS 5/11-30-4) authorizes municipalities to prescribe the strength and manner of constructing all buildings, structures and accessories; and

WHEREAS, Section 1-3-2 of the Illinois Municipal Code (65 ILCS 5/1-3-2) authorizes municipalities to adopt by reference regulations regarding construction, reconstruction or alteration of structures; and

WHEREAS, the President and Village Board of the Village of Bellevue, Illinois have determined that it is in the best interests of the Village and its residents that the Village adopt a building code;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE VILLAGE BOARD OF THE VILLAGE OF BELLEVUE, PEORIA COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: Adoption. The *2006 International Building Code*, as published by the International Code Council, Inc. (the "Code"), is hereby adopted as the Building Code of the Village, for the control of buildings and structures as therein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes set forth in Section 2 below.

The Village Clerk shall keep a copy of the Code on file and available for public use, inspection and examination.

Section 2: Amendments. The following sections of the Code are hereby revised as follows:

Section 101.1, *Title*, is hereby amended to read as follows:

Section 101.1, *Title*. These regulations shall be known as the Building Code of the Village of Bellevue, hereinafter referred to as this code.

Section 101.4.1, *Electrical*, is hereby amended to read as follows:

Section 101.4.1, *Electrical*. The provisions of the currently adopted National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

Section 101.4.4, *Plumbing*, is hereby amended to read as follows:

Section 101.4.4, *Plumbing*. The provisions of the currently adopted State of Illinois Plumbing Code shall apply to the installation, alteration,

repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system.

Section 112, *Means of Appeal*, is hereby amended to read as follows:

Section 112.1 *Construction Commission*. The owner of a building or structure may appeal to the Village's construction commission (the "Construction Commission"), as established by the Village of Bellevue Ordinance No. 671 (the "Construction Commission Ordinance"), from any decision of the code official, as set forth in the Construction Commission Ordinance.

Section 112.2, *Limitations on authority*, is hereby amended to read as follows:

Section 112.2, *Limitations on authority*. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The Construction Commission shall have no authority to waive requirements of this code.

Section 112.3, *Qualifications*, is hereby amended to read as follows:

Section 112.3, *Qualifications*. The Construction Commission shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction, as set forth in the Construction Commission Ordinance, and are not employees of the jurisdiction.

Section 113.4, *Violation penalties*, shall read as follows:

Section 113.4, *Violation penalties*. Any person who violates a provision of this code or fails to comply with any other requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or a permit or certificate issued under the provisions of this code, shall be guilty of a violation punishable by a fine of not less than \$100.00 or more than \$500.00. Each day that a violation continues shall be deemed a separate offense.

Section 114.2, *Issuance*, shall read as follows:

Section 114.2, *Issuance*. The stop work order shall be in writing and shall be given to the owner of the property involved or to the owner's agent or to the person doing the work. Upon issuance of the stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume. The work order shall conform to Section 4 of Village of Bellevue Ordinance No. 671.

Section 114.3, *Unlawful continuance*, shall read as follows:

Section 114.3, *Unlawful continuance*. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not less than \$100.00 or more than \$500.00. Each day that such work continues shall be considered a separate violation.

Section 109.3, *Stair treads and risers*, shall read as follows:

Section 109.3, *Stair treads and risers, Exception No. 5*. In occupancies in Group R-3 as applicable in Section 101.2 within dwelling units in occupancies in Group R-2, as applicable in Section 101.2 and in occupancies in Group U, which are accessory to an occupancy in Group R-3, as applicable in Section 101.2, the maximum riser heights shall be 8-1/4 inches (210 mm) and the minimum tread depth shall be nine inches (229 mm). A nosing not less than 0.75 inch (19.1 mm) but not more than 1.25 inches (32 mm) shall be provided on stairways with solid risers where the tread depth is less than 11 inches (279 mm).

Chapter 11, *Accessibility*, is hereby deleted in its entirety and the following inserted in lieu thereof:

The provisions of the Illinois Accessibility Code shall control the design and construction of facilities for accessibility to physically disabled persons. Buildings and facilities shall be designed and constructed to be accessible in accordance with the Illinois Accessibility Code.

Chapter 27, *Electrical Systems*, is hereby deleted in its entirety and the following inserted in lieu thereof:

Chapter 27, *Electrical System*. The current National Electrical Code adopted by the Village of Bellevue shall be followed for all design and installation of electrical systems, alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

Chapter 29, *Plumbing Systems*, is hereby deleted in its entirety and the following inserted in lieu thereof:

Chapter 29, *Plumbing Systems*. The current State of Illinois Plumbing Code shall be followed for all design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supply and stormwater and sewage disposal in buildings.

### Section 3: Fees.

Fees for the issuance of building permits shall be as set forth on the fee schedule attached hereto.

#### Section 4: Certificates of Occupancy.

*Issuance; contents.* The code official shall within 20 days after an application has been filed by the owner or general contractor, issue a certificate of occupancy, if after inspection it is found that the building for which the certificate was requested substantially complies with the provisions of this ordinance and all other requirements of law or ordinance applicable thereto. Such certificate of occupancy shall show the use group, in accordance with the building code, the type of construction in accordance with the building code, the name of the business, number of off-street parking spaces, and any special conditions of the building permit.

*Issuance of temporary certificates.* Upon written request, the code official may issue a temporary certificate of occupancy for the use of any building or structure prior to the completion and occupancy of the entire building or structure, provided that such portion or portions shall be occupied safely prior to full completion of the structure without endangering life or public welfare.

*Change of occupancy.* The use or occupancy of any building shall not be changed until a certificate of occupancy permitting the new use or occupancy is issued by the code official. No such certificate of occupancy shall be issued unless the building substantially complies with the requirements of this ordinance.

*Notice by code official form; service.* Whenever the code official of the city or his/her delegate determines that a building or structure does not comply with the requirements set forth in this ordinance, the code official or his/her delegate shall be authorized and empowered to issue to any occupant, general contractor, or owner of such building, a notice of violations of this ordinance in the following manner and form:

- (1) The notice shall be in writing.
- (2) The notice shall set forth the alleged violation of this ordinance.
- (3) The notice shall describe the premises where the violations are alleged to exist or to have been committed by street address or by legal description of record in the records of the recorder of deeds of the county.
- (4) The notice shall be served upon the occupant, general contractor, owner or agent of the owner by:
  - (a) Personal delivery of a copy of the complaint addressed to such occupant, owner, general contractor or agent at his last known address, service thereof certified to have been made by the person making the service; or
  - (b) By certified or registered mail, return receipt requested, addressed to the last known place of occupancy of the occupant, general contractor, owner or agent of the owner; or
  - (c) Notice as provided in an act relating to the posting of notices of violations of a county or city, village or incorporated town building code, approved August 6, 1963 (50 ILCS 810/1, 810/2).

*Occupation of building without certificate prohibited; penalty.* No building shall be occupied in any part thereof unless or until a certificate of occupancy has been issued by the code official. The use or occupancy of any building without first receiving a certificate of occupancy or temporary certificate of occupancy is prohibited. Any owner occupant or general contractor found guilty of violating or failing to comply with this paragraph shall be punished by a fine of not less than \$25.00 or more than \$500.00. Each day a violation of this section exists shall constitute a separate offense.

Section 5: The provisions of the Code shall not apply to (i) any interior, non-structural work performed on buildings or other structures in existence on the date of this Ordinance and (ii) buildings or structures less than 140 square feet in size.

Section 6: This Ordinance shall be effective upon its passage and publication as provided by law.

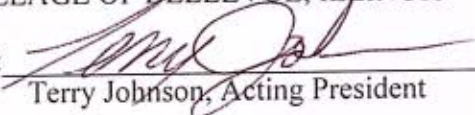
PASSED AND APPROVED THIS 14 DAY OF January, 2014.

AYES: 5

NAYS: 0

ABSENT: 0

VILLAGE OF BELLEVUE, ILLINOIS

By:   
Terry Johnson, Acting President

Attest:   
Sandra Cooper, Clerk

## BUILDING PERMIT FEE SCHEDULE

### ONE – FAMILY AND TWO – FAMILY RESIDENTIAL: NEW CONSTRUCTION, ADDITIONS AND ALTERATIONS

Fee per square foot	\$0.50
Minimum Fee – New Construction	\$500.00
Minimum Fee – Additions	\$500.00
Minimum Fee – Alterations	\$250.00

### COMMERCIAL

Fee per square foot	\$0.75
Minimum Fee	\$1,000.00
Maximum Fee	\$7,500.00

### MISCELLANEOUS BUILDING PERMITS

Swimming Pools – Temporary	\$10.00
Swimming Pools – Permanent	\$100.00
Fences	\$10.00
Demolition Permit	\$1.00
Accessory Buildings/Garages less than 140 sf	\$0.00
Accessory Buildings/Garages greater than 140 sf but less than 300 sf	\$125.00
Accessory Buildings/Garages greater than 300 sf	\$300.00
Decks (Freestanding)	\$250.00
Decks (Attached)	\$500.00

### REINSPECTION FEE

\$90.00