

ORDINANCE NO. 19 – 113

AN ORDINANCE REPEALING IDENTIFIED SECTIONS OF TITLE XV LAND USAGE CHAPTER 150 BUILDING REGULATIONS AND ADOPTING REPLACEMENT SECTIONS TO TITLE XV LAND USAGE CHAPTER 150. SAID REPLACEMENT SECTIONS INCLUDE THE 2015 INTERNATIONAL BUILDING CODE, THE 2015 INTERNATIONAL FIRE CODE, THE 2015 INTERNATIONAL MECHANICAL CODE, THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE 2015 INTERNATIONAL RESIDENTIAL CODE, THE 2015 INTERNATIONAL EXISTING BUILDING CODE, THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE WITH ILLINOIS ENERGY CONSERVATION CODE REVISIONS, THE 2014 NATIONAL ELECTRICAL CODE, AND THE ILLINOIS PLUMBING CODE.

WHEREAS, the Village of Tremont, Illinois (the “Village”) has from time to time adopted certain minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, maintenance, and use of all buildings and structures; and

WHEREAS, the Village has previously adopted Title XV, Chapter 150 Building Regulations which contain the Uniform Building Code (Section 150.01), the Uniform Housing Code (Chapter 150.15), the National Electric Code (Section 150.25), and the National Plumbing Code (Section 150.35), and now desires to repeal this ordinance in full and replace it with updated provisions; and

WHEREAS, the Village Board of Trustees, after due deliberation and review, wishes to adopt the 2015 International Building Code, the 2015 International Fire Code, the 2015 International Mechanical Code, the 2015 International Property Maintenance Code, the 2015 International Residential Code, the 2015 International Existing Building Code, the 2015 International Energy Conservation Code with currently adopted State of Illinois Energy Conservation Code revisions, the 2014 National Electric Code, and the Illinois Plumbing Code as the Building Codes of the Village, and to provide penalties for violations thereof.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TREMONT, ILLINOIS, as follows:

SECTION 1: In the event of conflicts between any provision of this Ordinance and the provisions of any previously adopted and approved Ordinance, the provisions of this Ordinance shall govern. By way of this Ordinance, all sections of Chapter 150 Building Regulations and all subsequent amendments are hereby repealed and replaced this Ordinance.

- a) Fees and fines for all of Title XV permits, inspections, and violations shall be established by resolution of the Village Board.
- b) Section 1210 of Chapter 153 provides regulations for signs.

SECTION 2: The Building Codes of the Village of Tremont, Illinois shall consist of the following subsections to Chapter 150 Building Regulations which are incorporated by reference and made a part hereof as though fully set out herein, and are hereby adopted:

- a) Section 150.01 Adoption of the “**2015 International Building Code**,” published by the International Code Council, Inc.; Appendices G, H, and J thereto; and the amendments prescribed in Section 3 of this Ordinance are hereby adopted as the “Building Code of the Village of Tremont, Illinois” (the “Commercial Building Code”);
- b) Section 150.05 Adoption of the “**2015 International Fire Code**,” published by the International Code Council, Inc.; Appendices B, C, D, and E thereto; and the amendments prescribed in Section 4 of this Ordinance are hereby adopted as the “Fire Code of the Village of Tremont, Illinois” (the “Fire Code”);
- c) Section 150.10 Adoption of the “**2015 International Mechanical Code**,” published by the International Code Council, Inc.; Appendix A thereto; and the amendments prescribed in Section 5 of this Ordinance are hereby adopted as the “Mechanical Code of the Village of Tremont, Illinois” (the “Mechanical Code”);
- d) Section 150.15 Adoption of the “**2015 International Property Maintenance Code**,” published by the International Code Council, Inc. and the amendments prescribed in Section 6 of this Ordinance are hereby adopted as the Property Maintenance Code of the Village of Tremont, Illinois” (the “Property Maintenance Code”);
- e) Section 150.20 Adoption of the “**2015 International Residential Code**,” published by the International Code Council, Inc.; Appendix G and H thereto; and the amendments prescribed in Section 7 of this Ordinance are hereby adopted as the “Residential Code of the Village of Tremont, Illinois” (the “Residential Code”);
- f) Section 150.25 Adoption of the “**2015 International Existing Building Code**,” published by the International Code Council, Inc. and the amendments prescribed in Section 8 of this Ordinance are hereby adopted as the “Existing Building Code of the Village of Tremont, Illinois” (“Existing Building Code”);
- g) Section 150.30 Adoption of the “**2014 National Electric Code**” published by the National Fire Protection Association and the amendments prescribed in Section 9 of this Ordinance are hereby adopted as the “Electric Code of the Village of Tremont, Illinois” (the “Electric Code”);
- h) Section 150.35 Adoption of the “**2015 International Energy Conservation Code**” published by the International Code Council, Inc.; the amendments thereto; and the currently adopted “Illinois Energy Conservation Code” revisions prescribed in Section 10 of this Ordinance are hereby adopted as the “Energy Code of the Village of Tremont” (“Energy Conservation Code”);
- i) Section 150.40 Adoption of the “**Illinois Plumbing Code 77 IL Admin Code 890**” published by the Illinois Department of Public Health and the amendments prescribed in Section 11 of this Ordinance are hereby adopted as the “Plumbing Code of the Village of Tremont, Illinois” (the “Plumbing Code”);

The Village Clerk is hereby authorized and directed to maintain on file, one (1) copy each of

the Village Codes listed in Section 2 as herein adopted (collectively, the “Village Building Codes”).

SECTION 3: The Commercial Building Code (Section 150.01) is hereby adopted with the following amendments:

- A. Section 101.1 is hereby amended by substituting “Village of Tremont, Illinois” for the words “[NAME OF JURISDICTION]”;
- B. Section 103.1 is hereby repealed, and a new Section 103.1 is adopted in lieu thereof as follows:

103.1 Department of Building Safety, Code Official defined. The term “Department of Building Safety” as used in this code shall mean the Code Compliance Officer of the Village of Tremont. The terms “building official” and “code official” as used in this code shall mean the duly appointed Code Compliance Official of the Village of Tremont, Illinois and any designee thereof;

- C. Section 105.2, inclusive is repealed, and a new Section 105.2 is adopted in lieu thereof as follows:

105.2 Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits are not required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 80 square feet.
2. Fences not over 2 feet in height.
3. The replacement of a portion or portions of an existing fence, within any 12-month period, which is less than twenty-five (25%) of its total linear horizontal distance (whether interrupted or not), or 300 square feet of fence surface, whichever is less, with the same material, at the same height, in the same location.
4. Retaining walls that are not over 2 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 200 gallons and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches above adjacent grade, not over any basement or story below, are not part of an accessible route, and are on private property.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are

less than 24 inches deep, are not greater than 5,000 gallons and are installed entirely above ground.

10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
14. Repairs for less than substantial structural damage as defined in Chapter 6 of the Existing Building Code.

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps, receptacles, and switches or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions but, do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the

same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

D. 105.2.1 Emergency Repairs.

Where equipment replacements and repairs must be performed in an emergency, the permit application shall be submitted within the next working business day to the building official.

E. 105.2.2 Repairs.

Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the removal or cutting of any structural beam, wall, or load-bearing support. Ordinary repairs do not include the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any water supply, sewer waste piping, electrical, mechanical, or other work affecting public health or general safety.

F. 105.2.3 Public Service Agencies.

A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right."

- G. Section 109.2 is hereby amended by substituting "by written order or resolution of the Village Board" for the words "by the applicable governing authority";

- H. Section 109.6 is hereby repealed, and a new Section 109.6 is hereby adopted in lieu thereof as follows:

109.6 Refunds. No portion of any fee shall be returned to a permit holder in the case of a revocation of a building permit or a suspension, discontinuance, or abandonment of work.

- I. Section 113.0 is hereby repealed in its entirety and a new Section 113.0 is hereby adopted in lieu thereof as follows:

Section 113.0 Means of Appeal

113.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal per the following provisions:

Appeals Process

1. Any person receiving a violation notice pursuant to this section shall have the right to appeal to the Village Zoning Board.
2. Such an appeal shall be in writing and filed with the Village Clerk within fourteen (14) days of the date of the violation notice. The appeal shall contain

a complete statement of the reasons for the appeal, the specific facts supporting the appeal, and all evidence the appellant intends to rely on to support the appeal.

3. If no appeal is filed within fourteen (14) days of the date of the violation notice or decision of the building official, and pursuant to the requirements of this section, the right to an appeal is waived.
 4. The Village President (or designee) shall schedule a meeting with the Village Zoning Board at the next regularly scheduled meeting after receiving the appeal.
 5. The Village Zoning Board may consider all facts, evidence, and testimony presented by the appellant and the village building official or designee, and all other information determined to be relevant to the appeal. The Zoning Board may obtain professional input from the Village Attorney and/or Village Engineer.
 6. The Village Zoning Board chair (or designee) shall send written notice of the decision to the owner and the Village President within thirty (30) days of hearing the appeal. The decision of the Zoning Board will be kept on file by the Village Clerk.
 7. The subject property may not be let for occupancy, sold and/or transferred while any appeal is pending.
 8. The Village President (or designee) and the Zoning Board shall have no authority to interpret the administrative provisions of the code or to waive substantive requirements of the code.
- J. Section 114, Violations, is hereby amended and adopted in addition to the Commercial Building Code and is hereby incorporated as if fully set forth therein by adding the following to Section 114.4:
- “Except as otherwise provided, a person convicted of a violation of this code shall be punished by a fine to be adopted by resolution of the Village Board. Such fine shall be a minimum fine for first time offense and increase to a maximum fine for multiple violations. With respect to violations of this code that are continuous with respect to time, each day the violation continues is a separate offense.”
1. 114.4.1 The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise.
 2. 114.4.2 Violations of this code that are continuous with respect to time may be abated by injunctive or equitable relief. The imposition of a penalty does not prevent equitable relief.
- K. The following Section (117), named “**Maintenance of Construction Sites,**” including additional regulations and requirements are hereby adopted in addition to the Building Code and are hereby incorporated as if fully set forth therein.
- 117.1 Dumpsters
1. Each building construction site shall have on-site dumpster(s) of sufficient capacity to contain the construction debris generated by the construction

activity on said site.

2. All construction debris from each building construction site, shall be placed in the construction site dumpster(s), by the end of each workday.
3. Every construction site dumpster, having been filled, shall be removed from the construction site and where appropriate, replaced with another empty dumpster until such time as construction debris is no longer generated on the site.

117.2 Rocked Driveways

1. Each construction site or subdivision construction site entrance shall have its driveway or roadway (as delineated on the building permit application site plan) rocked with coarse aggregate to a minimum depth of 6 inches. This subsection may not be required if the permanent paved driveway or entry road is in place and can be used by all construction equipment or delivery vehicles.
2. Rock drives or roadways must be constructed and maintained on stable soil in order to maintain the desired intent or the rock shall be replaced and/or soil stabilization may be required, as directed by the Code Official.
3. All deliveries of building materials, of all kinds, shall be made using the rocked road or driveway, without exception.

117.3 Sanitary Facilities

Each building construction site shall provide sanitary facilities (including toileting and hand washing facilities) for the convenience of all workers and shall be discharged into a sanitary sewer or if the facility is portable, it shall be an enclosed, chemically treated tank tight unit. All non-sewered units shall be pumped regularly to assure adequate working and sanitary facilities.

117.4 Responsibility

It shall be the responsibility of the permit holder and any individual or company acting under the direction of the permit holder to ensure compliance of all provisions of Section 117.

- L. Should there be any conflicts between the provisions of the Chapters 29 and the Illinois State Plumbing Code; the Illinois State Plumbing Code shall take precedence.

SECTION 4: The **Fire Code** (Section 150.05) is hereby adopted with the following amendments:

- A. Section 101.1 is hereby amended by substituting "Village of Tremont, Illinois" for the words "[NAME OF JURISDICTION]" and by adding the sentence, "The term 'jurisdiction' wherever appearing in this code shall mean the Village of Tremont, Illinois.";
- B. Section 103 "Department of Fire Prevention" is hereby amended as follows: "103.1 Department of Fire Prevention and Fire Code Official, defined. The term "Department of Fire Prevention" as used in this code shall mean the Fire Protection District of the Village of Tremont, IL. The term "fire code official" as used in this code shall mean the

duly appointed Fire Chief of the Village of Tremont Fire Protection District and any designee thereof."

C. Section 103.2 is hereby repealed in its entirety

D. Section 104.1 General, is hereby amended by adding the following text,

"The Code Official shall not exercise any authority over fire service features regarding fire scenes or any other sections of this code that pertain to operation of and/or duties performed by the Tremont Fire Protection District. Those duties and authority remain with the Tremont Fire Protection District Fire Chief or Designee."

E. Section 105, Permits is hereby amended by adding Section 105.1.4 hereby adopted as follows:

"105.1.4 Fee schedule. A fee for each plan examination, building permit, and inspection shall be paid to the Village Clerk at the rate or rates established by written order or resolution of the Village Board."

F. Section 113.2 is hereby amended by substituting "by written order or resolution of the Village Board of Trustees" for the words "by the applicable governing authority";

G. Section 108.0 is hereby repealed in its entirety and a new Section 108.0 is hereby adopted in lieu thereof as follows:

Section 108.0 Means of Appeal

108.1 Means of Appeal. Any person affected by a decision of the Code Official or a notice of order issued under this code shall have the right of appeal per the process established by Section 113 of the Commercial Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals."

H. Section 109.3 is hereby repealed in its entirety and a new Section 109.3 is hereby adopted in lieu thereof as follows:

"109.3 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction, therefore, shall be punished in accordance with the provisions set forth in Section 114.4 of the Commercial Building Code."

SECTION 5: The **Mechanical Code** (Section 150.10) is hereby adopted with the following amendments:

A. Section 101.1 is hereby amended by substituting "Village of Tremont, Illinois" for the words "[NAME OF JURISDICTION]";

B. Section 103 is hereby amended as follows:

Section 103 Code Official

1. 103.1 General. The term "department of mechanical inspection" wherever used in this code shall mean the Code Compliance Officer of the Village of Tremont, Illinois. The terms "code official" and/or "building official" as used in this code shall mean the duly appointed Code Official of the Village of Tremont, Illinois and any designee thereof."

2. Section 103.5 Alternative for Third Party Review. In instances where determined necessary, the Code Compliance Officer may obtain third party

written verification that a mechanical system is functional and compliant.

- C. Section 106.5.2 is hereby amended, and a new Section 106.5.2 is hereby adopted in lieu thereof as follows:

"106.5.2 Fee schedule. A fee for each plan examination, building permit, and inspection shall be paid to the Village Clerk at the rate or rates established by written order or resolution of the Village Board of Trustees.";

- D. Section 106.5.3 is hereby repealed in its entirety.

- E. Section 108.4 is hereby repealed in its entirety and a new Section 108.4 is hereby adopted in lieu thereof as follows:

"108.4 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction, therefore, shall be punished in accordance with the provisions set forth in Section 114.4 of Section 3, Commercial Building Code."

- F. Section 109.0 is hereby repealed in its entirety and a new Section 109.0 is hereby adopted in lieu thereof as follows:

"Section 109.0 Means of Appeal:

109.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal per the process established by section 113 of the Commercial Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals."

SECTION 6: The Property Maintenance Code (Section 150.15) is hereby adopted with the following amendments as follows:

- A. Section 101.1 is hereby amended by substituting "Village of Tremont, Illinois" for the words "[NAME OF JURISDICTION]";

- B. Section 103 is hereby amended as follows:

"Section 103 Code Official and Department;

103.1 General. The term "department of property maintenance inspection" wherever used in this code shall mean the Code Compliance Officer of Tremont, Illinois. The terms "code official" and/or "building official" as used in this code shall mean the duly appointed Code Official of the Village of Tremont, Illinois and any designee thereof.

- C. Section 103.5 is hereby repealed, and a new Section 103.5 is hereby adopted in lieu thereof as follows:

"103.5 Fees. The fees for activities and services performed by the code official in carrying out his or her responsibilities under this code shall be as established by written order or resolution of the Village Board."

- D. Section 106.4 is hereby repealed in its entirety and a new Section 106.4 is hereby adopted in lieu thereof as follows:

106.4 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 114.4 of Section 3, Commercial Building Code."

E. The following is added as Section 108.8:

In accordance with ILCS Chapter 65, Act 5 subsection 11-31-2, if the Code Enforcement Officer determines upon due investigation that any building or structure located within the village fails to conform to the minimum standards of health and safety as set forth in this chapter, and the owner or owner of such building or structure fails, after due notice to cause such property so to conform, the village may make application to any court of competent jurisdiction for an injunction requiring compliance with the applicable section of this chapter or for such other order as the court may deem necessary or appropriate to secure such compliance.

F. The following paragraph is added to Section 110.3:

The village may demolish, repair or cause the demolition or repair of dangerous or unsafe buildings or uncompleted or abandoned buildings in accordance with ILCS Chapter 65, Act 5 subsection 11-31-1. The cost of such demolition or repair is recoverable from the owner or owners of such real estate and is a lien therein, which is a lien superior to all prior existing liens except taxes, provided that within 60 days after such repair or demolition notice of the lien in the office of the recorder of deeds.

G. Section 111 is hereby repealed in its entirety and a new Section 111 is hereby adopted in lieu thereof as follows:

Section 111 Means of Appeal

111.1 Means of Appeal. Any person affected by a decision of the code official or a notice of order issued under this code shall have the right of appeal per the provisions established by Section 113 of the Commercial Building Code, if provisions of this code shall regulate the procedures for such appeals.

H. In section 112.4 Failure to Comply, the words “of not less than [amount] dollars or more than [amount] dollars” shall be replaced with “of not more than 750 dollars”.

I. In Section 202 General Definitions the following definition shall be added:

Responsible Party. Except as otherwise specified herein, the owner or owner’s designated agent shall be responsible for the maintenance of buildings, structures and premises. In addition, any other person or entity who may be reasonably considered to have a role or responsibility in the creation, continuation, or correction of any violation of this code shall be a responsible party of additional responsibility for such violation.

J. Section 302.4 Weeds shall have 8 inches inserted as the jurisdiction requirement.

K. In section 304.14 Insect Screens, *from April 1st to October 31st* shall be inserted.

L. In section 602.3 Heat Supply, *from September 15th to June 1st* shall be inserted.

M. In section 602.4 Occupiable Work Spaces, *from September 15th to June 1st* shall be inserted.

N. The following Section 704.2.1, shall be amended to add item 4., as follows:

“Dwellings equipped with battery-operated smoke detection devices and carbon monoxide detection devices located inside a dwelling unit shall have batteries

provided by the owner at the beginning of tenancy. Thereafter, it shall be the responsibility of the occupant to ensure batteries are energized and effective during the term of occupancy.”

SECTION 7: The **Residential Code** (Section 150.20) is hereby adopted with the following amendments as follows:

- A. Section R101.1 is hereby amended by substituting “Village of Tremont, Illinois” for the words “[NAME OF JURISDICTION]”;
- B. Section R103.1 is hereby repealed in its entirety and a new Section R103.1 is hereby adopted in lieu thereof as follows:

“Section R103.1 Department of Building Safety, Code Official defined

R103.1 General. The term “department of building safety” wherever used in this code shall mean the Code Compliance Officer of Tremont, Illinois. The terms “building official” or “code official” as used in this code shall mean the duly appointed Code Official of the Village of Tremont, Illinois and any designee thereof.

- C. Section 103.2 Appointment, inclusive is hereby repealed in its entirety.
- D. Section R105.2, Building is repealed, and a new Section R105.2 Building is adopted in lieu thereof as follows:

R105.2 Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits are not required for the following:

Building:

1. One-story detached accessory structures provided the floor area is not greater than 80 square feet.
2. Fences not over 2 feet in height.
3. The replacement of a portion or portions of an existing fence, within any 12-month period, which is less than twenty-five (25%) of its total linear horizontal distance (whether interrupted or not), or 300 square feet of fence surface, whichever is less, with the same material, at the same height, in the same location.
4. Retaining walls that are not over 2 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 200 gallons and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches above adjacent grade, not over any basement or story below, are not part of an accessible route, and are on private property.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Prefabricated swimming pools accessory to a Group R-3 occupancy that are

less than 24 inches deep, are not greater than 5,000 gallons and are installed entirely above ground.

9. Swings and other playground equipment.
 10. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
 11. Decks not exceeding 80 square feet in area, that are not more than 30 inches above grade at any point, and do not serve the exit door required by Section R311.4.
 12. Repairs for less than substantial structural damage as defined in Chapter 6 of the Existing Building Code.
- E. Exemptions for Electrical, Gas, Mechanical, and Plumbing in Section R105.2 are not changed.
- F. Section R108.2 is hereby amended by substituting “by written order or resolution of the Village Board” for the words “by the applicable governing authority.”
- G. Section R108.5 is hereby repealed and a new Section R108.5 is hereby adopted in lieu thereof as follows:
- “R108.5 **Refunds**. No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work.”
- H. Section R112 is hereby repealed in its entirety and a new Section R112 is hereby adopted in lieu thereof as follows:
- “**Section R112 Means of Appeal**
- R112.1 Means of Appeal**. Any person affected by a decision of the code official or a notice of order issued under this code shall have the right of appeal to the a as established by Section 113 of the Commercial Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals.”
- G. Section R113.4 is hereby repealed in its entirety and a new Section 113.4 is hereby adopted in lieu thereof as follows:
- “**R113.4 Violation Penalties**. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 114.4 of Section 3, Commercial Building Code.”
- H. The following Section (115), named “**Maintenance of Construction Sites**,” including additional regulations and requirements are hereby adopted in addition to the Building Code and are hereby incorporated as if fully set forth therein.

115.1 Dumpsters

1. Each building construction site shall have on-site dumpster(s) of sufficient capacity to contain the construction debris generated by the construction activity on said site.
2. All construction debris from each building construction site, shall be placed in the construction site dumpster(s), by the end of each workday.
3. Every construction site dumpster, having been filled, shall be removed from the construction site and where appropriate, replaced with another empty

dumpster until such time as construction debris is no longer generated on the site.

115.2 Rocked Driveways

1. Each residential building construction site shall have its driveway (as delineated on the building permit application site plan) rocked with course aggregate to minimum depth of 6 inches.
2. Rock drives or roadways must be constructed and maintained on stable soil in order to maintain the desired intent or the rock shall be replaced and/or soil stabilization may be required, as directed by the Code Official.
3. All deliveries of building materials, of all kinds, shall be made using the rocked road or driveway, without exception.

115.3 Sanitary Facilities

If a residential construction site provides sanitary facilities (including toileting and hand washing facilities) for the convenience of all workers, said facility shall be discharged into a sanitary sewer. If the facility is portable, it shall be an enclosed, chemically treated tank tight unit. All non-sewered units shall be pumped regularly to assure adequate working and sanitary facilities.

115.4 Responsibility

It shall be the responsibility of the permit holder and any individual or company acting under the direction of the permit holder to ensure compliance of all provisions of Section 115.

- I. Section R302.2 Townhouses is repealed in its entirety and insert:

Section R302.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by fire-resistant-rated wall assemblies meeting the requirements of Section R302.1 for exterior walls.

Exceptions:

1. A common 1-hour-fire-resistance-wall assembly tested in accordance with ASTM-E-119 or UL 263 is permitted for townhouse protected by a residential fire sprinkler system if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with currently adopted National Electric Code (NEC). Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.
2. A common 2-hour-fire-resistance-wall assembly tested in accordance with ASTM-E-119 or UL 263 is required for townhouses not protected by a residential fire sprinkler system if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with currently adopted

National Electric Code (NEC). Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

- J. Section R303.4 Mechanical ventilation is hereby repealed and a new Section R303.4 is hereby adopted in lieu thereof as follows:

“R303.4 Reserved.”

- K. Section R313.2 Sprinklers in residential structures is repealed in its entirety and insert:
Section R313.2 One and Two-Family Dwellings Automatic Fire Systems. A builder of one- and two-family dwellings to be constructed for a prospective purchaser shall offer to the purchaser at the time of entering into the construction/purchase contract the option, at the purchaser’s cost, to install or equip fire sprinklers in the dwelling, residence or unit. No purchaser of such one- or two-family dwelling shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or residence being purchased. Written verification by the builder affirming that a fire sprinkler system was offered to the purchasers at the time of entry into construction/purchase contract must be included in the permit application. Residential properties constructed by a builder for the purpose of selling shall submit a signed written statement indicating if the house will, or will not, include a sprinkler system. The builder shall notify all prospective buyers in writing that the house does, or does not, include a sprinkler system.
- L. Section R403.1.4 is hereby amending by substituting “24 inches” at text reading “12” inches”.
- M. Section R403.1.4.1 Frost protection is hereby amended by substituting “200 square feet” under “Exceptions (1) and (2) for 600 and 400 square feet”, respectively.
- N. Should there be any conflicts between the provisions of the Chapters 25 through 32 (inclusive) and the Illinois State Plumbing Code; the Illinois State Plumbing Code shall take precedence.

SECTION 8: The Existing Building Code (Section 150.25) is hereby adopted with the following amendments as follows:

- A. Section 101.1 is hereby amended by substituting “Village of Tremont, Illinois” for the words “[NAME OF JURISDICTION]”;
- B. Section 103.1 is hereby repealed in its entirety and a new Section R103.1 is hereby adopted in lieu thereof as follows:
“Section 103.1 Department of Building Safety, Code Official defined
103.1 General. The term “department of building safety” wherever used in this code shall mean the Code Compliance Officer of the Village of Tremont, Illinois. The term “code official” or “building official” as used in this code shall mean the duly appointed Code Official of the Village of Tremont, Illinois and any designee thereof.
- C. Section 103.2. Deputies, inclusive is hereby repealed in its entirety;
- D. Section 108.2 is hereby amended by substituting “by written order or resolution of the Village Board of Trustees” for the words “by the applicable governing authority.”
- E. Section 108.6 is hereby repealed, and a new Section 108.6 is hereby adopted in lieu

thereof as follows:

- F. "108.6 Refunds. No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work."
- G. Section 112 is hereby repealed in its entirety and a new Section 112 is hereby adopted in lieu thereof as follows:

"Section 112 Means of Appeal

112.1 Means of Appeal. Any person affected by a decision of the Code Official or a notice of order issued under this code shall have the right of appeal per the process established by Section 113 of the Commercial Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals."

- H. Section 113.4 is hereby repealed in its entirety and a new Section 113.4 is hereby adopted in lieu thereof as follows:

"113.4 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction, therefore, shall be punished in accordance with the provisions set forth in Section 114.4 of Section 3, Commercial Building Code."

- I. Add the following sentence to Section 117.3: "The Village shall comply with Illinois law as stated in ILCS Chapter 65 Act 5/11-31-1 (or other current law) pertaining to the demolition of unsafe and abandoned buildings."

SECTION 9: The **Electrical Code** (Section 150.30) is hereby adopted with the following amendments as follows:

- A. Section 90-4 Enforcement is hereby amended by adding thereto the following provisions:

"The duly appointed Code Compliance Officer of the Village of Tremont, Illinois and authorized designee are hereby authorized and designated to carry out the enforcement provisions of this code.

Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal per the process established by section 113 of the Commercial Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals."

SECTION 10: The **Energy Conservation Code** (Section 150.35) is hereby adopted with the following amendments as follows:

- A. Section CI 01.1 is hereby amended by substituting "Village of Tremont, Illinois" for the words "[NAME OF JURISDICTION]";
- B. Section CI 07.2 is hereby repealed in its entirety and a new Section 107.2 is hereby adopted in lieu thereof as follows:

"C 107.2 Fee schedule. A fee for each plan examination, building permit and inspection shall be paid to the Village at the rate or rates established by written order or resolution of the Village Board of Trustees."

- C. Section C107.5 is hereby repealed and a new Section C107.5 is hereby adopted in lieu

thereof as follows:

“C107.5 Refunds. No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work.”

D. Section C108.4 is hereby repealed in its entirety and a new Section C108.4 is hereby adopted in lieu thereof as follows:

“C 108.4 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction, therefore, shall be punished in accordance with the provisions set forth in Section 114.4 of Section 3, Commercial Building Code.”

E. Section 109 is hereby repealed in its entirety and a new Section 109 is hereby adopted in lieu thereof as follows:

“Section 109 Means of Appeal

109.1 Means of Appeal. Any person affected by a decision of the Code Official or a notice of order issued under this code shall have the right of appeal per the process established by Section 113 of the Commercial Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals.”

SECTION 11: The **Plumbing Code** (Section 150.40) is hereby adopted with the following amendments.

- A. Fixtures in basements shall discharge into a sump and be pumped by automatic sewage pumping equipment. The sewage sump shall not receive sub-surface water from foundation drains or building downspouts.
- B. Foundation drains and building downspouts shall not be connected to the sewage drainage system. Foundation drains shall discharge into an isolated sump and be pumped by automatic pumping equipment and discharged into the back yard or a storm drain line designed for such purposes.

SECTION 12: The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the Village Board of Trustees would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 13: All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed.

SECTION 14: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED in due form of law by the President and Board of Trustees of the Village of Tremont, Illinois, at its regularly scheduled meeting on the _____ day of _____ 2019, by roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

Todd R. Bong
Village President

ATTEST:

Gerald B. Madsen
Village Clerk