

COUNTY OF Mc LEAN, STATE OF ILLINOIS

ORDINANCE NO. 24-01-02-53

**AN ORDINANCE ADOPTING THE 2021 INTERNATIONAL
BUILDING CODE**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
15th Day of January 2024

PRESENTED: **January 15, 2024**

PASSED: **January 15, 2024**

APPROVED: **January 15, 2024**

RECORDED: **January 15, 2024**

PUBLISHED: **January 15, 2024**

In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

The undersigned being the duly qualified and Acting Deputy City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)



Jessica Carroll, Deputy City Clerk of the
City of Le Roy, McLean County, Illinois

Dated: January 15, 2024



ORDINANCE NO. 24-01-02-53

AN ORDINANCE ADOPTING THE 2021 INTERNATIONAL BUILDING CODE

WHEREAS, the City of Le Roy has previously adopted the 2006 International Building Code incorporated as Section 9-1-3 of the Le Roy Municipal Code; and

WHEREAS, the City of Le Roy desires to adopt the 2021 International Building Code; and

WHEREAS, the City has authority, pursuant to 50 ILCS 2020/0.01 and 65 ILCS 5/1-3-1 to adopt Rules and Regulations, which have been prepared by nationally recognized technical trade or service associations, including but not limited to, building codes, plumbing codes, electrical codes, fire prevention codes and other similar codes; and

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of Le Roy to adopt the 2021 International Building Code with modifications, amendments and deletions as hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Le Roy, McLean County, Illinois, as follows:

Section 1. That the 2021 International Building Code be and the same is hereby adopted with the modifications, amendments and deletions as set forth in Exhibit A, attached hereto and incorporated herein.

Section 2. That Section 9-1-3 of the City of Le Roy Municipal Code be and the same is hereby amended to read as set forth in Exhibit A, attached hereto and incorporated herein by reference.

Section 3. That three copies of the 2021 International Building Code have been kept on file in the office of the Municipal Clerk for a period of thirty (30) days before the adoption of this Ordinance.

Section 4. Recitals. The foregoing Recitals are incorporated herein and form a part of this Ordinance.

Section 5. Publication. The City Clerk be and is hereby authorized and directed to publish this Ordinance in pamphlet form as provided by law.

Section 6. Severability. In the event any part of this Ordinance shall be found and determined to be invalid by a Court of competent jurisdiction, all valid parts that are severable from this invalid part shall remain in full force and effect.

Section 7. Repealer. All ordinances or parts of ordinances in conflict herein, are hereby repealed, provided, however, that nothing herein contained shall affect any rights, action, or causes of action, which have accrued to the City of Le Roy, prior to the effective date of this Ordinance.

Section 8. Effective Date. This Ordinance shall be in full force and effect ten (10) days following its publication in pamphlet form as provided by law.

EXHIBIT A

**2021 INTERNATIONAL BUILDING CODE
City of Le Roy**

(See attached)

ADOPTION OF CODES

ADOPTION OF APPLICABLE CODES. The following codes are adopted by the city of Le Roy. Not less than one copy of any Code adopted by the Division with the specified additions, deletions, insertions, modifications, and amendments shall be filed and kept at the Office of the City Clerk of the City of Le Roy.

Adoption of the International Building Code 2021 with Amendments. There is hereby adopted by the City of Le Roy for the purpose of establishing rule, standards, regulations and procedures for the location, construction, maintenance, alteration, removal, demolition, use and occupancy of buildings and structures and the service of equipment located within such buildings or structure, a Building Code known as the International Building Code 2021, published by International Code Council, with specific additions, deletions, insertions, modifications and amendments as set forth in this Chapter which said Code as so amended is hereinafter referred to as the "IBC." The provisions of said Code are hereby adopted and incorporated as fully as if set out at length and the provisions thereof as added, deleted, inserted modified and amended by this Chapter shall be controlling in regard to all buildings and structures within the cooperate limits of the City.

Amendments to the Building Code. The International Building Code, 2021, is amended as follows:

1. Insert the phrase "City of Le Roy, Illinois" in all locations in the IBC where parenthetical reference is made to the "name of jurisdiction".
2. **Section 102.2 – Scope.** Add the phrase "in zero lot-line construction," before the words "multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress."
3. **Section 101.4..3 – Plumbing.** Substitute the words "State of Illinois" for the word "International" in the first sentence and delete the second sentence.
4. Delete **Section 102.4, 102.4.1, and 102.4.2** and substitute the following: The codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and other adopted codes and standards, the more restrictive provisions shall apply.
5. Delete **Section 103 – Code Compliance Agency** and insert in lieu therefore the following:
Section 103.0 – Department of Building and Zoning

Sections 103.1 – Building and Zoning Department. The Building and Zoning Department of the City of Le Roy Shall be the "Department of Building Safety" as that term is used in this Code.

Section 103.2 – Code Compliance Officer. The Code Compliance Officer of the City of Le Roy shall be the "Building Official" as that term is used in this Code.

Section 103.3 – Restrictions of Employees. The Code Compliance Officer or employee connected with the Department of Building and Zoning except one whose only connection is that of a member of the Zoning Board of Appeals established under the provisions of Section 10-2-1-1 of the Municipal Code of the City of Le Roy, Illinois, 2003, as amended, shall not be engaged in or directly or indirectly connected with the furnishing of labor, materials or appliances for the preparations of plans or the specifications therefore, unless he is the owner of the building, nor shall such officer or employee engage in any work which conflicts with his official duties or with the interests of the Department.

6. Section 105.2 – Work except from permit. Under subsection Building: Delete lines numbered 1,2,4,6, and 12 in their entirety.
7. Add new sentence at the beginning of Section 105.5 – Expiration as follows: Every permit issued shall expire and become invalid one year after issuance or a later date if a later date is indicated on the permit by the building official.
8. Add the Following: Section 105.8 – Additional Permit Requirements: Section 105.8 - Miscellaneous Permit Requirements: No building permit shall be issued until the following conditions are met:
 - a. Application For Service. No person, firm, corporation or agency shall be issued a building permit under this Chapter unless and until all applicable requirements are met as set forth in Section 8-1-2 of the Municipal Code, City of Le Roy, 2003, as amended. This subsection shall not apply to building permits issued solely for the alteration, repair, shoring, or maintenance of existing building structures unless it involves replacing the water supply service to the city main.
 - b. No person, firm, corporation or agency shall be issued a building permit under this Chapter unless and until a City of Le Roy Building Sewer and Connection permit has been obtained for the proposed construction as set forth in Section 8-4-4 of the Municipal Code, City of Le Roy, 2003. This subsection shall not apply to building permits issued solely for the alteration, repair, shoring, or maintenance of existing buildings or structures.
 - c. No person, firm, corporation, agency, partnership or other entity shall undertake or cause to be undertaken any type of alteration to the exterior of any property designated a historical landmark by the City of Le Roy or any property located within an area designated as a historical district by the City of Le Roy without first submitting plans and obtaining from the City a building permit for such alteration. As used herein, the term alteration means any type of modification or repair including but not limited to maintenance, shoring, repair work, alteration, additions, rejuvenations, rehabilitations, remodeling, or any other action which changes in any manner the existing physical appearance of such property, except for painting. In addition to the general penalties set forth in this Chapter, any violation of the foregoing shall be subject to the following:

(a) Equitable relief as provided by law; or (b) A fine in any amount no more than five hundred dollars (\$500.00) for each offense. A separate and distinct offense shall be regarded each day upon which said violation shall continue after knowledge or notification of the existence thereof to or by the violator.

9. Section 107.5 – Retention of Construction Documents. Delete this Section.

10. Add at the end of Section 109.2 – Schedule of Permit Fees the following:

- a. General. The fee for a permit shall be based upon the reasonable cost of improvements, including material and labor in accordance with the fee schedule of subsection (b) of this Section. Estimated cost shall include all cost of labor and material given a fair market value. In the absence of a bona fide contract establishing the estimated costs, the values for arriving at the fee for a permit shall be established by the Code Official upon the basis of area and type of construction.
- b. Fee Schedule. Fees shall be as set forth in Section 9-1-3B4 of the Municipal Code of the City of Le Roy.

11. Add to the existing language of Section 111.3 – Temporary Occupancy, the following:

Temporary use or occupancy may be granted by the Code Official for maximum duration of one (1) month from the date of issuance. Such occupancy may be further extended only by approval of the City Administrator, subject to a favorable safety inspection by the Code Compliance Officer.

12. Add to the existing language of Section 112.1 – Connection of Service Utilities the following: No utility meters shall be placed on the street side(s) of any commercial or multiple-family building.

13. Delete the existing language of Section 113 - Board of Appeals and substitute therefore the following: Section 113 – General. Decisions of the Code Compliance Officer may be appealed to the Zoning Board of Appeals pursuant to Section 10-2-6 of the Municipal Code of the City of Le Roy except no appeal may be filed after the City has initiated legal or administrative proceedings seeking compliance with this Code or penalties for a violation of this Code.

14. Delete Section 114.3 – Prosecution of Violation and substitute therefore the following: In case of a violation of any provision of this Code, the Building Official may cause to be instituted the appropriate proceeding at law or in equity with the City's Administrative Process to obtain penalties or to restrain, correct or abate such violation, or to require the removal or termination of an unlawful occupancy of the structure. The City may take action to abate any violation, and any costs incurred in abating such violation may be charged against the real estate upon which such abatement occurs and shall be a lien upon such property.

15. Delete the existing language of Section 114.4 – Violation Penalties, and insert in lieu thereof, of following: Section 114.4 – Penalties. Any person found guilty of violating, disobeying, omitting, neglecting or refusing to comply with, or resisting or opposing the investigation or enforcement of any of the provisions of this Chapter or any of the Codes as adopted and modified hereby may be subject to the penalties prescribed in the Municipal Code of the City of Le Roy, Illinois, 2003, as amended.
16. Add to Section 1027.1 – Exterior Exit Stairways and Ramps as follows: No exterior stairways shall be placed or construed on the street side(s) of commercial or multi-family buildings.
17. Add to Table 1607.1 Balconies (exterior) and Decks. Section 5 – Hotels and Multiple-Family Dwellings – 100
18. Delete the existing language of Section 2901.1 – Scope and substitute in lieu thereof, the following: Section 2901.1 – Scope. The design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and storm water and sewage disposal in buildings and structures, shall comply with the requirements of this Article, and the requirements of the Illinois Plumbing Code.
19. Add Section 3001.6 as follows: Section 3001.6. Each elevator must comply with all state laws, including required inspections, and must display any certificate of inspection. A copy of proof of compliance with the state statute must be sent to the Building Official upon demand of the Building Official.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion
Made by Kyle Merkle and seconded by Justin Morfey by roll call vote on the 15th Day
of January 2024, as follows

Aldermen elected 8

Aldermen Present 6

Voting Aye: Dawn Hanafin, Justin Morfey, Kyle Merkle, Patti Welander, Ron Legner,
Matt Steffen.

Voting Nay: None

Absent: Kelly Lay, Sarah Welte

Abstain: None

Other: None

and deposited and filed in the office of the City Clerk in said municipality on the 15th
Day of January 2024.



Jessica Carroll, Deputy City Clerk of the City
of Le Roy, Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this
15th Day of January, 2024



Steven M. Dean, Mayor of the City of Le Roy,
Mc Lean County, Illinois

ATTEST: (SEAL)



Jessica Carroll, Deputy City Clerk of the City of
Le Roy, Mc Lean County, Illinois



CERTIFICATE

I, Jessica Carroll, certify that I am the duly appointed and acting municipal Deputy Clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **January 15, 2024** the Corporate Authorities of such municipality passed and approved **Ordinance No. 24-01-02-53** entitled:


**AN ORDINANCE ADOPTING THE INTERNATIONAL BUILDING
CODE**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 24-01-02-53**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **January 15, 2024** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 15th Day of January 2024.

(SEAL)



Jessica Carroll, Deputy City Clerk of the
City of Le Roy, McLean County, Illinois



STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Jessica Carroll, do hereby certify that I am the duly qualified and acting Deputy City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

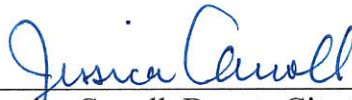
I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE ADOPTING THE INTERNATIONAL BUILDING CODE

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 15th Day of January 2024, and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 15th Day of January 2024

(SEAL)



Jessica Carroll, Deputy City Clerk of the
City of Le Roy, McLean County, Illinois

