

CITY OF LEROY
COUNTY OF MCLEAN
STATE OF ILLINOIS

ORDINANCE NO. 706

AN ORDINANCE AMENDING ORDINANCE 619 AND CHAPTER 20, BUILDING CODE, OF THE
MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975, (AS AMENDED)

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS 4th
DAY OF November 4, 1996.

PRESENTED: November 4, 1996

PASSED: November 4, 1996

APPROVED: November 4, 1996

RECORDED: November 4, 1996

PUBLISHED: November 4, 1996

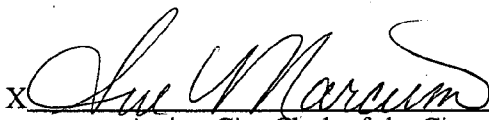
In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

The undersigned being the duly qualified and Acting 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)

X 
Acting City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: November 4, 1996.

ORDINANCE NO. 706

AN ORDINANCE AMENDING ORDINANCE 619 AND CHAPTER 20, BUILDING CODE, OF THE MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED)

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, have determined that it is appropriate to provide for revisions to regulations concerning construction of buildings and/or structures within the City of LeRoy, being amendments to the city regulations frequently referred to as the "Building Code"; and

WHEREAS, the Mayor and City Council of the City of LeRoy have determined that it is in the best interests of the residents, and for the health, safety and welfare of the residents of the City of LeRoy, that the following amendments to Chapter 20, BUILDING CODE, of the Municipal Code of the City of LeRoy, Illinois 1975 (as amended) be adopted,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of LeRoy, Illinois, in lawful meeting assembled, as follows:

Section 1. Article IV of Ordinance 619, adopted by the City Council of the City of LeRoy, August 7, 1995, such also article being a part of Chapter 20, BUILDING CODE, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), are hereby repealed in their entirety.

Section 2. The BOCA National Building Code/1996 is hereby adopted and incorporated by reference in to Chapter 20, Building Code, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), as Article IV of said chapter. New Article IV of Ordinance 619, and amendments to Article IV of Chapter 20, BUILDING CODE, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), are hereby adopted in words and figures as follow:

ARTICLE IV

COMPLETIONS, MODIFICATIONS, DELETIONS AND ADDITIONS TO THE
BOCA NATIONAL BUILDING CODE/1996

(The BOCA National Building Code/1996, adopted in its entirety as Article IV of Chapter 20, Building Code, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), is modified by the following provisions.)

The numbered sections of this Article represent changes to the BOCA National Building Code/1996 or correspond to the sections of said code which are completed, modified, deleted, and/or added as shown in the following sections.

- A. 101.1 is hereby deleted and the following language is substituted therefore as new section 101.1 of the BOCA National Building Code/1996:

101.1 Title: These regulations shall be known as the Building Code of the City of LeRoy, hereinafter referred to as "this Code".

- B. 104.1 is hereby deleted and the following language is substituted therefore as new section 104.1 of the BOCA National Building Code/1996:

104.1 Code Official: The Building Department of the City of LeRoy is hereby created and the executive official in charge thereof shall be known as "Building Administrator" and also as "Building Official." As "Building Administrator" or "Building Official", he or she shall also be known as the "code official" from time to time in the context of this Code. Any reference in this Code to "Department of Building Inspection" shall mean Building Department of the City. Any reference in this Code to "code official" shall mean a reference to the "Building Administrator" or "Building Official", the latter two terms being considered interchangeable with the term "code official."

- C. Section 107 of the BOCA National Building Code/1996, is hereby amended by addition of new sub-sub-section 107.1.2, Permits not required, in words and figures as follow:

107.1.2 Permits not required: Permits for the estimated value of improvements to or demolition of a structure, such improvements or demolition amounting to not more than \$5,000.00, are not required and a fee is not required to be paid nor an application submitted since no permit is required. However, in the event a property owner or contractor wishes to apply for a permit in accordance with this Code and obtain a permit, they may do so in accordance with this Code as though this sub-sub-section 107.1.2 was not applicable. In such case, the fee and application process, as well as permit issuance process and inspection(s), shall be in accordance with all other applicable provisions of this Code.

- D. 108.2 is hereby deleted (including the reference to the title "Suspension of Permit") and the following language is substituted therefore as new section 108.2 of the BOCA National Building Code/1996:

108.2 Suspension of Permit: (a) Establishment of time limit. Each applicant for a permit issued pursuant to this Code shall, on said application, specify the date by which all work authorized by said permit shall be completed. The Building Official or his or her representative shall determine the reasonableness of said date prior to issuing a permit therefore, taking into consideration the size of the project and the likely availability of building materials, equipment and labor. If the Building Official determines that the time specified by the applicant is unreasonable, he or she shall insert such time as he or she believes to be reasonable on the permit as the expiration date of said permit.

(b) Appeal. If the applicant believes that the Building Official's determination is unreasonable, the applicant shall, within ten (10) days of the determination, appeal the Building Official's decision to the

Construction Board of Appeals in the manner provided in sections 121.1 and 121.1.1 of this Code. Failure to pursue said appeal shall constitute acquiescence in the decision(s) of the Building Official.

(c) Expiration of permits. Permits issued pursuant to this Code shall expire and cease to be valid:

- (1) at the end of the six (6) months after issuance if work has not begun by that time;
- (2) if the work is suspended or abandoned for a period of six (6) months, at the end of such six (6) month period; or
- (3) on the expiration date shown on the permit, except as provided in subsection (d) of this section.

(d) Extension. The expected completion date of work under a permit may be extended by the Building Official or his or her representative upon a showing that a change of plans approved by the Building Department or a delay caused by circumstances beyond the control of the applicant requires such an extension, but an extension shall not be granted for a time longer than that caused by the delay or change.

(e) Previously issued permits. All permits heretofore issued for work for which a permit must be issued under this Code shall expire in the same manner provided in subsections (c)(1) and (2) of this section, except that such permit shall expire pursuant to subsection (c)(1) at the end of six (6) months from the adoption date of this Code.

E. New section 110.4 Demolition work bond, being an addition to the BOCA National Building Code/1996, is adopted as follows:

110.4 Demolition work bond: (a) Requirement. Before any permit required by this Code is issued granting authority to demolish or remove a building or structure, the person engaged in the work of demolishing or removing the same shall file with the City Clerk a copy of a performance bond with a surety company as surety naming the person for whom the work is done as obligee to guarantee faithful performance of the terms and conditions of the permit and all applicable federal, state or local regulations and to correct or complete a demolition or removal operation when the demolition contractor or contractor undertaking the removal fails or is unable to do the same upon written notice from the City. Such bond may be written for one or more demolition or removal projects and shall be in an amount of not less than 100% of the amount of the demolition or structure removal contract.

(b) Permit. No permit shall be issued for any demolition or structure removal work until such bond is filed. Upon the filing of such bond and certificate of insurance, as provided in section 110.5, the person engaged in the work of demolishing or removing such building(s) and other structures may obtain permits for such demolition or removal operations as are authorized under the bond, provided, however, that in case of an accident or casualty in the progress of any demolition or removal operation carried on under any permit so issued or the happening of any circumstance

which might, in the opinion of the Building Administrator, render such bond inadequate, the administrator may, in his or her discretion, require such additional bond as he or she may deem necessary to fully insure satisfactory completion of the project before he or she allows the work to proceed or before any additional permit(s) are issued by him or her. In lieu of a bond required under this subsection, a certified or cashier's check in the amount of the bond payable to the City of LeRoy shall be deposited with the City at the time of application for the demolition or structure removal permit. The amount of said check as is not required for satisfactory completion of the project shall be refunded to the applicant upon completion.

(c) Waiver. The foregoing requirement for bond may be waived at the discretion of the Building Administrator when:

- (1) the estimated cost of demolition or removal of a structure, including removal of the debris and clearing the site, is less than Five Hundred Dollars (\$500.00);
- (2) no extra hazardous conditions exist; and
- (3) the demolition or structure removal permit is being sought by the owner of the structure serving as the contractor for the project.

F. New section 110.5 Insurance, being an addition to the BOCA National Building Code/1996, is adopted in words and figures as follow:

110.5 Insurance: (a) Requirement. Before any permit required by this Code is issued granting authority to demolish or remove a building or structure, the person engaged in the work of demolition or removal of such building shall file with the Building Administrator a certificate of liability insurance with the City of LeRoy as a named insured showing coverage of not less than the following amounts:

Bodily Injury:	
Each Occurrence	\$500,000.00
Each Person	\$500,000.00
Property Damage:	
Each Occurrence	\$100,000.00
Aggregate	\$100,000.00

Where any structure to be demolished or removed exceeds three stories in height, the Building Administrator may, in his or her discretion, require additional insurance in an amount not to exceed double the amounts shown herein.

(b) Waiver. The foregoing insurance requirement may be waived at the discretion of the Building Administrator when:

- (1) the estimated cost of demolition of a structure, including removal of the debris and clearing the site, is less than Five Hundred Dollars (\$500.00);
- (2) no extra hazardous conditions exist; and

- (3) the demolition or structure removal permit is being sought by the owner of the structure.

G. 112.3.1 Fee schedules is hereby deleted and the following language is substituted therefore as new section 112.3.1 of the BOCA National Building Code/1996:

112.3.1 Fee schedules: (a) General. The fee for permits for work regulated by any Code adopted by reference in to the City of LeRoy Municipal Code, Chapter 20, shall be as provided in this section 112.3.1. The fee for a permit shall be based on the reasonable cost of the improvement, including material and labor, in accordance with the fee schedule of subsection (b) of this section. If the Building Administrator determines that the applicant's estimate of the cost of improvement is unreasonable, the permit fee shall be based on the construction contract or detailed bill of materials and cost of labor. The Building Administrator's determination of the reasonableness of the applicant's estimate shall be appealable as provided in sections 121.1 and 121.1.1 of this Code.

(b) Fee Schedule based on estimated value of improvements:

<u>Estimated Cost</u>	<u>Fee</u>
\$0 - \$5,000	No fee/no building permit required (other than for the following exception: building permits, or other permits, as may be required by ordinance under this Chapter 20 for electrical service meter base, or service panel, installations and upgrades - require both permit and inspection)
\$0 - \$5,000	Property owner or contractor wishing to obtain a permit, voluntarily, for improvements or demolition work estimated to total less than \$5,000.00 - \$ <u>25.00</u> fee
\$5,001 - \$10,000	\$30.00 plus \$0.40 per hundred or part thereof of the estimated cost over \$5,000. Maximum - \$50.00
\$10,001 - \$50,000	\$50.00 plus \$0.30 per hundred or part thereof of the estimated cost over \$10,000. Maximum - \$170.00
\$50,001 - \$100,000	\$170.00 plus \$0.25 per hundred or part thereof of the estimated cost over \$50,000. Maximum - \$295.00
\$100,001 - \$500,000	\$295.00 plus \$0.22 per hundred or part thereof of the estimated cost over \$100,000. Maximum - \$1,175.00
\$500,001 - \$1,000,000	\$1,175.00 plus \$0.17 per hundred or part thereof of the estimated cost over \$500,000. Maximum - \$2,175.00

\$1,000,001 - \$5,000,000	\$2,175.00 plus \$0.17 per hundred or part thereof of the estimated cost over \$1,000,000. Maximum - \$8,975.00
\$5,000,001 - \$10,000,000	\$8,975.00 plus \$0.15 per hundred or part thereof of the estimated cost over \$5,000,000. Maximum - \$16,475.00
\$10,000,001 - \$50,000,000	\$16,475.00 plus \$0.12 per hundred or part thereof of the estimated cost \$10,000,000. Maximum - \$64,475.00
\$50,000,001 - \$100,000,000	\$64,474.00 plus \$0.10 per hundred or part thereof of the estimated cost over \$50,000,000. Maximum - \$114,475.00
\$100,000,001 & Over	\$114,475.00 plus \$0.05 per hundred or part thereof of the estimated cost over \$100,000,000.

- NOTE:
- (1) This schedule is applicable to each detached and independent building or structure on a lot considered separately. For purposes of this section, any structure under one roof shall be considered as one building.
 - (2) A \$10.00 fee shall be charged for a final inspection/occupancy permit.
 - (3) No permit shall be required for installation of siding on the exterior of any building, or for guttering work, or for minor repairs not to exceed \$5,000.00 in cost (labor and materials) on existing structures.
 - (4) The Building Administrator may waive or adjust the amount of the fee for minor work permits required by this Code.

(c) Definitions. For clarity, the following definitions and guidelines are herein incorporated:

- (1) "Estimated cost" shall include all costs of labor and material given fair market value. A contractor-owner contract or letter of acceptance, certified architect-engineer estimate or accepted bid, or equivalent shall be acceptable as estimated cost adjusted only as allowed by the other provisions of this section.
- (2) For the purposes of clarification, the following costs are included in the estimated cost:
 - a. Excavation work for foundations and subgrade structures;
 - b. Rough grading for drainage;
 - c. Dust proofing of parking lots/spaces including drainage; paving of parking lots;

- d. Work required by zoning, rezoning, or annexation conditions under the Building Department's supervisory jurisdiction;
 - e. Required screening and/or landscaping;
 - f. All mechanical work cost including electrical, heating, ventilation, air-conditioning, plumbing, elevator, energy conservation, and the like;
 - g. Structural support for free standing signs.
- (3) Allowed exclusions from the estimated cost for fee consideration are the cost of the following:
- a. Painting;
 - b. Nonstructural embellishments;
 - c. Cabinetry or shelving not affecting existing or fire rating requirements;
 - d. Fixtures not regulated by this Code and intended only for aesthetic purposes;
 - e. Landscaping not required by statute or any applicable code or other law.
- (4) The estimated cost for permit and fee consideration of temporary buildings/structures shall be the labor cost of assembling, disassembling, and disposal or moving without affecting regular street traffic.

(d) Fee surcharge. Any work undertaken without a permit shall be subject to a surcharge of 50% of the regular charge or Twenty-five Dollars (\$25.00), whichever is greater, upon issuance of a valid permit. This shall be construed as a supplemental penalty accruing regardless of any imposition provided for in section 116.4.

- H. 112.3.2 Moving of buildings is hereby deleted and the following language is substituted therefore as new section 112.3.2 of the BOCA National Building Code/1996:

112.3.2 Moving of buildings: A permit to move a building or structure shall be issued by the Building Administrator only after clearance is obtained from the Police Department and the Water and Street Departments. Issuance of a moving permit does not relieve the permittee from any obligation of complying with all other applicable codes of the City. The moving permit shall not be construed as a building permit. The moving permit fee shall be calculated based on the estimated cost of moving including loading and/or unloading within the City limits. If unloading is related to a building permit, the same shall be excluded from the estimated moving cost. The fee to be charged for such permit shall be as shown on the fee scale of section 112.3.1 plus \$10.00 for each building/structure moved (modular buildings/structures included).

- I. 112.3.3 Demolition is hereby deleted and the following language is substituted therefore as new section 112.3.3 of the BOCA National Building Code/1996:

112.3.3 Demolition: The fee for a demolition permit shall be based on the estimated cost of demolition per building/structure including work on filling, grading, cleaning or safeguarding of the site. A permit shall be issued only after clearance from all utility companies having services that will be or could be affected has been obtained. The fee scales of section 112.3.1 shall apply for each building/structure to be demolished.

- J. 112.3.4 Sign permits and fees is hereby deleted and the following language is substituted therefore as new section 112.3.4 of the BOCA National Building Code/1996:

112.3.4 Sign permits and fees: Application for permit shall be filed with the Building Administrator together with a permit fee which shall be based on the reasonable cost of the sign and supporting structure which includes cost of material and labor in accordance with the fee schedule of section 112.3.1 plus \$0.20 per square foot of sign area.

- K. 112.3.4 Mechanical works fees (Electrical, HVAC, ETC) is hereby deleted and the following language is substituted therefore as new section 112.3.4 of the BOCA National Building Code/1996:

112.3.4 Mechanical works fees (Electrical, HVAC, Etc): See section 112.3.1. Fees for electrical work shall be those as set forth under section 112.3.8 hereafter.

- L. 112.3.5 Power boiler inspection fee is hereby deleted and the following language is substituted therefore as new section 112.3.5 of the BOCA National Building Code/1996:

112.3.5 Power boiler inspection fee: The Building Administrator shall waive all fees and requirements for such inspections.

- M. 112.3.6 Crematory/incinerator inspection fees is hereby deleted and the following language is substituted therefore as new section 112.3.6 of the BOCA National Building Code/1996:

112.3.6 Crematory/incinerator inspection fees: The fee for annual crematory/incinerator inspection shall be \$25.00.

- N. 112.3.7 Elevator permits, certificates, fees is hereby deleted and the following language is substituted therefore as new section 112.3.7 of the BOCA National Building Code/1996:

112.3.7 Elevator permits, certificates, fees: The Building Administrator shall waive all permits and fees.

- O. 112.3.8 Electrical permit fee is hereby deleted and the following language is substituted therefore as new section 112.3.8 of the BOCA National Building Code/1996:

112.3.8 Electrical permit fee : Beginning on the date of adoption of this ordinance, for all electrical work in new construction, a permit shall be required and a fee shall be charged as set forth hereafter. Further, installation of new electric service (defined to be new meter base and/or circuit panel) to an existing structure shall also require a permit, and a fee

shall be charged as set forth hereafter. All other electrical work done on existing structure shall not require a permit or fee until February 29, 1996. After that date (beginning March 1, 1996) the Building Administrator shall no longer be permitted to waive any permits or fees for new electrical work done on existing structures. The fee for electrical work for new structures being constructed shall be considered included with the building permit fee under section 112.3.1. The fee for electrical work on existing structures shall be calculated in accordance with the fee schedule set forth in section 112.3.1 (previous).

- P. 112.3.9 Plumbing permit fee is hereby deleted and the following language is substituted therefore as new section 112.3.9 of the BOCA National Building Code/1996:

112.3.9 Plumbing permit fee : The Building Administrator shall waive all permits and fees.

- Q. 112.3.10 Roofing permit is hereby deleted and the following language is substituted therefore as new section 112.3.10 of the BOCA National Building Code/1996:

112.3.10 Roofing permit: A permit for roofing work done by a roofing contractor as defined in the Illinois Roofing Industry Licensing Act shall be issued by the Building Administrator upon ascertaining that the contractor to do the work is duly and currently certified as a roofing contractor by the State of Illinois. See section 112.3.1 for permit fee.

- R. 112.3.11 Amusement device permit is hereby deleted and the following language is substituted therefore as new section 112.3.11 of the BOCA National Building Code/1996:

112.3.11 Amusement device permit: Amusement device permit (reserved)

- S. 112.3.12 Reinspection fee is hereby deleted and the following language is substituted therefore as new section 112.3.12 of the BOCA National Building Code/1996:

112.3.12 Reinspection fee: If a contractor/owner/agent notifies the City that a project is ready for final inspection and, upon inspection, the City finds the project not completed, then the City shall charge a fee of Ten Dollars (\$10.00) for each reinspection required. The fee shall be paid prior to reinspection.

- T. 112.4 Accounting schedules is hereby deleted and the following language is substituted therefore as new section 112.4 of the BOCA National Building Code/1996:

112.4 Accounting: The Building Administrator shall keep an accurate account of all fees collected; and such collected fees shall be deposited regularly in the jurisdiction's treasury or otherwise as required by law.

- U. 112.5 Refund schedules is hereby deleted and the following language is substituted therefore as new section 112.5 of the BOCA National Building Code/1996:

112.5 Refund schedules: In the case of a revocation of a permit or abandonment or discontinuance of a work project, no fees shall be subject to refund. Where a refund is otherwise justified and approved by the Building Administrator, the same will be permitted less \$10.00 for a service fee.

- V. New section 113.6 Issuance of permit - occupancy prohibited, being an addition to the BOCA National Building Code/1996, is adopted in words and figures as follow:

113.6 Issuance of permit - occupancy prohibited: No building permit shall be issued for any building posted "No Occupancy" except in conformity with the provisions of this section.

(a) Scope of Permit: A building permit for a posted building shall cover all work needed to bring the building into conformity with all relevant codes of the City without regard to whether a building permit would otherwise be required for such work.

(b) Application of permit: An application for a building permit for a posted building shall include the following information:

- (1) sufficient plans and/or drawings showing how the building will be brought into conformity with applicable codes;
- (2) a realistic cost estimate of materials and labor needed to bring the building into compliance;
- (3) a reasonable timetable for completion of work;
- (4) evidence of financial capacity and ability to make repairs approved by the Building Administrator.

- W. 116.4 Violation penalties is hereby deleted and the following language is substituted therefore as new section 116.4 of the BOCA National Building Code/1996:

116.4 Violation penalties: Any person who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter, add to, or repair a building or structure in violation of an approved plan or directive of the Building Administrator, or of a permit or certificate under the provisions of this Code, shall be guilty of an ordinance violation, punishable by a fine of not more than Five Hundred Dollars (\$500.00). Each day that a violation continues shall be deemed a separate offense.

- X. 117.2 Unlawful continuance is hereby deleted and the following language is substituted therefore as new section 117.2 of the BOCA National Building Code/1996:

117.2 Unlawful continuance: Any person who shall continue any work in or about the building after having been served with a stop work order, except such work as he, she or it is directed to perform to remove a violation or unsafe condition(s), shall be liable for a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00). Each day the violation continues shall be deemed a separate offense.

- Y. New section 117.3 Special fees, being an addition to the BOCA National Building Code/1996, as adopted in words and figures as follow:

117.3 Special fees: The payment of the fee for the construction, alteration, removal or demolition, and for all work done in connection with or concurrently with the work contemplated by a building permit, shall not relieve the applicant or holder of the permit from the payment of other fees that may be prescribed by law or ordinance for water taps, sewer

connections, and the like, or fees for inspections, certificates of use and occupancy or other privileges or requirements, both within and without the jurisdiction of the Building Department.

- Z. 118.1 New buildings - certificate of occupancy is hereby deleted and the following language is substituted therefore as new section 118.1 of the BOCA National Building Code/1996:

118.1 New buildings - certificate of occupancy: No person shall use or occupy or permit use or occupancy in whole or in part of, any building hereafter erected until a Certificate of Use or Occupancy shall have been issued by the Building Administrator.

- AA. 118.2 Temporary occupancy is hereby deleted and the following language is substituted therefore as new section 118.2 of the BOCA National Building Code/1996:

118.2 Temporary occupancy : Temporary use or occupancy may be granted by the Building Administrator for a maximum duration of one (1) month from the certificate's date of issuance. The same may be extended monthly only by approval of the Mayor for a maximum of three (3) extensions subject to a favorable safety inspection by the Building Department inspector.

- BB. New section 118.5 Building hereafter altered, being an addition to the BOCA National Building Code/1996, is adopted in words and figures as follow:

118.5 Building hereafter altered: No person shall use or occupy or permit the use in whole or in part of:

- (1) any building hereafter enlarged, extended or altered to change from one use group to another; or
- (2) any building hereafter altered for which a Certificate of Occupancy has not been heretofore issued,

until a Certificate of Use or Occupancy shall have been issued by the Building Administrator, certifying that the work has been completed in accordance with the provisions of the approved permit; except that any use or occupancy which was not discontinued during the work or alteration shall be discontinued within thirty (30) days after completion of the alteration unless the required certificate is secured from the Building Official.

- CC. 121.1 Application for appeal is hereby deleted and the following language is substituted therefore as new section 121.1 of the BOCA National Building Code/1996:

121.1 Application for appeal: Any person may appeal to the Construction Board of Appeal from a decision of the Building Administrator refusing to grant a modification to the provisions of this Code covering the manner of construction or materials to be used in the erection, alteration or repair of a building or structure. Application for appeal may be made when it is claimed that the true intent of this Code or the provisions of this Code do not fully apply or an equally good or better form of construction can be used.

- DD. 121.1.1 Fee for appeals is hereby deleted and the following language is substituted therefore as new section 121.1.1 of the BOCA National Building Code/1996:
- 121.1.1 Fee for appeals: Any petition for a variance/interpretation from the Construction Board of Appeal shall be filed with the Building Department, accompanied by a fee of Fifty Dollars (\$50.00), payable to the City of LeRoy. Each extra petition in a multiple petition shall be charged a fee of Ten Dollars (\$10.00).
- EE. 121.2 Membership of board, and all sub-sections thereof, are hereby deleted and the following language is substituted therefore as new section 121.2 of the BOCA National Building Code/1996:
- 121.2 Membership of board: The Construction Board of Appeal shall consist of the Mayor, all City Council members, and one additional person to be appointed by the Mayor and approved by the City Council. The additional member shall be a resident of LeRoy and, to the greatest extent possible, shall have experience, background, education and training in the building and construction trades, engineering or architectural professions, or other related professional or work areas.
- FF. 121.2.2 Termination is hereby deleted and the following language is substituted therefore as new section 121.2.1 of the BOCA National Building Code/1996:
- 121.2.1 Termination: The term of each additional member (non-City Council or Mayor members) of the Construction Board of Appeal shall end on April 30th of their fifth (5th) year.
- GG. New section 121.2.2 Alternate members, being an addition to the BOCA National Building Code/1996, is adopted in words and figures as follow:
- 121.2.2 Alternate members: The Mayor shall appoint two alternate members who shall be called by the Construction Board of Appeal Chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required of the "additional member" as set forth in section 121.2, preceding.
- HH. New section 121.2.3 Chairman, being an addition to the BOCA National Building Code/1996, as adopted in words and figures as follow:
- 121.2.3 Chairman: The Mayor shall serve as Chairman of the Construction Board of Appeal. In the absence of the Mayor, the Board shall elect a presiding chairman for the purposes of conducting any meeting or hearing convened by the Board.
- II. New section 121.2.4 Disqualification of member, being an addition to the BOCA National Building Code/1996, is adopted in words and figures as follow:
- 121.2.4 Disqualification of member: A member of the Construction Board of Appeal shall not hear an appeal in which that member has any personal, professional or financial interest.
- JJ. New section 121.2.5 Secretary, being an addition to the BOCA National Building Code/1996, is adopted in words and figures as follow:
- 121.2.5 Secretary: The Chairman of the Construction Board of Appeal shall designate a qualified individual to serve as secretary for the Board.

The secretary shall file a detailed record of all proceedings in the office of the City Clerk.

- KK. 121.2.6 Compensation is hereby deleted and the following language is substituted therefore as new section 121.2.6 of the BOCA National Building Code/1996:

121.2.6 Compensation: Members of the Construction Board of Appeal shall serve without compensation.

- LL. 121.4.1 Procedure is hereby deleted and the following language is substituted therefore as new section 121.4.1 of the BOCA National Building Code/1996:

121.4.1: The Construction Board of Appeal is authorized to enact rules of procedure governing its proceedings consistent with this Code.

- MM. 121.5 Quorum is hereby deleted and the following language is substituted therefore as new section 121.4.2 of the BOCA National Building Code/1996:

121.4.2 Quorum: Four (4) members of the Construction Board of Appeal shall constitute a quorum for the purpose of doing business.

- NN. 121.6. Action of board is hereby deleted and the following language is substituted therefore as new section 121.6 of the BOCA National Building Code/1996:

121.6: The board shall modify or reverse the decision of the code official by a majority vote of those present at a duly convened meeting at which a quorum was present at the time the vote was taken and at all times previous during the course of any hearing or deliberation on an appeal.

- OO. Sections 1206.2 Minimum glazing area, 1206.2.1 Adjoining spaces, 1208.2 Ventilation area required, and 1208.1.2 Adjoining spaces, of the BOCA National Building Code/1996 are hereby further amended by addition of the following words at the end of the current provisions set forth in each of the aforesaid sections and sub-sections:

...Bedroom windows can be replaced with windows (openings) or glazing of the same size. However, no bedroom window (opening) or glazing can be made smaller or reduced below the minimum required egress size, in accordance with this code (it being the intention of the City of LeRoy that no bedroom or sleeping room window (opening) or glazing shall be compelled by compliance with this code to be made larger than the current window (opening) or glazing when the same is being replaced, although the property owner may make the same larger if they so desire).

- PP. 1603.4 Snow load is hereby deleted and the following language is substituted therefore as new section 1603.4 of the BOCA National Building Code/1996:

1603.4 Snow load: The basic ground snow load to be assumed in the design of buildings or structures shall be 30 pounds per square foot.

- QQ. 1609 Windloads is hereby deleted and the following language is substituted therefore as new section 1611.3 of the BOCA National Building Code/1996:

1609 Windloads: All exposed structures or parts of structures shall be designed to resist the pressures due to wind in any direction. The basic minimum wind speed for the design of structures shall be based on location of the structure determined by 80 m.p.h. wind factor.

RR. New section 1806.4 Frostline, being an addition to the BOCA National Building Code/1996, is adopted in words and figures as follow:

1806.4 Frostline: All foundations that may be affected by freezing shall be built at least forty inches (40") below the adjacent grade for frost protection.

SS. Existing Chapter 29 of the BOCA National Building Code/1996 is hereby deleted and the following language is substituted therefore as new Chapter 29 of the BOCA National Building Code/1996:

Chapter 20 - Plumbing systems

1902.1 Plumbing - 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 shall comply with the requirements of this Code, accepted engineering practice as defined in the Illinois State Plumbing Code, and with the requirements of the Illinois State Plumbing Code. Plumbing work in the City must be done by a State licensed plumber.

TT. Section 3102.1 General of the BOCA National Building Code/1996 is hereby amended by addition of the following language at the end of the current provision:

...No person shall erect, install, remove or rehang or maintain over any public place any sign for which a permit is required under the provisions of this Cod until an approved bond shall have been filed in the sum of Two Thousand Dollars (\$2,000.00) as herein required or until an insurance policy shall have been filed for public liability in the sum of One Hundred Thousand Dollars (\$100,000.00) per accident and for property damage in the sum of Fifty Thousand Dollars (\$50,000.00) as herein required.

Section 3. Article V of Ordinance 619 adopted by the City Council of the City of LeRoy, August 7, 1995, and Article V of Chapter 20, BUILDING CODE, of the Municipal Code of the City of LeRoy, McLean County, Illinois, 1975 (as amended), by reference being the CABO ONE AND TWO FAMILY DWELLING CODE/1993, are hereby repealed in their entirety.

Section 4. New Article V of Ordinance 619, and new Article V of Chapter 20, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), being, by reference, the CABO ONE AND TWO FAMILY DWELLING CODE/1995 (which code is hereby adopted and is incorporated by reference as Article V of Chapter 20, BUILDING CODE, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended)), are hereby adopted in words and figures as follow:

ARTICLE V

(The CABO ONE AND TWO FAMILY DWELLING CODE/1995 Edition, in its entirety, is hereby adopted as Article V of Chapter 20, BUILDING CODE, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), and is modified by the following provisions)

COMPLETIONS, MODIFICATIONS, DELETIONS, AND ADDITIONS TO THE CABO ONE AND TWO FAMILY DWELLING CODE/1995

The numbered sections of this Article correspond to sections of the CABO ONE AND TWO FAMILY DWELLING CODE/1995 which are completed, modified, deleted and added or amended as follows:

- A. Section 107.3 RIGHT OF APPEAL is hereby added to of the 1995 CABO code by addition of the following language:

107.3 Right of appeal: All persons shall have the right to appeal the building official's decision to the Construction Board of Appeal of the Building Department. Filing of appeals, consideration of appeals (including hearings thereon), and decisions as to appeals shall be conducted in accordance with section 121 Means of appeal, and all sub-sections thereof, of the BOCA National Building Code/1996, as adopted by the City of LeRoy.

- B. Section 111.2 is hereby deleted and the following language is substituted therefore as new section 111.2 of the 1995 CABO code:

111.2 Permit fees. Permit fees shall be calculated as prescribed in section 112.3.1 Fee schedules, of the BOCA National Building Code/1996, in the form as adopted under Article IV of this Chapter 20 by the City of LeRoy.

- C. Sections 111.3 and 111.4 are hereby deleted and the following language is substituted therefore as new sections 111.3 and 111.4 of the 1995 CABO code:

111.3 Expiration. Refer to section 108.2 of the 1996 BOCA code.

111.4 Permit validity. Refer to section 108.2 of the 1996 BOCA code.

- D. Section 113.1 (of the 1995 CABO code) is hereby amended by addition of the following language at the end of said section 113.1:

...Periodical and phase inspections shall be made by the Building Official and properly recorded as to status. Action taken shall be dependent on the inspection findings.

- E. Section 301.2 (of the 1995 CABO code) is hereby deleted and the following language is substituted therefore as new section 301.2 of the 1995 CABO code:

301.2 Climatic and geographic design criteria: The climatic and geographic design criteria shall be as established in the BOCA National Building Code/1996.

- F. Chapter 29 through and including Chapter 38, and all chapters in between, of the 1995 CABO code, are hereby deleted. In place thereof, new Chapter 29 of the 1995 CABO ONE AND TWO FAMILY DWELLING CODE is hereby adopted in words and figures as follow:

CHAPTER 29

PLUMBING

All plumbing materials and work shall comply with the Illinois State Plumbing Code as currently in effect, and any amendments thereto from time to time.

(Chapters 30 thru 38 are reserved.)

G. Section 310.2.1 Minimum size. (of the CABO ONE AND TWO FAMILY DWELLING CODE/1995) is hereby further amended by addition of the following words at the end of the current provision set forth in the aforesaid section, and before the "Exception" provision to said section 310.2.1:

...Bedroom windows can be replaced with windows (openings) or glazing of the same size. However, no bedroom window (opening) or glazing can be made smaller or reduced below the minimum required egress size, in accordance with this code (it being the intention of the City of LeRoy that no bedroom or sleeping room window (opening) or glazing shall be compelled by compliance with this code to be made larger than the current window (opening) or glazing when the same is being replaced, although the property owner may make the same larger if they so desire).

Section 5. All ordinances, or parts thereof, and resolutions, or parts thereof, in conflict with this ordinance shall be and the same are hereby repealed to the extent of such conflict, and this ordinance shall be in full force and effect as set forth hereafter.

Section 6. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 5 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 7. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by Fred Dodson, seconded by Dave McClelland

_____, by roll call vote on the 4th day of November, 1996, as follows:


Aldermen elected 6 Aldermen present 6

VOTING AYE: Ron Litherland, Bill Swindle, Dave McClelland, Dawn Thompson, Fred Dodson
(full names)

VOTING NAY: Lois Parkin
(full names)

ABSENT, ABSTAIN, OTHER: None
(full names)

and deposited and filed in the office of the Acting City Clerk in said municipality on the 4th day of November, 1996.




Sue Marcum, Acting City Clerk of the City of LeRoy, McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 4th day of

November, 1996.


X



Jerry C. Davis, Mayor of the City of LeRoy, McLean
County, Illinois

ATTEST: (SEAL)

X



Sue Marcum, Acting City Clerk, City of
LeRoy, McLean County, Illinois

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on November 4, 1996, the Corporate Authorities of such municipality passed and approved Ordinance No. 706, entitled:

AN ORDINANCE AMENDING ORDINANCE 619 AND CHAPTER 20, BUILDING CODE, OF THE MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED),

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

The pamphlet form of Ordinance No. 706, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on November 4, 1996, 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 LeRoy, Illinois, this 4th day of November, 1996.

(SEAL)



Acting Municipal Clerk

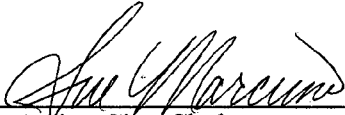
STATE OF ILLINOIS)
) SS:
COUNTY OF McLEAN)

I, Sue Marcum, do hereby certify that I am the duly qualified and Acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such Acting 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 AMENDING ORDINANCE 619 AND CHAPTER 20, BUILDING CODE, OF THE MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED).

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 4th day of November, 1996, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this 4th day of November, 1996.

X 
Acting City Clerk

(SEAL)