



Chapter 3 -- MISCELLANEOUS

8- 3-1: **Occupancy of Street**

It shall not be lawful to occupy with building material, construction equipment, or construction related accessories, any street, right-of-way, or any part thereof.

8- 3-2: **Driveways**

A gravel construction entrance and driveway shall be installed prior to any other work on the property, except residential which shall be required before building material is delivered. The contractor is responsible for maintaining the gravel access drive and keeping the street clean at all times.

8- 3-3: **Right to Complete Buildings Under Outstanding Permits**

Authority is hereby affirmed to complete any building, structure, or portion thereof either in the process of being constructed, erected, enlarged, remodeled, altered, repaired, raised, lowered, underpinned, or moved at or prior to the date of adoption of this Building Ordinance; provided a valid and prior permit outstands therefor, the work accords with the building regulations in force at issuance of such permit, and the building, structure, and various portions thereof will be safe and sanitary upon completion and will fully accord with the building and other laws of said Village in force at the time the permit was issued.

8- 3-4: **Building Changed or Repaired Must Comply with Ordinance**

Any building, structure, or major portion thereof that is enlarged, remodeled, or repaired or has a change of use in said Village shall be made to comply throughout with the provisions of the Building

Ordinance as if applied to new or original work, provided the cost of the work proposed to be done exceeds one-third of the assessed value of the building, as determined by the county assessor, proposed to be changed or repaired. All new work of any type shall comply with the current Building Code Ordinance. The same materials and type of construction as were employed originally may be used for such changes and repairs when the cost of the work to be done is less than the said one-third estimated value, provided such work when completed will be consistent with the provisions of the Building Ordinance pertaining to the district and to public health and safety. The value and cost referred to in this section shall be as of the date when the permit is sought and shall be determined or approved by the Building Commissioner.

8- 3-5: **Construction Materials and Methods**

These rules and regulations specify minimum acceptable construction materials and methods. However, the provisions of these rules and regulations are not intended to prevent consideration of the use of types or methods of construction or material required by those rules and regulations. Any person desiring to use types or methods of construction or materials not specifically mentioned in these rules and regulations shall file with the Building Commissioner authentic proof in support of claims that may be made regarding the sufficiency of such types or methods of construction or materials. Such proof may include adequate reports and test data from a recognized testing laboratory, or proven and authentic methods or types of construction or materials are at least the equivalent of the types and methods of construction and materials now required under these rules and regulations, then shall recommend to the Board of Trustees an amendment to these rules and regulations in order to make permissible the use of the same. If, in the opinion of the Building Commissioner, such proof is not sufficient to justify such amendment to these rules and regulations, the applicant may refer the entire matter to the Board of Trustees, as provided by ordinance. The applicant desiring to use alternate materials or methods or types of construction shall guarantee payment of all expenses for necessary tests made by or on behalf of the Village. No such alternate types or methods or construction or materials shall be used unless authorized by the Board of Trustees by amendment to these rules and regulations.

8- 3-6: **Moving or Wrecking Buildings**

A. Permit. It shall be unlawful for any person to demolish or raze any building within the Village of Hodgkins without having first obtained a permit as hereinbefore described.

- B. Bond. Any person so moving or razing any building within the Village of Hodgkins shall first submit to the Village Clerk a performance bond in the amount of Ten Thousand Dollars (\$10,000.00) for the protection of any streets or other public or private property that may be involved in such moving or razing.
- C. Restoration. That any person moving or razing any such building shall be required to backfill the remaining foundation hole level to the existing landscaping and shall remove and clear said premises of any litter, building materials, masonry materials, or other similar materials remaining after such moving or razing. The disturbed area shall be planted with permanent ground cover, grass or sod, to prevent erosion.
- D. Penalty. Any person, firm, or corporation who violates any of the provisions hereinafter set forth shall be fined not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00) for each offense.
- E. Dust Control. Any person moving or razing a building shall have facilities available to water the construction site during demolition activity for the purpose of providing adequate dust control. In order to alleviate excessive dust, all building demolitions shall be required to maintain and provide watering as needed.

8- 3-7: **Elevator and Escalator Inspections and Fees**

- A. Every elevator and escalator now in operation or which may hereafter be installed, together with all equipment thereof, shall be inspected at least once every six months, and in no case shall any new equipment be placed into operation until an inspection of the same has been made. It shall be the duty of each owner, agent, lessee, and occupant of any building wherein any such equipment is installed, and of the person in charge or in control of any such equipment, to permit the making of a test of such demand has been made. Whenever any elevators or escalators, and all devices and equipment used in connection therewith have been inspected, and all required tests have been made of all safety devices with which such elevator or escalator is equipped, and the result of such inspection and tests show such equipment, including all safety devices, to be in good working condition and in good repair, it shall be the duty of the Building Commissioner to issue or cause to be issued a certificate setting forth the result of such inspection and tests and containing the date of inspection, the weight which such equipment will safely carry, and a statement to the effect that the elevator complies with all Village requirements. It shall

be the joint and several duty of the owner, agent, lessee, or occupant of the building in which such equipment, to frame the certificate and place the same in a conspicuous place in each elevator and near each escalator. The words "safe condition" in this Section means that it is safe for any load up to the approved weight indicated in such certificate.

- B. If the result of the inspection or tests required under "A." above show that such elevator or escalator is in an unsafe condition or bad repair, or show that any of the safety devices have not been installed or if installed are not in good working order or not in good repair, the certificate provided for in "A," above shall not be issued until such elevator or escalator, or such device or devices, have been put in good working order and good repair.
- C. When the elevator inspector finds any elevator or escalator in an unsafe condition, he shall immediately report the same to the Building Commissioner, together with a statement of all facts relating to the condition of such equipment. It shall be the duty of the Building Commissioner, upon receiving any such report, to order the operation of such equipment to be stopped and to remain inoperative until it has been placed in a safe condition and in good operating condition, and it shall be unlawful for any agent, owner, lessee, or occupant of any building wherein any such equipment is located to permit or allow the same to be used after receipt of a notice from the Building Commissioner, which notice shall be in writing, that such equipment is in an unsafe condition, and it will remain so unlawful until it has been restored to a safe and proper operating condition.
- D. The fee for the semi-annual inspection of an elevator or escalator shall be the cost of inspection plus a \$15.00 administrative charge. Said fee shall be the joint and several obligation of the owner, agent, lessee, and occupant of any building wherein such equipment is installed. An additional fee shall be charged for each additional inspection because the initial inspection indicated the elevator or escalator to not be in a safe and/or good operating condition. Said fee for each additional inspection shall be the cost of inspection plus a \$15.00 administrative charge.
- E. The provisions of this Section 8- 307 shall not apply to elevators and escalators now or hereafter in operation or installed in a single-family residence located in the Village (except where such is used in connection with either a legal, non-conforming or illegal non-residential use of said residence).

8- 3-8: **Surface and Sub-Surface Water Damage**

It shall be unlawful for the owner, agent, or other person in control or possession of any premises jointly or severally to permit any eave trough, footing drain, drain downspout, piping, sump pump, or other device or appliance, permanent or temporary, above or below grade, for collecting and discharging surface water, rain water, or any other source of surface run-off water, ground water or sub-surface water to be so designed, located, or constructed over or across any street, alley, public way, or any rights-of-way thereof, or public property other than by means of a Village approved storm sewer, drainage swale or other drainage system or structure. It is further the intent of this Ordinance that no such waters shall be collected and discharged on any adjoining property. All such waters must be discharged on the owner's property, and no such waters shall be collected and discharged closer than three (3') feet from the side lot line of the premises unless it is enclosed in a sub-surface drainage system approved by the Village which discharges such water at or near the front property line or at a point no closer than ten (10') feet from the rear property line; provided, however, if there is a public sidewalk on or adjacent to the subject property, no such waters shall be collected and discharged closer than six (6') feet from any such sidewalk.

8- 3-9: **Soil Erosion Control Requirements**

The Permittee shall provide soil erosion control measures including, but not limited to, continuous and secured straw bales / silt fencing at all points of downstream discharge to adjacent properties.

8-3-10: **Water Meters**

When any new construction, addition, or alteration includes connection to the Village of Hodgkins' public water supply, connection shall not be considered complete until both the water meter and remote meter are installed.

8- 3-11: **Dumpsters on Construction Sites**

Dumpsters on construction sites shall be kept covered at all times and shall be emptied when full before they overflow or construction waste is blown out of the dumpster. The dumpster shall not be placed where it will block the vision of any roadway and shall not be placed in the right-of-way, roadway, or street. The dumpster shall be removed before a temporary or final occupancy is granted.

8- 3-12: **Temporary Sanitation Facilities on Construction Sites**

All construction sites for new homes and non-residential construction sites shall have temporary portable sanitation facilities. They shall be emptied on a regular basis and not be

allowed to overflow. The portable bathrooms shall not be placed where they will block the vision of any roadway and shall not be placed within the right-of-way, roadway, or street. The Building Official shall approve the location of temporary sanitation facilities. The temporary sanitation facilities shall be locked when there are no construction personnel on site. They shall be removed before a temporary or final occupancy is granted.

8- 3-13: **Street and Site Maintenance**

The contractor shall be responsible for keeping the street clear of mud and for keeping all debris in the on-site dumpster. The contractor shall be responsible for removing any paper or debris which blows off the construction site.

8- 3-14: **Swimming Pools**

Swimming pools shall be constructed in compliance with Appendix G of the International Residential Code for one- and two-family dwellings as amended and stipulated in Article VII, herein. All swimming pools are subject to application and issuance of a permit prior to construction.

.Inspections

- Pool Shell – An inspection is required for the pool shell reinforcing and bonding required by Article 680 of the National Electrical Code prior to placing concrete.
- Pool Deck – An inspection is required for the pool deck reinforcing and bonding required by Article 680 of the National Electrical Code prior to placing concrete.
- Pool Final – An inspection is required for the pool and pool equipment when it is completed.
- Pool Fence – An inspection is required for the pool fence at the completion of construction.

8- 3-15: **Construction Fencing**

In order to ensure that construction activity is contained within a specified area on the construction site and to prevent damage to trees, slopes, and other sensitive areas, construction fencing shall be provided as follows:

- A. Construction fencing shall be erected prior to the commencement of construction for all non-residential buildings and building additions, all new single-family residences and additions, and any other construction activity that involves substantial grading or foundation work as determined by the Village Engineer or Building Officer. The Village Engineer or Building Officer may waive the requirement for construction fencing if it is determined to be unnecessary by the scope of work involved.

- B. Construction fencing shall be maintained for the duration of exterior construction activity on a property.
- C. Construction fencing shall enclose the entire work area except for the designated construction access drive. The location of construction fencing shall be specified on a site plan submitted for the building permit and shall be subject to the approval of the Building Officer.
- D. No construction work shall extend beyond the confines of the fenced area except as may be specifically authorized by the Building Officer.
- E. A stop work order as per Section 8- 4-4 herein may be issued by the Building Officer for any failure to maintain construction fencing or violation of the work perimeter established by the construction fencing. Upon issuance of a stop work order, work shall not be allowed to commence until the construction fencing has been repaired to the satisfaction of the Building Officer.

8- 3-16: **Depressed or Cut Curb Required for New Driveways**

Any new driveway built for a new building accessing a street improved with perimeter curbs shall include cutting the existing curb or replacement of said curb with a depressed curb. This requirement shall apply to new driveways built for new residential and non-residential buildings on all streets with curbs regardless of the type of curb that exists prior to installation of the driveway.