

STATE OF ILLINOIS        }  
                                      }  
COUNTY OF COOK         }

**CLERK'S CERTIFICATE**

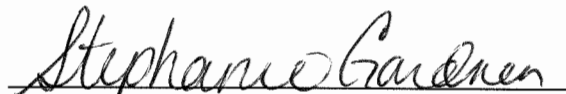
**I, STEPHANIE GARDNER**, the duly appointed, qualified and acting Village Clerk of the Village of Hodgkins, Cook County, Illinois, DO HEREBY CERTIFY that attached hereto is a true and correct copy of Ordinance 19-05 is now on file in my office entitled:

**AN ORDINANCE REPLACING THE BUILDING CODE,  
CHAPTER 9, OF THE HODGKINS VILLAGE CODE**

Which Ordinance was passed by the Board of Trustees of the Village of Hodgkins at a meeting held on the 4th day of June, 2019 at which a quorum was present and there were no objections to the proposed Ordinance. Approved by the President in the Village of Hodgkins on the 4th day June, 2019.

**I FURTHER CERTIFY** that a fully executed original copy of said Ordinance was duly filed in the office of the Clerk the 9th day of June, 2019 and that attached hereto is a copy of said Ordinance. That the original Ordinance is entrusted to my care for safekeeping and that I am the lawful keeper of same.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Hodgkins, this 5<sup>th</sup> day of June, 2019.

  
Stephanie Gardner, Village Clerk

\*\*\* S E A L \*\*\*

## **ORDINANCE 19-05**

### **AN ORDINANCE REPLACING THE BUILDING CODE, CHAPTER 9, OF THE HODGKINS VILLAGE CODE**

**WHEREAS**, the Building Committee, Building Inspector, Safety Inspector and outside consultants have reviewed the existing code in relation to the most current International Building Code and other related codes; and

**WHEREAS**, it is the recommendation of the Building Committee to replace the entire Village Building Code, Chapter 9, with the attached marked as Ordinance Relating to Buildings; and

**WHEREAS**, the Building Committee has reviewed the changes with Sterling Codifiers and all that remains is Village Board approval place the Ordinance into Code format:

**NOW THEREFORE, BE IT ORDAINED** by the President and the Board of Trustees of the Village of Hodgkins the following:

#### Section 1

The attached ORDINANCE RELATING TO BUILDINGS is hereby adopted pursuant to this Ordinance 19-05.

#### Section 2

That the attached ORDINANCE RELATING TO BUILDINGS and this Ordinance 19-05 be delivered to Sterling Codifiers and thereby be incorporated into the Hodgkins Village Code.

#### Section 3

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity shall not affect any of the other provisions of this Ordinance.

#### Section 4

All parts thereof in conflict with the provision of this Ordinance are hereby repealed insofar as the conflict herewith.

#### Section 5

This Ordinance shall be in full force and effect from and after its adoption and approval. The Village Clerk is directed to publish this Ordinance in pamphlet form after its adoption and approval.

**ADOPTED** this 4<sup>th</sup> day of June, 2019

**AYES:** 5

**NAYS:** 0

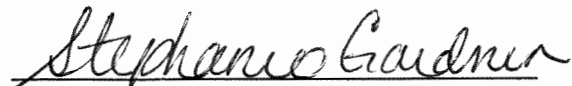
**ABSENT:** 1

**ABSTAIN:** 0

**APPROVED** by me this 4<sup>th</sup> day of June, 2019

  
Village President

**ATTEST:**

  
Village Clerk

Published by me this 4<sup>th</sup> day of June, 2019

)

**VILLAGE OF HODGKINS  
AN ORDINANCE RELATING TO BUILDINGS**

**C O N T E N T S**

**TITLE 9**

**Chapter 1 -     Enactment**

- 9- 1-1:     Name of Code
- 9- 1-2:     Purpose of Code
- 9- 1-3:     Nature of Code
- 9- 1-4:     Application of Code
- 9- 1-5:     Provisions and Requirements of Code

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- 9- 2-1:     Building Official
- 9- 2-2:     Duties of Building Official
- 9- 2-3:     Short Title for Building Official
- 9- 2-4:     Building Official and Inspectors May Enter Premises
- 9- 2-5:     Personal Liability of Building Official and Inspectors
- 9- 2-6:     Public Improvement Required Prior to Permit
- 9- 2-7:     Building Permit Required
- 9- 2-8:     Work Exempt from Building Permits
- 9- 2-9:     Duration of Building Permits
- 9- 2-10:    Extension of Building Permits
- 9- 2-11:    Issuance of Permits
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- 9- 2-13:    Landscaping Plans
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- 9- 2-15:    Plans and Specifications – Essential Requirements
- 9- 2-16:    Architect, Structural Engineer, or Licensed Design  
Professional Must Certify that Plans Comply . . .
- 9- 2-17:    Alterations Upon Stamped Plans Not Permitted
- 9- 2-18:    Permit, Plans, and Specifications Must be Kept on  
the Job
- 9- 2-19:    Plans and Specifications to Remain on File
- 9- 2-20:    Permit Sign
- 9- 2-21:    Fee for Building Permits
- 9- 2-22:    Constructing Buildings Contrary to Approved Plans –  
Permit Made Void by Deviation from Plans – Power to Stop Work
- 9- 2-23:    Revocation of Permit
- 9- 2-24:    Inspection
- 9- 2-25:    Foundation Location and Elevation Spot Survey
- 9- 2-26:    Engineering Fees
- 9- 2-27:    Certification of Occupancy – Single-Family Residential

- 9- 2-28: Certification of Occupancy – Other Than Single-Family Residential
- 9- 2-29: Temporary Certificate of Occupancy – Other Than Single-Family Residential

### **Chapter 3 - Miscellaneous**

- 9- 3-1: Occupancy of Street
- 9- 3-2: Driveways
- 9- 3-3: Right to Complete Buildings Under Outstanding Permits
- 9- 3-4: Building Changed or Repaired Must Comply with Code
- 9- 3-5: Construction Materials and Methods
- 9- 3-6: Moving or Wrecking Buildings
- 9- 3-7: Elevator and Escalator Inspections and Fees
- 9- 3-8: Surface and Sub-Surface Water Drainage
- 9- 3-9: Soil Erosion Control Requirements
- 9- 3-10: Water Meters
- 9- 3-11: Dumpsters on Construction Sites
- 9- 3-12: Temporary Sanitation Facilities on Construction Sites
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### **Chapter 4 - Compliance and Enforcement**

- 9- 4-1: Compliance with Building Ordinance Necessary
- 9- 4-2: Building Contrary to Building Ordinance a Nuisance
- 9- 4-3: Deviations of Violations, if Found – Procedure

### **Chapter 5 - General Penalty**

- 9- 5-1: General Penalty

### **Chapter 6 - Construction of Ordinance**

- 9- 6-1: Conflicts Between General and Specific Provisions
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### **Chapter 7 - Adoption of Regulations**

- 9-7-1: Building Regulations Adopted
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## **Chapter 8 - Fair Housing Policy**

- 9-8-1: Declaration of Policy
- 9-8-2: Construction
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- 9-8-4: Definitions
- 9-8-5: Prohibited Acts General
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- 9-8-8: Coverage and Exemptions
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- 9-8-10: Administration
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## **Chapter 9 - Soil Erosion and Sedimentation Control**

- 9-9-1: Minimum Standards; Application Of Provisions
- 9-9-2: General Requirements
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- 9-9-5: Required Control Measures
- 9-9-6: General Sequence Of Items Provided By Contractors

## **Chapter 10 Point of Sale Inspections**

- 9-10-1: Findings
- 9-10-2: Definition
- 9-10-3: Timing and Frequency of Inspection
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- 9-10-5: Compliance Inspection Code Used
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- 9-10-7: Refusal To Consent and Warrant Procedures
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- 9-10-9: Inspection Procedures and Appeal
- 9-10-10: Follow Up Repairs
- 9-10-11: Conditional Certificate of Compliance
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- 9-10-14: No Warranty
- 9-10-15: Inspection Fee Schedule

AN ORDINANCE RELATING TO BUILDINGS BE IT ORDAINED BY THE  
PRESIDENT AND BOARD OF TRUSTEES OF THE  
VILLAGE OF HODGKINS AS FOLLOWS:

**Chapter I – ENACTMENT**

- 9- 1-1:    **Name of Code**  
The name of this ordinance shall be “Building Code.” It may be cited as such for all purposes, without reference to the respective Articles.
- 9- 1-2:    **Purpose of Code**  
The purpose of this Code is to establish rules and regulations for constructing, erecting, enlarging, remodeling, altering, repairing, raising, lowering, underpinning, moving or wrecking, change of use as defined in the building code, of buildings, structures, or portions thereof. The ordinance serves to regulate the location, equipment, use and occupancy thereof, in order to promote public health and safety and to do substantial justice.
- 9- 1-3:    **Nature of Code**  
This ordinance is intended to be remedial and to be construed liberally and justly to secure the beneficial aim and purpose thereof.
- 9- 1-4:    **Application of Code**  
This ordinance shall apply to all buildings, structures, or portions thereof in the said Village of Hodgkins federal and state buildings, and possessions being excepted.
- 9- 1-5:    **Provisions and Requirements of Code**  
The following articles and their several sections contain and shall constitute the provisions and requirements of the Building Ordinance.

**Chapter 2 – ADMINISTRATION AND SUPERVISION**

- 9- 2-1:    **Building Official**  
There is hereby created and established the Office of Building Official. The official shall be appointed by the President by and with the advice and consent of the Board of Trustees in the same manner and for the same term as other Village Officials are appointed. The official shall receive such compensation as the President and Board of Trustees shall from time to time approve. The official may be removed from office at any time either (a) by the President with the consent of the Board of Trustees, or (b) by the affirmative vote of two-thirds of the Board of Trustees in favor of such removal.
- 9- 2-2:    **Duties of Building Official**  
The duties of the Building Official shall be (a) to have general charge and

supervision of the erection, construction, alteration, repair, removal, and inspection of all buildings, walls, structures, or portions thereof, and accessories thereto within the Village and to enforce all ordinances relating thereto. (b) The Building Official shall examine and approve/disapprove all plans for building permit purposes. The official shall have charge of building inspections on all buildings, structures, or portions thereof in connection with work that has been authorized by a permit. (c) The Building Official shall perform such further duties as the Building Ordinance requires.

9-2-3: **Short Title for Building Official**

The title or phrase "Building Official" when used in the Building Ordinances shall mean and include the Building Official as fully and effectively as if each and all of said Official were specifically designated and named in lieu of the title or phrase.

9-2-4: **Building Official and Inspectors May Enter Premises**

Building Official are hereby empowered to lawfully enter upon any premises or into any building or structure or portion thereof (upon showing their badge of office or other identification) when necessary to do so in the performance of any duty imposed upon them by the Building Ordinance. It is hereby made unlawful for any person or persons to hinder or prevent or to attempt to hinder or prevent Building Official from so doing.

Any person or persons hindering or attempting to hinder, resisting or attempting to resist any Building Official in the performance of duty shall be charged with resisting an Official. The person or persons convicted of such offense shall be subject to the general penalty provided for violations of the Building Ordinance.

9-2-5: **Personal Liability of Building Official and Inspectors**

In all cases where any action is taken by the Building Official, or any Official of the said Village, to enforce the provisions of any of the sections in the Building Ordinance, or to enforce the Provisions of any of the laws of said Village (whether such action is taken in pursuance of the express provisions of such sections or laws, or in a case where discretionary power is given by the Building Ordinance, or said laws), such acts shall be done in the name of, and on behalf of, the said Village of Hodgkins and the said Official, in so acting for said Village, do not thereby render themselves liable personally, and they are hereby relieved from all personal liability, for any damage that may accrue to persons or property as a result of such act committed or permitted (in good faith) in the discharge of their duty, and any suit brought against the said Official by reason thereby shall be defended by the Law Department of the said Village until final termination of the proceedings therein.



9- 2-6:

**Public Improvement Required Prior to Permit**

All building permits shall carry with them the condition that no occupancy of the building subject to the permit will be permitted until such time as all land improvements required under the Subdivision Ordinance of this Village, as amended, have been substantially completed as required by said Subdivision Ordinance.

If the property for which a permit is being sought is not subject to the Subdivision Ordinance of this Village, the building permit shall carry with it a condition that no occupancy of the building subject to the permit will be permitted until such time as the water main, public sewer, and any other required land improvement has been completed as required by the Ordinances of the Village and as approved by the Village Engineer.

All building permits issued prior to completion of said land improvements shall include a statement signed by the owners of the property involved or an authorized representative of the owner as follows:

“As owners of the property described in the building permit, the undersigned hereby acknowledge and accept the condition that no occupancy of the building to be constructed thereon will be permitted, no Certificate of Occupancy issued, until such time as all land improvements required under the Subdivision Ordinance of this Village, as amended, and/or any other Ordinances of the Village of Hodgkins have been installed, except street and alley improvements as therein required may be in the process of installation, provided that roadway pavement base course has been installed and is suitable for vehicular traffic.”

9- 2-7:

**Building Permit Required**

It is hereby declared unlawful for any person, firm, or corporation to commence or to perform or engage in any work in connection with the construction, erection, enlargement, remodeling, altering, repairing, raising, lowering, underpinning, change of use, moving or wrecking of any building, structure, or portion thereof without having first made application to and secured the necessary permit therefor. Any person, firm, or corporation so doing shall be subject to the general penalty for violation of the Building Ordinance. The building permit shall carry with it the right to install any crane, derrick, material elevator, heating or lighting apparatus, inside the lot line which may be required for temporary use during the progress of the work.

There is miscellaneous type work such as concrete patios, landscaping without grade changes, and repairs (see Section 9- 2-9) which will not require a building permit. The Building Official shall inspect any such projects and make the final decision as to the applicability of this section, prior to the start of any work. It is the obligation of the property owner or their agent to consult with the Building Official to determine the application of this section, prior to the start of any work.

9- 2-8: **Work Exempt from Building Permits**

1. A permit shall not be required for ordinary repair work incidental to the upkeep of a building or structure, provided there is not contemplated or involved any change in the classification or any increase in the fire hazard thereof. The Building Official shall make the final determination as to the meaning of "ordinary repair work." Nothing in this section contained shall be interpreted or construed to allow any work included in the permit exemption thereof to be done in any manner contrary to the requirements of the Building Ordinance and other laws or ordinances. Violations of said Ordinance in any work not required to be done under a permit shall be subject to the general penalty of said Ordinance.
2. Sidewalks and driveways.
3. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
4. Prefabricated swimming pools which are less than 24 inches deep and do not exceed 5,000 gallons and are installed entirely above ground.
5. Swings and other playground equipment.
6. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
7. Window and door replacement with same width which does not involve structural beam or load bearing support. All windows and doors shall meet the State Energy Code for U-factor and air leakage.
8. Patio awnings which do not exceed 240 square feet and are not enclosed more than 50% on each side.

9- 2-9: **Duration of Building Permits**

1. All building permit fees shall be paid prior to the issuance of any permits.
2. Any building permit approved pursuant to this Ordinance under which the building permit fee has not been paid in full within three (3) months from the date of approval, shall expire automatically by date of approval of the Building Official; and the fees paid therefor, if any, shall be forfeited to the Village.

3. Any building permit issued pursuant to this Ordinance under which no substantial progress shall have been made within six (6) months from the date of issuance thereof shall expire automatically by limitation and may not be extended or renewed without the written approval of the Building Official; and unless such permit is surrendered to the Village Clerk within two (2) months after its expiration for such cause, the fees paid therefor shall be forfeited to the Village. However, under any circumstances the Plan Exam fee will not be returned.

4. Any building permit issued hereunder shall expire automatically upon cessation of work for more than two (2) months. A cessation of work shall be deemed to have occurred in any case where for any such period no substantial progress has been made in the work for which a permit has been issued and all fees paid shall be forfeited to the Village.

5. A building project shall be considered abandoned if no significant progress has been made for a period of six (6) months or more. A building, structure, or part thereof so abandoned shall be declared a public nuisance by the Building Official and the Board of Trustees and shall be dealt with accordingly.

6. Substantial progress for purposes of this Ordinance shall be defined as the amount of work a journey tradesperson can perform in one week.

7. A building permit for a single-family residence, single-family residential room addition, or a building or structure accessory to a single-family residence shall expire automatically if all exterior work is not completed within one year from the date of the first scheduled footing inspection as per Section 9-2-24B herein or within one year from the issuance of a permit if there is no footing inspection. Exterior work shall include, but not be limited to the following:

*A.* The exterior facade, including but not limited to doors, windows, and siding, the roof of the building, paving of driveway(s), final grading, and required landscaping.

*B.* Removal from the exterior of the property of all construction fencing and unneeded appurtenances including building materials, construction trailers and equipment, and construction fencing. Dumpsters and portable sanitation facilities may remain on the site as may be needed but shall be moved to a hard-surfaced area or inside a garage whenever possible.

8. A building permit that has or will expire as per Section 9-2-10 above, may be extended as follows:

A. Completion of landscaping and driveways may be extended without further action when the deadline for completion falls between October 16 and March 31 as per Section 9-2-28 herein.

B. The Building Official may grant up to four, 90-day extensions upon written request or emailed, by the permit applicant and payment of an extension fee as per Section 9- 2-10 below.

C. For each extension granted as per Section 9-2-10, an extension fee shall be paid as follows:

	<b>Work Remaining</b>	<b>Fee*</b>
<b>First 90-day Extension</b>	Site Improvements,** Only	5%
<b>First 90-day Extension</b>	Building w/ or w/o Site Improvements	10%
<b>Second 90-day Extension</b>	Site Improvements,** Only	5%
<b>Second 90-day Extension</b>	Building w/ or w/o Site Improvements	10%
<b>Third 90-day Extension</b>	Site Improvements or Building	10%
<b>Fourth 90-day Extension</b>	Site Improvements or Building	10%

\*Percent of Building Permit Fee

\*\*Site Improvements include walks, drives grading, ground cover, and removal of silt fencing, dumpsters, and other outside construction appurtenances.

9-2-10: **Extension of Building Permits**

Upon payment of 10% of the original building permit fee, building permits for buildings or structures upon which work has been commenced may be once extended for a period not exceeding six (6) months. Provided said extension is requested within six (6) months after expiration and that the work complies with the building codes in effect at the time of the extension. Permits for which work has not begun also may be extended once for up to six (6) months upon payment of 10% of the original building permit fee and subject to compliance with building codes in effect at the time of such extension.

9- 2-11: **Issuance of Permits**

Permits authorized to be issued and required to be obtained under the Building Ordinance shall be issued by the Office of the Village Clerk when the application therefor and the plans submitted therewith shall have been approved by the Building Official and all fees have been paid.

9- 2-12: **Application for Permits**

When any person, firm, or corporation shall be desirous of constructing, erecting, enlarging, remodeling, altering, repairing, raising, lowering, underpinning, moving, changing the use as defined by the building code, or wrecking any building structure, or portion thereof, the Village shall make a written application or emailed if available therefor upon the blank forms furnished for such purpose. This application shall be filed with the Building Official and shall set forth the following:

A. The name, telephone number, fax number, and address of the applicant.

B. The name, telephone number, fax number, and address of the architect, structural engineer, or other licensed design professional permitted by the laws of the State to make plans who has prepared the plans and specifications accompanying the application.

C. The name, telephone number, fax number, and address of the owner of the real estate upon which the proposed work is to be performed.

D. The name, telephone number, fax number, and addresses of the general contractor.

E. The location of the proposed work, that is, the street address assigned by the Village, the subdivision, lot number, and township of the subject property.

F. The type of work the applicant is seeking permission for.

G. The permanent index number of the real estate upon which the proposed work is to be performed.

H. The application shall be accompanied by duplicate plans, specifications, and plats as specified in Section 9-2-14, drawn to scale, of the lot or lots composing the site, showing the exact location of the proposed building and any buildings and also septic systems and wells already located on the lot or lots involved. The application shall also be accompanied by plans and specifications signed and sealed in the manner hereinafter required by Section 9-2-16 of this Ordinance, and by an exact legal description of the property involved.

I. An agreement signed by the owner, his duly authorized agent, architect, or structural engineer that he will, if granted the permit applied

for, construct the work in accordance with the description set forth in the applications and plans and specifications accompanying such applications; and that the general and detailed work connected with such construction, erection, enlargement, remodeling, altering, repairing, raising, lowering, underpinning, moving, changing of use as defined by the building code, or wrecking or any such building structure or portion thereof, as the case may be, shall be done in strict compliance with the Ordinance of the Village and the provisions of the permit.

J. The purpose of this regulation is to protect existing property, to enhance the general appearance of the community, to protect the individual from making construction errors, and to aid in general drainage of all properties in the area.

1. Grade Line. The grade line noted on the architectural elevation drawings shall be a line where the ground line intersects the foundation.

2. Approval by Village Engineer. The grade line is at a point, which is established by the Village Engineer or Building Official.

K. The permit application can be emailed to the Building Official.

9- 2-13: **Landscaping Plans**

For any building to be constructed in a Business District, Transitional District, Office District, or Manufacturing District, the application for permit shall be accompanied by duplicate sets of detailed landscaping plans to indicate conformance with the requirements of any approved site plan and the requirements of the Hodgkins Zoning Ordinance, as amended, pertaining to the landscaping of all required yards or other required open spaces and to buffer landscaping. Landscaping plans shall indicate location, number, size, and species of all proposed landscaping materials. The Village must approve landscaping plans.

Once installed, approved landscaping shall be maintained in such manner as to retain at a minimum the intended standards of the initial landscaping plan and to conform to the landscaping requirements of the Village.

9- 2-14: **Plans and Specifications to be Filed in Duplicate**

The number of drawings to be submitted for residential shall be four (4) sets, maximum size of 24" x 36". The number of drawings to be submitted for industrial, commercial, and multi-family shall be four (4) sets, maximum size of 30" x 48". Each set of drawings shall consist of a site plan showing dimensions to all property lines, foundation and footing plan, basement or cellar plan, the plans of all floors and roofs, transverse and longitudinal sections necessary to show all details to verify building, zoning, and floor area ratio requirements, elevations, and the necessary framing plans to show the complete framing of the building or structure. Such other plans shall be filed as may be required in the opinion of the Building Official to illustrate the features of construction and equipment of the building structure referred to.

9-2-15: **Plans and Specifications – Essential Requirements**

All plans and drawings shall be drawn to a legible scale. All distances and dimensions shall be accurately figured and drawings made explicit and complete showing the front and side lot lines and the entire sewage and drain pipes and the location of all plumbing fixtures within such building. The dimensions of the structural members shall be given on the drawings whether shown in the specifications or not. The specifications shall describe all the materials to be used in the proposed building. The Building Official shall approve each set of plans presented before a permit will be granted. A final as built set of plans shall be submitted as a PDF.

9-2-16: **Architect, Structural Engineer, or Licensed Design Professional Must Certify that Plans and Specifications Comply with the Building Ordinance by Signing and Sealing**

It shall be unlawful for any architect, structural engineer, or any other licensed design professional to prepare or submit to the Building Official for his approval any final plans for any building or structure which do not comply with all of the provisions of this Building Ordinance and all other applicable laws and ordinances specifically including but not limited to the Hodgkins Zoning Ordinance. Any plans submitted under this Ordinance shall bear the signature and seal of the architect, structural engineer, or other licensed design professional who prepared the plans and specifications. A seal will not be required where this Building Official determines the work to be non-structural or minor in nature.

Every licensed architect or structural engineer shall have a reproducible seal, or facsimile, the print of which shall contain the name of the architect or structural engineer, the license number, and the words "Licensed Architect," or "Structural Engineer," "State of Illinois." The licensed architect or structural engineer shall affix the signature, current date, date of license expiration, and seal to the first sheet of any bound set or loose sheets of technical submissions utilized as contract documents between the parties to the contract or prepared for the review and approval of any governmental or public authority having jurisdiction by that licensed architect or structural engineer or under that licensed architect's or structural engineer's responsible control. The sheet of technical submissions in which the seal is affixed shall indicate those documents or parts thereof for which the seal shall apply. The seal and dates may be electronically affixed. The signature must be in the original handwriting of the licensee or electronically signed and sealed per the Illinois Design Practice Act.. All technical submissions issued by any corporation, partnership, professional service corporation, or professional design firm as registered under this Act shall contain the corporate or assumed business name and design firm registration number, in addition to any other seal requirements as set forth by the Illinois Department of Professional Regulation.

Anyone falsely making any such certification shall be subject to the penalty provided in Section 9- 5-1 of this Ordinance and to such further penalties as may be provided or allowed by law.

9- 2-17: **Alterations Upon Stamped Plans Not Permitted**

It shall be unlawful to erase, alter, or modify any lines, figures, or coloring contained upon such drawings so stamped by the Building Official or filed with him for reference. If, during the progress of the work authorized, it is desired to deviate in any manner affecting the construction or other essentials of the building from the terms of the application or drawings, notice of such intention to later on deviate shall be given to the Building Official, and written consent of the Building Official shall first be obtained before such alteration or deviation may be made.

9- 2-18: **Permit, Plans, and Specifications Must be Kept on the Job**

The permit issued for any work to which the Building Ordinance is applicable, together with a set of the approved plans and specifications, if any, must be kept on the job while the work is in progress, and must be shown for inspection on request of any Building Official. Inability or refusal to comply with the provisions of this section shall constitute sufficient cause for stopping either all or such portion of the work as may be involved in the violation.

9- 2-19: **Plans and Specifications to Remain on File**

One or more copies, as may be required by the Building Official, of the plans and specifications as finally stamped and approved shall be left on file in the office of said Official. Complete plans and specifications of buildings of a public character for which permits are granted shall remain on file permanently in the municipality Official's office. It shall not be obligatory upon said Official to retain plans and specifications for buildings or structures except those of a public character for more than six months after the completion or occupation of any such building or structure.

9- 2-20: **Permit Sign**

All job sites on which exterior construction work is being conducted, such as new residential or non-residential buildings or building additions, shall maintain a Code of Conduct and Permit Sign to be provided by the Building Official and in a location designated by the Building Officer. Said sign shall comply with the following:

A. Visibility of the sign shall be maintained at all times. At no time shall materials, dumpsters, equipment, vehicles, or other appurtenances be placed so as to block the view of the sign from the public way.

B. If the sign becomes lost or damaged at any time, the permit applicant shall immediately contact the Building Officer and request a replacement sign. The original fee for the sign shall be kept by the Village, and a new sign fee paid by the permit applicant.



9- 2-21: **Fee for Building Permits**

All work subject to a building permit as defined in Chapter 9-2-7 herein shall be subject to the following building permit fee:

Up to \$100,000 in value	-	2% of construction value
\$100,000 to \$2,000,000 in value	-	1 ½% of construction value
\$2,000,000 to \$10,000,000 in value	-	1 ¼% of construction value
Over \$10,000,000 in value	-	1% of construction value

Except one and two family dwellings – No fee will be required.

The construction value will be determined by any nationally recognized construction cost valuation methods.

A. If an additional inspection is required, the fee will be \$50 per discipline.

9- 2-22: **Constructing Buildings Contrary to Approved Plans – Permit Made Void by Deviation from Plans – Power to Stop Work**

A. It shall be unlawful for any owner, agent, or architect or for any contractor or builder engaged in constructing, erecting, enlarging, remodeling, altering, repairing, raising, lowering, underpinning, moving, or wrecking of any building, structure, or portion thereof, to make any departure from the plans as approved by the Building Official without first obtaining the written consent of the Building Official for any such change.

Any departure from the approved plans involving a violation of the requirements of any law or ordinance or any such change in the plans or construction without the consent of the Village Board shall operate to annul the permit which has been issued for such work and shall render the same void, and all fees paid shall be forfeited.

B. In any case where work is done under a permit authorizing the erection, alteration, or repair of a building or structure, which work is contrary to the approved plans, or any law or ordinance, the Building Official shall have power to at once stop such work and to order all persons engaged therein to stop and desist therefrom. Such work shall not be resumed until satisfactory assurance has been given to the Building Official that it will be done properly and lawfully and according to the approved plans or until said Building Official has consented, in writing, to the changes made in such approved plans. The Building Official may request that a new permit must be issued before work proceeds. The usual fee for the permit shall be paid by the contractor doing such work prior to the start of any work.

C. No contractor or builder shall begin any work on any building or structure for which a permit is required until such permit shall have been

issued. In case any work is begun on the erection, alteration, repair, or removal of any building or structure without a permit authorizing the same being issued therefor, the Building Official shall have power to at once stop work and to order any and all persons engaged therein to stop and desist therefrom until the proper permit is issued.

9- 2-23: **Revocation of Permit**

If the work in, upon, or about any building or structure shall be conducted in violation of any law or ordinance, it shall be the duty of the Building Official to revoke the permit for the building or wrecking operations in connection with which such violation shall have taken place. It shall be unlawful, after the revocation of such permit, to proceed with such building or wrecking operations unless such permit shall first have been reinstated or reissued by the Building Official. Before a permit so revoked may be lawfully reissued, the entire building and building site shall first be put into condition corresponding with the requirements of all laws and ordinances, and any work or material applied to the same in violation of any of the provisions of any law or ordinance shall first be removed from such building and for such permit as reissued the fee required shall be paid.

9- 2-24: **Inspection**

The permit applicant, owner, or contractor shall give 24-hours advance notice to the Building Official to request each of the following required inspections:

**Single-Family Residential Inspections:**

A. **Site Preparation** – An inspection to ensure the adequate provision of all required soil erosion control and tree protection prior to grading, footing excavation, or any other work on the property.

B. **Footing Excavation** – An inspection is required before concrete is poured and after excavation and forming have been completed.

C. **Foundation Forms** – An inspection is required after the foundation wall forms are set and before concrete is poured. It is required that two (2) copies of a spot survey be submitted for review and approval after the foundation form inspection has been passed, but before the foundation wall inspection can be scheduled.

D. **Foundation Wall** – An inspection is required before back filling and after footing drain tile has been placed and damp proofing completed.

E. **Tree Protection, Erosion Control, and Gravel Access Drive** – An inspection is required to ensure that all erosion control and tree protection measures are properly maintained and in place and temporary construction (gravel) access is in place prior to any other work on the property and prior to decking and rough framing. The street shall be cleaned of mud.

F. Driveway – After placing of forms or otherwise establishing the border of a driveway and prior to installation of asphalt, concrete pavers, or other hard-surface material, the Building Department will inspect to ensure that the driveway complies with the approved site plan, maximum and minimum width requirements, and setback requirements. Placement of driveway forms and the driveway inspection can be conducted at any time during the construction process.

G. Electric Service – An inspection is required after electric panel, meter enclosure, and temporary grounds have been installed.

H. Underground Plumbing – An inspection is required before concrete is poured in a basement or floor slab and after underground plumbing work has been completed.

I. Rough Framing – An inspection is required before any insulation and vapor barrier are installed and after the rough framing, rough plumbing, and rough electrical work are completed.

J. Fireplace Inspection – An inspection is required for all masonry and pre-fab fireplaces. This inspection shall be scheduled at the same time as the rough framing inspection.

K. Rough Plumbing – An inspection is required before any insulation and vapor barrier are installed and after the rough plumbing work is complete.

L. Rough Electric – An inspection is required before any insulation is installed and after the rough electrical work is complete.

M. Insulation – An inspection is required before any interior wall finish is applied and after the insulation is installed.

N. Final – Final inspection is required before issuance of a Building Certificate of Occupancy for a structure. A final inspection must be scheduled a minimum of two (2) days before the certificate of occupancy will be issued. The final inspection shall ensure that the building and site comply with all Village codes and regulations including but not limited to the building codes, Zoning Ordinance, and engineering requirements. The final inspection shall include inspections for the following: building, mechanical, electrical, plumbing, site engineering, landscaping, forestry, and fire protection. The Pleasantview Fire Protection District shall approve all fire protection systems.

O. Other – Demolition and swimming pool – Refer to Sections 9- 3- 6 and 9- 3-14.

P. Bond Release – An inspection is required prior to the release of any outstanding bonds to ensure compliance with all required local codes, ordinances, and standards including landscaping improvement.

Q. All Inspections Other Than Single-Family – All new construction other than single-family residences shall be inspected to verify compliance with all building codes, fire codes, Zoning Ordinance, mechanical codes, electrical codes, plumbing codes, engineering codes, and all mandated State codes.

R. General Inspection Requirements

1. All additional inspections required, as a result of builder error, shall be performed at an additional prepaid fee per inspection per Section 9- 2-21A.

2. Proper and safe ladders for access to basements and attic are the responsibility of the contractors. There will be no inspections performed if adequate ladders are not provided.

3. All materials required for testing are the responsibility of the contractor.

9- 2-25: **Foundation Location and Elevation Spot Survey**

Immediately after the foundation has been poured and prior to scheduling a backfill inspection, the owner or contractor shall submit to the Building Official three (3) copies of an on-site (spot survey) location of the structure showing the top of foundation elevation. The survey shall be reviewed by the Village Engineer.

9- 2-26: **Engineering Fees**

Changes to grading, drainage, top of foundation elevation, etc., approved by the Village, that would require engineering services, shall be approved by the Village Engineer. Costs for such services shall be paid by Permittee at the fees in effect.

9- 2-27: **Certificate of Occupancy – Single-Family Residential**

The request for a “Certificate of Occupancy” shall be made at least two (2) business days before occupancy is requested. This will allow for time for a final inspection and to process all paperwork. Minimum requirements for occupancy shall be as follows:

Connection to public water and sewer complete or, in the alternative, well and septic systems complete. In the case of 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.

- A. All plumbing shown on the approved plans unless otherwise approved by the Building Official. All fixtures added or installed after this inspection will require a separate permit.
- B. Electrical wiring shall be completed in compliance with applicable codes.
- C. Heating system shall be completed in compliance with applicable codes.
- D. Basement floor, drain tile, and sump pump (if used) shall be installed in compliance with applicable codes.
- E. Any concrete floors in the habitable area of the house must be poured.
- F. Further, no Certificate of Occupancy shall be issued until final grading, all required landscaping, and driveway hard-surfacing have been installed.

However, if weather or other conditions do not permit the completion of final grading, required landscaping, or driveway hard-surfacing, the owner may request issuance of a conditional Certificate of Occupancy subject to completion of the outstanding work.

If a Certificate of Occupancy under these terms is issued between April 15 and October 15, the final grading, landscaping, and hard-surfacing shall be completed within 45 days. If a conditional Certificate of Occupancy under these terms is issued between October 16 and March 31 of each year, the final grading, landscaping, and hard-surfacing shall be completed prior to the forthcoming May 15.

- G. No Certificate of Occupancy shall be issued until all construction recapture costs and all sewer and water connection fees required by Village ordinances have been paid.

9- 2-28: **Certificate of Occupancy – Other Than Single-Family Residential**

The request for a “Certificate of Occupancy” for any portion of the building shall be made at least two (2) business days before occupancy is requested. This will allow for time for a final inspection and to process all paperwork. Minimum requirements for occupancy shall be as follows: Minimum requirements for occupancy shall be those set forth in detail in the building regulations adopted by reference in Section 9-7-1 of this Ordinance and the following:

- A The structure shall be substantially complete, the exterior enclosure shall be complete, and the structure shall comply with all general, special, and structural requirements of the code.

B. All means of egress and all fire protection features shall be in place and continually maintained and approved by the Pleasantview Fire Protection District.

C. Sanitary and water facilities shall be complete. Water facilities shall not be considered complete until both the water and remote meter are installed and connected.

D. Heating system shall be complete in compliance with applicable codes.

E. Electrical system shall be complete in compliance with applicable codes.

F. No Certificate of Occupancy shall be issued until all construction recapture costs and all sewer and water connection fees required by Village ordinances have been paid.

G. Further, no Certificate of Occupancy shall be issued until all landscaping required and indicated on the approved landscaping plans has been installed. However, if weather conditions do not permit the completion of required landscaping, the owner may request Village approval of a cash deposit to guarantee completion of landscaping as soon as weather permits. Such request shall be accompanied by an estimate of cost to complete all required landscaping. Upon Village approval of the request for a cash deposit and the cost estimate, cash deposit equal to 125 percent (125%) of the cost of all required landscaping shall be deposited with the Village in escrow. If a Certificate of Occupancy under these terms is issued between April 15 and October 15, the final grading, landscaping, and hard-surfacing shall be completed within 45 days. If a conditional Certificate of Occupancy under these terms is issued between October 16 and March 31 of each year, the final grading, landscaping, and hard-surfacing shall be completed prior to the forthcoming May 15.

H. In addition, the owner shall be required to execute such agreements as may from time to time be required by the Village to delineate the conditional status of the Certificate of Occupancy, including, but not limited to, notice to be given to any subsequent purchasers.

9- 2-29: **Temporary Certificate of Occupancy – Other Than Single-Family Residential**

A temporary Certificate of Occupancy can be issued when a building owner, tenant, or agent wants to occupy the building for purposes of stocking, preparing the space for all occupants, training of new employees, or similar circumstances subject to the following terms:

A. The building shall be substantially complete.

- B. All means of egress shall be completed and unobstructed.
- C. All fire protection, alarm, and detection systems shall be approved by the Pleasantview Fire Protection District and able to transmit an alarm.
- D. All hazards to occupants shall be removed.
- E. Full occupancy for all future occupants shall not take place until all code related items are in compliance.
- F. An inspection is completed by the building inspector with a list of outstanding items.
- G. The temporary occupancy fee is paid.
- H. The maximum length of a temporary occupancy is thirty (30) days.
- I. A request for a temporary occupancy shall be in writing. The person requesting the temporary occupancy shall provide a description of the type of work being performed, indicate the number of occupants, and state that the building or space will not be open to the general public.

### **Chapter 3 -- MISCELLANEOUS**

9- 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.

9- 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.

9- 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.

9- 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 Zoning 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 Official.

9- 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 Official 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 Official, 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.

9- 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 Five Thousand Dollars (\$5,000.00) 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. 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.

E. 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.

9- 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 Official 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 Official, together with a statement of all facts relating to the condition of such equipment. It shall be the duty of the Building Official, 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 Official, 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 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).

9- 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.

9- 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.

9-3-10: **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.

9- 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.

9- 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.

9- 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.

9- 3-14: **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 9-2-23 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.

9- 3-15: **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.

## **Chapter 4 -- COMPLIANCE AND ENFORCEMENT**

9- 4-1: **Compliance with Building Ordinance Necessary**

It is hereby declared unlawful for any person or persons, firm, or corporation to construct, erect, enlarge, remodel, alter, repair, raise, lower, underpin, change of use as defined in the building code, move or wreck any building, structure, or any portion thereof, in violation of the Building Ordinance. It is further declared unlawful to equip, use, or occupy any building, structure, or any portion thereof in said Village with any devices or for any business or other purposes, in any manner prohibited by the Building Ordinance of said Village. Violators of any of the provisions or requirements for this Section of the Building Ordinance shall be subject to the general penalty provided for violations of the Building Ordinance.

9- 4-2: **Building Contrary to Building Ordinance a Nuisance**

Any building, structure, or any portion thereof hereafter constructed, erected, enlarged, remodeled, altered, repaired, raised, lowered, underpinned, or moved within said Village, in any manner contrary to the provisions of the Building Ordinance or any laws of the Village, is hereby declared a nuisance, and the person, owner, agent, architect, builder, contractor, house-mover, or mechanic, so constructing, erecting, enlarging, remodeling, altering, repairing, raising, lowering, underpinning, or moving the same, contrary to any

of the provisions of said laws or Ordinance, shall be subject to the general penalty provided for violations of said laws of Ordinance.

9- 4-3: **Deviations of Violations, if Found – Procedure**

A written notice of violation shall be provided to the contractor or permit holder when violations are found during inspections.

## **Chapter 5 – GENERAL PENALTY**

### **9- 5-1: General Penalty**

Any person, firm, or corporation who violates, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance, shall be fined not less than One Hundred Dollars (\$100.00) nor more than Seven Hundred and Fifty Dollars (\$750.00) for each offense, and every such person or corporation shall be deemed guilty of a separate offense for every day on which such violation, neglect, or refusal shall continue; and any builder or contractor who shall construct any building in violation of any of the provisions of this Ordinance, and any architect designing, drawing plans for, or having charge of such building or who shall permit it to be constructed, shall be liable to the penalties provided and imposed by this Section.

## **Chapter 6 – CONSTRUCTION OF ORDINANCE**

9- 6-1: **Conflicts Between General and Specific Provisions**

When (if ever) a general provision or requirement of the Building Ordinance conflicts with a specific provision thereof relating to the construction, equipment, maintenance, use, or location of any building, structure, or any portion thereof, in said Village, then, and for that case, the specific provision or requirement shall prevail and govern.

9- 6-2: **Invalidity of One Portion of Ordinance Shall Not Alter Remainder**

In administering and enforcing the Building Ordinance, the invalidity (if any) of any section or of any provision thereof shall not be construed or held to invalidate any other section or any provision thereof – unless such invalidity shall have been specifically established. The invalidity (if any) of any section of any provision of the Building Ordinance, when applied to buildings, structures, or any portion thereof completed before the adoption of said Ordinance, shall not, for such cause, be construed or held to be invalid in its application to buildings, structures, or any portion thereof constructed subsequent to said adoption – unless such invalidity shall have been otherwise specifically in its application to such subsequent work.



## **Chapter 7 – ADOPTION OF REGULATIONS**

### **9- 7-1: Building Regulations Adopted**

The following codes are hereby adopted by reference as a part of the Building Ordinance of the Village of Hodgkins, Illinois, subject, however, to the modifications and exceptions set forth herein.

#### **Regulations for Detached Single-Family Residential Permits and Multiple Single-Family Dwellings (Townhouses) as Defined by the International Residential Code (IRC):**

- International Residential Code for One- and Two-Family Dwellings (IRC), 2015 Edition.
- Illinois State Plumbing Code (ISPC), 2014 Edition as mandated by the State of Illinois.
- Village of Hodgkins Fair Housing Policy.
- NFPA 70, National Electric Code (NEC), 2014 Edition.
- International Property Maintenance Code (IPMC), 2015 Edition.
- Village of Hodgkins Rental Residential Housing Code.
- Village of Hodgkins Neighborhood Preservation Program.

#### **Regulations for Commercial, Industrial, and all Permits Other Than Detached Single-Family Residential, Multiple Single-Family Dwellings (Townhouses). All building code changes and modifications shall apply:**

- International Building Code (IBC), 2015 Edition.
- International Mechanical Code (IMC), 2015 Edition.
- International Fuel Gas Code (IFGC), 2015 Edition.
- International Energy Conservation Code (IECC), 2012 Edition with State of Illinois amendments.
- Illinois State Plumbing Code (ISPC), 2014 Edition as mandated by the State of Illinois.
- International Fire Code (IFC), 2015 Edition.
- International Property Maintenance Code (IPMC), 2015 Edition.
- International Swimming Pool and Spa Code, 2015 Edition
- NFPA 70, National Electric Code (NEC), 2014 Edition.
- NFPA 101, Life Safety Code (NFPA 101), 2015 Edition.
- Illinois Accessibility Code (IAC), 2018 Edition as mandated by the State of Illinois.

(The Codes above are hereby amended as set forth in the following Subsections.)

I. Whenever the provisions of this Ordinance conflict with specific or implied provisions of the codes, rules, or regulations set forth in Title 9, as herein incorporated, the provisions of this Ordinance shall prevail and govern.

II. International Residential Code for One- and Two-Family Dwellings (IRC), 2015 Edition.

The following sections of the International Residential Code (IRC) are deleted, modified, amended, or added:

1. R101.1 Title. Add the Village of Hodgkins in the space provided for [Name of Jurisdiction].
2. R104.10.1 Areas Prone to Flooding. Delete the entire paragraph after the section heading and replace with: For regulations pertaining to construction in special flood hazard areas in addition to storm water run-off requirements, refer to Title 12 of the Village of Hodgkins Municipal Code.
3. R105.2 Work Exempt from Permit. Delete the entire section up to R105.2.1 and replace with: Refer to Section 9-2-8 Permit Waived for Ordinary Repairs of this Ordinance.
4. R105.3.2 Time Limitation of Application. Delete the entire paragraph after the section heading and replace with: Refer to Section 9-2-9 of this Ordinance.
5. R105.5 Expiration. Delete the entire paragraph after the section heading and replace with: Refer to Section 9- 2-9 of this Ordinance.
6. R112 General. Delete all R112.1 through R112.4 and replace with: R112.1 General. The Village Board shall function as the Board of Appeals. All appeals shall be submitted in writing no more than thirty (30) days after the issuance of a violation notice on the matter to be appealed.
7. Table R301.2.(1) Insert the following data:

TABLE 9- R301.2.(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load	Wind Design		Seismic Design Category	Subject to Damage From			
	Speed	Topograp hical Effects		Weatherin g	Frost line Depth	Termite	
25 P.S.F.	90	No	B	Severe	42"	Moderate	

Winter Design Temp.	Ice Shield Under- Layment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp.
-45° F	Yes	<b>Yes</b>	1700	50° F

8. R309.5 Fire Sprinklers. Private garages – delete the section in its entirety.

9. R313.2 One- and Two-family dwelling automatic sprinklers – add exception # 2. The homeowner and/or contractor can choose to not install an automatic fire sprinklers by completing an affidavit indicating they are requesting to construct the One and Two Family dwelling without the fire sprinklers. It shall indicate they have been given complete information on the benefits of a fire sprinkler system and the potential hazard to them and their family without the fire sprinklers. It shall indicate, they are doing this at their request and assume the full responsibility of the decision not to install a fire sprinkler system in their One and Two Family Dwelling.

The homeowner is defined as the person and their family who will occupy the One and Two Family dwelling for a minimum of 12 months after the certificate of occupancy has been issued.

The contractor is defined as the contractor who is constructing the home without a commitment from a potential homeowner to purchase the home.

10. R314.3 Smoke Alarms. Add the following sentence: For the purpose of this section “immediate vicinity” shall mean within 15’-0” of the bedroom door.
11. R403.2 Footings for Wood Foundations. Delete this section in its entirety.
12. R403.3, R403.3.4 Frost Protected Shallow Foundations. Delete these sections.
13. R404.1.8 Delete this section in its entirety.
14. R404.2 Wood Foundation Walls through R404.4.11 Delete all sections and tables in their entirety and add: Wood foundation and ICF foundation systems are not permitted.
15. R405.2 Wood Foundations. Delete this section in its entirety.
16. R406.3 Damp proofing for Wood Foundations. Delete this section in its entirety.
17. R504 Pressure Preservative-Treated Wood Floors (On Ground). Delete this section in its entirety and add the following: Treated wood floors are not permitted to bear directly on ground.
18. R505 Steel Floor Framing. Delete all sections and tables in their entirety.
19. R603 Steel Wall Framing. Delete all sections, figures, and tables and add the following: Steel wall framing is not permitted for load bearing walls. Steel wall framing is permitted for non-load bearing walls and furring.
20. R702.3.4 Insulating Concrete Form Walls. Delete this section.
21. R804 Steel Roof Framing. Delete this section in its entirety.
22. R1006.2 Exterior Air Intake. Delete the following from the first sentence: “or from spaces within the dwelling ventilated with outside air such as crawl or attic spaces.”

23. R1006.6 Add a new section: All masonry fireplace combustion air ducts shall be class 0 non-combustible ducts.
24. Delete Chapters 25 through 32 in their entirety.
25. For specific construction requirements, fire suppression, and fire alarm requirements for townhouses and multiple-family dwellings, see the amendments in Subsection XII, International Fire Code, of this Ordinance.
26. Temporary one-story frame construction sheds or a trailer not exceeding five hundred (500) square feet for use of builders during the period of construction. Such shed or trailer shall be removed by the owner or person in control thereof within thirty (30) days after the construction has been completed and premises occupied by the owner, and each day any such shed or trailer is permitted to remain after said date shall constitute a separate violation of this Code.
27. Laminated beams or trusses made of wood or other material with equivalent fire resistance or support to steel.
28. Schools, colleges, assembly halls, dance halls, bowling alleys, and auditoriums over one story in height, shall have floors of not less than one-hour fire resistance.
29. Metal Buildings are not allowed in residential District except storage sheds.
30. Multi-family structures containing three or more living units, or one or more living units in a structure containing any other type of use such as business or industrial. The fire resistance rating of structural elements (including walls, floors, and roof) and tenant separation or party walls shall be a minimum of two hours and shall be constructed of masonry or concrete. Exterior and load bearing wall construction shall be of masonry. All floors shall be of the precast concrete type, or poured concrete type having at least a two-hour fire resistance rating.
31. No person shall use any waste for the construction of any roadway, ramp, hill, berm, or other structure, including as backfill, except as permitted.
- A. Clean construction or demolition debris (as defined by the Illinois Environmental Protection Act), recycled concrete grindings may be used upon the issuance of a building permit by the Village. A building permit will be issued by the Village after review and approval of plans only for a bona fide construction project and not for a project which is a subterfuge for the disposal of such materials.
  - B. All material which is used pursuant to a building permit must not be contaminated. It is the responsibility of the permittee to inspect materials and when deemed appropriate, test such material to determine that they are not contaminated. The permittee shall allow the Village to test such

materials where the Village has probable cause to suspect contamination.  
All contaminated materials must be removed when ordered by the Village.

32. Adopt Appendices A, B, C, E, F, H, J, K, M, O

33. Slab construction requirements for all types of structures

a. Mobile homes – All mobile homes shall have a slab conforming to the following:

Full width and depth slab equal to the dimensions of the structure

Water and sewer installed to penetrate the slab

Slab a minimum of six inches thick with wire mesh

Base a minimum of 6 inch of CA6

6 mil vapor barrier with a six inch over lap at any seams

Maximum slope of the slab 1/8 inch in 12

Slab edge a minimum of 6 inches by 13 inches

Minimum 2 inches of foam insulation the full depth of the slab edge

Structure skirt shall extend around the edge with a flashing at the top horizontal surface

Tie downs per the HUD requirements though the slab

Applies to existing lots when new structures are installed

a. Slabs under mobile homes for deck and stairs

Minimum 4 inch slab with 4 inches of base

Expansion joint at edge next to slab

Slab doweled to structure slab with #6 rbar every 12 inches

No vapor barrier required

b. Sheds on any lot

Minimum 4 inch slab with a 4 inch compacted base

c. One and two family dwellings with a crawl space

Minimum 3 inch slush concrete coat

Slab insulation per the Illinois Energy Conservation Act

d. One and Two Family dwellings with a basement

Floor slab per the International Residential

Slab insulation per the Illinois Energy Conservation Act

### **III. Illinois State Plumbing Code (ISPC), 2014 Edition**

There are no changes, additions, or deletions to the Illinois State Plumbing Code:

### **IV. NFPA 70, National Electrical Code (NEC), 2014 Edition**

The following sections of the NEC are deleted, modified, amended, or added:

1. Article 90.6 – Delete this section in its entirety and add the following: The Village Board shall function as the Board of Appeals. All appeals shall be submitted in writing not more than thirty (30) days after the issuance of a violation notice.

2. Delete the following articles in the National Electric Code: (The following wiring methods are **not permitted**.)

Article 326 – Integrated Gas Spacer Cable: IGS

Article 330 – Metal-clad Cable: Type MC

Article 332 – Mineral-insulated, Metal Sheathed Cable: Type MI

Article 334 – Non-metallic Sheathed Cable: Types NMC, and NMS

Article 338 – Service-Entrance Cable: Type SE and USE

## **V. International Mechanical Code (IMC), 2015 Edition**

The following sections of the International Mechanical Code are deleted, modified, amended, or added.

1. Section 101.1 Title. Insert Village of Hodgkins in the space provided for [name of jurisdiction].
2. Section 106.5.3 Fee Refunds. Delete this section in its entirety.
3. Section 108.5 Stop Work Orders. Enter \$200.00 in the space provided for [Amount] and delete the last part of the sentence “or more than [amount] dollars.”
4. Section 109 Means of Appeal. Delete this section and add the following: “The Village Board shall function as the Board of Appeals. All appeals shall be submitted in writing no more than thirty (30) days after the issuance of a violation notice.

## **VI. International Fuel-Gas Code (IFGC), 2015 Edition**

The following sections of the International Fuel-Gas Code are deleted, modified, amended, or added.

1. Section 101.1 Title. Insert Village of Hodgkins in space provided for [name of jurisdiction].
2. Section 106.6.3 Fee Refunds. Delete this section.
3. Section 109 Means of Appeal. Delete this section and add the following: “The Village Board shall function as the Board of Appeals.” All appeals shall be submitted in writing no more than thirty (30) days after the issuance of a violation notice.

## **VII. International Property Maintenance Code (IPMC), 2015 Edition**

The following sections of the International Property Maintenance Code are deleted, modified, amended, or added.

1. Section 101.1 Title. Insert Village of Hodgkins in the space provided for [name of jurisdiction].
2. Section 106.4 After the word thereof in the third line, insert not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) each day.
3. Section 111 Means of Appeal. Delete this section in its entirety and add the following: “The Village Board shall function as the Board of Appeals. All appeals shall be submitted in writing no more than thirty (30) days after the issuance of a violation notice.
4. Section 302.4 Weeds. Insert 6 inches in the [Height] spaces provided.
5. Section 304.14 Insect Screens. Insert May 1<sup>st</sup> and October 15<sup>th</sup> in the [Date] spaces provided.
6. Section 602.3 Heat Supply. Insert October 15<sup>th</sup> and May 1<sup>st</sup> in the [Date] spaced provided.
7. Section 602.4 Occupiable Work Spaces. Insert October 15<sup>th</sup> and May 1<sup>st</sup> in the [Date] spaces provided.

#### **VIII. Illinois Accessibility Code (IAC), 2018 Edition**

No changes, deletions, or modifications to the Illinois Accessibility Code.

#### **IX. International Energy Conservation Code (IECC), 2012 Edition**

1. Section C101.1 & R101.1 Title. Insert Village of Hodgkins in the space provided for [Name of Jurisdiction].
2. Section C108.4 & R108.4 Stop Work Orders. Enter \$200.00 in the space provided for [Amount] and delete the last part of the sentence “or more than [amount] dollars.”

#### **X. International Building Code, 2015 Edition**

The following sections of the IBC are deleted, modified, amended or added:

- A. 101.1 Insert the Village of Hodgkins.
- B. Change as follows: Referenced Codes and Standards: The standards referenced in this code and listed in Chapter 35 shall be considered part of the requirements of this code to the prescribed extent of each such reference.

- C. 113 Board of Appeals. Delete entire section. The Village Board shall function as the Board of Appeals. All Appeals shall be submitted in writing no more than thirty (30) days after the issuance of a violation notice on the matter to be appealed.
- D. 310.7 Add the following: For walls and openings in R-3 and R-4 Use groups within six (6) feet of adjacent buildings or property lines, a two (2) hour fire resistance rating shall be provided. All two (2) hour fire resistive rated walls shall either protrude through the outer roofline or shall have horizontal roof line protection, as shall be approved by the Code Official.
- E. Table 708.1 Add as follows: Line 6 tenant spaces change to two (2) hours with no exceptions.

### **Fire Sprinklers**

- F. Section [F] 903.2(a) Add the following: All new construction of any square footage or height.

Exception: When in compliance with all the following

- a. Less than fifteen hundred (1,500) square feet in area
- b. Single story
- c. Not used as a dwelling or sleeping
- d. Not a high hazard group
- e. Not used for high hazard products or hazardous materials
- f. No basements

- G. Section [F] 903.2(b) Add the following: All stories below grade.
- H. Section [F] 903.2(c) Approved NFPA 13R with additional protection of bathrooms and closets. Automatic fire sprinkler system shall be installed in all new multi-family residential premises “shall mean a building or portion thereof containing more than four (4) dwelling units.”
- I. Section [F] 903.2(d) Approved NFPA 13R with additional protection of bathrooms and closets. Automatic fire sprinkler system shall be installed in all existing multi-family residential premises or portion thereof containing more than four (4) dwelling units and all residential units within a mixed-use group structure, regardless of construction type.
- J. Section [F] 903.2(e) Fire Alarm monitoring of Fire Sprinkler System in multi-family residential shall be in compliance with NFPA72 audible and visual alarm devices and shall be required on the exterior of the building and each apartment shall have at least one visual and audible alarm device within the living quarters.
- K. Section [F] 903.2(f) All fire sprinkler systems, water control valves shall be located no less than two (2) feet nor more than five (5) feet above the finished floor and subject to the approval of the Fire District.



- L. Section [F] 903.2(g) Reduced pressure backflow prevention devices are required to be installed on all sprinkler systems, where water source is served by a public water supply system.
- M. Section [F] 903.2(h) Fire Department sprinkler connections shall be required and subject to the approval of the Pleasantview Protection Fire District.
- N. Section [F] 903.2(i) Any violation of or interference with the enforcement of any provision of Section shall be punishable by a fine of not less than \$500.00 and not more than \$1,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense for which a fine herein provided shall be imposed.

### **Standpipe Systems**

- O. Section [F] 905 Standpipe Systems. add: Standpipes shall be installed on new construction when one of the following applies or the code whichever is stricter;
  - 1. Any part of the building is over thirty (30) feet above the lowest level for access.
  - 2. Any floor of the building is three (3) or more stories in height.
  - 3. When any part of the building is over one hundred fifty (150) feet from where the closest fire department vehicle can operate.
  - 4. Design Requirements: All standpipes shall be Class I or III system designed and installed in accordance with NFPA #14, Standpipe and Hose Systems, 2013 Edition.
  - 5. All two and one half (2-1/2) inch outlets shall include a two and one-half (2-1/2) by one and one-half (1-1/2) inch reducer with a one and one-half (1-1/2) inch cap.
  - 6. Maintenance and Testing: The maintenance program for fire protection systems and components shall conform to the requirements in this Ordinance.
  - 7. Vacant Buildings: Vacant or unoccupied buildings or portions thereof shall maintain all required sprinkler, standpipe, and/or protective signaling systems and all component parts in a workable condition at all times.
  - 8. The system(s) shall be tested in the presence of the Pleasantview Fire District's Code Official if the adequacy of the system(s) is required.
- P. Section [F] 905.3a Add the following: Any floor of the building is three (3) or more stories in height.

### **Fire Alarm and Detection Systems**

- Q. Section [F] 907.2.9 Delete text and add: All R-2 occupancies.
- R. Section [F] 907.2.24 Add the following: All buildings having multiple uses including residential except detached (single-family homes).
- S. Section [F] 907.2.25 Add the following: All Townhomes.
- T. Section [F] 907.2.26 Add the following: Two (2) story buildings over two thousand (2,000) square feet.

### **Exit and Exit Access Doorway Configuration**

- U. Section [F] 1007.1.1.2 Add the following sentence: All areas, rooms, and spaces over 2,000 square feet shall have a minimum of two separate remote exits.

### **Corridors**

- V. Table 1020.1 Delete the fire resistance rating reduction for corridors “with sprinkler systems” for group R and add: All corridors shall have a one-hour fire resistance rating (minimum).

### **Exits**

- W. Section [F] 1022.1 Add the following: All buildings over 2,000 square feet shall have a minimum of two separate remote exits.

### **Exit Discharge**

- X. Section [F] 1028.5 Hard Surface Requirements and Remove all Exceptions: Delete the exceptions and add: From any exit discharge to the public way, the walking surface shall be a paved or other permanent hard surface that shall be maintained year round as approved by the Code Official.
- Y. Section [F] 1807.1.4 Wood foundations – Delete entire section. Wood foundations are not permitted.

### **Accessibility**

- Z. Delete Chapter 11, of 2015 IBC

### **Electrical**

- AA. Delete Chapter 27, Electrical, and replace with “See Article IV, Section 9- 7-1 of this Ordinance.

## **Plumbing Systems**

- BB. Delete Chapter 29, Plumbing Systems, and replace with “See Article III, Section 9- 7-1 of this Ordinance.

## **Elevators and Conveying Systems**

- CC. Section 3001.2 Add the following:

Referenced Standards to be as stringent and comply with current Illinois Elevator Safety Act (225 ILCS 312) and its Rules for private residential conveyance application, the Act does not apply; however, the IBC code shall for new installation, permits, final acceptance. For applications not covered by the Illinois Elevator Safety Act, those conveyance applications shall be covered under the IBC code by the AHJ for new installation, permits, final acceptance, periodic inspections and testing, unsafe conditions, power to seal equipment, put conveyance out of service, and certificate compliance as well as owner / agent responsibility for contractor, maintenance, accident/injury responsibility.

- DD. Section 3001.5 Add the following: General, Escalators and Moving Walks, Conveyors - Miscellaneous hoisting and elevating equipment: All miscellaneous hoist equipment shall be subjected to tests and inspections as required by the AHJ to ensure safe operation.

As per changes, a full load governor and full load safety test to be done after installation of hoist, a major alteration, and a jump of the hoist tower travel.

- EE. Section 3002.4 Delete: four or more stories or more above grade or four or more stories below grade plane

- FF. Section 3004.4 Personnel and material hoists-change last sentence to the following: Field test(s) including full load safety test shall be conducted upon completion of an installation, a major alteration or jump of a personnel hoist.

- GG. Section 3005.1 Access - Change to read as follows: An approved means of access shall be provided to elevator machine rooms and overhead machinery equipment spaces. This means is not to be used as a passage way through the machine room to other areas of the building or roof.

- HH. Section 3006.3 Delete exception # 2

## **II. Use of Waste Materials, Permit Required:**

1. No person shall use any waste for the construction of any roadway, ramp, hill, berm, or other structure, including as backfill, except as permitted in this Section.
2. Clean construction or demolition debris (as defined by the Illinois Environmental Protection Act), recycled concrete grindings may be used upon the issuance of a

building permit by the Village. A building permit will be issued by the Village after review and approval of plans only for a bona fide construction project and not for a project which is a subterfuge for the disposal of such materials.

3. All material which is used pursuant to a building permit must not be contaminated. It is the responsibility of the permittee to inspect materials and when deemed appropriate, test such material to determine that they are not contaminated. The permittee shall allow the Village to test such materials where the Village has probable cause to suspect contamination. All contaminated materials must be removed when ordered by the Village.
4. Any person using any clean construction or demolition debris (as defined by the Illinois Environmental Protection Act), recycled concrete grindings pursuant to a building permit shall maintain records containing the following information: name of the generator of the material and where generated, name of the transporter of the material, and date of delivery. The permittee shall maintain permanent records at the job site which records are available for inspection by the Village. Not less often than once a week, the permittee shall provide a record to the Village showing the customers dumping material at the site and the number of loads dumped.
5. The building permit fee for use of clean construction or demolition debris (as defined by the Illinois Environmental Protection Act), recycled concrete grindings shall be \$250.00 for the initial review of plans and \$3.00 per truck of materials dumped at the site. The \$3.00 fee shall be determined on a monthly basis and shall be paid to the Village by the 15<sup>th</sup> day of the following month. The permit fee shall be accompanied by documentation showing how the total fee was calculated. In addition, the permittee shall be required to reimburse the Village of any testing costs if the test determines that contaminated materials have been dumped at the site. (Ord. 99-2, 3/8/99)

**JJ. Adopt the following appendices: H105, H106, I**

**XI. NFPA 101 Life Safety Code, 2015 Edition**

See section R 313.2 of the IRC for requirements for fire sprinklers in a one and two family dwelling.

**XII. International Fire Code (IFC), 2015 Edition**

The following sections of International Fire Code are deleted, modified, amended, or added:

- A. 101.1 Insert: Village of Hodgkins.
- B. 101.1 Insert: It is hereby noted that the Village of Hodgkins defers plan review authority regarding matters of fire prevention and fire protection to the Pleasantview Fire Protection District with ultimate final authority for decisions given to the Village of Hodgkins Board of Trustees.

- C. 102.7 Change as follows: Reference Standards: The standards referenced in this Code and listed in Chapter 80 shall be considered part of the consideration of this Code to the prescribed extent of each such reference
- D. 103.1.1 It shall be the duty and responsibility of the Chief Administrator of the Fire District, or his designee, to enforce the provisions of this Code. The designated enforcement officer of this Code is herein referred to as the Code Official.
- E. 104.11.4 Add: Barricading Vacant or Fire Damaged Property: Every person owning or having charge or control of any vacant or fire damaged building shall remove all combustible waste and refuse therefrom and lock, barricade, or otherwise secure all windows, doors, and other openings in the building to prohibit entry by unauthorized persons.
- F. 105.4.1 Add: Analysis Review and Approval of New Construction Plan: The Fire Protection District's Bureau of Fire Prevention shall analyze, review, and approve all plans for new construction (as defined by this Code) in that District; that approval will certify that, if the construction is completed in conformity with the plans and specifications submitted to the Bureau of Fire Prevention then that construction will be in compliance with the then applicable Codes and Ordinances.
- G. 105.4.7 Add: Analysis Review and Approval of Minor Alterations and Repairs: The Bureau of Fire Prevention shall analyze, review, and approve all plans for any minor alterations or repairs to property in the Pleasantview Fire Protection District.
- H. 105.4.8 Add: Application Requirements: All persons, firms, and corporations seeking to build new construction within the Village of Hodgkins shall make application for the approval of all plans and specifications therefor by submittal of the same, along with an application form and any other information as may be required by the Village of Hodgkins Building Department and the Bureau of Fire Prevention.
- I. 201.5 Add: Abbreviations
1. The abbreviations NFPA and NfiPA mean National Fire Protection Association.
  2. The abbreviation IFC shall mean the International Fire Code, 2015 Edition.
  3. The abbreviation LSC shall mean the NFPA #101, Life Safety Code, 2015 Edition.
- J. F-202.1 Add: Definitions
1. Boarding Houses, Multi-Family Dwellings: Use Group R-2 shall include all boarding houses and similar buildings arranged for the shelter and sleeping accommodations in which the occupants are primarily not transient in nature.
  2. Change of Use: For the purpose of determining a "change in use," this shall mean the change from one general property use to another, or change from one specific property use to another within the same general property use. Listings of

both general and specific property uses are found in the Village of Hodgkins Building and Zoning Code.

3. Buildings or parts of a building vacant for more than one (1) year shall be considered a change of use.
  4. Code Official: Wherever the term “Code Official” appears in this Fire Prevention Ordinance, it shall mean the appropriate Chief Administrator or designee.
  5. Condominium: A condominium is a form of ownership of real estate.
  6. Fireworks: The term fireworks shall mean and include any explosive composition, or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect of a temporary exhibitional nature by explosion, combustion, deflagration, or detonation, and shall include blank cartridges and toy cannons, in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, bombs, sparklers, smoke bombs, snakes, or facsimile, or other fireworks of like construction and any fireworks containing any explosive compound, or any tablets or other device containing any explosive substance, or containing combustible substances producing visual effects: provided, however, that the term “fireworks” shall not include toy pistols, toy canes, toy guns or other devices in which paper or plastic caps containing twenty-five hundredths (25/100) grains or less of explosive compound are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for the explosion; and the toy pistol paper or plastic caps which contain less than twenty hundredths (20/100) grains of explosive mixture; the sale and use of which shall be permitted at all times.
  7. New Construction: New construction, when used in this code, are (1) those new buildings, (2) those buildings having height and/or area added to an existing building, (3) those buildings changing Use Groups or there is replacement of more than 50% of the existing building.
  8. Townhouse/Rowhouse: A townhouse or rowhouse is considered as a Use Group R-3. For walls and openings within six (6) feet of adjacent buildings or property lines, a two (2) hour fire resistance rating shall be provided. All two (2) hour fire resistive rated walls shall either protrude through the outer roofline or shall have horizontal roofline protection, as shall be pre-approved by the Code Official.
  9. NFPA 901 Standard Classification for Incident Reporting and Fire Protection Data – 2016 edition.
- K. 301.3 Add: Cooking and Heating Appliances; Hotels, Motels, Boarding Houses, Rooming Houses, and Dormitories: The use of any cooking or heating appliances, other than what has been provided by any hotel, motel, boarding house, rooming house, or dormitory shall be prohibited.

L. 311.2.2 Delete text and Exceptions. Add: Fire Protection Vacant Buildings: Vacant or unoccupied buildings or portions thereof shall maintain all required sprinkler, standpipe and/or protective signaling systems, and all component parts in a workable condition at all times.

1. The system(s) shall be tested in the presence of the Pleasantview Fire District's Code Official if the adequacy of the system(s) is questioned.

M. 315.3.5 Add: Periodic Removal: Combustible materials shall be removed daily, or more often as is necessary, to suitable vaults, bins, dumpsters, compactors, or separate buildings. Such practices shall be as approved by the Code Official.

N. 505 Premises Identification: Delete Section 505.1 and replace with the following:

1. Responsibility: All owners of every building within the corporate limits of the Village of Hodgkins shall place and maintain on the building or building accessory (defined as a mailbox, sign, post, or other such item) Arabic numbers showing the proper street number assigned to the building by the municipality or county in which the building is located.
2. Design: The Arabic numbers are to be a minimum of six (6) inches in height.
3. Building Accessory: On buildings that are not visible from the street, the building accessory with the required Arabic numbers shall be located within ten (10) feet of the driveway or sidewalk leading to the building.
4. Contrasting Colors: The Arabic numbers shall have a color that is different from and contrasts with the building or building accessory to which the numbers are attached and shall be visible from any direction of travel from the street.
5. Multi-Tenant Buildings: Multi-tenant buildings with multiple access locations shall have building identification on the front and rear of the building for each tenant.

O. 506 Add: Rapid Entry System (Key Boxes) Delete Section 506 and add the following:

1. General: All buildings that are equipped with an approved fire alarm system that consists of automatic detection and/or all buildings equipped with an approved automatic sprinkler system and are interconnected to an alarm monitoring agency shall have an approved key box system.
2. Location: The Code Official shall approve the location of the key box.
3. Contents: The key box shall contain keys to gain necessary access to the building at:
  - a. Locked points of ingress/egress whether on the exterior or interior of the building.

- b. Locked electrical, mechanical, or storage rooms.
  - c. Elevator controls.
  - d. Alarm panels and devices.
  - e. Other areas designated by the Code Official.
- 4. Key Identification: Each key shall be identified in an approved manner for quick use in case of an emergency.
  - 5. Master Key: Where possible, a single master key shall be provided.
  - 6. Alarm: At the request of the owner or lessee, the Code Official shall permit the installation of a key box tamper switch connected to the building's security alarm system.
- P. Section 507 Fire Protection Water Supplies: Delete the entire section and replace with the following:
- 1. Application: This section defines water supplies for use for new construction.
  - 2. Water Source: All buildings or structures shall be served by a public water supply system meeting this criterion. This system shall be under pressure with an average static pressure of not less than thirty-five (35) pounds per square inch (psi). Flows shall be calculated at twenty (20) (psi) residual pressure. The supplies shall be available for a continuous four (4) hour duration except for flows less than two thousand (2,000) gallons per minute (gpm) need be available for a two (2) hour duration.
  - 3. All changes to the Village water system to comply with the water source requirements shall be at the expense of the owner or developer.
  - 4. Fire Flow Required: The following water supplies in gallons per minute (gpm) are required based on the hazards therein:
    - a. Single-Family Detached Residential – one thousand (1,000) (gpm) to one thousand five hundred (1,500) (gpm).
    - b. Town/Row or Cluster Housing – one thousand five hundred (1,500) (gpm) to two thousand (2,000) (gpm).
    - c. Apartment Type Construction – three thousand (3,000) (gpm) to four thousand (4,000) (gpm).
    - d. Industrial and Storage – three thousand (3,000) (gpm) to five thousand (5,000) (gpm).



- e. Research and Development Laboratories – three thousand (3,000) (gpm) to four thousand (4,000) (gpm).
- f. Business and Commercial Areas – three thousand (3,000) (gpm) to four thousand five hundred (4,500) (gpm).
- g. Mercantile Centers – three thousand (3,000) (gpm) to six thousand (6,000) (gpm).
- h. Assembly and Educational – three thousand (3,000) (gpm) to five thousand (5,000) (gpm).
- i. Health Care and Institutional – three thousand (3,000) (gpm) to four thousand (4,000) (gpm).
- j. High Hazard – three thousand (3,000) (gpm) to eight thousand (8,000) (gpm).

### **Fire Hydrants**

- 5. Plans Submitted: Plans shall be provided prior to any construction showing the location of fire hydrants and sprinklers and/or standpipe connection on either public or private property and shall be approved by the Code Official before any building construction starts. All changes to the Village water system to comply with the hydrant requirements shall be at the expense of the owner or developer. An approved hydrant layout shall be submitted before a permit is issued.
- 6. Distance to Hydrants: Fire hydrants shall be located along public streets so that no building or structure to be protected will be over two hundred fifty (250) feet from any hydrant. Where this may not be physically possible, additional hydrants shall be located upon the premises accessible to motorized fire apparatus.
- 7. Hydrants in Operation: Water supplies, including fire hydrants in accordance with this code, shall be in operation prior to the start of construction of any building.
- 8. Hydrants Along Streets: Hydrants shall be located at street intersections with intermediate hydrants provided so that the space between hydrants shall not exceed three hundred (300) feet. This distance shall be measured along an approved fire lane, access route, street, or similar apparatus route.
- 9. Special Locations: Additional fire hydrants may be required and located closer than the spacing required for high hazard classifications, as defined in NFPA #101 (Life Safety Code) (2015), for dead end roads or at the termination of cul-de-sacs.

10. Supplemental Hydrants: Additional fire hydrants shall be provided within five hundred (500) feet of each building so that the required fire flow divided by one thousand (1,000) will equal the number of hydrants available.
11. Connections: A fire hydrant shall be located in close proximity (75 feet minimum) to any fire department connection (sprinkler or standpipe) as determined by the Code Official.
12. Parking Restricted: Parking is not permitted within fifteen (15) feet of a fire hydrant.
13. Distance to Roadway: Hydrants will be located approximately five (5) feet from all weather roadways.
14. Distance to Buildings: Hydrants shall be located no closer than twenty-five (25) feet from the building to be protected. Hydrants shall be located no closer than fifty (50) feet from transformers, other hazardous electrical equipment or other hazards to the use of the fire hydrants where practical.
15. Pumper Outlet Direction: Each hydrant shall have the pumper (steamer) connection facing the primary street or fire lane and shall be accessible so that a connection can be made between the hydrant and the apparatus located in the street with twenty (20) feet of suction hose.
16. Hydrant Outlet Location: Fire hydrant outlets shall be a minimum of eighteen (18) inches and no more than thirty-six (36) inches above the finished grade.
17. Hydrant Protection: When subject to physical damage from vehicles, fire hydrants shall be protected from damage by approved methods, including barriers.
18. Fire hydrants used in conjunction with water supplies shall be of a type acceptable to the Village of Hodgkins Water Department and the Fire Protection District. Hydrants shall meet the standards of the American Water Works Association C-502. Hydrants shall include a six (6) inch barrel, two (2) two and one-half (2-1/2) inch outlet and one (1) five inch Storz connection. with a cover/cap. This cover/cap shall be connected to the hydrant with a 0.125" vinyl coated aircraft cable. If this type of connection can not be used, final determination shall be made by the Fire Code Official. Outlet threads shall be American National Standard. An auxiliary gate valve shall be provided on the hydrant branch line (minimum six (6) inch diameter).
19. Existing fire hydrants that are replaced shall meet the above criteria. Out of service hydrants shall be removed including all piping up to the underground shutoff.

Q. 511 Add: Miscellaneous Provisions

1. Tenant Separation: Each tenant space shall be separated from other tenant spaces and corridors by walls, partitions, and floor-ceiling assemblies having at least a one (1) hour rating approved fire resistance rating. The floor-ceiling assembly is not required to have a one (1) hour rating when not required by the IBC and the building has a complete automatic sprinkler system.
  2. Hazardous Areas: Rooms used, elevator equipment, electrical equipment, boiler rooms, fuel storage, janitor's closets, laundry rooms, maintenance shops and similar hazardous areas shall be separated from other building areas by wall/floor/ceiling/window/opening assemblies having a fire resistance rating of not less than one (1) hour with appropriate protection of openings into the rooms. Opening protection shall be per the IBC. The floor-ceiling assembly is not required to have a one-hour rating when not required by the IBC.
  3. Fire Resistance Rating, Maintenance, and Repair: The fire resistance of walls, floors, ceilings, and partitions, including openings therein and other static fire protection requirements shall be maintained in proper condition and repair at all times.
  4. Smoke Resistance: Walls, floors, ceilings, and partitions, including openings therein that can assist in the prevention of smoke and gas movement, shall be maintained in proper condition at all times.
  5. Ambulance Cot: Where elevators are provided, at least one (1) elevator cab shall be of such size to accommodate a cot that is 24 inches by 84 inches in the horizontal open position and the accompanying personnel.
- R. 605.13 Add: Electrical Installations: All electrical components, wiring, and equipment shall be designed, manufactured, installed, and maintained in accordance with NFPA #70, listed in Chapter 80.
- S. 901.5.2 Add: Building Occupancy: When any building or structure is required to be equipped with an approved fire protection system, the system shall be in full operation before the building may be occupied.
- T. 901.5.3 Add: Complete Information: The Code Official shall determine the detail of information required, including a description of the maintenance performed, time, date, and extent of test performed.
- U. 901.6.2 Records: Add: Reports shall be submitted to the Pleasantview Fire District Bureau of Fire Prevention on an annual basis.
- V. 901.6.3 Add: Maintenance and Testing: The maintenance program for fire protection systems and components shall conform to the requirements in this Ordinance.
- W. 903.2 Automatic Sprinkler Systems: Minimum Requirements:

1. Design: Automatic fire suppression systems shall be designed in accordance with appropriate standards of the National Fire Protection Association. The Code Official shall approve design criteria.
2. Automatic Sprinkler Protection: The fire suppression system shall be an automatic sprinkler system unless the Code Official approves another type of system.
3. Periodic Testing and Inspection: All automatic sprinkler systems shall be maintained, periodically inspected, and tested in accordance with NFPA 13, NFPA 25, Chapter 80.
4. Valve Control Area Diagram: A diagram showing areas served by control valves shall be placed adjacent to such valves and in the riser room.

X. Section [F] 903.2(a) Add the following: All new construction of any square footage or height.

Exception: When in compliance with all the following

- g. Less than fifteen hundred (1,500) square feet in area
- h. Single story
- i. Not used as a dwelling or sleeping
- j. Not a high hazard group
- k. Not used for high hazard products or hazardous materials
- l. No basements

Y. Section 903.2b Add the following: All stories below grade.

Z. Section 903.2c Add the following: Approved NFPA 13R with additional protection of bathrooms and closets. Automatic sprinklers systems shall be installed in all new multiple family premises "shall mean a building or portion thereof containing more than four (4) dwelling units."

AA. Section 903.2d Add the following: Approved NFPA 13R with additional protection of bathrooms and closets. Automatic fire sprinkler systems shall be installed in existing multi-family residential premises or portion thereof containing more than four (4) dwelling units and all residential units within a mixed-use group structure, regardless of construction type.

BB. Section [F] 903.2(e) Fire Alarm monitoring of Fire Sprinkler System in multi-family residential shall be in compliance with NFPA72 audible and visual alarm devices and shall be required on the exterior of the building and each apartment shall have at least one visual and audible alarm device within the living quarters.

CC. Section [F] 903.2(:f) All fire sprinkler systems, water control valves shall be located no less than two (2) feet nor more than five (5) feet above the finished floor and subject to the approval of the Pleasantview Fire Protection

District.

DD. Section [F] 903.2(g) Reduced pressure backflow prevention devices are required to be installed on all sprinkler systems, where water source is served by a public water supply system.

EE. Section [F] 903.2(h) Fire Department sprinkler connections shall be required and subject to the approval of the Pleasantview Fire Protection District. Provide a strobe over the top of the fire department connection.

FF. Section [F] 903.2(I) Any violation of or interference with the enforcement of any provision of Section 9-2-5-2-1 through and including sections 9-2-5-2-6 shall be punishable by a fine of not less than \$500.00 and not more than \$1,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense for which a fine herein provided shall be imposed.

### **Standpipe Systems**

GG. Section [F] 905 Standpipe Systems add: Standpipes shall be installed on new construction when one of the following applies or the code whichever is stricter:

1. Any part of the building is over thirty (30) feet above the lowest level for access.
2. Any floor of the building is three (3) or more stories in height.
3. When any part of the building is over one hundred fifty (150) feet from where the closest fire department vehicle can operate.
4. Design Requirements: All standpipes shall be Class I or III system designed and installed in accordance with NFPA #14, Standpipe and Hose Systems, 2013 Edition.
5. All two and one half (2 ½) inch outlets shall include a two and one-half (2 ½) by one and one half (1 ½) inch reducer with a one and one half (1 ½) inch cap.
6. Maintenance and Testing: The maintenance program for fire protection systems and components shall conform to the requirements of this Ordinance.
7. Vacant Buildings: Vacant or unoccupied buildings or portions thereof

BB. F-905.2 All two and one-half (2-1/2) inch outlets shall include a two and one-half (2-1/2) by one and one-half (1-1/2) inch reducer with a one and one-half (1-1/2) inch cap.

II. F-907 Fire Alarms and Detection Systems: Delete the entire Section 907 and replace with the following:

1. Protective Signaling (Fire Alarm) Systems and Automatic Detection Systems.
2. Design: Automatic protective signaling (fire alarm) systems and automatic detection systems shall be designed in accordance with the appropriate standards of the National Fire Protection Association. The Code Official shall approve the design criteria.
3. Where Required: The following are locations where a protective signaling system with automatic detection is required.
4. Residential Uses: In all buildings of Use Groups R-1 and R-2.
5. All buildings having multiple uses, including residential use (except R-4).
6. Exception: Existing buildings of R-2 Use Group with four (4) units or less, such as lodging house, dormitories, apartments, and similar occupancies.
7. Townhomes Use Group R-3: All new construction townhomes or similarly used buildings.
8. Other Uses: All other buildings over one (1) story in height, and one (1) story buildings over one thousand (1,000) square feet in area.
9. Panel Identification: An outside weather resistant strobe light shall be located at the entrance providing access to each alarm and/or annunciator panel.
10. Zone Identification: Each zone of each panel shall be clearly and permanently identified in a manner approved by the Code Official.
11. Periodic Testing and Inspection: All automatic protective signaling (fire alarm) systems and automatic detection systems shall be maintained, periodically inspected and tested in accordance with NFPA 72, Chapter 45.
12. All protective signaling system connections shall be installed in a method approved by the Fire Protection District.
13. Exception: Single-family residences.
14. Systems Out of Service: Protective-signaling systems shall be maintained in service at all times. Systems shall not be out of service for more than eight (8) hours for maintenance or repair.
15. Zones: Each floor and each type of system shall be separately zoned.

16. Outside Alerting Device: All fire alarm and fire suppression systems shall have an outside alerting device of a type and at a location approved by the Code Official.
17. Duct Detectors: All duct smoke detectors installed or repaired after the effective date of this Ordinance shall signal in a supervisory condition only.
- JJ. 909.1 Smoke Control Systems: An emergency smoke control system shall be provided in new construction as follows:
- Scope and Purpose: Add the following:
1. Multiple Story or Height of Buildings: In all buildings over six (6) stories or seventy-five (75) feet in height.
  2. Atriums: In buildings with multi-story atriums or open walls.
  3. Covered Malls: In all covered malls, including individual tenant spaces and anchor stores.
- KK. 909.2 General Design Requirements: Add the following:
1. Where roof gravity venting is used, the maximum spacing between vents shall not exceed one hundred twenty (120) feet. The vent area to floor area ratio shall not exceed 1:100 for ordinary hazards and 1:150 for light hazards.
  2. High Hazard: Roof venting requirements shall be determined by the specific hazards involved.
  3. Mechanical Systems: Mechanical smoke removal may be used in lieu of gravity venting. A minimum of six (6) air changes per hour of the entire space shall be provided.
  4. Supply/Return Air: The mechanical smoke management system shall have an adequate supply and/or return air source to allow the system to operate properly.
  5. Controls: The design of the controls for the systems, including their location shall be approved by the Code Official.
- LL. F-913.5.5 Add: Pump Flow Tests: Each fire pump shall be tested annually by discharging to the atmosphere the required flow one hundred percent (100%) rated capacity at one hundred percent (100%) of the rated pressure and at one hundred fifty percent (150%) rated capacity at sixty-five percent (65%) of the rated pressure. The test results shall be recorded and a copy of all pump test information shall be submitted to the Code Official.
- MM. 1006.2.1.2 Add the following: Number and Locations of Exits: All rooms, spaces, or buildings over 2,000 square feet in area shall have two separate remote means of egress.

NN. 1008.2 Illumination Required: Delete the Exceptions and add: Emergency Lighting: Emergency power supplies from an independent, approved reliable source (battery or automatic starting generator) shall be provided in all rooms and spaces where two (2) or more exits are required, stairways, corridors, access routes and other exit components.

OO. Chapter 56 Delete Chapter Add: Chapter 56 – Fireworks.

1. Scope: Sale, handling, and display of fireworks: Except as hereinafter provided, it shall be unlawful for any person, firm, co-partnership, or corporation to offer for sale, display, or expose for sale, sell at retail, provide storage for, use or possess, or manufacture fireworks, or explode any fireworks within the Village of Hodgkins or allow any such acts on property owned by such person, firm, co-partnership, or corporation within the Village, provided, however, the Code Official may issue a permit for supervised public displays of fireworks, provided the applicant for such permit shall comply with the regulations hereinafter established for the issuance of such permit. The fire Code Official shall issue the fireworks permit.
2. Explosives: The storage of explosives and blasting agents is prohibited.
3. Seizure: The Code Official shall seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks or explosives offered or exposed for display or sale, stored, or held in violation of this article.
4. Exceptions: Nothing contained in this Ordinance shall be construed to prohibit the use of fireworks by railroads, public utilities, public and private carriers, or other transportation agencies, for signal purposes or illumination, or the sale or use of blank cartridges, for a show or theater, or for signal or ceremonial purposes in athletics or sports, or for use by veteran or military organizations.
5. Requirements for Approved Displays: The supervised public display of fireworks may be permitted in accordance with the following requirements.
  - a. The person in charge of a public fireworks display shall have a copy of the permit required by this Article in his/her possession.
  - b. Due to the hazardous nature of materials involved, no fireworks shall be stored on location prior to set up and show time.
  - c. Personnel setting up and shooting the fireworks display shall be experienced and professional shooters; a Pyrotechnic/Blasters license or equivalent credentials are acceptable.
  - d. Adequate security shall be provided to keep all persons, except personnel setting up and shooting the fireworks, at reasonably safe distance from display area.



- e. The supplier of the fireworks shall have a current State of Illinois permit identified by number.
  - f. There shall be no trees or utility poles or any type of obstruction within fifty (50) feet of the firing range and the firing range shall be no less than two hundred (200) feet from railroads, highways, general public, or any other structures, nor six hundred (600) feet of any hospital, asylum, or infirmary.
  - g. The grass around any mortar shall be wet down continuously for a minimum of eight (8) hours before firing, or to the satisfaction of the Code Official. One (1) mortar loader shall be provided for each six (6) mortars.
  - h. The Fire District may be at the site of the firing with a minimum of one (1) engine company.
  - i. Mortar holes are to be drilled in a minimum of three-quarters (3/4) of the length of the mortar and dirt is to be packed around the mortar.
  - j. Mortars shall be two (2) feet apart with the minimum distance of six (6) feet between mortars of different sizes.
  - k. The loader and shooter shall wear tight fitting non-combustible clothing and shall not have consumed or used alcoholic beverages, drugs, or controlled substances for twelve (12) hours before firing, nor be under the influence thereof.
  - l. No firing shall take place if the wind exceeds twenty (20) miles per hour and/or when fireworks are wet.
  - m. All aerial displays shall be kept in wooden boxes with self-closing covers, the maximum size of which shall be thirty-six (36) inches by twenty-four (24) inches by twenty-four (24) inches; the boxes shall be placed two (2) inches off the ground and boxes shall be a minimum of ten (10) feet from the mortars.
  - n. All shows shall be suspended for severe weather until deemed safe by the Code Official or the Chief Administrator or his designee.
6. Recovery Responsibility: The supplier of the fireworks shall be solely responsible for the recovery of all fireworks and aerial displays that have not been fired.
7. Search for Unfired Displays: Recovery or the search for unfired displays shall start immediately, or not later than sunrise.
8. Guards: The area of a misfired shell shall be guarded by the display company at its cost from the time of the firing until discovery and removal of the shell.

9. Recovery Cost: The cost of recovering the shells shall be solely the responsibility of the fireworks supplier and/or dealer.

PP. 5703.1.1 Add: Inside Storage of Fuel: Flammable and combustible fuel stored inside a building shall be stored in approved metal containers with self-closing lids and the total amount shall not exceed ten (10) gallons.

QQ. 5703.5.1 Labeling Containers and Tanks Over Thirty (30) Gallons Capacity: Any flammable or combustible liquid cans, containers, tanks, or similar vessel having a capacity over thirty (30) gallons shall be labeled using NFPA 704 2012 Edition, Standard System for the Identification of the Fire Hazards of Materials.

1. Fuel Dispensing Inside the Building: No fuel dispensing is allowed inside of a building.
2. Basements, Pits, and Sub-floor Work Areas: Basements, pits, and sub-floor work areas are not permitted in new construction for service stations and repair garages.

RR. 5704.2

1. Add: Automotive Service Stations and other uses: Above-ground tanks shall not be utilized for the storage of motor fuels at automotive service stations which the public has access to. Above-ground tanks utilized for the storage of motor fuels at automotive service stations to which the public does not have access to shall be installed in accordance with this section and the requirements for fire-resistant tanks or tanks in vaults specified in NFPA 30A listed in Chapter 80.
2. Add: Barrier Protection: Physical barriers complying with Section F-3205.4 shall be provided to protect the area where tanks, except those installed in special enclosures, are located. Barriers shall be spaced at a distance apart from each other and located at a distance away from the tanks so that vehicles which are normally operating in the area of the tanks are prevented from coming into contact with the tanks. Additional and/or upgraded physical barrier protection shall be required where deemed necessary by the Code Official
3. Access: Each tank and each special enclosure shall be surrounded by a clear open space not less than three (3) feet (914mm) in width for maintenance and inspection.
4. Add: Capacity Limits: Above-ground tanks containing combustible liquids shall be limited to the following capacities. Tanks shall also be installed in accordance with the requirements of this section.

5. Add: Class II Liquids – Tanks containing CLASS II liquids shall not exceed 1,000 gallons individual capacity or 1,000 gallons aggregate capacity. Tanks containing over 250 gallons of a CLASS II liquid shall be installed in accordance with the requirements for fire-resistant tanks and tanks in vaults specified in NFPA 30A listed in Chapter 44. Such tanks shall also be approved and meet equivalent standards of those tanks which are listed as AProtected@ as defined by UL 2085. Tanks containing 250 gallons or less of a CLASS II liquid shall be installed in accordance with the requirements for fire-resistant tanks specified in NFPA 30A listed in Chapter 80. Such tanks shall also be approved, and meet equivalent standards of those tanks which are listed as A Fire Resistant@ as defined by UL 2080.
6. Add: Class III A Liquids – Tanks containing CLASS III A liquids shall not exceed 1,500 gallons individual capacity or 1,500 gallons aggregate capacity. Tanks containing over 1,000 gallons of a CLASS III A liquid shall be installed in accordance with the requirements for fire-resistant tanks and tanks in vaults specified in NFPA 30A listed in Chapter 80. Such tanks shall also be approved and meet equivalent standards of those tanks which are listed as AProtected@ as defined by UL 2085. Tanks containing 1,000 gallons or less of a CLASS III A liquid shall be installed in accordance with the requirements for fire-resistant tanks specified in NFPA 30A listed in Chapter 80. Such tanks shall also be approved, and meet equivalent standards of those tanks which are listed as A Fire Resistant@ as defined by UL 2080.
7. Class III B Liquids – Tanks containing CLASS III B liquids shall not exceed 2,000 gallons individual capacity or 2,000 gallons aggregate capacity. Tanks containing over 1,000 gallons of a CLASS III B liquid shall be installed in accordance with the requirements for fire-resistant tanks and tanks in vaults specified in NFPA 30A listed in Chapter 80. Such tanks shall also be approved and meet equivalent standards of those tanks which are listed as AProtected@ as defined by UL 2085. Tanks containing from 100 gallons up to 1,000 gallons of a CLASS III B liquid shall be installed in accordance with the requirements for fire-resistant tanks specified in NFPA 30A listed in Chapter 80. Such tanks shall also be approved, and meet equivalent standards of those tanks which are listed as A Fire Resistant@ as defined by UL 2080.
8. Add: Overfill Prevention: Above-ground storage tanks shall be equipped with overfill prevention equipment that will comply with one of the following:
  - a. Automatically shut off the flow of liquid into the tank when it is no more than ninety percent (90%) full.
  - b. Alert the transfer operator when the tank is no more than ninety percent (90%) full by restricting the flow of liquid into the tank or triggering a high-level alarm.
  - c. Other methods as approved by the Code Official.

9. Add: Distances to Buildings, Property Lines, etc.: The minimum distance between above-ground tanks and other tanks, buildings, sewers, catch basins, septic tanks, and property lines shall be thirty (30) feet. The minimum distance between tanks located within the same aggregate tank area shall be five (5) feet. Exception: Class III B liquids: The minimum distance between above-ground tanks and other tanks, sewers, catch basins, septic tanks, and property lines shall be five (5) feet. The minimum distance between tanks and buildings and between tanks located within the same aggregate tank area shall be three (3) feet.
10. Add: Tank Labeling: All tanks shall be labeled in accordance with F-3203.2.2. In addition, the following shall be displayed on all visible tank sides in 4" or taller letters clearly legible, and in a contrasting color to the tank:
  - a. Either FLAMMABLE or COMBUSTIBLE (depending on contents flashpoint)
  - b. NO SMOKING
  - c. The common name of the contents, i.e., WASTE MOTOR OIL

TT. Chapter 80 NFPA Change or add the standards with the edition listed.

NFPA 1 – 2015	NFPA 11 – 2016	NFPA 12 – 2015	NFPA 12A – 2015
NFPA 13 – 2016	NFPA 13D – 2016	NFPA 13R – 2016	NFPA 14 – 2016
NFPA 15 – 2017	NFPA 16 – 2015	NFPA 17 – 2013	NFPA 17A – 2013
NFPA 25 – 2017	NFPA 30 – 2015	NFPA 30A – 2015	NFPA 30B – 2015
NFPA 32 – 2016	NFPA 33 – 2016	NFPA 34 – 2015	NFPA 35 – 2011
NFPA 36 – 2013	NFPA 40 – 2016	NFPA 45 – 2015	NFPA 51 – 2013
NFPA 51A – 2012	NFPA 51B – 2014	NFPA 58 – 2017	NFPA 61 – 2017
NFPA 70 – 2014	NFPA 72 – 2016	NFPA 80 – 2016	NFPA 85 – 2015
NFPA 111 – 2016	NFPA 120 – 2015	NFPA 204 – 2015	NFPA 252 – 2012
NFPA 253 – 2015	NFPA 257 – 2012	NFPA 265 – 2013	NFPA 268 – 2012
NFPA 409 – 2016	NFPA 418 – 2016	NFPA 654 – 2017	NFPA 655 – 2012
NFPA 664 – 2017	NFPA 701 – 2015	NFPA 704 – 2017	NFPA 720 – 2015
NFPA 901 - 2016	NFPA 1123 – 2014	NFPA 1124 – 2013	NFPA 1142 – 2017
NFPA 1144 – 2013	NFPA 2001 – 2015		

UU. Adopt appendices D.

### XIII. International Swimming Pool and Spa Code, 2015 Edition

The following sections of the International Swimming Pool and Spa Code are deleted, modified, amended, or added.

1. Section 101.1 Title. Insert Village of Hodgkins in space provided for [name of jurisdiction].
2. Section 105.6.2 Fee Schedule. See Section 250 of this Ordinance.

3. Section 105.6.3 Fee Refunds. Delete this section.
4. Section 107.4 Violation Penalties. Delete this section in its entirety and replace with Article V, Section 501, of this Ordinance #860.
5. Section 107.5 Stop Work Orders. Enter \$200.00 in the space provided for [Amount] and delete the last part of the sentence "or more than [amount] dollars."
4. Section 108 Means of Appeal. Delete this section and add the following: "The Village Board shall function as the Board of Appeals." All appeals shall be submitted in writing no more than thirty (30) days after the issuance of a violation notice.

**9-7-2: Monitoring of Fire Alarm and Detection Systems**

1. A wireless radio receiver is required in all buildings requiring a fire alarm system. All fire alarm systems shall be installed, maintained and inspected by all building owners and occupants pursuant to the Fire Prevention Ordinance, NFPA 72, NFPA 101 the International Building Code, the International Fire Code and applicable municipal codes and ordinances. The Village shall be an all signal community. Owners and occupants of buildings equipped with a fire alarm system shall use a licensed alarm company to cause all fire, trouble and supervisory signals to be promptly conveyed via a remote supervising stations at the Pleasantview Fire Protection District dispatch facility; The Pleasantview Fire Protection District shall be notified of the name and contact information with respect to the licensed alarm company and the termination or change of any such licensed alarm company within 72 hours from cancelation or disconnection. The Pleasantview Fire Protection District will verify the fire alarm control panel and radio transmitter can send the following signals: alarm, supervisory and trouble. These signals shall be automatically transmitted the remote supervising station in accordance with International Building Code, International Fire Code, NFPA 72, NFPA 101 and the local ordinances and amendments. A burglar alarm system cannot be connected to the fire alarm control unit.

2. Owners and occupants of all buildings containing a fire alarm system shall provide annual and periodic testing in accordance with the provisions of the currently adopted edition of NFPA 72 and the Ordinances of the village and the Pleasantview Fire Protection District. The results of all required test shall be recorded and shall be provided to the Pleasantview Fire Protection District as part of the annual fire alarm system compliance verification.

## **CHAPTER 8 - FAIR HOUSING POLICY**

### **9-8-1: DECLARATION OF POLICY**

In the exercise of its power to regulate for the protection of the public health, safety, morals, and welfare, it is declared to be the public policy of this municipality to assure fair housing and freedom from discrimination throughout the community, to protect the community from the effects of residential segregation by race, color, religion, sex, physical or mental handicap, familial status or national origin, age, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity, housing status and protected classes and to secure to its citizens the economic, social, and professional benefits of living in a stable, integrated society. Complaints related to Fair Housing are referenced to the Building Committee of the Village of Hodgkins, as outlined in the Fair Housing Ordinance.

### **9-8-2: CONSTRUCTION**

This ordinance shall be construed according to the fair import of its terms, and shall be liberally construed to further the purposes and policy stated and the special purposes of the particular provisions involved.

### **9-8-3: SEVERABILITY**

If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to any person or circumstance, such judgment shall not affect the application of said provision to any other person or circumstance not specifically included in said judgment.

### **9-8-4: DEFINITIONS**

As used in this ordinance, the following terms have the following meanings:

**Accessible**, when used with respect to the public and common use areas of a building containing multifamily dwellings, means that the public or common use areas of the building can be approached, entered, and used by individuals with physical handicaps.

**Accessible Route** means a continuous unobstructed path connecting accessible elements and spaces in a building or within a site that can be negotiated by a person with a severe disability using a wheelchair and that is also safe for and usable by people with other disabilities. A route that complies with the appropriate requirements of the American

National Standards Institute's ICC A117.1-2009 or a comparable standard is and "accessible route".

**Administrator**, for purposes of this ordinance, shall mean the Village Clerk.

**Administering Agency**, for purposes of this ordinance, shall mean the Village Building Committee.

**Adjudicative Agency**, for purposes of this ordinance, shall mean the Village Zoning Board of Appeals.

**Affirmative Marketing** means attempting to attract all prospective buyers and renters with special efforts to attract persons of a race or national origin least likely to apply through the normal operations of the market place.

**Aggrieved Party/Person** includes any person who claims to have been injured by a discriminatory housing practice or believes that he or she will be injured by a discriminatory housing practice that is about to occur.

**Board** means the Fair Housing Review Board.

**Broker** includes any person authorized to perform an action on behalf of another person regarding any matter related to the sale or rental of dwellings, including offers, solicitations or contracts and the administration of matters regarding such offers, solicitations or contracts or any residential real estate-related transactions.

**Building** means a structure, facility, or portion thereof that contains or serves one or more dwelling units.

**Building Entrance on an Accessible Route** means an accessible entrance to a building that is connected by an accessible route to public transportation stops, to accessible parking and passenger loading zones, or to public streets or sidewalks, if available.

**Charge** means an allegation contained in a complaint.

**Civil Rights Violation** includes and shall be limited to only those specific acts set forth in Articles II, III, and IV of this ordinance.

**Common Use Areas** means rooms, spaces, or elements inside or outside of a building that are made available for the use of residents of a building or the guests thereof. These areas include hallways, lounges, lobbies, laundry rooms, refuse rooms, mail rooms, recreational areas and passageways among and between buildings.

**Complaint** means the document filed by a complainant with the Administering Agency.

**Complainant** means a party/person, including the Administering Agency, who files a complaint.

**Commission** means the Human Relations Commission.

**Community Residence** means a group home or specialized residential care home serving unrelated persons with disabilities.

**Conciliation** means the attempted resolution of issues raised by a complaint, or the investigation of such charge, through informal negotiations involving the aggrieved party, the respondent and the Administering Agency.

**Conciliation Agreement** means a written agreement setting forth the resolution of the issues in conciliation.

**Controlled Substance** means any drug or other substance, or immediate precursor included in the definition in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

**Covered Multifamily Dwelling** means a building consisting of four or more units if such buildings have one or more elevators; and ground floor units in other buildings consisting of four or more units.

**Discriminate** means to treat any person differently from others because of race, color, religion, creed, national origin, age, sex, ancestry, marital status, physical or mental handicap, familial status or unfavorable military discharge.

**Dwelling** means any building structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families or unrelated individuals, and any vacant land which offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

**Elderly Person** means a person 55 years of age or older.

**Entrance** means any access point to a building or portion of a building used by residents for the purpose of entering.

**Exterior** means all areas of the premises outside of an individual dwelling unit.

**Familial Status** means one or more individuals who have not attained the age of 18 years being domiciled with

- a. a parent or a person having legal custody of such individual or individuals;
- b. the designee of such parent or other person having such custody, with the written permission of such parent or other person; or
- c. persons who are pregnant or in the process of securing legal custody of any individual who has not attained the age of 18.

**Financial Institution** means any bank, credit union, insurance company, mortgage banking company, savings and loan association, or other entity or organization which makes or purchases loans or provides other financial assistance and which operates or has a place of business in the state of Illinois.

**Handicap** means, with respect to a person, a physical or mental impairment which substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment, including HIV infected individuals, and



including people suffering from impairments as a result of prior use or addiction to an illegal controlled substance. (Ord. 94-8, 5/9/94)

**Hearing** means that part of an adjudicative proceeding that involves the submission of evidence, either by oral presentation or written submission of briefs and oral arguments on the evidence and applicable law.

**Hearing Agency** means the agency designated by the corporate authorities of the municipality to conduct hearings on, and adjudicate the question of, ordinance violations.

**Housing Accommodation** includes any improved or unimproved real property or part thereof which is used or occupied or is intended, arranged or designed to be used or occupied as the home or residence of one or more individuals.

**Housing for Older Persons** means

- a. all housing that is provided under state and federal programs for elderly persons as defined by the specific programs, providing U.S. HUD approval has been secured;
- b. housing that is "intended for, and solely occupied by persons 62 years of age or older";
- c. communities in which at least 80 percent of all units are occupied by one person 55 years of age or older, if the existence of significant facilities and services specifically designed to meet the physical and social needs of older persons can be documented.

**ICC A117.1-2009** means the 2009 edition of the ICC Standard for buildings and facilities providing accessibility and usability for physically handicapped people.

**Interior** means the spaces, parts, components or elements of an individual dwelling unit.

**Loan** includes, but is not limited to, the providing of funds, for consideration, which are

- a. sought for the purpose of purchasing, constructing, improving, repairing, or maintaining a housing accommodation;
- b. sought for any commercial or industrial purposes; or
- c. secured by residential real estate.

**Lease** includes any sublease, assignment, or rental and any contract to enter into any of the foregoing.

**Marital Status** means the legal status of being married, single, separated, divorced, or widowed.

**Modification** means any change to the public or common use areas of a building or any change to a dwelling unit.

**National Origin** means the place in which a person or one of his or her ancestors was born.

**Offer** means and includes every attempt by means of written or oral communications to present for acceptance or rejection, to hold out or proffer, to make a proposal to or to exhibit real estate that may be taken or received with the intention of ultimately entering a real estate transaction.

**Owner** means any person who holds legal or equitable title to, or owns any beneficial interest in, any real estate, or who holds legal or equitable title to shares of, or any beneficial interest in, an equity which owns any real estate.

**Panic Peddling** means for profit, to induce or attempt to induce a person to sell or rent a dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, familial status, national origin, or handicap.

**Person** includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, or trustees in cases under Title 11 of the United States Code.

**Person in the business of selling or renting dwellings** means any person who

- a. within the preceding 12 months has participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein;
- b. within the preceding 12 months, has participated as agent, other than in the sale of his or her own personal residence, in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or interest therein; or
- c. is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

**Physical or Mental Impairment** includes

- a. any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or

- b. any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

**Premises** means the interior or exterior spaces, parts, components or elements of a building, including individual dwelling units and the public and common use areas of a building.

**Protected Classes** includes all persons legally protected against discrimination.

**Public Contract** includes every contract to which the State of Illinois, any of its political subdivisions or any municipal corporation is a party.

**Public Use Areas** means interior or exterior rooms or spaces of a building that are made available to the general public. Public use may be provided at a building that is privately or publicly owned.

**Real Estate Transaction** means the purchase, sale or fee or equitable title to, or beneficial interest in, or rental or lease of, any real property; or an option to do any of the foregoing, or any negotiation, listing, contract, or agreement in connection therewith. Real Estate Transaction also includes the brokering or appraising of residential real property and the making or purchasing of loans or providing other financial assistance for purchasing, constructing, improving, repairing or maintaining a dwelling or secured by residential real estate.

**Real Property** includes buildings, structures, real estate, lands, tenements, lease holds, interests in real estate cooperatives, condominiums, and hereditament, corporeal and incorporeal, or any interest therein.

**Religion** includes all aspects of religious observance and practice, as well as, belief; and all aspects of religious non-observance, non-practice and non-belief.

**Respondent** means

- a. the person or other entity against whom a discriminatory housing practice has been alleged in a complaint;
- b. (b) any other person or entity identified in the course of investigation and notified as required under Article VIII of this ordinance.

**Sex** means the status of being male or female.

**Solicit or Solicitation** means any communication by or on behalf of a real estate agent with the owner or occupant of a dwelling

- a. which is intended to induce the sale of rental of such dwelling;
- b. which is intended to offer or promote services in connection with the sale, rental or listing of such dwelling; and
- c. which is carried out by means of
  - 1. in-person contacts at the dwelling;

2. written material mailed or delivered directly to the dwelling, such as direct mail, leaflets or pamphlets; or
3. telephone contact with owners or occupants of the dwelling.

For purposes of this ordinance, the term "solicit" or "solicitation" shall not refer to communication carried out by means of print or electronic media of general circulation, such as a newspaper, radio, television, or the yellow pages.

**Steering** means influencing or attempting to influence by words or acts the choice or location of housing of a prospective purchaser, occupant, or tenant, in connection with viewing, buying, leasing, or occupying real estate based on race, color, religion, sex, familial status, national origin, or handicap so as to limit choice or promote or maintain segregation.

**To Rent** includes to lease, to sublease, to let, and to otherwise grant for consideration the right to occupy premises not owned by the occupant.

**Varying Terms** includes, but is not limited to, the following practices:

- a. Requiring a greater down payment than is usual for a particular type of a loan involved.
- b. Requiring a shorter period of amortization than is usual for the particular type of loan involved.
- c. Charging a higher interest rate than usual for the particular type of loan involved.
- d. Under-appraising of real estate or other items of property offered as security.

## **9-8-5: PROHIBITED ACTS GENERAL**

### **A. Discriminatory Terms**

Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, physical or mental handicap, familial status, or national origin, age, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity, housing status, protected classes, including HIV infected individuals, and people suffering from impairments as a result of prior use or addiction to an illegal controlled substance. Complaints related to Fair Housing are referenced to the Building Committee of the Village of Hodgkins, as outlined in the Fair Housing Ordinance(Ord. 94-8, 5/9/94, amd. Ord. 09-03, 4/13/09)

### **B. Refusal to Negotiate, Deal, Sell or Rent**

Refuse to sell or rent, after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, religion, sex, physical or mental handicap, familial status, or national origin.

### **C. Withholding Dwellings**

Represent to any person because of race, color, religion, sex, physical or mental handicap, familial status, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact available.

### **D. Advertisements, Signs, Notices**

Make, print, circulate, or publish, or cause to be made, printed, or published, any written or oral notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, physical or mental handicap, familial status, or national origin or an intention to make such preference, limitation, or discrimination. Discriminatory notices, statements and advertisements include, but are not limited to:

- (1) Using words, phrases, photographs, illustrations, symbols, or forms which convey that dwellings are available or not available to a particular group of persons because of race, color, religion, sex, physical or mental handicap, familial status, or national origin.
- (2) Expressing to agents, brokers, employees, prospective sellers or renters or any other persons a preference for or limitation on any purchaser or renter because of race, color, religion, sex, physical or mental handicap, familial status, or national origin of such persons.
- (3) Selecting media or locations for advertising the sale or rental of dwellings which deny particular segments of the housing market information about housing opportunities because of race, color, religion, sex, physical or mental handicap, familial status, or national origin.
- (4) Refusing to publish advertising for the sale or rental of dwellings, or requiring different charges or terms for such advertising because of race, color, religion, sex, physical or mental handicap, familial status, or national origin.

### **E. Panic Peddling**

For profit, to induce or attempt to induce a person to sell or rent a dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, physical or mental handicap, familial status, or national origin.

Prohibited actions under this section include, but are not limited to:

- (1) Engaging for profit in conduct (including uninvited solicitations for listings) which conveys to a person that a neighborhood is undergoing or is about to undergo a change

in the race, color, religion, sex, physical or mental handicap, familial status, or national origin of persons residing in it, in order to encourage persons to offer a dwelling for sale or rental.

(2) Encouraging, for profit, any person to sell or rent a dwelling through assertions that the entry or prospective entry of persons of a particular race, color, religion, sex, familial status, or national origin or with handicaps can or will result in undesirable consequences for the project, neighborhood or community, such as a lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other services or facilities.

#### **F. Lending**

Discriminate in connection with borrowing or lending money, guaranteeing loans, accepting mortgages, or otherwise financing a real estate transaction on the grounds of race, color, religion, sex, physical or mental handicap, familial status, or national origin.

#### **G. Lending Terms**

Deny or delay the processing of a loan or other financial assistance to a person applying therefore for the purpose of purchasing, construction, improving, repairing, or maintaining a dwelling; or discriminate in the fixing of that amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance because of the race, color, religion, sex, physical or mental handicap, familial status, or national origin of such person.

#### **H. Appraising/Insurance**

Discriminate in the appraisal of the value of real estate or in the sale of insurance in connection with a real estate transaction because of the race, color, religion, sex, physical or mental handicap, familial status, or national origin of the person.

#### **I. Varying Rents/Sale Price**

Impose different sale prices or rental charges for the sale or rental of a dwelling upon any person because of race, color, religion, sex, physical or mental handicap, familial status, or national origin.

#### **J. Qualification Criteria**

Use different qualification criteria or applications, or sale or rental standards or procedures, such as income standards, application requirements, application fees, credit analysis or sale or rental approval procedures or other requirements, because of race, color, religion, sex, physical or mental handicap, familial status, or national origin.

#### **K. Eviction**

Evict tenants because of their race, color, religion, sex, handicap, familial status, or national origin, or because of the race, color, religion, sex, physical or mental handicap, familial status, or national origin of a tenant's guest.

## **L. Listings**

Enter into a listing agreement which discriminates against any person because of race, color, religion, sex, physical or mental handicap, familial status, or national origin.

## **M. Discrimination in Membership or Services**

Deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings or to discriminate against any person in the terms or conditions of such access, membership or participation on account of race, color, religion, sex, physical or mental handicap, familial status, or national origin.

## **N. Steering (Restriction of Choice)**

Restrict or attempt to restrict, because of race, color, religion, sex, physical or mental handicap, familial status, or national origin, the choices of a person by words or acts in connection with buying or renting a dwelling so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

Prohibited actions under this section, which are generally referred to as unlawful steering practices, include, but are not limited to, the following:

(1) Discouraging any person from inspecting, purchasing or renting a dwelling because of race, color, religion, sex, physical or mental handicap, familial status, or national origin; or because of the race, color, religion, sex, physical or mental handicap, familial status, or national origin of persons in a community, neighborhood, or development, so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

(2) Discouraging the purchase or rental of a dwelling because of race, color, religion, sex, physical or mental handicap, familial status, or national origin by exaggerating drawbacks or failing to inform any person of desirable features of a dwelling or of a community, neighborhood, or development, so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

(3) Communicating to any prospective purchaser that he or she would not be comfortable or compatible with existing residents of a community, neighborhood or development because of race, color, religion, sex, physical or mental handicap, familial status, or national origin, so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

(4) Assigning any person to a particular section of a community, neighborhood, or development, or to a particular floor of a building, because of race, color, religion, sex, physical or mental handicap, familial status, or national origin, so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

(5) Failing to inform any person of available housing opportunities in a particular section of a community, neighborhood or development, or in a particular floor of a building, because of race, color, religion, sex, familial status, national origin, or handicap, so as to perpetuate, or tend to perpetuate, segregated housing patterns or to discourage or obstruct integrated housing.

#### **O. Participation**

Act or undertake to act as a real estate broker, sales, ad, or agent with respect to any dwelling, the disposition of which requires said person to participate in discrimination.

#### **P. Restrictions**

Perform any act of discrimination with the intention or effect of restricting or limiting the housing choice of any person.

#### **Q. Aiding and Abetting**

Aid or abet acts performed in violation of this ordinance.

#### **R. Interference, Coercion, or Intimidation**

Coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by this ordinance.

#### **S. Solicitation**

Solicit any owner to sell or rent or list residential property at any time after such person has notice that such owner does not desire to sell, rent, or list such residential property. For the purposes of this subsection, notice must be provided as follows:

(1) The notice may be given by the owner personally or by a third party in the owner's name, either in the form of an individual notice or a list, provided it complies with subsection (2) below.

(2) Such notice shall be explicit as to whether each owner on the notice seeks to avoid both solicitation for listing and sale, or only for listing, or only for sale, as well as, the period of time for which any avoidance is desired. The notice shall be dated and either of the following shall apply:

(a) each owner shall have signed the notice; or

(b) the person or entity preparing the notice shall provide an accompanying affidavit to the effect that all the names on the notice are, in fact, genuine as to



the identity of the persons listed and that such persons have requested not to be solicited as indicated.

(3) The individual notice or notice in the form of a list with the accompanying affidavit shall be served personally or by certified or registered mail, return receipt requested.

#### **9-8-6: PROHIBITED ACTS HANDICAPPED HOUSING**

In addition to those prohibited acts identified in Articles II and IV, the following shall also be unlawful.

##### **A. Discrimination Against the Handicapped**

(1) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of --

(a) the buyer or renter;

(b) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(c) any person associated with that person

(2) To make an inquiry to determine whether an applicant for a dwelling; a person intending to reside in that dwelling after it is sold, rented, or made available or any person associated with that person has a handicap, or to make inquiry as to the nature or severity of a handicap of such a person.

(3) However, this section does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they have handicaps:

(a) Inquiry into the applicant's ability to meet the requirements of ownership or tenancy.

(b) Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with handicaps or to persons with a particular type of handicap.

(c) Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with handicaps or to persons with a particular type of handicap.

(d) Inquiry to determine whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance.

(e) Inquiry to determine whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance.

(4) Nothing in this section requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

## **B. Unit Modification**

To refuse to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises; except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modifications, reasonable wear and tear excepted.

## **C. Rules and Policies**

To refuse to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy the dwelling, including public and common use areas.

## **D. New Construction**

To fail to design and construct dwellings after March 13, 1991 in such a manner that --

- (1) The public use and common use portions of such dwellings are readily accessible to and usable by a handicapped person;
- (2) All the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and
- (3) All premises within such dwellings contain the following features of adaptive design:
  - (a) an accessible route into and through the dwelling;
  - (b) light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
  - (c) reinforcements in bathroom walls to allow later installation of grab bars; and
  - (d) usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

## **E. Guide/Support Dogs**

To refuse to sell or rent because a person has a guide, hearing or support dog. It is a civil rights violation for the owner or agent of any housing accommodation to --

- (1) Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny property to any blind, hearing impaired, or physically handicapped person because he has a guide, hearing or support dog; or
- (2) Discriminate against any blind, hearing impaired, or physically handicapped person in the terms, conditions, or privileges of sale or rental property, or in the provision of services or facilities in connection therewith, because he has a guide, hearing or support dog; or
- (3) Require, because a blind, hearing impaired, or physically handicapped person has a guide, hearing or support dog, an extra charge in a lease, rental agreement, or contract of purchase or sale, other than for actual damage done to the premises by the dog.

## **9-8-7: PROHIBITED ACTS FINANCIAL**

In addition to those prohibited acts identified in Articles II and III, it shall be a violation for any financial institution, on the grounds of unlawful discrimination to --

- (1) deny any person any of the services normally offered by such an institution;
- (2) provide any person with any service which is different from, or provided in a different manner than, that which is provided to other persons similarly situated;
- (3) deny or vary the terms of a loan because of race, color, religion, sex, physical or mental handicap, familial status, or national origin;
- (4) deny or vary the terms of a loan on the basis that a specific parcel of real estate offered as security is located in a specific geographical area;
- (5) deny or vary the terms of a loan without having considered all of the regular and dependable income of each person who would be liable for repayment of the loan;
- (6) utilize lending standards that have no economic basis;
- (7) refuse to purchase or impose different terms or conditions on loans or other debts or securities which support the purchase construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate because of race, color, religion, sex, physical or mental handicap, familial status, or national origin.

#### **9-8-8: COVERAGE AND EXEMPTIONS**

Nothing in this ordinance, other than the prohibition against discriminatory advertising, shall --

(1) Apply to the following:

(a) The rental, lease, or occupancy of a room in an owner-occupied single family dwelling, provided the following conditions are met --

(i) the owner does not own or have any interest in more than three single family houses at any one time;

(ii) the house is sold or rented without the use of a real estate broker, agent or salesperson or the facilities of any person in the person of selling or renting dwellings.

(b) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his or her residence.

(2) Prohibit a religious organization, association, or society, or any non-profit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization or society from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than commercial purposes to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, religion, sex, physical or mental handicap, familial status, or national origin;

(3) Prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members and their guests or from giving preference to its members;

(4) prohibit the rental or sale of a dwelling on the basis of age or handicap when such dwelling is authorized, approved, financed, or subsidized in whole or in part by a unit of state, local, or federal government;

(5) limit the applicability of any reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling;

(6) require the rental or sale of a unit to any person convicted of the illegal manufacture or distribution of a controlled substance;

(7) with regard to discrimination based on familial status apply with respect to housing for older persons as defined in Section 9-8-4 of this ordinance;

(8) apply to persons engaged in the business of furnishing appraisals of real property from taking into consideration factors other than those based on unlawful discrimination or familial status in furnishing appraisals;

(9) prohibit financial institutions from considering sound underwriting practices in contemplation of any loan to any person. Such practices shall include the following;

(a) The willingness and the financial ability of the borrower to repay the loan.

(b) The market value of any real estate or other item of property proposed as security for any loan.

(c) Diversification of the financial institution's investment portfolio.

(10) prohibit a person engaged in the business of furnishing appraisals of real property from taking into consideration factors other than race, creed, age, ancestry, unfavorable military discharge, color, religion, sex, handicap, familial status, or national origin.

## **9-8-9: IMPLEMENTATION**

### **A. Creation of a Human Relations Commission**

There is hereby created a Human Relations Commission which shall consist of the members of the Village Building Committee.

### **9. General Duties of a Human Relations Commission**

The Commission shall have and exercise the power --

(1) to act to eliminate discriminatory housing practices;

(2) to act to assure to persons living or desiring to live in the municipality, or in any particular dwelling, the opportunity to purchase, lease, or rent a dwelling without discrimination because of race, color, religion, sex, physical or mental handicap, familial status, or national origin;

(3) to engage in such recruitment, research, and public communication and to create such advisory councils as may be authorized to effectuate the purposes of this ordinance;

(4) to coordinate its activities with federal and state agencies in conformity with this ordinance;

(5) to gather and provide for the exchange of information relative to the provisions of this ordinance among real estate brokers and salesmen, lenders, developers, employers, municipal officials, and community groups within and without the municipality.

### **C. Enforcement Duties of a Human Relations Commission**

The administrative responsibilities for this ordinance shall be in the Human Relations Commission. The Commission shall have and exercise, in addition to the general duties cited in Section 9-6-9B of this ordinance, with respect to all dwellings and persons subject to this ordinance, the power --

- (1) to issue, receive, initiate, and investigate complaints charging discrimination in housing. Any complaint initiated by the Commission shall be in writing and signed by the Chairman of the Commission and shall state such detail as to substantially apprise any properly concerned party as to the time, place, and facts surrounding the charged violation of this ordinance;
- (2) to seek conciliation with respect to any such complaint, and, if conciliation fails, to refer such complaint to the Fair Housing Review Board where the process will proceed as set forth in Section 9-6-11 of this ordinance.
- (3) to render from time to time, but not less than every 12 months, a written report to municipal officials of its activities and recommendations with respect to fair housing practices, which written report shall be made public after submission to the President and Trustees; and
- (4) to adopt, after approval of the President and Trustees, such rules and regulations as may be necessary or desirable to carry out the purpose of this ordinance.

#### **9-8-10: Administration**

The Administering Agency, Village Manager, or President and Trustees, shall appoint an Administrator. The Administrator shall have such duties, responsibilities, and powers as are necessary for the implementation of this ordinance and additionally as may be provided by the Administering Agency or President and Trustees, including the issuing, initiation, receipt, and due processing of complaints.

#### **9-8-11: COMPLAINTS, CONCILIATION, HEARING PROCEDURES**

##### **A. Complaint**

- (1) Any person aggrieved in any manner by a violation of any provision of this ordinance may file with the Administering Agency/Administrator a written verified complaint setting forth his or her grievance within 1 year after the date of the alleged violation. The complaint shall state, on a printed form provided by the Administering Agency, such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged violation of this ordinance.
- (2) A complaint may be filed against any person alleged to be engaged, to have engaged, or about to engage in a discriminatory housing practice.
- (3) A complaint may also be filed against any person who directs or controls, or has the right to direct or control, the conduct of another person with respect to any aspect of the sale, rental, advertising, or financing of dwellings or the provision of brokerage services

relating to the sale or rental of dwellings if that other person, acting within the scope of his or her authority as employee or agent of the directing or controlling person, is engaged, has engaged, or is about to engage, in a discriminatory housing practice.

## **B. Notice of Complaint**

Within 10 calendar days after a complaint has been received or initiated by the Administering Agency or the Administrator, the Administering Agency shall serve or cause to be served, either in person or by certified mail, a copy of said complaint on the person alleged to be in violation of this ordinance, hereinafter referred to as the "respondent".

The Administrator shall so, within 10 days of the date on which the complaint was filed, send written notice to the complainant informing the complainant of his or her option to file a complaint with U.S. HUD, the Illinois Human Rights Department, federal or state courts, including the dates within which the complainant may exercise such options.

## **C. Injunctive Temporary Relief**

(1) At any time after a complaint is filed and determined to constitute a violation of this ordinance, the Administering Agency may petition the appropriate court for temporary relief, pending final determination of the proceedings under this ordinance, including an order or decree restraining the respondent from doing or causing any act which would render ineffectual a recommendation with respect to the complaint. Such petition shall contain a certification by the Administering Agency/Administrator that the particular matter presents exceptional circumstances in which irreparable injury will result from a violation of this ordinance in the absence of temporary relief.

(2) The petition shall be filed in the circuit court for the county in which the respondent resides or transacts business or in which the alleged violation took place.

(3) When the petition is based upon a civil rights violation as defined in this ordinance, any relief or restraining order entered by the court shall not exceed 5 days unless --

(a) a longer period is agreed to by the respondent; or

(b) the court finds that there is substantial evidence to demonstrate that the respondent has engaged in violations of this ordinance.

## **D. Respondent Response**

The respondent shall serve a verified copy of his or her response to all allegations contained in the complaint within 10 calendar days of the date on which respondent was served a copy of the complaint.

The Administrator shall issue a notice of default directed to any respondent who fails to file a verified response to a complaint within 10 calendar days of the date on which the complainant was served, unless the respondent can demonstrate good cause as to why such notice should not be issued.

## **E. Complainant Response**

Within 10 calendar days of the date he receives the respondent's response, the complainant may file his reply to said response. If he chooses to file a reply, the complainant shall serve a copy of said reply on the respondent or his representative. A party shall have the right to supplement his response or reply at any time that the investigation of the complaint is pending.

## **F. Investigation**

(1) The Administering Agency shall order a prompt investigation of the complaint, completing such an investigation within 100 calendar days after the filing of the complaint.

(2) Unless it is impossible to do so, upon review of the report and within 100 calendar days after the filing of the complaint, the Administrator shall determine whether there is substantial evidence that the alleged ordinance violation has been committed or is about to be committed.

(3) If the Administering Agency is unable to make the determination within 100 calendar days after the filing of the complaint, the Administrator shall notify the complainant and respondent in writing of the reasons for not doing so.

(4) If the Administering Agency determines that there is no substantial evidence, the complaint shall be dismissed and the complainant notified that he or she may seek review of the dismissal order before the Adjudicative Agency. The complainant shall have 30 calendar days from receipt of notice to file a request for review by the Adjudicative Agency. The Adjudicative Agency shall --

(a) uphold the finding of insubstantial evidence, or

(b) reverse the finding of insubstantial evidence and remand the complaint to the Administering Agency for conciliation.

(5) If the Administering Agency determines that there is substantial evidence it shall immediately notify the parties and schedule a conciliation meeting.

## **G. Conciliation**

(1) During the period beginning with the filing of a complaint and ending with a dismissal or a referral to the Adjudicative Agency, the Administering Agency or Administrator shall, to the extent feasible, engage in conciliation with respect to such complaint.

(2) If the Administrator determines --

(a) that conciliation is feasible, the complainant and respondent shall be notified of the time and place of the conciliation meeting by registered or



certified mail at least 7 calendar days prior thereto and both parties shall appear at the meeting in person or by attorney; or

(b) that attempts at conciliation would not further the objectives of this ordinance, or that the complaint cannot be resolved by conciliation, the Administrator shall report and transfer the complaint and filings to the Adjudicative Agency.

(3) The Administrator shall attempt by all accepted methods of conciliation and lawful persuasion to resolve the grievance delineated in the complaint.

(4) Nothing occurring at the conciliation meeting shall be made public or used as evidence in a subsequent proceeding for the purpose of proving a violation under this Ordinance unless the complainant and respondent agree in writing that such disclosure be made.

(5) An agreement arising out of such conciliation shall be treated as a settlement pursuant to Section 8-6-11 of this Ordinance.

(6) A conciliation may provide for finding arbitration of the dispute arising from a complaint. Any such arbitration that results from a conciliation agreement may award relief as provided for in this ordinance.

#### **H. Hearing on Complaint**

Within 15 days of receiving a complaint from the Administering Agency, the Adjudicative Agency shall, upon due and reasonable notice to all parties, schedule a public hearing on the complaint. The public hearing shall be scheduled no sooner than 30 days from the date of the notice, nor later than 60 days from the date of the notice.

All parties shall be entitled to be represented by legal counsel, and shall have the right to call witnesses in their own behalf and to cross-examine witnesses. All parties to the proceedings may apply to the Adjudicative Agency to have subpoenas issued in the name of the Adjudicative Agency. Testimony taken at the conference/hearing shall be under oath or affirmation and a transcript shall be made and filed in the office of the Administering Agency/Administrator.

#### **I. Report/Decision**

(1) The Adjudicative Agency shall issue a written report within 30 days of the conclusion of the public hearing. The report/decision shall include a summary of the testimony, exhibits admitted into evidence, and a finding of whether a violation of the ordinance was proven by a preponderance of the evidence. The report/decision shall also contain a recommendation/order of the relief that may include one or more of the elements provided for in Article IX.

(2) If the Administering Agency determines that a respondent has not complied in a timely manner with the decision, the Administrative Agency shall refer the matter to the municipal attorney who shall seek judicial enforcement of the decision.

## **J. Settlement**

- (1) Circumstances: a settlement of any complaint may be effected at any time prior to a decision/report by the Adjudicative Agency upon agreement of the parties and the approval of the Adjudicative Agency.
- (2) Settlement: each settlement agreement shall be made public unless the complainant and respondent otherwise agree and the Administrator determines that disclosure is not required to further the purpose of this ordinance.
- (3) Form: settlements of complaints prior to the issuing of a report/decision shall be issued in writing by the Administrator, signed by the parties, and submitted by the Administrator to the Adjudicative Agency.
- (4) Settlement Violation: when either party alleges that a settlement order has been violated, the Administrator shall conduct an investigation into the matter. If substantial evidence demonstrates that a settlement has been violated, the Administrator shall refer the matter to the municipal attorney for enforcement in the circuit court in which the respondent or complainant resides or transacts business or in which the alleged violation took place.

## **9-8-12: PENALTY/FINES; REMEDIES/RELIEF**

### **A. Penalty/Fines**

Any person violating any provision of this ordinance may be directed to --

- (1) Cease and desist from any violation of this ordinance;
- (2) pay a civil penalty to vindicate the public interest --
  - (a) in an amount not exceeding \$10,000 if the respondent has not been adjudged to have committed any prior violations of any provision of this ordinance;
  - (b) in an amount not exceeding \$25,000 if the respondent has been adjudged to have committed one other violation of this ordinance during the 5-year period prior to the filing date of the current complaint;
  - (c) in an amount not exceeding \$50,000 if the respondent has been adjudged to have committed two or more violations of this ordinance during the 7-year period prior to the filing date of the current complaint.

## **B. Remedies/Relief**

In addition to the penalties and fines delineated in Section 9-6-12 of this ordinance, the Adjudicative Agency may undertake additional actions, including but not limited to, the following.

- (1) Directing the respondent to pay compensatory/actual damages (including damages to compensate for mental anguish), punitive damages, attorney fees and costs.
- (2) Directing the respondent to provide other equitable relief including, but not limited to, access to the dwelling at the issue, or to a comparable dwelling, the provision of services or facilities in connection with a dwelling, or other specific relief.
- (3) Directing the respondent to provide other injunctive relief appropriate to the elimination of discriminatory housing practices affecting the aggrieved person or other persons.
- (4) Directing the Administrator to send copies of the decision/report to the Department of Professional Registration of the State and recommend appropriate disciplinary action, including, where appropriate, the suspension or revocation of the license of the respondent.
- (5) Further, any persons violating any provision of this ordinance may also be required to undertake actions to prevent future discriminatory housing practices; to undertake remedial affirmative activities to overcome discriminatory housing practices; or to undertake various report requirements, including, but not limited to --
  - (a) requiring the respondent and all of the respondent's brokers, associate brokers, salespeople and agents and employees who are employed as sales or rental agents or have contractual relationship with him and are responsible for sales and/or rental of any residential properties, to attend a fair housing training session conducted by U.S. HUD or an agency acceptable to the President and Trustees. Such training session shall cover federal, state, and local fair housing laws, applicable case law, and real life or roll playing situations. Costs of such training session shall be borne by the defendant;
  - (b) requiring all agents and employees of any respondent, owner and/or management company to utilize the fair housing logo and slogan in all advertising and telephone directories, and on all company stationery, forms, pamphlets and brochures;
  - (c) requiring all agents and employees of any respondent, owner and/or management company to post and maintain, in a manner conspicuous to tenants and prospective tenants, buyer and prospective buyers, the fair housing poster and logo;
  - (d) requiring any respondent owner and/or management company to provide quarterly reports in writing for a period of 5 years of the names, addresses, race and sex of each prospective buyer/renter who seeks respondent's aid in locating

housing and the subsequent showings to each prospective buyer/renter and the final disposition.

### **9-8-13: APPEAL PROCEDURES**

Any persons aggrieved by the decision of the Adjudicative Agency shall have the right to appeal in accordance with the following procedure:

(1) First, initial reconsideration by the full board of the Adjudicative Agency. This appeal shall be initiated by filing with the Administrator, within 7 calendar days of the decision, a written statement setting forth specifically the grounds for reconsideration. These grounds shall be supported by argument and served on all parties at the time they are filed with the Administrator. The Adjudicative Agency, after reviewing the statement, shall --

(a) render a revised decision notifying all parties within 14 calendar days of the filing of the statement for initial reconsideration; or

(b) issue and serve on all parties a written order for rehearing the case, citing the cause and additional evidence; or

(c) uphold the decision of the Adjudicative Agency.

(2) Second, appeal to the President and Trustees in cases where the Adjudicative Agency decision has been upheld. The appeal shall be initiated within 7 calendar days of the initial decision or the upholding of the initial decision, by filing with the Adjudicative Agency a written statement as delineated in (1) above. After reviewing the statement and hearing record, the President and Trustees shall --

(a) render a revised decision notifying all parties within 30 calendar days of the filing of the appeal statement; or

(b) issue and serve on all parties a written order for rehearing the case, citing the cause and additional evidence; or

(c) uphold the decision of the Adjudicative Agency.

The decision of the President and Trustees on such appeals shall be final.

(3) After a decision by the President and Trustees, the aggrieved person may apply for judicial review under writ of certiorari. (Ord 93-23 12/30/93)

## **CHAPTER 9 - SOIL EROSION AND SEDIMENTATION CONTROL**

### **9-9-1: MINIMUM STANDARDS; APPLICATION OF PROVISIONS:**

The village is responsible for enforcing the requirements of the village soil erosion and sedimentation control regulations. The requirements of this chapter provide minimum standards to safeguard persons, to protect property and prevent despoliation of the environment, and to promote the public welfare by regulating and controlling the design, construction, quality of materials, and use and maintenance of any development or other activity which disturbs or breaks the topsoil or otherwise results in the movement of earth. These requirements are applicable to all developments within the village and shall apply to any movement of earth, any sedimentation and erosion control plan, and the granting of a permit for execution of said plan. (Ord. 07-10, 6-1 1-2007)

**9-9-2: GENERAL REQUIREMENTS:** The development plan shall relate to the topography and soils of the site, resulting in the lowest potential for erosion. The smallest practical area of land shall be exposed at any given time during development, and such minimum area exposure shall be kept to as short a duration of time as is practical. Sediment basins, debris basins, desilting basins, and/or silt traps and fences shall be installed and maintained to remove sediment from runoff waters from land undergoing development. Provision shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Temporary vegetation or, where appropriate, mulching or other non-vegetative cover shall be used to protect areas exposed during development. Permanent, final plant covering (or structures) shall be installed as soon as possible and shall be retained and protected so far as consistent with developing the site. (Ord. 07-10, 6-1 1-2007)

**9-9-3: SUBMISSION OF EROSION CONTROL MEASURES:** submission requirements for erosion control shall include the following:

- A. A soils map of the project site showing the predominant soil types.
- B. A plan showing areas and acreage to be temporarily or permanently sodded, seeded, mulched or paved for each phase of construction.
- C. Areas and acreage to be left undisturbed for each phase of construction.
- D. A storm drainage plan including, but not limited to, a drainage area map, indicating conditions currently prevailing at proposed and natural outlets such as.
  - 1. Whether the drainage course is bare earth or vegetated.
  - 2. Whether the natural or proposed outlet is subject to long term or continuous flow.
  - 3. Whether (or not) the existing outlet is actively eroding.
  - 4. Whether there is evidence (permanent or seasonal) of a high water table, and its elevation.

5. Whether the area is subject to seepage or spring flow.
  6. The elevation of normal water level in all proposed and natural outlets.
  7. A profile through each outlet, and downstream for a sufficient distance, to indicate the natural gradient of the accepting natural outlet and/or stream channel.
  8. Cross sections and profiles of existing stream channels, where applicable, if requested.
- E. An erosion control plan, including all erosion and sediment control measures needed to provide protection throughout all phases of construction. The plans shall also include on site, as well as the location of any off site, borrow and spoil areas, stockpiles, haul and access roads, and shall further indicate:
1. A chart of project construction items.
  2. Duration of exposed disturbed areas for each phase of construction.
  3. Installation of temporary or permanent sediment control measures (vegetative and structural) in each phase.
  4. Installation of storm drainage in each phase of construction.
  5. Paving of streets and commercial parking areas, if any, in each phase, with corresponding dates.
  6. Establishment of permanent vegetative cover including, but not limited to, seeding mixes and rates, type of sod, subgrade preparation, lime and fertilizer application, mulching, or similar stabilization procedures in each phase of construction.
  7. Details of all structural sediment control measures.
  8. Computations for sediment basins, if any.
- F. When required, the storm-water pollution prevention plan (SWPPP) is included on the erosion control plan and must meet the following requirements:
1. Minimum design level, unless otherwise specified by more stringent regulations, shall be a storm event equal to or greater than a 25-year 24-hour rainfall event.
  2. The SWPPP must clearly identify for each measure identified in the plan, the contractor(s) that will implement the measure, and all contractor(s) and subcontractor(s) shall sign the following certificate (include in swppp):

I certify under penalty of law that I understand the terms and conditions of the general National Pollution Discharge Elimination System (M<sup>P</sup>DES) permit (ILR10) that authorizes the storm-water discharges associated with industrial activity from the construction site identified as part of this certification.

The certification must include the name and title of the person providing the signature of the contracting firm; the address (or other identifying description) of the site; and the date of the certification.

3. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the NPDES IL-R10 permit and with the requirements of the SWPPP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

4. Inspection by the permittee is required at least once every seven (7) calendar days and within twenty four (24) hours of the end of a storm that is one-half inch (0.5") or greater or five inches (5') or greater snowfall. Based on inspection results, modifications shall provide for timely implementation of any changes to the plans within seven (7) calendar days. The inspection report shall summarize scope of inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP. These records shall be retained as part of the SWPPP for at least three (3) years from the date that the permit coverage expires or is terminated. The permittee shall complete and submit to IEPA and the village within five (5) days an "incidence of noncompliance" (ION) report for any violation of the SWPPP observed during an inspection conducted, including those not required by the plan.

- G. Use of the "Technical Manual Designed For Urban Ecosystem Protection And Enhancement" (Illinois Urban Manual), 2002 or latest edition, prepared for the Illinois environmental protection agency by the United States department of agriculture natural resources conservation service, is made a part hereof by this reference for purposes of exemplifying the considerations and factors which should enter into preparation of a soil erosion control plan. (Ord .07-10, 6-11-2007)

**9-9-4: WORK SITE PRECAUTIONS:** Special precautions for site work shall include the following:

- A. If, at any stage of the grading work, village representatives determine by inspection that the nature of the operation is such that further work as previously authorized (by permit) is likely to imperil any property, public way, watercourse or drainage structure, the village may require, as a condition to allow the work to be done, that such reasonable safety precautions be taken as deemed appropriate to avoid the likelihood of such peril. "Special precautions" may include, but shall not be limited to, specifying a more level exposed slope, construction of additional drainage facilities, berms, terracing, compaction, or other erosion control measures, testing, investigations and submittal of reports.

- B. Where it appears that storm-water damage has or may result because erosion control measures are not complete, work may be stopped and the contractor (or permittee) required to install temporary or permanent planting or structures, or take such other measures as may be required to protect adjoining property or the public safety. The village may specify the date of start and completion of grading, or may require that earthwork operations be conducted in specific stages so as to ensure completion of protective measures or devices prior to the advent of seasonal weather conditions. (Ord. 07-10, 6-1 1-2007)

**9-9-5: REQUIRED CONTROL MEASURES:** Required erosion and sedimentation control measures shall include the following:

- A. Prior to commencement of construction, the contractor shall obtain from the owner and submit to the village a copy of the notification of coverage letter and the Illinois environmental protection agency (IEPA) national pollutant discharge elimination system (NPDES) permit no. ILRI0. The contractor shall conform to all requirements of this permit, including maintenance and inspection of erosion control measures and filing of applicable certifications and reports. A copy of the notification of coverage letter shall be posted at the project site in a prominent place for public viewing.
- B. Soil erosion and sedimentation control measures shall be completed in accordance with the "Illinois Urban Manual" and NPDES permit no. ILRI0. Any soil erosion control measures, in addition to those outlined in the engineering standards and/or shown on the engineering plans, and which are deemed necessary by the owner, design consultant and/or the village engineer, shall be immediately implemented by the contractor.
- C. The licensed professional engineer responsible for the project shall inspect the erosion control measures proposed for the specific project on a weekly basis and submit to the village engineer a letter of certification for all soil erosion control measures that are in place and operating as designed, and identify any noncompliant measures with a schedule to rectify the problems. This letter of certification shall be submitted by the first day of every month.
- C. The general contractor, earthwork contractor and underground utilities contractor(s) shall be responsible for the installation, inspection, maintenance, and any necessary corrective action associated with erosion and sedimentation control measures as they affect their related work. The inspection shall be conducted and recorded at least once per week and after rain events in excess of one-half inch (0.5"). The items set out in section 9-2-6 of this chapter are to be provided by the contractors at the time and in the general sequence indicated in section 9-2-6 of this chapter. (Ord. 07-10, 6-1 1-2007)

**9-9-6: GENERAL SEQUENCE OF ITEMS PROVIDED BY CONTRACTORS:**

General sequence of items to be provided by the contractors is as follows:



- A. Provide and receive village approval for any temporary measures including, but not limited to, stabilized construction entrance(s), silt fence and tree protection fence prior to the start of any construction activity, including issuance of any construction or building permit. Silt fence materials and installation must be approved prior to the start of construction.
- B. A stabilized construction entrance shall be installed for mud and dust control prior to the onset of construction activity and shall be maintained for effectiveness to remove dirt that could leave the site by construction vehicles throughout the course of the project. The construction entrance shall be located generally where shown on the plan, and/or at any other points where construction traffic frequently leaves the site. In accordance with the detail, the stabilized construction entrance shall be typically thirty feet (30') wide (with a minimum width of 14 feet if approved by a village representative) and one hundred feet (100') long, and shall consist of a minimum six inch (6") thick layer of angular crushed aggregate meeting IDOT gradation CA-I, compacted in place, and underlain with a geotextile filter fabric. Optional vehicle wash down pit may be required as directed by the village engineer.
- C. Provide diversion swales (which are part of the overall grading plan) around the perimeter of the site, as necessary to prevent and intercept storm-water runoff to off-site areas, as part of initial mass grading operations.
- D. Over-excavate any proposed wet detention basin(s) for settling and siltation, as indicated on the plans or as directed by the village engineer. The basins will be properly over-excavated so as to provide sufficient volume for debris and settlement. When storm-water is to be routed through an existing or proposed detention basin in order to allow for settlement of silt and debris, the basin is to be constructed prior to any other grading work. If drainage is into an existing basin, upstream project areas shall be properly protected so as to minimize siltation of the downstream basin.
- E. Over-excavate around proposed yard inlets, as indicated on the plans or as directed by the village engineer.
- F. Topsoil and other material stockpiles shall be located so as to avoid erosion of the stockpile onto off site areas. Also, the stockpile shall be sited so that an on site drainage swale is located between the stockpile and downstream off site properties. If a stockpile is to remain in place for more than fourteen (14) days, it shall be stabilized with burlap matting or be seeded. Stockpiles should be located such that entrances are from upstream locations.
- G. Provide a diversion ditch, as necessary, as well as installation of silt fencing for all stockpiles prior to placement of material in said stockpiles. (Ord. 07-10, 6-1 1-2007)
- H. Ensure that all construction site waste, such as discarded building materials, concrete truck washout chemicals, litter, and sanitary waste, is properly collected and removed from the site to prevent adverse impacts to water quality. (Ord. 07-10, 6-1 1-2007; amd. 2016 Code)

- I. Install ditch check and flared end section protection, as necessary and in accordance with the temporary ditch check and flared end section (FES) erosion control details, in all drainage ways within or directly adjacent to the project site.
- J. Because no sediment shall be allowed to enter the existing storm sewer system, provide straw bales and filter baskets, siltation/debris collection, etc., around all storm-water yard/detention basin inlets, curb inlets, catch basins, etc., immediately upon installation of such structures throughout the vicinity of the project site, which could be affected by sediment during construction. Reinforced filter baskets, as approved in advance of placement by the village engineer, shall be used for sediment control. All erosion control measures shall be maintained until all upstream areas to respective inlets or structures have been completed with a thorough establishment of an approved grass turf, in accordance with EPA regulations. Repair or replacement shall be promptly made as needed.
- K. All streets, alleys, etc., adjacent to and in the immediate vicinity of the project site shall be kept free of dirt, mud and debris, and cleaned, as necessary, at the end of each workday.
- L. Upon completion of topsoil respread operations, all disturbed areas shall be seeded, sodded, or landscaped as noted on the engineering or landscape plans. Seeding and mulching shall be in accordance with sections 250 and 251, respectively, of the latest DOT standard specifications. Seed mixture shall be class 1. Sodding shall be in accordance with section 252 of the DOT standard specifications. All disturbed ground within the existing village right of way shall be restored with a minimum of four inches (4") of topsoil and sodding. Unless soil erosion control items are specifically referred to as individual bid items (such as topsoil respread, seeding, etc.), they are to be considered incidental to the cost of the contract.
- M. All storm sewers, catch basins, inlets, sumps and/or detention basins are to be cleaned at the end of the construction project and as may be requested until final acceptance of all public improvements by the village. Cleaning will also be required during the course of construction if it is determined that silt and debris traps are not properly functioning and their performance is impaired.
- N. All erosion control measures shall remain in place until directed otherwise by the village engineer. (Ord. 07-10, 6-1 1-2007)

## **CHAPTER 10 - POINT OF RESALE INSPECTIONS**

### **9-10-1: FINDINGS**

- A. As an Illinois Home Rule Municipality, the Village of Hodgkins (“Village”) has a constitutional directive to protect and ensure public health, safety and welfare of its citizens insofar as they are affected by the continued occupancy and maintenance of residential structures and premises.
- B. The Village recognizes the balance between an owner’s right to transfer property and compliance with a specific set of regulatory standards protecting subsequent purchasers and neighboring residents.
- C. The Village seeks the orderly adherence to property maintenance codes and the adopted Illinois Mobile Home Act through consensual point of resale inspections of existing residential structures.

### **9-10-2: DEFINITION**

- A. For the purpose of this section the term “point of resale inspection” shall mean an inspection by qualified Village Official (“Village Inspector”) or its qualified agents to determine whether the condition of residential buildings or mobile home structures within a Manufactured Home Community (“Community”) comply with specific regulations identified in this Chapter.
- B. “Residential Structure” shall mean both buildings and mobile/manufactured homes within a Community that is older than 1 (One) year from the date of inspection.

### **9-10-3: TIMING AND FREQUENCY OF INSPECTION**

Inspections shall only be required when there is proposed to be a transfer of interest by an owner of a residential building or a mobile home structure.

### **9-10-4: NOTICE OF TRANSFER**

- A. Whenever an owner of a residential building proposes to transfer his interest to a prospective buyer said owner shall notify the Village at least thirty (30) calendar days prior to the transfer date.
- B. Whenever the Manager of a Community has knowledge of a transfer of title from one of its ground lessees said Manager shall notify the Village Clerk at least thirty (30) calendar days prior to the transfer date.
- C. Notice shall be either in writing to the Village Clerk at 8990 Lyons Street, Hodgkins, IL 60525.

### **9-10-5: COMPLIANCE INSPECTION CODES USED**

- A. All structures shall be in compliance with the 2015 edition of the International Property Maintenance Code.

- B. Structures that are located in a Community shall also comply with the Illinois Mobile Home Act and the Hodgkins Mobile Home and Mobile Park Chapter 10 of Title 10.

**9-10-6: COMPLIANCE INSPECTION PROCEDURES**

- A. When the owner notifies the Village of a transfer, the Village will schedule an inspection to be conducted within five (5) business days of the notice.
- B. A notice of transfer form will be provided by the Village to the owner and shall include the following:
  - 1. Date and time of the proposed compliance inspection.
  - 2. A statement that if the owner has not already provided consent for the inspection, the owner has the right to continue to withhold consent and require the Village to obtain a warrant to conduct an inspection.
- C. The inspection form at the end of this Ordinance shall be used to perform the inspection. This shall be changed from time to time based on changes in the industry.

**9-10-7: REFUSAL TO CONSENT AND WARRANT PROCEDURES**

If the owner does not consent to the proposed inspection, the Village may appear before any judge in the Circuit Court of Cook County and seek an administrative search warrant to allow an inspection. Any such application shall be made within five (5) calendar days after the owner's nonconsenting. The application for the warrant shall specify the basis upon which the warrant is being sought and shall include a statement that the inspection will be limited to a determination whether there's violations of the code provisions identified within this section. The court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant shall issue:

- 1. Eyewitness account of violations;
- 2. Citizen complaints;
- 3. Plainview violations;
- 4. Violations apparent from Village records;
- 5. Property deterioration;
- 6. Age of property;
- 7. Condition of similar properties in the area;

**9-10-8: UNINSPECTED PROPERTY**

In the event the owner refuses to consent to an inspection and the Village does not seek a warrant (or if court refuses an application for the warrant) the Village Clerk shall notify the buyer that it is an "uninspected structure".

**9-10-9: INSPECTION PROCEDURES AND APPEAL**

- A. In the event consent is given or a warrant is issued, the Village shall conduct the compliance inspection as provided in Section 10-10-6. Within five (5) business days after the compliance inspection the Village shall issue written notice of violations and repairs, if any, necessary to bring the structure into compliance with this Section.

- B. In the event the owner disputes the determination of violations and repairs, the owner may file a request for administrative review on a form provided by the Village. An independent administrative hearing officer appointed by the Village shall convene an administrative hearing within five (5) business days from the date of appeal. Upon completion of the administrative hearing, the hearing officer will issue a final determination of violation and repairs.

**9-10-10: FOLLOW-UP REPAIRS**

A party issued a notice of repairs as provided for in subsection 9-10-9A shall proceed to make such repairs. Upon completion of said repairs thereof to the Village, the Village will conduct a re-inspection within five (5) business days thereafter. Upon completion of the follow-up repairs the Village shall issue a certificate of compliance.

**9-10-11: CONDITIONAL CERTIFICATE OF COMPLIANCE**

An owner who has not completed the repairs identified through the inspection may nevertheless transfer ownership of property if:

- A. If the owner has deposited with the Village, in a separate escrow, an amount determined by the Village Inspector or his designee to be sufficient to bring the structure into compliance with applicable Village regulations as stated in Section 10-10-5.
- B. The purchaser, assignee or successor in title ownership (hereinafter “buyer”) has entered into an escrow agreement with the Village whereby the buyer agrees, within the time period determined by the Village Inspector or his designee, to bring the structure in compliance with all applicable code requirements. Said compliance period shall not exceed ninety (90) days after the transaction closing or conveyance of title.
- C. If a buyer enters into such an agreement, a conditional certificate will issue in order to allow the closing to be completed or the certificate of title to be executed in the case of a mobile structure; provided however occupancy of the mobile home shall not occur until a certificate of compliance is issued.
- D. In the event the buyer fails to complete the required repairs and have the repairs verified on re-inspection, the Inspector is hereby authorized to pursue enforcement proceedings through the Village of Hodgkins administrative adjudication process or at his discretion, through the Circuit Court of Cook County.

**9-10-12: CERTIFIED CONTRACTORS**

- A. All contractors performing repairs identified in the point of resale inspections shall be licensed contractors and shall make available, upon request, their license, verification of their liability insurance, errors and omissions insurance policies.
- B. The owners of structures for resale may perform their own repairs but must be certified by the Certified Contractor as described above.

**9-10-13: VALIDITY OF CERTIFICATE OF COMPLIANCE**

A certificate of compliance issued to the seller shall be valid for one hundred eighty (180) days from the date of issuance.

**9-10-14: NO WARRANTY**

In issuing a certificate of compliance or a conditional certificate of compliance, the Village and its agents do not make any warranty, representation or statement nor does it intend to insure or guarantee to either buyer or seller of the structure subject to the point of resale inspection or any of their designees, agents, representative, heirs or assigns or any other interested party, including mortgage companies, insurance companies, banks or any other party which may have any interest relative to the property subject to the point of resale inspection, nor does the Village affirm that there are no additional unnoted violations relative to any other provisions of any of the Municipal Code of the Village of Hodgkins, or relevant statutes, ordinances, rules and regulation of the County of Cook, the State of Illinois or the United States of America.

**9-10-15: INSPECTION FEE SCHEDULE**

- A. The fee for a point of resale inspection shall be one hundred fifty (\$150.00) dollars for all residential structures. The failure of an owner/seller to appear at the time of inspection shall result in a fifty (\$50.00) dollar penalty.
- B. Each fee set for the above covers the cost of one (1) re-inspection to verify compliance. In the event that additional inspections are required because full compliance did not exist at the time of the re-inspection, then an additional re-inspection fee of fifty (\$50.00) dollars shall be assessed.



# Property Transfer Inspection Checklist

Village of Hodgkins

8990 Lyons Street · Hodgkins, Illinois · 60525

708-579-6700 · 708-579-6707 Fax

[www.villageofhodgkins.org](http://www.villageofhodgkins.org)

Property Address: \_\_\_\_\_ Date: \_\_\_\_\_

Inspector: \_\_\_\_\_ Time: \_\_\_\_\_

Other Notes: \_\_\_\_\_ # of Bedrooms: \_\_\_\_\_

In accordance with the Ordinance for Property transfer and the ICC International Property Maintenance Code as adopted.

## Exterior Structure

1. Exterior wall coverings

☐

9. Windows—Condition and screens

☐

2. Roof

☐

10. Doors—Condition

☐

3. Stairs—Front and/or Rear

☐

11. Electric Meter—Condition

☐

4. Hand and Guard Rails

☐

12. Gas Meter—Condition

☐

5. Address—Posted and Visible

☐

13. Tie Downs—if visible

☐

6. Sidewalks—Driveways—Slabs—condition

☐

14. Air condition —Condition & disconnect

☐

7. Skirt—in place and condition

☐

15. Other

☐

8. Shed—Location and condition

☐

16. Other

☐

Exterior Comments:

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## Interior Structure

17. Smoke detector—Operational, number and location <input type="checkbox"/>	22. Floor Covering—condition <input type="checkbox"/>
18. Carbon Monoxide—Operational & location <input type="checkbox"/>	23. Wall finish—condition & type <input type="checkbox"/>
19. Windows—Broker, openable <input type="checkbox"/>	24. Egress door hardware <input type="checkbox"/>
20. Emergency Escape Windows—if provided <input type="checkbox"/>	25. General Structural conditions <input type="checkbox"/>
21. Sanitation <input type="checkbox"/>	26. other <input type="checkbox"/>

Interior Comments:

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## Plumbing

27. Kitchen plumbing—condition & leaks <input type="checkbox"/>	29. Water heater—Condition & T&P valve <input type="checkbox"/>
28. Bathroom plumbing—Condition & leaks <input type="checkbox"/>	30. Other <input type="checkbox"/>

Plumbing Comments:

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## Mechanical

31. Heating Facilities—Condition

33. Chimney or vent—Condition

32. Clearance to combustible & storage

34. Other

Mechanical Comments:

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## Electrical

35. Electrical Facilities—General condition

☐

38. GFCI—when installed-condition

☐

36. Main panel—General condition, labeled

☐

39. Installed fixtures—Condition

☐

37. Receptacles—covers and condition

☐

40. Other

☐

Electrical Comments:

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General Comments:

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☐ Re-Inspection Required

☐ Approved As Noted

☐ Approved

Re-inspection Date: \_\_\_\_\_

Inspector Signature: \_\_\_\_\_

Property Owner of Agent Signature: \_\_\_\_\_