

ORDINANCE NO. _____

**ORDINANCE AMENDING CITY CODE
- CHAPTER 67.2 –
-RESIDENTIAL BUILDING CODE –**

BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF DECATUR,
ILLINOIS:

Section 1. That Chapter 67.2 of the City Code of the City of Decatur, Illinois, be, and the same is hereby modified and amended, effective February 1, 2020, by amending language to Sections 4, 9, 10 and 15 reflecting the amendment. Said Sections 4, 9, 10 and 15, as so modified and amended, shall provide as follows:

4. BUILDING INSPECTIONS. Whenever in said Code reference is made to the “code official”, such shall be taken to mean and shall be construed to refer to the Building Inspections Manager or his designee as fully as if said designation was set out therein in lieu of such words; whenever reference is therein made to the Department of Building Inspections or similar reference, such shall be taken to mean and shall be construed to refer to the Building Inspections Division of the Community Development Department as fully as if said designation was set out therein in lieu of such words.

(Amended, Ordinance No. 2017-07, February 6, 2017)

(Amended, Ordinance No. 2010-03, February 1, 2010)

(Amended, Ordinance No. 2009-39, May 18, 2009)

9. APPLICATION FOR PERMIT. Application for a permit required by said Code or this Chapter shall be made by the owner or the person or the person or entity in or entitled to possession of the premises where the proposed work is to be done, or by the agent of either, or by the engineer, architect or contractor connected with such work. All applications for building permits shall be accompanied by complete and finalized plans, specifications, and cost estimates.

10. FEE. No permit shall be issued except upon prior payment of the total building fees as set forth in Chapter 67, Section 9. The fee schedule set forth is cumulative, and is in addition to all other fees required by applicable provisions of the municipal code, unless specifically noted to the contrary. All applications for building permits shall be accompanied by complete and finalized plans, specifications, and cost estimates.

15. RE-INSPECTION FEES. A re-inspection fee of \$45 shall be assessed the applicant for a construction permit, or in the case of a combined permit, against the licensed subcontractor, who has requested an inspection which cannot be completed and/or approved by the Inspection Division for any of the following reasons:

1) The work for which the inspection has been requested is not installed or completed to the extent that an inspection can be made;

2) The inspection reveals that there are violations which should have been found and corrected by workers while simply checking their work before calling for an inspection.

- 3) The work for which the inspection has been requested has been covered up or hidden from view so that an inspection cannot be made;
- 4) The Inspector is unable to gain entry at the time requested by the contractor, or
- 5) When previously noted violations have not been corrected.

Fees assessed as herein provided may be appeals to the Construction and Housing Board of Appeals by filing a notice of such appeal with the City Clerk within fourteen (14) days of the mailing of notice of such assessment. An appeal shall stay the due date for payment until the date of the final order of the Board.

Such fees shall be assessed by mailing notice of same to the owner or other person by certified mail, return receipt requested. Payment thereof shall be due fourteen (14) days after mailing of such notice, which notice must contain a statement of the right of the owner or other person to appeal the same to the Board and the time limitation thereon.

In any judicial proceeding brought by the City to collect fees which have not been paid as required by the provisions hereof, failure to receive notice of the assessment of such fee may be a defense thereto, but only if such notice was not sent to the proper mailing address of the defendant or was received thereat by someone other than a person upon whom substituted service may be made pursuant to the Illinois Code of Civil Procedure.

Any fee or fees assessed as herein provided, and any judgment entered for same, shall be in addition to any fine imposed by the Circuit Court under Section of this Chapter.

No Certificate of Occupancy shall be issued for any building for which re-inspection fees are unpaid.

Section 2. That the City Clerk be, and she is hereby, authorized and directed to cause the provisions hereof to be appropriately set out in the City Code and to cause the same to be published in pamphlet form according to law.

PRESENTED, PASSED, APPROVED AND RECORDED this 6th day of January, 2020.

JULIE MOORE WOLFE, MAYOR

ATTEST:

CITY CLERK

PUBLISHED this _____ day of _____, 2020.

CITY CLERK

ADDITIONS AND DELETIONS

- CHAPTER 67.2 – - RESIDENTIAL BUILDING CODE –

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9. **APPLICATION FOR PERMIT.** Application for a permit required by said Code or this Chapter shall be made by the owner or the person or the person or entity in or entitled to possession of the premises where the proposed work is to be done, or by the agent of either, or by the engineer, architect or contractor connected with such work. All applications for building permits shall be accompanied by complete and finalized plans, specifications, and cost estimates.

10. **FEE.** No permit shall be issued except upon prior payment of the total building fees as set forth in Chapter 67, Section 9. The fee schedule set forth is cumulative, and is in addition to all other fees required by applicable provisions of the municipal code, unless specifically noted to the contrary. All applications for building permits shall be accompanied by complete and finalized plans, specifications, and cost estimates.

The amount of the fee required to accompany the application for a permit and to be paid to the City Treasurer shall be determined by the building official as follows:

~~_____ (a) For permits to demolish structures the amount shall be as follows:~~

~~_____ 1-4 Unit Residential Structures _____ \$50~~

~~_____ Buildings which are accessory to residential structures _____ \$25
_____ (garages, sheds, etc.)~~

~~_____ Other _____ \$50 or per work value as
_____ listed in item (a) above,
_____ whichever is greater.~~

~~_____ (b) For permits to erect new one or two family residential structures, room additions to such structures, accessory buildings to such structures, or additions to accessory structures, the amount shall be as follows:~~

~~_____ Square footage of finished living space x \$.25 plus square footage of unfinished space
(includes basements, garages, decks, porches and other accessory) x \$.15.~~

~~_____ (c) For permits to alter or repair one and two family residential structures or residential accessory buildings, the amount shall be as follows:~~

~~_____ Building/structural alteration or repair _____ \$50~~

~~_____ Electrical:~~

~~_____ Add up to 2 circuits, or install additional new _____ \$25 per unit
_____ outlets, or repair damaged wiring~~

~~_____ Change or upgrade electrical service or add more than _____ \$35 per unit
_____ 2 new circuits, or install new wiring for more than 2
_____ Circuits~~

~~_____ Mechanical:~~

~~_____ Furnace or air conditioning unit or equipment _____ \$25 per unit
_____ replacement, or installation~~

~~_____ Electrical wiring for new/add on furnace or air _____ \$25 per unit
_____ Conditioning~~

~~Plumbing \$6 per fixture with a minimum of \$25 per unit~~

~~(d) For permits to alter or repair other than one and two family residential structures or residential accessory buildings, the amount shall be per work value as listed in item (a) above.~~

~~(e) For permits to erect or construct new buildings or additions to buildings other than one or two family residential or residential accessory buildings, the amount shall be per work value as listed in item (a) above.~~

~~(f) For permits to erect or install swimming pools, the amount shall be as follows:~~

~~Inground pool including electrical and plumbing required \$70
but not including any deck associated with pool~~

~~Above ground pool but not including associated decks \$25~~

~~Above ground pool with electrical but not including \$50
but not including associated decks.~~

~~(g) For permits to erect boathouses, shore walls, or \$30
permanent docks~~

~~(h) Fences (all types) \$10~~

~~(i) An additional fee of \$50 will be assessed for permits to erect or construct new buildings or for additions or alterations to buildings whereby the work has not been completed and/or has not received "satisfactory" final inspections by the expiration date of the permit. This fee may be waived by the Building Inspections Manager if he determines that the reasons for delay are justified.~~

15. RE-INSPECTION FEES. A re-inspection fee of ~~\$30.00~~ \$45 shall be assessed the applicant for a construction permit, or in the case of a combined permit, against the licensed subcontractor, who has requested an inspection which cannot be completed and/or approved by the Inspection Division for any of the following reasons:

- 1) The work for which the inspection has been requested is not installed or completed to the extent that an inspection can be made;
- 2) The inspection reveals that there are violations which should have been found and corrected by workers while simply checking their work before calling for an inspection.
- 3) The work for which the inspection has been requested has been covered up or hidden from view so that an inspection cannot be made;
- 4) The Inspector is unable to gain entry at the time requested by the contractor, or
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Fees assessed as herein provided may be appealed to the Construction and Housing Board of Appeals by filing a notice of such appeal with the City Clerk within fourteen (14) days of the mailing of notice of such assessment. An appeal shall stay the due date for payment until the date of the final order of the Board.

Such fees shall be assessed by mailing notice of same to the owner or other person by certified mail, return receipt requested. Payment thereof shall be due fourteen (14) days after mailing of such notice, which notice must contain a statement of the right of the owner or other person to appeal the same to the Board and the time limitation thereon.

In any judicial proceeding brought by the City to collect fees which have not been paid as required by the provisions hereof, failure to receive notice of the assessment of such fee may be a defense thereto, but only if such notice was not sent to the proper mailing address of the defendant or was received thereat by someone other than a person upon whom substituted service may be made pursuant to the Illinois Code of Civil Procedure.

Any fee or fees assessed as herein provided, and any judgment entered for same, shall be in addition to any fine imposed by the Circuit Court under Section of this Chapter.

No Certificate of Occupancy shall be issued for any building for which re-inspection fees are unpaid.