

VILLAGE OF CHATHAM, ILLINOIS

ORDINANCE NO. 91-35

AN ORDINANCE ADOPTING BUILDING CODES, AN ELECTRICAL CODE,
A LIFE SAFETY CODE, A PROPERTY MAINTENANCE CODE, AND A PLUMBING
CODE, ESTABLISHING A MECHANISM FOR ENFORCEMENT OF SUCH
CODES AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF CHATHAM, ILLINOIS
THIS 13 DAY OF August, 1991

Published in pamphlet form by the authority of the President and
Board of Trustees of the Village of Chatham, Illinois,
Sangamon County, this 13 day of August, 1991

AN ORDINANCE ADOPTING BUILDING CODES, AN ELECTRICAL CODE, A LIFE SAFETY CODE, A PROPERTY MAINTENANCE CODE, AND A PLUMBING CODE, ESTABLISHING A MECHANISM FOR ENFORCEMENT OF SUCH CODES AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, ILLINOIS, AS FOLLOWS:

SECTION 1: ADOPTION OF BUILDING CODE.

Pursuant to Section 1-3-1 of the Illinois Municipal Code, the BOCA National Building Code, 11th Edition, 1990, with 1991 supplement, as published by the Building Officials and Code Administrators International, Inc., is hereby adopted as the Building Code of the Village of Chatham, to control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of all buildings and structures, other than one and two family dwellings, and shall apply to existing or proposed building and structures, except if such matters are otherwise provided for in this Ordinance or in other ordinances or statutes or rules or regulations of the Village of Chatham, Illinois.

SECTION 2: ADOPTION OF ONE AND TWO FAMILY DWELLING CODE.

Pursuant to Section 1-3-1 of the Illinois Municipal Code, the CABO One and Two Family Dwelling Code, 1989 Edition, is hereby adopted by reference as the One and Two Family Dwelling Code of the Village of Chatham. The provisions of the One and Two Family Dwelling Code shall apply to construction, prefabrication, alteration, repair, use, occupancy, and maintenance of detached one or two family dwellings and one

family townhouses not more than three stories in height, and their accessory structures.

SECTION 3: ADOPTION OF ELECTRICAL CODE.

Pursuant to Section 1-3-1 of the Illinois Municipal Code, the National Electrical Code, 1990 Edition, published by the National Fire Protection Association, is hereby adopted by reference the Village of Chatham Electric Code. This Electric Code shall govern all electrical installations in the Village of Chatham other than the Village's retail electric distribution system and any electric system subject to the jurisdiction of the Illinois Commerce Commission.

SECTION 4: ADOPTION OF PLUMBING CODE.

Pursuant to Section 1-3-1 of the Illinois Municipal Code, the Illinois Plumbing Code, 1986 Edition with 1990 amendments, published by the Illinois Department of Public Health and promulgated at 77 Ill.Admin.Code. §890, et seq., is hereby adopted by reference as the Village of Chatham Plumbing Code. This Plumbing Code shall control all matters concerning the construction, alteration, addition, repair, removal, use, location, and maintenance of all plumbing in all buildings and structures.

SECTION 5: ADOPTION OF LIFE SAFETY CODE.

Pursuant to Section 1-3-1 of the Illinois Municipal Code, the NFPA 101 Life Safety Code, 1991 Edition, published by the National Fire Protection Association, is hereby adopted by reference as the Life Safety Code of the Village of Chatham.

This Life Safety Code shall apply to new construction and to existing buildings as set forth therein.

SECTION 6: ADOPTION OF PROPERTY MAINTENANCE CODE.

Pursuant to Section 1-3-1 of the Illinois Municipal Code, the BOCA Property Maintenance Code, 1990 Edition with 1991 supplement as published by the Building Officials and Code Administrators International, Inc., is hereby adopted as the Property Maintenance Code of the Village of Chatham. This Property Maintenance Code shall apply to all existing and future structures in the Village of Chatham, other than one and two family dwellings.

SECTION 7: MAINTENANCE OF RECORDS BY CLERK.

The Village Clerk shall place on file three copies of each of the Codes which have been adopted by reference in Sections 1 through 6 and shall keep such copies in the office of the Clerk and shall make such Codes available for public use, inspection and examination.

SECTION 8: EXCEPTIONS TO ADOPTION BY REFERENCE.

The following sections of the above Codes are not adopted by reference and shall be of no force and effect:

- a. Any provision of the above Codes pertaining to penalties for violation thereof.
- b. Any section of the above Codes pertaining to inspection fees.

c. Any section of the above Codes pertaining to appeals of decisions of any building, plumbing or electrical inspector.

d. Any provision of any of the above Codes, other than the Illinois Plumbing Code, relating to plumbing, including but not limited to Part 5 of the CABO One and Two Family Dwelling Code and Article 28 of BOCA. It is the intent of this Ordinance that the State of Illinois Plumbing Code shall control all matters relating to plumbing.

SECTION 9. RESOLUTION OF CONFLICTS AMONG CODES.

In the event of conflicts among the Codes adopted pursuant to Sections 1 through 6, or among such Codes and this Ordinance, the following rules shall apply:

a. The provisions of this Ordinance shall prevail over the provisions of any Code.

b. The Illinois Plumbing Code shall prevail over the provisions of any other Code.

c. CABO shall prevail over BOCA with respect to one and two family dwellings.

d. In the event of any other conflict, the most stringent requirement shall apply.

SECTION 10: CREATION OF OFFICES TO ENFORCE CODES.

The following offices are hereby created in order to enforce the foregoing Codes.

a. There is hereby created the office of Building Code Administrator. The Building Code Administrator shall have

the powers and duties of the Code Official as defined in Section 110 and elsewhere in the BOCA Building Code, and may have other duties prescribed by the Village Board not related to his duties as Building Code Administrator. The Building Code Administrator shall also be the head of the Electrical Inspection Department of the Village of Chatham, as that term is used in Section 11-37-2 of the Illinois Municipal Code. The Building Code Administrator shall supervise all building, electric, plumbing and life safety inspectors and, where no separate inspectors are appointed and where permitted by statute, may be a building, electrical, plumbing or life safety inspector. The Building Code Administrator shall be an officer of the Village appointed by the Village President with the advice and consent of the Board of Trustees for an indefinite term not to exceed the term of office of the Village President who appointed him.

b. Building Inspector. The Village President, with the advice and consent of the Board of Trustees, may appoint one or more Building Inspectors to perform all inspection work other than plumbing and electrical. Any inspector so appointed shall have demonstrated competence in application of Building Codes adopted herein, and may have competence in application of the Plumbing Code and the Electrical Code. The Building Inspector shall be responsible for all inspections other than electrical and plumbing inspections. If no Building Inspector is appointed, the Building Code Administrator shall be the Building Inspector.

c. Electrical Inspector. The Village President, with the advice and consent of the Board of Trustees, may appoint one or more Electrical Inspectors, who shall have responsibility for all electrical inspections. The Electrical Inspector shall have demonstrated competence in interpreting the Electrical Code adopted herein. If no separate Electrical Inspector is appointed, the Building Code Administrator or Building Inspector shall have the duties of the Electrical Inspector.

d. Plumbing Inspector. The Village President, with the advice and consent of the Board of Trustees, may appoint or contract with one or more Plumbing Inspectors to perform all plumbing inspections required by the Plumbing Code adopted herein. A Plumbing Inspector shall be a licensed plumber under the laws of the State of Illinois. In the absence of a separate Plumbing Inspector, the Building Code Administrator or Building Inspector may perform the functions of the Plumbing Inspector, but only if the Building Code Administrator is a licensed plumber.

e. Life Safety Inspector. The Village President, with the advice and consent of the Board of Trustees, may appoint one or more Life Safety Inspectors to aid in enforcement of the Life Safety Code. Any such Inspector shall be a member of the fire department of the Chatham Fire Protection District. The Village President shall consult with and obtain the approval of the Board of Trustees of the Fire Protection District before making such appointment. In the event the Fire Protection

District's approval cannot be obtained, the President may appoint some other person as Life Safety Inspector.

SECTION 11: BUILDING CODE BOARD OF APPEALS.

a. General. The provisions of this Section of this Ordinance are inconsistent in some respects with Section 124 of BOCA and are intended to replace and prevail over Section 124 of BOCA.

b. Application for Appeal. Any person shall have the right to appeal to the Board of Appeals from a decision of the Building Code Administrator refusing to grant a modification to the provisions of any Code adopted pursuant to this Ordinance covering the manner of construction or materials to be used in the erection, alteration, or repair of a building or structure, or electrical plumbing mechanical or other equipment therein, or the refusal to grant a building permit or a certificate of use and occupancy, or the improper issuance of a Stop Work Order. An application for appeal shall be based upon the claim that the true intent of the Codes adopted hereby or the rules legally adopted thereunder have been incorrectly interpreted, that the provisions of the Codes adopted hereby do not fully apply, or an equivalent form of construction can be used.

c. Membership of the Board of Appeals. The Board of Appeals shall consist of five members appointed by the President with the advice and consent of the Board of Trustees, as follows: one for five years; one for four years; one for three years; one for two years; and one for one year. Thereafter, each new member

shall serve for five years or until a successor has been appointed.

d. Qualifications of Board Members. One member of the Board shall be a member of the Fire Department of the Chatham Fire Protection District. Each other member shall be a resident of the Village and a licensed professional engineer or architect, or a builder or superintendent of building construction or an electrical or plumbing contractor with at least five years experience in responsible charge of work. Not more than two members shall be from the same profession or occupation, and at least one professional engineer shall be a structural or civil engineer with architectural or engineering experience. If the President cannot find persons with these qualifications willing to serve he may appoint some other persons to the Board.

e. Alternate Members. The Village President, with the advice and consent of the Board of Trustees, shall appoint two alternate members who shall be called by the Board Chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for Board membership and shall appointed for five years or until a successor has been appointed.

f. Chairman. The Board shall annually select one of its members to serve as Chairman. A member of the Board shall not hear an appeal in which that member has any personal, professional or financial interest.

g. Secretary. The Village President shall designate a person, who may be the Deputy Clerk of the Village, to serve as Secretary to the Board. The Secretary shall keep a journal and shall file a record of all proceedings with the Village Clerk.

h. Compensation. Members of the Board shall receive no compensation for service on the Board, but are entitled to the actual expenses in accordance with Village reimbursement policies.

i. Notice of Meetings. The Board of Appeals shall meet upon notice from the Chairman, within ten days of the filing of an appeal, or its stated periodic meetings.

j. Open Meetings. All hearings before the Board, and all proceedings of the Board, shall be open to the public. The Board shall comply with State statutes and Village ordinances pertaining to open meetings. Its journal and its records shall be public documents subject to disclosure under State statutes and Village ordinances pertaining to Freedom of Information. At any hearing before the Board, the appellant, the appellant's representative, the Code Administrator, and any person whose interests are effected, shall be given an opportunity to be heard. The Chairman shall have the discretion to determine whether a person seeking to be heard is a person whose interests are affected by the appeal.

k. Procedure of the Board. The Board shall adopt and make available to the public through the Secretary procedures under which a hearing shall be conducted. The procedure shall

not require compliance with strict rules of evidence but shall mandate that only relevant information be received. The procedure shall require that no Board member shall be qualified to hear any case in which he or she has a financial interest or in which he or she is related by blood or marriage to the appellant.

l. Postponed Hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request postponement of the hearing.

m. Board Decision. The Board may modify or reverse the decision of the Building Code Administrator only by a concurring vote of at least three members. The decision of the Board shall be in writing. Certified copies of the decision shall be furnished to the appellant and the Code Administrator. The Code Administrator shall take immediate action in accordance with the decision.

n. Administrative Review. Decisions of the Board of Appeals shall be reviewable by the Circuit Court of the Seventh Judicial Circuit, Sangamon County, Illinois, in accordance with provisions of the Illinois Code of Civil Procedure relating to Administrative Review.

SECTION 12: GRIEVANCE PROCEDURES.

In lieu of filing an appeal of an adverse determination by the Building Code Administrator, a person adversely affected thereby may request within three business days of the adverse

decision an informal grievance conference with a panel consisting of the Building Code Administrator, the Village Administrator, and the Chairman of the committee of the Village Board with jurisdiction over planning, zoning and building. The grievance panel shall have no authority to force the Building Code Administrator to change his decision but shall meet with the aggrieved party and the aggrieved party's representative in an effort to resolve the differences between the Building Code Administrator and the aggrieved party in a quick and expeditious fashion. The grievance panel shall meet within three business days of the request by the aggrieved party. The Building Code Administrator shall, within one business day of the meeting of the grievance board, confirm or modify the decision from which the grievance has been taken. In the event the aggrieved party avails himself of the grievance procedures, the time to appeal the decision of the Building Code Administrator shall run from the date the Administrator confirms or modifies his decision following the meeting of the grievance panel.

SECTION 13. **ELECTRICAL COMMISSION.**

a. In accordance with Section 11-37-2 of the Illinois Municipal Code, the Village hereby establishes an Electrical Commission consisting of six members appointed by the Village President with the advice and consent of the Board of Trustees. The Building Code Administrator shall be a member of and the Chairman of the Commission. Of the other five members, one shall be a registered professional engineer, one an electrical

contractor, one a journeyman electrician, one a representative of an inspection bureau maintained by the Fire Underwriters, and one representative of an electricity supply company. All members of the Electrical Commission shall be residents of the Village; if there is no person residing in the Village who is qualified under any one of these descriptions and willing to serve, the Village President may appoint some other person to fill the position. Members shall serve for 3 year terms.

b. The Electrical Commission shall:

1. Recommend safe and practical standards and specifications for the installation, alteration and use of electrical equipment designed to meet the necessities and conditions of the Village of Chatham.

2. Recommend reasonable rules and regulations governing the issuance of permits by the Electrical Inspection Department.

3. Recommend reasonable fees to be paid for the inspection by the Inspection Department of all electrical equipment installed or altered within Village limits.

4. Review the National Electric Code and make recommendations to the Village Board as to which, if any, of the provisions of the National Electric Code shall be altered with respect to construction in Chatham.

5. Meet within 60 days of its appointment to consider the matters in subparagraphs (b)(1) through (b)(4) and

render a report to the Village Board within 120 days as to those matters.

6. After the initial report to the Village Board, meet at least once per calendar year to reconsider such matters and render a report to the Board.

c. No electrical equipment shall be installed or altered except upon a permit issued by the Building Code Administrator as head of the electric inspection department.

SECTION 14: INSPECTION AND ENFORCEMENT.

a. No structure in the Village shall be constructed, enlarged, altered or repaired without a permit being issued by the Building Code Administrator. Upon application and approval, the Building Code Administrator shall issue a permit. All work performed pursuant to any permit issued hereunder shall meet the requirements for workmanship, methods and materials as set forth in the Codes adopted in this Ordinance. The permit shall be posted on the premises at the time the work is commenced. Inspection shall be performed pursuant to Section 17 of this Ordinance.

b. Notwithstanding the above, a building permit shall not be required for the following:

1. Cases, counters and partitions not over five feet high;
2. Painting, papering, window replacement without removing frames, and similar finish work;

3. Temporary motion picture, television and theater stage sets and scenery;

4. Window awnings supported by an exterior wall when projecting out not more than 54";

5. Alterations and remodeling, the cost of which is less than \$1,000 and does not constitute or affect corridors, exit ways, and load-bearing members of those structures.

c. Unless otherwise exempted by this Ordinance, separate plumbing, electrical, building and mechanical permits shall be required for the above-exempted items.

SECTION 15: PERMIT FEES.

Permit fees shall be as set forth in Appendix A to this Ordinance.

SECTION 16: APPLICATIONS FOR PERMIT.

Applications for permits other than for one and two family dwellings shall be governed by Section 111 of BOCA, which requires, among other things, submission of the plans and engineering details of the work. Applications for permits for one and two family dwellings shall be governed by Section R-109 of CABO. The Building Code Administrator is authorized in his discretion to utilize the services of the Village Engineer or the services of BOCA in connection with his review of the plans. Plan review fees are set forth in Appendix A to this Ordinance.

SECTION 17: INSPECTIONS OF NEW CONSTRUCTION.

a. Inspections of the work are governed by Section 115 of BOCA and Section R-111 of CABO. Section 115.2 of BOCA

requires the Building Code Administrator to "conduct inspections from time to time during and upon completion of the work for which a permit has been issued." Section R-111 of CABO calls for "necessary inspections." The Village shall conduct inspections pursuant to BOCA and CABO during the following phases of the work:

1. Site or stakeout;
2. Footing;
3. Framing;
4. Rough-in (mechanical, electrical and plumbing); and
5. Final.

b. The Building Code Administrator shall respond or shall ensure that his inspectors respond to inspection requests made by contractors as follows -- The response time for inspection of one and two family dwelling units shall be two business days after notification, with the exception of footing inspections, which shall be four hours after notification, so long as notification for a footing inspection is given before 1:00 p.m. on any business day. Inspections for all other structures shall be within three business days after notification. In no event shall the Building Code Administrator or building, plumbing or electrical inspectors be required to make inspections on Saturdays and Sundays, or after business hours, although they may do so in their discretion and upon payment by the contractor or owner of a \$50 surcharge to the

Village. Plumbing and electrical inspections shall be made within two business days of notification for one and two family dwellings, and three business days for other structures.

c. Notwithstanding the above, only a site or stakeout inspection shall be required for the following:

1. One story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the projected roof area does not exceed 120 square feet;

2. Fences not over six feet high;

3. Retaining walls which are not over four feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids;

4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 1:2.

5. Stoops, 5' x 5' or less; walks, ramps, less than 20' long; and driveways not more than 30" above grade and not over any basement or story below.

6. Pre-fabricated swimming pools in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons.

SECTION 18: LIFE SAFETY, PROPERTY MAINTENANCE, AND CROSS CONNECTION INSPECTIONS OF EXISTING STRUCTURES

The Building Code Administrator shall develop a plan for life safety, property maintenance, and cross connection (backsiphonage) inspections of existing structures to begin after

January 1, 1992. The plan shall be reviewed and approved by the Village Board before it is implemented.

SECTION 19: REGISTRATION OF CONTRACTORS.

a. On and after January 1, 1992, all building, electrical, plumbing, and mechanical and fire suppression contractors performing work in their respective trades in the Village of Chatham must be registered with the Village of Chatham, with the following exceptions:

1. Contractors registered with another municipality in the State of Illinois are exempt upon making the proper showing as set forth in subsection (b) of this Section.

2. Homeowners who are performing work on their own dwellings.

b. Persons registering as contractors, having a registration renewed, or seeking an exemption from registration because of a registration in another municipality shall fill out an application form furnished by the Building Code Administrator, supply proof of contractors' general liability and workers compensation insurance, supply, if applicable, proof of registration in another municipality, and pay the Village Treasurer an application fee of \$20. Every contractor who has received a registration or exemption shall be entitled to renewal thereof upon making application to the Building Code Administrator and paying the fee. All registrations and exemptions shall expire on the last day of December of each year;

renewals may be made at any time between November 1 and the last day of December in any year.

c. Any contractor may have his, her or its registration suspended or revoked by the Building Code Administrator for any misrepresentation in obtaining the registration or for failure to comply with the provisions of the Building Code. A notice of revocation shall be served personally or by certified mail upon the holder. The notice shall state the time and place of a hearing before the Building Code Board of Appeals and the reason for the contemplated suspension or revocation. The notice shall advise the holder of his, her or its rights to appear at the hearing in person, or in the case of a corporation, by its agent, and to be represented by counsel. The notice shall be served upon the holder at least 15 days prior to the hearing before the Building Code Board of Appeals. Upon finding of due cause, the Building Code Board of Appeals may suspend or revoke the registration. A person whose registration has been revoked may not reapply for a new registration within one year after the revocation. Thereafter, an application to be registered shall be processed in the same manner as an original application. The suspension or revocation of a registration shall entitle the holder to a refund of any part of the fee which has been paid.

d. If the law is changed to allow the Village to require registration of contractors who are registered in other municipalities, this Ordinance shall be deemed so modified.

**SECTION 20: ADDITIONS, INSERTIONS AND CHANGES TO CODES
ADOPTED BY REFERENCE**

The following sections of the Codes adopted by reference herein are revised as follows:

a. BOCA National Building Code

1. Section 100.1 - Insert "the Village of Chatham"
2. Section 103.4 - Insert "September 1, 1991".
3. Section 114.3.1 - Delete
4. Section 117.4 - Delete.
5. Section 118.2 - Delete.
6. Section 123.3 - Insert "\$100"
7. Section 2906.1 - Insert "\$10,000", "\$10,000" and "\$10,000."

b. BOCA National Mechanical Code

1. Section M100.1 - Insert "the Village of Chatham".
2. Section M114.2 - Delete.
3. Section M114.3 - Delete.
4. Section M117.4 - Delete.
5. Section M118.2 - Delete.

c. BOCA National Property Maintenance Code.

1. Section PM100.1 - Insert "the Village of Chatham".
2. Section PM109.2 - Delete.
3. Section PM302.12 - Insert "May 1 through October 31".

4. Section PM601.1 - Insert "from October 15 through May 14"
5. Section PM601.2 - Insert "October 15 through May 14".

SECTION 21: PENALTIES.

a. Any person who shall violate the provisions of this Ordinance or any code adopted by reference herein shall, upon conviction, be subject to a penalty not less than \$50 per day nor more than \$500 per day. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. In addition to this penalty, the Village may utilize other statutory or common law remedies deemed appropriate by a court of law, including but not limited to injunctive relief, preliminary injunctive relief, and obtaining a temporary restraining order.

b. The Building Code Administrator may in his discretion compromise minor violations of this Ordinance where the offender: (i) promptly corrects the condition constituting the violation; (ii) pays a fine of \$25.00; and (iii) pays the cost of a reinspection fee as set forth in Appendix A.

SECTION 22: STOP WORK ORDERS.

Upon notice from the Building Code Administrator that work on any building or structure or any electrical, plumbing, mechanical or fire prevention work is being prosecuted contrary to the provisions of the Codes adopted in this Ordinance or in an unsafe and dangerous manner, such work shall be immediately

stopped. The Stop Work Order shall be in writing, shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work; it shall state the conditions under which work will be permitted to resume. Any person who shall continue any work in or about the structure after having been served with a Stop Work Order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$50 nor more than \$500. A separate offense shall be deemed committed on each day during on or which the violation occurs or continues. In addition to this penalty, the Village may utilize other statutory or common law remedies, including but not limited to, injunctive, preliminary injunctive, and temporary restraining order relief, deemed appropriate by a court of law.

SECTION 23: EFFECTIVE DATE

a. This Ordinance shall become effective September 1, 1991. On or before August 1, 1991, the Clerk of the Village has procured and placed on file in the Village Hall three copies of all of the Codes adopted herein. This Ordinance shall be published forthwith in pamphlet form and a notice of its passage shall be published in a newspaper of general circulation within the Village.

b. Notwithstanding subsection (a), the Village may in its discretion waive inspections of any structures pending the appointment and proper training of inspection personnel.

SECTION 24: GRANDFATHER CLAUSE.

a. No existing building or structure not in compliance with any of the Codes adopted herein as of the effective date of this Ordinance, and no building, the foundation of which has been laid as of the effective date of this Ordinance which is completed within six months of the effective date of this Ordinance, shall be deemed to be in violation of this Ordinance by reason of continuation of the non-complying condition; nor is any owner required to bring any such structure into compliance with any Code adopted hereunder, except as stated in subsections b through g below.

b. Existing structures shall be brought into compliance with the Life Safety Code chapters pertaining to existing structures on February 1, 1992. Those chapters include:

<u>Chapter</u>	<u>Type of Use</u>
9	Existing Assembly Occupancies
11	Existing Educational Occupancies
13	Existing Health Care Occupancies
15	Existing Detention and Correctional Occupancies
17	Existing Hotels and Dormitories
19	Existing Apartment Buildings
20	Lodging or Rooming Houses
21	One and Two Family Dwellings

23	Existing Residential Board and Care Occupancies
25	Existing Mercantile Occupancies
27	Existing Business Occupancies
28	Industrial Occupancies
30	Special Structures and High Rise Buildings

c. Existing structures shall be brought into compliance with the BOCA Property Maintenance Code on February 1, 1992.

d. Existing structures shall be brought into compliance with provisions of subpart J of the Illinois Plumbing Code pertaining to backflow and back siphonage of nonpotable water into the Village water supply by February 1, 1992.

e. Where the owner of an existing structure believes that compliance with the Life Safety Code or Property maintenance Code cannot be accomplished by February 1, 1992, such owner may, upon a showing of hardship to the Building Code Administrator, obtain an extension of time of up to 90 days to comply.

f. Where the owner of an existing structure believes it will be impossible or would cause economic hardship to comply with the Life Safety Code or the Property Maintenance Code, such owner may apply to the Building Code Board of Appeals for a variance. Such a variance shall be granted if and only if the following conditions are met:

(1) The requested variance will not endanger the life, health or safety of any person;

(2) The requested variance meets the spirit of the Codes adopted herein; and

(3) The requested variance does not violate regulations of the Illinois State Fire Marshall (NFPA 101, 1985 Edition)

g. Notwithstanding the foregoing, if a building was in violation of any Village ordinance pertaining to building, zoning or utilities that were in effect as of the effective date of this Ordinance, and the codes adopted herein are no more stringent than the prior ordinances with respect to the condition which violated the prior ordinance, then the owner of the building is not entitled to the grandfather provisions of subsection (a).

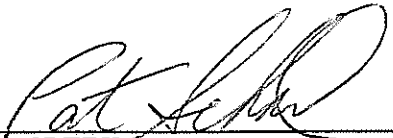
SECTION 25: SEVERABILITY CLAUSE.

The provisions of this Ordinance are severable; in the event any provision is declared invalid or unenforceable, the validity and enforceability of the remainder of the Ordinance shall not be affected.

PASSED this 13th day of August, 1991.

Carl P. Oblige
PRESIDENT

ATTEST:


CLERK

AYES: 5

NAYS: 0

PASSED: 8-13-91

APPROVED: 8-13-91

ABSENT: 1

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 91-35, adopted by the President and Board of Trustees of said Village on the 13 day of AUGUST, 1991, said Ordinance being entitled:

AN ORDINANCE ADOPTING BUILDING CODES, AN ELECTRICAL CODE, A LIFE SAFETY CODE, A PROPERTY MAINTENANCE CODE, AND A PLUMBING CODE, ESTABLISHING A MECHANISM FOR ENFORCEMENT OF SUCH CODES AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 13 day of AUGUST, 1991.



Village Clerk

PREPARED BY:

John M. Myers
PFEIFER & KELTY, P.C.
1300 South Eighth Street
P. O. Box 1858
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