

CHAPTER 6

BUILDINGS

ARTICLE I – DANGEROUS BUILDINGS

6-1-1 **DEFINITIONS.** The term "dangerous building" as used in this Chapter is hereby defined to mean and include:

(A) Any building, shed, fence, or other man-made structure which is dangerous to the public health because of its construction or condition, or which may cause or aid in the spread of disease or cause injury to the health of the occupants of it or of neighboring structures;

(B) Any building, shed, fence, or other man-made structure which, because of faulty construction, age, lack of proper repair or any other cause, is especially liable to fire and constitutes or creates a fire hazard;

(C) Any building, shed, fence, or other man-made structure which, by reason of faulty construction, age, lack of proper repair or other cause, is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure;

(D) Any building, shed, fence, or other man-made structure which, because of its condition or because of lack of doors or windows is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure.

Any such dangerous building in the Village is hereby declared to be a nuisance.

6-1-2 **MAINTENANCE UNLAWFUL.** It shall be unlawful to maintain or permit the existence of any dangerous building in the Village; and it shall be unlawful for the owner, occupant, or person in custody of any dangerous building to permit the same to remain in a dangerous condition, or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition.

6-1-3 **ABATEMENT.** Whenever the Mayor or his designated representative of the Village shall find that any building or structure in the Village is a dangerous building, he shall file a written statement to this effect with the Village Clerk. The Clerk shall thereupon cause written notice to be served upon the owner thereof and upon the occupant thereof, if any, by registered mail or by personal service.

Such notice shall state that the building has been declared to be in a dangerous condition and that such dangerous condition must be removed or remedied by repairing or altering the building or by demolishing it; and that the condition must be remedied at once. Such notice may be in the following form:

"TO: _____: (OWNER/OCCUPANT of the premises) or the premises known and described as _____.

'You are hereby notified that _____ (describe building) on the premises above described has been

condemned as a nuisance and a dangerous building after inspection by _____
_____.

'The causes for this decision are _____

(here insert the facts as to the dangerous condition)

'You must remedy this condition or demolish the building immediately or the Village will proceed to do so.'

If the person receiving such notice has not complied therewith within **thirty (30) days** from the time when this notice is served upon such person by personal service or by registered mail, the Village may proceed to remedy the condition or demolish the dangerous building.

6-1-4 UNKNOWN OWNERS. If the owner of the premises concerned is unknown, or if his address is unknown, service of any notice provided for in this Article may be made by posting a copy thereof on the premises and by publishing **once a week for three (3) weeks** a copy thereof in a newspaper within the municipality.

6-1-5 ALTERNATE ACTION. In addition to the actions authorized by other sections of this Article, the Fire Chief or any other municipal official whose duty it is to investigate fires may make the investigation authorized by the statute found in **Illinois Compiled Statutes, 425 ILCS 25/9 - 25/9e**. If such officer shall find that any building or structure is so occupied or situated as to endanger persons or property, or by reason of faulty construction, age, lack of repair, or for any other cause is especially liable to fire or is liable to cause injury by collapsing or otherwise, he shall order the dangerous condition removed or remedied, and shall so notify the owner or occupant of the premises. Service of such notice may be made in person or by registered mail, and any person so notified may appeal from the decision of such officer in the manner provided by law.

6-1-6 LIEN. Charges for the abatement of said nuisance shall be a lien upon the premises. A bill representing the cost and expense incurred or payable for the service shall be presented to the owner. If this bill is not paid within **thirty (30) days** of submission of the bill, a notice of lien of the cost and expenses thereof incurred by the Village shall be recorded in the following manner:

- (A) A description of the real estate sufficient for identification thereof.
- (B) The amount of money representing the cost and expense incurred or payable for the service.
- (C) The date or dates when said cost and expense was incurred by the Village and shall be filed within **sixty (60) days** after the cost and expense is incurred.
- (D) The cost and expense of the attorney's services.

6-1-7 **PAYMENT.** Notice of such lien claim shall be mailed to the owner of the premises if his address is known. Upon payment of the cost and expense after notice of lien has been filed, the lien shall be released by the Village or person in whose name the lien has been filed and the release shall be filed of record in the same manner as filing notice of the lien.

6-1-8 **FORECLOSURE OF LIEN.** Property subject to a lien for unpaid charges shall be sold for non-payment of the same, and the proceeds of such sale shall be applied to pay the charges after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be in the name of the Village after lien is in effect for **sixty (60) days**. Suit to foreclose this lien shall be commenced within **two (2) years** after the date of filing notice of lien.

6-1-9 **ENFORCEMENT.** The **Illinois Compiled Statutes, 65 ILCS 5/11-31-1**, as passed, approved and amended by the Illinois General Assembly, entitled "**Unsafe Properties**" shall prevail in the enforcement of this Article.

ARTICLE II - BUILDING AS NUISANCE

6-2-1 BUILDING CONDITION - NUISANCE. The Mayor or his designated representative shall report to the Village Board when any building in the Village is in a dangerous condition and constitutes a nuisance.

6-2-2 TIME LIMIT. The owner of such building shall repair or alter it so as to make it safe within **ninety (90) days** from the time the notice is served upon him in the manner provided by law.

6-2-3 NOTIFICATION. The Mayor or his designated representative shall place a notice on all "dangerous and unsafe buildings", which notice shall read as follows:

"This building has been found to be a dangerous and unsafe building by the Mayor or his designated representative. This notice shall remain on this building until it is repaired, vacated or demolished in accordance with the notice which has been given the owner, occupant, lessee, mortgagee, or agent of this building, or person or persons in whose name(s) such building was last assessed, and all other persons having an interest in said building as shown by the land records of the County Recorder of Deeds. It is unlawful to remove this notice until such notice is complied with."

6-2-4 DANGEROUS AND UNSAFE BUILDINGS DEFINED. All buildings or structures which have any or all of the following defects shall be deemed "dangerous and unsafe buildings".

(A) Those whose interior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.

(B) Those which, exclusive of the foundation, show **thirty-one percent (31%)** or more of damage or deterioration of the supporting member or members, or **fifty percent (50%)** of damage or deterioration of the non-supporting enclosing or outside walls or covering.

(C) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used.

(D) Those which have been damaged by fire, wind, or other causes so as to have become dangerous to life, safety, morals, or the general health and welfare of the occupants or the people of this Village.

(E) Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease, so as to cause injury to the health, morals, safety or general welfare of those living therein.

(F) Those having light, air, and sanitation facilities which are inadequate to protect the health, morals, safety, or general welfare of human beings who live or may live therein.

- (G) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes, or other means of communication.
- (H) Those which have parts thereof which are so attached that they may fall and injure property or members of the public.
- (I) Those which, because of their condition, are unsafe, unsanitary, or dangerous to the health, morals, safety or general welfare of the people of this Village.
- (J) Those buildings existing in violation of any provisions of the Village Building Code or any provision of the Fire Prevention Code or any other code provisions of the Village.
- (K) Those vacant buildings with unguarded openings shall be deemed to constitute a fire hazard and to be unsafe within the provisions of this Code.
- (L) Those buildings which are uncompleted or abandoned.

6-2-5 STANDARDS FOR REPAIR, VACATION OR DEMOLITION. The following standards shall be followed in substance by the Mayor or his designated representative in ordering repair, vacation or demolition:

- (A) If the "dangerous and unsafe building" is in such condition as to make it dangerous to the health, morals, safety, or general welfare of its occupants, it shall be ordered to be vacated.
- (B) If the "dangerous and unsafe building" can reasonably be repaired so that it will no longer exist in violation of the terms of this Code, it shall be ordered repaired.
- (C) In any case where a "dangerous and unsafe building" is **fifty percent (50%)** damaged, decayed or deteriorated from its original value or structure, it shall be demolished, and in all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of this Code, it shall be demolished. In all cases where a "dangerous and unsafe building" is a fire hazard existing or erected in violation of the terms of this Code or any ordinance of the Village or statute of the State of Illinois, it shall be demolished.
(See "Non-Conforming Uses" of Zoning Code)

6-2-6 DANGEROUS AND UNSAFE BUILDINGS - NUISANCE. All dangerous and unsafe buildings within the terms of this Article are hereby declared to be public nuisances and shall be repaired, vacated, or demolished as hereinbefore and hereinafter provided.

6-2-7 DUTIES OF THE ATTORNEY. The Village Attorney shall apply to the Circuit Court for an order authorizing the demolition, repair, or vacation of dangerous and unsafe buildings or uncompleted or abandoned buildings when notices have not been complied with and when requested to do so by the Mayor or his designated representative.

6-2-8 LIENS. The cost of repair, demolition, vacation, or enclosure shall be recoverable from the owner or owners of such real estate and shall be a lien thereon, which lien shall be subordinate to all prior existing liens and encumbrances; provided that within **sixty (60) days** after said cost and expense is incurred, the Village or person performing the service by authority of the Village, in his or its own name(s), shall file notices of lien in the office of the County Recorder of Deeds. The notice shall consist of a sworn statement setting out:

- (A) A description of the real estate sufficient for identification thereof;
- (B) The amount of money representing the cost and expense incurred or payable for the service; and
- (C) The date or dates when said cost and expense was incurred by the Village.

Upon payment of said cost and expense by the owner of or persons interested in the property after notice of lien has been filed, the lien shall be released by the Village or person(s) in whose name(s) the lien has been filed and said release may be filed of record as in the case of filing notice of lien. The lien may be enforced by proceedings to foreclose as in the case of mortgages or mechanics of lien. Suit to foreclose this lien shall be commenced within **three (3) years** after the date of filing notice of lien.

ARTICLE III - BUILDING AND PLUMBING CODE

6-3-1 BUILDING CODES ADOPTED BY REFERENCE. The following codes, **one (1) copy** of which is on file in the office of the Village Clerk's Office of the Village of Bethalto, Madison County, Illinois, being marked and designated as follows are hereby adopted as the official Building Codes of the Village of Bethalto, Madison County, Illinois; and each and all of the regulations, provisions, penalties, conditions and terms of the below referenced building codes hereby referred to, are adopted and made a part hereof as if fully set out in this Code.

(A) **"The International Building Code, 2015"**, as published by the International Code Council, Inc.

(B) **"The International Fire Code, 2015"**, as published by the International Code Council, Inc.

(C) **"NFPA 101 Life Safety Code, 2015"**, as published by the National Fire Protection Association, Inc.

(D) **"National Electric Code, NFPA 70, 2014"**, as published by the National Fire Protection Association, Inc.

(E) **"International Residential Code for One- and Two-Family Dwellings, 2015"**, as published by the International Code Council, Inc.

(F) **"International Mechanical Code, 2015"**, as published by the International Code Council, Inc.

(G) **"International Existing Building Code, 2015"**, as published by the International Code Council, Inc.

(H) **"Illinois Plumbing Code, December 2014"**, as published by the Illinois Department of Public Health.

(I) **"International Fuel Gas Code, 2015"**, as published by the International Code Council, Inc.

(J) **"International Energy Conservation Code, 2015"**, as published by the International Code Council, Inc. with State of Illinois amendments.

(K) **"International Swimming Pool and Spa Code, 2015"**, as published by the International Code Council, Inc.

(L) **"Illinois Accessibility Code, 1997"**, as published by the State of Illinois.

(M) **"International Solar Energy Provisions, 2015"**, as published by the International Code Council, Inc.

(N) **"Sound Deadening Wall Detail and Other Requirements for Attainment of Sound Transmission Class ("STC") Rating of 57 or Greater"**, developed by the Bethalto Building and Zoning Department as of 5/2005".

(O) **"Minimum Specification Sheet"**, developed by the Bethalto Building and Zoning Department as of 10/17.

(P) **"Construction Inspection Schedule"**, developed by the Bethalto Building and Zoning Department as of **January, 2017**.

One (1) copy of all of the above rules and regulations in book or pamphlet form is now on file in the office of the Village Clerk of the Village of Bethalto for use and examination by the public. In the event of any conflict, the provisions of that code with the more restrictive standards shall be applicable and prevail over all other general provisions.

The rules and regulations set out on the Sound Deadening Wall Detail referenced under **Section 6-3-1(N)** shall be applicable to all residential dwellings, including single-family, two-

family, multi-family, hotels, motels, nursing homes, and also all public and semi-private facility uses for schools, churches, hospitals, outdoor sports arenas, recreational activities and parks located within the 65-70 LDN Contour Lines as established by FAR Part 150 as may be developed from time to time by the Federal Aviation Administration ("FAA"). A copy of the most recent FAR Part 150 LDN Contour Map, as applicable to the Village of Bethalto, is set out on Figure 8 of the Village of Bethalto Comprehensive Plan, adopted January 2000, a copy of which is included in this Chapter and Revised Code as Appendix Exhibit A.

The objective of the above referenced Sound Deadening Wall Detail is to achieve an acceptable Noise Level Reduction building standard in a potential noise impacted area by requiring an STC Rating of 57 or greater for building design and materials. Any variation or combination of construction standards or materials achieving an equivalent STC Rating of 57 or above, as documented and certified by an Illinois licensed architect, shall also be acceptable.

Whenever in said Codes the term City or Village is used, the said term is hereby declared to designate the Village of Bethalto, Madison County, Illinois.

Whenever in said referenced Codes fee schedules are referenced, such fee schedules shall be as determined from time to time by the corporate authorities and on file in the Village Clerk's office.

Whenever in said referenced Codes certain dates for compliance are referenced, such dates shall be as determined from time to time by the corporate authorities and on file in the Village Clerk's office.

6-3-1.1 DEFINITIONS.

(A) **"Noise Level Reduction".** The difference between the exterior and interior sound level, achieved by improved STC (Sound Transmission Co-efficient) rating, which is achieved by the intervening structure.

(B) **"Sound Transmission Class".** The Sound Transmission Class (STC) numerically rates the sound transmission performance of a wall, floor, or ceiling, indicating the capability of the wall, floor, or ceiling to block sound transmission. The higher the STC rating, the better the acoustical performance.

6-3-2 COMPLIANCE WITH CODE. It shall be unlawful for any person (person meaning any natural person, firm, corporation, partnership or association) to construct, remodel, alter, repair, remove or demolish any building, wall, sign or other structure or install any plumbing or electrical work in any structure in the Village of Bethalto, unless the same shall be in accordance with such codes and after first having obtained a permit and having paid the fee or fees as hereinafter provided.

6-3-3 COMPLY WITH ZONING. All buildings or other structures shall be located on the lot so as to comply with the provisions of the Zoning Code of the Village and an accurate plat or survey furnished as therein provided.

6-3-4 APPLICATION INFORMATION. An application for a building permit shall include the following information when applicable:

(A) A Site Plan showing compliance with all applicable set back and yard requirements.

- (B) Licensed plumbers name and Illinois license number.
- (C) Licensed roofers name and Illinois license number.
- (D) Licensed architect name and Illinois license or seal number will be provided when applicable.
- (E) A copy of Roof Truss Designs and Specification.
- (F) A copy of the specification sheet for the backflow prevention valve.
- (G) Floor plan design.
- (H) Plans must show elevations to the subdivision plat and final elevations.

6-3-5 PLANS TO BE SUBMITTED.

(A) A building permit will not be issued in response to an application for a building permit until a Plan Review is completed by the Village Building and Zoning Department. For purpose of facilitating a Plan Review, **three (3) sets** of sealed and signed plans or a sealed and electronically signed set of plans of the building shall be transmitted to the village for review. If, due to the complexity of construction and the life safety issues involved, the Village Code Officer, in conjunction with the Public Works Director, determines that an independent consultant is required to ensure that all Village codes and ordinances are followed, plans will be submitted to an independent consultant for Plan Review. A Plan Review by an independent consultant will require payment of an additional Plan Review fee to be paid by the applicant/developer/builder at the time of Building Permit Application and will be based upon the current fee schedule of the independent consultant used. Only after a Plan Review is completed and any non-compliant issues resolved and all fees paid, will a building permit be issued.

(B) Prior to issuance of a building permit for all manufactured housing units (manufactured housing unit being defined as a building assembly or system of building sub-assemblies, designed for habitation as a dwelling for one or more persons, including the necessary electrical, plumbing, heating, ventilating, and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, or assembly and installation on the building site with a permanent foundation) the applicant shall have submitted detailed plans and drawings to the Building and Zoning Administrator. A building permit shall not be issued for any manufactured housing unit built by a company not on the then current list of Illinois approved manufacturers of manufactured housing units, as published by the Illinois Department of Public Health.

(C) A building permit shall be issued for a manufactured housing unit as set out above with the further provision that the building assembly or system of building sub-assemblies be delivered to the building site with all interior walls, ceilings and other surfaces in an unfinished state and exposed for normal and regular inspection by the building, electrical and plumbing inspectors of the Village in accordance with applicable building and plumbing code.

(Ord. No. 2020-29; 12-14-20)

6-3-6 FEES. Application for permits shall be made to, and the fees shall be paid to the Village Clerk in accordance with the following:

(A) **Building Permit Fees.**

All newly constructed buildings shall use the International Code Council Building Validation Sheet of August 2016 for the establishment of the building permit fee.

Sheds, remodels and other accessory buildings shall use the construction valuation listed below:

Basic Permit \$50.00 + \$4.00 per \$1,000.00 over \$3,000.00 value

Residential plan review fee of \$100.00

Building inspection fees \$45.00 per inspection

Electrical inspection fee of \$45.00 per inspection

- Plumbing inspection fee of \$45.00 per inspection
- Residential roof \$80.00
- Commercial roof \$50.00 + \$4.00 per \$1,000.00 over \$3,000.00 value
- Demolition permits \$60.00
- Occupancy permit \$30.00- includes 1 inspection
- Occupancy re-inspection \$30.00
- (B) **Electrical Permit Fees.**
 - Electrical Permit \$60.00
 - Inspection fee \$45.00 per inspection
 - Upgrades

201-400 amp	\$90.00
401-600 amp	\$120.00
601-800 amp	\$160.00
801-1000 amp	\$200.00
1001-1201 amp	\$240.00
1201-1400 amp	\$280.00
1401-1600 amp	\$320.00
1601-2000 amp	\$400.00
 - Electrical Sign \$20.00
- (C) **Plumbing Permit Fees.**
 - Permit \$60.00
 - Inspection fee \$45.00 per inspection
 - Sprinkler systems \$120.00
 - Sprinkler heads \$1.00 per head
- (D) **Mechanical Permit Fees.**
 - Permit fee \$60.00
 - Inspection fee \$45.00 per inspection
 - Alterations/repairs in excess of minor work including ductwork \$10.00 per \$1,000.00
 - Hood and exhaust systems \$30.00
 - Duct, infrared, unit heaters \$10.00
 - Residential fireplace/wood stove \$15.00
 - New A/C or refrigeration system <5 ton, per 5 ton unit \$10.00
 - New A/C or refrigeration system >5 ton, per 5 ton unit \$10.00
 - New furnace with ductwork <200,000 btu input \$30.00
 - Each additional 200,000 btu input (per unit) \$10.00
 - Replacement furnace <200,000 btu input \$10.00
 - Each additional 200,000 btu input per unit \$10.00
 - Commercial appliance \$10.00 per unit
 - Duct collection system per 1,000 CFM \$4.00
 - Make up air, fan/blower with or without duct \$10.00
 - Evaporative cooling units \$15.00
 - Commercial/industrial clothes dryers \$10.00
 - Commercial/industrial air compressors \$10.00
- (E) **Other Permit Fees.**
 - Communication towers \$750.00 plus applicable permit fees
 - Sign Permits \$80.00 per \$2.00 per square foot plus applicable fees
- (F) **Property Maintenance Code Fees.**
 - For all Property Maintenance Code Fees see Chapter 29 and more specifically

Appendix "A" thereto.

(Ord. No. 2020-29; 12-14-20)

6-3-7 ENFORCEMENT. This Code and all of the codes adopted hereunder shall be enforced by the Village Code Officer. The seven-member Zoning Board of Appeals, established by the Zoning Code, is hereby constituted to be the Board to which an appeal may be taken by any person affected by a decision of any officer charged with the enforcement of this Code and all other codes adopted hereunder. Any person directly affected by a decision of the code official or a notice or order issued under any of the codes adopted herein above shall have the right to appeal to the Village of Bethalto Zoning Board of Appeals, provided that a written application for appeal is filed within **twenty (20) days** after the date of the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or the requirements of this Code are adequately satisfied by other means. All matters regarding Composition, Appeals, Powers of the Zoning Board of Appeals, and Petition of Persons Aggrieved by Decision of the Zoning Board of Appeals shall be governed by the provisions of **Article XII of Chapter 40 (Zoning Code)** of the Village Code of the Village of Bethalto.

Construction Site Clean-up. It shall be the requirement of the builder to ensure the site is secured and maintained with no debris to be left lying around. The builder shall have a sufficient dumpster onsite.

It is unlawful to dump any construction material in any residential, commercial, or industrial district within the Village of Bethalto. All construction debris must be put into a dumpster or hauled off the site to an approved site i.e. the landfill.

Any person(s) found to have any outstanding fines, liens, non-compliant buildings or properties and/or any pending notices to abate, will not be issued any type of permit until all matters are settled.

6-3-8 INSPECTIONS. The Building, Electric and Plumbing Inspectors shall not be responsible to see that the construction contract between owner and contractor is performed, but only to determine that materials and workmanship as used meet the minimum Building Code and Plumbing Code requirements; that the connections to the water and sewer service facilities of the Village meet the requirements of the Codes; that the intensity of use and other facilities are consistent with the Zoning Code; and that the construction and use are in accordance with the provisions of other Codes of the Village.

6-3-9 PENALTY. Any person who shall violate any provision of said Code hereby adopted or who fails to comply with the minimum requirements thereof or who shall erect, construct, remodel, alter, repair, move, or demolish any building, wall, sign, or other structure or install any plumbing or electrical work without a permit as herein required shall be

guilty of a misdemeanor and punishable by a fine or not less than **Fifty Dollars (\$50.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)** for each offense. Any person who shall continue any work in violation of such Codes after having been served with a stop order by the officer charged with enforcing such Code shall be liable for a fine or not less than **Fifty Dollars (\$50.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)** for each day that such work continues.

6-3-10 INTERPRETATION AND CONSTRUCTION. The interpretation and construction of the provisions of the Codes herein adopted shall be interpreted and construed together to achieve the logical consistent result in their application. Except where otherwise provided, where any two or more provisions of any such Codes are applicable to the same circumstances, the more restrictive provisions shall apply. The Codes adopted herein shall also be construed and interpreted in harmony with any other ordinances of the Village of Bethalto including, but not limited to, Village Codes regulating zoning, subdivisions, building, maintenance, animal control, and liquor control which may presently be in effect or may hereafter be adopted and there shall be no automatic repeal of any such other ordinances by the adopted of Codes herein.

6-3-11 PENALTY AND ENFORCEMENT. Each of the codes adopted above specifically provide for a penalty and an enforcement section. In addition to the imposition of the penalties provided for in the various codes, the Village of Bethalto, by its authorized representatives, may institute appropriate legal or equitable proceedings in any court of competent jurisdiction to prevent or restrain any unlawful activity in violation of the codes adopted, or to prevent the illegal occupancy of a building, structure or premises; or to stop an illegal act, conduct of business or use of a building or structure on or about any premises. In addition, any person, entity, firm or corporation who violates any of the codes adopted herein shall be responsible for the reimbursement and payment to the Village of Bethalto of all expenses, including, but not limited to, court costs and legal fees, incurred by the Village of Bethalto in connection with the enforcement of these codes.

6-3-12 CODE AMENDMENTS. All codes adopted under **Section 6-3-1** above shall be amended in the following detail:

(A)

International Building Code 2015

Section 101.1 – Insert: “Village of Bethalto”

Section 105.8 – The following language shall be inserted as a separate Section 105.8 Mud on Street: The owner or contractor is responsible for all delivery trucks doing damage to public property. Mud deposited on the streets must be cleaned immediately. All lots shall be kept clean of all construction debris.

Section 105.9 – The following language shall be inserted as a separate Section 105.9

Finish Grade: All lawn grass shall be installed and properly maintained on all property within nine (9) months after an occupancy permit has been issued.

Section 108.4 – Trailers as temporary buildings Add the following: A trailer can be used as a temporary building for a maximum of 60

days. The building official can approve one extension for a maximum of 60 additional days. All fees shall be paid for the extension before approval is granted.

Section 109.2 – Add the following: See 6-3-6 of this ordinance.

Section 113.3 – Delete this section and insert See Section 6-3-7 of this ordinance for Board membership.

Section 114.4 – Add the following: See Section 6-3-11 of this ordinance.

Section 115.3 – Add the following: See Section 6-3-11 of this ordinance.

Section 502.1 – Floors General add the following: All engineered lumber products used in a floor system shall have a design minimum of 40/20, live and dead load, at 16" on center. All engineered floor designs shall have an approved set of plans. This is to assist in engineered flooring designs, to be able to accept the current loads or deflection with the correct Seismic Rating. Alternatives will be on file at the Village Clerk's Office.

Roofing – Wood/Cedar Shake Roofing – If replacement is 50% or greater, the wood/cedar shake roofing will not be allowed.

Section 1101.1 – Insert the following: When there is a conflict between this Code and the Illinois Accessibility Code, the stricter of the two requirements shall be applied.

Section 1207.1 – Add the following sentence: See section (P) and (Q) in this ordinance for additional requirements.

Section 1612.3 – See Storm Water Ordinance Chapter 32

Section Accessory Buildings – All accessory buildings must be set on a concrete pad 4" thick or piers 12" diameter and 24" deep. All accessory buildings greater than 120 sq. ft., must have a frost footing of 24" deep around the full building perimeter. All accessory buildings must be attached to the slab, pier or footings by means of tie down, or chains set in the concrete, or other approved methods of anchorage at the corners of the structure. Exceptions (garages). Garages must have a 36" frost footing with 1/2" foundation bolts set into the frost wall 6" deep, within 24" of the corners, minimum 2 per wall, with a maximum of 8' between each foundation bolt, with foundation washers minimum of 3" square with a diagonal slot, with cut washers between the nut & 3" washer.

Attached Garage – Attached garages will be required to have all walls to be dry walled.

Construction Site – ANY AND ALL PERMITS MUST BE KEPT IN A SEALED PVC PIPE ATTACHED TO EITHER A U-CHANNEL SIGN POST OR SQUARE SIGN POST ON SITE FOR ACCESS TO THE INSPECTORS. FAILURE TO COMPLY WILL RESULT IN THE BUILDING PERMIT TO BE VOIDED AND YOU MUST REAPPLY FOR THE PERMIT.

Requirements – Any new or remodeled commercial building shall have a Knox Box installed for Fire Department access.

Appendices – Adopt the following appendices C, D, E, F, G, I, J, L.

International Fire Code 2015. The following sections are hereby

(B)
revised as follows:

Section 101.1 – Insert: "Village of Bethalto"

Section 108.2 – Delete this section and insert See Section 6-3-7 of this ordinance for Board membership.

Section 109.4 – Add the following: See Section 6-3-11.

Section 111.4 – Add the following: See Section 6-3-11.

Section 1103.5.3 – Insert the date of adoption.

Section 5704.2.9.6.1 – See the Zoning Ordinance for the requirements.

Section 5706.2.4.4 – See the Zoning Ordinance for the requirements.

Section 5806.2 – See the Zoning Ordinance for the requirements.

Section 6104.2 – See the Zoning Ordinance for the requirements.

Section 503.1.2 – Additional access: as to where additional access is needed, any new building Commercial and/or Multi-Family with 10,000 square feet or more, will have additional paved access roads to at least 3 sides of the building.

Appendices – Adopt the following appendices B, C, D, E, F, G.

(C) **NFPA 101 Life Safety Code 2015.** There are no changes, additions or insertions to this standard.

(D) **National Electrical Code NFPA 70, 2014 NEC.**

General Information

- All work shall be done in accordance with the adopted version of the Village of Bethalto Electrical Code.
- All work shall be done in a neat and workman like manner.
- All electrical services shall be grounded by means of a copper ground rod minimum 8 ft by 5/8th
- No water pipe grounds are permitted to be used as a ground.
- Grounding bridge is required.
- All electrical services must use galvanized rigid steel conduit.
- Duplexes, Condos, multi-unit complexes and apartment complexes shall have independent outside disconnects.
 - **All underground services, shall be rigid galvanized steel on the load side of the meter base.**
 - **The service entrance may be PVC as long as it meets Ameren IP/Southwest Electric Company Specifications.**
- All electrical circuits are to be a minimum of #12 gauge copper, and grounds are required.
- #14 gauge is prohibited.
- **Aluminum wire is not allowed**

Residential and New Service

- Where subject to physical damage, Romex wiring shall be protected.
- Smoke Detectors.
 - ✓ Smoke detectors shall be 120 volts with battery backup, all detectors must be interlocked.
 - ✓ Smoke detectors must be installed in the following locations: one in each bedroom, one in the common area on each level.
 - ✓ Carbon Monoxide detectors must be installed in the following locations: one on each level within 15 ft. of bedrooms and at least 15 ft. away from gas appliances.

- Electrical circuit requirements, the following must have its own circuit
 - ✓ Microwave (single outlet)
 - ✓ Dishwasher (single outlet w/appliance cord)
 - ✓ Refrigerator (single outlet)
 - ✓ Garbage Disposal (single outlet w/appliance cord)
 - ✓ Sump Pump (single outlet)
 - ✓ Ejector Pump (single outlet)
 - ✓ Furnace with service switch
 - ✓ Bathroom must have one clean GFCI circuit
 - ✓ Wash machine (single outlet)

Kitchen outlets, Minimum 2 circuits, Maximum of 2 receptacles per circuit.

All kitchen islands and peninsulas shall have a receptacle.

- Residential dwellings shall have the following exterior outlets, all exterior outlets must be GFCI protected.
 - ✓ One outlet in the front of the dwelling and in the rear of the residence.
 - ✓ One outlet within 25 ft. of the air conditioner condensing unit.
 - ✓ One outlet inside deck or balcony.
- All bedrooms must be Arc Fault Protected.
- All kitchens, bathrooms, garages, whirlpool/Jacuzzi tubs, crawl spaces and outside receptacles shall have GFCI protection.
 - ✓ Exempt are dedicated sump pump outlets.
- All drops in basement must be encased in conduit.
- Storage equipment, attics, crawl spaces shall have at least one lighting outlet.
- All bedrooms must have ceiling fan rated boxes installed and any other location where a ceiling fan could be installed.
- Electric panels shall not be installed in the hallways, bathrooms, bedrooms, closets, and kitchens.
- Receptacle spacing no more than 12 ft. horizontally between receptacles.
- Staples shall not exceed 4 ½ feet and 12 inches of every outlet box.
- Stoves and dryer outlets must utilize 4 wire devices. NO EXCEPTIONS.
- All outside air condensing units shall have a weather proof disconnect.

Article 334.10 – Uses Permitted: Type NM, NMC, and Type NMS to be allowed only in one and two single family dwellings.

Multi-Family Residential (3 units and above)/Commercial/Industrial Buildings will be put in EMT conduit.

Commercial Electric Service Requirements

- All work shall be done in accordance with the adopted version of the Village of Bethalto Electrical Code.
- All work shall be done in a neat and workman like manner.

- All electrical service shall be grounded by means of a copper ground rod min 8 ft. by 5/8th.
- Grounding bridge is required.
- No water pipe grounds are permitted to be used as a ground.
- All electrical service must use galvanized rigid steel conduit.
 - **All underground services, shall be rigid galvanized steel on the load side of the service.**
 - **The service entrance may be PVC as long as it meets Ameren IP/Southwest Electric Company Specifications.**
- All electrical circuits are to be a minimum of #12 gauge copper, and grounds are required.
- All new and service upgrades must have an outside disconnect.
- All exterior exposed conduit must be galvanized rigid steel or aluminum.
- #14 gauge is prohibited.
- No MC Cable is permitted unless otherwise approved by Electrical Inspector.
- Aluminum wire is not allowed.

Article 330 is repealed in its entirety.

(E) **International Residential Building Code 2015.** The following sections are hereby revised as follows:

Section R101.1 – Insert: “Village of Bethalto”

Section R108.2 – Add the following: See Section 6-3-6 of this Ordinance.

Section R112.1 – See Section 6-3-7 of this Ordinance for Board membership.

Section R113.4 – Add the following: See Section 6-3-11 of this Ordinance.

Section 114.1 – Add the following: See Section 6-3-11 of this Ordinance.

Section 301.2(1) – Design Criteria

Ground Snow Load	20
Wind Speed (mph)	115 (51)
Topographic Effects	Yes
Seismic Design Category	C
Special wind region	No
Wind-borne debris zone	No
Seismic Design Category	C
Weathering	Severe
Frost line depth	36 inches
Termite	Moderate to heavy
Winter Design Temperature	2 degrees
Ice Shield Underlayment	Yes
Flood Hazard	See Storm water Chapter
Air Freezing Index	2000
Mean Annual Temperature	50 degrees

Section R302.5.1 – Opening protection: delete equipped with a self-closing device.

Section 313.2 – Automatic fire sprinklers/One-two family dwellings, delete the section in its entirety.

Section 312.1.1 – Where required. Delete at any point within 36 inches horizontally to the edge of the open side.

Chapters IRC25 – 32 – Delete the Chapters in their entirety and insert the Illinois Plumbing Code.

Appendices – Adopt the following appendices A – T

(F) **International Mechanical Code 2015.** The following sections are hereby revised as follows:

Section 101.1 – Insert: “Village of Bethalto”

Section 106.5.2/106.5.3 – Add the following: See Section 6-3-6 of this Ordinance.

Section 108.4/108.5 – Add the following: See Section 6-3-11 of this Ordinance.

Section 109 – Delete 109.2 and see Section 6-3-7 of this Ordinance for Board membership.

Appendices – Adopt the following Appendices A.

(G) **International Existing Building Code 2015.** The following sections are hereby revised as follows:

Section 101.1 – Insert: “Village of Bethalto”

Section 108.2 – Add the following: See Section 6-3-6 of this Ordinance.

Section 112.3 – Delete 109.2 and See Section 6-3-7 of this Ordinance for Board membership.

Section 113.4 – Add the following: See Section 6-3-11 of this Ordinance.

Section 1406.1 – Add the following: Regardless of the outcome of this, it will not change the automatic sprinkler requirements outlined in the Building Code, Fire Code or the amendments in this Ordinance.

(H) **Illinois Plumbing Code 2014.**

Section 890.1390 – Add a new section as follows:

Backwater Valves

8990.1380 a Sewage backflow. All new construction or when replacing a sewer line must have sewage backflow valve installed. A copy of the sewage backflow device specification sheet must be submitted with the Building Permit.

890.1380 b Material. All bearing parts of backwater valves shall be of corrosion-resistant material. Backwater valves shall comply with ASME A112.14.1, CSA B181.1 or CSA B181.2.

890.1380 c Seal. Backwater valves shall be so constructed as to provide a mechanical seal against backflow.

890.1380 d Diameter. Backwater valves, when fully opened, shall have a capacity not less than that of the pipes in which they are installed.

890.1380 D Location. Backwater valves shall be installed so that access is provided to the working parts for service and repair.

(I) **International Fuel Gas Code 2015.** The following sections are hereby revised as follows:

Section 101.1 – Insert: “Village of Bethalto”

Section 106.6.2/106.6.3 – Add the following: See Section 6-3-6 of this Ordinance.

Section 108.4/108.5 – Add the following: See Section 6-3-11 of this Ordinance.

Section 109 – Delete this Section and insert: See Section 6-3-7 of this Ordinance for Board membership.

Section 306 – Section 306.3 – Appliance in attic spaces are prohibited.

Section 306.4 – Appliances under floors in crawl spaces are prohibited.

Appendices – Adopt the following appendices A – D.

(J) **International Energy Conservation Code 2015.** There are no changes, additions or insertions to this standard. The State of Illinois amendments will be enforced.

(K) **International Swimming Pool and Spa Code, 2015.** The following sections are hereby revised as follows:

Section 101.1 – Insert: “Village of Bethalto”

Section 105.6.2/105.6.3 – See Section 6-3-6 of this Ordinance.

Section 107.4 – See Section 6-3-11 of this Ordinance.

Section 107.5 – See Section 6-3-11 of this Ordinance.

Section 108.2 – Delete this section and insert: See Section 6-3-7 of this Ordinance for Board membership.

(L) **Illinois Accessibility Code.** There are no changes, additions or insertions to this Code. Any conflicts between this Code and Chapter 11 of the International Building Code, the stricter of the requirements shall be applied.

(M) **International Solar Energy Provisions, 2015** as published by the International Code Council, Inc. There are no changes, additions or insertions to this Code.

(N) **Sound Deadening Wall Detail and Other Requirements for Attainment of Sound Transmission Class (“STC”) Rating of 57 or Greater,** developed by the Bethalto Building and Zoning Department as of 5/2005.

(O) **Minimum Specification Sheet,** developed by the Bethalto Building and Zoning Department as of 10/17.

(P) **Construction Inspection Schedule,** developed by the Bethalto Building and Zoning Department as of **January 2017. (Ord. No. 2002-03; 02-04-02)**

One (1) copy of all of the above rules and regulations in book or pamphlet form is now on file in the office of the Village Clerk of the Village of Bethalto for use and examination by the public. In the event of any conflict, the provisions of that code with the more restrictive standards shall be applicable and prevail over all other general provisions.

The rules and regulations set out on the Sound Deadening Wall Detail referenced under **Section 6-3-1(P)** shall be applicable to all residential dwellings, including single-family, two-family, multi-family, hotels, motels, nursing homes, and also all public and semi-private facility uses for schools, churches, hospitals, outdoor sports arenas, recreational activities and parks located within the 65-70 LDN Contour Lines as established by FAR Part 150 as may be developed from time to time by the Federal Aviation Administration (“FAA”). A copy of the most recent FAR Part 150 LDN Contour Map, as applicable to the Village of Bethalto, is set out on Figure 8 of the Village of Bethalto Comprehensive Plan, adopted January 2000, a copy of which is included in this Chapter and Revised Code as Appendix Exhibit A.

The objective of the above referenced Sound Deadening Wall Detail is to achieve an acceptable Noise Level Reduction building standard in a potential noise impacted area by requiring an STC Rating of 57 or greater for building design and materials. Any variation or combination of construction standards or materials achieving an equivalent STC Rating of 57 or above, as documented and certified by an Illinois licensed architect, shall also be acceptable.

Whenever in said Codes the term City or Village is used, the said term is hereby declared to designate the Village of Bethalto, Madison County, Illinois.

Whenever in said referenced Codes fee schedules are referenced, such fee schedules shall be as determined from time to time by the corporate authorities and on file in the Village Clerk's office.

6-3-13 SUNSET OR EXPIRATION OF PERMITS.

(A) **Building Permits for All Construction Other Than New Homes.**

Except for building permits issued for new home construction, all building permits issued under the provisions of this Chapter shall expire and become null and void if the building or work authorized by such permit is not commenced within **six (6) months** after the date of issuance of such permit. If the building or work authorized by a permit is suspended or abandoned at any time after work is commenced for a period of **six (6) months**, or if the work authorized by such permit does not receive final inspection approval within **twelve (12) months** from the issuance date of a permit, the issued permit shall expire and be null and void. Before work may be recommenced, a new or renewed building permit shall first be obtained. A renewal permit shall be for **one (1) six (6) month** addition and the cost of renewal shall be the base cost of **Fifty Dollars (\$50.00)**, plus any additional inspections which may be required.

(B) **Building Permit for New Home Construction.** All building permits issued under the provisions of this Chapter for new home construction shall expire and become null and void if the building or work authorized by such permit is not commenced within **six (6) months** after the date of issuance of such permit. If the building or work authorized by a permit is suspended or abandoned at any time after work is commenced for a period of **six (6) months**, or if the work authorized by such permit does not receive final inspection approval within **eighteen (18) months** from the issuance date of a permit, the issued permit shall expire and be null and void. Before work may be recommenced, a new or renewed building permit shall first be obtained. A renewal permit shall be for **one (1) six (6) month** addition and the cost of renewal shall be the base cost of **Fifty Dollars (\$50.00)**, plus any additional inspections which may be required.

(C) **Plumbing, Electrical, Roofing, Sign and Demolition Permits.** All plumbing, electrical, roofing, sign and demolition permits issued under the provisions of this Chapter shall expire and become null and void if the building or work authorized by such permit is not commenced within **three (3) months** after the date of issuance of such permit. If the building or work authorized by a permit is suspended or abandoned at any time after work is commenced for a period of **six (6) months**, or if the work authorized by such permit does not receive final inspection approval within **six (6) months** from the issuance date of a permit, the issued permit shall expire and be null and void. Before work may be recommenced, a new or renewed building permit shall first be obtained. A renewal permit shall be for **one (1) six (6) month** addition and the cost of renewal shall be the base cost of **Fifty Dollars (\$50.00)**, plus any additional inspections which may be required.

(D) **Occupancy Certificate.** An Occupancy Certificate issued under the provisions of this Chapter shall expire and become null and void if a new occupant has not moved into an inspected residence within **six (6) months** from the date a Certificate was issued. Requirements for a new occupancy inspection shall still be required at any time of occupancy change per Village Code **Section 29-1-3(B)**.

(Ord. No. 2020-29; 12-14-20)

ARTICLE IV - BUILDING INSPECTOR

6-4-1 **OFFICE ESTABLISHED.** There is hereby established the office of Building Inspector for the Village.

6-4-2 **APPOINTMENT - TERM.** The Building Inspector shall be appointed by the Mayor with the advice and consent of the Village Board at the first meeting in May of each year for a term of **one (1) year**.

6-4-3 **DUTIES.** The Building Inspector shall perform such duties as may be prescribed by this Code; including but not limited to the required inspections under the Property Maintenance Code as found under **Chapter 29** of this Code.

6-4-4 **HOURS WORKED.** Building Inspector shall work a minimum of **zero (0) hours** and a maximum of **thirty (30) hours** per week under a schedule as designated by the Village Zoning Administrator – Code Enforcement Officer.

6-4-5 **COMPENSATION.** The Building Inspector shall be allowed and paid at the rate as set out in the Salary Ordinance in effect from year to year.

(Ord. No. 2021-06; 07-12-21)

ARTICLE V - ELECTRIC INSPECTOR

6-5-1 **OFFICE ESTABLISHED.** There is hereby established the office of Electrical Inspector for the Village.

6-5-2 **APPOINTMENT TERM.** The Electrical Inspector shall be appointed by the Mayor with the advice and consent of the Village Board at the first meeting in May of each year for a term of **one year**.

6-5-3 **DUTIES.** The Electrical Inspector shall perform such duties as may be prescribed in this Code.

6-5-4 **COMPENSATION.** The Electrical Inspector shall be allowed and paid at **Forty Dollars (\$40.00)** per inspection.

(Ord. No. 2021-06; 07-12-21)

ARTICLE VI - PLUMBING INSPECTOR

6-6-1 **OFFICE ESTABLISHED.** There is hereby established the office of Plumbing Inspector for the Village.

6-6-2 **APPOINTMENT - TERM.** The Plumbing Inspector shall be appointed by the Mayor with the advice and consent of the Village Board at the first meeting in May for a term of **one (1) year**.

6-6-3 **DUTIES.** The Plumbing Inspector shall perform such duties as may be prescribed by this Code.

6-6-4 **COMPENSATION.** The Plumbing Inspector shall be allowed and paid at **Forty Dollars (\$40.00)** per inspection.

(Ord. No. 2021-06; 07-12-21)

ARTICLE VII - FIRE CODE

6-7-1 **LIFE SAFETY CODE ADOPTED.** NFPA 101 Life Safety Code, 2015, as published by the National Fire Protection Association, Inc., as previously adopted under **Section 6-3-1**, shall continue to serve as the applicable Life Safety Code for the Village of Bethalto.

6-7-2 **DEFINITIONS IN LIFE SAFETY CODE.** Whenever the "Authority having Jurisdiction" is used in this Code, it shall be held to mean the Village of Bethalto, Illinois.

6-7-3 **PROHIBITIONS.** No person, being the owner, occupant or lessee of any building or other structure which is so occupied or so situated as to endanger persons or property, shall permit such building or structure by reason of faulty construction, age, lack of proper repair, or any other cause to become especially liable to fire, or to become liable to cause injury or damage by collapsing or otherwise. No person, being the owner, occupant or lessee of any building, or structure, shall keep or maintain or allow to be kept or maintained on such premises, combustible or explosive material or inflammable conditions, which endanger the safety of said buildings or premises.

6-7-4 **ENFORCEMENT.** This Fire Code, including the minimum requirements set out under the Life Safety Code hereinabove referenced, shall be enforced as follows:

(A) The Fire Inspector, or his or her designated representatives, shall be responsible for maintaining a standard of fire protection and public safety by performing surveys and inspections for fire and life safety, identifying fire hazards and initiating corrective procedures and education in conformity with the applicable Life Safety Code, and pursuant to any directives and guidelines established by the State Fire Marshall's Office of the State of Illinois.

(B) The Chief of the Fire Department, or his or her designated representative(s), shall be responsible for all other activities under this Code not otherwise delegated to the Fire Inspector.

(C) Such enforcement officer(s) shall inspect and examine at reasonable hours, any premises and the buildings and other structures thereon, and if, such dangerous condition or fire hazard is found to exist contrary to the rules herein referred to, or if a dangerous condition or fire hazard is found to exist as specified under **Section 6-7-3** above referenced, the enforcement officer shall first bring such condition to the attention of the Police, Fire Department and Public Safety subcommittee of the Village Board; provided however, that such referral to the Village Board subcommittee shall not be required when the enforcement officer is dealing with an emergency involving a dangerous condition in an existing structure. If, after review by the Police, Fire Department or Public Safety subcommittee of the Village Board, or in the event of an emergency condition with an existing structure, such dangerous condition or fire hazard is found to exist contrary to the rules herein referred to, or a dangerous condition or fire hazard is found to exist as specified under **Section 6-7-3** above referenced, the enforcement officer shall order the dangerous condition removed or remedied, and shall notify the owner, occupant or other person, interested in the premises. Service of the notice

upon the owner, occupant or other interested person shall be in person or by registered or certified mail addressed to the owners of record of such property and the last known addresses of any occupants or other interested persons.

6-7-5 **APPEALS.** The **seven (7) member** Zoning Board of Appeals established by the Zoning Code under **Chapter 40** of this Code is hereby constituted as the authority to which an appeal be taken by any person affected by a decision of any officer charged with the enforcement of this fire code, in the manner provided by Article 12 of the Zoning Code found at **Section 40-12-1**, et seq. The owner or other person interested in such building or premises, within **ten (10) days** after receiving such notice, may appeal from orders of the Fire Inspector or Fire Chief or their designated representative(s). If the order is sustained or modified, or if no appeal is made to the Zoning Board of Appeals, it shall be the duty of the owner or occupant to comply with such order.

6-7-6 **INSPECTIONS.** The code enforcement officers, including either the Fire Inspector or the Chief of the Fire Department shall not be responsible to see that the construction contract between any owner and contractor is performed, but only to determine that materials and workmanship as used meet the minimum fire code requirements and that the construction and use are in accordance with the provisions of other codes of the Village.

6-7-7 **PENALTY.** Any person who shall violate any provision of this fire code hereby adopted or who fails to comply with the minimum requirements thereof shall be guilty of a misdemeanor and punishable by a fine of not less than **Twenty-Five Dollars (\$25.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)** for each offense. Any person who shall continue violation of such code after having been served with a stop order by the officer charged with enforcing such code will be liable for a fine of not less than **Twenty-Five Dollars (\$25.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)** for each day that such work or condition continues.

ARTICLE VIII - FIRE INSPECTOR

6-8-1 **OFFICE ESTABLISHED.** It is hereby established the office of Fire Inspector for the Village.

6-8-2 **APPOINTMENT - TERM.** The Fire Inspector shall be appointed by the Mayor with the advice and consent of the Village Board on **May 1st** of each year for a term of **one (1) year.**

6-8-3 **DUTY.** The Fire Inspector shall perform such duties as may be prescribed by this Code.

(This Chapter Ord. No. 2017-25; 12-11-17)