



## DEPARTMENT OF LAND USE AND DEVELOPMENT

### AGENDA PLANNING COMMISSION March 8, 2022 7:00 P.M.

**IN PERSON:** CITY HALL RECREATION ROOM, 10025 BUNKUM ROAD. DUE TO THE COVID-19 PANDEMIC REMOTE ATTENDANCE IS ENCOURAGED.

**VIRTUAL:** BY COMPUTER, TABLET OR SMARTPHONE.  
[HTTPS://WWW.GOTOMEET.ME/COFH\\_LUD/PLANNING\\_COMMISSION](https://www.gotomeet.me/cofh_lud/planning_commission)  
PHONE: +1 (408) 650-3123 ACCESS CODE: 739-271-573  
ONE-TOUCH: TEL: +14086503123,,739271573#

1. CALL TO ORDER AND ROLL CALL
2. **CITIZENS COMMENTS-** *This is an opportunity for the public to address the Planning Commission on non-agenda related items. Comments made during this section of the agenda that require a response will be referred to the appropriate City staff member or official for follow-up at a later date.*
3. **MINUTES:**
  - a. Regular Meeting of February 8, 2022 (TBD)
4. **PC CASES/PUBLIC HEARINGS**
  - a. Chapter 7 – Building Code. *VOTE REQUESTED*
5. **OLD BUSINESS**
  - a. None
6. **NEW BUSINESS**
  - a. None
7. **ANNOUNCEMENTS**



## DEPARTMENT OF LAND USE AND DEVELOPMENT

- a. Chair/Plan Commission Member Comments
- b. Director's Report

### 8. **ADJOURNMENT**

*The next regularly scheduled meeting is April 12, 2022: it may be canceled if there is no business to conduct.*

**CITY OF FAIRVIEW HEIGHTS, ILLINOIS  
PLANNING COMMISSION  
MEETING MINUTES  
February 8, 2022**

**CALL TO ORDER**

The meeting was called to order at approximately 7:00 p.m. by Chairman Greg Moats with (2 members) in physical attendance: Kelly Smith & Gregory Coleman. (4 members) in attendance via GoTo Meeting: Patrick McCarthy, Sunyatta McDermott, Larry Mensing, & Terry Fowler. Also, in attendance by GoTo Meeting were Dallas Alley(Land Use Director) & Andrew Hoerner (Attorney). Kendra Tucker (Secretary) was in physical attendance.

**1. CITIZENS COMMENTS**

None.

**2. APPROVAL OF MINUTES**

The minutes of January 11, 2022 were approved as written.

**3. NEW BUSINESS**

**PC02-22, Amendment to the Zoning Map, 301 N. Monticello Place. Rezoning from “I” Industrial to “M2” Multifamily.**

Director Alley presented the staff advisory to the commission.

Jim Roberts of 15222 S. 94<sup>th</sup> Ave., Orland Park, IL was sworn in.

Mr. Roberts explained his request to the commission for a retirement community development.

Bishop Geoffrey V. Dudley Sr. of 1782 Saddlewood, O’Fallon, IL was sworn in.

Bishop Dudley Sr. explained the request to the commission.

Chairman Gregory announced that Commission McCarthy had joined the meeting.

Director Alley further explained the fire protection plan and improvement to the roads for this proposed development.

The commission requested more information from the applicant regarding other retirement community developments that they had built.

Bishop Dudley Sr. stated that he had visited these other developments and found them to be of tremendous quality.

The commission requested more information regarding the connection between the ministry and the proposed retirement community. Bishop Dudley Sr. clarified that there would not be preference to people of the Christian faith. Director Alley clarified that these developments are subject to the same property as any other development.

The commission discussed issues with ingress/egress with the applicant. Director Alley stated that this would be permitted through IDOT.

The applicants also responded to the commission's questions regarding maintenance at the development. The applicant stated that the properties would be maintained with an experienced maintenance company.

Chairman Moats called for citizen comments from the audience.

Mike Gartland of 224 N. Bend Dr., Fairview Heights, IL was sworn in. Mr. Gartland stated that the roads were supposed to be upgraded already. Mr. Gartland also asked if this proposed development would be done by union workers.

Director Alley stated that as a condition of the residential occupancy, the roads would need to be upgraded. Director Alley also stated that the city cannot regulate whether or not it is union built however these projects are funded with state and federal money. This means that a prevailing wage for the trades would be required.

Richard Winters of 221 Richmond Dr., Fairview Heights, IL was sworn in. Mr. Richards stated his concerns over water drainage for the development site, his concerns regarding increased traffic, and the potential decrease in his property value.

Director Alley stated that the development has plans for stormwater detention and the property's designated wetland must be maintained.

Mr. Roberts stated that retirement communities do not have a negative impact on increased local traffic.

Aaron McLennan of 216 Monticello Pl., Fairview Heights, IL was sworn in. Mr. McLennan stated that there is already industrial traffic due to Pyramid.

Director Alley stated the road will be upgraded to accommodate the traffic.

Matthew Moll of 220 Richmond Dr., Fairview Heights, IL was sworn in. Mr. Moll stated his concerns regarding the time frame of the development, the regulations regarding the occupancy of the apartments, the plan for the existing railroad tracks, and the plans for the proposed rec center.

Chairman Moats stated that there is a plan to run trains on the railroad tracks again that has been delayed by Covid-19.

Director Alley explained the city's requirements for residential occupancy permits.

Mr. Roberts explained what the time frame would be for the project.

Michael Sprouse of 204 Mt. Vernon Dr., Fairview Heights, IL was sworn in. Mr. Sprouse asked if there could be an alternate ingress/egress and what the proposed rent costs would be for the development.

Director Alley stated the applicant would need permission from the property owners of the property that would be required for any alternative ingress/egress. The city would not consider these possibilities without first having those permissions submitted.

Mr. Roberts clarified what the rent would be for the proposed development.

Mr. Gartland asked for clarification on whether or not a berm would be a part of the development.

Director Alley explained what the requirements would be for the landscaping.

Commissioner McDermott made a motion to approve and Commissioner Fowler seconded.

Planning Commissioner Sunyatta McDermott introduced the following resolution and moved for its adoption:

#### RESOLUTION PC 02-22

#### A RESOLUTION ADOPTING FINDINGS OF FACT RELATING TO APPROVAL OF AN AMENDMENT TO THE ZONING MAP AT 301 NORTH MOTICELLO

WHEREAS, New Life CDC hereinafter referred to as the "Applicant," applied for an amendment to the Zoning Map from "I" Industrial to "M-2" Multifamily Residential on parcel numbers 03-22.0-400-033 and 03-22.0-400-034, commonly known as 301 North Monticello; and

WHEREAS, the Fairview Heights Development Code requires that amendments to the zoning map be approved through an application to amend the zoning map;

WHEREAS, the Applicant has properly applied for an amendment to the zoning map.

NOW THEREFORE, BE IT RESOLVED BY THIS PLANNING COMMISSION OF THE CITY OF FAIRVIEW HEIGHTS, ST. CLAIR COUNTY, STATE OF ILLINOIS that the Findings of Fact relating to the request are as follows:

1. That the Applicant appeared before the Planning Commission for a public hearing pursuant to Section 14-10-8 of the City of Fairview Heights Development Code on February 8, 2022 and that said public hearing was properly advertised, both of which are incorporated by reference.
2. That the subject property is zoned "I" Industrial Zoned District.
3. That the Applicant shall be responsible for all City costs incurred in administering and enforcing this approval.
4. That the Director of Land Use and Development, and his designee, shall have the right to inspect the premises for compliance and safety purposes.

5. That this Approval shall automatically expire if the use is not initiated within one year of City Council Approval.
6. That this Approval shall automatically expire if the proposed development does not happen.
7. That the Applicant shall obtain all required permits and comply with all ordinances and codes.

The motion for the adoption of the foregoing resolution was duly seconded by Terry Fowler; upon vote being taken thereon, the following voted in favor thereof: Terry Fowler, Larry Mensing, Gregory Coleman, Sunjatta McDermott, Patrick McCarthy

and the following voted against the same: Kelly Smith, Greg Moats

and the following abstained: None

and the following were absent: Linda Hoppe, Clarence Carthen, Pat Herrington, Pat Weissmann

whereupon said resolution was declared duly passed and adopted by the Fairview Heights Planning Commission this the 8th day of February, 2022.

**4. OLD BUSINESS**

None.

**5. NEW BUSINESS**

None.

**6. ANNOUNCEMENTS**

None.

**7. ADJOURNMENT** – The meeting was adjourned at 7:54 p.m.

Respectfully,

Dallas Alley  
Director of Land Use and Development  
DA/kt

The next regularly scheduled meeting of the Fairview Heights Planning Commission will be March 8, 2022 at 7:00 p.m. in the Council Chambers of the Fairview Heights Municipal Complex, 10025 Bunkum Road, Fairview Heights, Illinois.



LAND USE & DEVELOPMENT DEPARTMENT  
INTEROFFICE MEMORANDUM

TO: Development Code Committee  
FROM: Dallas Alley  
SUBJECT: Chapter 7  
DATE: February 28, 2022

I am presenting to you for consideration, the Building Code for the City of Fairview Heights (Chapter 7 of the Code of Ordinances). Below is a list of notable changes between the existing code and revised code.

1. Transitioning from the 2012 International Code Series to the 2021 International Code Series.
2. Expansion of the administrative regulations.
3. Modification to the fee chart.
4. The appeals process is more formalized and aligns with standard board meeting processes.
5. The penalty for initiating work prior to obtaining a permit goes from \$25 to double the cost of the permit.
6. Adoption of the International Energy Code, International Swimming Pool and Spa Code, International Fire Code.
7. Occupancy limitations are more clearly defined, and no longer at the discretion of the code official.

If you have any questions or concerns please let me know.

## **CHAPTER 7: BUILDING CODE; REGULATIONS**

### *General Provisions*

- 7-1-1 Director of Land Use and Development; administration and enforcement; appointment and term of office; compensation; duties and responsibilities
- 7-1-2 Permit and inspection fees
- 7-1-3 Table of fees
- 7-1-4 Means of Appeal

### *Building Regulations*

- 7-2-1 Adoption of Commerical Building Code
- 7-2-2 Commerical Building Code; additions, insertions and changes
- 7-2-3 Adoption of Residential Building Code
- 7-2-4 Residential Building Code; additions, insertions and changes
- 7-2-5 Adoption of Existing Building Code
- 7-2-6 Existing Building Code; additions, insertions and changes
- 7-2-7 Compliance with the Code
- 7-2-8 Applications, licenses and permits
- 7-2-9 Inspections and certificates of occupancy

### *Electrical Regulations*

- 7-2-10 Adoption of Electrical Code
- 7-2-11 Electrical Code; additions, insertions and changes
- 7-2-12 Compliance with the Code
- 7-2-13 Applications, licenses and permits
- 7-2-14 Inspections and certificates of approval

### ***Mechanical Regulations***

- 7-2-15 Adoption of Mechanical Code
- 7-2-16 Mechanical Code; additions, insertions and changes
- 7-2-17 Adoption of Fuel Gas Code
- 7-2-18 Fuel Gas Code; additions, insertions and changes
- 7-2-19 Compliance with the Code
- 7-2-20 Applications, licenses and permits
- 7-2-21 Inspections and certificates of occupancy

### ***Plumbing Regulations***

- 7-2-22 Definitions
- 7-2-23 Adoption of Plumbing Code
- 7-2-24 Conformity to Illinois State license statute required
- 7-2-25 Administrative authority
- 7-2-26 Applications, licenses and permits
- 7-2-27 Inspections and certificate of occupancy
- 7-2-28 Requirement of bond

### ***Fire Code Regulations***

- 7-2-29 Adoption of the International Fire Code
- 7-2-30 Fire Code; additions, insertions and changes
- 7-2-31 Compliance with Code

### ***Swimming Pool and Spa Regulations***

- 7-2-32 Adoption of Swimming Pool and Spa Code
- 7-2-33 Swimming Pool and Spa Code; additions, insertions and changes
- 7-2-34 Compliance with the Code
- 7-2-35 Applications, licenses and permits
- 7-2-36 Inspections and certificates of approval

### ***Energy Code Regulations***

- 7-2-37 Adoption of Energy Code
- 7-2-38 Energy Code; additions, insertions and changes
- 7-2-39 Compliance with the Code
- 7-2-40 Applications, licenses and permits

7-2-41 Inspections and certificates of approval

*Annual Inspections*

7-3-1 Annual Inspections

*Liens, Foreclosure and Penalties*

7-4-1 Lien Charges

7-4-2 Billing of Lien

7-4-3 Recording of Lien

7-4-4 Payment of Lien

7-4-5 Foreclosure of Lien

7-4-6 Penalty

## **ARTICLE I - GENERAL PROVISIONS**

### **DIVISION I - ADMINISTRATION**

#### **§ 7-1-1 DIRECTOR OF LAND USE AND DEVELOPMENT; ADMINISTRATION AND ENFORCEMENT; APPOINTMENT AND TERM OF OFFICE; COMPENSATION; DUTIES AND RESPONSIBILITIES.**

(A) *General.*

(1) The Director of Land Use and Development, established under § 3-12-1 of this code of ordinances, is hereby authorized and empowered to administer and enforce provisions of this chapter, and shall assure that all structures and buildings hereafter built in the City comply with all applicable building codes.

(2) The Mayor may, with approval of the City Council, appoint a deputy or deputies to assist the Director of Land Use and Development in fulfillment of his or her duties.

(3) When so appointed, a deputy to the Director of Land Use and Development shall have the same authority and power granted herein to the Director of Land Use and Development, and any reference herein to the "Director of Land Use and Development" shall be construed as a reference to any deputies so appointed.

(B) *Appointment and term of office.* Procedures for the appointment of the Director of Land Use and Development, and his or her respective term of office, shall be governed by the provisions of § 3-12-1 of this code of ordinances, and are not altered by this chapter.

(C) *Compensation.* Any compensation paid to the Director of Land Use and Development shall be governed by the provisions of § 16-1-3 of this code of ordinances, and are not altered by this chapter.

(D) *Powers and duties.* The Director of Land Use and Development shall execute the Powers and duties established under § 3-12-2 of this code of ordinances.

#### **§ 7-1-2 PERMIT AND INSPECTION FEES.**

All fees required to be paid pursuant to the provisions of this chapter are contained in the table of fees listed under § 7-1-3 of this chapter. All such fees shall be paid to the City Clerk. The Director of Land Use and Development shall issue no permit until all

applicable fees are paid.

**§ 7-1-3 TABLE OF FEES.**

(A) The following is a listing of inspection and permit fees.

	<i>Building</i>	<i>Electric</i>	<i>Plumbing</i>	<i>Mechanical</i>
Excess fee for additional inspections	\$50	\$50	\$50	\$50
Minimum fee residential	\$50	\$50	\$50	\$50
Minimum fee commercial	\$100	\$100	\$100	\$100
Residential permit fee calculation	____ sq ft x 74 x .69 x .0050 for finished living space ____ sq ft x 61 x .69 x .0050 for unfinished living space ____ sq ft x 74 x .20 x .0050 for garage space			
New Manufactured Home	____ sq ft x .15 plus \$50 each for electric and plumbing			
Commercial permit fee calculation	____ sq ft x 74 x multiplier from Appendix A x .0062			
Residential remodel	____ sq ft x 74 x .69 x .0050			
Commercial remodel	____ sq ft x 74 x multiplier from Appendix A x .0062			
Commercial plan review	\$150 for new construction, additions/alterations valued at more than \$25,000			
Demolition residential	\$75.00			
Demolition commercial	\$150.00			
Relocation or moving of a structure	\$2 per \$100 assessed valuation plus \$50 each for electric and plumbing			
Annual Inspection	\$250.00			
Electrician Certificate of Registration	\$35.00			

(B) In calculating fees based upon square footage, the Director of Land Use and Development shall determine the total square footage of all floors of the structure in question, determine the gross area modifier, and type of construction modifier found in Appendix A of this Chapter, and multiply that area by utilizing the formulas listed in the table above.

(1) If, in calculating fees based upon square footage, the Director of Land Use and Development determines that the calculated fee is less than the minimum charge listed in the table above, the minimum fee shall be charged.

(2) If the fee for a specific improvement or upgrade to an existing building or structure, because of its nature, cannot be calculated on the basis of square footage, the minimum fee shall be charged.

(3) If an inspector is required to perform additional inspections as a result of a previous failure to pass inspection, the applicant shall be subject to an additional charge, as listed in the table above, for each additional inspection required until the work has been approved.

## DIVISION II - MEANS OF APPEAL.

**§ 7-1-4 Application for appeal.** Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within 20 days after the day 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. The fee for an application of appeal of \$100 is to be paid at the time application is filed and shall be non-refundable.

**§ 7-1-5 Membership of the Board.** The Board of Appeals shall consist of not less than five members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The code official shall be an ex-officio member but shall not vote on any matter before the board. The Board shall be appointed by the Mayor of the City of Fairview Heights, and shall service staggered and overlapping terms 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.

**(A) Alternate members.** The chief appointing authority shall appoint not less than two alternate members who shall be called by the Board of Appeals Chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for Board membership. Alternate members shall be appointed for five years or until a successor has been appointed.

**(B) Chairman.** The Board shall annually select one of its members to serve as Chairman.

**(C) Disqualification of member.** A member shall not hear an appeal in which that member has any personal, professional or financial interest.

**(D) Secretary.** The Director of Land Use and Development shall serve as Secretary to the Board. The Secretary shall file detailed record of all proceedings in the office of the City Clerk, and in the office of the code official.

**§ 7-1-6 Notice of meeting.** The Board shall meet upon notice from the Chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

**§ 7-1-7 Open hearing.**

**(A)** All hearings before the Board shall be open to the public. The appellant, that appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the Board membership.

**(B) Procedure.** The Board shall adopt and make available to the public through the Secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

**§ 7-1-8 Postponed hearing.** When the full Board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

**§ 7-1-9 Board decision.** The Board shall modify or reverse the decision of the code official by a concurring vote of a majority of the total number of appointed board members.

**(A) Records and copies.** The decision of the Board shall be recorded. Copies shall be

furnished to the appellant and the code official.

**(B) Administration.** The code official shall take immediate action in accordance with the decision of the Board.

**§ 7-1-10 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

**§ 7-1-11 Stays of enforcement.** Appeals of notice and orders (other than imminent danger notices) shall stay the enforcement of the notice and order until appeal is heard by the Appeals Board.

## ARTICLE II – REGULATIONS

### *DIVISION I - BUILDING REGULATIONS*

#### **§ 7-2-1 ADOPTION OF COMMERCIAL BUILDING CODE.**

(A) The International Building Code, 2021, as published by the International Code Council including appendices F, G and J, is hereby adopted as the Building Code for the City and shall hereafter regulate the construction, alteration, enlargement, replacement, maintenance, removal and demolition of commercial buildings and structures as herein provided.

**Exception:** detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above the grade plane in height with a separate means of egress, and their accessory structures, shall comply with the Residential Building Code listed in § 7-2-3 of this chapter.

(B) Each and all of the codes, provisions, appendices, penalties and terms of the International Building Code, 2021, are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes prescribed by § 7-2-2 of this chapter.

(C) All periodic revisions of the International Building Code, 2021, are hereby adopted as revisions of the Commercial Building Code of the City prospectively.

(D) The Director of Land Use and Development shall keep a copy of the adopted Commerical Building Code on file in his or her office for public use, inspection and examination. Said use, inspection and examination shall comply with the License Agreement established by the International Code Council.

(E) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code shall rest solely with the applicant.

## **§ 7-2-2 COMMERCIAL BUILDING CODE; ADDITIONS, INSERTIONS AND CHANGES.**

The following provisions of the International Building Code, 2021, are hereby revised through addition, insertion or change:

(A) In § 101.1, insert “the City of Fairview Heights, Illinois”;

(B) In § 101.4.3, Plumbing, replace “International Plumbing Code” with “Illinois State Plumbing Code”;

(C) In § 101.4.4, Property maintenance, replace “International Property Maintenance Code” with “Chapter 15 of the Fairview Heights Code of Ordinances – Property Maintenance Code”;

(D) In § 103.1, insert “Department of Land Use and Development”;

(E) In § 1612.3, insert “the City of Fairview Heights, Illinois”;

(F) In § 1612.3, insert “July 3, 1978”;

(G) Amend § 1102.1, Design, to read as follows:

“1102.1 Design: Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and the Illinois Accessibility Code, as published by the State of Illinois Capital Development Board.”

(H) Replace Chapter 29 with the following:

“The provisions of the Illinois State Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, addition to, use or maintenance of

plumbing equipment and systems.”

### **§ 7-2-3 ADOPTION OF RESIDENTIAL BUILDING CODE.**

(A) The International Residential Code for One- and Two-Family Dwellings, 2021, as published by the International Code Council, is hereby adopted as the building code for detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above the grade plane in height with a separate means of egress, and their accessory structures, within the City, and shall hereafter regulate the construction, alteration, enlargement, replacement, maintenance, removal and demolition of residential buildings or structures as herein provided.

(B) Each and all of the codes, provisions, appendices, penalties and terms of the International Residential Code, 2021, are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes prescribed by § 7-2-4 of this chapter.

(C) All periodic revisions of the International Residential Code, 2021, are hereby adopted as revisions of the Residential Building Code of the City prospectively.

(D) The Director of Land Use and Development shall keep a copy of the adopted Residential Building Code on file in his or her office for public use, inspection and examination. Said use, inspection and examination shall comply with the License Agreement established by the International Code Council.

(E) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code, shall rest solely with the applicant.

### **§ 7-2-4 RESIDENTIAL BUILDING CODE; ADDITIONS, INSERTIONS AND CHANGES.**

The following provisions of the International Residential Code, 2021, are hereby revised through addition, insertion or change:

(A) In § R101.1, insert “the City of Fairview Heights, Illinois”;

(B) In Table R301.2, insert the following:

Ground Snow Load	Wind Design				Seismic Design Category
	Speed (mph)	Topographic effects	Special wind region	Wind-borne debris zone	
20 lbs/sq ft	115	No	No	No	C

Subject to Damage From			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
Weathering	Frost line depth	Termite					
Severe	32"	Mod to heavy	6° F	Yes	Yes – see Ch. 18	880	55.3

(C) Delete Section § R313.

**§ 7-2-5 ADOPTION OF THE EXISTING BUILDING CODE.**

(A) The International Existing Building Code, 2021, as published by the International Code Council is hereby adopted as the Existing Building Code for the City, and shall hereafter regulate the construction, alteration, enlargement, replacement, maintenance, removal and demolition of existing structures as herein provided.

(B) Each and all of the codes, provisions, penalties and terms of the International Existing Building Code, 2021, here hereby referred to adopted and made a part of, as fully set out in this section, with the additions, insertions, deletions and changes, if any as prescribed.

(C) All periodic revisions of the International Existing Building Code, 2021, are hereby adopted as revisions of the Existing Building Code of the City prospectively.

(D) The Director of Land Use and Development shall keep a copy of the adopted Existing Building Code on file in his or her office for public use, inspection and examination. Said use, inspection and examination shall comply with the License Agreement established by the International Code Council.

(E) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code shall rest solely with the applicant.

**§ 7-2-6 EXISTING BUILDING CODE; ADDITIONS, INSERTIONS AND CHANGES.**

(A) In §101.1, insert: “the City of Fairview Heights, Illinois.”

(B) In §103.1, insert: “Department of Land Use and Development”

**§ 7-2-7 COMPLIANCE WITH THE CODE.**

All persons, firms or corporations hereafter constructing any building or structure in the City shall comply with the provisions of this subchapter.

**§ 7-2-8 APPLICATIONS, LICENSES AND PERMITS.**

(A) Any person, firm or corporation desiring or intending to make any improvements or construct any building or structure in the City shall file an application with the Director of Land Use and Development for a permit to do so, prior to initiating any such work.

(B) Application shall be made on forms provided by the Director of Land Use and Development which shall at least include a detailed description of the work to be done, the materials to be used, the locality of the premises by street name and number, and the name of the contractor, architect or engineer.

(D) No permit so issued shall be transferable.

(E) All fees, as set forth in § 7-1-3 of this chapter, for any inspection required by this chapter shall be paid, in advance, prior to the issuance of a permit, to the Fairview Heights City Clerk.

(F) In the event a person, firm or corporation commences constructing any building or structure in the City prior to the issuance of a permit all permit fees, as prescribed in § 7-1-3 of this chapter, shall be doubled.

**§ 7-2-9 INSPECTIONS AND CERTIFICATES OF OCCUPANCY.**

(A) All construction performed after the issuance of a permit shall be inspected by the Director of Land Use and Development or his or her legally authorized representative at the following stages:

- (1) Upon completion of the footings and foundation;
- (2) Prior to the covering of structural members;
- (3) Upon completion of the installation of interior wall sheathing; and
- (4) Following completion of construction, but prior to occupancy.

(B) Responsibility for notifying the Director of Land Use and Development that a specific stage of construction has been reached and an inspection is requested shall rest solely with the applicant.

(C) No new building, structure or commercial tenant space shall be occupied or used unless it has passed each inspection and a certificate of occupancy has been issued.

## ***DIVISION II - ELECTRICAL REGULATIONS***

### **§ 7-2-10 ADOPTION OF CODE.**

(A) The National Electrical Code, 2011, as published by the National Fire Protection Association, is hereby adopted as the Electrical Code for the City and shall hereafter regulate the installation and alteration of electrical wiring and fixtures as herein provided.

(B) Each and all of the codes, provisions, penalties and terms of the National Electrical Code, 2011, are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes if any, prescribed by § 7-2-11 of this chapter.

(C) All periodic revisions of the National Electrical Code, 2011, are hereby adopted as revisions of the Electrical Code of the City prospectively.

(D) The Director of Land Use and Development shall keep a copy of the adopted Electrical Code on file in his or her office for public use, inspection and examination. Said use, inspection and examination shall comply with the License Agreement established by the National Fire Protection Association.

(E) Responsibility for assuring that plans for any proposed electrical installation or alteration comply with the provisions of the adopted code shall rest solely with the

applicant.

#### **§ 7-2-11 ELECTRICAL CODE; ADDITIONS, INSERTIONS AND CHANGES**

(A) Reserved

#### **§ 7-2-12 COMPLIANCE WITH THE CODE.**

All persons, firms or corporations hereafter installing or altering any electrical wiring or fixture in the City shall comply with the provisions of this subchapter.

#### **§ 7-2-13 APPLICATIONS, LICENSES AND PERMITS.**

(A) All persons, firms or corporations desiring to install electrical wiring, apparatus or machinery for the use of electrical current shall file an application with the Director of Land Use and Development for a permit to do so, prior to installing any new wiring or altering any existing wiring.

(B) Application shall be made on forms provided by the Director of Land Use and Development which shall at least include a detailed description of the work to be done, the materials to be used, the locality of the premises by street name and number, and a statement whether or not the person making the application is a qualified electrical contractor or electrician.

(C) If the applicant is the owner of a dwelling wherein he or she resides or proposes to reside, and said applicant proposes to install or replace electrical wiring himself or herself, he or she shall fully inform the Director of Land Use and Development of his or her qualifications for performing the work proposed and the Electrical Inspector must approve the qualifications before any permit is issued

(D) Permit limitations

(1) No permit so issued shall be transferable.

(2) Temporary permits may be used when, in the judgment of the Director of Land Use and Development, such are deemed advisable.

(3) No permit shall be issued to any unqualified person, and the judgment of the Electrical Inspector as to the qualifications shall be final.

(E) All fees, as set forth in § 7-1-3 of this chapter, for any inspection required by this chapter shall be paid, in advance, prior to the issuance of a permit, to the Fairview Heights City Clerk.

(F) In the event a person, firm or corporation commences installation of electrical wiring, apparatus or machinery for the use of electrical current in the City prior to the issuance of a permit all permit fees, as prescribed in § 7-1-3 of this chapter, shall be doubled.

#### **§ 7-2-14 INSPECTIONS AND CERTIFICATES OF OCCUPANCY.**

(A) All electrical installation or alteration performed performed after the issuance of a permit shall be inspected by the Director of Land Use and Development or his or her legally authorized representative at the following stages:

- (1) Upon installation of any temporary electrical service;
- (2) Upon completion of rough in work, but prior to covering;
- (3) Upon completion of the permanent electrical service; and
- (3) Following completion of construction, but prior to occupancy.

(B) Responsibility for notifying the Director of Land Use and Development that a specific stage of construction has been reached and an inspection is requested shall rest solely with the applicant.

(C) Conditions for occupancy and service.

(1) No new building or structure shall be occupied or used unless it has passed each inspection and a certificate of occupancy has been issued.

(2) No new or remodeled electrical installations shall be connected with the electrical power supply lines until the same have received a final inspection and certificate of approval from the Director of Land Use and Development.

### ***DIVISION III - MECHANICAL REGULATIONS***

**§ 7-2-15 ADOPTION OF MECHANICAL CODE.**

(A) The International Mechanical Code, 2021, as published by the International Code Council, is hereby adopted as the Mechanical Code for the City and shall hereafter regulate the installation and alteration of mechanical systems as herein provided.

(B) Each and all of the codes, provisions, penalties and terms of the International Mechanical Code, 2021, are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes if any, prescribed by § 7-2-16 of this chapter.

(C) All periodic revisions of the International Mechanical Code, 2021, are hereby adopted as revisions of the Mechanical Code of the City prospectively.

(D) The Director of Land Use and Development shall keep a copy of the adopted Mechanical Code on file in his or her office for public use, inspection and examination. Said use, inspection and examination shall comply with the License Agreement established by the International Code Council.

(E) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code shall rest solely with the applicant.

**§ 7-2-16 MECHANICAL CODE; ADDITIONS, INSERTIONS AND CHANGES.**

The following provisions of the International Mechanical Code, 2021, are hereby revised through addition, insertion or change:

(A) In §101.1, insert: "the City of Fairview Heights, Illinois.";

(B) In §103.1, insert: "Department of Land Use and Development";

(C) In §115.4, Violation penalties, insert the terms: "Misdemeanor" and "\$750.00"; and delete the phrase: "or by imprisonment not exceeding [SPECIFY TIME], or both such fine and imprisonment";

**§ 7-2-17 ADOPTION OF FUEL GAS CODE.**

(A) The International Fuel Gas Code, 2021, as published by the International Code

Council is hereby adopted as the Fuel Gas Code for the City and shall hereafter regulate the installation and alteration of fuel gas systems as herein provided.

(B) Each and all of the codes, provisions, penalties and terms of the International Fuel Gas Code, 2021, are hereby referred to, adopted and made a part of, as fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed by § 7-2-18 of this chapter.

(C) All periodic revisions of the International Fuel Gas Code, 2021, are hereby adopted as revisions of the Mechanical Code of the City prospectively.

(D) The Director of Land Use and Development shall keep a copy of the adopted Fuel Gas Code on file in his or her office for public use, inspection and examination. Said use, inspection and examination shall comply with the License Agreement established by the International Code Council.

(E) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code shall rest solely with the applicant.

#### **§ 7-2-18 FUEL GAS CODE; ADDITIONS, INSERTIONS AND CHANGES.**

(A) In § 101.1, insert: "the City of Fairview Heights, Illinois".

(B) In § 115.4, Violation penalties, insert the terms: "Misdemeanor" and "\$750.00"; and delete the phrase: "or by imprisonment not exceeding [SPECIFY TIME] or both such fine and imprisonment".

(C) In § 202.0, General Definitions, add:

"Install: To connect any gas or oil-consuming device to a fuel line of approved size or type; or to place any solid fuel device into position for service or use in accordance with all instructions provided by the manufacturer for such installation."

#### **§ 7-2-19 COMPLIANCE WITH THE CODE.**

All persons, firms or corporations hereafter installing or altering any mechanical system within the City shall comply with the provisions of this subchapter.

## **§ 7-2-20 APPLICATIONS, LICENSES AND PERMITS.**

(A) Any person, firm or corporation desiring or intending to install or alter any mechanical system in the City shall file an application with the Director of Land Use and Development for a permit to do so, prior to initiating any such work.

(B) Application shall be made on forms provided by the Director of Land Use and Development which shall at least include a detailed description of the work to be done, the materials to be used, the locality of the premises by street name and number, and the name of the contractor, architect or engineer.

(C) No permit so issued shall be transferable.

(D) No permit shall be required for the following minor alterations to existing systems:

(1) Routine service including cleaning, lubrication, filter replacement, adding Freon or any other minor maintenance task necessary to ensure proper system operation; or

(2) Replacement of individual parts such as compressors, controls, motors and the like.

(E) All fees, as set forth in § 7-1-3 of this chapter, for any inspection required by this chapter shall be paid, in advance, prior to the issuance of a permit, to the Fairview Heights City Clerk.

(F) In the event a person, firm or corporation commences installation or alteration of any mechanical system in the City prior to the issuance of a permit all permit fees, as prescribed in § 7-1-3 of this chapter, shall be doubled.

## **§ 7-2-21 INSPECTIONS AND CERTIFICATES OF OCCUPANCY.**

(A) All alteration or installation of a mechanical system performed after the issuance of a permit shall be inspected by the Director of Land Use and Development or his or her legally authorized representative at the following stages:

(1) Prior to covering or enclosing any part of the system; and

(2) Upon completion of installation.

(B) Responsibility for notifying the Director of Land Use and Development that a specific stage of construction has been reached and an inspection is requested shall rest solely with the applicant.

(C) No new building, structure or commercial tenant space shall be occupied or used unless it has passed each inspection and a certificate of occupancy has been issued.

#### ***DIVISION IV - PLUMBING REGULATIONS***

##### **§ 7-2-22 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. The definitions, as contained in this section, shall take precedence over any other accepted meaning including those contained in any reference material referred to in this subchapter.

***PLUMBING.*** The practice, materials and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances in connection with any of the following.

(1) ***PLUMBING FIXTURES.*** Installed receptacles, devices or appliances which are supplied with water or which receive or discharge liquids or liquid-borne waste, with or without discharge into the drainage system with which they may be directly or indirectly connected.

(2) ***PLUMBING SYSTEMS.*** Includes the water supply and distribution pipes, plumbing fixtures and traps, soil, waste and vent pipes, building drains, including their respective connections, devices and appurtenances within the property lines of the premises, and water-treating or water-using equipment.

(3) ***SANITARY DRAINAGE OR STORM DRAINAGE FACILITIES.*** The venting system, and public or private water supply systems, within or adjacent to any building, structure or conveyance; installation, maintenance, extension or alteration of storm water, liquid waste or sewerage, and water supply systems of any premises to their connection with any point of public disposal or other acceptable terminal.

##### **§ 7-2-23 ADOPTION OF PLUMBING CODE.**

(A) The Illinois State Plumbing Code, as revised, and all amendments and modifications thereto, is hereby adopted as the Plumbing Code for the City and hereafter shall regulate the installation and alteration of plumbing systems as herein provided.

(B) Each and all of the codes, provisions, penalties and terms of the Illinois State Plumbing Code are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes if any, prescribed herein.

(C) All periodic revisions of the Illinois State Plumbing Code are hereby adopted as revisions of the Plumbing Code of the City prospectively.

(D) The Director of Land Use and Development shall keep a copy of the adopted Plumbing Code on file in his or her office for public use, inspection and examination.

(E) Responsibility for assuring that plans for any proposed plumbing system installation or alteration comply with the provisions of the adopted code shall rest solely with the applicant.

#### **§ 7-2-24 CONFORMITY TO ILLINOIS STATE LICENSE STATUTE REQUIRED.**

No person, firm or corporation shall hereinafter engage in the business of plumbing in the City, either as a plumbing contractor or employing plumbers, or as journeymen plumbers who shall not comply with the license requirement of the Plumbing License Law of the state of Illinois.

#### **§ 7-2-25 ADMINISTRATIVE AUTHORITY.**

Authority to administer and enforce the provisions of this subchapter shall be vested to the Plumbing Inspector and shall be governed by the provisions of § 3-15-1 of this code of ordinances, and are not altered by this chapter.

#### **§ 7-2-26 APPLICATIONS, LICENSES AND PERMITS.**

(A) Any person, firm or corporation desiring or intending to install or alter any plumbing system in the City shall file an application with the Director of Land Use and Development for a permit to do so, prior to initiating any such work.

(B) Application shall be made on forms provided by the Director of Land Use and Development which shall at least include a detailed description of the work to be done, the materials to be used, the locality of the premises by street name and number, and a statement whether or not the person making the application is a licensed plumber in the state.

(C) A permit shall be issued only to persons specified in the State Plumbing Code.

(D) No permit so issued shall be transferable.

(E) All fees, as set forth in § 7-1-3 of this chapter, for any inspection required by this chapter shall be paid, in advance, prior to the issuance of a permit, to the Fairview Heights City Clerk.

(F) In the event a person, firm or corporation commences installation or alteration of any plumbing system in the City prior to the issuance of a permit all permit fees, as prescribed in § 7-1-3 of this chapter, shall be doubled.

#### **§ 7-2-27 INSPECTIONS AND CERTIFICATES OF OCCUPANCY.**

(A) All alteration or installation of a plumbing system performed after the issuance of a permit shall be inspected by the Plumbing Inspector at the following stages:

- (1) Upon completion of groundwork, but prior to covering;
- (2) Upon completion of rough in, but prior to covering; and
- (3) Following completion, but prior to use.

(B) Responsibility for notifying the Director of Land Use and Development that a specific stage of construction has been reached and an inspection is requested shall rest solely with the applicant.

(C) No new building, structure or commercial tenant space shall be occupied or used unless it has passed each inspection and a certificate of occupancy has been issued.

#### **§ 7-2-28 REQUIREMENT OF BOND.**

(A) Any person who shall engage in the business of plumbing as a journeyman plumber, plumbing contractor or employing plumbers in the City shall provide a copy of

an indemnification bond as required by the State Department of Professional Regulation.

(B) The bond shall be conditioned upon full indemnity to the City against damage to same or to any persons to whom the City may be liable by reason of:

(1) Failure of the firm to observe ordinances of the City pertaining to plumbing;

(2) Failure of the firm to observe all rules and regulations established under the authority of any ordinance of the City pertaining to plumbing; and

(3) Negligence of the firm or its employees in performing or protecting any plumbing work.

(C) The bond shall be kept in full force during the time the plumbing contractor, employing plumbers and self-employed journeyman perform plumbing work within the City.

(D) The surety providing the bond shall be approved by the Mayor and the bond shall be filed with the Director of Land Use and Development.

#### ***DIVISION V - FIRE CODE REGULATIONS***

##### **§ 7-2-29 ADOPTION OF THE INTERNATIONAL FIRE CODE.**

(A) The International Fire Code, 2021, as published by the International Code Council, is hereby adopted as the Fire Prevention Code for the City for the control of buildings, structures and premises as herein provided.

(B) Each and all of the codes, provisions, penalties and terms of International Fire Code, 2021, are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes if any, prescribed by § 7-2-30 of this chapter.

(C) All periodic revisions of International Fire Code, 2021, are hereby adopted as revisions of the Fire Prevention Code of the City prospectively.

(D) The Director of Land Use and Development shall keep a copy of the adopted Fire Prevention Code on file in his or her office for public use, inspection and examination. Said use, inspection and examination shall comply with the License Agreement

established by the International Code Council.

(E) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code shall rest solely with the applicant.

#### **§ 7-2-30 FIRE CODE ADDITIONS, INSERTIONS AND CHANGES.**

The following provisions of the International Fire Code, 2021, are hereby revised through addition, insertion or change:

(A) In § 101.1, insert: “the City of Fairview Heights, Illinois”.

(B) In § 112.4, Violation penalties, insert the terms: “Misdemeanor” and “\$750.00”; and delete the phrase: “or by imprisonment not exceeding [SPECIFY TIME] or both such fine and imprisonment”.

#### **§ 7-2-31 COMPLIANCE WITH CODE.**

All persons, firms or corporations hereafter constructing any building or structure in the City shall comply with the provisions of this subchapter.

### ***DIVISION VI – SWIMMING POOL AND SPA REGULATIONS***

#### **§ 7-2-32 ADOPTION OF SWIMMING POOL AND SPA CODE.**

(A) The International Swimming Pool and Spa Code, 2021, as published by the International Code Council, is hereby adopted as the Swimming Pool and Spa Code for the City and shall hereafter regulate the construction, alteration, enlargement, replacement, maintenance, removal and demolition of swimming pools and spas as herein provided.

(B) Each and all of the codes, provisions, appendices, penalties and terms of the International Swimming Pool and Spa Code, 2021, are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes prescribed by § 7-2-32 of this chapter.

(C) All periodic revisions of the International Swimming Pool and Spa Code, 2021, are hereby adopted as revisions of the Swimming Pool and Spa Code of the City prospectively.

(D) The Director of Land Use and Development shall keep a copy of the adopted Swimming Pool and Spa Code on file in his or her office for public use, inspection and examination. Said use, inspection and examination shall comply with the License Agreement established by the International Code Council.

(E) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code shall rest solely with the applicant.

#### **§ 7-2-33 SWIMMING POOL AND SPA CODE; ADDITIONS, INSERTIONS AND CHANGES.**

The following provisions of the International Swimming Pool and Spa Code, 2021, are hereby revised through addition, insertion or change:

(A) In § 101.1, insert “the City of Fairview Heights, Illinois”;

(B) In § 103.1, insert “Department of Land Use and Development”;

(C) In § 113.4, Violation penalties, insert the terms: “Misdemeanor” and “\$750.00”; and delete the phrase: “or by imprisonment not exceeding [SPECIFY TIME] or both such fine and imprisonment”.

#### **§ 7-2-34 COMPLIANCE WITH THE CODE.**

All persons, firms or corporations hereafter constructing or altering any swimming pool or spa in the City shall comply with the provisions of this subchapter.

#### **§ 7-2-35 APPLICATIONS, LICENSES AND PERMITS.**

(A) Any person, firm or corporation desiring or intending to construct or alter any swimming pool or spa in the City shall file an application with the Director of Land Use and Development for a permit to do so, prior to initiating any such work.

(B) Application shall be made on forms provided by the Director of Land Use and Development which shall at least include a detailed description of the work to be done, the materials to be used, the locality of the premises by street name and number, and the name of the contractor, architect or engineer.

(G) No permit so issued shall be transferable.

(G) All fees, as set forth in § 7-1-3 of this chapter, for any inspection required by this chapter shall be paid, in advance, prior to the issuance of a permit, to the Fairview Heights City Clerk.

(H) In the event a person, firm or corporation commences constructing or altering any swimming pool or spa in the City prior to the issuance of a permit all permit fees, as prescribed in § 7-1-3 of this chapter, shall be doubled.

#### **§ 7-2-36 INSPECTIONS AND CERTIFICATES OF OCCUPANCY.**

(A) All construction performed after the issuance of a permit shall be inspected by the Director of Land Use and Development or his or her legally authorized representative at the following stages:

- (1) Upon completion of the footings and foundation;
- (2) Prior to the covering of electrical boning components;
- (3) Following completion of construction, but prior to use.

(B) Responsibility for notifying the Director of Land Use and Development that a specific stage of construction has been reached and an inspection is requested shall rest solely with the applicant.

(C) No new or altered swimming pool or spa shall be occupied or used unless it has passed each inspection and a certificate of occupancy has been issued.

#### ***DIVISION VII – SWIMMING POOL AND SPA REGULATIONS***

#### **§ 7-2-37 EXISTING BUILDING CODE; ADDITIONS, INSERTIONS AND CHANGES.**

(A) In §101.1, insert: “the City of Fairview Heights, Illinois.”

(B) In §103.1, insert: “Department of Land Use and Development”

#### **§ 7-2-38 COMPLIANCE WITH THE CODE.**

All persons, firms or corporations hereafter constructing any building or structure in

the City shall comply with the provisions of this subchapter.

#### **§ 7-2-39 APPLICATIONS, LICENSES AND PERMITS.**

(A) Any person, firm or corporation desiring or intending to make any improvements or construct any building or structure in the City shall file an application with the Director of Land Use and Development for a permit to do so, prior to initiating any such work.

(B) Application shall be made on forms provided by the Director of Land Use and Development which shall at least include a detailed description of the work to be done, the materials to be used, the locality of the premises by street name and number, and the name of the contractor, architect or engineer.

(H) No permit so issued shall be transferable.

(I) All fees, as set forth in § 7-1-3 of this chapter, for any inspection required by this chapter shall be paid, in advance, prior to the issuance of a permit, to the Fairview Heights City Clerk.

(J) In the event a person, firm or corporation commences constructing any building or structure in the City prior to the issuance of a permit all permit fees, as prescribed in § 7-1-3 of this chapter, shall be doubled.

#### **§ 7-2-40 INSPECTIONS AND CERTIFICATES OF OCCUPANCY.**

(A) All construction performed after the issuance of a permit shall be inspected by the Director of Land Use and Development or his or her legally authorized representative at the following stages:

(1) Upon placement of all building envelope insulating materials, but prior to the covering of structural members;

(2) Following completion of construction, but prior to occupancy.

(B) Responsibility for notifying the Director of Land Use and Development that a specific stage of construction has been reached and an inspection is requested shall rest solely with the applicant.

(C) No new building, structure or commercial tenant space shall be occupied or used

unless it has passed each inspection and a certificate of occupancy has been issued.

## ARTICLE III ANNUAL INSPECTIONS

### § 7-3-1 ANNUAL INSPECTIONS.

- (A) An annual inspection shall be required on the following non-residential structures or premises:
- (1) All structures in the Residential R-I Use Group as defined in the International Building Code, 2021.
  - (2) Any structure within an Assembly Use as defined in the International Building Code, 2021, which, in the determination of the Director of Land Use, presents a potential public safety hazard to occupants.
  - (3) Any structure within the H (Hazard) Use Group as defined in the International Building Code, 2021.
- (B) All fees, as set forth in § 7-1-3 of this chapter, for any inspection required by this chapter shall be paid, in advance, prior to the issuance of a permit, to the Fairview Heights City Clerk.

## ARTICLE – IV LIENS, FORECLOSURE AND PENALTY

### DIVISION I – LIEN

§ 7-4-1 Charges for such building removal, repair or alteration including attorney's fees and costs shall be a lien upon the premises.

§ 7-4-2 A bill representing the cost and expense incurred or payable for the service shall be presented to the owner.

§ 7-4-3 If this bill is not paid within 30 days of submission of the bill, a notice of lien for the cost and expenses incurred by the City 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 costs and expenses incurred or payable for the service;

- (C) The date or dates when said costs and expenses were incurred by the City; and
- (D) The lien shall be filed within 60 days after expenditure.

#### DIVISION II – PAYMENT

§ 7-4-4 Notice of such lien claim shall be mailed to the owner of the premises if his or her address is known. Upon payment of the cost and expense after notice of lien has been filed, the lien shall be released by the City or person in whose name the lien has been filed and the release shall be filed or recorded in the same manner as filing notice of the lien.

#### DIVISION III – FORECLOSURE OF LIEN

§ 7-4-5 Property subject to a lien for unpaid charges shall be sold for non-payment of the same, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be in the name of the City, after the lien is in effect for 60 days.

#### DIVISION IV - PENALTY

§ 7-4-6 Any person convicted of a violation a provision of this chapter or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the directive of the code official, or of a permit or certificate used under the provisions of this Code, shall be guilty of a misdemeanor, punishable by a fine not less than \$25, nor more than \$750, plus costs. Each day that a violation continues after due notice has been served shall be considered a separate offense.

## APPENDIX A

### Construction Multiplier

International Building Code Group		Type of Construction								
		IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1	Assembly, theaters, with stage	1.78	1.73	1.69	1.60	1.50	1.50	1.55	1.40	1.35
	Assembly, theaters, without stage	1.61	1.56	1.52	1.43	1.33	1.33	1.38	1.23	1.18
A-2	Assembly, nightclubs	1.28	1.24	1.21	1.14	1.06	1.06	1.10	0.97	0.94
A-2	Assembly, restaurants, bars, banquet halls	1.26	1.23	1.18	1.12	1.04	1.05	1.09	0.94	0.92
A-3	Assembly, churches	1.63	1.57	1.53	1.44	1.35	1.34	1.40	1.24	1.20
A-3	Assembly, general, community halls, libraries, museums	1.28	1.22	1.17	1.09	0.98	0.99	1.05	0.88	0.85
A-4	Assembly, arenas	1.26	1.23	1.18	1.12	1.04	1.05	1.09	0.94	0.92
B	Business	1.22	1.17	1.13	1.06	0.94	0.94	1.02	0.83	0.80
E	Educational	1.36	1.31	1.28	1.20	1.11	1.08	1.16	0.98	0.95
F-1	Factory and industrial, moderate hazard	0.77	0.73	0.68	0.65	0.56	0.57	0.63	0.47	0.45
F-2	Factory and industrial, low hazard	0.76	0.72	0.68	0.63	0.56	0.56	0.61	0.47	0.44
H-1	High hazard, explosives	0.74	0.70	0.67	0.62	0.54	0.54	0.60	0.46	NP
H-2 through H-4	High hazard	0.74	0.70	0.67	0.62	0.54	0.54	0.60	0.46	0.42
H-5	HPM	1.22	1.17	1.13	1.06	0.94	0.94	1.02	0.83	0.80
I-1	Institutional, supervised environment	1.23	1.18	1.15	1.09	1.00	1.00	1.08	0.91	0.88
I-2	Institutional, incapacitated	1.81	1.76	1.72	1.65	1.53	NP	1.60	1.42	NP
I-3	Institutional, restrained	1.41	1.36	1.32	1.25	1.15	1.14	1.21	1.04	0.98
I-4	Institutional, day care facilities	1.23	1.18	1.15	1.09	1.00	1.00	1.08	0.91	0.88
M	Mercantile	0.98	0.94	0.89	0.84	0.75	0.76	0.80	0.66	0.64
R-1	Residential, hotels	1.34	1.29	1.26	1.19	1.11	1.11	1.18	1.02	0.98
R-2	Residential, multiple family	1.12	1.08	1.04	0.98	0.89	0.89	0.97	0.81	0.77
R-3 and IRC	Residential, one- and two-family	0.93	0.90	0.87	0.83	0.79	0.79	0.82	0.73	0.69
R-4	Residential, care/assisted living facilities	1.23	1.18	1.15	1.09	1.00	1.00	1.08	0.91	0.88
S-1	Storage, moderate hazard	0.73	0.69	0.64	0.60	0.51	0.53	0.58	0.43	0.41
S-2	Storage, low hazard	0.71	0.68	0.64	0.59	0.51	0.51	0.57	0.43	0.40
U	Utility, miscellaneous	0.56	0.53	0.50	0.46	0.40	0.40	0.43	0.33	0.31

Note:

1. R-3 Garages = 0.20
2. Unfinished basements (all use groups) = 0.20
3. Finished basements (all use groups) = 0.40
4. NP = Not Permitted