

CHAPTER 4
BUILDING CODES

SECTION:

- 5-4-1: Adoption of the Building Code**
- 5-4-2: Conflict with Zoning Ordinance**
- 5-4-3: Amendments to Codes**
- 5-4-4: Additional Provisions**

5-4-1: ADOPTION OF THE BUILDING CODE: Pursuant to the authority granted by the General Assembly of the State of Illinois to cities and villages,¹ and further pursuant to the exercise of home rule powers of the Village, there is hereby adopted by reference, as the rules and regulations of the Village the 2009 International Building Code, including appendix “D”, published by International Code Council, Inc. and it shall be henceforth known as the Building Code for the Village, except such portions thereof as are hereinafter expressly deleted, modified or amended. At least three (3) copies of the Code adopted by reference have been filed in the office of the Village Clerk and are there kept available for public use, inspection and examination.

5-4-2: CONFLICT WITH ZONING ORDINANCE: In the event that any provisions of this Code, or the codes adopted by reference in this Code, are in conflict with any provision of the Lincolnshire Zoning Code or any amendment thereto, the latter will prevail and the conflicting provisions of this Code shall be of no effect. All other ordinances or codes in conflict with this Code are hereby repealed to the extent of such conflict. (Ord. 80-631-38)

5-4-3: AMENDMENTS TO CODES:

- A. Section 101.1 is changed to read: These regulations shall be known as the Building Code of the Village of Lincolnshire, hereinafter referred to as “this code”.

¹ 65 ILCS 5/1-3-1; 50 ILCS 220/1

- B. Section 3412.2 is changed to read: " Structures existing prior to (adoption date, 2001) in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Section 3403 through 3049."

Section 1612.3 to follow the requirements prescribed by Chapter 7 of Title 5 of the Village Code.

5-4-4: ADDITIONAL PROVISIONS: The following provisions shall be required in addition to the adopted Building Codes: (Ord. 91-1216-29)

- A. The minimum livable floor area per dwelling shall be one thousand two hundred fifty (1,250) square feet. If the building is more than one story, one thousand (1,000) square feet of livable area shall be on the ground floor.
- B. Secondhand materials may be used provided they comply in quality with the requirements for new materials. (Ord. 73-305-20)
- C. The exterior surface of walls of all new residential, industrial and commercial buildings, including office buildings, will not be constructed of concrete block or metal of any kind except that:
1. Factory coated aluminum bevel siding will be permitted in new residential construction, remodeling of or additions to residential structures and also in additions to and the remodeling of existing commercial buildings, and
 2. Insulated metal panels which are factory coated galvanized steel or factory coated aluminum will be permitted only in the remodeling of or additions to existing metal industrial or commercial buildings having exteriors constructed of the same materials. (Ord. 84-816-30)
- D. In more than two-family buildings, door closers are required on doors leading to hallways. (Ord. 77-496-30)
- E. The provisions of Chapter 7 of this Title "Flood Damage Prevention" be and are hereby incorporated by reference as regulations governing all building under this Code, and such provisions shall apply to the full extent as if set forth at length herein. (Ord. 80-641-48)
- F. Prohibiting Roof Top Equipment: The installation of all roof top equipment and ground-installed mechanical equipment shall be in full compliance with the provisions of Section 5- 1-10 of Title 5 of this Code. (Ord. 82-743-50)
- G. All flues installed or constructed and projecting beyond the principal plane of the exterior walls shall be enclosed with an exposed masonry chimney.

(Ord. 91-1216-29)

- H. Building foundations required to be protected from the frost shall extend a minimum of forty-two inches (42") below the final grade.
- I. Substantially remodeled shall refer to all structures that are remodeled, repaired, or altered, when more than fifty percent (50%) of the current replacement value, in total, has been expended for such a change or changes within a continuous thirty (30) month time frame.
- J. All new construction or structures substantially remodeled, where there is an occupiable level higher than twenty-five feet (25') or higher than two (2) stories above the lowest level of fire department vehicle access, whichever is less, shall comply with International Fire Code Section 604.
- K. The following requirements shall apply to all new construction or to structures substantially remodeled, repaired, or altered, except Detached One and Two Family Dwellings not more than three stories:
 - 1. A manual alarm system (pull stations), shall be installed.
 - 2. A fire department key box shall be installed.
 - 3. Smoke detectors shall be installed in each of the following rooms and/or spaces: mechanical equipment; electrical; transformer; telephone equipment or similar use.
 - 4. All smoke detectors and fire suppression systems shall have a monitoring system for alarm, trouble and supervisory conditions tied to the local fire dispatch center. The same detection and suppression system shall have audio/visual alarms to warn occupants of a fire emergency.
 - 5. All required automatic fire alarm systems shall have alarm verification. Alarms activated by smoke detectors required by this Section, shall be activated by either two (2) cross zoned smoke detectors within a single protected area or a single smoke detector monitored by an alarm verification zone or an approved equivalent method.
 - 6. Portable fire extinguisher shall be provided and installed in compliance with N.F.P.A. Pamphlet #10.
 - 7. A fire hydrant, in compliance with the Lincolnshire Village Code subsection 7-6-4-31, shall be installed within one hundred feet (100') of any fire department supply connection for a fire suppression system.
 - 8. Sprinkler control valves and water flow devices shall be installed on each

story of a sprinkled building and for all required or installed water supplies of a small hose station.

9. All fire protection systems shall be maintained in an operative condition at all times, except for required maintenance, repairs or alternations where approved by the Village of Lincolnshire. Such systems shall be periodically inspected and tested in accordance with the currently adopted International Building Code and International Fire Code.

- L. Except for Detached One Family Dwellings which have at least 3' of Yard space (not including storage structures) around exterior walls, and are not more than three stories, all smoke detectors and fire suppression systems shall have a monitoring system for alarm, trouble and supervisory conditions tied to the local fire dispatch center. The same detection and suppression systems shall have audio/visual alarms to warn the occupants of a fire emergency. (Amd. Ord. 10-3135-13, eff. 4/12/10)

CHAPTER 4
BUILDING CODES
ARTICLE A. ELECTRICAL CODE

SECTION:

5-4A-1: Adoption of the Electrical Code

5-4A-2: Additional Provisions

5-4A-1: ADOPTION OF THE ELECTRICAL CODE: Pursuant to the authority granted by the General Assembly of the State of Illinois to cities and villages,² and further pursuant to the exercise of home rule powers of the Village, there is hereby adopted by reference, as the rules and regulations of the Village, the National Fire Protection Association Standard No. 70 2008, National Electrical Code, published by the National Fire Protection Association and it shall be henceforth known as the Electrical Code for the Village, together with all appendices, except such portions thereof as are hereinafter expressly deleted, modified or amended. At least three (3) copies of the code adopted by reference have been filed in the office of the Village Clerk and are there kept available for public use, inspection and examination.

5-4A-2: ADDITIONAL PROVISIONS: The following provisions shall be required in addition to the provisions of the National Electrical Code:

- A. All new single-family residences must have two hundred (200) ampere service.
- B. Additions or improvements requiring additional circuits beyond the capacity of existing panel must have a new two hundred (200) ampere panel and service. (Ord. 77-496-30)
- C. 2008 NEC 230.70(A)(1) is revised to read:

Readily Accessible Location. An exterior service disconnect shall be installed, unless interior disconnecting means are provided immediately inside of the service entrance location and approved by the Building Official.

² 65 ILCS 5/1-3-1

**CHAPTER 4
BUILDING CODES
ARTICLE B. PLUMBING CODE**

SECTION:

- 5-4B-1: Adoption of Plumbing Code**
- 5-4B-2: Conflict with Zoning Ordinance**
- 5-4B-3: Additional Provisions**
- 5-4B-4: Abating a Nuisance**
- 5-4B-5: Material and Construction Requirements**
- 5-4B-6: Sanitary Sewers, Prohibited Connections and Flows**
- 5-4B-7: Unauthorized Use of System**
- 5-4B-8: Use of Potable Water Restricted**
- 5-4B-9: Fountains**
- 5-4B-10: Penalty**

5-4B-1: ADOPTION OF PLUMBING CODE: Pursuant to the authority granted by the General Assembly of the State of Illinois to cities and villages,³ and further pursuant to exercise of home rule powers of the Village, there is hereby adopted by reference the 2004 Illinois State Plumbing Code published by the State of Illinois Department of Public Health and shall be henceforth known as the Plumbing Code for the Village, together with all appendices, except such portions thereof as are hereinafter expressly deleted, modified or amended. At least three (3) copies of the Code adopted by reference have been filed in the office of the Village Clerk and are there kept available for public use, inspection and examination.

5-4B-2: CONFLICT WITH ZONING ORDINANCE: In the event that any provisions of this Article, or the 2004 Illinois State Plumbing Code, as adopted by this Article, are in conflict with any of the provisions of the Lincolnshire Zoning Code, as heretofore or hereafter amended from time to time, the latter shall prevail and the conflicting provisions shall be of no effect to the extent of such conflict. All other ordinances or codes in conflict with this Article are hereby repealed. (Ord. 73-317- 32)

³ 65 ILCS 5/1-3-1; 50 ILCS 220/1

5-4B-3: ADDITIONAL PROVISIONS: The following provisions shall be required in addition to the provisions of the aforesaid Illinois State Plumbing Code and any future or superseding provisions or amendments of that Code.

- A. All new plumbing fixtures and irrigation controllers installed after the effective date of this Ordinance shall bear the WaterSense label (as designated by the U.S. Environmental Protection Agency WaterSense Program, or any designated successor), when such labeled fixtures are commercially available. (Ordinance 16-3406-133A; effective 06/27/2016)
- B. Storm Water: On all new construction, all systems designed to handle storm water must be tied directly into a Village approved storm sewer system. If an approved storm sewer system is not available, the storm water must be directed into the rear yard or a drainage easement. It may not be directed into the street or onto an adjacent property. Although existing properties can discharge water into the street, in compliance with this code, they may not discharge storm water directly onto an adjacent property.

5-4B-4: ABATING A NUISANCE: Whenever it shall come to the knowledge of the Building Official that the plumbing or drainage in any building has become a nuisance, or is of faulty construction and liable to endanger the health of the occupants, the owner, agent or occupant shall be notified of the changes which are necessary to bring such plumbing or drainage into compliance with the regulations of this Code. Said changes shall be made within the time fixed in such notification. Should the owner, agent or occupant fail to correct the defects called to his attention within such time as the Plumbing Inspector shall deem to be adequate, said Inspector shall institute proceedings in a court having jurisdiction over such matters, seeking to compel compliance with said regulations and to secure such fine or other punishment as the court may decree. (Ord. 73-317-32)

5-4B-5: MATERIAL AND CONSTRUCTION REQUIREMENTS:

- A. Any copper service line shall be one continuous piece from the roadway stopcock to the structure it is serving. Joints in the water service line will only be allowed with the approval of the Village Engineer or designee. (Ord. 73-317-32; amd. Ord. 90-1133-17)
- B. WATERMAINS AND CONNECTIONS: Only persons authorized by the Village shall be permitted to tap the street main, or alter the street main in any way. The location of all service taps shall be approved by the Village, prior to the tap occurring. No person shall uncover, make any connection(s) with, or opening into, use, alter, disturb, molest, injure or in any manner, whatsoever, interfere with any Village water main or appurtenance thereof without first obtaining a written permit from the Village. Written application for such permit shall be made to the Public Works Department of the Village

on forms prepared and kept on file in the office of said Department. (Ord. 87-944-30)

- C. Stopcock Location: Each water service pipe shall have a T handle roadway stopcock installed within the Right of Way or the required easement. Each stopcock shall be protected with a one and one-fourth inch (1-1/4") or more cast iron service stop box with "water" cast on the cover. Stop box shall be a "Minneapolis Pattern", screwed plumb and square over the stopcock and level with the adjacent grade.
- D. Meter Spreads: A meter spread, of the same size as the meter to be installed, shall be placed on the water service pipe within one foot (1') inside of the front building wall unless permission is received from the Village to install it elsewhere. The meter spread shall be provided with two (2) shut off "ball-type" valves, one on the supply and one on the house side of the meter spread. The size of meters shall be prescribed by the Village. (Ord. 73-317-32)
- E. Based upon soil boring test results, to be furnished by the developer prior to final engineering approval, the Village Engineer may specify additional sump pump requirements. (Ord. 87- 952-38)
- F. Water Meters. All new building construction shall be required to use water meters purchased from the Village. All water meters shall be sized in accordance to the currently adopted Illinois State Plumbing Code and determined by the Village Engineer or designee. The charge for water meters shall be as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code. Commercial water meters shall be installed by a licensed plumber and approved by the Village Engineer or his designee. (Ord. 90-1133-17)

The Village may make such tests and inspections of the Village infrastructure system as it deems necessary in order to ensure there are no violations of any applicable codes. The Village, at its option, may also invoke other legal powers vested in it or implied by the Statutes for the protection of the health and welfare of the public, or institute such legal action as it deems necessary to discover and order the correction of any violation that may exist.

- G. Parking Drains. Section 890.520(b) of the 2004 Illinois Plumbing Code is revised to read as follows: "Commercial and residential vehicle storage areas with floor or trench drains installed shall comply with subsection (c)(1), (2), or (3) of this section."

5-4B-6: SANITARY SEWERS, PROHIBITED CONNECTIONS AND FLOWS: Use of Sump Pumps: All residences or other structures whose sump pumps presently discharge water into the Village streets either through buried hose

or above ground hose shall, during the period commencing on November 1, and ending on April 1 of each year, disconnect such hoses, and shall discharge such sump pump water into the rear or front yard of the property in such a manner that during these months, no water is discharged into the Village streets. Notwithstanding the provisions of subsection G hereof, the failure on the part of the property owner to comply with the provision requiring such discharge into the rear or front yard during said months shall be considered a violation which, upon conviction, shall be subject to the fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1. Each day any such violation shall continue shall constitute a separate offense. (Ord. 76-424-54) (Amd. Ord. 10-3131-08, eff.4/22/10)

5-4B-7: UNAUTHORIZED USE OF SYSTEM: No one shall use the combined waterworks (including fire hydrants) and sewage system for any use, including but not limited to construction purposes, chlorination, testing, flushing, or sampling, except as is expressly permitted by the applicable regulations of the Village or unless special permission is obtained in advance and in writing from the Village. If anyone uses or interferes with the combined waterworks and sewage system in an unauthorized manner, the Village will be entitled to reimbursement of all its expenses in relation to said unauthorized use in addition to any penalty that may be assessed pursuant to the provisions of this Code.

5-4B-8: USE OF POTABLE WATER RESTRICTED: No person, whether municipal, private or not for profit, shall use or cause a potable water conduit, to be in direct contact, with any part of the sanitary system for the purpose of flushing and/or cleaning any portion of the sanitary sewers system within the Village of Lincolnshire.

5-4B-9: FOUNTAINS:

- A. No fountains are permitted in any pond within the Village.
- B. A single aeration device which meets the following specifications is not a fountain for purposes of this Chapter:
 - 1. The structure shall not extend more than six inches (6") above the normal water level established in the approved plans; and
 - 2. No part of any portion extending above the normal water line shall be more than twelve inches (12") from any other part extending above the water line; and
 - 3. The water spray shall not be higher than 12 inches (12") above the normal water line;

4. Unless permitted through an annexation agreement, which has been approved by the Village Board.(Ord. 03-1858-35, eff.8/11/03)

5-4B-10: PENALTY: Whenever in this Article any act is prohibited or is made or declared to be unlawful or an offense, or whenever the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of any such provision shall be punished by the fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1. Each day any violation of any provision of this Article shall continue, it shall constitute a separate offense. (Ord. 73-317-32) (Amd. Ord. 10-3131-08, eff. 3/22/10)

CHAPTER 4

BUILDING CODES

ARTICLE C. THE INTERNATIONAL RESIDENTIAL CODE

SECTION:

5-4C-1: Adoption of The International Residential Code

5-4C-2: Conflict with Zoning Ordinance

5-4C-3: Additional Provisions

5-4C-1: ADOPTION OF ONE- AND TWO-FAMILY DWELLING CODE: Pursuant to the authority granted by the General Assembly of the State of Illinois to cities and villages,⁴ and further pursuant to the exercise of home rule powers of the Village, there is hereby adopted by reference, as the rules and regulations of the Village, the 2009 Edition of the International Residential Code, published by the International Code Council and it shall be henceforth known as the International Residential Code for one and two family dwellings for the Village, including Appendix Chapters “A” through “D”, “G”, “H”, “F”, “K” and “Q” , except such portions thereof as are hereinafter expressly deleted, modified or amended:

- A. R-101.1 is changed to read: “These provisions shall be known as the Residential Code of the Village of Lincolnshire, and shall be cited as such and will be referred to herein as “this code.”
- B. R107.3 is to be deleted.
- C. Section R313, Automatic Fire Sprinkler Systems, is deleted in its entirety.
- D. Table R301.2(1) is revised to read as follows:

⁴ 65 ILCS 5/1-3-1, 50 ILCS 220/1

GROUND SNOW LOAD	WIND DESIGN		SUBJECT TO DAMAGE FROM		
	Speed (mph)	Topographic Effects	Weathering	Frost Line Depth	Termite
30	90	NO	Severe	42	Moderate to heavy
SEISMIC DESIGN CATEGORY	WINTER DESIGN TEMP.	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP.
A	-4	YES	NFIP#170378	2000	58

At least three (3) copies of the Code adopted by reference have been filed in the office of the Village Clerk and are there kept available for public use, inspection and examination. (Ord. 92-1238-16)

5-4C-2: CONFLICT WITH ZONING ORDINANCE: In the event that any provisions of this Code, or the International Residential Code as adopted, are in conflict with any provision of the Lincolnshire Zoning Code or any amendment thereto, the latter shall prevail and the conflicting provision of this Code shall be of no effect. All other ordinances or codes in conflict with this Code are hereby repealed.

5-4C-3: ADDITIONAL PROVISIONS:

- A. Private Garages (R- 309): Openings between the garage and residence shall be equipped with solid wood doors not less than one and three-fourths inches (1-3/4") in thickness or equivalent and shall have a one hour fire rating as tested by Underwriters Laboratory or other approved testing facility. The garage shall be completely separated from the residence and its attic area by means of five-eighths inch (5/8") gypsum board applied to the garage side. Garage floor surfaces shall be of concrete.
- B. Concrete and masonry foundation walls shall be constructed with not less than two(2) number five (5) reinforcement bars placed at the top and bottom of any concrete trench, belled, grade beam or formed foundation walls, "minimum."
- C. The following language shall be added to Chapter 4, "Foundations": "All wood foundation systems are prohibited."

CHAPTER 4
BUILDING CODES
ARTICLE D. FIRE CODE

SECTION:

- 5-4D-1: Adoption of Fire Code**
- 5-4D-2: Conflict with Other Codes**
- 5-4D-3: Above Ground Fuel Storage Tanks**

5-4D-1: ADOPTION OF FIRE CODE: Pursuant to the authority granted the General Assembly of the State of Illinois to cities and villages,⁵ and further pursuant to the exercise of home rule powers of the Village, there is hereby adopted by reference, as the rules and regulations of the Village, the 2009 Edition of the International Fire Code, published by the International Code Council, and it shall be henceforth known as the Fire Code for the Village, together with all appendices, except such portions thereof as are hereinafter expressly deleted, modified or amended:

- A. Section 101.1 is changed to read: "These regulations shall be known as the Fire Code of the Village of Lincolnshire, Illinois, hereinafter referred to as 'this code'.
- B. Section 109.3 is change to read: "Persons who shall violate a provision of this code 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 approved construction documents of directive of the code official, or of a permit certificate used under provisions of this code, shall be guilty of misdemeanor, punishable by the fine set forth in the Comprehensive Fine Schedule of the code described in 17-1. Each day that a violation continues after due notice has been served shall be deemed a separate offence. (Amd. Ord. 10-3131-08, eff. 4/22/10)
- C. Section 111.4 is changed to read: "Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to the fine set forth in the Comprehensive Fine Schedule of the code described in 17-1. Each day that such work continues shall be deemed a separate offense. (Amd. Ord. 10-3131-08, eff. 3/22/10)

⁵ 5 ILCS 5/1-3-1; 50 ILCS 220/1

D. An automatic fire suppression system, installed in accordance with the International Building Code, International Fire Code and NFPA 13/13R/13D (as applicable), is required for all new construction and for structures substantially remodeled (as defined in sub-section (K) of this Section 5-4-4) except: (i) detached single-family dwellings which have at least 3' of Yard space (not including storage structures) around exterior walls, and are not more than three stories; (ii) those portions of buildings that comply with Section 406.3 (2006 International Building Code) for open parking garage; and (iii) those structures which are completely open on all four sides or are designed such that one side is completely open, and the other sides have walls no greater in height than half the distance from the ground plane to the lowest point of the roof. (Amd. Ord. 10-3135-13, eff. 4/12/10)

1. Sections 903.2 through 903.2.9 of the IBC and IFC are deleted.

At least three (3) copies of the Code adopted by reference have been filed in the office of the Village Clerk and are there kept available for public use, inspection and examination. (Ord. 92- 1238-16)

5-4D-2: CONFLICT WITH OTHER CODES: In the event that any provision of these Codes are in conflict with any other provision of other Village ordinances and/or codes, the more restrictive provision shall prevail. (Ord. 77-505-39)

5-4D-3 ABOVE GROUND FUEL STORAGE TANKS: Above ground fuel storage tanks (ASTs) shall be installed and maintained in accordance with the regulations of the Illinois Office of the State Fire Marshall (OSFM), Title 41 Illinois Administrative Code Part 160. When accessible to the public, ASTs shall be protected against tampering and trespassing.

CHAPTER 4
BUILDING CODES
ARTICLE E, MECHANICAL CODE

SECTION:

5-4E-1: Adoption of the Mechanical Code

5-4E-1: ADOPTION OF THE MECHANICAL CODE: Pursuant to the authority granted by the General Assembly of the State of Illinois to cities and villages,⁶ and further pursuant to the exercise of home rule powers of the Village, there is hereby adopted by reference, as the rules and regulations of the Village, the 2009 edition of the International Mechanical Code, including APPENDIX "A", published by the International Code Council, and it shall be henceforth known as the Mechanical Code for the Village, except such portions thereof as are hereinafter expressly deleted, modified or amended:

- A. Section 101.1 is changed to read: "These regulations shall be known as the Mechanical Code of the Village of Lincolnshire, Illinois, hereinafter referred to as 'this code'."
- B. Section 106.5.2 is changed to read: "The fees for mechanical work shall be as indicated as follows: As established by the Lincolnshire Village Code, Title 1-15"
- C. Section 106.5.3 is deleted.
- D. Section 108.4 is changed to read: "Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of an approved construction documents or directive of the Code official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a misdemeanor, subject to the fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1 or by imprisonment not exceeding six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. (Ord. Amd. 10-3131-08, eff. 3/22/10)

⁶ 65 ILCS 5/1-3-1; 50 ILCS 220/1

- E. Section 108.5 is changed to read: "Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property. or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to the fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1. Each day that such work continues shall be deemed a separate offense. (Ord. Amd. 10-3131-08, 3/22/10)

At least three (3) copies of the Code adopted by reference have been filed in the office of the Village Clerk and are there kept available for public use, inspection and examination. (Ord. 92-1238-16)

CHAPTER 4

BUILDING CODES

ARTICLE F, PROPERTY MAINTENANCE CODE

SECTION:

5-4F-1: Adoption of the Property Maintenance Code

5-4F-2: Vacant Building and Property Regulations

5-4F-1: ADOPTION OF THE PROPERTY MAINTENANCE CODE: Pursuant to the authority granted by the General Assembly of the State of Illinois cities and villages,⁷ and further pursuant to the exercise of home rule powers of the Village, there is hereby adopted by reference, as the rules and regulations of the Village, the 2009 International Property Maintenance Code, as published by the International Code Council and it shall be henceforth known as the Property Maintenance Code for the Village, together with all appendices, except such portions thereof as are hereinafter expressly deleted, modified or amended:

- A. Section 101.1 is changed to read: "These regulations shall be known as the Property Maintenance Code of the Village of Lincolnshire, Illinois, hereinafter referred to as 'this code'."
- B. Section 103.5 is changed to read: "The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as follows: As established by the Lincolnshire Village Code Title 1-15.
- C. Section 304.14 is changed to read: "During the period from April 1 to November 1 every door, window and other outside openings required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door used shall have a self-closing device in good working condition."
- D. Section 602.3 is changed to read: "Every owner and operator of any building who rents, leases or lets one or more dwelling unit, or sleeping unit, on terms, either express or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 15 to June 1 to maintain

⁷ 65 ILCS 5/1-3-1; 50 ILCS 220/1

a temperature of not less than 68 degrees F (18 degrees C) in all habitable rooms, bathrooms and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated by the standards set by the American Society of Heating, Refrigerating, and Air-Conditioning Engineers Inc., (ASHRAE).”

- E. Section 602.4 is changed to read: " Indoor occupiable work space shall be supplied with heat during the period from September 1 to June 1 to maintain a temperature of not less than 65 degrees F (18 degrees C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

- F. Section 302.4 is changed to read, in part: "All premises and exterior property shall be maintained free from weeds or invasive species in excess of six (6) inches.”

- G. Section 404.4.1, Room Area is hereby revised to read as follows:

404.4.1 Room area. Every living room shall contain at least 120 square feet (11.2 m2) and every bedroom shall contain a minimum of 70 square feet (6.5 m2) and every bedroom occupied by more than one person shall contain a minimum of 50 square feet (4.6 m2) of extra floor area for each additional occupant thereof. By way of example, a bedroom intended to be occupied by two people shall contain a minimum of 120 square feet (11.1 m2).

- H. Section 404.5, Overcrowding, Section 404.5.1, Sleeping area, and Section 404.5.2, Combined spaces, are hereby revised to read as follows:

404.5.1 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5 MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^a , _b	120	120	150
Dining room ^a , _b	No requirement	80	100
Bedrooms	Shall comply with Section 404.4.1		

For SI: 1 square foot = 0.093 m².

^a. See [Section 404.5.2](#) for combined living room/dining room spaces.

^b. See [Section 404.5.1](#) for limitations on determining the minimum occupancy area for sleeping purposes.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

At least three (3) copies of the Code adopted by reference have been filed in the office of the Village Clerk and are there kept available for public use, inspection and examination. (Ord. 92-1238-16)

5-4F-2: VACANT BUILDING AND PROPERTY REGULATIONS:

A. Declaration of Policy: The purpose of this section 5-4F-2 is to protect the public health, safety, and welfare by enactment of this section which:

1. Establishes a program for registration and regulation of buildings which are or become vacant on and after the effective date of this section 5-4F-2.
2. Determines the responsibilities of owners of vacant buildings.

3. Provides for administration, enforcement, including abatement of public nuisances, and imposition of penalties.

This section 5-4F-2 shall be construed liberally to affect its purposes.

- B. Other Ordinances: This section 5-4F-2 shall not be construed to prevent the enforcement of other applicable ordinances, codes, legislation, and regulations which prescribe standards other than are provided herein, and in the event of conflict, the most restrictive shall apply.
- C. Definitions: Unless otherwise expressly stated or clearly indicated by the context, the following terms shall, for the purpose of this section 5-4F-2, have the meanings indicated in this section:

BUILDING	Any structure occupied or intended for supporting or sheltering any occupancy.
BUILDING OFFICIAL	The Building Official, as defined in this Title 5, or his or her designee.
OWNER	Any person, agent, operator, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county, or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.
PERSON	Includes a corporation, a partnership, or other entity as well as an individual.
PREMISES	A lot, plot, or parcel of land including any structure thereon.
PUBLIC NUISANCE	Includes the following: <ol style="list-style-type: none">1. The physical condition, or uses of any building regarded as a public nuisance at common law, under the Illinois Compiled Statutes, or under this Code; or2. Any physical condition, use or

occupancy or any building or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations, and unsafe fences or structures; or

3. Any building which has unsanitary sewerage or plumbing facilities; or
4. Any building designated by the Building Official as unsafe for human habitation or use; or
5. Any building which is manifestly capable of being a fire hazard, or manifestly unsafe or insecure as to endanger life, limb or property; or
6. Any building which is unsanitary, or which is littered with rubbish or garbage, or which has an uncontrolled growth of weeds; or
7. Any building that is dangerous, in a state of dilapidation, deterioration or decay; faulty construction; open or vacant and the doors, windows, or other openings are boarded up or secured, by any means other than conventional methods used in the design of the building or permitted for new construction of similar type; damaged by fire to the extent as not to provide shelter, in danger of collapse or failure and dangerous to anyone on or near the premises.

UNOCCUPIED BUILDING

A building or portion thereof which lacks the habitual presence of human beings who have a legal right to be on the premises, including buildings ordered vacated by the Building Official pursuant to authority granted to him by this Code.

In determining whether a building is "unoccupied", the Building Official may consider these factors, among others:

1. A building at which substantially all lawful residential or business activity has ceased.
2. The percentage of the overall square footage of occupied to unoccupied space or the overall number of occupied and unoccupied units shall be considered.
3. The building is substantially devoid of contents. The condition and value of fixtures or personal property in the building are relevant to this determination.
4. The building lacks utility services, i.e., water, sewer, electric or natural gas.
5. The building is the subject of a foreclosure action.
6. The building is not actively for sale as part of a contractual agreement to sell the building, the building lacks "for sale", "for rent" or similar signage.
7. The presence or recurrence of uncorrected Code violations.

VACANT BUILDING

A building or portion of a building which is:

1. Unoccupied and unsecured; or
2. Unoccupied and secured by boarding or other similar means; or
3. Unoccupied and a dangerous structure; or
4. Unoccupied and condemned by the

Building Official pursuant to applicable provisions of this Code; or

5. Unoccupied and has multiple Code violations; or
6. Unoccupied and the building or its premises has been the site of unlawful activity within the previous six (6) months; or
7. Condemned by the Building Official and unlawfully occupied; or
8. Unoccupied for over one hundred eighty (180) days and during which time the Building Official has issued an order to correct public nuisance conditions and same have not been corrected in a Code compliant manner; or
9. Unoccupied for over two (2) years.
10. An “abandoned residential property,” as defined in 65 ILCS 5/11-20-15.1 is a residential dwelling unit that has been unoccupied by any lawful occupant or occupants for at least 90 days, and for which after such 90 day period the Village has made good faith efforts to contact the legal owner or owners of the property or, if known, the agent of the owner, and no contact has been made.

But not including:

Unoccupied buildings which are undergoing construction, renovation, or rehabilitation and which are in compliance with all applicable ordinances, codes, legislation, and regulations, and for which construction, renovation or rehabilitation is proceeding diligently to completion.

- D. **Obligation To Register; Owner’s Obligations:** The owner of a building who knows, or from all the facts and circumstances should know, that his or her

building is or has become a "vacant building" within the meaning of this section 5-4F-2 after the effective date of this section 5-4F-2, shall take the actions provided for in this section within fifteen (15) days after the occurrence of the facts which would cause a reasonable person to believe that the building was a "vacant building". Registration does not exonerate the owner from compliance with all applicable Codes and ordinances, including this section, nor does it preclude any of the actions the Village is authorized to take pursuant to this section 5-4F-2 or elsewhere in this Code.

1. Registration Requirements:

- a. Register the building with the Building Official, on a form provided by the Building Official and pay the annual non-prorated vacant building registration fee as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code. The form shall include, as a minimum, the name, street address, and telephone number of the owner; the case name and number of any litigation pending concerning or affecting the building, including bankruptcy cases; and the name, street address, and telephone number of all persons with any legal interest in the building or the premises. The form shall require the owner to identify a natural person twenty one (21) years of age or older who maintains a permanent address in Lake County, Illinois, to accept service on behalf of the owner with respect to any notices the Building Official sends pursuant to this section 5-4F-2 or service of process in any proceeding commenced to enforce any provision of this section 5-4F-2, and file with the Building Official on the registration form, the name, address, telephone number, of said person. A street address is required. A post office box is not an acceptable address.
- b. File an amended registration within fifteen (15) days of any change in the information contained in the annual registration, including any change in the status of the property that would cause a reasonable person to believe that the building was no longer a "vacant building." A new registration is required for any change in ownership whatsoever. There shall be no charge for an amended registration.
- c. Once a building is registered as a vacant building, there shall be a rebuttable presumption that it will remain a vacant building until an amended registration is filed with the Building Official or a certificate of occupancy is issued therefor.

2. Notice; Inspection:

- a. The form shall require the owner to indicate his or her "acceptance

of notice by posting," consenting to service of notices sent or required to be sent, pursuant to this section 5-4F-2, by posting on the building.

b. The owner of a vacant building shall allow for a Code compliance inspection of the interior of the vacant building and shall pay the inspection fee therefore within thirty (30) days of the inspection as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code. Such inspection will determine the extent of compliance with Village property, building codes, health, fire, water and sewer codes. The Village shall send the inspection report to the owner within thirty (30) days.

3. Security Guard Service: On written notice of the Building Official, provide bonded and insured security guard service at the building between the hours of three o'clock (3:00) p.m. and eight o'clock (8:00) a.m. Such service to remain in place until the Building Official gives written notice that the service is no longer required. Such service shall be required when the Building Official makes a written determination that the vacant building is involved in illegal or improper use or occupancy under such conditions that boarding and securing the building are insufficient to prevent the actual or threatened harm.

E. Other Enforcement: The registration of a vacant building shall not preclude action by the Village to demolish or to take other action against the building pursuant to other provisions of this Code or other applicable legislation, including the activities authorized by Subsection F.

F. Property Maintenance:

1. Nuisance Abatement. The Village is authorized to perform or provide for property maintenance activities to abate a nuisance caused by a vacant building, including the following:

a. Cutting and removal of neglected weeds and grass, as authorized by Section 4-1A-2 of this Code and 65 ILCS 5/11-20-7;

b. Removal of infected trees as authorized by Sections 13-1-15 and 13-1-16 and 65 ILCS 5/11-20-12;

c. Removal of garbage, debris, and graffiti as authorized by Title 4, Chapter 1 of this Code and 65 ILCS 5/11-20-13, and

d. Removal, securing, and enclosing abandoned residential properties, as authorized by Sections 5-4F-1, 5-4F-2, and 4-1-5 of this Code and 65 ILCS 5/11-31-1.01.

2. Charges for Nuisance Abatement. The Village shall have the authority to collect from the property owner the costs incurred in performing the property maintenance activities to abate the nuisances described in this subsection 5-4F-2.F. The Village shall send a bill for the cost to the property owner, his agent, legal representative, or occupant in legal possession or control of the premises.
3. Traditional Lien Procedure. If a bill sent pursuant to paragraph 2 is not paid in full within 30 days of the date of the bill, the Village shall have the authority to file and record a lien against the property, pursuant to Section 11-20-15 of the Illinois Municipal Code, 65 ILCS 5/11-20-15. If, for any one property, the Village engaged in any nuisance abatement activity described in paragraph 1 on more than one occasion during the course of one year, then the Village may combine any or all of the costs of those activities into a single notice of lien, provided no costs may be set forth on more than one notice of lien. The lien must be filed in accordance with the lien procedure established by the specific Code provision of which the property is alleged to be in violation or, if no such procedure exists, then the following procedure shall apply:
 - a. Notice of Lien. The Village or the person performing the service by authority of the Village, in its, his or her own name, may file a notice of lien in the office of the Lake County Recorder of Deeds. The notice of lien shall be filed within one year after the cost and expense is incurred. If, for any one property, the Village engaged in any nuisance abatement activity described in Paragraph 2 on more than one occasion during the course of one year, then the Village may combine any or all of the costs of those activities into a single notice of lien, provided no costs may be set forth on more than one notice of lien. The notice of lien shall consist of a sworn statement setting forth:
 - i. A description of the real estate that sufficiently describes the parcel;
 - ii. The amount of the cost and expense incurred or payable for the activities; and
 - iii. The date or dates when such cost and expense was incurred by the Village or someone working on behalf of the Village.

After recording, the notice of lien shall be sent by certified mail to the property owner, his agent or legal representative or occupant in legal possession or control of the premises and, if different, to the person who received the tax bill for the preceding year.

- b. Release of Lien. Upon payment of the cost after the notice of lien has been filed as provided herein, the lien shall be released by the Village or person in whose name the lien has been filed, and the release shall be recorded of record in the same manner as recording the notice of lien.
 - c. Foreclosure of Lien. Subsequent to the filing of the above-described lien, the Village may cause to be filed a complaint for foreclosure of such lien, or upon becoming a defendant in a pending lawsuit affecting the premises or real estate, by answer to the complaint or in the nature of an intervening petition or cross-complaint the Village may proceed in its corporate name to foreclose such lien. An action to foreclose a lien under this Section must be commenced within two years after the date of filing notice of lien. The property subject to a lien arising under this article shall be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the monies owing the Village.
4. Priority Lien Procedure. The priority lien procedure described in this Paragraph 4 shall apply only to costs incurred for activities performed on abandoned residential properties, as defined in the definition for Vacant Buildings under subsection 5-4F-2(C), and is an alternative to the traditional lien authorized by paragraph 3. If a bill sent pursuant to paragraph 2 is not paid in full within 60 days of the date of the bill, the Village shall have the authority to file and record a priority lien against the property, pursuant to Section 11-20-15.1 of the Illinois Municipal Code, 65 ILCS 5/11-20-15.1, in the following manner:
- a. Notice of Lien. The Village or the person performing the service by authority of the Village, in its, his or her own name, may file a notice of a priority lien in the office of the Lake County Recorder of Deeds. The notice of lien shall be filed within one year after the cost and expense is incurred. If, for any one property, the Village engaged in any nuisance abatement activity described in paragraph 2 on more than one occasion during the course of one year, then the Village may combine any or all of the costs of those activities into a single notice of lien, provided no costs may be set forth on more than one notice of lien. The notice of lien shall consist of a sworn statement setting forth:
 - i. A description of the abandoned residential property that sufficiently describes the parcel;
 - ii. The amount of the cost incurred or payable for the activities; and

- iii. The date or dates when such cost was incurred by the Village or someone working on behalf of the Village; and
- iv. A statement that the lien has been filed pursuant to one or more of the property maintenance activities described in Paragraph 2 and authorized by 65 ILCS 5/11-20-7(D), 65 ILCS 5/11-20-8(D), 65 ILCS 5/11-20-12(D), 65 ILCS 5/11-20-13(E), or 65 ILCS 5/11-31-1.01, as applicable.

After recording, the notice of lien shall be sent by certified mail to the property owner, his agent or legal representative or occupant in legal possession or control of the premises and, if different, to the person who received the tax bill for the preceding year.

The Village may not file a lien if the lender has provided notice to the Village that the lender has performed, or will perform, remedial actions; provided, however, that the remedial actions must be performed or initiated in good faith within 30 days of the lender's notice to the Village.

- b. Record keeping. To enforce a lien pursuant to this paragraph 4, the Village must maintain contemporaneous records that include, at a minimum:
 - i. A dated statement of a finding by the Village that the property has become abandoned residential property;
 - ii. The date when the property was first observed to be unoccupied by any lawful occupant;
 - iii. A description of the actions taken by the Village to contact the legal owner of the property, or if known, any agent of the owner;
 - iv. A statement that no contacts were made with the legal owner or, if known, any agent of the owner;
 - v. A dated certification by a Village official of the necessity and specific nature of the work performed;
 - vi. A copy of the agreement with the person or company performing the work and the rates and estimated cost of the work, if applicable;
 - vii. Detailed invoices and payment vouchers for the work;

viii. A statement whether the work was competitively bid, and if so, a copy of all proposals submitted by the bidders.

c. Release of Lien. Upon payment of the cost after the notice of lien has been filed as provided herein, the lien shall be released by the Village or person in whose name the lien has been filed, and the release shall be recorded of record in the same manner as recording the notice of lien.

d. Enforcement of Lien. A lien under this paragraph 4 is enforceable by the Village, or entity or person who performs work on behalf of the Village, at the hearing for confirmation of the foreclosure sale of the abandoned residential property and is limited to a claim of interest in the proceeds of the sale. The priority lien is superior to all other liens and encumbrances, except tax liens.

G. Certification: A certificate of Code compliance for vacant buildings issued by the Village and payment in full of all fees imposed pursuant to this section 5-4F-2 are required prior to any occupancy of a vacant building and the issuance of transfer stamps prior to the sale or transfer thereof, as required by Section 3-1-6 of the Village Code.

H. Enforcement and Penalties:

1. Any person found to have violated any provision of this section 5-4F-2 shall be subject to the applicable range of fines set forth in the Comprehensive Fine/Penalty Schedule, Title 1, Chapter 17, in addition to any other legal or equitable remedies available to the Village.
2. A separate and distinct offense shall be committed each day on which such person or persons shall violate the provisions of this section 5-4F-2.
3. Nothing herein contained shall prohibit the Village from immediately condemning as provided for in this Code a building or taking other immediate action upon a determination that the building is a public nuisance or poses an imminent danger to the occupants of the building, or the public, health, safety and welfare.

(Amd. Ord. 10-3168-45, eff. 11/8/10)

CHAPTER 4
BUILDING CODE
ARTICLE G. ACCESSIBILITY CODE

SECTION:

5-4G-1: Adoption of the Accessibility Code

5-4G-1: ADOPTION OF THE ACCESSIBILITY CODE: Pursuant to the authority granted by the General Assembly of the State of Illinois to cities and villages,⁸ and further pursuant to the exercise of home rule powers of the Village, there is hereby adopted by reference the Illinois Accessibility Code published by the State of Illinois Capital Development Board and it shall be henceforth known as the Accessibility Code of the Village, together with all appendices, except such portions thereof as are hereinafter expressly deleted, modified or amended. At least three (3) copies of the Code adopted by reference have been filed in the office of the Village Clerk and are there kept available for public use, inspection and examination.

⁸ 65 ILCS 5/1-3-1; 50 ILCS 220/1

CHAPTER 4
BUILDING CODES
ARTICLE H. LIFE SAFETY CODE

SECTION:

5-4H-1: Adoption of the Life Safety Code

5-4H-1: ADOPTION OF THE LIFE SAFETY CODE: Pursuant to the authority granted by the General Assembly of the State of Illinois to cities and villages,⁹ and further pursuant to the exercise of home rule powers of the Village, there is hereby adopted by reference, as the rules and regulations of the Village, the National Fire Protection Association Standard No. 101 - 2006 Edition, Life Safety Code, published by the National Fire Protection Association and it shall be henceforth known as the Life Safety Code for the Village, together with all appendices, except such portions thereof as are hereinafter expressly deleted, modified or amended: Only those provisions of the Life Safety Code pertaining to existing structures are hereby adopted and those provisions shall apply only to structures in existence at the date of adoption of this Article and those structures for which an occupancy permit has been granted on or before that date. At least three (3) copies of the Code adopted by reference have been filed in the office of the Village Clerk and are there kept available for public use, inspection and examination.

⁹ 65 ILCS 5/1-3-1; 50 ILCS 220/1

CHAPTER 4

BUILDING CODES

ARTICLE I. ENERGY CONSERVATION CODE

SECTION:

5-4I-1: Adoption of the Energy Conservation Code

5-4I-1: ADOPTION OF THE ENERGY CONSERVATION CODE: Pursuant to the authority granted by the General Assembly of the State of Illinois to cities and villages,¹⁰ and further pursuant to the exercise of home rule powers of the Village, there is hereby adopted by reference, as the rules and regulations of the Village, the 2009 Edition of the International Energy Conservation Code, as published by the International Code Council shall be herein be known as the Energy Conservation Code for the Village, together with all appendices, except such portions thereof as hereinafter expressly deleted, modified or amended:

A. Section 101.1 is changed to read: "This code shall be known as the International Energy

Conservation Code of the Village of Lincolnshire, Illinois, and shall be cited as such. It is referred to as 'this code'."

At least three (3) copies of the Code adopted by reference have been filed in the office of the Village Clerk and are there kept available for public use, inspection and examination. (Ord. 92-1238-16)

¹⁰ 65 ILCS 5/1-3-1; 50 ILCS 220/1

CHAPTER 4
BUILDING CODES
ARTICLE J. FUEL GAS CODE

SECTION:

5-4J-1: Adoption of Fuel Gas Code

5-4J-2: Conflict with Other Codes

5-4J-1: ADOPTION OF FUEL GAS CODE: Pursuant to the authority granted the General Assembly of the State of Illinois to cities and villages,¹¹ and further pursuant to the exercise of home rule powers of the Village, there is hereby adopted by reference, as the rules and regulations of the Village, the 2009 Edition of the International Fuel Gas Code, published by the International Code Council, and it shall be henceforth known as the Fuel Gas Code for the Village, together with all appendices, except such portions thereof as are hereinafter expressly deleted, modified or amended:

- A. Section 101.1 is changed to read: “These regulations shall be known as the Fuel Gas Code of the Village of Lincolnshire, Illinois, hereinafter referred to as 'this code'.”
- B. Section 106.5.2 is change to read: “The fees for work shall be as indicated as follows: As established by the Lincolnshire Village Code, Title 1-15.”
- C. Section 106.5.3 is deleted.
- D. Section 108.4 is changed to read: “Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair work in violation of the approved construction documents or directive of the Code official, or of a permit certificate used under provisions of this Code, shall be guilty of misdemeanor, punishable by the fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1 or by imprisonment not exceeding six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- E. Section 108.5 is change to read: “Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous

¹¹ 65 ILCS 5/1-3-1; 50 ILCS 220/1

or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to the fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1. Each day that such work continues shall be deemed a separate offense. (Ord. Amd. 10-3131-08, eff. 3/22/10)

5-4J-2: CONFLICT WITH OTHER CODES: In the event that any provision of these Codes are in conflict with any other provision of other Village ordinances and/or codes, the more restrictive provision shall prevail.

At least three (3) copies of the Code adopted by reference have been filed in the office of the Village Clerk and are there kept available for public use, inspection and examination. (Ord. 92-1238-16)