

**TITLE 15: BUILDINGS AND CONSTRUCTION<sup>1</sup>**

Chapter

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## CHAPTER 15.02: HOUSING CODE

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### **Cross reference:**

*Hearing procedures for enforcement of violations, see Ch. 1.24*

### **§ 15.02.010 TITLE.**

This Chapter of the City's Code of Ordinances may be referred to as the "Crest Hill Housing Code." (Ord. 1034, passed 7-21-97)

### **§ 15.02.011 PURPOSE.**

The purpose of this Chapter of the Code of Ordinances to preserve and protect the health, welfare and safety of the citizens of the city; to provide necessary, yet less intrusive, regulation of dwellings,

structures and land for the purpose of maintaining the public health and safety, to provide minimum housing standards for continued occupancy of structures and dwellings, and to set forth the rights and responsibility of those in charge of structures, dwellings and land.

(Ord. 1034, passed 7-21-97)

#### § 15.02.020 DEFINITIONS.

(A) For the purposes of this Chapter the following definitions shall apply unless the context clearly indicates a different meaning:

**ACCESSORY STRUCTURE.** A detached structure which is not used or intended to be used for living or sleeping by human occupants and which is located on or partially on any premise.

**BASEMENT.** A portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.

**BUILDING.** Includes "structure" and shall be construed as if followed by the words "or part thereof."

**BUILDING CODE AUTHORITY.** The legally designated Administrator of the City Building and Zoning Codes and/or his authorized representative.

**CELLAR.** That portion of a building located partly or wholly underground and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

**CENTRAL HEATING SYSTEM.** A single system supplying heat to one or more dwelling unit(s) or more than one room in a building.

**CHIMNEY.** A vertical masonry shaft of reinforced concrete, or other approved noncombustible, heat resistant material enclosing one or more flues, for the purpose of removing the by-products of combustion from solid, liquid or gaseous fuel.

**DILAPIDATED.** Fallen into partial ruin or decay.

**DORMITORY.** A room or group of rooms in any dwelling used for living and sleeping purposes by four or more persons.

**DWELLING.** Any enclosed space which is wholly or partly used or intended to be used for living or sleeping by human occupants; except that temporary housing as hereinafter defined shall not be regarded as a dwelling.

**DWELLING UNIT.** Any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

**EGRESS.** A place or means of entering or exiting a dwelling.

**EXTERMINATION.** The control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing and making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping, or by any other recognized pest elimination methods approved by the state or other governmental entity with the authority to regulate the aforesaid.

**FAMILY.** One adult person plus one more persons who are immediately related to the adult and residing in the same dwelling unit. **FAMILY** shall not include any cousins of the second blood or beyond.

**FLUSH WATER CLOSET.** A toilet bowl flushed with water under pressure with a water sealed trap above the floor level.

**GARBAGE.** The animal and vegetable waste resulting from the handling, preparation, cooking, serving and nonconsumption of food.

**GUEST.** Any person who shares a dwelling unit in a nonpermanent status for not more than 30 days.

**HABITABLE ROOM.** A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, furnace rooms, pantries, kitchenettes and utility rooms of less than 50 square feet of floor space, foyers or common corridors, stairways, closets, storage spaces and workshops, hobby and recreation areas in unheated or uninsulated parts of structure below ground level or in attics.

**HEATED WATER.** Water heated to a temperature of not less than 120°F at the outlet.

**HOMEOWNERS' ASSOCIATION.** Any group of residents within a defined subdivision or planned unit development consisting of single- or multi-family dwellings, where the group has been formally chartered in the subdivision or PUD covenants and/or declarations, or has been registered with the Illinois Secretary of State or other state agency.

**HOUSEHOLD.** A family and/or one or more unrelated persons, including servants, who share the same dwelling and use some or all of its cooking and eating facilities.

**INFESTATION.** The presence within or around a dwelling of any insects, rodents, or other pests.

**KITCHEN.** Any room containing any or all of the following equipment, or any area of a room within three feet of such equipment: sink and dish washer, stove, range or microwave over, refrigerator cabinets and/or shelves for storage of equipment and utensils and counter or table for food preparation.

**KITCHENETTE.** A small kitchen or an alcove containing cooking facilities.

**MULTIPLE DWELLING.** Any building containing more than two dwelling units and/or rooming units.

**OCCUPANT.** Any person living, sleeping, cooking or eating in, or having possession of a dwelling unit or a rooming unit; except that a guest will not be considered an occupant.

**OPERATOR.** Any person who has charge, care, control, or management of a building, or part thereof, in which dwelling units, or rooming units are leased for occupancy.

**OWNER.** Any person who, alone or jointly or severally with others:

- (1) has legal or equitable title to any premise, dwelling or dwelling unit, or
- (2) is in charge, care, or control of any premise, dwelling or dwelling unit, as owner or agent of the owner, or as executor, administrator, trustee or guardian of the estate of the owner.

**PERMISSIBLE OCCUPANCY.** The maximum number of persons permitted to reside in a dwelling unit or rooming unit.

**PERSON.** Any individual, firm, corporation, association partnership or other legal entity.

**PLUMBING.** Includes all of the following supplied facilities and equipment; gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets pipes, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents and any other similar supplied fixtures, and the installation thereof, together with all connections to water, sewer, or gas lines.

**PREMISES.** A platted lot or part thereof, or an unplatted lot or parcel of land or plot of land, either occupied or unoccupied by any dwelling or other structure, including any such building, accessory structure or other structure thereon.

**PRIVACY.** The existence of such conditions that a person to carry out an activity commenced without interruption or interference, either by sight or sound, by unwanted persons.

**RAT HARBORAGE.** Any place where rats can live, nest, or see or seek shelter.

**RAT PROOF.** Any form of construction which will prevent the ingress or egress of rats to or from a given space or building, or gaining access to food, water, or harborage. It consists of the closing and keeping closed of every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, roofs, sidewalk gratings, sidewalk openings and other places that may be reached and entered by rats by climbing, burrowing or other methods, by the use of materials impervious to rat gnawing and other methods approved by the Building Code Authority.

**REFUSE.** All putrescible and non-putrescible solids (except fecal matter and animal carcasses) including garbage, rubbish and ashes.

**REFUSE CONTAINER.** A water-tight container that is construed of durable material impervious to rodents, that is capable of being serviced without creating unsanitary conditions, or such other containers approved by the Building Code Authority. Openings into the container such as covers and doors shall be tight-fitting.

**ROOMING UNITS.** Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking purposes.

**RUBBISH.** Non-putrescible solid wastes (excluding ashes) consisting of either:

- (1) combustible wastes such as paper, cardboard, plastic containers, yard clippings and wood;

or

- (2) non-combustible wastes such as tin cans, glass and crockery.

**SAFETY.** The condition of being free from danger and hazards which may cause accidents or disease.

**SPACE HEATER.** A self-contained, heating appliance of either the circulating type or the radiant type and intended primarily to heat only one room.

**TEMPORARY HOUSING.** Any tent, trailer, mobile home, or any other structure used for human shelter which is designed to be transportable and which is not permanently affixed to the same premises for more than 30 consecutive days.

(B) When a question arises as to the specific performance criteria which applies to any requirement or performance standard of this Chapter, the codes and ordinances of the city shall first be used for the interpretation of the requirements and the interpretation of this Chapter.

(C) Whenever the terms dwelling, dwelling unit, rooming units, premises, and structures are used herein, they shall be construed as they were followed by the phrase "or any part thereof."

(D) Words used herein in the singular shall be interpreted to include the plural, the plural the singular, the masculine to include feminine, and the feminine the masculine.  
(Ord. 1034, passed 7-21-97; Am. Ord. 1406, passed 6-19-06)

#### **§ 15.02.021 CONFORMANCE WITH BOCA PROPERTY MAINTENANCE CODE.**

(A) Maintenance of existing structures, in addition to compliance with all other applicable provisions of the Municipal Code, shall conform to the Building and Code Administrators (BOCA) International Property Maintenance Code, 2000 edition or latest. Where applicable, the fee schedules imposed by Chapter 15.08 of the Crest Hill Municipal Code shall be imposed when maintenance is performed under the BOCA Property Maintenance Code. Fines and penalties, where noted in the BOCA Property Maintenance Code, shall be imposed generally in accordance with Chapter 1.12 of the Crest Hill Municipal Code.

(B) The Crest Hill Building Commissioner, the Crest Hill Code Enforcement Officer, and their designees, shall administer the BOCA Property Maintenance Code.  
(Ord. 1210, passed 10-15-01)

#### **§ 15.02.022 CONFORMANCE WITH BOCA MECHANICAL CODE.**

(A) New construction and maintenance of existing structures, in addition to compliance with all other applicable provisions of the Municipal Code, shall conform to the Building and Code Administrators (BOCA) Mechanical Code, 2000 edition or latest. Where applicable, the fee schedules imposed by Chapter 15.08 of the Crest Hill Municipal Code shall be imposed when maintenance is performed under the BOCA Mechanical Code. Fines and penalties, where noted in the BOCA Mechanical Code, shall be imposed generally in accordance with Chapter 1.12 of the Crest Hill Municipal Code.

(B) The Crest Hill Building Commissioner, the Crest Hill Code Enforcement Officer, and their designees, shall administer the BOCA Property Maintenance Code.  
(Ord. 1210, passed 10-15-01)

#### **§ 15.02.023 CONFORMANCE WITH BOCA RESIDENTIAL CODE.**

(A) Maintenance of existing structures and construction of new or remodeled structures, in addition to compliance with all other applicable provisions of the Municipal Code, shall conform to the Building and Code Administrators (BOCA) International Fire Code, 2000 edition or latest. Where applicable, the fee schedules imposed by Chapter 15.08 of the Crest Hill Municipal Code shall be imposed when maintenance is performed under the BOCA Fire Code. Fines and penalties, where noted in the BOCA Fire Code, shall be imposed generally in accordance with chapter 1.12 of the Crest Hill Municipal Code.

(B) The Crest Hill Building Commissioner, the Crest Hill Code Enforcement Officer, and their designees, shall administer the BOCA Fire Code.  
(Ord. 1210, passed 10-15-01)

#### **§ 15.02.024 CONFORMANCE WITH BOCA FIRE CODE.**

(A) Maintenance of existing structures and construction of new or remodeled structures, in addition to compliance with all other applicable provisions of the Municipal Code, shall conform to the Building and Code Administrators (BOCA) International Fire Code, 2000 edition or latest. Where applicable, the fee schedules imposed by Chapter 15.08 of the Crest Hill Municipal Code shall be imposed when maintenance is performed under the BOCA Fire Code. Fines and penalties, where noted in the BOCA Fire Code, shall be imposed generally in accordance with chapter 1.12 of the Crest Hill Municipal Code.

(B) The Crest Hill Building Commissioner, the Crest Hill Code Enforcement Officer, and their designees, shall administer the BOCA Fire Code.  
(Ord. 1210, passed 10-15-01)

#### **§ 15.02.025 CONFORMANCE WITH BOCA FUEL GAS CODE.**

(A) Maintenance of existing structures, and construction of new and remodeled structures, in addition to compliance with all other applicable provisions of the Municipal Code, shall conform to the Building and Code Administrators (BOCA) International Fuel Gas Code, 2000 edition or latest. Where applicable, the fee schedules imposed by Chapter 15.08 of the Crest Hill Municipal Code shall be imposed when maintenance is performed under the BOCA Fuel Gas Code. Fines and penalties, where noted in the BOCA Fuel Gas Code, shall be imposed generally in accordance with chapter 1.12 of the Crest Hill Municipal Code.

(B) The Crest Hill Building Commissioner, the Crest Hill Code Enforcement Officer, and their designees, shall administer the BOCA Fuel Gas Code.  
(Ord. 1210, passed 10-15-01)

#### **§ 15.02.026 CONFORMANCE WITH BOCA ENERGY CONSERVATION CODE.**

(A) Construction of new or remodeled structures, in addition to compliance with all other applicable provisions of the Municipal Code, shall conform to the Building and Code Administrators (BOCA) International Energy Conservation Code, 2000 edition or latest. Where applicable, the fee schedules imposed by Chapter 15.08 of the Crest Hill Municipal Code shall be imposed when maintenance is performed under the BOCA Energy Conservation Code. Fines and penalties, where noted in the BOCA Energy Conservation Code, shall be imposed generally in accordance with chapter 1.12 of the Crest Hill Municipal Code.

(B) The Crest Hill Building Commissioner, the Crest Hill Code Enforcement Officer, and their designees, shall administer the BOCA Energy Conservation Code.  
(Ord. 1210, passed 10-15-01)



**§ 15.02.27 CONFORMANCE WITH BOCA PRIVATE SEWAGE DISPOSAL CODE.**

(A) Construction of new or remodeled structures and maintenance of existing structures, in addition to compliance with all other applicable provisions of the Municipal Code, shall conform to the Building and Code Administrators (BOCA) International Private Sewage Disposal Code, 2000 edition or latest. Where applicable, the fee schedules imposed by Chapter 15.08 of the Crest Hill Municipal Code shall be imposed when maintenance is performed under the BOCA Private Sewage Disposal Code. Fines and penalties, where noted in the BOCA Private Sewage Disposal Code, shall be imposed generally in accordance with Chapter 1.12 of the Crest Hill Municipal Code.

(B) The Crest Hill Building Commissioner, the Crest Hill Code Enforcement Officer, and their designees, shall administer the BOCA Private Sewage Disposal Code. Provided, however, that nothing in this section shall repeal and override other provisions of the Crest Hill Municipal Code or other existing Crest Hill ordinances prohibiting the use of privy vaults and construction of new septic tanks and fields in the city.

(Ord. 1210, passed 10-15-01)

**§ 15.02.030 OWNER PERFORMANCE RESPONSIBILITIES.**

(A) No owner shall occupy or lease any dwelling or dwelling unit unless it and the premises are clean, sanitary, fit for human occupancy, and in compliance with all provisions of this chapter.

(B) Every owner of a building containing two or more dwelling units shall maintain in a clean and sanitary condition the common areas of the dwelling and premises thereof.

(Ord. 1034, passed 7-21-97)

**§ 15.02.040 OCCUPANT PERFORMANCE RESPONSIBILITIES.**

(A) Every occupant of a dwelling or dwelling unit shall maintain in a clean and sanitary condition the parts of the dwelling, dwelling unit and premises thereof that he occupies and controls.

(B) Every occupant of dwelling or dwelling unit shall store and dispose of all his rubbish in a clean, sanitary and safe manner.

(C) Every occupant of a dwelling or dwelling unit shall store and dispose of all his garbage and any other organic waste which might provide food for insects and/or rats, in a clean, sanitary and safe manner. Rat proof, insect-proof, water-tight refuse containers shall be used for storage pending collection.

(Ord. 1034, passed 7-21-97)

**§ 15.02.050 RUBBISH, REFUSE DISPOSAL.**

(A) Every owner of a structure containing three or more dwelling units shall be responsible for supplying or refuse containers for the sanitary and safe storage and disposal of rubbish and garbage. In the case of a single or two family dwelling it shall be the responsibility of the occupant to supply refuse containers.



(B) No owner or occupant of a dwelling or dwelling unit shall accumulate rubbish, boxes, lumber, scrap metal, or any other material in such a manner that may provide a rat harborage in or about any dwelling or dwelling unit. Stored materials shall be stacked neatly in piles elevated at least 18 inches above the ground or floor.

(C) No owner of a dwelling containing three or more dwelling units shall accumulate or permit the accumulation of rubbish, boxes, lumber, scrap metal, or any other materials in such a manner that may provide a rat harborage in or about the common areas of the premises.

(D) No owner or occupant of a dwelling or dwelling unit shall store, place, or allow to accumulate any materials that may serve as food for rats in a site accessible to rats.

(E) Every occupant of a dwelling unit shall keep all fixtures and facilities therein in a clean, sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

(Ord. 1034, passed 7-21-97)

#### **§ 15.02.060 HEAT STANDARDS FOR NON-OWNER OCCUPIED DWELLING UNITS.**

From September 1 until June 15 of each year, in every dwelling unit and/or rooming unit when the control of the level of heat supplied is set by a person other than the occupant thereof, a minimum room temperature of not less than 68° F shall be maintained in all habitable spaces of the dwelling unit and/or rooming unit during the hours of 6:30 a.m. to 10:30 p.m. each day. During the hours of 10:30 p.m. to 6:30 a.m. each day, a minimum room temperature of 63° F shall be maintained.

(A) Notwithstanding the aforesaid, when the outdoor temperature fall below 0° F, and the heating system supplying a dwelling unit and/or rooming unit is operating at its full capacity constantly, a minimum room temperature of 63° F shall be maintained at all times.

(B) For purposes of this section, the room temperature shall be measured at a point three feet above the floor and three feet from an exterior wall.

(Ord. 1034, passed 7-21-97; Am. Ord. 1311, passed 1-17-04)

#### **§ 15.02.070 MINIMUM STANDARDS FOR BASIC RESIDENTIAL EQUIPMENT AND FACILITIES.**

No person shall occupy as owner, occupant or lease for occupancy any dwelling unit, for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following requirements:

(A) *Kitchen.* Every dwelling unit shall have a room or portion of a room in which food may be prepared and/or cooked, which shall have proper air circulation and be equipped with the following:

(1) A kitchen sink in good working condition and properly connected to the city water system and with plumbing providing adequate amount of heated and unheated running water under pressure, and which is connected to the city sewer system;

(2) A stove and range top for cooking food, and refrigerator for the safe storage of food at temperatures less than 50° F but more than 32° F, which are properly installed with all necessary connections for safe, sanitary and efficient operation; provided that such stove or refrigerator need not be installed when a dwelling unit is not occupied and when the occupant is expected to provide same on occupancy, and that sufficient space and adequate connections for the safe and efficient installation and operation of the stove or refrigerator are provided.

(B) *Water closet.* Within every dwelling unit there shall be a non-habitable room affording privacy to a person within and which is equipped with a flush water closet and lavatory in good working



condition. The flush water closet shall be equipped with easily cleanable surfaces, provide an adequate amount of running water under pressure to cause the water closet to be operated properly, and shall be connected to the City Sanitary Sewer System. The lavatory shall be properly connected to the City Water and Sewer System and provide adequate amount of heated and unheated running water under pressure.

(C) Bath/shower. Within in every dwelling unit there shall be a room which affords privacy to a person within the room and which is equipped with a bathtub or shower in good working condition. The bathtub or shower shall be properly connected to the City Sewer and Water System and provides an adequate amount of heated and unheated water under pressure.

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(D) Egress.

(1) Size standards. Every dwelling unit shall have approved dual means of egress, with a minimum height of 80 inches, leading to safe and open space at ground level. Every dwelling unit in a multiple dwelling shall have immediate access to two or more approved means of egress with minimum 80 inches, leading to safe and open space at ground level.

(2) Guardrails/porches. Structurally sound hand rails shall be provided any steps containing five risers or more. If steps are not enclosed on hand rails and balusters spaced no more than six inches apart shall be provided. Porches and/or balconies located more than three feet higher than ground level shall have structurally sound protective hand rails 30 to 36 inches high and, if enclosed, balusters spaced no less than six inches apart shall also be provided. Alternate systems may be approved by the Building Code Authority.

(3) Shared egress routes prohibited. Access to or egress from each dwelling unit shall be provided without passing through any other dwelling or dwelling unit.

(E) Storm windows/doors. The owner of a dwelling unit shall be responsible for providing and hanging all screens and storm doors and windows whenever the same are required under the provisions of this chapter or any rule or regulation adopted pursuant thereto, except where a lease provides the maintenance of the same when installed becomes the responsibility of the occupant.

(Ord. 1034, passed 7-21-97)

#### **§ 15.02.080 MAXIMUM DENSITY, MINIMUM SPACE USE AND LOCATION REQUIREMENTS.**

No person shall occupy or lease to be occupied any dwelling or dwelling unit, for the purpose of living therein, unless there is compliance with the requirements of this section.

(A) Permissible occupancy standards.

(1) The permissible occupancy of any dwelling unit shall not exceed, for the first occupant 150 square feet of floor space and at least 100 square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area.

(2) Not more than one family, plus two occupants unrelated to the family, except guests or domestic employees, shall occupy a dwelling unit.

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(B) Minimum ceiling standards. The ceiling height of any habitable room shall be at least seven feet; except that in any habitable room under a sloping ceiling at least one half of the floor area shall have a ceiling height of at least seven feet, and the floor area of that part of such room where the ceiling height is less than five feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the permissible occupancy.

(C) Cellar/basement standards.

(1) No cellar space shall be used as a required habitable room or in computing the total floor area for the purpose of determining the minimum permissible occupancy of the dwelling or dwelling unit.

(2) No basement space shall be used as a habitable room or dwelling unit unless:

(a) The floor and walls are impervious to leakage by underground and surface runoff water and are damp-proofed.

(b) The total window area in each room is equal to at least the minimum window area sizes as required in § 15.02.090.

(c) The required minimum window area is located entirely above the grade of the ground adjoining such window area.

(d) The total openable window area in each room is equal to at least the minimum as required under § 15.02.090, except some other device affording ventilation is supplied and approved by the Building Code Authority.

(D) Minimum bedroom standards.

(1) In every dwelling unit of two or more rooms, every room occupied for sleeping purposes shall contain at least 70 square feet of floor space for the first occupant and at least 50 square feet of floor space for each additional occupant thereof.

(2) No dwelling or dwelling unit containing two or more sleeping rooms shall have such room arrangements that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room can only be used by passing through another sleeping room; nor shall room arrangements be such that access to a sleeping room is by passing through another sleeping room. A bathroom or water closet compartment shall not be used as a passageway to any habitable room, hall, basement or cellar or to the exterior of the dwelling unit.

(Ord. 1034, passed 7-21-97)

#### **§ 15.02.090 GENERAL REQUIREMENTS RELATING TO SAFE AND SANITARY MAINTENANCE.**

No person shall occupy as owner, occupant or lease to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

(A) Minimum structure standards. Every foundation, roof and exterior wall, door, skylight and window shall be reasonably weather-tight, water-tight and damp-free, and shall be kept in sound condition and good repair. Floors, interior walls and ceilings shall be sound and in good repair. All

exterior wood surfaces, other than decay-resistant woods, shall be painted or coated other protective covering or treatment. Walls shall be capable of affording privacy for the occupants. Every premises shall be graded, drained, free of standing water, and maintained in a clean, sanitary and safe condition.

(B) Minimum window/door standards. Every window, exterior door and hatchway or similar devices, shall be rodent-proof, insect-proof, reasonably water-tight and weather-tight and shall be kept in working condition and good repair.

(1) During the period beginning on the first day of June and ending on the last day of October in each year, every door opening directly from a dwelling unit to outdoor space is supplied with a screen of not less than 16 mesh per inch and a self-closing device in good operating condition and every window or other device with openings to outdoor space used or intended to be used for ventilation, is supplied with a screen of not less than 16 mesh per inch.

(2) Every basement or cellar window is supplied with a heavy wire screen of not larger than one-fourth inch mesh, which fits tightly and is securely fastened.

(C) Rat infestation prevention. Every dwelling, multiple dwelling, rooming house or accessory structure and the premises on which located shall be maintained in a rat-free and rat-proof condition.

(1) All opening in the exterior walls, foundations basements, ground or first floors and roofs which have a half-inch diameter or more opening shall be rat proofed in an approved manner if they are within 48 inches of the existing exterior ground level immediately below such openings, or if they may be reached by rats from the ground by climbing unguarded pipes, wires, cornices, stairs, roofs and other items such as trees or vines or by burrowing.

(2) Skirting, lattice, or other non-rat-proofed enclosure creating a possible rat harborage under a porch or any portions of a building shall be rat-proofed at all locations where a rat could find, burrow, or gnaw an access opening.

(3) In the event that occupancy usages would result in stacking or piling materials, the materials shall be so arranged as to prohibit the creation of a rat harborage area. This can be accomplished by orderly stacking and elevating so that there will be at least an 18 inch opening between the material and the ground level. No stacking or piling of material shall take place on or near the exterior walls of the structure.

(4) All exterior doors, including swinging, sliding and folding types, shall be constructed so that the space between the lower edge of the door and the threshold shall not exceed three-eighths inch; provided further that the space between sections of folding and sliding doors when closed shall not exceed three-eighths inch.

(5) All sewers, pipes, drains, or conduits through which rats may pass shall be closed with a perforated metal cover properly secured. Perforations in the cover shall not exceed one-half inch in diameter.

(6) Skylights accessible to rats and squirrels shall be designated to fit tightly and shall be constructed of approved rat proof materials. Adjustable skylights which may be opened shall be screened with hardware cloth or expanded metal.



(7) Rat proof walls of concrete construction shall be required beneath the exterior wall of every building or enclosed part thereof and every enclosed shed, porch, bay or other enclosed structure which is not supported on a continuous masonry foundation wall.

(D) Fencing. All fencing provided by the owner and/or fences erected or caused to be erected by an occupant shall be constructed of manufactured metal fencing material, wood, masonry or other inert material. Fences shall be maintained in good condition.

(E) Accessory structures. Accessory structures present or provided by the owner or tenant occupant on the premises of a dwelling shall be structurally sound and be maintained in good repair and the of insects and rats, or such structure shall be removed from the premises. The exterior of such structures shall be made weather resistant through the use of decay-resistant materials or the use of paint or other preservatives.

(F) Load bearing components. Every foundation, roof, floor, exterior and interior wall, ceiling, inside and outside stair, every porch and every appurtenance thereto, shall be safe to use and capable of supporting the normal use loads; and shall be kept in sound condition and good repair. Every inside and outside stair or step shall have uniform risers and uniform treads.

(G) Sanitary facilities. Every water closet compartment, bathroom and kitchen floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

(H) Minimum fire standards. All construction and materials, ways and means of egress and installation and use of equipment shall conform with the appropriate statutes, ordinances and regulations dealing with fire protection.  
(Ord. 1034, passed 7-21-97)

#### **§ 15.02.100 DISCONNECTION OF REQUIRED FACILITIES PROHIBITED.**

No owner, or occupant shall cause any service, facility, equipment or utility which is required under this chapter to be removed from or shut off from or discontinued for any occupied dwelling or dwelling unit leased or occupied by him; except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is approved by the Building Code Authority.  
(Ord. 1034, passed 7-21-97)

#### **§ 15.02.110 MINIMUM STANDARDS FOR LIGHT AND VENTILATION.**

No person shall occupy as owner, occupant or lease to another for occupancy any dwelling or dwelling unit for the purpose of living therein, which does not comply with the requirements of this section:

(A) Natural light standards. Every habitable room shall have at least one window or skylight facing outdoors provided that if connected to a room or area used seasonally (e.g. porch) then adequate daylight must be possible through this inter-connection. The minimum total window or skylight area, measured between stops for every habitable room shall be at least 10% of the floor area of such room.

(B) Ventilation standards. Every habitable room shall have at least one window or skylight facing directly outdoors which can be opened easily, or such other device as will ventilate the room adequately, provided that if connected to a room or area used seasonally then adequate ventilation must be possible through this inter-connection. The total of openable window or skylight area in every habitable room shall be equal or at least 45% of the minimum window area size or minimum skylight window size, as required in division (A) of this section except where there is supplied some other device affording adequate ventilation and approved by the Building Code Authority.

(C) Non-habitable room standards for light and ventilation. Every bathroom and water closet compartment, and non-habitable room used for food preparation, shall comply with the light and ventilation requirement for habitable rooms contained in this section, except that no window or skylight shall be required in such rooms if they are equipped with a ventilation system in working condition, approved by the Building Code Authority.

(D) Electrical standards.

(1) Every dwelling unit and all public and common areas shall be supplied with electrical service, outlets, and fixtures which shall be properly installed, shall be maintained in good and safe working condition, and shall be connected to an approved source of electric power.

(2) Every habitable room of such dwelling shall contain at least two separate floor or wall type electric convenience outlets or one convenience outlet and one supplied wall or ceiling type electric light fixture. Every water closet compartment, bathroom, laundry room, furnace room, and public hall shall contain at least one supplied ceiling or wall-type electric light fixture. Every outlet and fixture shall be properly installed and shall be connected to the source of electric power in a safe manner.

(3) Every dwelling or dwelling unit's electrical wiring shall comply with the following requirements:

(a) Every exposed electric wire has insulation which is in good condition.

(b) Every switch plate and outlet plate is properly fastened in position.

(c) No short circuit or break exists in any electric line.

(d) Every fixture and outlet functions properly and is properly fastened in place.

(e) No obvious shock hazard exists.

(f) No temporary wiring is used, except extension cords which run directly from portable electric fixtures to convenience outlets and which do not lie underneath floor covering materials or extend through doorways, transoms or other similar apertures through structural elements.

(g) No electric circuit is overloaded as a result of connecting appliances which operate at high wattage to outlets supplied with wire of inadequate size.

(h) GFCI outlets installed were appropriate.

(E) Public/common area lighting standards. Every public hall and stairway in every multiple dwelling shall be adequately lighted by natural or electric light at all times, so as to provide at least one foot candle of light at the tread or floor level. Every public hall and stairway in structures containing not more than four dwelling units may be supplied with light switches controlling an adequate lighting system which may be turned on when needed, instead of full-time lighting.

(Ord. 1034, passed 7-21-97)

#### **§ 15.02.120 MINIMUM HEAT SUPPLY STANDARDS.**

No person shall occupy as owner, occupant or lease to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

(A) Heat supply standards. No dwelling or dwelling unit shall be deemed to comply with the requirements of this section unless:

(1) When the dwelling or dwelling unit is heated by a central heating system:

(a) The central heating unit is in good working condition.

(b) Every heat duct, steam pipe, and hot water pipe is free of leaks and functions so that adequate heat is delivered where intended.

(c) Every seal between the sections of a hot air furnace is in good repair.

(2) When the dwelling or dwelling unit is heated by space heaters:

(a) Every space heater burning solid, liquid or gaseous fuels is properly vented to a chimney or duct leading to outdoor space.

(b) Every coal burning space heater has a fire resistant panel beneath it.

(c) Every space heater located close to a wall is equipped with insulation sufficient to prevent overheating of the wall.

(d) Every space heater smoke pipe is equipped with guards made of metal or other non-flammable material at the point where the pipe goes through a wall, ceiling or partition.

(3) Portable space heaters burning solids, liquid or gaseous fuels are strictly prohibited as a heat source for dwellings or dwelling units.

(4) Every smoke pipe and every chimney is adequately supported, reasonably clean, and maintained in such condition that there will be no leakage or backing up of noxious gases.

(B) Exhaust standards for gas powered facilities. No dwelling or dwelling unit shall be deemed to comply with the requirements of this section unless:

(1) All gas-burning hot water heaters and space heaters are properly vented to a chimney or duct leading to outdoor space.

(2) Every gas pipe is sound and tight with no leaks.

(3) No gas supply is corroded or obstructed so as to reduce gas pressure or volume.

(4) Every gas appliance is connected to a gas supply with approved metal piping.

(5) Gas pressure is adequate to permit a proper constant flow of gas from all open gas valves.  
(Ord. 1034, passed 7-21-97)

**§ 15.02.125 RENTAL UNIT COMPLIANCE REQUIRED PRIOR TO LEASE.**

It shall be unlawful for any owner or person to knowingly permit the occupancy of any leased or rented residential dwelling unit, or any part thereof, for any purpose, unless a valid code compliance letter has been issued by the Building Authority.

(A) This section shall be applicable to any and all properties in the city which are rented or leased for residential purposes on a monthly, quarterly or yearly basis. All areas of the dwelling to which the lessee or renter has access is subject to the provisions of this code.

(B) A fee of \$25 shall be charged for the compliance inspection of an unoccupied single family residence. A fee of \$40 shall be charged for the compliance inspection of an unoccupied apartment.

(1) The inspection fee for occupied residential units shall be double the aforesaid.

(2) Any additional inspection required due to non-compliance or a "no-show" shall be charged an additional \$50 fee.

(C) Any person or owner may request the reinspection of a residential unit for code compliance at any time. There shall be no fee charged for such a reinspection within the 12 months immediately following the last inspection.

(D) A code compliance letter shall be valid for a period of 60 days from the date of its issuance.

(E) The provisions of this section shall be effective as to dwelling units affected hereby upon a change in the occupancy of the dwelling unit. No code compliance letter shall be required for the current occupants of dwelling units.

(Ord. 1040, passed 10-20-97)

**§ 15.02.130 INSPECTOR'S POWER AND DUTIES.**

(A) Enforcement offices. The Building Authority shall enforce the provisions of this chapter and is hereby authorized and directed to make inspections and investigate complaints of alleged violations of the provisions of this chapter or of applicable rules and regulations pursuant thereto; or when the Building Authority has valid reason to believe that a violation of this chapter or any rules and regulations pursuant thereto has been or is being committed.

**(B) Implied consent.**

(1) The Building Authority is hereby authorized to enter and inspect all dwellings, dwelling units, rooming houses, rooming units and dormitory rooms and the premises surrounding such, for the purpose of determining whether the aforesaid is in compliance with the provisions of this Chapter.

(2) The owner, occupant or other person in charge of dwelling, dwelling unit, rooming unit, rooming house or dormitory room upon presentation of proper identification by the Building Authority shall provide him entry and free access to every part of the dwelling, dwelling unit, rooming unit or dormitory room or to the premises surrounding any of these at a reasonable time.

(C) The Building Authority shall collect all evidence which it may discover or obtain in the course of an inspection made pursuant to this section and such evidence shall not be unnecessarily disclosed.

(D) Refusal to allow inspection. Any person who refuses to allow inspection pursuant to § 15.02.130(B) is in violation of this chapter and subject to the penalties herein provided. (Ord. 1034, passed 7-21-97)

**§ 15.02.140 NOTICE OF VIOLATION.**

(A) Form of notice, service on person in control of premises. Whenever the Building Code Authority determines that any dwelling, dwelling unit or rooming unit, or the premises surrounding any of these, fails to meet the requirements set forth of this chapter or in applicable rules and regulations issued pursuant thereto, he shall issue a notice setting forth the alleged failures, and advising the owner, occupant, operator, or agent that such failures must be corrected. This notice shall:

(1) Be in writing.

(2) Set forth the alleged violations of this chapter or of applicable rules and regulations issued pursuant thereto.

(3) Describe the dwelling, dwelling unit or rooming unit where the violations are alleged to exist or to have been committed.

(4) Provide a reasonable time for the correction of any violation alleged.

(5) Be served upon the owner or occupant of the dwelling, dwelling unit, or rooming unit personally, or by certified mail, return receipt requested, addressed to the last known address of the owner or occupant. If one or more persons to whom such notice is addressed cannot be found after diligent effort to do so, service may be made upon such person or persons by posting a notice in or about the dwelling, dwelling unit or rooming unit described in the notice.

(6) Contain a notice of the time and place of hearing at which the owner and/or occupant can discuss the alleged violations and present evidence in regard to such.

(B) Reinspection. At the end of the period of time allowed for the correction of any violation alleged, the Building Code Authority shall reinspect the dwelling, dwelling unit or rooming unit described in the notice.

(C) Second notice of violation. If upon reinspection, the violations previously cited are determined by the Building Code Authority not to have been corrected, a second notice of violation shall issue which shall order the then existing failures to meet the requirements of this chapter to be corrected within a reasonable time after the date of such reinspection, if the person served with such notice does not request a reconsideration or petition for a hearing on the matter in the manner hereinafter provided.

(D) The Building Code Authority shall cause a copy of the second notice to be posted in a conspicuous place in or about the dwelling, dwelling unit or rooming unit where the violations are alleged to exist, and shall serve it in the manner provided above.

(Ord. 1034, passed 7-21-97)

### **§ 15.02.150 DESIGNATION OF UNFIT DWELLING, DWELLING UNITS, AND ROOMING UNITS.**

(A) When premises is to be declared unfit. Any dwelling, dwelling unit, or rooming unit shall be designated as unfit for human habitation, when any of the following defects or conditions are found, and when, in the judgment of the Building Code Authority and after a hearing and subsequent reinspection these defects create hazard to the health, safety or welfare of the occupants or the public:

- (1) Is damaged, decayed, dilapidated, uninhabitable, unsanitary, unsafe or vermin infested.
- (2) Lacks illumination, ventilation, or required sanitary facilities.
- (3) The general condition, or location is unsanitary, unsafe or unhealthful.

(B) Notice and duty to vacate. Whenever any dwelling, dwelling unit, or rooming unit has been designated as unfit for human habitation, the Building Code Authority shall placard the dwelling, dwelling unit, or rooming unit, indicating that it is unfit for human habitation, and, if occupied, shall order the dwelling, dwelling unit, or rooming unit vacated within a reasonable time.

(C) Prohibition on re-occupancy. No dwelling, dwelling unit, or rooming unit which has been designated as unfit for human habitation and which has been placarded as such and has been vacated shall be not be used again for human habitation until written approval is secured from the Building Code Authority and the placard removed by the Building Code Authority.

(D) Standards for re-approval of occupancy. The Building Code Authority shall rescind the designation as unfit for human habitation and remove the placard when the defect or condition upon which such designation and such placarding was based has been removed or eliminated as to cause the dwelling, dwelling unit, or rooming unit to be safe, sanitary, and fit for human habitation.

(E) Removal of notice prohibited. No person shall deface or remove the placard from any dwelling, dwelling unit, or rooming unit which has been designated as unfit for human habitation and has been placarded as such expert as authorized in this section.

(F) Right to hearing to contest determination. Any person affected by any decision of the Building Code Authority or by any designation or placarding of a dwelling, dwelling unit, or rooming unit as unfit for human habitation shall be granted a hearing on the matter before the Building Code Authority under the procedure set forth in § 15.02.180.

(Ord. 1034, passed 7-21-97)

**§ 15.02.160 DEMOLITION OF PREMISES DESIGNATED AS UNFIT FOR HUMAN HABITATION.**

The Building Code Authority may order a dwelling, dwelling unit or rooming unit to be demolished if it has been designated as unfit for human habitation, has been placarded as such, has been vacated, has not been put in proper repair as to rescind the designation as unfit for human habitation and to cause the placard to be removed.

(A) Notice of order to demolish. The owner of any dwelling, dwelling unit, or rooming unit which has been ordered demolished, shall be given notice of this order in the manner provided for service of notice in this section and shall be ordered to complete the demolition within 15 days.

(B) Right to hearing on order. Any owner aggrieved by the notice to demolish may within five days seek a reconsideration of the matter in the manner hereinafter provided, and may seek a formal hearing in the manner provided in § 15.02.180.

(C) Court proceedings authorized. When the owner fails, neglects or refuses to demolish an unfit, unsafe or unsanitary dwelling, dwelling unit, or rooming unit within the requisite time, the Building Code Authority shall apply to a court of competent jurisdiction for a demolition order to undertake the demolition through the Office of the City Attorney. The cost of such demolition shall create a debt in favor of the city against such owner, and shall be recoverable in a civil action brought by the city which shall possess all the rights of a private creditor.

(D) Fill required. Whenever a dwelling is demolished, whether carried out by the owner or by the Building Code Authority or by any other person, agency, or department, such demolition shall include the filling in of the excavation remaining on the property on which the demolished dwelling was located, in such a manner as to eliminate all potential danger to the public health, safety, or welfare arising from such excavation, and including the proper abandonment of any wells and sewage disposal systems located on the property.

(E) When extermination required prior to demolition. All demolition shall be preceded by an inspection of the premises by the Building Code Authority to determine whether or not extermination procedures are necessary. If the premises are found to be infested, appropriate extermination to prevent spread of rats or insects to adjoining or other areas shall be instituted before, during and after demolition. (Ord. 1034, passed 7-21-97)

**§ 15.02.170 EMERGENCY ORDERS.**

(A) Whenever in the judgment of the Building Authority an emergency exists which requires immediate action to protect the public health, safety and welfare, an order may be issued, without notice, informal conference or hearing, directing the owner, occupant, operator or agent to take such action as is appropriate to correct or abate the emergency.

(B) The owner, occupant, operator or agent shall be granted an informal conference before the hearing board, on the matter upon request, as soon as practicable, but such request shall not stay the order directing abatement or correction of such emergency. (Ord. 1034, passed 7-21-97)

**§ 15.02.180 APPEALS OF ORDERS.**

(A) Right to hearing.

(1) Any person aggrieved by a notice issued in connection with any alleged violation of this chapter or of applicable rules and regulations issued pursuant thereto, or by the order requiring repair or demolition, may apply to the Building Code Authority for a reconsideration of such notice or order within 15 days after it has been issued, unless a shorter time period was previously promulgated herein.

(2) The Building Code Authority shall set a time and place for an informal conference on the matter within ten days of the receipt of such application and shall advise the applicant of such time and place in writing.

(3) At the informal conference, the applicant shall be permitted to present his/her grounds for believing that the order should be revoked or modified to one or more representatives of the Building Code Authority.

(4) Within ten days following the close of the informal conference the Building Code Authority shall advise the applicant whether or not it will modify or set aside the notice or order issued by the Building Code Authority.

(B) Right to appeal informal conference determination.

(1) Any person denied relief at the informal conference stage, may apply for a formal hearing seeking modification or reversal of the notice of violation, order for repair or demolition. The application shall be filed with the City Clerk's Office.

(2) The City Clerk shall set a time and place for the formal hearing within 15 days of the application, and shall advise the applicant in writing of the time and place of the formal hearing.

(3) The hearing board shall consist of the Mayor, an Alderman and the Chair of the Plan Commission. The City Attorney will advise the hearing board.

(4) The hearing board shall render a decision within 15 days of the hearing.  
(Ord. 1034, passed 7-21-97)

**§ 15.02.190 PENALTY.**

Every person, firm, corporation, association or organization who violates any provision of this chapter shall be guilty of a violation of this chapter. Each day the violation continues shall constitute a separate offense. The general penalty provisions of the Code of Ordinances control fines to be assessed for a violation thereof.

(Ord. 1034, passed 7-21-97)

**§ 15.02.200 HOMEOWNERS' ASSOCIATIONS.**

(A) Any homeowners' association representing the residents of a subdivision or planned unit development that is located in whole or in part in the city must register with the City Clerk's office. At registration, the City Clerk shall require the following information:



(1) A copy of the covenants or declarations that created the homeowners' association, with the stamped document number showing recordation by the Will County Recorder of Deeds;

(2) If no covenants or declarations exist, a stamped copy of a certification by an agency of the state establishing the existence of the association;

(3) The names and addresses of all officers of the homeowners' association, with telephone numbers and (if available) FAX numbers or e-mail addresses, with a requirement that all information must be updated by the homeowners' association on a yearly basis, and where an officer has been added or removed the Clerk's office must be notified within 30 days.

(4) The name and address of the business entity, whether it be a person, partnership, or corporation, which created the homeowners' association.

(B) Where a homeowners' association seeks to address the City Council at a public meeting, one of the officers of the association must request that the matter be placed on the Council agenda for the requisite meeting.

(C) Each homeowners' association must update its registration with the City Clerk's office no later than January 31 of each year, and if there is a change in the officers of the association, the new names, addresses and telephone numbers of the officers must be submitted to the City Clerk within 30 days of the change.

(Ord. 1406, passed 6-19-06)

## CHAPTER 15.04: BUILDING REQUIREMENTS

### Section

- 15.04.010 Conformance with national and state codes
- 15.04.020 Building construction fire safety
- 15.04.025 Time limitation
- 15.04.030 Violation; permit revocation
- 15.04.040 Standards for structural appearance and site location plans
- 15.04.050 Letters of credit and other surety requirements

### **Cross reference:**

*Hearing procedures for enforcement of code violations, see Ch. 1.24*

### **§ 15.04.010 CONFORMANCE WITH NATIONAL AND STATE CODES.**

(A) Building regulations shall conform to the Building Officials and Code Administrators Basic National Building Code of 2000, commonly referred to as the "BOCA Code," which is published by the Building Officials and Code Administrators International, Inc., provided, however, that plumbing and electrical installation requirements shall be governed by divisions (B) and (C) of this section. The following additions to the BOCA Code shall apply:

(1) Section 100.1 of BOCA shall designate the code "The Building Code of the City of Crest Hill, Illinois."

(2) The fee schedule described in Section 114.3.1 of BOCA shall be in conformance with Chapter 15.08 of the Crest Hill Municipal Code.

(3) The fines and penalties imposed in Sections 117.4 and 118.2 of BOCA shall be as set out in Chapter 1.12 of the Crest Hill Municipal Code.

(4) The fee granted to a member of the board of survey described in Section 123.3 of BOCA shall be at the prevailing hourly rate for members of the architectural profession in Will County, Illinois.

(5) The number of feet below the established curb which would qualify as a deep excavation under Section 1807.2.1 of BOCA shall be four and one-half ( $4\frac{1}{2}$ ) feet or greater. The number of feet which would qualify as a shallow excavation under Section 1807.2.2 of BOCA shall be less than four and one-half ( $4\frac{1}{2}$ ) feet. In either case, the measurement is made from the established curb.

(B) All plumbing and drainage work shall be in accordance with the latest edition of the Illinois State Plumbing Code published by the Illinois Department of Public Health Division of Sanitary Engineering.

(C) All electrical work shall be in accordance with the latest edition of the National Electrical Code published by the National Fire Protection Association.

(D) In addition to conformance with the codes as provided in this section, all public buildings, whether they be commercial, manufacturing or governmental in nature, shall comply with the latest edition of the National Fire Protection Agency "Life Safety Code."

(E) Copies of each of the codes specified in this section shall be available for examination at the Crest Hill city clerk's office during normal business hours.  
(78 Code, § 15.04.010) (Ord. 609 § 1, 1985: added during 1978 codification; Am. Ord. 1184, passed 2-20-01)

#### **§ 15.04.020 BUILDING CONSTRUCTION FIRE SAFETY.**

(A) No building permit shall be issued for the construction of apartment or multiple dwelling units wherein the structure will house three or more families until the Building Commissioner has received sufficient evidence that the proposed structure will be constructed with materials approved by the State Fire Marshal.

(B) The Building Commissioner shall issue no building permit until he is furnished with satisfactory evidence that any proposed commercial structure or industrial structure will be constructed with materials approved by the office of the State Fire Marshal.

(C) A letter or stamp of approval affixed to the building plans and specifications by the State Fire Marshal shall constitute sufficient evidence within the meaning of this chapter.  
(78 Code, § 15.04.020) (Ord. 202, passed - -68)

#### **§ 15.04.025 TIME LIMITATION.**

All construction must be completed within one year of the date the building permit is issued. Each permit shall be deemed to have expired on the one year anniversary date that it was issued, and further construction is not authorized, nor will any certificate of occupancy be issued by the holding department, unless the permit holder was applied for and been granted an extension of the building permit. Subject to the extra permit fee requirements set out in § 15.08.100 of this Code, the Building Commissioner or his or her designated subordinate may issue an extension of the building permit for any period of time up to one year past the original expiration date. Once one year has elapsed from the expiration of the original building permit, the permit holder must apply for a new building permit, must pay the then current permit fee, and must comply with all building codes in effect as of the date the new application is granted.  
(78 Code, § 15.04.025) (Ord. 776, passed - -90; Am. Ord. 797, passed - -91; Am. Ord. 1450, passed 2-19-08)

#### **§ 15.04.030 VIOLATION; PERMIT REVOCATION.**

Failure to complete construction within one year or failure to obtain the approval of the Plumbing Inspector, the Electrical Inspector or the State Fire Marshal, where required, shall be justification for the Building Commissioner to revoke the building permit theretofore issued by him and suspend all further construction until the Building Commissioner is satisfied that the deficiencies have been corrected or will be corrected.  
(78 Code, § 15.04.030) (Ord. 200, passed - -67; Am. Ord. 776, passed - -90; Am. Ord. 797, passed - -91)

**§ 15.04.040 STANDARDS FOR STRUCTURAL APPEARANCE AND SITE LOCATION PLANS.**

(A) *Purpose.* This section is established to provide comprehensive procedures and standards for undeveloped properties that have already been subdivided, to assure that the design and layout of all applicable development will conform to city codes and protect the public health, safety and welfare and promote high aesthetic qualities. In determining whether or not a site plan is to be approved, the city will consider current development standards, the nature of the land and/or buildings, existing or previous uses of the subject site, and surrounding uses, their character and compatibility.

(B) *Applicability.* Site plan approval by the Building Commissioner, to include approval of structural appearance, shall be required prior to issuance of construction permits for new construction of single or multi-family construction, commercial and industrial developments where the owner or developer is not requesting approval of a new or revised plat of subdivision. "Site plan approval" shall include approval of all exterior facades of any building to be erected in R-1, R-2, R-3, B-1, B-2, B-3, M-1 and M-2 districts. Site plan approval shall also be required for any additions or remodelings of existing structures, where the square footage of the existing structure will be changed by the new construction.

(C) *Definitions.* For the purposes of this chapter the following definitions shall apply unless the context clearly indicates a different meaning.

**BORDER PLANTINGS / FOUNDATION PLANTINGS.** Perennial flowers, shrubs or bushes of various height and diameter used to screen buildings foundations, appurtenances and property boundaries.

**BUILDABLE ACREAGE.** A parcel of land or portion of an existing tract or lot of record with sufficient area and dimensional configuration to be developed independently of preceding improvements and in accordance with city zoning and subdivision standards.

**CONIFERS.** Coniferous (Evergreen) tree, cone bearing with year round green coloration such as pine, spruce, fir, cedar and the like.

**IMPROVEMENT.** Construction of buildings, drive areas, parking area, walkways, storm water retention/detention areas, lighting facilities, utilities, curb/gutter, signage and landscaping as placed on a parcel, lot or tract of land.

**LIVING GROUP COVERAGES.** Grass from sod or seed, other low lying planted material no more than 12" in height used for erosion control. Not including pollen producing varieties, nor briars, brambles, nor plants generally accepted as weeds.

**MASONRY.** Stone or earthen based construction materials including brick, glazed tile stones, EIFS, stucco, decorative concrete block and other similar materials, but specifically excluding concrete lap siding, concrete panel siding, masonry panels, masonry siding and preformed decorative concrete panels.

**NET DEVELOPED AREA.** The improved portion of a parcel, lot or tract of land including the land required to meet minimum setback standards as established by city zoning ordinances.

**ORNAMENTAL TREES.** Deciduous trees generally smaller in stature than shade trees and ranging in size up to 25 feet, sometimes providing seasoned blossoms and/or red or yellow leaves. Trees of a decorative purpose.

**SHADE TREE.** Deciduous (Hardwood) tree having a mature height of 25' or greater and having a broad spread of branches with leaves providing shade during summer months and shedding leaves each autumn.

(D) *Certificates of Occupancy.* No certificate of occupancy shall be issued until all requirements and conditions of the site plan approval have been implemented and all improvements completed in accordance with approved plans. Any significant change to the approved site plan or elevations that affects the physical character of the building(s) and/or site, in the absence of an approved amended site plan reflecting said changes, shall cause the certificate of occupancy to be withheld until such change is approved by the Building Commissioner.

(E) *Maintenance.* Properties receiving site plan approval shall maintain all improvements in good condition including landscape plantings and materials, painted surfaces, structures, pavement, walkways, signage, light fixtures and fences.

(F) *Authorization.* The Building Commissioner is hereby authorized to review and approve site plans, including exterior elevations, which comply with the site plan and exterior appearance requirements of this section. Where proposed site plans and elevations do not comply, the Building Commissioner shall recommend approval, approval with modification, or denial of applicable site plans to the Plan Commission. Upon such recommendation by the Building Commissioner, the Plan Commission shall conduct a public hearing subject to the procedural requirements of the Crest Hill Zoning Ordinance, and shall make its recommendations to the City Council in accordance with the applicable provisions of the Zoning Ordinance. The City Council shall be authorized to approve, approve with modification or deny applicable site plans once the Plan Commission recommendations are received. Approval shall be valid for a period of one year. If after such time construction has not commenced or if construction is stopped for a period of one year, the approval becomes void. An extension of the approval period may be authorized by the City Council upon written request of the developer.

(G) [Reserved].

(H) *Plan Submission.* Three sets of all site plans shall be submitted to the office of the Building Commissioner with all required information. The plan shall be considered as officially submitted only when all the information and fee requirements are met.

(1) *Site Plan Scale.* All site plans shall be drawn to scale as follows:

(a) Sites less than two acres (1" = 20');

(b) Sites of two or more acres (1" = 40');

(c) The Building Commissioner shall have discretion to accept smaller scale plans for projects involving more than 15 acres. However, in no case shall plans be a smaller scale than 1" = 100'.

(2) *Contents.* All site plans shall contain the following:

(a) *General Information.*

1. Property owners name, address and phone number;

2. The developer's name, address and phone number (if different from the property owner);

3. Name, address and phone number of architect, land planner, engineer, surveyor or consulting firm (with contact person listed) who is responsible for compiling the plan;
4. Date of plan preparation and/or verification;
5. North point;
6. Current zoning/requested zoning (if a change is desired);
7. Adjacent landowners name, address and property tax identification number.

(b) *Site Conditions.*

1. Existing topography graphically represented via contour lines of two-foot intervals, extending 20 feet surrounding the subject site;
2. Location and extent of water bodies, wetlands, streams, and flood plains on or adjacent to the subject site;
3. Location of existing tree cover and other notable natural features;
4. Property dimensions and boundaries;
5. Easements;
6. Existing structures;
7. Public roads.

(c) *Proposed Development.*

1. Building layout, dimension of setbacks from property lines and building separation dimensions;
2. Parking, loading, drive areas (including dimensions, aisles, street approaches and curb cuts). Specify pavement type;
3. Sidewalks, curbing and drainage structures;
4. Storm water detention/retention areas. Method of computing drainage requirements shall be consistent with those specified in the City Subdivision Regulations;
5. Floor area for building foot print and gross floor area of structure, building height and number of stores. Structural volume in cubic feet is required for all industrial structures;
6. Building elevation (facade drawings) of all faces indicating design character, type of materials, colors, signage and special features;
7. Grading/drainage plans including contours and elevations;

8. Utility plans indicating location of water and sanitary sewer service lines including size and type of pipe and all other information such as hydrants and clean-outs as may be required by the Building Commissioner;

9. Landscape plans including a schedule of all plantings by type and size, berms and fencing;

10. Lighting plans including type fixtures, height and location.

(I) *Requirements.*

(1) *Building Facades.*

(a) *Single Family Residential.*

1. The areas of the front facade of single family homes (R1 A and R-1) shall be a minimum of 80% of masonry. For purposes of computing said 80%, the total area occupied by windows and doors is not included.

2. Any additional wall facade facing a public or private street shall be of a minimum area of 10% masonry. For purposes of computing said 10%, the total area occupied by windows and doors is not included.

3. The area of masonry may be reduced by up to 30% on any one elevation of a wall facade provided that an equal amount of masonry area is added to one or more other wall facades of the same building.

(b) *Multiple Family Residential, Business, Office, Manufacturing and Industrial.*

1. A minimum of 20% of the total area exterior building wall facades for R-2, B-1, B-2, B-3, M-1 and M-2 construction shall be of masonry. For purposes of computing said 20%, the total area occupied by windows and doors is not included.

2. A minimum of one wall facade per building shall include a minimum of 80% masonry. For purpose of computing said 80%, the total area occupied by windows and doors is not included.

3. Any wall facade facing a public or private street shall be of a minimum area of 10% masonry. For purposes of computing said 10%, the total area occupied by windows and doors is not included.

4. The area of masonry may be reduced by 100% on any wall facade not facing a public or private street provided that the total of 20% of the total area of all building wall facades, exclusive of areas for windows and doors, is provided on other walls of the same building with masonry.

(c) *Variations from Building Facade Requirements.* Architectural glass, clapboard, wood shingle siding and other architectural facade treatments may be considered as alternatives to masonry. Metal facades shall be disapproved unless a variance is granted by the City Council, except for M-1 and M-2 facades. For M-1 and M-2 facades, any portion of a structure that is to be used as office space shall

comply with the same requirements applicable to R-3, B-1, B-2 and B-3 structures. Any portion of a structure devoted exclusively to manufacturing (as opposed to business of office use) may be constructed of approved grade metal construction.

(d) *Roof Lines.* Flat roof appearance is expressly disapproved for all residential construction, unless a variance allowing same is recommended by the Plan Commission and approved by the City Council. All such structures must maintain the appearance of a pitched roof, although a mansard appearance is permitted.

(2) *Landscaping.* All sites shall be landscaped as follows:

(a) *Requirement of Plan.* Each plan required hereunder shall be drawn to scale and shall be fully dimensionalized. All proposed structures and other improvements shall be accurately depicted thereon, including but not by way of limitation, all buildings, paved areas, berms, lights, retention and detention areas and landscaping. The plan shall specifically include the number, type, size and location of all required vegetation and other landscape features which the applicant proposes to preserve;

(b) *Standards for Required Landscaping.* All landscaping plans required hereunder shall be subject to the following standards:

1. *Grassed Areas.* All areas of the plot or site plan not proposed to be improved with structures, paved areas, walks or other approved landscaping shall be improved with grass sod or seed unless otherwise approved by the Council;

2. *Minimum Plantings.* The applicant shall minimally provide one approved planting for each 725 square feet of gross lot area. For sites on which there remains additional buildable acreage after the initial improvements are completed, the applicant shall minimally provide one approved planting for each 725 square feet of net developed area. For each required planting, there shall be provided an additional ten square feet of approved ground cover adjacent thereto;

3. *Approved Plantings and Ground Cover:* The following shall constitute approved plantings and ground covers for inclusion in the landscape plan required hereunder:

a. *Shade Trees.* Shade trees shall be permitted and shall not be less than ½" in caliper measured one foot from the ground nor less than six feet in height. The following trees are prohibited: Soft Maple, Poplar, Box Elder, Catalpa, Tree of Heaven, and Mountain Ash, as consistent with City Subdivision Regulations. Willow and Mulberry trees may be used as decorative plantings located so as to avoid shedding materials onto walks, drives, and parking areas.

b. *Conifers.* Conifers shall be permitted and shall not be less than 6' in height.

c. *Ornamental Trees.* Ornamental trees shall be permitted and shall not be less than ½" in caliper measured one foot from the ground nor less than 6' in height.

e. *Border Plantings and Foundation Plantings.* Border plantings and foundation plantings shall be permitted as approved.

f. *Living Ground Coverages.* Living ground coverages shall be provided at a density sufficient to guarantee total coverage within two years of the date of initial plantings.



g. *Other Ground Covers.* Other ground covers such as decorative rock, stone, boulders, bark, wood chips, etc., may be substituted for the required ground coverages as provided herein.

(3) *Applications of Standards to the Landscape Plan.* In reviewing the landscape plan, the Building Commissioner may require such changes or modifications in the types or location of permitted plantings and ground coverings as it may deem reasonable to the end that such required landscaping shall not hinder placement and operation of any improvement or structure related to public utilities located upon the site. It shall be an objective of this code that the requirements and standards set forth herein shall be applied in a manner so as to maximize the screening of proposed uses (including parking, loading and storage) from adjacent roads and highways and from residential uses located upon adjacent parcels of property.

(4) *Parking and Drive Areas.* All off-street parking and drive areas shall be graded and paved or otherwise improved with bituminous concrete or Portland Cement concrete or other "dust free" paving material as approved by the Council. Parking stalls shall be identified by painted striping. Dimensions for stalls and drive aisles shall be in accordance with Table A at the end of this section. Handicapped parking is required in accordance with compliance with the Americans with Disabilities Act requirements or any other applicable local law or regulation that requires greater accessibility.

(5) *Screening/Buffering.* All commercial, industrial and multi-family sites shall be buffered from adjacent single-family sites through the use of landscape berms, plantings and/or fencing to achieve no less than a minimum of 75% visual screen at a minimum mature height of six feet.

(6) *Drainage/Storm Water Controls.* All sites shall be graded so as to prevent storm water run-off from impervious surfaced areas onto adjacent properties. The storm water detention requirements specified in the City Subdivision Regulations shall be applied. A combination of detention storage and controlled release of storm water run-off shall be required for the following:

(a) All sites involving improvements with a net developed area of two acres or more;

(b) All sites involving improvements which have and will have impervious areas of 50% of gross lot area or greater.

1. In cases where improvements will be made to facilities existing prior to the adoption of this section, the percent of imperviousness will be based on the entire parcel. If this percentage is 50% or greater, the storm water detention requirement shall be applied only to the portion of the parcel being improved.

(7) *Lighting.* Exterior lighting shall be shaded, directed or otherwise designed so as to avoid glare onto neighboring residential properties.

(8) *Access.* Vehicular ingress and egress points (curb cuts) to/from the site shall be no less than 50' from any street intersection (as measured from the property corner to the nearest side of the curb cut) nor closer than 75' to another curb cut on the same street. Curb cut widths shall be no less than 20' nor more than 30' in width. No more than two curb cuts per site shall be permitted.

(9) *Trash Enclosures.* Enclosures surrounding trash receptacles shall be required to provide a 100% visual screen. Such enclosures shall be of masonry or wood construction.

(10) *Parking*. All site plans shall comply with the minimum parking requirements set out by the Crest Hill Zoning Ordinance, as amended, as well as the specifications of Table A at the end of this section.

**TABLE A**  
***Parking Dimensions***

<b><i>Dimension</i></b>	<b><i>45°</i></b>	<b><i>60°</i></b>	<b><i>75°</i></b>	<b><i>90°</i></b>
Stall width, parallel to aisle	12.7	10.4	9.3	9.0
Stall length of line	25.0	22.0	20.0	18.5
Stall depth to wall	17.5	19.0	19.5	18.5
Aisle width between stall lines	12.0	16.0	23.0	26.0
Stall depth, interlock	15.3	17.5	18.8	18.5
Module, wall to interlock	44.8	52.5	61.3	63.0
Module, interlocking	42.6	51.0	61.0	63.0
Module, interlock to curb face	42.8	50.2	58.8	60.5
Bumper overhang (typical)	2.0	2.3	2.5	2.5
Offset	6.3	2.7	0.5	0.0
Setback	11.0	8.3	5.0	0.0
Cross aisle, one-way	14.0	14.0	14.0	14.0
Cross aisle, two-way	24.0	24.0	24.0	24.0

(Ord. 1235, passed 3-18-02; Am. Ord. 1340, passed 1-18-05)

**§ 15.04.050 LETTERS OF CREDIT AND OTHER SURETY REQUIREMENTS.**

(A) Definitions. For purposes of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**PROJECT GUARANTEE.** An irrevocable letter of credit, surety bond, or letter of commitment issued by a bank, savings and loan association, surety or insurance company as may be designated by the City of Crest Hill ("city") in a format adopted by the city and approved by the City Attorney and payable to the City of Crest Hill, sufficient to cover 125% of the cost of the public improvements as estimated by the applicant's engineer employed by the subdivider and approved by the City Engineer to assure the satisfactory and complete installation of improvements as set forth in the city's ordinances, rules and regulations and as contained in the approved improvement plans and specifications. The additional 25% shall cover, but not be limited to contingencies, maintenance of improvements, and the abatement of construction nuisance and soil erosion and sediment control during the period prior to acceptance of the improvements. The irrevocable letter of credit, surety bond or letter of commitment shall be secured from a bank, savings and loan association, surety or insurance company authorized to issue such instruments in the State of Illinois and as approved by the city.

**PROJECT WARRANTY.** An irrevocable letter of credit, surety bond or letter of commitment issued by a bank, savings and loan association, surety or insurance company, the security of which shall be designated by the city in a format adopted by the city and approved by the City Attorney and payable to the city in an amount equal to 20% of the original cost estimates of the improvements to warrant the integrity of the improvements completed for a period of two years after date of final acceptance of the subdivision or planned unit development. The irrevocable letter of credit shall be secured from a bank authorized to issue such instruments in the State of Illinois and approved by the city. All other surety bonds, letters of commitment or other security documents relating to the project warranty must be authorized and approved by the city from a company authorized to engage in business in the State of Illinois.

(B) Project guarantee.

(1) The applicant shall post with the Building Commissioner, a project guarantee prior to the commencement of construction. Said project guarantee shall also receive the approval of the city prior to becoming effective. Said project guarantee shall then be conveyed by the Building Commissioner to the City Clerk for maintaining the same in such City Clerk's possession throughout the time provided for herein.

(2) The project guarantee shall be based on the City Engineer approved applicant engineer's estimate of cost of public improvements to be constructed, and shall include, but not be limited to, the cost of right-of-way improvements, curb and gutter, roadway base, binder and surface course, bikepaths, sidewalks, street name and traffic control signs, striping, streetlights and associated electrical work, earthwork and mass grading, including associated stockpiling, hauling and respreading, retaining walls, fine grading where the overland flow route traverses properties of separate ownership, storm sewers, culverts, manholes, catch basins, inlets and grates, grading of overflow swales through the project, stormwater detention facilities, including outlet control facilities, the cost of protection and repair of existing field tiles, sanitary sewer and/or water main extensions, fire hydrants, valves, manholes, lift stations, force mains and all other appurtenances, parkway trees, erosion and sediment control, temporary seeding and other measures for stabilization of the site, including the detention facilities, stake-out of all lots with iron pipe at all lot corners, and the cost of required offsite improvements, including ground surface restoration.

(C) *Default.*

(1) If the improvements have not been completed in accordance with the approved improvement plans and construction specifications, or any of the improvements have not been completed within the time frame prescribed in the city's subdivision ordinances or as otherwise may be set forth in an agreement between owner, developer or subdivider, the subdivision guarantee shall be considered in default and may be foreclosed upon, drawn upon, or claims made or otherwise asserted by the city. In the event of default and a foreclosure, draw down, or claims made, funds will be drawn from the bank, savings and loan, surety or insurance company issuing the project guarantee to complete the construction and installation of the improvements.

(2) An administrative fee that reflects the city's actual costs associated with preparing bid documents, preparing and administering a contract for the work to be completed, and associated legal fees, shall be added to the actual construction cost incurred by the city to complete the improvements. This fee shall be withdrawn directly from the funds included in the project guarantee.

(D) *Release of security requirement.* The project guarantee may be released by formal approval by the City Council upon receipt of the following items by the City Engineer, Building Commissioner or other city official, as is appropriate, at least 30 days prior to the expected response from the city. The city will endeavor to review such requests within 30 days after receipt of the same by the appropriate party to whom the owner, subdivider or developer is directed. Such 30-day period shall toll if the owner, subdivider or developer has not provided the appropriate information requested by the city.

(1) A letter from the applicant's engineer stating that they have inspected the project and all improvements are complete per the plans and specifications.

(2) Five sets of "as-built" drawings of the project improvements, certified by the applicant's engineer, and two electronic copies of said drawings in AutoCAD format.

(3) A letter recommending acceptance of all public infrastructure (streets, drainage facilities, sanitary sewer and water distribution facilities, recreational facilities, and other appurtenant items) by the City Engineer.

(4) A letter of acceptance of improvements on other lands by the owner of such property (where applicable).

(E) *Redemption of security requirement.* The project guarantee may be amended to reflect a reduced amount, provided the partial improvements are acknowledged in writing by the City Engineer and Building Commissioner, and approved by the City Council. The following items shall be submitted at least 30 days prior to expected response from the city. The city will endeavor to review such requests within 30 days.

(1) Confirmation that all fees required of the applicant by ordinance have been paid in full and that applicant's account with the city is in good standing.

(2) A written request and a revised current estimate of the cost to complete the work shall be submitted by the applicant's engineer to the Building Commissioner. The revised estimate shall show all the original estimated items with the appropriate items reduced or showing a zero balance.

(3) Twenty-five percent of the original cost estimate shall be added to the revised estimate to determine the amount of the amended project guarantee.

(4) The project guarantee shall never be reduced below 25% of the original estimated cost of improvements or the cost of uncompleted work plus 25% as determined by the City Engineer. If, in the opinion of the City Engineer, the current amount of the project guarantee is not adequate to cover the cost of the uncompleted work, the project guarantee shall be amended to reflect an increased amount.

(5) The revised estimate shall be accompanied by a letter from the applicant's engineer stating that they have inspected the project and all improvements being reduced or showing a zero balance are installed per the plans and specifications.

(6) Reduction of project guarantee does not imply acceptance of those improvements included in that reduction; acceptance of improvements does not occur until all improvements are complete and inspected by city, and project guarantee is released by the City Council as outlined in division (D) above.

(F) *As-built plans.* After completion of all public improvements, and at least 30 days prior to the final acceptance of the project, the applicant shall make, or cause to be made, a map showing the actual location and elevation of all valves, manholes, stubs, sewer and water mains, storm sewer with rim and invert elevations, elevation of overflow routes in critical locations, street lights and wiring, storm sewers, centerline of roadways, ditches, overflow routes, detention/retention basins, and such other facilities as the Building Commissioner shall require. This map shall be submitted to scale on five paper copies as well as two copies in a digital form utilizing the latest version of AutoCAD, or other software approved by the City of Crest Hill, and shall bear the signature and seal of an Illinois registered professional engineer. The presentation of this map shall be a condition of final acceptance of the improvements, and release of the Project Guarantee assuring their completion.

(G) *Acceptance of dedication of improvements.*

(1) (a) The applicant shall be responsible for the maintenance and upkeep of all public areas and improvements until the improvements receive written approval by the Engineer and Building Commissioner and final acceptance by the City Council. The applicant is solely responsible for:

1. Maintaining all improvements:
2. Keeping all public ways, sewers, and drains free from soil, debris and trash:
3. Installing and maintaining appropriate erosion control measures; and
4. Providing for snow removal on all streets within the subdivision.

(b) If the applicant does not promptly remove snow or perform other maintenance, the city may clear snow or perform other maintenance activities and submit the invoice for this work to the applicant for payment. If the applicant does not pay this invoice, the project guarantee may be utilized to pay these costs.

(2) Final acceptance of the dedication of an open space or other public area, including right-of-ways, shall be after any and all improvements are completed, receive written approval recommendation by the Engineer and Building Commissioner, and are formally accepted by the City Council.

(3) Approval of the final plat shall be dependent on presentation of proof of responsibility for the maintenance of all community improvements within such plat or project including but not limited to swimming pools, tennis courts, tot lots, clubhouses and all accessories and amenities related solely to the development itself as identified during the preliminary and final plat and engineering processes.

(4) The final surface course cannot be initiated until a minimum of 12 months from the time the curb and gutter, roadway base course and roadway binder course have been completed or until such time that at least 80% of the phase or unit is built-out; whichever time period is longer but not to exceed 30 months under any circumstances unless approved in advance by the city.

(5) Construction of all improvements covered by this section must be completed within three years from the approval date of the final plat by the City Council unless good cause can be shown for granting an extension of time. Phasing of large developments is encouraged so that projects can be completed in three years. Project completion shall include the final lift of asphalt and sidewalks for every lot.

(6) A project warranty must be provided in exchange for final acceptance, at which time the project guarantee may be released.

(H) *Project warranty.*

(1) The applicant shall post a project warranty with the City Clerk after final acceptance of the public improvements in the amount of 20% of the amount provided for the improvements accepted. The project warranty shall be for a period of two years. Such project warranty shall not require any performance or additional improvements not contained in and specified under the provisions of the original project guarantee.

(2) The project warranty shall be used to replace any faulty materials or workmanship not discernible at the time of final inspection or acceptance by the city and warrant the integrity of the improvements for two years following the final acceptance of the project.

(3) The applicant shall request in writing an inspection of the improvements by the city approximately 18 months after final acceptance. The applicant shall then proceed to perform any warranted corrective work at least 30 days prior to the two year expiration date of the project warranty.

(I) *Extending terms of letter of credit.* No letter of credit may be approved by the City of Crest Hill, nor submitted to it by the owners, developers, builders or subdividers of any project requiring a letter of credit unless the following language is contained therein:

If the public works, public improvements or other work covering by this Letter of Credit have not been completed prior to the expiration date of this Letter of Credit, the City of Crest Hill shall have the option upon written notice given not less than ten (10) days before the termination of this Letter of Credit, seeking to extend the Letter of Credit for an additional period of not more than one (1) year of making written demand upon us pursuant to the provisions of this Letter of Credit.

(Ord. 1512, passed 12-7-09)



## **CHAPTER 15.05: BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY**

### Section

15.05.010	Issuing authority
15.05.020	Issuance of building permits; procedure
15.05.030	Revocation of building permits and stop work orders
15.05.040	Cure
15.05.050	Appeal

### **§ 15.05.010 ISSUING AUTHORITY.**

The Crest Hill Building Commissioner and his or her authorized employees shall have the authority to issue building permits and certificates of occupancy, and shall also have the authority to suspend or revoke the same under the provisions of this chapter. In cases of emergency where the Building Commissioner is not available, the Mayor shall have the power to suspend building permits and order a cessation of construction activities on any building site or sites of a developer or contractor for a period of not greater than 48 hours, after which time the continuance of suspension shall be confirmed by the Building Commissioner on determination that there are valid grounds under the statutes of the State of Illinois or the codes and ordinances of the City of Crest Hill to continue the suspension or revocation, as the case may be.

(Ord. 1394, passed 4-17-06)

### **§ 15.05.020 ISSUANCE OF BUILDING PERMITS; PROCEDURE.**

The Building Commissioner shall set out procedures in his or her office, subject to the oversight of the City Administrator and the Mayor, for the forms of application to be used for building permits and certificates of occupancy, the review time for plans submitted by the developer or contractor, and the times for inspections of progress of the work. All of the procedures shall conform to the requirements of the various BOCA and ICC Codes adopted in Chapter 15.04.

(Ord. 1394, passed 4-17-06)

### **§ 15.05.030 REVOCATION OF BUILDING PERMITS AND STOP WORK ORDERS.**

The Crest Hill Building Commissioner shall have the authority to suspend or revoke building permits, and issue stop work orders under the following circumstances:

(A) Immediately whenever:

(1) There is, in his opinion, a clear and present hazard to the safety either of workers on a specific job site, or to the public generally;



(2) It is disclosed that the developer or contractor has not paid any fees or fee deposits required under Chapter 15.08;

(3) It is disclosed that the builder or developer does not have current and valid liability insurance in the amounts specified under the provisions of the Crest Hill Municipal Code, or that any of the subject contractors on the specific job do not have the required liability insurance.

(B) Upon issuance of 48 hours written notice served upon the developer, contractor, or any of its supervisory agents or employees, whenever:

(1) The developer, contractor or subcontractor is pursuing an unsafe practice which has produced or may produce a hazard to the general public or to the contractor's own workers;

(2) Either a scheduled or unscheduled inspection discloses that the work being performed has violated a provision of the BOCA Code or ICC Code being followed by the City of Crest Hill, any other codes or ordinances of the city, or has generally violated sound construction practices in the particular industry or trade involved;

(3) The developer, contractor or subcontractor has failed to produce the bond or letter of credit required by the city, or the bond or letter of credit has expired or been rescinded by the agency that issued it;

(4) The developer, contractor or subcontractor has failed to complete in a timely fashion part of the public improvements in any subdivision or other development in the city.

(C) The Building Commissioner shall have the jurisdiction to revoke building permits, issue stop work orders, and deny certificates of occupancy, for any work being performed by the developer, contractor or subcontractor at any location in the city, even where the violating conduct of the developer, contractor or subcontractor occurred in some other part of the city.

(Ord. 1394, passed 4-17-06)

#### **§ 15.05.040 CURE.**

Once the Building Commissioner has issued a notice of revocation or suspension of building permit or stop work order, the developer, contractor or subcontractor may request a period of time to cure the violation. The Building Commissioner shall allow seven days from the effective date of the stop work order, suspension or revocation of building permit, and may allow up to 30 days from that effective date, to the developer, contractor or subcontractor to effectuate a cure of the problem. Once the problem has been cured, the stop work order shall be lifted and any suspension or revocation shall be rescinded.

(Ord. 1394, passed 4-17-06)

#### **§ 15.05.050 APPEAL.**

The developer, contractor or subcontractor may pursue an administrative appeal of the stop work order, suspension or revocation of a building permit, or non-issuance or refusal of a building permit or certificate of occupancy. The administrative appeal shall be heard by the Crest Hill City Administrator, or, if there is no lawfully constituted City Administrator, by the Mayor. Any such appeal shall be subject to the following requirements:

(A) Written appeal of the Building Commissioner's decision must be filed with the Crest Hill City Clerk no later than seven days after the service of the stop work order, notice of suspension or revocation of building permit, or notice of denial of certificate of occupancy or building permit, upon the developer, contractor, subcontractor, or their agents or employees.

(B) The hearing officer shall set a hearing date no later than 14 days after the appeal has been filed with the City Clerk.

(C) At the hearing, the developer, contractor or subcontractor shall provide at its expense a court reporter or stenographer authorized to administer oaths and to transcribe testimony. Each side shall be allowed representation by an attorney. The rules of evidence generally followed in the courts of the State of Illinois shall apply to the hearing. Each side shall be permitted to produce evidence by way of testimony and exhibits. The appellant shall have the burden of going forward with the evidence and shall have the burden of proof by a preponderance of the evidence. At the close of all evidence, the hearing officer shall issue a written decision within seven days of the conclusion of the hearing. Further review in the Illinois Courts shall be pursuant to the Illinois Administrative Review Act.

(Ord. 1394, passed 4-17-06)



## CHAPTER 15.06: ELECTRICAL CODE

### Section

15.06.010	General rules and regulations
15.06.020	Services
15.06.030	Lighting outlets
15.06.040	Receptacle outlets
15.06.050	Branch circuits
15.06.060	Re-lock and modular lighting systems prohibited
15.06.070	Aggregation program for electrical load

### § 15.06.010 GENERAL RULES AND REGULATIONS.

(A) It is unlawful for any person to engage in the business of an electrical contractor without being registered or licensed as an electrical contractor for the current calendar year with a municipality that requires testing for such registration or licensing.

(B) It is unlawful for any person to cut, disturb, alter or change any electrical wiring in any way, or to permit the same to occur, unless those acts are performed in conformance with the provisions contained herein.

(C) Any electrical installations shall conform in every respect with the National Electrical Code 1998 edition or the latest edition thereof.

(D) All commercial electrical installations shall submit to the city a working set of electrical drawings prior to a permit being issued for the work to be performed.

(E) All materials, equipment, and appurtenances utilized shall comply with the applicable current standards of Underwriters Laboratories, Inc., or other nationally recognized testing laboratory or inspection agency.

(F) All electrical wiring installed shall be enclosed in metal conduit. In commercial installations the wire shall be #12 A.W.G. or larger, except for low voltage wiring applications.

(G) Switches, outlets, and tap devices of any type and material shall not be permitted to be installed without proper boxes.

(H) The use of aluminum or copper-clad aluminum wire smaller than #2 AWG for any purpose is prohibited.

(I) All grounded conductors, grounding conductors, and ungrounded conductors shall be color coded strictly in accordance with the National Electrical Code.

(J) Smoke detectors shall be permanently wired into the electrical system, and if more than one smoke detector is required to be installed, the detectors shall be wired so that the activation of a single smoke detector shall cause all smoke detectors to activate and signal their alarm. Every single-family residence shall have at least one properly functioning smoke detector installed on every floor of the dwelling, including the basement.

('78 Code, § 15.06.010) (Ord. 795, passed - -91; Am. Ord. 1072, passed 11-2-98)

#### **§ 15.06.020 SERVICES.**

(A) Service entrance conductors extending along the exterior or entering buildings shall be enclosed in rigid metal conduit, intermediate metal conduit, or electrical tubing. Such conduit or tubing shall be continuous from the point of building entry to the service entrance equipment or disconnecting device.

(B) Service entrance conductors and service equipment shall have a capacity as calculated by the method(s) detailed in Article 220 of the National Electrical Code, except minimum capacity shall be one hundred ampere.

(C) Service entrance equipment, or other panels or cabinets enclosing fuses, circuit breakers, or switches, shall be located in an inconspicuous, accessible, but protected location. Such equipment shall not be located in bathrooms, or toilets, over sinks, or laundry tubs, in clothes closets, or near stoves, radiators, piping, heating ducts.

(D) Disconnect devices and overcurrent protection shall be installed for every electrical service in accordance with the requirements of the National Electrical Code. The overcurrent protection device shall be an integral part of the service disconnecting means or shall be located immediately adjacent thereto, and shall also be installed either inside or outside of a building at a readily accessible location

nearest the point of entrance of the service entrance conductors. The over-current protection device may be located in the branch circuit panel provided the length of the service entrance conduit inside the building is five feet or less.

(E) In a multiple-occupancy building, each occupant shall be provided with individual disconnecting means and circuit protection devices. In a multifamily residential building where each dwelling unit is supplied from a common set of service equipment and meter bank, the sub-feeder or sub-set of service conductors to each dwelling unit shall have over-current protection at the meter bank. Each dwelling unit shall also be provided with an individual branch circuit panel and such panel shall contain a single main disconnect device.

(F) A circuit panel schedule shall be provided for all service entrance equipment or other panels or cabinets containing fuses or circuit breakers and all such panel schedules shall be fully and accurately completed.

('78 Code, § 15.06.020) (Ord. 795, passed - -91)

**§ 15.06.030 LIGHTING OUTLETS.**

(A) (1) Permanent lighting fixtures, wall-switch controlled, shall be installed in every kitchen, dining room, living room, bedroom, hall, bathroom, or other habitable rooms.

(2) Exception: In habitable rooms other than kitchens, dining areas, and bathrooms, two or more convenience outlets (receptacles) controlled by a wall switch shall be permitted in lieu of lighting fixtures.

(B) An outside lighting fixture, with interior wall switch control, shall be installed at each main and service doorway including any sliding panel installed in an exterior wall. Such fixture may be used to illuminate more than one doorway area provided fixture is properly located to serve dual purpose and is controlled by an interior wall switch at each doorway.

(C) Permanent lighting fixtures shall be installed to illuminate all steps or stairways connecting habitable rooms, hallways, garages, or other similar areas at different elevations. Any lighting fixture installed for such purpose shall be located so as to be in direct line of sight with all steps or areas to be so illuminated. Such lighting fixtures shall be multiple switch controlled from each elevation. Other lighting fixtures may serve as stairway fixtures when located to properly serve such dual purpose.

(D) A permanent lighting fixture shall be installed to properly illuminate basement stairs, shall be located as in division (C) of this section and shall be switch controlled from the head of the stairs. Multiple switch control shall be installed at both elevations if a basement is provided with other exit doorways.

(E) Permanent lighting fixtures shall be installed in utility rooms, basements, other areas requiring general illumination and to illuminate laundry trays and electrical service equipment.

(F) At least one lighting outlet shall be installed in every entry hallway and interior closet suitable for clothes and containing any equipment which may require servicing.

(G) Bathroom lighting fixtures, exhaust fans and other similar electrical equipment shall be controlled by a wall switch(s) not readily accessible from the tub or shower.

(H) Hallways eight feet or more in length shall have multiple switch control of lighting outlet(s), all switches to be located as close as possible to doorways or openings connected by the hallway and in no case more than four feet (direct horizontal measurement) from any such connected doorway opening. ('78 Code, § 15.06.030) (Ord. 795, passed - -91)

#### **§ 15.06.040 RECEPTACLE OUTLETS.**

(A) Receptacle outlets shall be installed in all habitable rooms so that no point along the floor line of usable wall space shall be more than six feet, measured horizontally, from an outlet including wall space occupied by sliding panels in exterior walls and that are not afforded by fixed room dividers.

(B) In all habitable rooms, at least one receptacle outlet shall be installed for every 12 feet or major fraction thereof, of the gross perimeter of the room. The outlets shall, insofar as practical, be spaced equal distances apart.

(C) In all habitable rooms, a receptacle outlet shall be installed in any wall space two feet or more in width, except no receptacle shall be required if said wall space is completely covered by a normally open door. Wall space shall be as defined in the National Electrical Code.

(D) At least one receptacle outlet shall be installed for each of the following:

(1) In kitchen and dining areas, at each counter top space wider than 12 inches, and for each four feet or fraction thereof of counter top space;

(2) In each bathroom adjacent to the basin location. This requirement is in addition to any receptacle outlet which may be contained in a medicine cabinet or light fixture;

(3) In each hallway;

(4) In each laundry area;

(5) In each basement in addition to any that may be provided in the laundry area or for sump pumps;

(6) In each residential attached garage;

(7) An outdoor receptacle for each dwelling unit.

(E) All receptacle outlets on 15 and 20 ampere branch circuits shall be of the grounding type except replacements as provided in the National Electrical Code.

(F) A single receptacle outlet on an individual branch circuit shall have an ampere rating no less than that of the branch circuit.

(G) Ground-fault circuit interrupter protection shall be provided for all one hundred twenty volt, single phase, 15 and 20 ampere receptacle outlets installed in the following:

(1) Any outlet within six feet of the kitchen sink;

- (2) Bathrooms, including any receptacles contained in a medicine cabinet or lighting fixture;
- (3) Attached and detached garages;
- (4) Outdoor receptacle outlets having direct grade level access;
- (5) All other installations as required by the National Electrical Code.

('78 Code, § 15.06.040) (Ord. 795, passed - -91)

**§ 15.06.050 BRANCH CIRCUITS.**

(A) At least two 15 ampere circuits serving all lighting outlets and those convenience outlets not in a kitchen, dining area, laundry, or garage area shall be provided for lighting and general use for the first 500 square feet of floor area. At least one such circuit for each additional 300 square feet, or fraction thereof, of floor area shall also be provided, the floor area being determined by outside dimensions. A provision for at least one future circuit shall be made in the service entrance equipment or panel.

(B) A maximum of ten lighting and/or convenience outlets shall be allowed on any circuit required in division (A) of this section. A minimum of ten such outlets shall also be allowed on any similar 20-ampere circuit.

(C) A minimum of two 20-ampere circuits shall be provided to serve the convenience outlets in a kitchen and/or kitchen-dining area. Such circuits shall have no other outlets and shall not serve a refrigerator. All such circuits shall serve the counter top outlets and are intended for use with small portable appliances only.

(D) A maximum of three convenience outlets shall be allowed on any one circuit required in division (C) of this section.

(E) A minimum of one 20-ampere circuit shall be provided to serve the laundry area when such area is proposed. Such circuit(s) shall have a maximum of two outlets and shall serve no other load or purpose.

(F) An individual 15-ampere or 20-ampere circuit shall be provided for each of the following appliances or equipment:

- (1) Central heating system;
- (2) Dishwasher (if used);
- (3) Refrigerator and other kitchen loads (such as, waste disposer, range exhaust fan and/or light, trash compactor, and the like);
- (4) Sump and/or ejector pump.

(G) Individual branch circuits shall be provided as required by the National Electrical Code and for any fixed appliance or equipment rated at more than 1,200 watts.

('78 Code, § 15.06.050) (Ord. 795, passed - -91)



**§ 15.06.060 RE-LOCK AND MODULAR LIGHTING SYSTEMS PROHIBITED.**

No contractor, subcontractor, or other person erecting new construction or rehabilitating or remodeling existing structures shall install "re-lock" or "modular" lighting systems, either on a temporary or permanent basis. For purposes of this section, **RE-LOCK** or **MODULAR** lighting systems shall refer to any electrical distribution service in a structure that includes the use of MC- or BX-type cable in conjunction with molded, snap-together, pin-type plugs on the ends of the cable and multiple plug adapters at each light.

(Ord. 1379, passed 12-19-05)

**§ 15.06.070 AGGREGATION PROGRAM FOR ELECTRICAL LOAD.**

(A) Pursuant to ILCS Ch. 20, Act 3855, §§ 1-1 et seq. (the "Act"), the corporate authorities of the city are hereby authorized to aggregate, in accordance with the terms of the Act, residential and small commercial retail electrical loads located within the corporate limits of the city, and for that purpose may solicit bids and enter into service agreements to facilitate for those loads the sale and purchase of electricity and related services and equipment.

(B) The aggregation program for the city shall continue to operate as an opt-out program for residential and small commercial retail customers.

(C) As an opt-out program, the corporate authorities of the city shall fully inform residential and small commercial retail customers in advance that they have the right to opt-out of the aggregation plan before the resident or commercial account is renewed. The disclosure and information provided to the customers shall comply with the requirements of the Act.

(D) The corporate authorities hereby grant the Mayor the specific authority to execute a contract without further action by the corporate authorities and with the authority to bind the city.

(Ord. 1622, passed 3-4-13)

**CHAPTER 15.08: BUILDING PERMIT FEES**

Section

- 15.08.010 Generally
- 15.08.020 Building permit fees for commercial/industrial
- 15.08.030 Building permit fees for residential construction
- 15.08.040 Miscellaneous fees
- 15.08.050 Fees waived for
- 15.08.055 Inspection fees
- 15.08.060 Bond; required
- 15.08.070 Time period; retrieval of permit
- 15.08.080 Developer and subdivider fee deposit.
- 15.08.090 Penalty fee
- 15.08.100 Fees for extensions of building permits

**§ 15.08.010 GENERALLY.**

The following fees as set forth in this chapter shall be the fees charged by and utilized by the Building Commissioner in determining the proper fee for the issuance of a building permit.  
(78 Code, § 15.08.010) (Ord. 197, passed - -67; Am. Ord. 424, passed - -77; Am. Ord. 1086, passed 3-15-99)

**§ 15.08.020 BUILDING PERMIT FEES FOR COMMERCIAL/INDUSTRIAL.**

Fees for new commercial and/or industrial construction shall be calculated as follows:

(A) The base fee determined by the value of the improvement to be constructed or the improvements to be made:

<i>Value of improvement</i>	<i>Fee</i>
Less than \$100 in value	\$25
\$100 to \$499.99	\$50
\$500 to \$999.99	\$75
\$1,000 to \$99,999.99	\$200 plus an additional \$20 per each additional \$1,000 or fraction thereof over \$1,000
\$100,000 to \$999,999.99	\$2,180 plus an additional \$10 per each additional \$1,000 or fraction thereof over \$100,000 to \$999,999.99
\$1,000,000 and over	\$11,180 plus an additional \$10 per each additional \$1,000 or fraction thereof over \$1,000,000

(B) To the base fee shall be added the following additional fees:

- (1) Plan review fee, \$75; and
- (2) Construction water use, \$100.

('78 Code, § 15.08.020) (Ord. 197, passed - -67; Am. Ord. 424, passed - -77; Am. Ord. 635, passed - -85; Am. Ord. 780, passed - -90; Am. Ord. 1086, passed 3-15-99; Am. Ord. 1108, passed 9-20-99)

**§ 15.08.030 BUILDING PERMIT FEES FOR RESIDENTIAL CONSTRUCTION.**

The fees for residential construction are as follows:

(A) *Single family or duplex (two-family) residential construction.* The base building permit fee for single-family or duplex (two-family) residential structures, including attached garages, is based on the total square foot area of the structure using the exterior dimensions for each floor, added together, including below grade areas designed for habitation. The base fee is \$.75 per square foot.

(B) *Multiple family residential construction.* The base building permit fee for multiple (three or more attached residences) family residential structures is \$1.25 per square foot, the square footage as determined in division (A) above.

(C) To the base fee, there shall be added the following fees:

- (1) Plan review fee, \$75;
- (2) Construction water usage, \$100. This water usage fee shall be allocated directly to the Water and Sewer Fund;
- (3) Detached garages, \$100 per garage unit; and
- (4) All exterior concrete, asphalt or paving brick work, \$80.

('78 Code, § 15.08.030) (Ord. 197, passed - -67; Am. Ord. 424, passed - -77; Am. Ord. 433, passed - -77; Am. Ord. 635, passed - -86; Am. Ord. 780, passed - -90; Am. Ord. 1086, passed 3-15-99; Am. Ord. 1108, passed 9-20-99; Am. Ord. 1144, passed 7-3-00)

**§ 15.08.040 MISCELLANEOUS FEES.**

The building permit fee for all miscellaneous construction shall be as follows:

<i>Type of construction</i>	<i>Fee</i>
Canopy/awning	\$50
Carports	\$50
Decks	
sized less than 144 sq. ft.	\$35
larger than 144 sq. ft.	\$50

**Building Permit Fees**

<b>Type of construction</b>	<b>Fee</b>
Demolition permit	\$50
Detached garage	\$100
Driveway	\$30
Electrical conversion or remodel	\$50
service upgrade	\$100
Fences	\$30
Fireplaces (not included in original construction)	\$30
Fire restoration permit (includes all fees)	\$250
HVAC installations	\$50
Landscaping - commercial only	\$25
Concrete slab patios	\$25
Plumbing remodel only	\$50
replace sewer line from main to house (or any portion thereof)	\$75
Remodeling - rehabilitation only	\$150
Re-roofing - commercial only	\$50
Retaining walls, other than landscaping	\$25
Room additions	\$.50 per square foot plus fees electric and plumbing permit as established by ordinance
Sheds 8' x 8' and 8' x 10'	\$25
10' x 10'	30
10' x 12'	35
10' x 14'	40
10' x 16'	45
10' x 18' or greater than 180 square feet	50
Brick or any style siding	\$35
Swimming pools Above ground (electrical permit and inspection required)	\$ 50
In-ground (electrical and plumbing permits and inspections required)	175
Soffits and/or fascia	\$35

Type of construction	Fee
Windows	
Replacement windows with no size changes	no fee
Replacement with size change	
1 to 4 windows	\$20
5 to 8 windows	30
9 or more	40

('78 Code, § 15.08.050) (Ord. 197, passed - -67; Am. Ord. 424, passed - -77; Am. Ord. 635, passed - -85; Am. Ord. 780, passed - -90; Am. Ord. 1086, passed 3-15-99; Am. Ord. 1108, passed 9-20-99; Am. Ord. 1237, passed 3-18-02)

**§ 15.08.050 FEES WAIVED FOR.**

There shall be no permit fee required for replacement roofs, stoops, or gutters, nor shall there be a fee charged for the construction of or replacement of a public sidewalk.  
(Ord. 1086, passed 3-15-99; Am. Ord. 1108, passed 9-20-99)

**§ 15.08.055 INSPECTION FEES.**

(A) The building permit fees as set forth grant the permittee a single inspection, of all types of inspections required by the type of permit issued, of all the work to be performed pursuant to the permit.

(B) If in any event a second or additional further inspections are required of work performed pursuant to an issued building permit for any reason, a \$100 reinspection fee shall be paid by the permittee for each reinspection required to be made. The reinspection fee shall be paid prior to the reinspection occurring, and any permittee or city official obtaining or causing to be made a reinspection prior to the reinspection fee being paid shall be guilty of violating this section and shall be fined not less than \$150 but not more than \$1000 for each violation.

(Ord. 1037, passed 9-15-97; Am. Ord. 1086, passed 3-15-99)

**§ 15.08.060 BOND; REQUIRED.**

All persons and/or entities contracted to perform any work on city property shall post an acceptable surety or performance bond in the sum of \$25,000, or such other amount as determined and required by the City Engineer, prior to the commencement of the work. Further, said persons and/or entities shall provide to the city a bond or other insurance to indemnify, save and hold the city harmless for any and all liabilities, of any type and nature, resulting from any act of the persons and/or entity performed on city property.

('78 Code, § 15.08.060) (Ord. 426, passed - -77; Am. Ord. 1086, passed 3-15-99)

**§ 15.08.070 TIME PERIOD; RETRIEVAL OF PERMIT.**

When the Building Commissioner has granted a permit under this chapter, he shall deliver it to the City Clerk's office for safekeeping until it is acquired by the applicant or his agent. If the applicant or his agent has not acquired the permit from the Clerk within 30 days of the date it is submitted by the Building Commissioner to the Clerk's office, the Clerk shall be entitled to discard the permit. Once a building permit is discarded, the applicant will be required to fill out a new application form and go through the application process.

(Am. Ord. 1108, passed 9-20-99)

**§ 15.08.080 DEVELOPER AND SUBDIVIDER FEE DEPOSIT.**

(A) Before a subdivider or developer may appear before the Plan Commission to present his or her proposed subdivision or planned unit development (P.U.D.), that person or corporate entity shall pay to the City Clerk a fee deposit of \$5,000. Said deposit shall be held in escrow by the Treasurer to secure payment by the developer of all code authorized inspection fees (whether the inspection is performed by the Building Commissioner, Plumbing Inspector, Electrical Inspector, or the City Engineer or his designate), as well as the professional services charge of the City Engineer or, where applicable, the City Attorney, for any work done in connection with the supervision and inspection of any aspect of the subdivider's or developer's construction progress. The Treasurer shall deposit the funds in an interest bearing savings account in the city's name. Where the developer or subdivider can not show the Plan Commission proof of payment of the deposit, the Plan Commission shall table the hearing on the developer's project until such time as the deposit is paid.

(B) Said deposit shall not discharge the developer or subdivider of the requirement to pay all building permit, inspection, professional and miscellaneous fees required under this code as they fall due, and payment of part of those fees during the construction process shall not obligate the city to refund any part of the deposit. When the project is completed and all inspections have been successfully passed and paid for and all professional fees reimbursed, the Treasurer shall refund to the developer the deposit, including any accrued interest thereon. Provided, however, that if the subdivider or developer fails or refuses, upon timely notice served upon him by regular mail by the City Treasurer, to remit the fees required under the city's codes (including subdivision regulations and the Zoning Ordinance), the Treasurer shall, upon expiration of 45 days from the date of mailing, notify the Building Inspector. The Inspector shall suspend any building permits of the developer, his contractors or subcontractors, and stop work on the project until such time as the delinquent fees are paid along with any interest or late charges. If the Building Inspector or his designee reports to the City Treasurer that the developer has abandoned the project, the Treasurer may pay all such delinquent fees out of the \$5,000 deposit. Whenever part or all of a deposit is applied to an existing subdivider's or developer's unpaid balance, the Treasurer shall forthwith notify the subdivider or developer of the action taken, by certified mail, sent to his last known address.

(C) A subdivider or developer may, in case of hardship, petition the City Council for full or partial relief from the deposit requirement, which the Council may grant on good cause shown.

(Ord. 1157, passed 8-21-00; Am. Ord. 1209, passed 10-15-01)

**§ 15.08.090 PENALTY FEE.**

A penalty of three times the permit fee shall be added to each permit issued after unpermitted construction has commenced. No penalty fee shall be added for emergency construction as authorized by the Building Commissioner.

(Ord. 1237, passed 3-18-02; Am. Ord. 1339, passed 1-18-05)

**§ 15.08.100 FEES FOR EXTENSIONS OF BUILDING PERMITS.**

For new construction and room additions, including basement or attic build-outs, any permit holder may, before the expiration of the one year time period applicable to his or her building permit, apply to the building department for an extension of the permit. Any holder of any expired permit may also apply for an extension under this section. Provided, however, that in no case shall a building permit be extended more than one year past its original expiration date. Where an extension is granted, the Building Commissioner or his or her designee shall require that all construction be completed no later than expiration of the extended time period. Provided that the Building Commissioner shall have authority to grant a grace period beyond the expiration of the time period where a developer or contractor, in the sole opinion of the Building Commissioner, has exercised good faith in attempt to complete construction within the one-year time period.

(A) Where the permit holder applies for an extension before expiration of the original time period, an additional pro-rated fee shall be charged in the amount of 1/12 of the building permit fee for each month that the permit is extended. The proration shall be assessed in accordance with the fee structure that is current as of the date the extension is granted, and not the date when the original building permit was issued. If the permit holder does not complete construction with the extended time period, he or she must apply for a new permit and submit to the standard permitting process instituted by the building department under this Code.

(B) Where the original building permit has already expired, the same requirements concerning monthly proration of the current permit fee as is found in division (A) shall apply if the extension is requested within the first six months after expiration of the original permit. If the extension is not requested within six months of the original expiration date, the extension fee shall be 100% of the then current building permit fee for the construction involved. In no event shall an extension of the original building permit last longer than one year from the original expiration date. If the permit holder cannot complete construction within the two years from issuance of the original permit, he or she must apply for a new permit and submit to the standard permitting process instituted by the building department under this Code.

(C) Where a builder or developer has obtained a building permit to erect a model home, in addition to the requirements of divisions (A) and (B) above, on each anniversary date of the original time period and on each anniversary date thereafter, the Building Department shall assess an additional fee of \$100 for the following year. Said fee shall be assessed each year until a certificate of occupancy is issued.

(D) Where construction has been completed on structures but no certificate of occupancy has been requested, in addition to the requirements of divisions (A) and (B) above, on expiration of the original time period and on each anniversary date thereafter, the Building Department shall assess an additional fee of 25% of the building permit fee in force as of the anniversary date.

(The above provisions shall take effect for all new permit applicants or current permit holders whose permits have not expired as of February 20, 2008.)

(E) For all permit holders whose permits have expired prior to February 20, 2008, those permit holders shall be afforded a grace period with a fee schedule as follows:

(1) The applicant shall be granted an extension of the original permit for no more than one year from the date of application or from March 18, 2008, whichever date occurs first.

(2) If application for extension is made after May 19, 2008, the extension fee shall be 100% of the then current building permit fee for the construction involved.

(3) If construction cannot be completed prior to March 18, 2009, the permit holder must submit a new application for a building permit under the then current building codes.

(4) Model homes completed under § 15.08.100(C) and completed structures where no occupancy permit has been requested under § 15.08.100(D) shall be granted a grace period until May 18, 2008 to obtain an occupancy permit before imposition of the extra fees under those divisions.

(F) The Building Commissioner or his or her designee shall serve by ordinary mail a copy of this section upon each holder of a building permit where construction has not been completed and the original permit has expired within the last four years prior to passage of this section.

(Ord. 1450, passed 2-19-08)





## CHAPTER 15.09: INSPECTION OF RENTAL UNITS

### Section

15.09.010	Definitions
15.09.020	Inspection required
15.09.030	Frequency of inspections
15.09.040	Inspection certificate required
15.09.050	Inspection procedure
15.09.060	Suspension or revocation of certificate
15.09.070	Fees

### § 15.09.010 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**COMMERCIAL UNIT.** Any room or group of rooms used for the transaction of any business whatsoever, where said room or group of rooms are not used or intended to be used for living and sleeping on a permanent basis. *Permanent basis* shall be defined to mean more than 28 days.

**COMMON AREA.** Any hallway, foyer, communal laundry or storage area, meeting or party room and any other area that is used by all the residents of a building or the general public.

**DWELLING UNIT.** A single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

#### **DWELLINGS.**

(1) *Single-family dwelling.* A building containing one dwelling unit for occupancy by one family only.

(2) *Two-family dwelling (duplex).* A building containing two dwelling units separated from each other by one or more common walls for occupancy by no more than two families only.

(3) *Multi-family dwelling.* A building or portion thereof containing more than two dwelling units and not classified as one- or two-family dwellings.

(4) *Boarding house, Rooming house, Lodging house or Tourist house.* A building arranged or used for lodging, with or without meals, for compensation, by individuals who are not members of the family.

(5) *Dormitory.* A space in a building where group sleeping accommodations are provided for persons not members of the same family group in one room, or in a series of closely associated rooms.

(6) *Hotel or Motel.* A room or rooms in any building or structure kept, used, maintained, advertised or held out to the public to be an inn, motel, hotel, or apartment hotel, in accordance with the definition of hotel and motel contained in the Crest Hill Zoning Ordinance.

**PREMISES.** A lot, plot or parcel of land including the buildings or structures thereon.

**RENT, LET or LET FOR OCCUPANCY.** To permit possession or occupancy of a dwelling, dwelling unit, rooming unit, commercial unit, building or structure for consideration.

**ROOMING UNIT.** Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.  
(Am. Ord. 1855, passed 12-21-20)

#### **§ 15.09.020 INSPECTION REQUIRED.**

(A) All single-family dwellings that are not occupied by the owner and are rented or leased to another person or entity and the rental unit of a two-family dwelling in which the other unit is owner-occupied shall be subject to inspection and compliance with the systematic inspection of this code.

(B) All residential duplex units, multi-family dwelling units and commercial units that are not occupied by the owner and are rented or leased to another person or entity shall be subject to inspection and compliance with the systematic inspection of this code.

(C) Every owner of a rental property shall be required to submit to the city, on a form provided by the Building Department, the following information:

(1) Address of the rental property;

(2) Number of units on the property;

(3) Name, address, phone number, and email of the property owner;

(4) Name, address, phone number, and email of the agent or person in charge of the property, where applicable;

(5) Name, address, phone number, and email of the person or persons to contact in the event of an emergency;

(6) An update of any of the above information, should changes occur, within seven business days of the effective date of the change. It shall be the responsibility of the property owner, landlord and/or properly manager to so notify the Building Department.

(Ord. 1224, passed 1-22-02; Am. Ord. 1855, passed 12-21-20)

#### **§ 15.09.030 FREQUENCY OF INSPECTIONS.**

(A) All residential rental units shall be inspected annually.

(B) Nothing in this chapter shall prevent the Building Inspector or their designee from inspecting the premises of any unit.

(Ord. 1224, passed 1-22-02; Am. Ord. 1855, passed 12-21-20)

**§ 15.09.040 INSPECTION CERTIFICATE REQUIRED.**

No person shall rent, let or let for occupancy any unit subject to this chapter without having a valid, current certificate of inspection for that dwelling.

(Ord. 1224, passed 1-22-02; Am. Ord. 1855, passed 12-21-20)

**§ 15.09.050 INSPECTION PROCEDURE.**

(A) The owner, agent, or person in charge of the rental premises must contact the city to schedule an inspection. If, upon the completion of the inspection, the premises are found to be in compliance with this code and the appropriate fee has been paid, the Building Inspector or their designee shall issue a certificate of inspection for the premises. The certificate shall be valid for one year from the date of issuance.

(B) If, upon completion of the inspection, the premises are found to be in violation of one or more provisions of this code, the city shall provide written notice of such violations. The owner, agent, or person in charge of the rental premises must contact the city for a reinspection when ready, after the reinspection fee has been paid. Until the rental premises passes inspection, the city shall not issue the certificate and may take any action necessary to enforce compliance with this code.

(C) A certificate of inspection issued pursuant to this chapter shall be transferable to succeeding owners; provided that there is no change in tenant and that within five days of the transfer the transferor shall provide written notice of the transfer to the Building Inspector or their designee.

(D) Upon the request of an existing or prospective tenant, or upon the request of the Mayor, Building Inspector or their designate, or any police officer, the owner shall produce the certificate of inspection.

(E) No owner, agent or person in charge of the subject rental structure shall rent a unit or allow any person to occupy the same as an occupant or lessee, unless such owner, agent or person in charge has been issued an inspection certificate by the Building Department.

(Ord. 1224, passed 1-22-02; Am. Ord. 1855, passed 12-21-20)

**§ 15.09.060 SUSPENSION OR REVOCATION OF CERTIFICATE.**

(A) If the Building Inspector or their designee determines that any person has failed to comply with this chapter, the Building Inspector may suspend or revoke the certificate of inspection held by that person. The suspension or revocation of any certificate shall not discharge the holder from prosecution in local court for any violation of this chapter.

(B) The Building Inspector may suspend, revoke or refuse to renew the certificate of inspection held by any person who knowingly:

(1) Violates any federal or state statute where the violation is deemed to be a felony or misdemeanor, including, but not limited to, any conduct which violates any local, state, or federal law prohibiting the manufacture, distribution, delivery, use, or possession of a controlled substance, or any state or local laws relating to prostitution or prostitution-related activity;

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(2) Permits the premises subject to inspection under this chapter to be used in a manner that constitutes a public nuisance after having received written notice from the city or any other governmental entity that the premises constitutes a public nuisance, and having failed within a reasonable time to take action to terminate the nuisance after receipt of written notice of such condition. The term **PUBLIC NUISANCE** shall mean any conduct of individuals or condition of property that injures or endangers the health, safety, and welfare of the surrounding community or that obstructs reasonable use of property, including any conduct or condition that has been defined by Illinois common law to constitute a public nuisance;

(3) Violates or fails to comply with any provisions of the Crest Hill Zoning Ordinance, Crest Hill Code of Ordinances, ICC Codes, or other rules or regulations regarding the construction, maintenance, upkeep or condition of the premises owned by that person.

(C) Any person whose certificate of inspection has been suspended or revoked by the Building Inspector may appeal the decision to the City Council or any standing or special committee designated by the City Council by filing a written notice of appeal with the City Clerk's office within three business days of the person's receipt of the decision. The City Council or its designated hearing committee may review the Building Inspector's decision and may affirm or reverse the decision or remand it to the Building Inspector for further action or review.

(D) The city shall be authorized to recover any expenses incurred by the city in abating a public nuisance pursuant to any proceedings instituted by the Building Inspector. Any misconduct or condition of property resulting in the suspension, revocation, or refusal to renew a certificate of inspection shall be deemed a public nuisance for which expenses may be recovered.

(Ord. 1224, passed 1-22-02; Am. Ord. 1855, passed 12-21-20)

**§ 15.09.070 FEES.**

(A) There is hereby established the following fee schedule for each yearly inspection required by this chapter:

Each rental unit.....	\$ 50
All reinspections.....	\$50

(B) The units enumerated above shall include units used or occupied by the owner or the owner's representative.

(Ord. 1224, passed 1-22-02; Am. Ord. 1855, passed 12-21-20)

## CHAPTER 15.12: SIGN CODE

### Section

15.12.010	Definitions
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15.12.030	Permit; application
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15.12.050	Reserved
15.12.060	Issuance of permits
15.12.065	Temporary signs
15.12.067	On premises signs
15.12.070	Signs in residence districts
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15.12.090	Restrictions generally
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15.12.225	Perimeter or border window lighting and attention getting devices
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15.12.250	Nonconforming signs
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15.12.270	Appeal of decisions
15.12.280	Violation; penalty
15.12.290	Street numbers for buildings

### § 15.12.010 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

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<sup>1</sup>For statutory provisions authorizing municipalities to license street advertising and to control the location of signs on vacant property and on buildings, see ILCS Ch. 65, Act 5, § 11-80-15; for provisions of the Highway Advertising Control Act of 1971, see ILCS Ch. 225, Act 440, § 1 et seq.

**ALTERATION.** Any change or modification to a structure which does not increase its exterior dimensions.

**ANCHOR.** The mechanical nonplastic means by which various materials and the structural members in the construction or erection of a sign are used.

**APPROVED.** As applied to any material, device, or mode of construction, means approved by the Building Commissioner under the provisions of this chapter, or by any other authority designated by law to give approval of the matter in question.

**AREA, SIGN.** The area of a sign shall be determined by calculating the area within a single continuous perimeter encompassing the entire advertising copy and/or art designed to attract attention. This shall include the extreme limits of characters, lettering, illustrations, ornamentation, or other figures, together with any other material, design, or color forming an integral part of the display. The area within the single continuous perimeter shall be calculated by determining the area of the smallest measurable square, circle, rectangle, or triangle within the single continuous perimeter, including the frame, border, or other material, which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed. For freestanding signs, sign area shall not include any structural or framing element lying outside the limits of the sign face where copy is placed and not forming an integral part of the display.

**BEAM.** A horizontal or inclined structural member that carries loads principally by its flexural strength and transmits such loads to other supporting structural members.

**BUILDING.** A structure built for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind.

**BUILDING COMMISSIONER.** Shall also refer to the Zoning Officer or any officer appointed by the Mayor to enforce the provisions of this chapter.

**BUILDING LINE.** The rear line of the minimum front yard as designated in the Zoning Ordinance of the city.

**CHANGEABLE COPY SIGN.** A sign which displays words, lines, logos, or symbols which can change to provide different information. Changeable copy signs include computer signs, reader boards with changeable letters and time and temperature units.

**ELECTRONIC MESSAGE CENTER.** Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.

**ERECT.** Includes build, construct, attach, hang, place, suspend or affix, and also includes the painting of wall signs.

**FACING OR SURFACE.** The surface of the sign upon, against or through which the message is displayed or illustrated on the sign.

**FREESTANDING SIGN.** A sign anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports, and is not attached to or dependent for support from any building. For the purposes of this chapter, **FREESTANDING SIGNS** shall include ground mounted and pylon/pole signs.

**GROUND MOUNTED SIGN (MONUMENT SIGN).** As regulated by this chapter a freestanding sign having a solid base constructed of a masonry (or similar) material and anchored in or upon the ground.

**HEIGHT, FREESTANDING SIGN.** The vertical distance from average adjacent ground level, to the top of the sign including the support structure and any design element.

**HEIGHT, WALL SIGN.** The vertical dimension of an imaginary box drawn so as to completely enclose each entire symbol, word, phrase, title, or name appearing on the sign and computing the sum of all such geometric figures.

**ILLUMINATED SIGN.** Any sign which has characters, letters, figures, designs or outline illuminated by electric lights or luminous tubes as part of the sign proper.

**MONUMENT SIGN.** See **GROUND MOUNTED SIGN.**

**NONCOMBUSTIBLE MATERIAL.** Any material, no part of which will ignite and burn when subjected to fire. Any material which liberates flammable gas when heated to a temperature of 1380°F., for five minutes, shall not be considered noncombustible for purposes of this chapter.

**ON PREMISES SIGN.** A sign which directs attention to a business or profession conducted, including commodity, entertainment, or service sold, offered, or manufactured on the premises where the sign is located.

**OTHER ADVERTISING STRUCTURE.** Any marquee, canopy or awning.

**OWNER.** Includes his duly authorized agent or attorney, a purchaser, devisee, or any person entitled to an interest in the property in question.

**PERSON.** Includes an individual and also shall be deemed to include and to be followed by the words firm, corporation, association, estate of trust.

**PROJECTING SIGN.** Any sign which is attached to a building or other structure and extends beyond the surface of that portion of the building or structure to which it is attached.

(1) **HORIZONTAL PROJECTING SIGN.** Any sign which is greater in width than in height.

(2) **VERTICAL PROJECTING SIGN.** Any sign which is greater in height than in width.

**PYLON/POLE SIGN.** A sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six feet or more above grade and does not have the appearance of a solid base.

**REBUILD.** To reconstruct or alter a structure which may or may not increase its exterior dimensions.

**REPAIR.** A removal or replacement of any element or part of a sign that does not affect its plan or structural framework or any of its structural members.

**ROOF SIGN.** Any sign erected, constructed or maintained, wholly or partially, upon or over the roof of any structure, whether supported on the roof structure or in any other manner.

**SETBACK, SIGN.** The minimum distance required between any property line and any portion of a sign or sign structure.



**SIGN.** Includes every sign, freestanding sign, billboard, ground mounted sign, monument sign, wall sign, window sign, roof sign, illuminated sign, pylon/pole sign, and projecting sign, and includes any announcement, declaration, demonstration, display illustration or insignia used to advertise or promote the interests of any person when the same is placed out of doors in view of the general public.

**STRUCTURE.** Includes a combination of materials assembled at a fixed location to give support or shelter, such as a building, bridge, trestle, tower, framework, retaining wall, tank, swimming pool, wading pool, tunnel, tent, stadium, reviewing stand, platform, bin, fence, sign, flagpole, or the like, including any construction of any kind affecting or endangering life or property.

**STRUCTURAL TRIM.** The molding, battens, cappings, nailing strips, latticing and platforms which are attached to the sign structure.

**TEMPORARY SIGN.** Any sign which is not permanently affixed either to the land or to a permanent building on the land. All movable devices, including but not limited to banners; suspended cloth, fabric or cardboard pennants; flags (not intended to include flags of any nations); including feather flags; searchlights; twirling or sandwich-type signs; sidewalk or curb signs; and balloons or other air or gas-filled figures are temporary signs, whether or not they are attached to an electric or other power source.

**WALL SIGN.** Includes all flat signs of solid face construction which are placed against or painted on a building or other structure and attached to the exterior front, rear or side wall of any building or other structure.

('78 Code, § 15.12.010) (Ord. 57, passed - -62; Am. Ord. 549, passed - -82; Am. Ord. 1799, passed 2-4-19)

#### **§ 15.12.020 PERMIT; REQUIRED.**

It is unlawful for any person, firm or corporation, either directly or indirectly, or by its agents, to proceed with the erection, alteration, or relocation of any sign or signs in the city unless application for a permit has been made with the Zoning Officer and a permit has been issued therefor.

('78 Code, § 15.12.020) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

#### **§ 15.12.030 PERMIT; APPLICATION.**

An application for a permit shall be submitted to the Zoning Officer on the form supplied by him and shall be accompanied by plans and specifications setting forth the character of the sign in all its structural parts; an accurate sketch of the property designating the location of all existing and proposed signs; and, when requested by the Building Commissioner, a copy of the stress sheets and calculations showing the structure is designed for dead load and wind pressure in any direction in the amount required by this chapter and all other laws and ordinances of the city as well as such other information as the Building Commissioner may deem necessary. Further, an application for an illuminated sign shall be accompanied by a certificate of compliance with all requirements of the Underwriters' Laboratory, or Code of Electrical Department of the state.

('78 Code, § 15.12.030) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.040 PERMIT; FEES.**

The applicant for any permit for the erection, alteration, relocation or structural repair of all signs, shall, at the time of his application, pay to the city clerk for the use of the city a fee of \$10 for each \$1,000 or fractional part thereof, of the estimated cost of any such sign, except that the fee for the relocation of a sign shall be \$5.

(78 Code, § 15.12.040) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.050 RESERVED.**

(78 Code, § 15.12.050) (Ord. 57, passed - -62; Am. Ord. 549, passed - -82; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.060 ISSUANCE OF PERMITS.**

The Building Commissioner shall act upon the application for a permit within 15 days after its receipt by either approving or rejecting it, or requiring modification of the plans and specifications. When the Building Commissioner has approved the application, the City Clerk shall issue the permit. Every permit shall be considered cancelled if active work is not commenced within a period of 60 days from the date of its issue.

(78 Code, § 15.12.060) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.065 TEMPORARY SIGNS.**

Temporary signs are not allowed, except that the City Clerk in his/her discretion may issue a permit to the person or entity desiring to erect a temporary sign. The issuance of the permit shall be subject to the following requirements and limitations:

(A) The person or entity desiring the permit must fill out an application for the permit. The application shall be signed by the applicant and shall require the following information

- (1) The name of the person or entity filling out the application;
- (2) The name of the person or entity that desires to display the temporary sign;
- (3) The name of the person or entity that owns the sign;
- (4) The address where the sign will be displayed;
- (5) The dates between which the sign is sought to be displayed;
- (6) A statement as to whether the sign will be lighted and serviced by electric power; and
- (7) A statement that the information on the application is true to the best of the applicant's belief.

(B) Upon the filling out and signing the application, the applicant shall return it to the City Clerk with a nonrefundable application fee of \$25. The City Clerk shall approve or disapprove the application. The application form shall contain the alternatives "approved" and "disapproved" one of which the City Clerk shall designate. The application form shall also contain a signature space for the City Clerk's signature.

(C) Reserved.

(D) No temporary permit shall be valid for a period of more than ten consecutive days.

(E) No more than three permits during any one calendar year shall be allowed for a business, except that upon application to and approval by the City Council, no more than an additional six permits may be issued by the City Clerk upon compliance with division (B) of this section. City Council approval shall not be withheld upon a showing of commercial necessity or hardship.

(F) The rules concerning temporary signs set out in this section shall not apply as follows:

(1) To temporary signs placed on private property advertising for sale the real estate on which the temporary sign is placed, provided however that any sign, pennant, streamer, banner, or other device upon which is placed any words, designs or symbols with reference to the rental of real property may not be displayed unless the yearly fee of \$100 or where applicable, the temporary permit fee has been paid.

(2) To political signs for candidates running for public office or to political signs the subject matter of which is to be voted on by the public in an election, provided however that all such political signs must be removed from view no later than one week following the election to which such signs apply.

(G) Notwithstanding anything to the contrary contained above in this section, no signs, whether temporary or otherwise, shall be erected, placed, located or otherwise affixed within the parkways of the City of Crest Hill, Illinois, except for any signs set forth in the parkways by federal, state or local governmental entities, or bus stop benches when located in a lawful area or the parkway, as designated by the City of Crest Hill. Without limiting the generality of the foregoing, such restriction shall include by way of illustration, but not by way of limitation, signs such as real estate signs, garage sale signs, directional signs, political signs, advertising signs, and similar signs of a like kind and nature. For the purposes of this division (G), **PARKWAY** shall be defined as the area between the street curb and the sidewalk, and in those areas where no sidewalk exists, the **PARKWAY** shall include any portion of the right-of-way not improved by a street or sidewalk. All signs in violation of this division (G) shall be subject to immediate removal by the city.

(78 Code, § 15.12.060) (Ord. 549, passed - -82; Am. Ord. 766, passed - -90; Am. Ord. 781, passed - -90; Am. Ord. 796, passed - -91; Am. Ord. 805, passed - -91; Am. Ord. 1467, passed 10-6-08; Am. Ord. 1664, passed 5-19-14; Am. Ord. 1799, passed 2-4-19; Am. Ord. 1812, passed 6-17-19)

#### **§ 15.12.067 ON PREMISES SIGNS.**

Only on premises signs are permitted in any zoning district and must comply with the regulations set forth in this chapter. Off-premises signs are not permitted, except when approved by City Council. (Ord. 1799, passed 2-4-19)

#### **§ 15.12.070 SIGNS IN RESIDENCE DISTRICTS.**

The following type of signs shall be permitted in residence districts:

(A) Reserved.

(B) *Freestanding signs for the residential districts.*

(1) Freestanding signs within the residential district are only allowed for residential developments, schools, churches, hospitals, and permitted buildings; and uses other than dwellings and must comply with the following regulations.

(a) *Permitted number.* One freestanding sign is permitted per public right-of-way for schools, churches, hospitals, and permitted buildings and uses other than dwellings. Residential developments may be allowed one freestanding sign per entrance to the development, however no more than two signs per public-right-of-way.

(b) *Setback.* All freestanding signs must maintain a setback of not less than ten feet from the property line and no signs may be permitted within a sight triangle, except for safety-related signs. No freestanding sign shall conflict with drainage.

(c) *Height.* No freestanding sign shall be greater than ten feet in height. The base of the sign is included in the calculation of the overall height of the sign, but not the area of the sign.

(d) *Area.* The maximum allowable area for freestanding signs is 20 square feet.

(e) *Calculation of sign area for freestanding signs.* Electronic message center/changeable copy signs are strictly prohibited on residential development signs. In the case where electronic message/changeable copy is included in a sign, the changeable copy portion of the sign shall not exceed 20 square feet and will not be counted towards the area of the sign but will be counted towards the overall height.

(f) *Landscaping.* Landscaping shall be provided around the base of each freestanding sign. The landscaping shall be well maintained which shall include but not be limited to the removal of dead or dying plant material and weeds. All signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, and free and clear of all obnoxious rubbish.

(g) *Illumination.* Freestanding signs must be externally illuminated and be in compliance with all current electrical codes. The illumination of the sign should be done in such a manner as to not create a hazard to motorists. Internally illuminated signs in the residential districts are prohibited.

(h) *Material and design.* Freestanding signs shall be constructed of wood or masonry material. Architectural features will not be counted in height or the area of the sign. All structural supports of the signs shall either be encased in a masonry material or painted/coated and maintained in a like new condition. All posts, anchors and bracing shall be treated to protect them from moisture by creosoting or other approved methods when they rest upon or enter into the ground.

(i) All freestanding signs must comply with the regulations established by § 15.12.080 of this chapter.

(C) Real estate signs advertising the sale or rental of premises on which sign is located; provided, the area on one side of any such sign shall not exceed nine square feet and not more than two such signs shall be erected for any property held in single and separate ownership.

(D) Trespassing, entrance, exit and parking signs or signs indicating the private nature of a driveway or premises; provided, that the area on one side of any such sign shall not exceed two square feet.

(E) Temporary signs of mechanics and artisans; provided, that such signs shall be erected only on the premises where such work is being performed, the area of one side of any such sign shall not exceed 12 square feet, and such signs shall be removed promptly upon completion of the work;

(F) Public utility signs in connection with the identification, operation, or protection of a public utility; provided, that the area on one side of any such sign shall not exceed nine square feet;

(G) Bulletin boards not over 15 square feet in area for public, charitable or religious institutions when the same are located on the premises of such institutions.

('78 Code, § 15.12.070) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

#### **§ 15.12.080 SIGNS IN BUSINESS, OFFICE AND MANUFACTURING DISTRICTS.**

The following types of signs shall be permitted in business, office and manufacturing districts:

(A) Any sign permitted in residence districts.

(B) Real estate signs advertising the sale or rental of premises on which the sign is located; provided, that the area on one side of any such sign shall not exceed 20 square feet, and not more than two such signs shall be erected for any property held in single and separate ownership.

(C) *Wall signs.* Wall signs are permitted within the business, office, and manufacturing districts in accordance with the regulations outlined below:

(1) *Permitted number.* One wall sign is permitted per public right-of-way. In no case shall more than two such signs be erected upon each frontage. One additional wall sign may be erected on any premises abutting upon a railroad right-of-way.

(2) *Placement of sign.* No wall sign shall cover wholly or partially any wall opening, nor project beyond the ends or top of the wall to which it is attached. No wall sign shall be permitted to extend more than 15 inches beyond the building line, and shall not be attached to a wall of a height of less than ten feet above the ground level.

(3) *Allowable area.* Any one wall sign shall not exceed 15% of the wall area of the wall surface, including window and door areas on which they are displayed.

(4) *Illumination.* Wall signs may be externally or internally illuminated and be in compliance with all current electrical codes. The illumination of the sign should be done in such a manner as to not create a hazard to motorists.

(5) *Materials required.* All wall signs shall have a surface or facing of noncombustible material. However, combustible structural trim may be used thereon.

(6) Automobile dealers having a new car franchise may select one street front of their choice and be permitted, in addition to those signs permitted per this chapter, one sign for each make of new automobile offered for sale on the premises, and no such additional sign shall exceed 20 square feet.

(7) Wall signs are prohibited in residential districts, unless installed on schools, churches, hospitals, and permitted buildings and uses other than dwellings, which shall comply with the regulations outlined for wall signs in the business, manufacturing and office districts, per § 15.12.080.

(D) *Freestanding sign.* Freestanding signs are permitted within the business, office, and manufacturing districts in accordance with the regulations outlined below.

(1) Freestanding signs in business, manufacturing, and office districts:

(a) *Permitted number.* One freestanding sign is permitted per public right-of-way.

(b) *Setback.* All freestanding signs must maintain a setback of not less than ten feet from the property line and no signs may be permitted within a sight triangle, except for safety-related signs. No freestanding sign shall conflict with drainage.

(c) *Height.* The height of a freestanding sign is based on the acreage of the property in which the sign is representing. The height of the sign may be based on the total acreage of a development or each individual lot. The base or pole of the sign is included in the calculation of the overall height of the sign, but not the area of the sign. The overall height of the sign shall be in accordance with the height established in Table A entitled Allowable Sign Area and Height for Business Districts, below. Freestanding signs in the office or manufacturing district are restricted to an overall maximum height of 15 feet.

(d) *Allowable sign area within the business districts.* The maximum allowable area for freestanding signs is based on the acreage of the property in which the sign is representing. The allowable area of the sign maybe based on the total acreage of a development or each individual lot. The base of the sign is not included in the calculation of the overall area of the sign. In the case where the freestanding sign includes the name of the center or development, this text shall be included in the calculation of the overall height of the sign, but not the area. The allowable area of the freestanding sign in the business districts shall be in accordance with the sign area established in Table A entitled Allowable Sign Area and Height for Business Districts, below. Freestanding signs in the office or manufacturing district are restricted to a maximum area of 50 square feet.

**Table A: Allowable Sign Area and Height For Business Districts**

<b><i>Lot or Development Acreage</i></b>	<b><i>Allowable Sign Area</i></b>	<b><i>Allowable Sign Height</i></b>
Less than 5 acres	50 square feet	15 feet
5.1 acres to 15 acres	75 square feet	20 feet
15.1 acres to 25 acres	100 square feet	25 feet
25.1 acres and above	150 square feet	30 feet

(e) *Electronic message center sign/changeable copy.* In the case of electronic message center/changeable copy signs, the electronic message/changeable copy portion of the sign shall not exceed 20 square feet and will not be counted towards the area of the sign but will be included in the overall height.

(f) *Landscaping.* Landscaping shall be provided around the base of each freestanding sign. The landscaping shall be well maintained which shall include, but not be limited to the removal of dead or dying plant material and weeds. All signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, and free and clear of all obnoxious rubbish.

(g) *Illumination.* Freestanding signs may be externally or internally illuminated and be in compliance with all current electrical codes. The illumination of the sign should be done in such a manner as to not create a hazard to motorists.

(h) *Material and design.* Freestanding signs shall be constructed of materials complementary to the buildings on the property on which the sign is located. All structural supports of the signs shall either be encased in a masonry material or painted/coated and maintained in a like new condition. All posts, anchors and bracing shall be treated to protect them from moisture by creosoting or other approved methods when they rest upon or enter into the ground.

(i) Architectural features will not be counted towards the height or the area of the sign.

(j) Automobile dealers having a new car franchise may select one street front of their choice and be permitted, in addition to those signs permitted per this chapter, one sign for each make of new automobile offered for sale on the premises, and no such additional sign shall exceed 20 square feet.

(2) All freestanding signs must comply with the following regulations:

(a) *Construction.* All freestanding/ground signs shall have a surface or facing of noncombustible material; provided, however, that combustible material may be safely and securely built or attached to the sign structure. No nails, tacks, or wire shall be permitted to protrude therefrom.

(b) Reserved.

(c) Reserved.

(d) *Bracing, anchorage and supports.* All freestanding/ground signs shall be securely built, constructed and erected upon posts and standards sunk at least three feet below the natural surface of the ground.

(3) In addition to the regulations outlined in § 15.12.080 of this chapter, all pylon signs must comply with the following requirements:

(a) *Construction.* Every pylon sign or pylon upon which a sign is to be erected, including all braces and supports thereof, shall be designed by a registered architect and shall be approved by the Building Commissioner as in compliance with the sign code of the city.

(b) *Anchorage and supports.* All pylon signs or pylon upon which a sign is to be erected shall be set in a concrete base designed to support such sign or pylon in a manner to afford the greatest protection and safety to the public.

(c) *Limitation of glass.* The lettering or advertising designs of signs to be illuminated may be composed of glass or other transparent or semitransparent noncombustible material. Any glass forming a part of any sign shall be safety glass or plat glass at least one-fourth inch thick and, in case any single piece or pane of glass has an area exceeding three square feet in area, constructed of wire glass or safety glass shall be permitted on each side of a sign.

(d) *Obstruction of openings.* No sign, nor the braces or chains supporting or slaying same, shall be so erected or constructed so as to obstruct any door, window or fire escape of any building. No sign of any kind shall be attached to a stand pipe or fire escape.

(e) Pylon signs are prohibited in residential districts.  
(’78 Code, § 15.12.080) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.090 RESTRICTIONS GENERALLY.**

The restrictions set forth in §§ 15.12.100 through 15.12.220 shall apply to all permitted sign uses. ('78 Code, § 15.12.090) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.100 WOODEN SIGNS.**

All wooden signs must comply with the regulations established for freestanding and wall signs found in § 15.12.080 of this chapter for those signs located in the business, office, and manufacturing districts and § 15.12.070 for those signs located in residential districts.

('78 Code, § 15.12.100) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.110 NONCOMBUSTIBLE SIGNS.**

Noncombustible signs shall be entirely constructed of noncombustible materials, including all supports and braces for same. Such signs shall be securely attached to posts or other supporting structures and may be erected so that no part of the sign or structure extends within one foot of any property line when erected at right angles to the street frontage. Such sign structures shall be securely imbedded in concrete base. Signs erected parallel to the street frontage shall be located entirely within the property lines.

('78 Code, § 15.12.110) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.120 ELECTRIC SIGNS.**

(A) Electric signs, made of metal or glass with lamps inside the sign or with letters composed of lamps on outside of same, or similar construction, may be erected, provided they are securely attached to posts or other supporting structures by metal supports or fasteners.

(B) Reflectors and lights shall be permitted on ground and wall signs, provided they are equipped with long restraining hoods to concentrate the illumination upon the area of the sign and so as to prevent glare upon the street or adjacent property. No light shall be of the flashing type.

('78 Code, § 15.12.120) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.130 RESERVED.**

('78 Code, § 15.12.130) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.140 RESERVED.**

('78 Code, § 15.12.140) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.150 ROOF SIGNS.**

(A) **ROOF SIGN**, as regulated by this chapter, means any sign erected, constructed and maintained upon or over the roof of any building with the principal support on the roof structure.



(B) Every roof sign, including the upright supports and braces thereof, shall be constructed entirely of incombustible materials. However, combustible structural trim may be used thereon. ('78 Code, § 15.12.150) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

#### § 15.12.160 PROJECTING SIGNS.

(A) *Construction.* Every projecting sign, including the frames, braces and supports thereof, shall be designed by a structural engineer, registered architect or sign manufacturer and shall be approved by the Building Commissioner of the city and shall be constructed of incombustible or approved combustible materials.

(B) *Location.* Every projecting sign erected or maintained over a public sidewalk shall be placed at least ten feet above the level of the same, and at a distance not greater than two feet from the face of the wall to which it is attached, measuring from the point of the sign nearest thereto, nor shall any projecting sign or part thereof extend more than eight feet from the structure to which it is attached or be nearer the curbline than two feet, whichever is the lesser. Every projecting sign erected or maintained over public driveways, alleys and thoroughfares, other than sidewalks, shall be placed not less than 15 feet above the level of the same, and at a distance measuring from the point of the sign nearest thereto, nor shall any such projecting sign or part thereof extend more than eight feet from the structure to which it is attached.

(C) *Size.* All projecting signs shall be limited to a size of no greater than 15 square feet.

(D) *Erection.*

(1) *Bracing, anchorage and supports.* Projecting signs exceeding ten square feet in area for 50 pounds in weight shall not be attached to nor supported by frame buildings nor the wooden framework of a building. The signs shall be attached to masonry walls with corrosion resistant expansion bolts at least three-eighths inch in diameter which shall be embedded at least five inches into the wall.

(2) *Anchorage with wire prohibited.* No projecting sign shall be secured with wire, strips of wood or nails, nor shall any projecting sign be hung or secured to any other sign.

(E) *V-shaped signs prohibited.* V-shaped signs, consisting of two single-faced signs erected without a roof or ceiling, shall not be permitted.

(F) Projecting signs are prohibited in residential districts, unless installed on schools, churches, hospitals and permitted buildings and uses other than dwellings. ('78 Code, § 15.12.160) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

#### § 15.12.170 PYLON SIGNS.

(A) *Construction.* Every pylon sign or pylon upon which a sign is to be erected, including all braces and supports thereof, shall be designed by a registered architect and shall be approved by the Building Commissioner as in compliance with the sign code of the city.

(B) *Anchorage and supports.* All pylon signs or pylon upon which a sign is to be erected shall be set in a concrete base designed to support such sign or pylon in a manner to afford the greatest protection and safety to the public.

(C) *Limitation of glass.* The lettering or advertising designs of signs to be illuminated may be composed of glass or other transparent or semi transparent noncombustible material. Any glass forming a part of any sign shall be safety glass or plat glass at least one-fourth inch thick and, in case any single piece or pane of glass has an area exceeding three square feet in area, constructed of wire glass or safety glass shall be permitted on each side of a sign.

(D) *Obstruction of openings.* No sign, nor the braces or chains supporting or slaying same, shall be so erected or constructed so as to obstruct any door, window or fire escape of any building. No sign of any kind shall be attached to a stand pipe or fire escape.  
(78 Code, § 15.12.170) (Ord. 57, passed - -62)

#### **§ 15.12.180 ERECTION AT INTERSECTION; VISIBILITY.**

No sign or other advertising structure as regulated by this chapter shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device.  
(78 Code, § 15.12.180) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

#### **§ 15.12.190 CURB OR SIDEWALK SIGNS PROHIBITED.**

There shall be no curb or sidewalk signs, nor shall signs be attached or suspended from any outdoor bench, chair, or other article.  
(78 Code, § 15.12.190) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

#### **§ 15.12.200 TACKING SIGNS ON POLES.**

It is unlawful for any person, firm or corporation to advertise by sign tacking or advertise by tacking, pasting or tying on poles, posts, trees, buildings, fences or other structures. Real estate directional signs shall not be permitted.  
(78 Code, § 15.12.200) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

#### **§ 15.12.210 REMOVAL.**

Any sign now or hereafter existing which no longer advertises a bona fide business conducted on the property on which the sign is erected must be removed within 30 days after written notification from the Building Commissioner and, upon failure to comply with such notice, the Building Commissioner is authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the building, structure or ground on which the sign is located.  
(78 Code, § 15.12.210) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.220 ANIMATED AND INTENSELY LIGHTED SIGNS.**

No sign shall be permitted which is animated by means of flashing, scintillating, blinking or traveling lights of over forty watts per lamp. Public service information signs and other electronic message centers classified as "changing signs" are permitted and not subject to this wattage-rating per lamp restriction. However, all electronic message center signs shall be equipped with technology that automatically dims the electronic message center according to ambient light conditions.

("78 Code, § 15.12.220) (Ord. 57, passed - -62; Am. Ord. 549, passed - -82; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.225 PERIMETER OR BORDER WINDOW LIGHTING AND ATTENTION GETTING DEVICES.**

(A) Lighting around the perimeter of window or door openings with a visible source of light, such as neon, fluorescent, LED or similar lighting source is hereby prohibited.

(B) Attention-getting devices, except electronic message center signs, as permitted by the chapter shall be prohibited. For the purpose of this regulation, attention-getting devices shall include flashing lights, strings of light bulbs, moving signs, light beams, strobe lights, animated light display, and rotating signs. Lights being displayed in conjunction with traditional holiday decorations shall be exempt.

(Ord. 1740, passed 7-17-17; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.230 PERMIT FEE NOT REQUIRED WHEN.**

No permit or fee shall be required for the following types of signs: official traffic signs, real estate signs advertising sale or rental, trespassing signs or signs indicating private nature of a driveway or premises, temporary signs of contractors, builders, plumbers, artisans and/or mechanics, and public utility signs or other signs that do not advertise a product, service or event.

("78 Code, § 15.12.230) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.240 POWERS AND DUTIES OF BUILDING COMMISSIONER.**

The powers and duties of the Building Commissioner shall be to:

(A) Examine all applications, plans and specifications submitted and to approve them within 15 days if in conformity with the provisions of this chapter, and thereupon to notify the City Clerk to issue a permit for such sign; or to disapprove them if they do not conform to this chapter, and to refuse permits therefor until they are modified so as to conform to such requirements, to give notice to stop work and to prosecute for any infraction or violation of this chapter.

(B) Inspect all signs during the course of erection and to see that the provisions of this chapter and of the permit are carried out.

(C) Keep all applications, plans and specifications and a record of all permits, refusals, inspections, and other action taken by him, which record shall be kept on file with the City Clerk.

(D) Stop the erection, alteration, relocation or repair of any sign where the same is being carried on contrary to the provisions of this chapter, to order the removal of any materials that may be unsafe or unfit for the purpose for which they were intended to be used, in accordance with the terms and definitions of this chapter, and to revoke the permit for such cause.

(E) Direct that precautions shall be taken by the erection of suitable scaffolding or other protection whenever the work of erecting, altering, relocating or repairing of any sign may in his judgment affect the public safety.

(F) Inspect annually, or at such time as he deems necessary, each sign or other advertising structure regulated by this chapter for the purpose of ascertaining whether the same is secure or insecure and whether it is in need of removal or repair.

(G) Cause to be removed summarily and without notice any sign or other advertising structure which is an immediate peril to persons or property.

('78 Code, § 15.12.240) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

### **§ 15.12.250 NONCONFORMING SIGNS.**

Every sign or other advertising structure, except for temporary signs, in existence on the adoption of the ordinance codified in this chapter which violates or does not conform to the provisions hereof, may continue to exist and shall be deemed a legal non-conforming sign. Should the non-conforming signs be moved, removed or altered or replaced, it shall then be required to conform with the provisions of this chapter and regulations. These provisions shall not preclude one from completing routine maintenance or modifications that are required to address current or potential safety concerns. All non-conforming temporary signs, as defined by § 15.12.010, must be removed within three months from the adoption of this chapter, February 4, 2019.

('78 Code, § 15.12.250) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-2019)

### **§ 15.12.260 REVOCATION OF PERMIT.**

The Mayor is authorized and empowered to revoke any permit issued upon failure of the holder thereof to comply with any provision of this chapter and regulations. All rights and privileges acquired under the provisions of this chapter, or any amendment thereto, are mere licenses revocable at any time.

('78 Code, § 15.12.260) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

### **§ 15.12.270 APPEAL OF DECISIONS.**

Whenever the applicant of any sign about to be or in the course of being erected, altered, relocated or repaired, or any other person, takes exception to the decision of the Building Commissioner in refusing to approve the manner of construction, or the kinds of materials to be used in the erection, alteration, relocation or repair of any sign, or as to its safety or its compliance with the provisions of this chapter, such applicant or person or his duly-authorized attorney or agent may, within ten days after such decision, take an appeal therefrom to the City Council. Such appeal shall be in writing, shall state the decision of the Building Commissioner and the reasons for the exception taken thereto, shall be verified by affidavit and shall be filed with the City Clerk. The person appealing shall have the right to appear and to be heard, if he states his desire to do so in his written appeal. A prompt decision of such appeal shall be made by the City Council and shall be duly recorded and the decision shall be final.

('78 Code, § 15.12.270) (Ord. 57, passed - -62; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.280 VIOLATION; PENALTY.**

Any person found guilty of a violation of any of the provisions of this chapter shall be fined not less than \$75, but no more than \$750 for each offense.

(78 Code, § 15.12.280) (Ord. 549, passed - -82; Am. Ord. 766, passed - -90; Am. Ord. 998, passed 7-1-96; Am. Ord. 1799, passed 2-4-19)

**§ 15.12.290 STREET NUMBERS FOR BUILDINGS.**

(A) *Establishment of number.* From and after the adoption of this section, the City Engineer shall, from time to time as necessary, establish street numbers for all lots or parcels of land situated within the corporate limits of the city, both for lots or parcels now fronting or adjoining existing streets and for all lots or parcels which may hereafter front or adjoin all new streets and highways hereinafter constructed and laid out in the city.

(B) *Minimum size and color restrictions.* The owners or persons in possession of any buildings on any lot or parcel for which there has been designated a street number shall display in a prominent place on the building the number so designated so that the same is plainly visible and readable by a person with normal vision from the street or highway on which the parcel or lot fronts or adjoins, which number shall not be less than three inches each in height and which number shall be of a shade or color which contrasts with the background thereof.

(C) *Duty to maintain.* It shall be the duty of the owner or person in possession of each such building upon which the numbers are displayed to keep and maintain the numbers in good condition so that they remain clearly visible and readable by a person with normal vision from the street or highway on which the parcel or lot fronts or adjoins.

(D) *Removing or defacing numbers.* No person shall remove or deface any house number placed upon any house in accordance with the provisions of this section. No person shall retain any number on his house other than that provided by the provisions hereof. No owner, agent or person in possession of any house shall refuse or neglect to number the house or cause the same to be numbered in conformity with this section.

(E) *Penalty.* Any person who shall violate the provisions of this section shall be fined not less than \$100 nor more than \$500 for each violation hereof. Each day a violation exists shall be deemed to be a separate violation.

(Ord. 928, passed 9-6-94; Am. Ord. 1799, passed 2-4-19)