

VILLAGE OF BARTLETT

COMMITTEE AGENDA

JUNE 2, 2020

BUILDING & ZONING, CHAIRMAN HOPKINS

7-Eleven (555 W. Lake St.) Site Plan, Special Uses, Variations

Building Code Update



Agenda Item Executive Summary

Item Name: 7-Eleven (555 W Lake St) – Site Plan, Special Use Permits and Variations
Committee or Board: Committee

BUDGET IMPACT

Amount: N/A Budgeted N/A

List what fund N/A

EXECUTIVE SUMMARY

The Petitioner is requesting **Site Plan Review** for a proposed 7-Eleven gas station at the northeast corner of N. Bartlett Rd. and Lake St. in the B-3 (Neighborhood Shopping) Zoning District. The proposed 7-Eleven would operate 24 hours, seven (7) days a week.

The Petitioner is requesting **Special Use Permits** to allow:

- An Automobile service station
- Package liquor sales
- Outdoor sales (propane)

The Petitioner is also requesting the following **Variations**:

- A 2.5 ft variation from the required 50 ft. front yard to allow the fuel pump canopy 47.5 feet from the front property line (south - Lake St.),
- An 8 ft. variation from the required 50 ft. corner side yard to allow the fuel pump canopy 42 feet from the corner side property line (west - N. Bartlett Rd.),
- To allow parking in the corner side yard (on the west side of the building),
- To allow the trash enclosure in the corner side yard rather than the rear yard,
- To reduce the required width of the landscaped interior parkway from 20 feet to 7 feet.

The **Zoning Board of Appeals** reviewed the Petitioner's **Variation** requests and conducted the requisite public hearing at their meeting on May 7, 2020. The Zoning Board of Appeals recommended **approval** of the variations based upon the Findings of Fact outlined in the Staff Report.

The **Plan Commission** reviewed the Petitioner's requests for a **Site Plan Review and Special Use Permits** and conducted the requisite public hearing at their meeting on May 14, 2020. The Plan Commission recommended **approval** of the Site Plan and Special Use Permits subject to the conditions recommended by Staff, the Findings of Fact and four additional conditions:

- O.** The posts for the canopy shall be wrapped with the same materials as the building.
- P.** The fence along the east property line shall be 8 feet in height.
- Q.** A painted stop bar and directional arrows shall be added to the N. Bartlett Road curb cut.
- R.** The petitioner shall increase the width of the sidewalk in front of the building by 2 feet.

ATTACHMENTS (PLEASE LIST)

PDS Memo, Minutes of the May 7, 2020 Zoning Board of Appeals Meeting, Minutes of the May 14, 2020 Plan Commission Meeting, Applicant Cover Letter, Application, Location Map, Site Plan, Landscape Plan, Rendering, Elevations, Floor Plan, Village's Environmental Consultant's February 20, 2020 letter, Municipal Survey Results of Alcohol Sales at Gas Stations

ACTION REQUESTED

- For Discussion only – For review and forward to the Village Board for a final vote.
- Resolution
- Ordinance
- Motion

Staff: Roberta Grill, Planning & Development Services Director Date: 5/21/2020

PLANNING AND DEVELOPMENT SERVICES MEMORANDUM
20-059

DATE: May 21, 2020
TO: Paula Schumacher, Village Administrator
FROM: Roberta Grill, Planning and Development Services Director *RBG*
RE: **(#19-19) 7-Eleven (555 W. Lake Street)**

PETITIONER

Jon Silverberg of GW Properties Group LLC.

SUBJECT SITE

555 W. Lake Street (Northeast corner of Lake St. and N. Bartlett Rd.)

REQUESTS

Site Plan Review

Special Use Permits:

- a) Automobile service station
- b) To sell package liquor
- c) To allow outdoor sales (propane)

Variations:

- a) a 2.5 ft variation from the required 50 ft. front yard (south – Lake Street)
- b) an 8 ft. variation from the required 50 ft. corner side yard (west – N. Bartlett Rd)
- c) to allow parking in the corner side yard (on the west side of the building)
- d) to allow the trash enclosure in the corner side yard instead of the rear
- e) to reduce the required landscaped interior parkway width from 20 ft. to 7 ft.

SURROUNDING LAND USES

	<u>Land Use</u>	<u>Comprehensive Plan</u>	<u>Zoning</u>
Subject Site	Gas Station	Commercial	B-3
North	Apartments	Attached Residential	SR-6
South	Farm Stand/ Agriculture	Commercial	SR-2
East	Apartments	Attached Residential	SR-6
West	Vacant	Commercial	B-2

ZONING HISTORY

This property has been part of Bartlett since its incorporation in 1891 and was shown on the Village's first Zoning Map (1941) as part of the Farming District. According to the 1962 Zoning Map, the property was zoned C Commercial. Ordinance 1963-18 *The Zoning Ordinance for the Village of Bartlett, Illinois* permitted automobile service stations and auto repair shops in Commercial Districts. Ordinance 1968-10 *An Ordinance Amending Ordinance No 63-18, the Zoning Ordinance for the Village of Bartlett, Illinois* designated existing service stations as legal nonconforming uses that were exempt from obtaining a Special Use Permit as long as they stayed operational. During the comprehensive rezoning of the Village in 1978, the property was rezoned to the B-3 (Neighborhood Shopping) Zoning District.

DISCUSSION

1. The Petitioner is requesting **Site Plan Review** for a proposed 3,500 sq. ft. 7-Eleven convenience store and gas station on 0.9 acres at the northeast corner of N. Bartlett Rd. and Lake St. in the B-3 (Neighborhood Shopping) Zoning District.
2. The existing building would be demolished with the new convenience store oriented towards Lake St. It would have a maximum height of 18 ft. 10 in. and be constructed with fiber cement panels that have the appearance of brick and ribbed metal. A decorative metal canopy is located over the entrance of the convenience store. The fuel canopy would be 17.5 feet tall.



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3. The Petitioner is requesting a **Special Use Permit** for an automobile service station with five pump islands (10 total stations) since the use of the site as a service station has been discontinued for more than six (6) months. (The Marathon station closed in 2013.) Additional **Special Use Permits** are being requested to sell package liquor and for outdoor sales (propane).
4. The proposed hours of operation for the 7-Eleven gas station and convenience store are 24 hours, seven (7) days a week.

5. The previous gas station had four (4) full access curb cuts, two (2) each on N. Bartlett Road and Lake Street. The Site Plan shows one full access curb cut on N. Bartlett Road and a right-in/right-out curb cut on Lake Street. The existing two curb cuts closest to the intersection will be removed.
6. The Petitioner is requesting the following **Variations**:
 - A 2.5 ft variation from the required 50 ft. front yard to allow the fuel pump canopy 47.5 feet from the front property line (south – Lake Street),
 - An 8 ft. variation from the required 50 ft. corner side yard to allow the fuel pump canopy 42 feet from the corner side property line (west – N. Bartlett Road),
 - To allow parking in the corner side yard (on the west side of the building),
 - To allow the trash enclosure in the corner side yard rather than the rear yard (the enclosure will be located 42.25 feet from the west property line),
 - To reduce the required landscaped interior parkway width from 20 feet to 7 feet.
7. The Zoning Ordinance requires a total of 28 parking spaces, 18 parking spaces for the convenience store and two (2) parking spaces for each pump island. The Petitioner is providing a total of 29 parking spaces which exceeds the Zoning Ordinance requirement. Nineteen (19) spaces including one (1) accessible space are designated for the convenience store, and two (2) parking spaces are at each island for the fuel center.
8. To meet the stormwater requirements for the site, the Petitioner has arranged to pay a fee-in-lieu of the required Post-Construction Best Management Practices (PCBMP) with DuPage County. The Village Engineer supports the Petitioner's request to utilize the fee-in-lieu program.
9. The Petitioner is proposing a six (6) ft. tall, solid fence along the north and east property lines in addition to deciduous trees and large shrubs required by the Landscape Ordinance to screen the commercial property from the adjacent apartments.
10. The Landscape Plan is currently under review by the Staff.
11. The Photometric Plan has been approved. The Plan indicates that the light fixtures under the fuel center canopy will be recessed into the canopy and have full cutoffs.
12. A revised Traffic Impact Analysis has been submitted by the Petitioner. Cook County Highway (N. Bartlett Rd) and IDOT (Lake St) have approved the curb cuts as shown. The Village's Traffic Consultant has no further comments.

13. The Village's Environmental Consultant has met with the Petitioner and has provided recommendations to protect the public health and environment during the redevelopment of the site. His letter dated February 20, 2020 is attached for your reference.
14. In response to Village Board Committee comments, the Petitioner has moved the fuel vents away from Lake Street and has verified that there is a safety shut off system for filling the tanks.

RECOMMENDATION

- A. The Staff recommends approval of the Petitioner's requests for a Site Plan and Special Use Permits subject to the following conditions and Findings of Fact:
 - A. Building permits shall be required for all construction activities including, but not limited to, tank removal, demolition and new construction;
 - B. Staff approval of the Landscape and Sign Plans;
 - C. Village Engineer approval of the Engineering Plans;
 - D. Approval by the Village's environmental consultant of the environmental remediation work and confirmation that all conditions and recommendations outlined in the Deigan & Associates, LLC letter dated February 20,2020 have been satisfied;
 - E. Signage shall be reviewed and approved separately by the Planning and Development Services Department in accordance with the Sign Ordinance;
 - F. IDOT approval of the permit for the curb cut on Lake Street;
 - G. Sidewalks shall be installed along Lake Street and N. Bartlett Road as requested by IDOT and the Cook County Highway Department;
 - H. Cook County Highway approval of the permit for the curb cut on N. Bartlett Road;
 - I. No tanker deliveries shall be allowed from 7:00 a.m.-9:00 a.m. and from 3:00 p.m.-7:00 p.m.;
 - J. A 50-cent per square foot Municipal Building Donation is required and due upon the issuance of a building permit;
 - K. Landscaping must be installed within one year of the issuance of a building permit;
 - L. If landscaping cannot be installed at the time of construction, a landscape estimate shall be submitted to Planning & Development Services Development for review and approval by the Village Forester and a bond posted in the approved amount for its future installation;
 - M. Findings of Fact (Site Plan):
 - i. That the proposed automotive service station is a Special Use in the B-3 Zoning District;
 - ii. That the proposed building, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses;

- iii. That the vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well;
 - iv. That the site plan provides for the safe movement of pedestrians within the site;
 - v. That there is a sufficient mixture of grass trees and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses. Any part of the site plan area not used for buildings, structures, parking or access ways shall be landscaped with a mixture of grass, trees and shrubs; (All landscape improvements shall be in compliance with Chapter 10-11A, Landscape Requirements.)
 - vi. That all outdoor storage areas are screened and are in accordance with standards specified by this Ordinance.
- N. Findings of Fact (Special Use Permits):
- i. The proposed Special Uses are desirable to provide a use which is in the interest of public convenience and will contribute to the general welfare of the community;
 - ii. That the proposed Special Uses will not under the circumstances of the particular case be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity;
 - iii. That the Special Uses shall conform to the regulations and conditions specified in the Bartlett Zoning Ordinance for such use and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.
2. The Zoning Board of Appeals reviewed the Petitioner's request for five (5) variations and conducted the requisite public hearing on May 7, 2020. The **Zoning Board of Appeals recommended approval** based upon the following:
- A. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
 - B. That conditions upon which the petition for the variations are based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.
 - C. That the purpose of the variations is not based exclusively upon a desire to make money out of the property.
 - D. That the alleged difficulty or hardship is caused by the provision of this Title and has not been created by any person presently having an interest in the property.

- E. That the granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.
 - F. That the proposed variations will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
 - G. That the granting of the variances requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.
3. The Plan Commission reviewed the Petitioner's requests for a Site Plan Review and three (3) Special Use Permits and conducted the requisite public hearing on May 14, 2020. **The Plan Commission recommended approval** of the Site Plan and the Special Use Permits subject to the conditions and Findings of Fact recommended above by the Staff and the following additional conditions:
- O. The posts for the canopy shall be wrapped with the same materials as the building.**
 - P. The fence along the east property line shall be 8 feet in height.**
 - Q. A painted stop bar and directional arrows shall be added to the N. Bartlett Road curb cut.**
 - R. The petitioner shall increase the width of the sidewalk in front of the building by 2 feet.**

The minutes of the Zoning Board of Appeals and Plan Commission meetings and background materials are attached for your review and consideration.



Village of Bartlett
Zoning Board of Appeals Minutes
May 7, 2020

(#19-19) 7-Eleven (555 W. Lake Street)

The following exhibits were presented:

Exhibit A – Picture of Sign

Exhibit B – Mail Affidavit

Exhibit C – Notification of Publication

The petitioners Mitch Goltz, Jon Silverberg, Matt Anderson, Mitesh Patel were sworn in by **M. Werden**, Chair.

K. Stone stated that this property has been part of Bartlett since its incorporation in 1891 and was shown on the Village's first Zoning Map as part of the Farming District. According to the 1962 Zoning Map, the property was zoned Commercial. During the comprehensive rezoning of the Village in 1978, the property was rezoned to the B-3 (Neighborhood Shopping) Zoning District.

The Petitioner is requesting Site Plan Review for a proposed 7-Eleven gas station at the northeast corner of N. Bartlett Road and Lake Street.

The Petitioner is also requesting Special Use Permits for an automobile service station since the use of the site as a service station has been discontinued for more than six (6) months. They are also asking for Special Use Permits to sell packaged liquor and outdoor sales for propane. The Plan Commission will review those requests and conduct the public hearing at their next meeting on May 14, 2020.

This proposed station would include a 3,500 square foot convenience store with five (5) pump islands (10 total stations). The proposed hours of operation for the 7-Eleven gas station and convenience store are 24 hours, seven (7) days a week.

The existing building would be demolished and the new convenience store would be oriented towards Lake Street. It would have a maximum height of 18 ft. 10 in. and be constructed with fiber-cement panels that have the appearance of brick and ribbed metal. A decorative metal canopy is located over the entrance of the convenience store.

The previous gas station had four (4) curb cuts, two (2) on N. Bartlett Road and two (2) on Lake Street. The Petitioners are removing the two (2) curb cuts that are closest to the intersection. IDOT and the Cook County Highway Department have authority over these roads and they have approved the curb cut locations as shown.

The Petitioner is before the Zoning Board tonight to request the following Variations; a 2.5 ft variation from the front yard setback for the canopy, an 8 ft. variation from the 50 ft. corner side yard setback, also for the fuel canopy, to allow parking in the corner side yard along N. Bartlett Road, to allow a trash enclosure in the corner side yard rather than the rear yard, and to reduce the required landscaped parkway from 20 feet to 7 feet.

The Zoning Board of Appeals should make recommendations based on the findings of fact outlined in your Staff report.



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May 7, 2020

M. Werden asked if the other 7-Eleven down the street was planning to stay in business and would this be a problem with the two so close together? **Dan Anderson** answered that we are unsure at this time and that decision would be made internally by their operations team. **G. Koziol** asked that with the removal of the existing building, are the tanks pulled and has the ground been contaminated, is that remediated? **Jon Silverberg** replied yes, in the process of demolishing and redeveloping the property, they would pull any underground storage tanks and obtain an NFR from the IEPA. It will all be remediated and/or encapsulated to IEPA standards. **R. Grill** added that the Village's environmental consultant is also reviewing the plans and will provide guidelines and recommendations on how they would remove the tanks and all safety precautions related to the soil remediation. **G. Koziol** stated that it was a concern of his because it is environmental. **M. Werden** stated that the pictures that they have seen already are a big improvement from what is there now. **G. Papa** agreed that it is a definite needed improvement.

M. Werden opened the Public Hearing portion of the meeting. **R. Grill** instructed the audience that if they had a question or comment they need to raise their hand to be called on. There were no questions from the audience. **M. Werden** asked if there were further discussions or motions.

B. Bucaro made a motion to pass along a **positive recommendation** to the Village Board to approve case (#19-19) 7-Eleven (555 W. Lake Street).

Motioned by: B. Bucaro
Seconded by: G. Koziol

M. Werden closed the Public Hearing portion of the meeting.

Roll Call

Ayes: G. Papa, B. Bucaro, J. Banno, M. Werden, G. Koziol, M. Sarwas, and C. Deveaux

The motion carried.



Village of Bartlett
Plan Commission Minutes
May 14, 2020

(#19-19) 7-Eleven (555 W. Lake Street)

The following exhibits were presented:

Exhibit A – Picture of Sign

Exhibit B – Mail Affidavit

Exhibit C – Notification of Publication

J. Lemberg the petitioners, Dan Akroyd, Matt Anderson, Mitch Goltz, Jon Silverberg, and Jason Wiesbrock were sworn in.

K. Stone stated that this property has been part of Bartlett since its incorporation in 1891 and was shown on the Village's first Zoning Map as part of the Farming District. The property was rezoned commercial and automobile service stations were permitted in the zoning district. In 1963 the Zoning Ordinance changed and service stations were changed to special uses. The existing service station was considered a legal nonconforming use that was exempt from obtaining a special use permit as long as they stayed operational. The property was rezoned in 1978 to the B-3 Zoning District. The gas station that was previously there ceased operations and the Petitioners are having to request a special use permit.

The Petitioners are requesting Site Plan Review for a proposed 3,500 sq. ft. 7-Eleven convenience store and gas station at the northeast corner of N. Bartlett Rd. and Lake St. in the B-3 Zoning District. The existing building would be demolished for the new service station. It would have a maximum height of 18 ft. 10 in. and be constructed with fiber cement panels that have the appearance of brick and ribbed metal. A decorative metal canopy is located over the entrance of the convenience store. The fuel canopy is 17.5 feet tall.

In addition to the Special Use Permit for an automobile service station, the petitioners are also requesting a Special Use Permit to sell package liquor and for outdoor sales. The proposed hours of operation for the 7-Eleven gas station and convenience store are 24 hours, seven (7) days a week.

The previous site plan had four (4) curb cuts. The petitioners are proposing to close the two (2) closest to the intersection and have a right-in/right-out on Lake Street and full access on North Bartlett Road. Cook County Highway has jurisdiction over North Bartlett Road. They have seen these plans. They have approved the location of the curb cuts and IDOT has approved the Lake Street curb cut.

The petitioners requested several variations, which went before the Zoning Board of appeals last Thursday. The Zoning Board of Appeals voted unanimously to recommend approval of the requests.

The petitioners are providing 29 parking spaces, which exceeds the Zoning Ordinance requirement. To meet the stormwater requirements for the site, the Petitioner will be paying a fee in lieu of the required Post-Construction Best Management Practices (PCBMP) with DuPage County. The Village Engineer supports this request.



Village of Bartlett
Plan Commission Minutes
May 14, 2020

The Petitioner is proposing a fence along the north and east property lines as required by the landscape ordinance. It will be a six (6) foot tall solid fence. The landscape plan is currently under review by staff. The photometric plan has been approved. The plan indicates the light fixtures under the canopy will be recessed and have full cut off. The Traffic Impact Analysis has been submitted by the Petitioner. It has been reviewed by the Village's Traffic Consultant who has no further comments. The Village's Environmental Consultant has reviewed the plans as well and has made recommendations to protect the public health and environment during the redevelopment of the site. His letter is attached for your reference.

The Petitioner made a couple of adjustments to the plans based on the Village Board Committee comments, including moving the fuel vents away from Lake Street as well as verifying that there is a safety shut-off system for filling tanks. Staff recommends approval of the petitioner's requests subject to the conditions and findings of the fact in your staff report.

J. Lemberg asked if the property is located in Cook County. **K. Stone** correct. **J. Lemberg** what does the property owner and previous owners do for the stormwater right now today? **K. Stone** it was existing. Back then, there were no standards for that. The previous gas station had been there since the 1960s. The storm water was over land. **J. Lemberg** it just flowed over the property? **K. Stone** correct. There was never a stormwater facility on the site. **J. Lemberg** if this property is located in Cook County, why is the petitioner paying a fee to DuPage County? **K. Stone** we follow the DuPage County Storm Water ordinance for the entire Village. **J. Lemberg** where is the water going to go? DuPage County or stay in Cook County. **K. Stone** the stormwater will go in Cook County, but they are paying the fee to DuPage County because we follow their ordinance. **J. Lemberg** what does the fee cover? Why is there a fee if DuPage County is not receiving the water? **K. Stone** the stormwater systems are connected. **J. Lemberg** how much is the fee to DuPage County? **J. Wiesbrock** answered, the fees are \$13,900. **J. Silverberg** agreed that is the correct amount. **J. Lemberg** asked if any of the members of the Commission had any questions for Staff at this time. **M. Hopkins** asked if all rooftop equipment was completely screened in pure elevation. **K. Stone** stated yes, they are behind the parapet walls. **M. Hopkins** asked if the petitioner was planning to broadcast music from under the canopy or use a loudspeaker under the canopy that would be audible at the property line? **D. Akroyd** stated that they do not broadcast music at the pumps. **T. Ridenour** asked if the white line on the first site plan was the property line. **K. Stone** correct. **T. Ridenour** stated that it looked like part of the parkway was on their site and part of it was on somebody else's property. **K. Stone** indicated on the map where the right-of-way limit is located and where IDOT's property is located along Lake Street. **T. Ridenour** asked if the variance that they are asking for is just for the width of their property or the total. **K. Stone** it is just for their property. **T. Ridenour** it actually is going to be a little bigger than the 7 feet. **K. Stone** correct, the parkway is bigger, but we only count what is going to be on their property. **T. Ridenour** where do the fuel trucks coming in west bound from Lake Street exit? **J. Silverberg** they will make a right onto Bartlett Road. **T. Ridenour** asked if six (6) feet is our usual fence height. **K. Stone** yes. **T. Ridenour** do we do eight (8) feet when we are that close to an apartment building? **K. Stone** they can do eight (8) feet, but six (6) feet is the minimum. **T. Ridenour** it seems like we are close on the east side. Should we consider making that eight (8) feet in the area of the building? Is all of the landscaping on the petitioner's side



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of the fence? **K. Stone** yes. **T. Ridenour** suggested that the fence be eight (8) feet on the east side, at least for part of it next to the building. Asked what is the double line on the east side on the map. **J. Wiesbrock** stated that has been revised. It was originally a decorative retaining wall, but it is no longer needed after we went through the BMP process with DuPage County and the Village. The double line on the site plan currently is not a retaining wall. **D. Negele** asked if the fence would be installed at the same time as the construction or are we waiting a year for the landscaping? When is the fence going up? **J. Silverberg** it will be one of the later parts of our construction, but we are not waiting a year to put in our landscaping. As long as we can get our building permit in a timely manner, we can get our site completed before the weather turns. We will get it in as soon as we can. **A. Hopkins** the exit along Bartlett Road, it is kind of hard to tell from these sketches here, but the width of that opening, if you have a car that wants to turn left out of there and a car waiting to turn right out of there. Would they both fit side-by-side? Just wondering about stacking issues. Obviously, if it is near rush hour where we are going to have three (3) cars trying to turn left or even just getting backed up there with people trying to move around in that section if that is going to be an issue. **J. Silverberg** yes, there is 36' lane there. People trying to go left on Bartlett Road will also be able to use the right out on Lake Street unless they want to go left, they have to go back to Oak Avenue. **M. Goltz** added that 36' feet is wide enough for three (3) lanes if two (2) exit and one enters. **A. Hopkins** asked what type of contamination is there and how will the cleanup of that go and how long would that take? **J. Silverberg** stated that they are doing all the necessary testing in order to obtain an NFR (No Further Remediation). Any contaminated dirt that is dug up and taken off site will be taken to a Subtitle D landfill site, which is an approved waste dump. Any contaminated dirt that goes off site will be disposed of properly and any contaminated dirt that is left on site will be encapsulated by both a vapor barrier and standard engineered barriers, which would include concrete and asphalt. We are required by the IEPA to adhere to their standards in order to obtain an NFR. **A. Hopkins** agrees with **T. Ridenour** that there definitely should be an eight (8) foot fence. I'm all for the package liquor alcohol sales. I think that would be a good location on the north end of town there for that. If that is approved by Village Board and down the road, if they wanted to create gaming there, would they be able to because they have alcohol sales? **R. Grill** no, they would not. They do not meet the parameters. In order to have gaming devices, you need to have liquor, but you also need to be considered a truck stop and this does not meet the parameters or the definition of a truck stop in accordance with the State of Illinois. **T. Ridenour** asked, do you think that the Bartlett Road curb cut should be striped so that we have a definite right out, left out, and entrance? **K. Stone** with arrows? **T. Ridenour** correct. **R. Grill** we can have the Petitioner revise their site plan to take off the retaining wall and they can add arrows. **T. Ridenour** it seems like with people exiting, if we give them a little more guidance, it is always helpful with a right turn lane, a left turn lane, and leaving the bottom part for the entrance. **R. Grill** asked, does the petitioner agree to that? **J. Silverberg** yes, we can do that. **D. Gunsteen** asked if the fence is PVC material. **K. Stone** it is a wood fence. **D. Gunsteen** does it meet the Village of Bartlett standards? **K. Stone** yes. It has metal posts, which is a required condition. **D. Gunsteen** what material is being used for the trash enclosure? I am assuming it matches the building. **K. Stone** the trash enclosure does architecturally match the building. **D. Gunsteen** does it have the brick veneer? What kind of doors are on the front? **J. Silverberg** they look like barn doors although they do not operate with a single slider on the top. They have a hinge. **D. Gunsteen** are they trimmed out with metal or is it wood? **J. Silverberg** I believe they are PVC with metal hinges. **D. Gunsteen** the reason I am asking is because the trash services typically break



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those off when they are cedar and it takes a long time for companies to get those fixed and being that this faces the intersection, that was one of my concerns. Has there been any discussion about having a sidewalk put in? I heard this 7-Eleven is a relocate from across the street and that 7-Eleven gets a lot of foot traffic, all day long every day, as well as kids leaving the middle school and walking to the 7-Eleven. Is a sidewalk required. **J. Silverberg** per the vehicular road jurisdictions, both Cook County and IDOT have requested and we have agreed to putting sidewalks along the south and west sides of the property lines. Those would all be on the civil drawings, which are not in the slide show. **D. Gunsteen** when I look at the canopy columns, it does not look like they are wrapped with material. It looks like they are just a standard steel beam painted. Does the city require all of our gas stations with canopy structures to have the steel uprights wrapped with materials that matches the building? **R. Grill** we have had that in the past with some other gas stations. We do not require it, but it is something that you could make a recommendation on. **D. Gunsteen** I do think the exits going out onto Bartlett Road do need to have a white-painted stop bar as well as the turn arrows on the pavement. How do the other commissions feel about the canopy columns? **R. Grill** if you'll recall, Bucky's columns have the same materials that were used on the front facade of the building. We actually have another gas station coming soon before you that I believe, that will also be using stone on their columns. **K. Stone** that project needs to submit the elevations for the canopies. **D. Gunsteen** it is my opinion that as this project is on a main thoroughfare that as you turn, you come into Bartlett, and secondly, I know that painted steel has a life expectancy of maybe two (2) years before it needs to be consistently grinded, sanded and painted. The Mobile gas station on Route 59 is rotted and rusted. I think we should add that as a condition. **D. Negele** asked, do you want it to go all the way to the top or half-way up the post? **D. Gunsteen** I think it could be 36" to 58" up the canopy column with a cap, which is the same type of cap used to go around the building. **J. Wiesbrock** in the past, with other gas stations we have done, when they covered, you do not know what is behind it. Seeing the painted columns and seeing potential corrosion, you can fix it. If you cover it up, sometimes you do not know that and it becomes more of an issue long term. **M. Hopkins** it is false brick. It is not as impervious as real brick. It is fiber cement, so it is not like we are protecting the columns with real brick if we were to steer the developer towards this. It would be esthetic and not utilitarian. **R. Grill** I think the 7-Eleven at Schick Road and Route 59 has brick columns. **M. Hopkins** what about the Circle K? The BP on Route 59 is just steel. **T. Ridenour** we have a chance right now to make future projects like this better or lesser. I think go for better. **D. Negele** function versus fashion. If we cannot see damage underneath the poles with that, like the petitioner said, that compromises the integrity. **J. Allan** I think the supports should be fine the way they are. At least you can tell what is going on this way other than wrapping it and not knowing what is going on behind it. **M. Hopkins** stated that on Google street view, looking at the 7-Eleven on Route 59 and Schick Road, it does not have any wraps. **A. Hopkins** looking on street view, the Circle K does have brick pillars, at least it looks like brick, but I do not know if it is fake or not. **D. Gunsteen** the aesthetics are a big part of what we approve in the Village of Bartlett. I think we should keep that as our minimum standard to keep our trash enclosures, our buildings, and our canopy columns, whether it be a drive through canopy or gas canopy so that we do not have just raw steel or painted steel. When we are approving something, we have to think about it for the long term, not the short term. **A. Hopkins** I agree with that statement. **D. Negele** we need to make it long lasting. **D. Gunsteen** I believe if it is installed correctly it can be done in a fashion that will not cause future damage or decay behind it. I think adding it to a 48" maximum, not less than 3' is a good compromise. **M. Hopkins** it should be



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to the top of the pumps. **D. Gunsteen** I agree, it should go all the way up. **M. Goltz** the posts on the rendering go through a concrete base and when you widen that, it may not fit within the base. In addition, part of the reason it is left exposed and does not have brick is that unfortunately, some people do not like to walk to the garbage cans and will put garbage on the ledge. If there is a ledge there within arms-distance, often times there are drinks and food left on that ledge. Aesthetically, it may not be exactly what some may want, but looking at the pillars at the Circle K, those pillars go all the way down to the ground and these are on a base. **M. Hopkins** looking at the Circle K on Google Street View, the island is not any wider if it is boxed out for the brick-finished material than it would be otherwise. **D. Gunsteen** I agree in that the weight of the product that they would have to utilize, I do not think they would have to upgrade or thicken the slab. **M. Hopkins** that is right, but the Building Department will require a foundation to the frost line. That is standard. Looking at the Circle K, the island was not widened. It is 3-brick wide, so it is 24" inches wide. That could just be wrapped very tightly to the column. The island does not have to get any bigger. **M. Goltz** what if we wrap it with the Nichiha that is on the building? How high do you want it? **T. Ridenour** all the way up. **M. Goltz** Okay. **D. Gunsteen** I would like to add that as a condition of approval. I would also like to tell the petitioners that I think this is the highest and best use for this property. It is great to see something built here. **M. Hopkins** I agree. **D. Negele** we will add the eight (8) foot fence to that one side as well. **K. Stone** it can go to the end of the parking. It stops at the setback line. **D. Gunsteen** is the fence back further than the trash enclosure or would the petitioner want to incorporate the fence and the trash enclosure as one so people are not hiding between those two units? **J. Silverberg** the trash enclosure is a masonry unit and the fence is a wooden unit. I am not worried about people hiding back there unless it is a concern of the Board's. **R. Grill** the fence cannot go beyond the setback line, but it can stop before it hits the line of the trash enclosure. **D. Gunsteen** I agree. **R. Grill** asked the Petitioner, are you okay with having a six (6) foot fence on the north property line going to an eight (8) foot fence on the east property line? **J. Silverberg** that is agreeable. **J. Lemberg** on the site plan the driveway entrance going into the property says it is 35' wide, but it has an island in the middle. How wide is that island that it is taking up 35 feet? **J. Silverberg** that is a porkchop that ensures that only right ins and right outs are happening. It is also part of the truck route. It is a mountable median for a large vehicle such as a fuel tanker. The exact dimensions are on the civil plans. **J. Lemberg** how wide is the driveway going to be for a vehicle to come in? **J. Wiesbrock** it is a right in, right out and we have had it through IDOT. It is 12' feet and 12' feet out at a minimum and we have actually revised the out to 15 feet per IDOT's request. There is plenty of room. The mountable curb is a three (3) inch high curb so that a truck can go over it to get it. Curb to curb is it 15' in and out, which gives it a 12' driving lane outside of the curb line in the gutter line. **J. Lemberg** along Lake Street there you have what looks like a drawing of a fuel truck. Is that where the fuel trucks are going to load? **J. Wiesbrock** yes, correct. **J. Lemberg** when the fuel truck is coming in off of Lake Street, how far does it have to drive into the property before it makes a left hand turn to park where it is at in this diagram? **J. Wiesbrock** we did run all of this through an Auto-Turn Program to verify that it does work. It does make the turn in left and then straighten out with plenty of room for a standard tanker that we use at 7-Eleven and the truck movements work fine here. We can get that to you if you would like. **J. Lemberg** it is not going to cut it short and drive over the porkchop island? **J. Wiesbrock** it will. That is the idea of the M 3.12 curb that is mountable. The truck can drive over it. **J. Lemberg** how long will that curb last? **J. Wiesbrock** the curb is per IDOT specifications. It is 35 PSI and rated for that reason. We do this all the time with IDOT. It is their right in-



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right out design in detail that we are proposing and know that it is going to be driven over with a loaded semi. **J. Lemberg** the diagram for the building itself has a sidewalk in front of it that looks like it is seven (7) feet wide. **K. Stone** yes. **J. Lemberg** you are putting planters there that are 18" inches wide. Now the sidewalk is cut down about five (5) feet. There are some big trucks that would cover the sidewalk. Are there going to be wheel stops there so that cars cannot go that far and their bumpers cannot hang over the sidewalk? If there is a bumper hanging over the sidewalk that is two (2) feet and planters that are almost two (2) feet people are going to struggle to get through. **J. Wiesbrock** typically, an 18-inch overhang and an 18-inch planter, which is three (3) feet, there is a four (4) foot walkway. That was the intent. **M. Goltz** the seven (7) foot sidewalk is there. We also have 20-foot parking spaces, which are in many cases, two (2) feet longer than most municipalities. We actually have between a two (2) and four (4) foot buffer. **M. Hopkins** I agree with **J. Lemberg**. If we are going to let the sidewalk work and you are going to put planters up against the building, why would we have a 20-foot parking space and then let people snug up to the curb and then take 18 inches out of the sidewalk and the planter out of the sidewalk too. In other municipalities, there is a standard dimension of 18 feet and then even go to 16-1/2 feet if you are going to allow an overhang for the bumper. People will snug up until they feel their tire hit the curb and then all of the sudden, they are pinching the sidewalk. Maybe that curb should be moved south 18 inches or put up wheel stops. **M. Goltz** part of the reason we like to stay away from wheel stops is that sometimes they can become problematic in the winter when they are plowing snow. If we are able to do it within code and widen the sidewalk between (eight and a half) 8-1/2 and 9 inches. I am not opposed to that if that was deemed appropriate. **M. Hopkins** right, so why not, it is the same dimension and you would not have to move the gas islands. **J. Silverberg** if you widen the sidewalk something has to shift and you have a 30-foot set back in the rear. **D. Gunsteen** where are the planters located? **K. Stone** they are proposing three (3) landscape planters by the doors. **D. Gunsteen** is that required by code or is that the petitioner. **K. Stone** we require a four (4) foot wide strip of landscaping. They are doing the planters, which is pretty common to meet the intent of the landscape ordinance. **R. Grill** we will have the petitioner work with staff to widen the width of the sidewalk in the front or the length of the parking stalls. We can work with the petitioner to get that changed. **M. Hopkins** that is a good plan. **J. Lemberg** for your outdoor sales, are you going to have anything sitting on the sidewalk like wood for a fireplace or bags of salt or something like that, or is it going to stay open all the time? **D. Aykroyd** at this point, we are working with the franchisee and intend to sell only propane. We also do a small section of wash fluid. Those would be the only items.

J. Lemberg opened the Public Hearing portion of the meeting. No one came forward. The public hearing was closed.



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T. Ridenour made a motion to pass along **a positive recommendation** to the Village Board to approve **Case (#19-19) 7-Eleven (555 W. Lake Street)** subject to the Findings of Fact and conditions outlines in the Staff Report and with following additional conditions: (1) the posts for the canopy shall be wrapped with the same materials as the building, (2) the fence along the east property line shall be eight (8) feet in height, (3) a painted stop bar and directional arrows be added to the N. Bartlett Road curb cut, and (4) the Petitioner shall increase the width of the sidewalk in front of the building by two (2) feet.

Motioned by: T. Ridenour

Seconded by: A. Hopkins

J. Lemberg closed the Public Hearing portion of the meeting.

Roll Call

Ayes: J. Lemberg, J. Allen, D. Gunsteen, A. Hopkins, J. Kallas, J. Miaso, D. Negele,

Nays: None

The motion carried.



2211 North Elston, Suite 304
Chicago, Illinois 60614
Main: 773.382.0445
Fax: 773.796.3037

April 30, 2020

President
Board of Trustees
Village of Bartlett
228 S Main Street
Bartlett, IL 60103

RE: 555 W Lake, Bartlett, Illinois

Dear President of the Board,

GW Property Group is proposing a new development on the Northeast corner of Bartlett Rd and Lake St in Bartlett, Illinois. The site would provide a 3,500sf convenience store with a 5-pump gas station. Our complete development application provides the finding of facts in regard to our site plan, variance, and special use request. The variance involves a 50ft front yard set back from the property line along Lake St. The need for the variance is triggered by the canopy which is set back approximately 45ft from the property line along Lake St. the point at which the canopy encroaches on the required 50ft set back is 14ft in the air. The applicant is requesting a special use, to sell package liquor, and outdoor sales of propane in order for the project to be viable for our proposed tenant.

Regards,

Jon Silverberg
Vice President
GW Property Group LLC.

A handwritten signature in black ink, appearing to read 'J Silverberg', written in a cursive style.



VILLAGE OF BARTLETT DEVELOPMENT APPLICATION

For Office Use Only
Case # 2019-19

(Village Stamp)

PROJECT NAME GW Bartlett LLC

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Jon Silverberg

Street Address: 2211 N Elston Ave Suite 304

City, State: Chicago, IL

Zip Code: 60614

Email Address: [REDACTED]

Phone Number: [REDACTED]

Preferred Method to be contacted: Email

PROPERTY OWNER INFORMATION

Name: Abrar A. Sahi

Street Address: [REDACTED]

City, State: [REDACTED]

Zip Code: [REDACTED]

Phone Number: _____

OWNER'S SIGNATURE: See attached letter
(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)

ACTION REQUESTED (Please check all that apply)

- Annexation
 - PUD (preliminary)
 - PUD (final)
 - Subdivision (preliminary)
 - Subdivision (final)
 - Site Plan (please describe use: commercial, industrial, square footage):
Commercial, gas station.
 - Unified Business Center Sign Plan
 - Other (please describe) _____
- Text Amendment
 - Rezoning B-3 to B-3
 - Special Use for: Package liquor & Outdoor sales
 - Variation: Front Set-back, Interior Walkway

SIGN PLAN REQUIRED? No

(Note: A Unified Business Center Sign Plan is required for four or more individual offices or businesses sharing a common building entrance or private parking lot.)

PROPERTY INFORMATION

Common Address/General Location of Property: 555 W Lake St Bartlett, IL 60103

Property Index Number ("Tax PIN"/"Parcel ID"): 06-27-403-013-0000

Zoning: Existing: B-3 **Land Use:** Existing: Vacant
(Refer to Official Zoning Map)

Proposed: B-3 Proposed: Commercial

Comprehensive Plan Designation for this Property: Commercial
(Refer to Future Land Use Map)

Acreage: .899

For PUD's and Subdivisions:

No. of Lots/Units: N/A

Minimum Lot: Area _____ Width _____ Depth _____

Average Lot: Area _____ Width _____ Depth _____

APPLICANT'S EXPERTS (If applicable, including name, address, phone and email)

Attorney Jaffe & Berlin LLC
111 W Washington Suite 900, Chicago, IL 60602
312-372-1550

Engineer Jason Wiesbrock, SpaceCo Inc.
224 1/2 N Liberty St. Morris, IL 60450
[REDACTED]

Mark Diganci, Design Studio 24

Other 2211 N Elston Ave Suite 304, Chicago, IL 60614
[REDACTED]

FINDINGS OF FACT (Standards)

The Village of Bartlett Zoning Ordinance requires that certain findings of fact, or standards, must be met before a special use permit, variation, site plan or planned unit development may be granted. Each application for a hearing before the Plan Commission or Zoning Board of Appeals for a special use, variation, site plan or planned unit development must address the required findings of fact for each particular request. The petitioner should be aware that he or she must present specific testimony at the hearing with regards to the findings. **(On the following pages are the findings of fact, or standards, to be met. Please respond to each standard, in writing, as it relates to the case.)**

****PLEASE FILL OUT THE FOLLOWING FINDINGS OF FACT AS THEY
RELATE TO YOUR PETITION****

Findings of Fact for **Site Plans**: Pages 4-5
Findings of Fact for **Planned Unit Developments**: Pages 6-9
Findings of Fact for **Special Uses**: Page 10
Findings of Fact for **Variations**: Pages 11-12

FINDINGS OF FACT FOR SITE PLANS

Both the Plan Commission and Village Board must decide if the requested Site Plan meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Plan Commission and Village Board to review.)**

1. The proposed use is a permitted use in the district in which the property is located.

GW Property Group is proposing a 3,500sf convenience store and gas station with 5 pumps located on the North East corner of Bartlett Rd and Lake St. There is a special use permit for a previous gas station and currently under the B3 zoning that allows for a convenience store.

2. The proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses.

GW has confirmed that all building, off-street parking, access points, lighting, and drainage are compatible with adjacent land uses. The development is similar to old configuration but much more appealing to the neighboring lots.

3. The vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well.

The proposed site plan shows an efficient ingress and egress to and from the site.

The site will be using three existing right in and right out entry ways with a 33ft width being the shortest access. As part of the development we will have gotten approvals from IDOT which will show efficient access usage for both cars and trucks.

4. The site plan provides for the safe movement of pedestrians within the site.

The site plan shows an easy, safe way for pedestrians to move about the area. There is a 7 foot sidewalk between the convenience store and the parking spaces that would allow pedestrians ample space to walk.

5. There is sufficient mixture of grass, trees and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance to the public. Any part of the site plan area not used for buildings, structures, parking or accessways shall be landscaped with a mixture of grass, trees and shrubs. (All landscape improvements shall be in compliance with Chapter 10-11A, Landscape Requirements)

Grass, trees, and shrubs have been adequately added to our landscape plan for the site compared to the previous development. Areas where there are no buildings, structures, parking, or access ways will have significant ground cover and give neighboring properties a pleasurable view from a far.

6. All outdoor storage areas are screened and are in accordance with standards specified by this Ordinance.

According to standards that are specified, all outdoor areas are up to code. Trash is in the appropriate enclosure. The nitrogen and CO2 are in a locked, esthetically pleasing enclosure on the front external wall of the building.

FINDINGS OF FACT FOR SPECIAL USES

Both the Plan Commission and Village Board must decide if the requested Special Use meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Plan Commission and Village Board to review.)**

- 1. That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

At the requested location our special uses would involve sale of package liquor. These
items are viable to our project and would allow our convenience store to be a one stop
shop for the surrounding community.

- 2. That such use will not under the circumstances of the particular case be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity.

Keeping the community in mind, we are confident our special uses will not affect their well
being. The special uses would provide a more marketable space by offering packaged liquor.

- 3. That the special use shall conform to the regulations and conditions specified in this Title for such use and with the stipulation and conditions made a part of the authorization granted by the Village Board of Trustees.

We have planned to continually use the authorization by the village board of trustees as a
as a guideline to uphold all stipulations and conditions made. The tenant, 7-Eleven, will
comply will all Village requests.

FINDINGS OF FACT FOR SPECIAL USES

Both the Plan Commission and Village Board must decide if the requested Special Use meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Plan Commission and Village Board to review.)**

- 1. That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

At the proposed location, our second special use permit request would involve the outdoor sales of propane. This items are necessary for the projects viability. It will also be an amenity to the community to have easy access common household items.

- 2. That such use will not under the circumstances of the particular case be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity.

7-Eleven takes the safety, morals, and general welfare very seriously when developing a new gas station and convenience store. The propane is stored in a locked box that is only accessible with a key from the convenience store employee on duty.

- 3. That the special use shall conform to the regulations and conditions specified in this Title for such use and with the stipulation and conditions made a part of the authorization granted by the Village Board of Trustees.

The proposed special uses will conform to the regulations and conditions specified in this Title.

FINDINGS OF FACT FOR VARIATIONS

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the ZBA and Village Board to review.)**

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

Given the dimension of the property attained, to make the site safe for pedestrian movements and accommodate fuel deliveries, it is necessary for the additional 5ft to attain the overall 50ft set-back.

2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

In order to make the site plan viable the size of the property is bound by the adjacent properties and street locations. The actual building will still be set-back 100ft but the canopy, which is 14ft above ground, will be the structure closest to the property line.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

The proposed development is driven by not only specific tenant standards but by fuel delivery routing distance standards, that if not met, would make the project nonviable. The applicant is not requesting the variance in order to generate additional compensation from the sale of the property. This variation would not allow for additional building or pumps.

4. That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.

No person who has interest in the property was involved in creating the provisions of this title.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

The proposed variation will not affect the public. We have taken in account the surrounding neighbors and planned accordingly. The structure being questioned is a canopy 14ft in the air, not the building which is correctly positioned farther into the site.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

The variance will not impair an adequate supply of light and air to adjacent properties. The convenience store is over 100ft from the property line.

7. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

The variance does not give applicant any special privilege that is denied by the provisions of this title.

FINDINGS OF FACT FOR VARIATIONS

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the ZBA and Village Board to review.)**

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

A variation would be required for the proposed site due to our interior parkway being 7 feet wide when the B-3 zoning requires 20 feet. The additional space is intended to help with the flow of the site and would not cause any inconvenience or hardship to the owner.

2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

Due to the location of the adjacent properties our proposed site plan would be bound to the unique size and would cause for the required variation.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

The purpose of the variation is not based on the desire to make more money but by making the project viable for our specific tenant standards. If not met, the project would be nonviable. The variation will not allow for any additional buildings or pumps, but focused on safely and properly developing the property in the site.

4. That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.

No person who has interest in the property was involved in creating the provisions of this title.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

The proposed variation will not affect the public. We have taken in account the surrounding neighbors and planned accordingly. The interior parkway will be addressed properly and will not be detrimental to the public welfare.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

The variance will not impair an adequate supply of light and air to adjacent properties. As shown in our light photometric plan.

7. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

The variance does not give applicant any special privilege that is denied by the provisions of this title.

7 ELEVEN

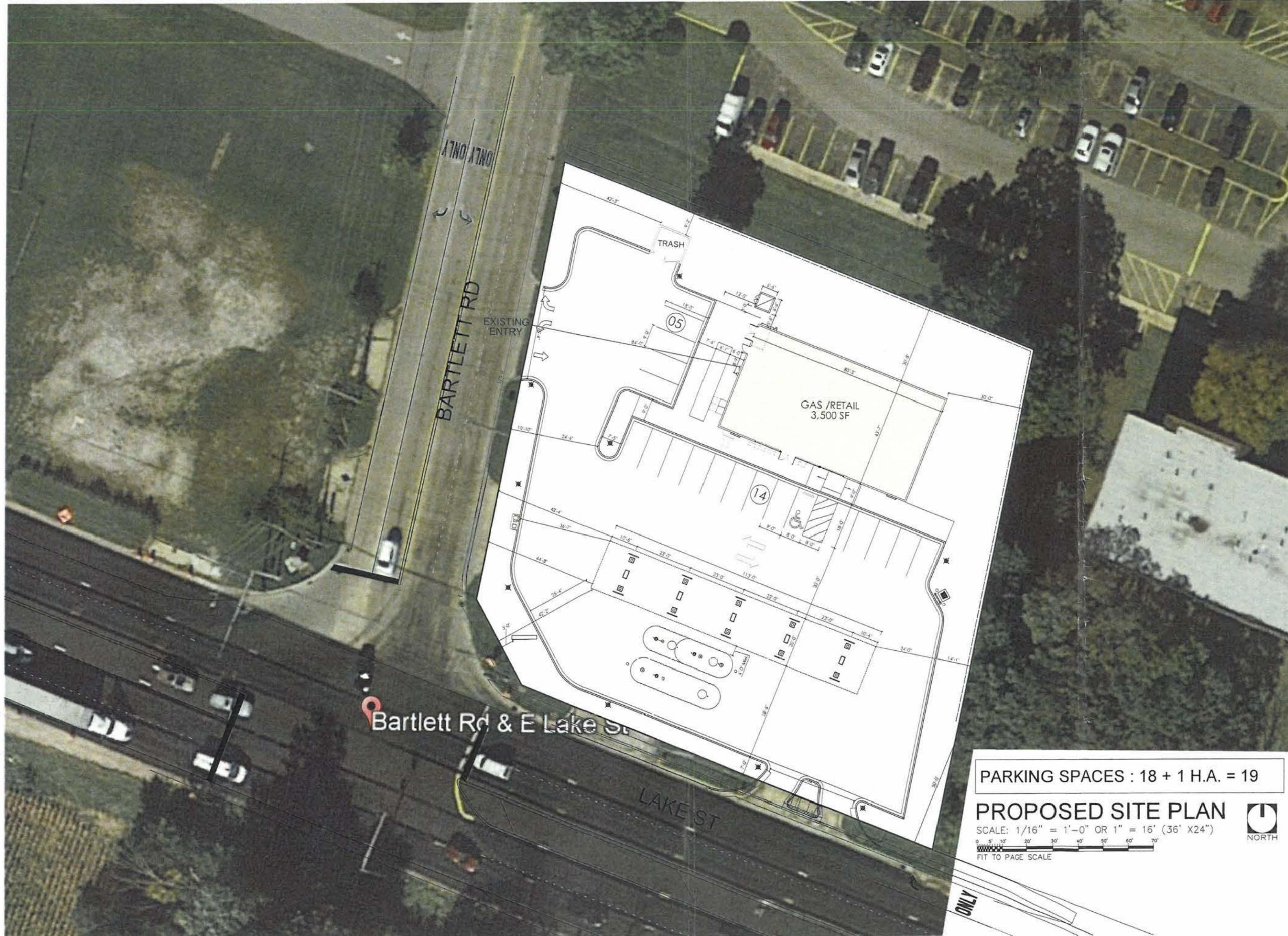
555 W. LAKE ST.

Site Plan, Special Use, Variations

PIN : 06-27-403-013



PRINTED BY: JONES
 DRAWING NAME: STEPHAN BARTLETT RD & E LAKE ST 05.21.2020G
 PRINT DATE: May 22, 2020 - 4:35pm



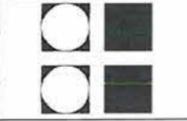
PARKING SPACES : 18 + 1 H.A. = 19

PROPOSED SITE PLAN

SCALE: 1/16" = 1'-0" OR 1" = 16' (36" X24")



FIT TO PAGE SCALE



SITE PLAN
GW PROPERTIES: 7-ELEVEN, INC.
555 W LAKE ST
BARTLETT, IL 60103
DESIGN STUDIO 24, LLC
 ARCHITECTS & DESIGNERS
 2211 N. ELSTON AVE., CHICAGO, IL 60614
 Tel.: 847.885.7751
 Fax: 847.885.8300

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CAUTION Contractor to verify all existing conditions, dimensions, etc. BEFORE to bid and construction. Contractor to notify owner and architect of any discrepancies. No price of ignorance in existing conditions found to be different from drawings will be accepted.

CAUTION This drawing may have been reproduced or a site different than originally shown. The owner and architect assume no responsibility for the use of incorrect scale. Drawings are NOT to be scaled. Not published. All rights reserved. Notify architect of any discrepancies.

STATEMENT OF COMPLIANCE
 I have prepared, or caused to be prepared under my supervision, the attached plans and specifications and state that, to the best of my knowledge and belief and to the extent of my contractual obligation, they are in compliance with the Code and Ordinances of Schaumburg, Illinois.

STATEMENT OF COMPLIANCE
 I have prepared, or caused to be prepared under my supervision, the attached plans and specifications and state that, to the best of my knowledge and belief and to the extent of my contractual obligation, they are in compliance with the Environmental Barriers Act (815 Ill. CS. 1983, ch. 111 1/2, sec. 3711, as amended) and the Illinois Accessibility Code, 71 I. Adm. Code 800.

DATE	DATE

REVISIONS

DATE	ISSUE FOR-
01.24.20	Revised as per village comments
03.19.20	FUEL VENTS MOVED, FENCE ADDED AS PER VILLAGE FEEDBACK
07.26.20	PROPOSED SELECT & GAS UTILITY LOCATION ADDED
05.21.20	RECORDED PER VILLAGE FEEDBACK, CIVIL AND LANDSCAPE PLAN

SCALE

DRAWN BY: PRATEEKSHA & MITESH

MARK T. DIGANCI
 REG. ARCHITECT



LICENSE EXPIRES: 11.30.2020

A1.3



designstudio24 LLC
ARCHITECTS - DESIGNERS - PLANNERS



Deigan & Associates, LLC
Environmental Consultants

Our 22nd Year of Client Service! ~ 1998 to 2020

28835 N Herky Dr. Unit 120

Lake Bluff, Illinois 60044

Phone 847.578.5000

Fax 847.549.3242

www.deiganassociates.com

February 20, 2020

Ms. Roberta Grill, AICP
Community Development Director
Village of Bartlett
228 South Main Street
Bartlett, Illinois 60103

Re: Proposed 7-Eleven Store Plans—Final/Amended Environmental Review
555 Lake Street, Bartlett, IL (former BP Service Station #15875)

Dear Ms. Grill:

Following the meeting on February 14, 2020 with GW Properties, Deigan & Associates, LLC has reviewed the plans for the proposed 7-Eleven prepared by Spaceco Inc. and compared them to additional site investigations completed by GW Properties Environmental Consultant (Pioneer Engineering & Environmental Sciences, LLC) completed on 8/30/19, 9/24/19, and 11/13/19. Due to the presence of residual petroleum contamination being safely left in place at the property in soil and groundwater by prior owners, additional considerations are necessary for successful, safe site redevelopment. The proposed conditions below have been amended from our January 23rd, 2020 letter and are protective of human health and the environment. Additionally, they will ensure the planned development adheres to conditions in a forthcoming IEPA NFR letter.

Final Proposed Conditions to Address Environmental Concerns and Achieve a Successful Site Redevelopment

Environmental Conditions/Concerns	Proposed Final Developer Action/Conditions
1. Petroleum-contaminated soil was left in place at the site.	Contaminated soil excavated for foundations, storm sewer, and tank pits shall be disposed of at a licensed Subtitle D landfill, and not re-used on-site.

Environmental Conditions/Concerns	Proposed Final Developer Action/Conditions
2. Petroleum contaminated groundwater exists at the site.	<p>Proper groundwater disposal is required when encountered during excavation for foundations, storm sewer, and tank pits. GW shall be pumped into a tanker truck for disposal at a licensed, industrial wastewater treatment plant.</p> <p>Long-term contaminated groundwater migration throughout the site and potentially off-site, via manmade trenches, should be prevented using clay backfill plugs. See Figure 1.</p>
3. Vapor Intrusion into man-made sub-surface conduits.	Vapor migration throughout the site, via manmade trenches, should be prevented using clay backfill plugs. See Figure 1.
4. Contractor/Worker Safety	A contractor Health and Safety Plan (HASP) shall be developed to protect construction workers from subsurface petroleum compounds.
5. Monitoring Well Abandonment	All existing monitoring wells on-site will be abandoned pursuant to applicable regulations and standard industry practices prior to site redevelopment.
6. Removal of all existing USTs and related piping/pump dispensers	<p>Additional sampling will be required at the time of tank removal. A decision of whether a “new” release has occurred will be determined by GW’s environmental consultant and the Office of the State Fire Marshal (OSFM) inspector.</p> <p>Based on the results of the post tank removal sampling and the decision of the OSFM inspector, additional Actions/Conditions may be necessary to ensure successful and safe site redevelopment.</p>

Please contact me for discussion or comments on this memorandum. These proposed measures are not costly and will ensure proper development on a petroleum-impacted site. These measures have been feasibly implemented at other Bartlett former service station redevelopment sites. We recommend environmental inspection at various intervals during construction.

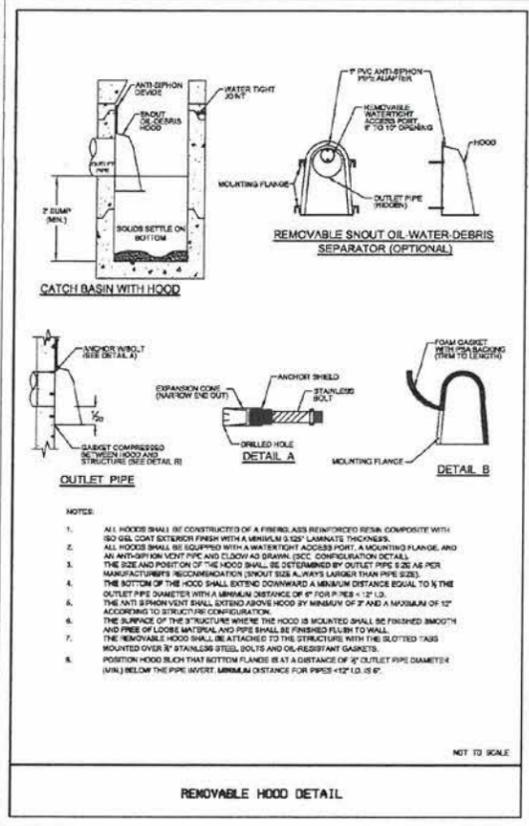
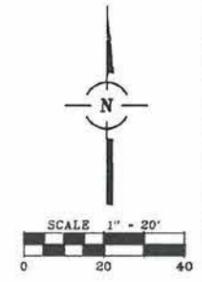
Sincerely,

Deigan & Associates, LLC

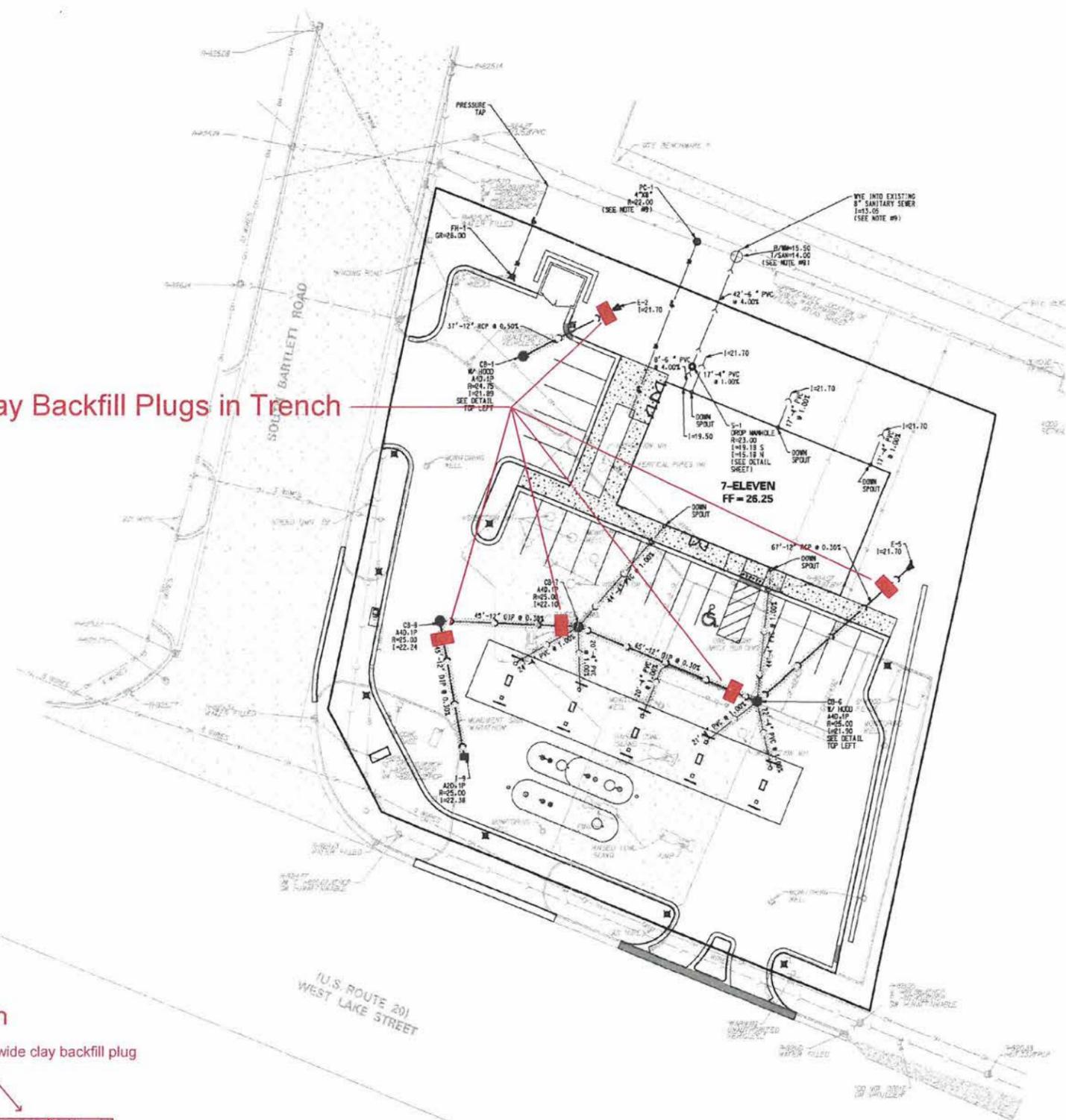


Gary J. Deigan
Principal

Figure 1



Clay Backfill Plugs in Trench

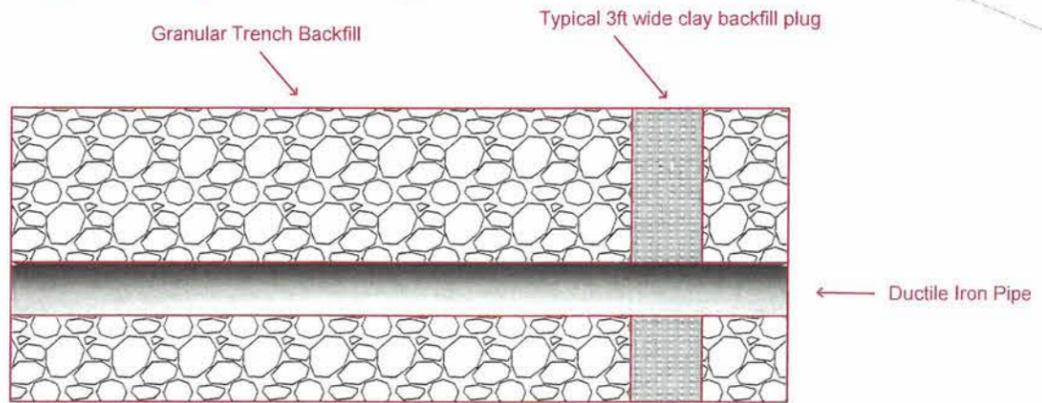


- LEGEND:**
- 4" WATER SERVICE
 - STORM SEWER
 - 4" PVC DOWNSPOUT CONNECTION @ 1.00% (MIN.)
 - 4" PVC PERFORATED UNDERDRAIN WITH FILTER SOCK @ 0.00% (SEE DETAIL BELOW)
 - SANITARY SERVICE
 - FLARED END SECTION
 - CATCH BASIN
 - STORM MANHOLE
 - INLETS
 - SANITARY DROP MANHOLE
 - UTILITY CROSSING
 - PRESSURE CONNECTION
 - DOWNSPOUT LOCATION
 - UNDERDRAIN CLEAN OUT
 - FIRE HYDRANT
 - PROPOSED LIGHT POLE LOCATION. SEE LIGHTING PLAN BY OTHERS.

- STORM STRUCTURE LEGEND**
- STRUCTURE ABBREVIATION
 - STRUCTURE NUMBER
 - M-100
 - A&D, I/P
 - FRAME AND LID TYPE
 - DIAMETER & SIZE OF STRUCTURE
 - TYPE OF STRUCTURE
- STRUCTURE ABBREVIATIONS**
- I = INLET
 - CB = CATCH BASIN
 - E = FLARED END SECTION
 - S = SANITARY MANHOLE
 - PC = PRESSURE CONNECTION
 - FH = FIRE HYDRANT

- NOTES:**
1. ALL STORM SEWERS SHALL BE RCP CL-IV OR DIP UNLESS NOTED OTHERWISE.
 2. ALL SANITARY SEWERS SHALL BE PVC SDR 26 UNLESS NOTED OTHERWISE.
 3. ALL WATER MAINS SHALL BE D.I.P. CLASS S2 UNLESS NOTED OTHERWISE. MEGALUGS AND THRUST BLOCKS ARE REQUIRED FOR ALL WATERMAIN FITTINGS.
 4. [Symbol] INDICATES TRENCH BACKFILL REQUIRED.
 5. FRAME AND GRATE/LID FOR STORM SEWER STRUCTURES
 6. FRENCH DRAIN: ALL LOW POINT STORM STRUCTURES ARE TO HAVE FOUR 1" DIAMETER WEEP HOLES PROVIDED 24" BELOW THE TOP OF LID. THE HOLES SHALL BE COVERED WITH A GEOTEXTILE FILTER FABRIC CEMENTED IN PLACE WITH BITUMINOUS MASTIC. THE DRAIN SHALL BE BACKFILLED WITH BEDDING OR CA-7 CRUSHED STONE TO TOP OF SUBGRADE OR BOTTOM OF TOPSOIL.
 7. DESIGN OF WIRING AND CIRCUITRY OF LIGHTING WILL BE BY OTHERS.
 8. ALL RESTRAINED WATER MAIN JOINTS SHALL BE U.S. PIPE "FIELD LOK" GASKET OR APPROVED EQUAL.
 9. UNDERGROUND CONTRACTOR TO FIELD VERIFY EXISTING SEWER MAIN AND WATER MAIN LOCATIONS AND DEPTHS PRIOR TO PROPOSED SEWER AND WATER MAIN CONSTRUCTION. NOTIFY SPACECO, INC. OF ANY DISCREPANCIES.
 10. POTABLE AND FIRE SERVICE FLOWS MUST BE SPLIT INSIDE THE METER ROOM AND A RP2 DEVICE PLACED ON THE FIRE SERVICE WITHIN 24 INCHES (2.0 FT.) OF THE SPLIT. THE POTABLE LINE MUST HAVE A VALVE ON BOTH SIDES OF THE METER, WITH THE UPSTREAM VALVE SERVING AS THE SHUT-OFF VALVE FOR THE VILLAGE BARTLETT WATER DEPARTMENT STAFF MUST BE ABLE TO ACCESS THE MPTFR ROOM AND VALVES AT ALL TIMES. ALL ADDITIONAL HYDRANTS NEEDED FOR FIRE PROTECTION MUST BE CONNECTED TO THE MAIN SEPARATELY.
 11. CB-1 AND CB-6 SHALL HAVE REMOVABLE HOODS INSTALLED OVER THE STRUCTURE OUTLET PIPE. SEE DETAIL LOCATED AT THE TOP LEFT OF THIS SHEET.

Typical Clay Backfill Plug Cross Section



Base Map by Spaceco Inc.
Red Notes by Deigan & Associates, LLC

NO.	DATE	REMARKS
1	07/24/20	PER VILLAGE OF BARTLETT
NO.	DATE	REMARKS

UTILITY PLAN

7-ELEVEN AND LAKE ST.

Bartlett, IL 60103

CONSULTING ENGINEERS

DEVELOPMENT ENGINEERS

LAND SURVEYORS

220 1/2 N. Liberty Street,
Moline, Illinois 61460
Phone: (815) 941-0260 Fax: (815) 941-0263

SPACECO INC.

FILENAME:
10645.02_UT

DATE:
09/30/19

JOB NO.
10645.02

SHEET
UT
7 OF 12

Municipality	1. Does your jurisdiction allow for the sale of alcohol at gas station mini-marts?	2. How long has your jurisdiction allowed alcohol sales at gas station mini-marts?	3. Since enacting ordinances which allow for alcohol sales at gas station mini-marts, has your department noted any specific problems or an increase in alcohol related violations?	4. If so, what type of crimes have increased in frequency?
Arlington Heights	No.			
Bannockburn	No.			
Buffalo Grove	Yes.	December 2, 2013.	No.	N/A.
*Carol Stream	Yes	N/A	N/A.	N/A.
Cary	Yes.	Approximately 5-10 years.	No.	
Deerfield	Deerfield currently does not, but we are also investigating this.			
Des Plaines	Yes. Attached is the ordinance.	April 5, 2010.	No.	N/A.
*Elgin	Yes.	N/A	N/A.	N/A.
Fox Lake	Yes.	Since 1986 or before.	No.	
Glencoe	Yes.	Since the inception of the Village's liquor code sometime in the 1970s.	No.	
Glenview	No.			
Hanover Park	Yes.	In excess of 10-years. It is a liquor license issue, so some have a license and some do not.	No. Doesn't really apply.	Doesn't apply.
Highland Park	No.	N/A.		
Hoffman Estates	Yes.	Unknown.	No.	
Lake Forest	Yes.	2 years.	No.	
Lake Zurich	Yes.	Since 2008.	No.	
Lincolnshire	No.	N/A.		
Morton Grove	Yes.	Over 7 years.	No.	N/A.
Mount Prospect	No.			
Niles	Yes.	8 years.	No.	
Northbrook	Yes.	Unknown.	No.	We are not a good village to compare to. While it is not prohibited by ordinance, we do not have any mini marts selling alcohol.
Northfield	No.			
Palatine	Yes.	For over 25 years.	No. Not to any notable extent. Any issues such as sales to minors do not seem to exceed what we see at dedicated liquor stores.	Again, nothing is apparent that would exceed what is seen at many other retail locations selling alcohol.
Park Ridge	No.			
Prospect Heights	Yes.	20 plus years.	No.	

Municipality	1. Does your jurisdiction allow for the sale of alcohol at gas station mini-marts?	2. How long has your jurisdiction allowed alcohol sales at gas station mini-marts?	3. Since enacting ordinances which allow for alcohol sales at gas station mini-marts, has your department noted any specific problems or an increase in alcohol related violations?	4. If so, what type of crimes have increased in frequency?
Rolling Meadows	Yes.	Over 20 years.	No.	
Schaumburg	No. Our municipality does not prohibit sales at gas stations specifically, but gas stations do not meet the requirements for a liquor license. i.e. groceries, square footage etc.	N/A.	No.	N/A.
*South Elgin	No	N/A	N/A	N/A
*Streamwood	No	N/A	N/A.	N/A.
Vernon Hills	Yes. Beer and Wine only.	20 years +	No.	N/A.
*Villa Park	Yes	N/A	N/A.	N/A.
Wheeling	No. The Village of Wheeling license classes that would authorize package liquor sales at convenience stores (Classes D-2 and D-3) explicitly prohibit the issuance of such licenses to any establishment that sells gasoline as a primary business; consequently, such stores cannot receive liquor licenses in Wheeling.	N/A.	N/A.	N/A.

* denotes updated 2/27/2020. Not included in 2016 Survey.



Agenda Item Executive Summary

Item Name Building Code Update 2018 Committee or Board Committee

BUDGET IMPACT			
Amount:	0	Budgeted	6,500.00
List what fund	General Fund		

EXECUTIVE SUMMARY

The Planning and Development Services is requesting to amend the Bartlett Building Code. The Building Division is requesting to update the Bartlett Building Code to the latest editions of the International Codes. The last time the Building Code was updated was in April, 2014. The proposed new codes "The International Codes", the State Plumbing Code and the National Electric Code are listed:

- A. The International Building Code 2018 Edition (with amendments).
- B. The Illinois Energy Conservation Code, Latest Edition (the State Energy Conservation Code "IECC") including all published errata and excluding published supplements that encompass ASHRAE 90.1 (with amendments).
- C. The International Residential Code, 2018 Edition including appendices F (with amendments).
- D. The International Mechanical Code, 2018 Edition (with amendments).
- E. The Illinois Plumbing Code, Latest Edition, and as hereafter amended from time to time (The State Plumbing Code) with amendments.
- F. The National Electric Code, 2017 Edition (with amendments).
- G. The 2018 Illinois Accessibility Code, Latest Edition, and as hereafter amended from time to time.
- H. The International Property Maintenance Code, 2018 Edition (with amendments).
- I. The International Fire Code, 2018 Edition including appendices B, C, & D. (with amendments).
- J. The International Fuel Gas Code, 2018 Edition.
- K. The International Existing Building Code, 2018 Edition.

ATTACHMENTS (PLEASE LIST)

Cover memorandum and Bartlett Building Code 2018 Update

ACTION REQUESTED

- For Discussion Only
- Resolution
- Ordinance
- Motion
-

Staff: Brian Goralski, Building Director Date: 5/22/2020

BUILDING DEPARTMENT MEMORANDUM

Date: May 22, 2020
To: Paula Schumacher, Village Administrator
From: Brian Goralski, Building Director
Re: Building Code Update

The Building & Enforcement Division is requesting to update the Bartlett Building Code to the latest editions of the International Codes. The last time the Building Code was updated was in April, 2014. The Village currently enforces the 2012 Edition of the ICC Codes. The model codes are revised on a three-year cycle. The last update, in 2015, was not adopted by the Village because there were not enough changes from the previous version to justify the high costs associated in the code adoption. The Village has been consistent with Building Code adoptions occurring every six years.

Staff has been reviewing the eleven codes that make up the minimum standards for all construction within the Village. The adoption of the newest International set of Building Codes would enable the Village of Bartlett to stay updated with the latest changes in technology. In addition, it would allow the Village to receive the full amount of federal funding in the event of a catastrophic event.

The Village adopts international and State codes, and makes local amendments, specifically for Bartlett as we have in the past. The majority of these local changes are minor. They are intended to make the code more consistent with our local practices and easier for builders, residents and other departments to use.

All of the existing local amendments have been reviewed. Some have been removed or verbiage has been modified due to code language revisions or sections that have changed. Use groups have been better aligned with the hazards for certain existing and new uses, including Outdoor Areas (rooftop). Egressing from buildings have better coordination with Accessibility. Construction Document, Structural Loading, New Structure Loading (Rooftop Photovoltaic Panel Systems), and Light weight Frame Metal Buildings allow design to the latest accepted practices. One amendment the Village has that is less restrictive is in the International Residential Code. The International Residential Code requires sprinklers/suppression systems for one-and two-family dwelling units. Our current code requires limited area sprinklers in dwelling units and that will stay as is.

NEW CODES

The proposed new codes “The International Codes”, the State Plumbing Code (IDPH is currently working on the 2019 State Plumbing Code). The NFPA 70 NEC 2017 National Electrical Code. The 2017 NEC is not the latest edition, but it is the one the City of Chicago recently passed. The Planning and Development Services would like to adopt the following codes:

- A. The International Building Code 2018 Edition (with amendments).
- B. The Illinois Energy Conservation Code, Latest Edition (the State Energy Conservation Code “IECC”) including all published errata and excluding published supplements that encompass ASHRAE 90.1 (with amendments).
- C. The International Residential Code, 2018 Edition including appendices F (with amendments).
- D. The International Mechanical Code, 2018 Edition (with amendments).
- E. The Illinois Plumbing Code, Latest Edition, and as hereafter amended from time to time (The State Plumbing Code) with amendments.
- F. The National Electric Code, 2017 Edition (with amendments).
- G. The 2018 Illinois Accessibility Code, Latest Edition, and as hereafter amended from time to time.
- H. The International Property Maintenance Code, 2018 Edition (with amendments).
- I. The International Fire Code, 2018 Edition including appendices B, C, & D. (with amendments).
- J. The International Fuel Gas Code, 2018 Edition.
- K. **The International Existing Building Code, 2018 Edition. (New)**
(The International Existing Building Code is a new code adoption. ICC removed Chapter 34 from the Building Code and replaced with it with a standalone Existing Building Code to maintain the value of the existing structures in Bartlett while providing reasonable safety of its use.

LOCAL AMENDMENTS

Revised local amendments to the current Building Code include:

Section R301.2 Design Standards. Ground Snow Loads and Wind Speeds have been updated in the Snow Load and Wind Maps. Terminology for describing wind speeds has changed with ultimate design wind speeds now called basic wind speeds.

Miscellaneous Permit fees: these have been reviewed and revised. The last time miscellaneous permit fees were raised was in 2002. We have six categories for fees based on the cost of construction. In 2002 we only raised the top three of the six \$5.00 dollars. Here is the current and proposed miscellaneous fee schedule.

Existing Miscellaneous Fee Schedule:

Value of Proposed Work	Fee
Less than \$500	\$35.00
\$500 but less than \$1,000	\$40.00
\$1,000 but less than \$2,500	\$45.00
\$2,500 but less than \$5,000	\$50.00
\$5,000 but less than \$10,000	\$75.00
More than \$10,000	\$12.00 per thousand

Proposed new Miscellaneous Fee Schedule:

Value of Proposed Work	Fee
Less than \$500	\$40.00
\$500 but less than \$1,000	\$45.00
\$1,000 but less than \$2,500	\$50.00
\$2,500 but less than \$5,000	\$60.00
\$5,000 but less than \$10,000	\$90.00
More than \$10,000	\$12.00 per thousand

The **senior discount** fee has **not changed** and is still **\$35.00**. The fees from other towns vary greatly. The International Residential Code (IRC) has a fee schedule in which the lower cost of construction numbers is slightly lower than ours. As construction costs increase, their costs exceed ours. Some communities use the RS means data construction book, but they use this only for new construction. Most of the towns I have reviewed use a cost of construction like ours. We are consistent with the manner in which other towns review their building codes.

Section 9-2-13 Extension of Building Permit was raised to \$45 from \$35. It was last raised in 2002.

Section 9-3-1 A. 1. Detached Single Family fees for single family homes raised to a minimum of \$1,700.00 from \$1,500.00. They were last raised in 2002. This increase however, does not include attached single-family (townhomes, duplexes) or multi-family (apartments, condos) dwellings.

Section 9-3-5 & 9-3-6 Electrical & Plumbing installation permit fees raised from \$40 to \$75. These fees are more in line with other communities.

Section 9-3-16 Home Occupations use permit fee raised from \$50 to \$75.

Section 9-6-7 D. Green Building Regulations. Vehicle Charging stations have been added as requirement to be installed for new construction buildings over 50,000 square feet.

Section 9-7-9 Fire Barriers, Fire Resistance Construction has been clarified in methods and means to achieve the required protection/encapsulation of fire hazard. Also added were the sound transmission ratings between all attached residential uses.

Section 9-8-20 Elevators and Conveyance Systems. This section was amended to include the most current standards and codes for elevator installation and inspection. This also complies with the State of Illinois codes for elevators and conducting our own inspections. Local amendments require new elevators to accommodate ambulance stretcher. We will require elevators to be installed in all buildings with three or more stories. The current updated Illinois Accessibility Code requires elevators in buildings four or more stories.

Section 9-9-1. Electrical Code. Amendments have been updated to reflect most recent changes to the code and add a section from the 2020 NEC for safety to our code. We have added specific requirements for vehicle charging outlets. We have also added for new single- family homes in attached garages to run a separate conduit from the panel for future installation of 240-volt charging systems.

Section 9-10-1 Plumbing Code. Amendments have updated the maintenance requirements for grease interceptors. This also provides specific penalties if the provisions of this code are not corrected after subsequent inspections. Water service minimum sizes are now included in the code. Language has been clarified.

Section 9-12-1 Fire Code. Has been updated with the help from the Fire District to make the code more user friendly when looking for specific fire code and requirements. We increased the building area from 1,500 to 2,500 square feet before a building would be required to be suppressed. This 2,500 is still under the International Building Code requirements but eliminates for some potential large garages that would/could cause them to be suppressed.

Section 9-13-1 Property Maintenance Code has been expanded. More definitions have been added and updated, including moving the Public Nuisance section from Vacant Building Section. Notice of orders and fines has been added for liens to be issued for non-compliant offenders.

Sections 9-15 through Sections 9-21 have been updated to the current code.

Section 9-25-1 Vacant Buildings has been revised and condensed to make this section more user friendly. It is specific to the requirements that the Village currently enforces to make sure all aspects of the Vacant Building Registry are adhered to.

Chapter 1

TITLE, ADOPTION OF CODES, AMENDMENTS AND STANDARDS

9-1-1: TITLE:

9-1-2: ADOPTION OF CODES:

9-1-3: TABLE OF DELETIONS, MODIFICATIONS AND CLARIFICATIONS FOR BARTLETT, ILLINOIS:

9-1-4: STANDARDS:

9-1-1: TITLE: 

This title shall be known as the *BARTLETT BUILDING CODE*, hereinafter referred to as "this code" or "this title". (Ord. 2020-??)

9-1-2: ADOPTION OF CODES: 

Subject to modifications hereinafter set forth, the following codes, regulations and records are hereby expressly incorporated into the Bartlett Building Code by this reference, and are adopted as the Bartlett Building Code, pursuant to section 1-3-2 of the Illinois Municipal Code¹, which authorizes Municipalities to incorporate by reference the provisions of nationally recognized technical codes and records:

A. The International Building Code, 2018 edition (the "IBC") (with amendments); (Ord. 2020-__, 2007-45)

B. The Illinois Energy Conservation Code, Latest Edition (the State Energy Conservation Code "IECC") including all published errata and excluding published supplements that encompass ASHRAE 90.1 (with amendments); (Ord. 2020-__, Ord. 2007-45)

C. The International Residential Code, 2018 edition (the "IRC") including Appendices F (with amendments);

D. The International Mechanical Code, 2018 edition (the "IMC") (with amendments); See chapter 11.

E. The Illinois Plumbing Code, Latest Edition, and as hereafter amended from time to time (the "State Plumbing Code") (with amendments); See chapter 10.

F. The National Electrical Code, 2017 edition (the "NEC") (with amendments); See chapter 9.

G. The 2018 Illinois Accessibility Code, Latest Edition, and as hereafter amended from time to time.

H. The International Property Maintenance Code, 2018 edition (the "IPMC") (with amendments); See chapter 13.

I. The International Fire Code, 2018 edition (the "IFC") (with amendments, including Appendices B, C, D);

J. The International Fuel Gas Code, 2018 edition (the "IFGC").

K. The International Existing Building Code, 2018 edition (the "IEBC").

Except for the deletions, modifications, additions, clarifications, elections and amendments that follow in this title, all provisions (except appendices unless indicated) of the foregoing codes incorporated herein by reference are expressly made part of this code just as if they were fully set forth herein. The following deletions, changes, additions, clarifications, elections and amendments in section 9-1-3 of this chapter, and the deletions, modifications, changes, additions, clarifications, elections and amendments and provisions set forth in chapters 2 through and including 23 of this title, (collectively the "local amendments") shall supersede the requirements in the codes adopted in this section. (Ord. 2020-__, Ord. 2007-45)

9-1-3: TABLE OF DELETIONS, MODIFICATIONS AND CLARIFICATIONS FOR BARTLETT, ILLINOIS: 

IBC

Section 101.1 Insert The Village of Bartlett

Section 113 Delete the section: Board of Appeal, and replace with BBC 9-23-3

Amend Chapter 9- For changes to the requirements for fire protection systems see Chapter 9 of the International Fire Code.

Delete Chapter 11 Accessibility and replace with latest edition of Illinois Accessibility Code.

Section 1612.3 insert the Village of Bartlett and Map #170059-17031C-17043C-17089C

Amend Section 1807.1.4 Permanent wood foundation systems; Delete the section and Insert; "Wood foundations are prohibited".

Delete Section 1809.8 Concrete footings

Amend Section 1904.3 Insert Chlorides are not allowed

Amend Section 2308 Light weight wood framing, See BBC 9-8-11

Amend Chapter 30 Section 3001.1 Scope: design, construction, alteration the current edition of the Illinois Elevator Safety Rules and Section 3004 Conveying Systems.

Delete the following from Chapter 35 All Appendix's

All references throughout this Code to the International Plumbing Code shall be deleted and changed to the Illinois State Plumbing Code. All references throughout this Code to the International Energy Conservation Code shall be deleted and changed to the Illinois State Energy Conservation Code.

IRC

IRC Table R301.2 (1)

Ground snow load	30
Wind speed	3-second gusts at 107 mph.
Seismic design category	B
Weathering	Severe
Frost line depth	42 inches
Termite	Moderate to heavy
Winter design temperature	-4 degrees
Ice shield underlayment	Yes
Flood hazard	C or X zone; see local flood zone map (170059)
Air freezing index	2000
Mean annual temperature	50 degrees

Section R101.1: IRC Section Insert the village of Bartlett.
Delete Section R101.2 Exceptions 1 and 2 and replace with:

Exceptions:

1. Live/work units complying with the requirements of Section 419.5 of the International Building Code shall be permitted to be constructed in accordance with this code.
2. Owner-occupied lodging house with five or fewer guestrooms shall be permitted to be constructed in accordance with this code.

Section 112 IRC Delete the section: Board of Appeal, and replace with BBC 9-23-3

Section R302.3 Amend 1-hour fire resistance rating to **2- hour**.

Amend Table 302.6 A minimum of not less than 5/8-inch Type X gypsum board.

Delete Section R313.1 & R313.2 Automatic Fire Sprinkler Systems. Keep R313.1.1 & R313.2.1

Delete Sections R402.1, R404.2, R405.2 and R406.3 and all subsections and Insert; "Wood foundations are prohibited".

Amend Section R402.2 – Chlorides Not Allowed

Delete Section R602.3.2 Exception, Section R602.3.3 Not less than 16" inch on center.

Delete Chapters 11-43 and all Referenced Standards within

Insert under Part IV – Energy Conservation: Illinois State Energy Conservation Code

Insert under Part V – Mechanical: International Mechanical Code 2018/w Bartlett amendments

Insert under Part VI – Fuel Gas: International Fuel Gas Code 2018

Insert under Part VII- Plumbing: Illinois State Plumbing Code/w Bartlett amendments

Insert under Part VIII – Electrical: National Electric Code 2017/w Bartlett amendments

IPMC

Revise Section 102.4 add “or” before insanitary.

Insert Section 102.7.1,2. Conflicts. Provisions: More restrictive requirements shall apply.

Delete Section 202 Definition “Public Way” verbiage and add has a clear width and height of not less than 10 feet.

Delete Section 107.2 # 5. Notice to property owner regarding appeals.

Add to Section 108.2 & 108.4 All Placards will apply (not just condemnation)

Delete Section 109.6

Delete Section 111 Means of Appeal and add 9-23-3.

Add to Section 305.4 Anchored or Firmly fastened

Add to Section 404.4.1 For each occupant thereof, not to exceed three (3) occupants per bedroom regardless of square foot area.

9-1-4: STANDARDS:

All work on the construction, alteration and repair of buildings and other structures shall be performed in a good and workmanlike manner in accordance with nationally accepted and standard practices in the trade. The provisions of the nationally recognized codes and records, except as modified by the express provisions of this title, shall be considered to be minimum standards and acceptable practice for all matters concerning building and structure construction not otherwise provided for by ordinance. (Ord. 2020-__, Ord. 2007-45)

9-1-5: DEFINITIONS:

The following words, terms, and phrases when used in this Bartlett Building Code, which is codified at Title 9 of the Bartlett Municipal Code, and which is alternatively referred to as the “Bartlett Building Code”, the “Building Code”, or this “Code”, sometimes with the first letter of a word capitalized and sometimes not, and sometimes using the alternative terms set forth in this section to refer to the same thing or person, each of which shall have the meanings ascribed to them in this title, except where the context clearly indicates a different meaning:

Applicant means the person that has applied for a building permit, occupancy permit, or other permit as required under this Code on behalf of the owner of property, or a contractor hired by the owner of property, who or which by applying for said permit represents that he has the owner’s consent to apply for said permit.

Authority having jurisdiction or *AHJ* means as said term is defined in the applicable international or other national or state code adopted and expressly incorporated by reference in Section 9-1-2 of this Code, except as modified by local amendment or as provided in this Code, and generally means the building director except as to matters under the jurisdiction of another governmental entity.

Bartlett Building Code, or the *Building Code* or this *Code* as referenced in this title are synonymous and mean the adopted international and other national and state codes adopted and incorporated

by reference in Section 9-1-2 as set forth and codified in title 9 of the Bartlett Municipal Code, and all local amendments, ordinances and other provisions of the Bartlett Municipal Code.

Bartlett Subdivision and PUD Ordinance, or the *Bartlett Subdivision Ordinance* or the *Subdivision Ordinance* are synonymous and mean the ordinances of the village regulating the subdivision of property and in some instances the development or property event when not subdivided as said ordinances are amended from time to time and codified as title 11 of the Bartlett Municipal Code, and include all appendices thereto.

Bartlett Zoning Ordinance, or the *Zoning Ordinance*, or the *Zoning Code* are synonymous and mean the ordinance and general zoning provisions as amended from time to time and codified as title 10 of the Bartlett Municipal Code.

Building means “building and structure” as those terms are defined in the applicable international, national, and state code adopted and incorporated in this Code, any residential structure, or portion thereof, containing one or more dwelling units used or intended to be used for human habitation, or any business or commercial structure occupied or intended for supporting any occupancy [also including, without limitation, public buildings, churches and mobile homes].

Building department for purposes of this title means the Building Division of the Bartlett Planning & Development Services Department, unless stated otherwise in this title.

Building director or *Bartlett Building Director*, or *Village Building Director* are synonymous and mean the person appointed to and holder of the office of Director of the Building Department as provided in Section 1-8F-1 of the Bartlett Municipal Code and is the head of the Building of the Planning & Development Services Department.

Building Division means a division of the Bartlett Planning & Development Services Department.

Building official means the Village of Bartlett building director, and can include his designees and inspectors unless otherwise in the applicable international, national or state codes adopted by the Village of Bartlett and incorporated by reference in Section 9-1-2 of this title.

Code enforcement officer means any authorized agent or employee of the Village of Bartlett whose duty it is to assure code compliance.

Code official means and can include his designees and inspectors unless otherwise in the applicable international, national or state codes adopted by the Village of Bartlett and incorporated by reference in Section 9-1-2 of this title.

Contractor means a person who is a general contractor or prime contractor hired by or under an oral or written contract with the owner of property to construct or install improvements on property in the Village of Bartlett, and also includes subcontractors of any general or prime contractor of any such owner.

Corporate authorities means the Village President and Board of Village Trustees of the Village of Bartlett.

County health official means the _____ of the Cook County Department of Public Health, or the _____ of the DuPage County Department of Public Health, or the _____ of the Kane County Department of Public Health.

Days means consecutive calendar days.

Department means a person developing property and making on-site and off-site public and/or private improvements to property or properties, often, but need not, to more than one lot in a subdivision or PUD with the consent of the owner of the property or properties, and may be one and the same with the general contractor or prime contractor hired or authorized by the owner of properties to perform work in accordance building plans approved by the building department or development plans approved by the corporate authorities or for the Planning & Development Services Director and/or engineering plans approved by the Village Engineer.

Design professional means an architect, structural engineer or professional engineer practicing in conformance with the Illinois Architecture Practice Act of 1989, the Structural Engineering Practice Act of 1989, or the Professional Engineering Practice Act of 1989, licensed by the Illinois Department of Financial and Professional Regulation.

Developer for purposes of this title means the building division of the Bartlett Planning & Development Services Department unless expressly stated otherwise.

Director means the building director, or his or her designee. All references to the director in this chapter shall be deemed to include the building director or his or her designee.

Engineer means a person who is a professional engineering (“PE”) licensed by the Illinois Department of Financial and Professional Regulation (“IDFRP”).

Inspector or *Building Inspector* means any authorized agent or employee of the Village of Bartlett in the building division or the code enforcement division of the Planning & Development Services Department, including any general inspector, electrical inspector, plumbing inspector, code enforcement officer, health officer, and other designees of the building director or the Planning & Development director.

Owner means any person, agent, operator, firm, corporation, limited liability company, partnership, joint venture, land trust, inter vivos trust, or other entity having a legal or equitable interest in a property; or recorded in the official records of the state, county, or municipality as holding title to the property; or otherwise having care, charge or control of the property, including, but not limited to, the guardian of the estate of any such person if ordered to take possession of real property by a court, the executor or administrator of the estate of any such person if authorized by statute or ordered to take possession of real property by a court, or any person maintaining, operating or collecting rent with respect to a property.

Person means any natural individual, corporation, limited liability company, partnership, joint venture, association, trust, probate estate, guardianship estate or other legal entity.

Planning & Development Services Department means the new department that combines the former Community Development Department and the former Building Department into a single department comprised of three divisions as follows:

- (1) the Planning & Zoning Division;
- (2) the Building Division; and
- (3) the Code enforcement Division.

Planning & Development Services Director or the *Planning & Development Director* means the Director of the Planning & Development Services Department, including but not limited to the Planning & Zoning Division within said department.

Premises means a lot, plot or parcel of land including any structures thereon.

Property means any real estate, whether permanently affixed or removable, including the buildings, structures, and other improvements lying upon, over, under or running across or through and under any such real estate, whether used for residential, commercial, industrial, mobile home, church or religious, charitable or public purpose.

Stormwater management or *stormwater ordinance* means the stormwater management regulations concerning storm water management systems, erosion control, wetland protection, flood plain protection and protection of riparian environments set forth in chapter 8 of the Bartlett Subdivision and PUD Ordinance which incorporated and adopted the most recent amendment of the DuPage Countywide Stormwater and Flood ordinance for the entire Village including property lying not only in DuPage County but also property lying in Cook County, Kane County, or within 1-1/2 miles of the corporate limits of the Village of Bartlett.

Subdivision ordinance means the Bartlett Subdivision and PUD Ordinance or the subdivision and planned unit regulations set forth and codified as title 11 of the Bartlett Municipal Code.

Surveyor means a person licensed as a professional land surveyor under the laws of the State of Illinois to practice land surveying as defined in the Illinois Professional Land Surveyor Act of 1989.

This code as used in this title generally means the Bartlett Building Code as set forth and codified at title 9 of the Bartlett Municipal Code, but sometimes refers to the more general Bartlett Municipal Code or a more specific code section within certain chapters set forth in this title, including chapter 13 thereof, the Village of Bartlett Property Maintenance Code, "this code" refers to that chapter and codes.

Village code means the Bartlett Municipal Code as amended from time to time.

Village engineer means the person duly appointed and person holding the office of village engineer pursuant to Section 1-8I-1 of the Bartlett Municipal Code.

Chapter 2



BUILDING PERMITS

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9-2-1: PERMIT REQUIRED: 

A building permit is required prior to a building or structure being erected, constructed, built, enlarged, repaired, altered, replaced, moved, and/or when a change in ownership or occupancy has taken place. No construction trailer shall be placed on any site, nor shall any repair of equipment or maintenance work be conducted which affects the structure of a building, energy compliance, or its ability to withstand fire or other hazards without a building permit. No excavation shall be made (except for tree and shrub plantings outside of any drainage easement or public utility and drainage easement or in connection with landscape plantings located within ten (10) feet of a building foundation), nor shall any septic tank or any well for drinking water, nor electrical work, nor signs be installed, erected, altered or repaired without a building permit. A building permit is required for any swing set, jungle gym or other children's play apparatus if such structure has a roof and/or attached playhouse, if said structure is permanently installed into the ground or affixed to any concrete footing, foundation, slab or pier. The term "construction trailer" as used in this code shall include, without limitation, construction storage trailers, sales trailers prefabricated temporary construction buildings. A building permit is required for any temporary structure (tent) greater than 200 square feet and for all trash dumpsters and trash enclosures. Nothing contained in this code shall be construed as relieving any person from the duty to obtain a permit from the appropriate county Health Department, or other applicable governmental agency, for the installation of any septic tank or the use of any well for drinking water. (Ord. 2020-___, Ord. 2007-45)

9-2-2: APPLICATION:

An application for a building permit shall be completed by the owner, lessee or duly appointed representative. It shall include a description of the proposed work, the use or uses for which the building or structure will be used, estimated cost of construction, signed copy of the homeowner's contract, enlargement or repair, and a complete legal description of the property, and shall give such additional information as may be required by the Building Director or the Building Inspector for an intelligent understanding of the proposed work. No permit will be approved or processed until all general contractors and each and every subcontractor(s) are licensed and bonded in the Village of Bartlett, and have furnished evidence that each and every said general contractor(s) and subcontractor(s) carry insurance in amounts and coverage at least as broad as required in subsection 9-4-2B of this title. (Ord. 2020-___, Ord. 2007-45)

9-2-3: PLANS:

The application for a residential permit shall be accompanied by two (2) copies of stamped plans and specifications, clearly illustrating and specifying the work to be done, signed and sealed in accordance with section 9-2-4 of this chapter. Non-residential plans require architect or engineers certified cost estimates or signed contract for proposed work. All plans and drawings required under this code shall be drawn to a scale not less than one-eighth inch to one foot ($1/8" = 1'$), on paper or in ink or by some process that will not fade or obliterate. The application for nonresidential new construction permit shall be accompanied by five (5) copies of the signed and sealed plans with specifications. Separate schedules for electrical, plumbing and the heating, ventilating and air conditioning ("HVAC") systems shall be submitted with the plans as may be appropriate. Both copies of the plans and specifications shall, if they are approved and a building permit issued for the start of work, be signed or stamped by the Building Director. One signed or stamped copy of plans and specifications shall be kept on file in the Building Department, and one signed or stamped copy shall be returned to the applicant and shall be kept in a neat, readable condition at the place where the work is being done until its completion. Additional copies may be requested and shall be furnished by the applicant at said applicant's sole expense. (Ord. 2020-___, Ord. 2007-45)

9-2-4: ARCHITECT'S AND ENGINEER'S CERTIFICATION:

A. No building permit application will be accepted by the Building Department without plans that are signed and sealed by a registered Designer of Record (Architect or a Structural Engineer licensed by the State of Illinois and certified in compliance with this code. The Building Director or **Building Inspector** may require additional certification by a registered licensed mechanical, electrical, and structural engineer. (Detached garages, storage sheds and construction trailers shall be exempt from Designer of Record certification.)

B. All plans submitted to the Building Department shall have the following certification affixed to them:

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS FAMILIAR WITH THE BARTLETT BUILDING CODE, INCLUDING, BUT NOT LIMITED TO, THE INTERNATIONAL BUILDING CODE - 2018, INTERNATIONAL RESIDENTIAL CODE - 2018, INTERNATIONAL MECHANICAL CODE - 2018, THE INTERNATIONAL EXISTING BUILDING CODE -2018, ILLINOIS STATE PLUMBING CODE - LATEST EDITION, NATIONAL ELECTRIC CODE - 2017, ILLINOIS ACCESSIBILITY CODE - 2018 LATEST EDITION, ILLINOIS ENERGY CONSERVATION CODE – LATEST EDITION, INTERNATIONAL FIRE CODE - 2018, INTERNATIONAL FUEL GAS CODE - 2018, EACH OF WHICH HAVE BEEN INCORPORATED THEREIN BY REFERENCE, AND THE UNDERSIGNED IS FAMILIAR WITH THE VILLAGE DELETIONS, MODIFICATIONS, ADDITIONS AND AMENDMENTS TO SAID REFERENCED CODES AND REGULATIONS AND HEREBY CERTIFIES THAT THE PLANS AND SPECIFICATIONS FOR THE PROPERTY BELOW HAVE BEEN DESIGNED IN ACCORDANCE WITH THE BARTLETT BUILDING CODE. IT IS UNDERSTOOD THAT APPROVAL OF PLANS SUBMITTED TO THE BUILDING DEPARTMENT FOR REVIEW IS A CONDITIONAL APPROVAL ONLY AND CONSTRUCTION SHALL REMAIN SUBJECT TO ALL PROVISIONS OF THE AFOREMENTIONED BARTLETT BUILDING CODE. IT IS FURTHER UNDERSTOOD THAT, IN THE EVENT OF A CONFLICT BETWEEN THE APPROVED PLANS AND THE PROVISIONS OF THE BARTLETT BUILDING CODE, THE BARTLETT BUILDING CODE SHALL CONTROL AND BE THE FINAL AUTHORITY.

Specifications may be submitted to the Building Department, but they shall not become a part of the approved plans, and data contained therein shall not be included in the conditional approval. (Ord. 2020- __, Ord. 2007-45,)

9-2-5: PLAT OF SURVEY/PROPOSED IMPROVEMENT LAYOUT PLAN:

Legal lot of record verification shall be filed with the permit application as part of the working drawings. A plat of survey of the lot on which the proposed structure is to be erected, certified by a licensed Illinois Land Surveyor, on which the applicant shall show the size and location of all proposed new construction, its relation to other existing and proposed structures on the same lot and its relation to other structures on adjoining property within ten feet (10') of each property line, drawn to scale with all dimensions shown. (Ord. 2020- __, Ord. 2007-45)

9-2-6: PLAT OF SURVEY/PROPOSED IMPROVEMENT LAYOUT PLAN

REQUIREMENTS:

For all new construction a plan shall show the proposed location of the village water supply and sanitary sewer lines, or any wells and septic systems permitted under the Bartlett Building Code or other village or county ordinance or regulations, storm sewer lines or drainage ditches for disposal of surface water and proposed storm sump line destination.

A. The plat of survey/proposed improvement layout plan shall show the proposed elevation of the foundation (including the elevation of each portion of a stepped foundation), the actual

elevation of the top of the curb (or the edge of the road pavement where no curb exists) opposite each front lot corner and the invert of any drainage ditch at each lot line, and culvert inverts at each culvert end. Also indicate the rim and invert of any storm sewer structures located on the lot.

B. In the event that the top of foundation elevation on the plat of survey varies by more than minus three inches (-3") or plus twelve inches (+12") from the top of the foundation elevation shown on the grading plan for the subdivision approved by the Village Engineer, the Building Director shall submit the plat of survey/proposed improvement layout plan to the Village Engineer for review and approval. (Ord. 2020-__, Ord. 2007-45)

Stormwater Management Plan For New Construction:

C. Storm Water Management Plan: In addition to all other required plans and specifications, the application shall include detailed plans and specifications for storm water management, soil erosion control, and grading on the subject property. Such plans and specifications shall be on a drawing or drawings separate from all other plans and specifications, labeled as "storm water management plans". Such plans and specifications shall be prepared by a licensed professional engineer, shall be made in conformance with the requirements of the village's storm water management ordinance as the same may be amended from time to time and codified at Title 11, chapter 8 of the Bartlett Municipal Code, and shall include a certification by the applicant, in a form provided by the village, that all requirements of the village's codes, ordinances, and regulations related to storm water management, soil erosion control, and grading shall be satisfied by the applicant at all times.

9-2-7: SITE PLAN REVIEW:

No building permit application can be applied for an industrial, storage, commercial, office, multi-family residential, public, semipublic and institutional building or structure without site plan review and approval in accordance with section 10-13-9 of the Bartlett Zoning Ordinance. (Ord. 2020-__, Ord. 2007-45)

9-2-8: BARTLETT ZONING ORDINANCE AND SUBDIVISION PUD REGULATIONS:

No building permit shall be issued for the erection of any building or structure which does not comply with the provisions of the Bartlett Zoning Ordinance, the Bartlett Subdivision and PUD Ordinance (the "Bartlett subdivision ordinance"), and this Village Code as may be applicable and from time to time in effect. The issuance of a building permit does not assure the applicant that the proposed building, structure or its use conforms to all applicable regulations and ordinances noted above. If such assurance is required, the applicant should obtain a written opinion from the **Planning & Development Services Director**. It is the responsibility of the applicant to determine and comply with all codes, ordinances of the village and all federal, state, county and other local laws, statutes, ordinances, rules and regulations that may be applicable to any demolition, building construction, or development project within the corporate limits of the Village of Bartlett, and to obtain all necessary permits and/or approvals prior to commencing any work. (Ord. 2020-__, Ord. 2007-45)

9-2-9: BUILDING PERMIT CONDITIONS:

No building permit shall be approved/issued for any building/structure until all of the following conditions have been satisfied:

A. Improvements: The village water, sanitary sewer and storm sewer systems have been extended across the entire lot frontage on each street on which the residence and/or structure proposed to be built is located and the street has been improved with a paved street which extends from such lot to a fully improved village street connected with the village street system. For purposes of this code the term "paved street" shall mean a dedicated street area in which there has been installed base material, a binder course (or PCC concrete pavement) and, unless specifically exempted in the ordinance approving the subdivision, planned development ("PD") and/or planned unit development ("PUD") in which the subject lot is located, curbs and gutters. All underground utilities shall be installed within public rights of way or utility easements approved by the village for that purpose. All underground public improvements shall be installed and tested in accordance with all village requirements; the storm water management facilities shall be fully functional with ground cover established and detention volume as built drawings approved by the Village Engineer for capacity. Temporary street name signs, with addresses on individual lots shall be erected.

B. Improvement Completion Agreement: A public improvement completion agreement ("PICA") or other contract between the village and the developer, subdivider and/or owner of the underlying subdivision or PUD on the lots for which the applicant is seeking a building permit is located for the construction that involves any public improvements, unless waived by the Planning & Development Services Director or the Village Attorney. A performance bond and labor and material payment bond (collectively a "performance and payment bond"), an irrevocable letter of credit and/or other security approved by the Village Attorney shall be deposited with the Village to guarantee completion of and payment for any and all public improvements in an amount equal to one hundred ten percent (110%) of project engineer's cost estimate to complete said work is approved by the village engineer in accordance with the Bartlett Subdivision Ordinance, even when the property on which the building permit sought is not being subdivided unless waived by the Planning & Development Services Director, the Village Engineer or the Village Attorney. Nothing contained in this subsection shall mean that the Building Department will make inspections until a safe street has been installed in accordance with subsection 9-8-1D of this title, nor that an occupancy permit will be issued until all of the public improvements required under the Bartlett Subdivision Ordinance and/or this Code have been installed or, under the circumstances described in section 9-5-4 of this title, cash, an additional bond or a letter of credit has been deposited with the Village Treasurer to assure the installation of concrete stoops and service sidewalks, a paved driveway, paved parking lots, landscaping and sod as required by section 9-5-1 of this title. Any such performance and payment bond shall be issued by a surety or insurance company authorized by the Illinois Department of Insurance to sell and issue sureties in the State of Illinois. Any such irrevocable letter of credit shall be issued by a bank, savings and loan association or federally insured financial institution, and for letters of credit in excess of one hundred thousand dollars (\$100,000.00) said entity shall have assets of at least fifty million dollars (\$50,000,000.00) and a capital asset ratio of at least six percent (6%). The form of performance and payment bond or

irrevocable letter of credit, or cash bond shall be provided in appendix F to the Bartlett Subdivision Ordinance, except for such modifications therefrom approved by the Village Attorney.

C. Wells And Septic: For lots one acre or more in area, the Building Director may issue a building permit for a residence to be served by a well and septic system; provided, however, that no occupancy permit shall be issued until the appropriate County Health Official has approved/certified to the Village in writing that the water supply from such well is potable and that a safe, healthful septic system has been installed to serve the premises.

D. All construction fees under chapter 3 of this title, including all Municipal Donations under title 11, chapter 10 of the Village Code (as amended) and all other charges and expenses due the village have been paid in full. Donations/impact fees may be due under subsection 9-3-1B5 of this title, notwithstanding the fact that building permit application may be for an improvement on any existing lot that does not involve a subdivision, resubdivision or lot consolidation. (Ord.2020-__, Ord. 2007-45)

9-2-10: MISCELLANEOUS PERMIT REQUIREMENTS:

An application for a miscellaneous permit will need to be completed by the owner/agent for all non-new construction work. Plans and specifications will be required for interior alterations, repairs or electrical work, and for additions or other new construction, which will encroach on ground in addition to that occupied by the existing structure, a plat of survey/proposed improvement layout plan will be required. Provide a signed copy of homeowner's contract. Plans and specifications for non-residential improvements require architect or engineers certified cost estimates or signed contract for the work. Owner/homeowner will be responsible for all exterior improvements. Improvements cannot negatively affect the lot's approved grading plan, or negatively affect drainage on adjoining property. The director may require engineering plans signed and sealed by an Illinois licensed professional engineer or certification from such engineer that the proposed improvements will not negatively affect the approved grading for the lot or negatively affect drainage on adjacent property. (Ord. 2020-__, Ord. 2007-45)

9-2-11: PERMIT APPLICATION REVIEW:

Building permit applications shall be processed within a reasonable time period, considering the Building Department's workload. If laboratory testing is required to determine whether any proposed structural unit, system or construction method meets the requirements of this code, the time for the issuance of the permit shall be extended accordingly. If the application, plans and specifications are found to be in compliance with this code, the Zoning Ordinance and all other applicable ordinances, a building permit shall be issued. If the application, plans and specifications are not in compliance, the applicant shall be notified in writing, specifying the reasons for denial of the permit, within a reasonable time period, considering the department's workload. The new construction time frame for review of plans is generally two (2) weeks from the time of submittal. The applicant shall be responsible to timely submit revised plans and specifications or otherwise correct any deficiencies noted by the director or other departments.

A. The Building Director or Building Inspector shall sign or cause to be signed all building permits, certificates and notices required to be issued by this code.

B. A copy of the building permit shall be kept on site during construction. A copy will be available for public inspection during the time of construction. (Ord. 2020-___, Ord. 2007-45)

9-2-12: EXPIRATION OF BUILDING PERMIT: 

A building permit shall expire if no work is commenced within six (6) months from the date the permit was issued. Building permits under which work is not completed within the following time limits shall expire:

Single-family homes and townhouses in buildings containing 6 units or less	1 year
Residential buildings containing 24 units or less but more than 6 units and nonresidential buildings containing 50,000 square feet or less	18 months
Residential buildings greater than 50 units and nonresidential buildings greater than 50,000 square feet	2 years

(Ord. 2020-___, Ord. 2007-45)

9-2-13: EXTENSION OF BUILDING PERMIT: 

An extension of a building permit may be granted to the owner, lessee or designated agent upon payment of a fee of twenty five percent (25%) of the cost of the original building permit; provided, however, in no case shall the fee for the extension be less than forty-five dollars (\$45.00). An extension of a building permit shall be valid for six (6) months from the date the original permit expired. A total of two (2) extensions may be granted by the Building Director; however, it may be further extended by the corporate authorities in their sole discretion for good cause shown, and only after submittal of such new and revised plans, tests and reports as recommended by the Building Department. Where, under the authority of a building permit or extension, work has begun and has been abandoned for a continuous or cumulative period of four (4) months or more, all rights under such building permit shall thereupon terminate. (Ord. 2020-___, Ord. 2007-45)

9-2-14: ANTIMONOTONY REQUIREMENTS: 

No detached single-family residence building (the "subject residence") shall be built in the village which contains the same or similar design characteristics so as to be monotonous in appearance to the single-family residence located on the same side of the street and on two (2) or three (3) lots in either direction from the subject residence (regardless of intervening streets) or directly across the street from the subject residence (the "compared residences").

A. The front fascia of all detached single-family residences shall consist of brick, stone, stucco or cedar siding. Vinyl siding may be used on the front fascia; however, vinyl cannot consist of more than twenty five percent (25%) of the total area excluding soffit and fascia.

B. The subject residence shall be deemed not to be of a similar design so as to be monotonous in appearance to compared residences if it has: 1) major exterior building materials (excluding wood, masonite, stucco, plaster or other siding materials which are customarily painted) of a different permanent color, or 2) different predominant building materials used on its exterior (i.e., masonry, stone, stucco, hardy board, wood shingles, asphalt roofing, terra cotta roofing) than the compared residences, and 3) at least three (3) of the following features different from the compared residences:

1. Roofline (hip, gable, mansard, etc.);
2. Garage orientation (right hand model vs. left hand model, etc.);
3. Facade (different elevation facing the street);
4. Front porch (porch vs. stoop or steps with landing); and
5. Architectural style (contemporary, colonial, prairie school, traditional).

C. A building permit shall be issued if in the Building Director's opinion such residences or dwelling units as depicted in plans submitted for building permit approval are of sufficiently dissimilar design. Plans for the residence or dwelling unit in question may be resubmitted after they have been modified to meet the regulations outlined in this section. (Ord. 2020-__, Ord. 2007-45)

D. When **roof replacement/repairs** are to be made on Single Family or Multi-family uses: If one three foot by three foot (3'x 3') or greater area of roof is to be replaced this would require the entire side of the roof to be replaced.

E. When **siding replacement/repairs** are to be made on a Single Family or Multi-family uses: If a three foot by three foot (3'x 3') or greater area per wall section of siding is to be replaced this would require the entire wall of the siding to be replaced. Unless the replacement siding can be matched and not discolored of a different color/make /model.

9-2-15: EROSION CONTROL PERMIT REQUIRED:

At the time of application for a building permit, all projects involving the excavation, grading, regrading, landfilling, berming or the cover of land, and/or which involve any change in the topography of land shall apply for an erosion control permit to be issued by the storm water administrator as defined in the Bartlett Subdivision Ordinance, as amended, based on his physical inspection of the property, to determine what, if any, sedimentation facility, including debris basins, sedimentation traps, berms, interceptor ditches, land terraces, siltation fences and vegetation ground cover shall be constructed or installed by the applicant to control on site erosion and off site sedimentation for the purpose of preventing the deposit of sediment from the

lot or tract under application upon any off site public or private property or watercourse during all phases of project construction. (Ord. 2020-___, Ord. 2007-45)

9-2-16: DEMOLITION PERMIT REQUIREMENTS:

If a building or structure is to be demolished, the applicant/owner shall apply for a demolition permit. As well as a State of Illinois or County Demolition Permit. A plat of survey shall be submitted identifying the structure(s) to be demolished and any existing buildings and structures, which are to remain. A tree survey depicting the location, and delineating the species and size of all existing trees four inches (4") in diameter and larger existing on the lot. The applicant shall comply with the international building code section 3303. (Ord. 2020-___, Ord. 2007-45) 9-2-18

9-2-17: DEMOLITION/RECONSTRUCTION REQUIREMENTS:

A. Definitions:

COMMENCEMENT OF DEMOLITION: Any work done pursuant to a permit issued pursuant to section 9-2-16 of this chapter other than the installation of the protective fencing required pursuant to subsection H of this section and any approved erosion control.

COMMENCEMENT OF RECONSTRUCTION: The beginning of the new reconstruction work under a building permit for the structure being constructed.

COMPLETION OF DEMOLITION: Removal of the walls of the first floor above the foundation of the structure being demolished or removal of all foundation material from the excavation in the case of a foundation removal.

DEMOLITION: The razing and removal of all or substantially all of a structure or removal of such portions of a principal structure as to make the structure uninhabitable or unsafe for human occupancy.

RECONSTRUCTION: All the onsite work done in building or altering structures from land clearance to completion, including excavation, erection and the assembly and installation of components and equipment upon any lot or lots upon which a structure has been demolished pursuant to a demolition permit.

B. Demolition Permit Time Limit: No demolition permit or approval made pursuant to this title shall be valid for a period of more than one year after the date of issuance. Demolition shall be completed within thirty (30) days of commencement of demolition.

C. Permit Renewal Fee: The fee for any renewal or reissuance of any demolition permit or reconstruction permit or approval shall be the same as the original cost of such permit approval.

D. Required Plans, Specifications And Submittals: Every application for a demolition permit shall be accompanied by the following plans and specifications:

1. **Building Plans And Specifications:** If the application includes demolition of a principal structure, and reconstruction of any structure upon any portion of the land for which a demolition permit is issued, then the application shall include building plans and specifications prepared in compliance with the provisions of this title for any structure to be built on the subject property. completion of demolition, then the application shall also include a detailed site restoration plan as provided in subsection D2 of this section.

2. **Site Restoration Plans And Specifications:** If the application includes demolition of a principal structure, and if commencement of reconstruction of a new structure is not planned to occur within sixty (60) days after completion of demolition, then the application shall include a detailed site restoration plan depicting all work required to restore the subject property, within sixty (60) days after completion of demolition, to a safe, clean condition until construction of a new structure has commenced, including, without limitation, backfilling of any excavation, grading, seeding, fencing, storm water management, and the like.

3. **Storm Water Management Plans:** In addition to all other required plans and specifications, the application shall include detailed plans and specifications for storm water management, soil erosion control, and grading on the subject property. Such plans and specifications shall be on a drawing or drawings separate from all other plans and specifications, labeled as "storm water management plans". Such plans and specifications shall be prepared by a licensed professional engineer, shall be made in conformance with the requirements of the village's Storm Water Management Ordinance, and shall include a certification by the applicant, in a form provided by the village, that all requirements of the village's codes, ordinances, and regulations related to storm water management, soil erosion control, and grading shall be satisfied by the applicant at all times during construction. Among other details, the required storm water management plans shall include:

- a. Drainage plans, and soil erosion control during demolition; and
- b. Storm water management and soil erosion control during any period of time between completion of demolition and commencement of reconstruction; and
- c. Storm water management commencing with preparation for foundation pouring and continuing during the entire new construction process until final grading of the subject property.

If commencement of reconstruction of such structure is not planned to occur within sixty (60) days after com

4. **Materials And Spoils Storage Plans:** The application shall include plans depicting the proposed location for storage of materials and spoils on the subject property.

5. **Dust And Airborne Particulate Control Provisions:** The application shall include provisions for controlling dust and other airborne particles from the subject property, including, without limitation, a source of water and spraying equipment and any other measures to be taken to control airborne particles at all times during demolition or reconstruction procedures.

6. Certificate Of Insurance: The application shall include a certificate of insurance establishing that the applicant, or the owner of the subject property if different from the applicant, has commercial general liability insurance coverage in an amount of at least one million dollars (\$1,000,000.00) per occurrence for all damage to property adjoining the subject property resulting from the proposed work on the subject property by the applicant, the owner, or any employee, agent, contractor, or subcontractor of the applicant or the owner.

7. Easements: Prior to reconstruction of a dwelling unit upon a lot or lots where the principal residential dwelling unit is intended to be, or has been demolished, the owner shall execute and deliver a grant of easement and an easement plat granting the village and all utility companies furnishing utilities in the area of the subject property, a five foot (5') wide utility and drainage easement in, over, upon, through, under and along the rear and side lot lines of the subject property as it may be configured in the event said lot or lots do not already have said easements of record. In the event two (2) or more lots, or parts of lots, have been acquired and are under common ownership, any utility easements underlying any proposed structural improvement on the property shall be vacated or abrogated by all parties to whom or to which said easements run. The applicant shall reimburse the village for the cost of recording any such grant of easement, plat of easement and/or plat of vacation or abrogation as required hereunder.

E. Predemolition Inspection And Utility Report: Prior to the issuance of a building permit for any reconstruction activity on the subject property, the Village Engineer/Public Works Director shall have prepared a predemolition inspection and utility report regarding existing conditions affecting the subject property, which shall describe the approximate location and depth, if known, of existing village water, sanitary sewer and storm sewer, if any, in the vicinity of the subject property, and the approximate cost to install new service connections to the village water, sanitary sewer and storm sewer as applicable.

F. Fencing: If the permit authorizes demolition and/or authorizes reconstruction of a new principal structure, then the applicant shall cause a six foot (6') chain-link safety fence to be installed around the perimeter of either the excavation, the structure under construction, or the entire construction area, in a location and manner approved by the Building Department and shall remain locked when no one is on site. The fencing shall be installed not more than seven (7) days nor less than four (4) days before commencement of any work on the subject property pursuant to any permit issued under this section or any permit issued by the village under this title. **Fencing is not** required in new subdivisions, or developments with (3 or more lots) and when developer still has an active bond.

G. Commencement Of Reconstruction Or Site Restoration: Either construction of an approved new structure shall have commenced, or the subject property shall have been fully restored in conformance with the approved site restoration plan, if any, or with such other plan as may be approved by the village, within sixty (60) days after completion of demolition.

The sixty (60) day period provided in this subsection for completion of site restoration shall be extended by one day for every business day that weather conditions prohibit restoration work on the subject property, as determined by the Building Director.

H. Foundation Plan: After construction of the foundation of any new building, and before any other work is commenced on such building, any person undertaking such work shall submit an "as built" spotted survey foundation plan, showing top of foundation elevations to the village. Such survey shall be approved by the building director before any rough inspections for MEP's are conducted.

I. Site Management Bond:

1. Bond Requirement; Timing Of Payment; Amount: If the permit to be issued pursuant to this title authorizes demolition of a dwelling and reconstruction of a new dwelling, then the applicant shall post with the village, at the time of issuance of the building permit for such new dwelling, a site management bond in the amount of not less than ten thousand dollars (\$10,000.00) in cash or an irrevocable letter of credit in a form approved by the village attorney. Such bond shall be in addition to all other application and processing fees, costs, escrows, bonds, and performance securities required by this title.

2. Increase Of Cash Bond Or Letter Of Credit: New sanitary sewer and water services and water meter and storm sewer shall be required for all reconstructed dwellings when the existing dwelling unit is intended to be or has been demolished. If a public street or streets, curbs, gutters, sidewalks, parkway trees and parkways will be impacted by the planned reconstructed dwelling unit, including connection to the village's sanitary sewer system and/or water system, the Public Works Director will determine the estimated cost to perform said work based on the location and depth of the village's existing water main, sanitary sewer and storm sewer in proximity to the proposed dwelling to be constructed, and the size and length of the new water and sanitary services and storm sewer and the amount of street, curb and sidewalk that will need to be replaced. In the event the public works director determines that the cost to open, cut or auger under any public roads to make water and/or sewer service connections and the amount of said replacement and restoration work, and to restore the road, curbs and parkways in the right of way, will exceed ten thousand dollars (\$10,000.00), he shall so notify the applicant and the cash bond or letter of credit posted pursuant to subsection I1 of this section shall be increased to an amount equal to one hundred ten percent (110%) of the Public Works Director's estimate of said costs. An applicant shall only be required to install and bond for up to one hundred twenty (120) linear feet of storm sewer, measured from the property line that is closest to the village's closest existing storm sewer to the subject property that is at a sufficient depth to afford positive drainage from the subject property. The Public Works Director may request copies of any contracts the applicant has to perform said work or may procure one or more estimates from independent contractors to perform said work to determine the amount of said bond.

3. Application Of Bond: The site management bond shall be held by the village and shall be applied as provided in this subsection I and in this title.

4. Village Right To Draw On Bond: The village shall have the right at all times, at its option, to draw on the site management bond for the costs, including, without limitation, legal fees and administrative expenses, incurred or to be incurred by the village in exercising any of its rights under this title in the event: a) the applicant undertakes any work in violation of any provision of this title or of any permit issued or plan approved pursuant to this title, or b) the applicant fails or

refuses to complete any work authorized by any permit issued under this title in accordance with all plans approved in connection with said permit. The village's determination of such costs shall be based either on costs actually incurred by the village or on the village's reasonable estimates of costs to be incurred.

5. Additional Fee For Late Work: If the applicant shall fail to commence reconstruction within sixty (60) days after completion of demolition, or shall fail to file a site restoration plan as required in subsection D2 of this section and complete site restoration according to said plan within sixty (60) days of completion of demolition, as provided in subsection I of this section, then the applicant shall pay a special late work permit fee of two hundred fifty dollars (\$250.00) per day for each day until such work is completed. The village shall deduct such fee from the site management bond provided pursuant to this subsection I.

6. Replenishment Of Bond: If the village draws on the site management bond, then the applicant shall replenish the bond to the full amount required by this subsection I immediately after demand therefor is made to the applicant in writing by the village. Any failure of the applicant to replenish the bond shall result in cancellation of the related permit, which permit shall not be reissued thereafter except after the filing of a new application therefor, payment of the permit fee, and establishment of a new site management bond.

7. Return Of Unused Bond: The village shall return any unused portion of the site management bond to the applicant, without interest, as follows:

a. If the permit authorizes only demolition work, and no construction work is scheduled to take place within sixty (60) days after completion of demolition, the village shall return the bond within thirty (30) days after final inspection of the restoration of the subject property and approval of the work by the building director.

b. If the permit authorizes any work in addition to demolition work, then the village shall return the money within thirty (30) days after issuance of a final certificate of occupancy.

J. Site Management Standards: The following site management standards shall apply to all permitted work:

1. Accessibility Standards, sidewalk & right of way: No pavement or sidewalk within any public right of way shall be unavailable for public use at any time except when such pavement or sidewalk is removed and replaced. No such pavement that is removed shall be out of service for more than twenty-four (24) hours without the approval of the Public Works Director. No such sidewalk that is removed and replaced shall be out of service for more than thirty (30) days unless approved by the Public Works Director. No storage of demolition debris, spoil, or construction materials shall be permitted within any right of way.

2. Sanitation Facilities: One such portable toilet shall be provided at every site of construction of a new principal structure, or when reconstruction occurs where sanitary facilities are not available prior to commencement of excavation of the foundation or slab for the new structure.

The proposed location of any portable toilet shall be depicted on plans submitted at the time of application for the review and approval of the building department.

3. Litter Control And Cleanup: Litter and debris at the subject property shall be controlled at all times. The applicant shall designate a person regularly present at the subject property as having responsibility to assure that no litter or debris leaves the subject property and that all litter and debris is removed from the subject property before the end of every day, including weekends and regardless of whether work was conducted that day on the subject property.

4. Street And Sidewalk Cleaning: The applicant shall cause all dirt, mud, gravel and other debris from the subject property or related to any work conducted on the subject property to be cleaned regularly every day from all sidewalks and streets adjoining and in the area of the subject property.

K. Weeds And Long Grass: All persons undertaking work pursuant to a permit issued under this title shall maintain the subject property in compliance with the standards of section 4-3-2 of this village code related to the control of weeds and long grass.

L. Village Right To Complete Work: Every permit authorizing demolition of a dwelling issued pursuant to this title shall be conditioned on receipt of a written agreement from the applicant and the owner of the subject property, in form approved by the village attorney agreeing that if the applicant fails or refuses to complete the work authorized by said permit in accordance with all plans approved in connection with said permit, or if said permit has expired or been canceled and the applicant has failed to secure a new permit to complete the work, or if the applicant has violated any provision of this title or of any permit issued or plan approved pursuant to this title and fails and refuses to cure such violation, then the village shall have the right, in addition to all other rights afforded to the village by law, at the village's option, to go upon the owner's property and complete such work or to correct any defect or deficiency, using the village's own forces or contractors hired for that purpose. The village shall have the right to draw on the site management bond provided pursuant to subsection I of this section, or to demand payment directly from the applicant or the owner, for the cost of such village work, including, without limitation, legal fees and administrative expenses, based either on costs actually incurred by the village or on the village's reasonable estimates of costs to be incurred. Prior to proceeding with said work, the village shall endeavor to give a written or oral twenty four (24) hour notice and an opportunity to cure to the applicant before taking such action; provided, however, that no such notice and opportunity to cure shall be required in the event of repeated violations or in the event that a condition on or near the subject property poses, in the determination of the village, a threat of any kind to the public health or safety.

M. Penalties: The violation of any provision of section 9-2-17 of this chapter or of this section shall, at the election of the village, be grounds for the right to complete work as provided in subsection L of this section, revocation of any permit or approval pursuant to which the work in question is being undertaken, the right to issue a stop order pursuant to section 9-23-2 of this title; for the imposition of a penalty pursuant to section 9-23-4 of this title; and/or to avail itself of the other remedies provided in section 9-23-5 of this title. (Ord. 2020-___, Ord. 2007-45)

Chapter 3

CONSTRUCTION FEES

9-3-1: NEW CONSTRUCTION:

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9-3-16: HOME OCCUPATIONS:

9-3-17: WORKING WITHOUT A PERMIT:

9-3-1: NEW CONSTRUCTION: 

Each application for a building permit for new construction shall be accompanied by a building permit fee outlined as follows:

A. Base Fee For Gross Floor Area: The base fee shall be calculated on the square feet of gross floor area using outside dimensions of all floors in accordance with the following schedule. Residential gross floor area shall be calculated for all floors on which there are habitable rooms, except rooms on a floor, which are more than five feet (5') below grade.

1. Detached Single-Family: A minimum base fee of one thousand five hundred dollars (\$1,700.00) per dwelling unit up to one thousand two hundred fifty (1,250) square feet gross floor area and forty-five cents (\$.50) for each square foot of gross floor area over one thousand two hundred fifty (1,250) square feet. An additional fee for an attached or detached garage shall be twenty dollars (\$20.00) per car space or a minimum fee of forty dollars (\$40.00).

2. Detached Single-Family Teardown: For reconstruction of a detached single-family residence(s) or other dwelling unit upon a lot or lots upon which one or more residential units has been or is intended to be demolished pursuant to section 9-2-17 of this title, the base fee shall be four dollars (\$4.00) per square foot for the first one thousand two hundred fifty (1,250) square feet of gross floor area of the reconstructed dwelling, and twenty five cents (\$0.25) for each additional square foot of gross floor area, for a minimum base fee for a reconstructed dwelling where the former residence was a teardown of five thousand dollars (\$5,000.00).

3. Attached Single-Family (Townhomes, Duplexes): ("Attached single-family residence" shall be defined as a single-family dwelling unit having a direct private outside access at grade and 1 or more party walls.) A minimum base fee of one thousand five hundred dollars (\$1,500.00) per dwelling unit up to one thousand two hundred fifty (1,250) square feet gross floor area and forty-five cents (\$0.45) for each square foot of gross area over one thousand two hundred fifty (1,250) square feet. An additional fee for an attached or detached garage shall be twenty dollars (\$20.00) per car space or a minimum fee of forty dollars (\$40.00) per unit.

4. Multiple-Family (Apartments, Condos): A minimum base fee of one thousand dollars (\$1,000.00) per dwelling unit up to one thousand two hundred fifty (1,250) square feet of gross floor area and thirty-five cents (\$0.35) for each additional square foot of gross floor area over one thousand two hundred fifty (1,250) square feet of gross floor area

5. Storage, Mercantile, Industrial And Business Buildings (Use Groups B, F, M And S As Defined In The IBC®): Seventy-five cents (\$0.75) per square foot of gross floor area for the first ten thousand (10,000) square feet of gross floor area and fifteen cents (\$0.20) per square foot for all additional floor area, with a minimum base fee of one thousand dollars (\$1,000.00).

6. Other Use Groups: Fees for buildings in all other use groups (as defined in the IBC®): Seventy-five cents (\$0.75) per square foot for the first ten thousand (10,000) square feet of gross floor area of all floors, and fifteen cents (\$0.20) per square foot for each additional square foot of gross floor area with a minimum base fee of one thousand dollars (\$1,000.00).

B. Additional Fees: In addition to the base building permit fee, building permit fees shall include the aggregate of the following:

1. Water Meter: Every dwelling unit of every residential building and every individual commercial unit within a commercial building shall have a separate Easy Read-O-Matic meter of adequate size, which can be read outside the building. Meters shall not be installed in unheated or inadequately heated areas. The water meter fee shall be an amount equal to the actual cost of such meter to the village, plus fifty dollars (\$50.00).

2. Sanitary Sewer Connection: A fee for connecting to the village sanitary sewer system shall be paid in accordance with the following schedule:

<u>Residential Uses</u>	<u>Per Dwelling Unit</u>
Cook County	\$ 940.00
DuPage County	2,125.00
Kane County	940.00

<u>All Other Uses</u>	<u>Per Square Foot Of Building Area</u>
Cook County	\$0.09
DuPage County	0.27
Kane County	0.09

"Dwelling unit" shall include detached single-family, attached single-family dwelling units. Apartments/Condos will be under "All Other Uses" for connection fees.

Fees for connecting sewer to properties outside the corporate limits of the Village of Bartlett (unless such connections are otherwise prohibited by any revenue bond ordinance or bond purchase agreement) shall be one hundred fifty percent (150%) of the rates hereinbefore set forth.

Nothing herein contained shall be construed as requiring the village to permit such connection.

3. Water Connection: A fee for connecting to the village water system shall be paid in accordance with the following schedule:

<u>Residential Uses</u>	<u>Per Dwelling Unit</u>
Cook County	\$1,680.00
DuPage County	1,680.00
Kane County	1,680.00
<u>All Other Groups</u>	<u>Per Square Foot Of Building Area</u>
Cook County	\$0.23
DuPage County	0.23

"Dwelling unit" shall include detached single-family, attached single-family dwelling units. Apartments/Condos will be under "All Other Uses" for connection fees.

Fees for connecting water to properties outside the corporate limits of the Village of Bartlett (unless such connections are otherwise prohibited by any revenue bond ordinance or bond purchase agreement) shall be one hundred fifty percent (150%) of the rates hereinbefore set forth.

Nothing herein contained shall be construed as requiring the village to permit such connection.

4. Municipal Developer Donations: For all new lots, the owner or developer shall pay full municipal donations in accordance with the village's ordinance to provide land and cash donations by developers set forth in title 11, chapter 10 of this Village Code in effect on the date the building permit application is filed with the village for new construction.

5. Re-inspection Fee: A re-inspection fee of seventy-five dollars (\$75.00) per inspection shall be charged in every instance where the party requesting the inspection fails to meet the requirements of this code or the plans and specifications or fails to keep an appointment with a village inspector.

6. Erosion Control Permit Fee: If an erosion control permit application is required to be applied for under the terms of section 9-2-16 of this title, as amended, the applicant shall pay a nonrefundable erosion control review fee of one hundred seventy five dollars (\$175.00).

7. Elevator Inspection Fee: An inspection fee of thirty-eight dollars (\$38.00) (or the current rate) per elevator per inspection, and an administrative fee of ten dollars (\$10.00) per elevator, shall be charged to the owner of each building in which an elevator is located within the jurisdiction of the Village of Bartlett, with the exception of those located in schools or single-family residences.

8. Plan Review Fee: A plan review fee of one hundred dollars (\$100.00) shall be charged for all new construction applications. The applicant shall pay the nonrefundable fee at the time of application. A plan review fee of seventy-five dollars (\$75.00) shall be charged for the second and subsequent plan reviews.

9. Plan Review Fee for Demolition: A demolition plan review fee of one hundred dollars (\$100.00) shall be charged for all demolition applications.

10. Consultant Fees: The applicant shall reimburse the village for all fees and expenses charged to the village by consultants retained by the village to review plans, building systems and to perform testing where deemed necessary by the Building Director. (Ord. 2020-__, Ord. 2007-45)

9-3-2: DEPOSITS:

The Village Treasurer shall hold all such deposits until the completion of all work required to be done by the contractor and all of its subcontractors in any subdivision, PD or PUD for which any such cash bond has been deposited. The maximum cash bond to be deposited by any contractor, however, shall be the amount required for work still in process plus two thousand dollars (\$2,000.00). If the applicant, its contractors, subcontractors or the owner does no damage to municipal property, the total amount of the deposit shall be refunded to the depositor upon completion of the subdivision, PD, PUD, or dwelling unit.

A. In the event of damage to municipal property, that portion of the deposit required to effect repairs shall be retained by the village and the balance refunded to the depositor; provided, however, that a general contractor or subcontractor shall be required to make an additional deposit in an amount which will maintain a continuing deposit at the amount required in this section. It shall be the duty of each and every builder, developer, contractor and subcontractor to report to the building department any act or omission by any person or persons, or any entity, which causes damage to village property.

Any builder, developer, contractor or subcontractor whose agents, servants and employees are working within the immediate vicinity where damage to village property occurs and knew or ought to have known the cause of such damage shall be charged a pro rata share of the cost of repairing such damage.

B. If the cost of the repairs exceeds the amount of the deposit, such additional cost shall be charged to the party or parties legally responsible therefor. (Ord. 2020-___, Ord. 2007-45)

9-3-3: SIDEWALK/PARKWAY BOND FOR SUBDIVISIONS ACCEPTED BY VILLAGE:



Except where the developer of a residential subdivision has posted and there remains in place a letter of credit or performance bond and a labor and material payment bond with the Village to guaranty the completion or maintenance of the public improvements for the subdivision and the payment therefor, and the same developer has applied for a building permit for one or more single family homes within that same subdivision, in all other cases the applicant for a building permit shall deposit with the village treasurer at the time of filing a building permit application, a cash bond in the amount of twenty-five dollars (\$25.00) per lineal foot of frontage on each street on which the lot for which the application is made is located to assure the construction, repair and/or replacement of a five (5) foot wide concrete sidewalk which meets the specifications set forth in Section 9-8-9 of this title. If such lot is located in a subdivision where sidewalks more than five (5) feet in width are required, the amount deposited shall be increased in proportion to such increased widths. If the applicant fails to cause such sidewalk to be constructed, or any damaged sidewalk or other municipal property to be replaced within sixty (60) days after completion of a building for which the permit issued, the village shall have the right, but not the obligation, to cause the sidewalk to be constructed, or the damaged sidewalk or other damaged municipal property to be repaired or replaced, and apply such cash bond to the cost of construction, repair or replacement. Upon the written request of the depositor of the refund of any excess deposit within one year after the issuance of an unconditional occupancy permit for

the residence on any such lot, the village treasurer shall issue a refund. Any refund not requested within one (1) year from the date of issuance of such unconditional occupancy permit shall be forfeited to the Village.

9-3-4: BUILDING PERMIT FEES FOR REMODELING, ADDITIONS AND PHASED NEW CONSTRUCTION WORK: 

The fee for the issuance of a building permit for remodeling work, additions, and new construction work when full construction drawings for the entire building project are not submitted at the time of application, but partial construction drawings are submitted for review and a partial or phased building permit is sought and applied for footings and foundations, early earthwork/site grading, electrical, mechanical, plumbing, racking, fixtures, furnishings, alterations or other improvements different from those shown on previously submitted and approved building plans, or other interior or exterior work, or combination of such proposed phases of work for which complete construction drawings have been submitted and have been approved by the Building Director for combination subject to his final review and approval of said plans:

<u>Estimated Value Of Proposed Work</u>	<u>Fee</u>
Less than \$500.00	\$40.00
\$500.00 but less than \$1,000.00	\$45.00
\$1,000.00 but less than \$2,500.00	\$50.00
\$2,500.00 but less than \$5,000.00	\$60.00
\$5,000.00 but less than \$10,000.00	\$90.00
More than \$10,000.00	12 .00 per thousand

(Ord. 2007-45, 5-1-2007)

9-3-5: ELECTRICAL: 

A **seventy-five-dollar (\$75.00)** fee shall be charged for a building permit for electrical installations not done in connection with other work. (Ord. 2020-__, Ord. 2007-45)

9-3-6: PLUMBING: 

A **seventy-five-dollar (\$75.00)** fee shall be charged for a building permit for any actual

installation, repair, maintenance, alteration or extension of a plumbing system by any person, including all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including, without limitation, lawn sprinkler systems. Plumbing includes all piping, from discharge of pumping units to and including pressure tanks in water supply systems, including all piping, fixtures, appurtenances, and appliances for a building drain and a sanitary drainage and related ventilation system of any building or buildings. (Ord. 2020-__, Ord. 2007-45).

9-3-7: DEMOLITION (ACCESSORY STRUCTURE): 

A minimum of a one hundred-dollar (\$100.00) fee shall be charged for a building permit to demolish an accessory structure. (Ord. 2020-__, Ord. 2007-45) and a completed State of Illinois Demolition/Renovation/Asbestos Project Notification Form.

9-3-8: DEMOLITION (PRIMARY STRUCTURE): 

A fee of one thousand dollars (\$1,000.00) shall be charged for a building permit to demolish a residential, office, commercial or industrial building. (Ord. 2020-__, Ord. 2007-45) and a completed State of Illinois Demolition/Renovation/Asbestos Project Notification Form.

9-3-9: SWIMMING POOLS: 

A. Inground Pools: The building permit to construct shall be based on the cost of construction using section 9-3-4 of this chapter.

B. Aboveground Pools: A seventy-five-dollar (\$75.00) fee shall be charged for a building permit to construct an aboveground swimming pool. In addition, a forty dollar (\$40.00) electrical fee shall be charged and a forty dollar (\$40.00) plumbing fee if a heater is installed. (Ord. 2020-__, Ord. 2007-45)

9-3-10: FENCES: 

A building permit fee for any fence over two feet (2') high shall be charged at the rate set forth in section 9-3-4 of this chapter. (Ord. 2020-__, Ord. 2007-45)

9-3-11: SIGNS: 

A. Nonilluminated: A fifty-five-dollar (\$55.00) fee shall be charged for a permit to erect a nonilluminated sign. In addition, a fifty-dollar (\$50.00) plan review fee shall be charged.

B. Illuminated (Internal Or External): A seventy-five-dollar (\$75.00) fee shall be charged for a permit to erect an illuminated sign. In addition, a fifty-dollar (\$50.00) plan review fee and a forty-dollar (\$40.00) electrical review fee shall be charged. Combined plan review fee is (\$90.00).

C. Subsequent Plan Review Fees: A plan review fee of forty-dollars (\$40.00) shall be charged for the second and each subsequent plan review.

D. Working without a Permit: Any person/entity/contractor performing work without a permit or without a Village Contractor License as required by this code shall pay a permit fee double the amount of the fee based on the cost of the project or a minimum of \$100.00.

E. Reinspection Fee: A reinspection fee of seventy-five dollars (\$75.00) per inspection shall be charged in every instance where the party requesting the inspection fails to meet the requirements of this code or the plans and specifications or fails to keep an appointment with the inspector. (Ord. 2007-45, 5-1-2007)

9-3-12: CONSTRUCTION TRAILER:

A one hundred-dollar (\$100.00) permit fee shall be charged for the placement of each construction trailer on a construction site for six (6) months or less. Provide information if Utilities will be connected. In addition, the applicant shall deposit with the Village Treasurer a five hundred-dollar (\$500.00) cash bond to guarantee performance of the applicant's duty to remove such construction trailer and restore the site upon expiration of the permit. Such deposit shall be refunded in full after applicant removes such construction trailer promptly upon expiration of such permit. If such construction trailer is not removed within thirty (30) days after permit expiration, the village may, upon written notice to the permittee at the address specified in the application, cause such construction trailer to be removed, deduct the expense of removal and storage from such bond, and refund the balance, if any, to the permittee. In the event the cost of removal exceeds such bond, the applicant shall be responsible for any such excess costs. (Ord. 2007-45, 5-1-2007)

9-3-13: CONDITIONAL OCCUPANCY CERTIFICATE:

A fee of one hundred dollars (\$100.00) shall be charged in every instance where a conditional occupancy certificate is requested. (Ord. 2007-45, 5-1-2007)

9-3-14: FINAL OCCUPANCY CERTIFICATE:

A fee of one hundred dollars (\$100.00) shall be charged in every instance where a final occupancy certificate is requested. (Ord. 2007-45, 5-1-2007)

9-3-15: CHANGE IN OWNERSHIP/OCCUPANCY CERTIFICATE:

A fee of one hundred and fifty dollars (\$150.00) shall be charged in every instance where changing ownership/final occupancy is required for nonresidential use. (Ord. 2020-__, Ord. 2007-45)

9-3-16: HOME OCCUPATIONS:

A Seventy-five-dollar (\$75.00) fee shall be charged for a permit to allow a home occupation in accordance with requirements specified in the Bartlett Zoning Ordinance (Title 10). (Ord. 2020-
 , Ord. 2007-45)

9-3-17: WORKING WITHOUT A PERMIT: Any person that performs work without a permit as required by this Code shall pay a permit fee double the amount of the fee based on the cost of the project or a minimum of \$100.00 and may be subject to fines and penalties in accordance with Section 9-23-4 of this Title. Cost of project will be in accordance with the schedule set forth in Section (9-3-4).

Chapter 4

BUILDING CONTRACTOR LICENSES

9-4-1: CONTRACTOR RESPONSIBILITY:

9-4-2: LICENSE REGULATIONS:

9-4-3: LICENSE BOND:

9-4-4: LICENSE EXPIRATION:

9-4-5: SUSPENSION AND/OR REVOCATION:

9-4-6: CONTRACTOR REQUIREMENTS:

9-4-1: CONTRACTOR RESPONSIBILITY:

It shall be unlawful to engage in the business of construction, demolition, rehabilitation, alteration or repair of buildings or other structures, sidewalk or street pavements, landscaping which makes changes to the topography of the property, and the installation of electrical, plumbing, heating, ventilating, air conditioning or other mechanical systems, or any such business, in the Village of Bartlett, as a general contractor, subcontractor or otherwise, without first obtaining a Building Contractor's License. Any person or entity engaged in such business shall be deemed a Building Contractor.

It shall be the duty of the current building contractor, his, her or its employees and subcontractors to comply with this code and all other village ordinances relating to the construction of buildings or other structures, the construction of streets or sidewalk pavements, and all laws or ordinances pertaining to or regulating the activities in which they are engaged. (Ord. 2007-45, 5-1-2007)

9-4-2: LICENSE REGULATIONS:

A. License Application: A license application is required.

B. Certificates Of Insurance: Every person and entity engaged in the business described in section 9-4-1 of this chapter shall submit to the Village Clerk with his, her, their or its license application a current certificate or certificates of insurance issued by a company having at least a

"B+/VII" rating in latest edition of "The A.M. Best Insurance Guide", evidencing the following types of insurance coverage in not less than the following amounts of coverage:

1. Commercial General Liability Insurance ("CGL"): One million dollars (\$1,000,000.00) each occurrence covering liability arising from premises, operations, independent contractors, products completed operations, and personal injury.

2. Workers' Compensation Insurance: In the amounts and coverages required by law.

The insurance requirement of this section shall not be applicable to the plumbers who present a current state of Illinois plumbing contractor's license issued by the Illinois Department of Public Health to the Illinois Plumbing Licensing Law (PA 92-0338).

C. Electrical Contractor: Every electrical contractor shall submit to the Village Clerk a copy of its electrical license certified by an established commission.

D. Plumbing Contractor: Every plumbing contractor shall submit to the Village Clerk a certified copy of its state of Illinois plumbing certification. Plumbing contractors need to submit only their state license. No insurance, bond or fee is required in accordance with the State of Illinois.

E. Roofing Contractor: Every roofing contractor shall submit to the Village Clerk a certified copy of its State of Illinois Roofing Certificate.

F. Homeowner/Occupant Exemption:

The provisions of this chapter shall not require an owner/occupant of a single family residence, or the owner of a single family residence being remodeled or repaired for his or her occupancy to procure a building contractor's license for himself or herself, but any person, firm association, partnership, corporation or limited liability company that is an owner but not an occupant, or is not a homeowner, shall not perform or assist a homeowner with any construction, demolition, rehabilitation, alteration, remodeling or repair work without a building contractor's license. For purposes of this subsection a person shall be considered an "owner" if he or she owns a fee simple interest or is the legal owner, beneficial owner or holds a beneficial interest in a trust that holds legal title to single family residential property. For purposes of this subsection, a person shall be considered an "occupant" if and only if he or she has taken possession of and is living in the premises as his or her bona fide sole and exclusive residence, or, in the case of an owner of a single family residence proposed to undergo remodeling/repair work for his or her occupancy, for which an application for a building permit for remodeling or repair work has been submitted, along with an affidavit stating that he or she expects to take possession of and living in the premises as his or her bona fide sole and exclusive residence, and he or she has a current intention to live in such premises as his or her sole and exclusive residence for a period of not less than six (6) months after completion of the remodeling or repair work. Failure to possess and live in the premises as a sole and exclusive residence for a period six (6) months or more shall create a rebuttable presumption of a lack of such intention. Notwithstanding the application

of said exemption, nothing contained herein shall be construed to supersede, amend, alter or exempt any person, firm, association, partnership, corporation, limited liability company, or other entity from the State licensing requirements or compliance with state laws including, without limitation, the Illinois Plumbing License Law.¹

G. Fees: Annual license fees for building contractors shall be as follows:

General contractors	\$100.00 (allows for only 1 additional trade)
Subcontractors	50.00

Anyone who has a contract with the owner or developer (or the owner's or developer's agent) of the property proposed to be improved shall be deemed a general contractor for purposes of this code. (Ord. 2007-45, 5-1-2007)

H. Tree Contractor: Every tree removal, tree trimming and other contractor engaged in the business of tree removal, tree trimming, and/or the application of any chemical treatment for any tree within the village shall have first filed with the Village Clerk proof of insurance as required in Section 9-4-2:B, its license bond as required in Section 9-4-3, and if it will be applying chemical tree treatment, its State of Illinois licenses to allow it to keep, apply and dispose of chemicals for tree treatment. All landscapers, tree removal contractors and tree trimmers shall remove from the property all trunks, limbs, branches, and landscape debris from any tree or shrub that said contractor has removed, cut, trimmed or pruned, and dispose of same off site. It shall be unlawful for any landscaper, tree removal contractor, and/or tree trimming contractor to leave any such material for the owner of the property to dispose of, or for any in town contractor to add any such material to any residential landscape pick up provided by the village.

9-4-3: LICENSE BOND:

Every person and entity engaged in the business described in section 9-4-1 of this chapter shall submit to the Village Clerk with his, her or its contractor's license application a license bond or permit bond in the amount of ten thousand dollars (\$10,000.00) to guaranty the contractor's compliance with the provisions of this Building Code and other applicable ordinances and regulations of the village of Bartlett, cosigned by a surety authorized by the Illinois Department of Insurance to sell and issue sureties in the State of Illinois; provided, however, that no such license bond shall be required in the event said applicant has obtained a unified license and permit bond from DuPage, Cook and Kane Counties, in accordance with the requirements of the Contractor Unified License and Permit Bond Act¹, and has filed a certified copy of said unified bond with the Village Clerk. Notwithstanding the foregoing, plumbing contractors presenting a current Illinois Plumbing Contractor's License issued by the Illinois Department of Public Health pursuant to the Illinois Plumbing Licensing Law (PA 92-0338), shall not be required to post a license bond with the village. (Ord. 2007-45, 5-1-2007)

¹ 225 ILCS 320/1 *et seq.*

9-4-4: LICENSE EXPIRATION:

Every building contractor's license shall expire on the date of the expiration of its bond; provided, however, that no such license shall remain in effect for more than one year. (Ord. 2007-45, 5-1-2007)

9-4-5: SUSPENSION AND/OR REVOCATION:

The Building Director is authorized to suspend and/or revoke any building contractor's license issued under this chapter pursuant to the following notice and hearing requirements:

A. Suspension:

1. The building director is hereby authorized to summarily order the cessation of business operations within the village and the suspension of any license issued to a building

contractor for a period not to exceed thirty (30) days when the continued conduct or operation of the building contractor's business constitutes a danger to public health, safety or morals.

2. Within three (3) business days after such suspension or order, the Building Director shall schedule a hearing to be held within a reasonable time for the purpose of determining whether or not such license should be revoked and/or whether such business should be permanently prohibited from continuing within the village. Such hearing shall be conducted in accordance with subsection C of this section.

3. Any person or entity whose license is suspended may, at any time, either petition in writing the Village Administrator for a hearing or make a written application to the Village Administrator requesting a hearing for reinstatement of his, her or its license. Upon receipt of the written application, the Village Administrator shall schedule a hearing to be held within five (5) days of receipt of the application. At the hearing to be held in front of the Village Administrator, the person or entity whose license is suspended may present reasons why the suspension should be terminated and the Village Administrator shall make a finding and shall sustain, modify or rescind any official suspension notice of order, considered in the hearing. A written report of the hearing decision shall be furnished by the Village Administrator to the person or entity whose license was suspended within five (5) days after the conclusion of said reinstatement hearing.

B. Revocation: Any contractor's license issued under this chapter during the term of such license may be revoked by the Building Director for any of the following causes:

1. Any fraud, misrepresentation or false statement contained in the application for such license; or

2. The entry of a final, unappealable order by any court, administrative agency or hearing officer finding that the licensee, or employee or agent of the licensee:

a. Has been engaged in acts constituting a danger to the public health, safety or morals; or

- b. Has violated the consumer fraud laws of the state, or any other state, or of the United States; or
 - c. Has been engaged in a business or profession in defiance of the state statute or local ordinance regulating or prohibiting the same, which includes, but is not limited to, dealing in stolen property.
3. Failure of the licensee to pay any fine, penalty or license fee owed the village.
 4. Refusal on at least two (2) occasions by the licensee or any of its employees or agents to permit any inspection by any such person with a duly authorized code officer, enforcement officer or village employee while in the performance of their duties in making any inspection required under this or any village ordinance.
 5. Any violation by the licensee of any of the application provisions of this chapter.
 6. The commission by the licensee of any acts and/or omissions that would constitute a violation of any consumer fraud laws of the State of Illinois, any other state, or of the United States, including, but not limited to, section 505/2Q(c) of the Consumer Fraud and Deceptive Business Practices Act² and/or the home repair fraud act³ (collectively, "consumer fraud laws"); provided, however, such charges are proven by a preponderance of the evidence and that such findings are made by the building director following a hearing as provided for herein, and subject to the licensee's right to appeal such findings and decisions to the Village Administrator as provided herein.

No revocation shall be effective until after the licensee has had an opportunity to have a hearing pursuant to subsection C of this section.

C. Revocation Hearings:

1. The Village Clerk shall cause to be served upon the licensee or the licensee's agent, either personally or by certified mail, return receipt requested, written notice:
 - a. That his, her or its license will be revoked effective not less than twenty (20) days after such notice is served upon said licensee or licensee's agent;
 - b. Specifying the cause for such revocation, including the nature of the violation, the section number of the building code or any ordinance or law he, she or it has violated, if applicable, and the date, time and place such violation occurred and/or continued; and
 - c. Informing the licensee that he, she or it has the right to a hearing before the Building Director, provided the licensee requests such hearing by written notice to the Village Clerk within fifteen (15) days after notice of revocation is served upon the licensee.
2. If the licensee does not request a hearing within fifteen (15) days after service upon the licensee or its agent of the notice provided for in subsection A of this section, the Building Director shall review the evidence against the licensee and the report of the Enforcement

Official, and shall make written findings of fact and conclusions of law as to whether or not there is cause for license revocation, and shall submit such findings and conclusions within fifteen (15) days of said hearing to the licensee.

3. If the licensee requests a hearing, the license may not be revoked until the conclusion of such hearing and only upon a preponderance of the evidence and the making of findings and conclusions by the Building Director that there is cause for the license revocation. If a suspension is in place pursuant to subsection A of this section, said suspension need not be lifted but may in fact be extended by the Building Director for a period not to exceed an additional thirty (30) days upon findings by him or her that the continued conduct or operation of the business constitutes a danger to the public health, safety and morals. At the hearing on the revocation, the Enforcement Officer shall present evidence of the violation or cause on the basis of which the license should be revoked and the licensee or his, her or its attorney shall have the right to examine witnesses and present evidence on behalf of the licensee. After the conclusion of the hearing, the Building Director shall make findings of fact and conclusions of law as to whether or not there is cause for license revocation and shall submit such findings and conclusions to the licensee within fifteen (15) days after the conclusion of the hearing.

4. Any person or entity whose license is revoked by the building director may, within thirty (30) days of receipt of notice of said revocation, either petition in writing the Village Administrator for a hearing or make a written application to the Village Administrator requesting a hearing for reinstatement of his, her or its license. Upon receipt of the written application, the Village Administrator shall schedule a hearing to be held within ten (10) days of receipt of the application. The hearing to be held in front of the Village Administrator shall be held in accordance with the provisions of subsection C3 of this section; provided, however, that the Village Administrator shall submit her findings of fact and conclusions of law within ten (10) days after the conclusion of the hearing.

5. Upon receipt of written determination by the Village Administrator following the conclusion of the hearing above, or by the Building Director and following failure of licensee to file a timely request for appeal pursuant to subsection C4 of this section, that there is cause for the revocation of the contractor's license, the Village Clerk shall revoke such license. (Ord. 2007-45, 5-1-2007)

9-4-6: CONTRACTOR REQUIREMENTS:

All general contractors, construction managers, prime contractors and all subcontractors performing any construction, demolition, rehabilitation, alteration and repair of a building(s), or other structure(s), sidewalk, street pavement or landscape project involving any change in topography shall be licensed and insured in accordance with the requirements of this code before a building permit can be processed and approved. In the event that a building permit is issued in error or the license of any general contractor, construction manager, prime contractor, and/or subcontractor is suspended, revoked, expired or he/she fails to maintain at least the minimum insurance requirements under this code, the Building Director may issue a stop work order and suspend a building permit until such time as there is compliance. (Ord. 2007-45, 5-1-2007)

Chapter 5

OCCUPANCY CERTIFICATES

9-5-1: FINAL OCCUPANCY CERTIFICATES:

9-5-2: REFUSAL TO ISSUE CERTIFICATE:

9-5-3: SUBSTANTIAL COMPLETION:

9-5-4: CONDITIONAL OCCUPANCY CERTIFICATES:

9-5-5: SOD OR SEED REQUIRED:

9-5-6: TERM DEFINED; SHADED WOODED LOT:

9-5-7: MAINTENANCE OF SOD AND SEEDED LOTS:

9-5-8: TOPOGRAPHIC SURVEY REQUIREMENTS:

9-5-9: ENGINEER'S/SURVEYOR'S CERTIFICATION:

9-5-10: ARCHITECT'S FINAL CERTIFICATION:

9-5-11: CHANGE IN OWNERSHIP/OCCUPANCY USE:

9-5-12: HOUSE NUMBERS:

9-5-1: FINAL OCCUPANCY CERTIFICATES: 

The Building Official shall not issue a final occupancy certificate for any building or structure until the building or structure complies with all applicable provisions of this Village Code and the Bartlett Zoning Ordinance, and all necessary repairs of public or private property damaged during construction have been completed. All nonresidential uses are required to have an occupancy certificate prior to opening to ensure that all health and life safety issues have been addressed. In the event of a change in ownership, and/or a change in the use of any nonresidential structure, a new occupancy permit shall be required and an inspection of the premises by the Planning and Development Services Department shall be requested by the present and/or proposed new owner, and shall take place prior to said change in ownership and/or use and issuance of an occupancy permit, to determine whether the structure complies with this code and what, if any, modifications and/or improvements are proposed and/or required to eliminate any life safety violations and to bring said structure up to current building code requirements as nearly as practicable, taking into account the age of the structure, type of construction, floor layout, physical constraints, proposed new use and cost to retrofit, to determine whether the proposed new and/or additional use complies with the Bartlett Zoning Ordinance. Final inspections are required by the Planning and Development Services Department for all uses, the applicable Fire District, Health Department and Village Engineer for all attached two (2) dwelling, townhome, multi-family and nonresidential uses. No building or part thereof, whether for nonresidential uses or residential uses, shall be occupied in whole or in part for human habitation or use until a final occupancy certificate, or a conditional occupancy certificate pursuant to section 9-5-4 of this chapter, has been issued by the Building Director. Final Occupancy Certificate requirements are as follows:

A. The building has been substantially completed in accordance with this code and the Village approved plans.

B. The use for which an occupancy certificate is requested is a permitted use or authorized special use in the zoning district in which the building is located and the building is not in violation of the setback requirements of the Bartlett Zoning Ordinance. No occupancy certificate issued in error shall constitute zoning approval, or may be relied upon as a zoning approval or waiver, or act as an estoppel of the Village's right to enforce its Zoning Ordinance or other ordinances of the Village.

C. The dwelling meets the minimum requirements of the Property Maintenance Code (chapter 13 of this title), and the Health Code (title 4 of Bartlett Municipal Code).

D. The public sidewalk has been installed in front of the building for which the occupancy certificate is issued.

E. All concrete stoops, sidewalks, driveways and sod (and/or seeding if allowed under section 9-5-7 of this chapter) have been properly installed and inspected, final grading and final landscaping have been completed and the final topographic survey has been filed with the Building Department. (Ord. 2007-45, 5-1-2007)

9-5-2: REFUSAL TO ISSUE CERTIFICATE:

The Building Director may refuse to issue a Final or Conditional Occupancy Certificate if:

A. The public improvements for the subject property and/or the subdivision or development in which the subject property is located have not been completed.

B. No security for the public improvements for the subject property has been provided, and/or if the owner and/or developer of the subdivision or development in which the subject property is located has not deposited with the Village Treasurer, or which has expired, a performance and labor and material bond or letter of credit, a maintenance bond or maintenance letter of credit to guaranty the completion, payment for, and maintenance of all the public improvements required for the subdivision or development in which the subject property is located.

C. The applicant for the occupancy permit, owner, developer, subdivider or other person or entity responsible for the completion of such public improvements, and/or the applicant for such occupancy certificate have not executed a public improvement completion agreement. (Ord. 2007-45, 5-1-2007)

9-5-3: SUBSTANTIAL COMPLETION:

"Substantial completion" shall mean that the building is safe and healthy for occupancy for its intended purposes, that the prime and final coats of paint have been applied to all exterior wood surfaces, and that concrete stoops and service sidewalks, public sidewalks, a paved driveway, and sodding and final landscaping have been completed. (Ord. 2007-45, 5-1-2007)

9-5-4: CONDITIONAL OCCUPANCY CERTIFICATES: 

A. Between November 1 and June 1 conditional occupancy certificates may be issued by the Building Director provided a cash bond or letter of credit has been posted with the Village Treasurer in the amount corresponding to the following chart for those items not completed. All items outlined for completion in the bond and/or letter of credit must be completed and inspected no later than June 1 of the following year.

Item	Cash Bond Or LOC Amount	Completion Of Filing Deadline
Concrete stoop	\$100.00 per stoop	June 1 of following year
Concrete service sidewalks	\$200.00	June 1 of following year
Paved driveway	\$1,200.00	June 1 of following year

Final grading with 4 inches to 6 inches of pulverized black dirt spread uniformly over lot	\$2,500.00	June 1 of following year
Sod	\$3,000.00	June 1 of following year
Additional topographic survey for lots on which seeding permit was issued	\$1,000.00	June 1 of following year
Irrigation/sprinkler system for seeded lots with seeding permit	110 percent of contractor's written estimate, but in no event less than \$1,000.00	30 days after filing of first topo, weather permitting; otherwise July 1 of the following year
Seeding pursuant to seeding permit	\$1,000.00	30 days after filing of first topo, weather permitting; otherwise July 1 of the following year
Topographic survey	\$1,000.00	July 1 of the following year for sodded lot, or 60 days after filing of first topo on lots with seeding permit, weather permitting; otherwise August 1 of the following year
Landscaping	Based on signed contract amount supplied by	October 31 of same year

	landscape contractor, plus 15 percent	
Parking lot for final lift	Based on the signed contract amount supplied by contractor, plus 15 percent	June 1 of the following year

In conjunction with the request for and issuance of a seeding permit, the Building Director may issue a seeding permit between June 1 and October 31, if bonds covering all incomplete requirements have been furnished to the Village Treasurer.

B. Between June 1 and September 1 conditional occupancy certificates may be issued to commercial, industrial and multi-family residential projects without the installation of the landscaping, seeding or sodding of the project site provided that a cash bond, letter of credit or performance bond is submitted to the village and approved by the Village Attorney in an amount of one hundred ten percent (110%) of the contracted amount to perform or cost estimate for said landscaping, seeding and/or sodding of the project site. The contracts and cost estimate for said incomplete work for the project shall be reviewed and approved by the Village Arborist. The ability to landscape, seed and/or sod the project site during this time is dependent on the review of factors related to the impact of the weather on said plant material and the impact of watering said plant material has on the village's water system as determined by the village forester in conjunction with the Director of the Public Works Department.

In the event that the Village accepts a cash bond, letter of credit or performance bond in lieu of the installation of the landscaping, seeding or sodding of a commercial, industrial or multi-family residential project site during June and July, said project site shall be landscaped, seeded or sodded by September 30 of that same year.

In the event that the Village accepts a cash bond, letter of credit or performance bond in lieu of the installation of the landscaping, seeding or sodding of a commercial, industrial or multi-family residential project site during August, said project site shall be landscaped, seeded or sodded by October 31 of that same year.

C. Upon request of the holder of a building permit, the Building Director may issue a conditional occupancy certificate for part or parts of a commercial or industrial building, residential home, or for one floor of a multi-family residential building, provided such conditional occupancy or use will not jeopardize life, safety or welfare of the property. Every conditional occupancy certificate shall state the purposes for which the building may be used in its several parts and any special conditions and stipulations limiting occupancy or the purposes for which the building may be used, and the date by which said incomplete work shall be completed.

D. Between June 1 and October 31, upon review of factors related to the impact of the weather, a conditional occupancy certificate for a single-family home may be issued by the building director or assistant building director, provided a cash bond or letter of credit in the amount(s) set forth in subsection A of this section, or if for other improvements in an amount determined by

the Village Forester or Village Engineer, as the case may be, has been posted with the Village Treasurer. (Ord. 2007-45, 5-1-2007)

9-5-5: SOD OR SEED REQUIRED:

All residential lots less than three-fourths ($\frac{3}{4}$) acre in area shall be sodded, unless a seeding permit has been issued by the Building Director prior to the issuance of a final occupancy certificate for the residence located on lots three-fourths ($\frac{3}{4}$) acre in size or less, and the developer, builder or the owner of such lot has filed a written certification with the building department that the entire lot has received four inches (4") to six inches (6") of pulverized black dirt which has been graded in accordance with the grading plan for the subdivision, PUD or development in which said lot is located before the sod is installed. The Building Director may issue a seeding permit for: a) shaded wood areas pursuant to the provisions of section 9-5-6 of this chapter, and/or b) in the event the developer, builder and/or owner has satisfied each of the following conditions, or depending on the time of year, has posted adequate security with the village to guaranty that the following conditions will be satisfied: a) installed an inground irrigation/sprinkler system; b) filed a written certification with the Planning and Development Services Department that the entire lot in question has four (4) to six inches (6") of pulverized black dirt spread uniformly over the entire lot and that the final grades on the lot conform to the approved grading plan for the subdivision, PUD or development in which the lot is located; c) submitted a topographic survey of the lot meeting the requirements of section 9-5-8 of this chapter after final grading and the spreading of said black dirt and prior to seeding evidencing that the final grade on the lot conforms to the approved grading plan for the subdivision, PUD and/or development in which the lot is proposed to be seeded is located; d) excelsior blankets shall be used over all drainage swales and slopes on the lot that exceed three to one (3:1); e) only mulch seeding or hydroseeding shall be used for the balance of the yard where excelsior blankets are not required; and f) post a cash bond or letter of credit in the sum of one thousand dollars (\$1,000.00) to guaranty that the homeowner will furnish the Planning and Development Department with a second topographic survey of the lot meeting the requirements of section 9-5-9 of this chapter after turf has been established on the lot. (Ord. 2007-45, 5-1-2007)

9-5-6: TERM DEFINED; SHADED WOODED LOT:

"Shaded wooded lot" is defined as "an area sheltered, screened and/or hidden from the glare of radiant sunlight by foliage of a large tree or trees for not less than three-quarters ($\frac{3}{4}$) of daylight hours in a given day". Prior to the issuance of any occupancy certificate for a residence on a residential lot less than three-fourths ($\frac{3}{4}$) acre in area, said lot shall be completely sodded, except if twenty five percent (25%) or more of said residential lot in the aggregate contains shaded wooded areas, then said shaded wooded areas may be seeded and the rest of the lot sodded, if the Building Director has issued a seeding permit therefor. The Building Director may issue such seeding permit if the developer, builder, owner or tenant thereof has: a) submitted a topographical survey pursuant to section 9-5-9 of this chapter outlining said shaded wooded areas, b) has filed a written request with the Building Director to seed the shaded wooded areas, and the Building Director, after a site inspection, determines that sod is not likely to survive in the shaded wooded areas. No unconditional occupancy certificate shall be issued on any such lot which seeding permit and all of the shaded wooded areas are fine graded and occupancy

certificate may be issued pursuant to section 9-5-1 of this chapter, provided the sum of two thousand dollars (\$2,000.00) in the form of a cash bond or letter of credit if such work has not been completed has been posted with the Village Treasurer to guaranty completion of said sodding, fine grading and seeding work. (Ord. 2007-45, 5-1-2007)

9-5-7: MAINTENANCE OF SOD AND SEEDED LOTS: 

All sodded lots shall be maintained to assure survival and all seeded areas authorized to be seeded pursuant to a seeding permit issued by the building director or assistant director pursuant to section 9-5-5 or 9-5-6 of this chapter shall be watered and maintained to assure the turf becomes established. (Ord. 2007-45, 5-1-2007)

9-5-8: TOPOGRAPHIC SURVEY REQUIREMENTS: 

A topographic survey certified by a professional land surveyor licensed to practice in Illinois showing the elevations of: a) the foundation, b) all lot corners, c) all drainage "break points", d) storm sump line, e) all drainage structure frames, f) garage floor elevation and width of driveway and driveway slope percentage and g) the top of curb elevations opposite the front lot corners of the subject lot should be submitted prior to an occupancy certificate being issued. (Ord. 2007-45, 5-1-2007)

9-5-9: ENGINEER'S/SURVEYOR'S CERTIFICATION: 

For all topographic surveys submitted, the engineer or surveyor of record must sign a topographic survey certification for occupancy, which may be picked up in the Planning and Development Department and reads as follows:

I, (name), A (surveyor/engineer) DO HEREBY CERTIFY THAT THE TOPOGRAPHIC SURVEY FOR LOT (number) OF THE (subdivision) SHOWN ON THIS SURVEY WAS DONE BY ME OR UNDER MY DIRECT SUPERVISION. I FURTHER CERTIFY THAT THE ELEVATIONS FOR ALL LOT CORNERS, ALL DRAINAGE "BREAK POINTS", ALL DRAINAGE STRUCTURE FRAMES AND THE TOP OF ALL CURBS (OPPOSITE THE FRONT LOT CORNERS OF THE HEREIN IDENTIFIED LOT) ARE DUPLICATED ON THE SURVEY AND ARE WITHIN TWO (2) TENTHS OF A FOOT OF THOSE SHOWN ON THE APPROVED GRADING PLAN OR A REVISED GRADING PLAN. I ALSO CERTIFY THAT ALL REAR LOT LINE SLOPES, OR SLOPES IN DRAINAGE SWALES DESIGNED TO CARRY OVERLAND FLOW FROM ADJOINING PROPERTIES, ARE WITHIN 20% OF THE GRADE DIFFERENCES BETWEEN THE ELEVATION POINTS SHOWN ON THE APPROVED GRADING PLANS (SHEET ___ OF ___) PREPARED BY _____ (ENGINEER) DATED _____ (DATE), LAST REVISED _____ (DATE OF LAST REVISION).

(Ord. 2007-45, 5-1-2007)

9-5-10: ARCHITECT'S FINAL CERTIFICATION: 

For all nonresidential buildings, the architect of record shall submit to the Building Director a

letter certifying that the building has been built according to the approved plans and specifications prior to the issuance of an Occupancy Certificate (Ord. 2007-45, 5-1-2007).

9-5-11: CHANGE IN OWNERSHIP/OCCUPANCY USE:

No change in the ownership/occupancy or use of any building shall be made that is not consistent with the last issued occupancy certificate for such building, nor shall a change that would bring it under some special provisions of this code take place, unless a new occupancy certificate therefor has been applied for, the inspections and determinations provided in section [9-5-1](#) of this chapter have been made, and the Building Director finds, upon inspection and consultation with the Planning and Development Director, that such building conforms to the provisions of the Bartlett Zoning Ordinance and other applicable laws and ordinances, including, without limitation, the Bartlett Building Code with respect to the proposed new occupancy and use, and issues an occupancy certificate therefore (Ord. 2007-45, 5-1-2007).

9-5-12: ADDRESS/HOUSE NUMBERS:

Addresses for Non-Residential buildings shall be a minimum of six inches (6") high. Residential house numbers shall be displayed on a building in a place visible from the street, and house numbers shall be a minimum of four inches (4") high for each building. Street address/numbers shall be in accordance with the village plan kept in the Office of the Planning and Development Department. All multi-unit buildings shall use the following system for numbering individual units: odd numbers on the east and south side, even numbers on the north and west side of hallways. (Ord. 2020-__, Ord. 2007-45).

Chapter 6

CONSTRUCTION REQUIREMENTS

9-6-1: STREET MAINTENANCE AND ACCESS:

9-6-2: ACCESS:

9-6-3: CONSTRUCTION DEBRIS:

9-6-4: CONSTRUCTION HOURS:

9-6-5: SITE IDENTIFICATION:

9-6-6: COST RECOVERY:

9-6-7: GREEN BUILDING CODE REGULATIONS:

9-6-1: STREET MAINTENANCE AND ACCESS:

It shall be unlawful to allow dirt, debris, gravel, stone, concrete or any other material to be deposited, dropped or thrown on a street which has been prepared for construction, repair or reconstruction or which has a bituminous paving course in place. The Building Department and its authorized representatives are authorized to stop all construction activity if, upon prior notice by the department to the owner's agent or general contractor, such materials are not removed within two (2) hours.

Notwithstanding the provisions of section 9-23-4 of this title any person, firm, corporation, or entity who or which violates the provisions of this section shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$750.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Any citation issued for any such violation may be settled by paying a fine of one hundred dollars (\$100.00) for each such violation to the Main Office if paid within five (5) business days of the issuance of a citation therefor, otherwise said citation will be processed through the court system. The Building Official will provide a two (2) hour notice by telephone or site visit.

A. Fees For Village Services: If any village employee, village equipment or village contracted services are used to remove any such material from any street, said expenses shall be as follows:

Laborers	\$50 .00 per hour
Trucks	\$100.00 per hour plus driver
Loaders	\$125.00 per hour plus operator

which shall be reimbursed to the village, and shall be in addition to any fines imposed for any violation of this section.

B. Damage To Village Property: It shall be the duty of each and every builder, developer, contractor and subcontractor to report to the Planning and Development Department any act or omission by any person or persons or any entity, which causes damage to village property. Any builder, developer, contractor or subcontractor whose agents, servants and employees are working within any area where damage to village property occurs and knew or ought to have known the cause of such damage, shall be charged a pro rata share of the cost of repairing such damage. (Ord. 2007-45, 5-1-2007)

9-6-2: ACCESS: 

Failure of the builder and/or the developer to maintain emergency vehicle access routes in safe, usable condition as determined by the Fire Chief of the Bartlett Fire Protection District, or to abide by the operational plans shall constitute sufficient grounds for the Building Director to suspend any building permits in the affected area. Access to the construction site shall be on an approved paved street or a street containing a first binder lift. (Ord. 2007-45, 5-1-2007)

9-6-3: CONSTRUCTION DEBRIS: 

All construction and building sites must be kept free and clear of debris generated by site preparation, construction, reconstruction or demolition of buildings ("construction debris"). All construction debris must be gathered at the end of each workday and placed in a container or containers capable of preventing the scattering of such debris within the site or onto surrounding

property. Burying of construction waste or debris is prohibited.

Notwithstanding the provisions of section 9-23-4 of this title, any person, firm, corporation or entity who or which violates the provisions of this section shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$750.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Any citation issued for any such violation may be settled by paying the sum of one hundred dollars (\$100.00) for each such violation to the Main Office if paid within five (5) business days of the issuance of said citation therefor, otherwise said citation will be processed through the court system. (Ord. 2007-45, 5-1-2007)

9-6-4: CONSTRUCTION HOURS:

Activity associated with the preparation of land for development, or associated with the construction or reconstruction of a building, shall only occur within the Village of Bartlett on any weekday between seven o'clock (7:00) A.M. and nine o'clock (9:00) P.M. Activity shall only occur within the Village of Bartlett on either Saturday or Sunday between eight o'clock (8:00) A.M. and nine o'clock (9:00) P.M. Activities subject to these limitations shall include, but are not limited to, noise generating activities such as the operation of engines, equipment, hammers, power tools and similar equipment. (Ord. 2007-45, 5-1-2007)

9-6-5: SITE IDENTIFICATION:

All building sites shall be properly identified by owner/builder prior to the first inspection, and maintained throughout the course of inspections until final house numbers are displayed. (Ord. 2007-45, 5-1-2007)

9-6-6: COST RECOVERY:

In addition to the fines imposed pursuant to sections 9-6-1 and 9-6-3 of this chapter, the Village shall be entitled to recover its costs of cleaning any such streets, construction and/or debris, whether by a third party with whom the Village contracts to perform such cleanup work, or Village staff if it performs the work in the amounts set forth in section 9-6-1 of this chapter, should the developer and/or contractor fail to reimburse said costs to the village. (Ord. 2007-45, 5-1-2007)

9-6-7: GREEN BUILDING CODE REGULATIONS:

A. Gray or White membrane Roofs: A reduction of a heat island effect will be required for all nonresidential flat roof applications on buildings that are four thousand (4,000) square feet and larger. Flat roof applications shall use a highly reflective, thermal plastic membrane ("TPO") or a gray/white EPDM roof (Ethylene Propylene Diene (M) ASTM classification.

B. Bicycle Storage: All new nonresidential buildings shall provide bicycle storage racks for not less than five percent (5%) of the anticipated number of building occupants. The location of the

bicycle rack shall be depicted on a site plan and/or landscape plan for the project. In the event the future use is known but the number of occupants is unknown, the occupants shall be determined by the building official based on occupant projection from tables for that known or most similar use as set forth in the Building Code. In the event neither the use nor the number of occupants can be reasonably projected, the contractor shall install a rack for not less than three (3) bicycles per building unit, but may be required to replace that bicycle rack or add additional bicycle rack(s) as a condition of the final occupancy certificate for the last unit to be occupied in the building.

C. Recycling Dumpsters: On all new construction projects of new residential buildings of four (4) or more units, and for all commercial, industrial and/or office building projects, the contractor shall be required to have at least one dumpster for recyclable materials in addition to any dumpster or waste receptacle for general waste.

D. Vehicle Charging Station is required for new construction buildings over 50,000 Square feet.

Note: All buildings will comply with the latest edition of the Illinois Energy Conservation Code.

Chapter 7

LIGHT, VENTILATION AND SAFETY¹

9-7-1: BATHROOM EXHAUST:

9-7-2: BASEMENT VENTILATION:

9-7-3: BELOW GRADE WINDOWS:

9-7-5: ESCAPE WINDOWS:

9-7-6: PRIVATE GARAGES:

9-7-7: UNDERFLOOR SPACES OR CRAWL SPACES:

9-7-8: SOUND TRANSMISSION/STRUCTURE-BORNE SOUND:

9-7-9: FIRE BARRIERS:

9-7-10: FIRE SUPPRESSION SYSTEMS:

9-7-10.1: LIMITED AREA SPRINKLERS:

9-7-11: GARAGE TO DWELLING UNIT SEPARATION:

9-7-1: BATHROOM EXHAUST:

The duct piping shall be insulated when they are located in an unheated space. Bathroom and water closet compartments ventilation shall be provided by one of the following:

A. Window Or Skylight: Operable windows or skylights located in exterior walls or roofs with the light and vent area, not less than three (3) square feet.

B. Mechanical Exhaust: Mechanical exhaust, one cfm per square foot, ducted to outside the exterior envelope.

Where a separate toilet room is provided (having a door separating each area), an additional three (3) square foot operable window and/or exhaust fan providing one cfm per square foot shall be provided in each area. (Ord. 2007-45, 5-1-2007)

9-7-2: BASEMENT VENTILATION:

Basements with the finished floor greater than three feet six inches (3'6") below grade:

A. Provide light and ventilation by windows or doors, in exterior walls with both glazed and ventilating area not less than four percent (4%) of floor area. Exception: Mechanical light and ventilation may be substituted for up to two percent (2%) of the overall four percent (4%) where approved by the Building Director.

B. When an addition encloses an existing basement opening, said opening shall be compensated for by approved mechanical or artificial means; or the same size window may be relocated elsewhere within the basement area. (Ord. 2007-45, 5-1-2007)

9-7-4: BELOW GRADE WINDOWS:

Where window or drain openings are provided below grade, protect with metal gratings, fiber glass covers or equivalent methods acceptable to the Building Director. (Ord. 2007-45, 5-1-2007)

9-7-5: ESCAPE WINDOWS:

All residential use groups shall be equipped with at least one emergency escape window per one thousand (1,000) square feet of area or fraction thereof. Where emergency escape window(s) is/are used, the minimum net clear opening shall be twenty-four inches (24") in height. The minimum net clear opening width shall be twenty inches (20"). (Refer to IRC section R310 and IBC section 1030.) (Ord. 2020-___, Ord. 2007-45)

9-7-6: PRIVATE GARAGES:

Private garages adjacent to or located beneath rooms in buildings of use groups R-1, R-2, R-3, R-4 or I-1 shall be provided with sills of all door openings between the garage and adjacent interior spaces and all walls common with the dwelling unit shall be raised not less than four inches (4") above the concrete garage floor with a concrete sill not less than four inches (4"). (Ord. 2007-45, 5-1-2007)

9-7-7: UNDERFLOOR SPACES OR CRAWL SPACES:

A new section for all residential occupancies shall be as follows:

Crawl space areas shall not be less than thirty inches (30") high under all buildings in which the

first floor construction does not bear directly on the ground. All crawl spaces shall have a minimum six (6) mil vapor barrier lapped a minimum of 12 inches at joints taped and a two-inch (2") slush (Darby) coat of concrete. Exceptions: For slab on grade foundation additions with floor joist construction may be permitted. (Ord. 2007-45, 5-1-2007)

9-7-8: SOUND TRANSMISSION/STRUCTURE-BORNE SOUND: 

Walls, partitions and floor-ceiling assemblies separating dwelling units from each other or from public or service areas shall have a sound transmission class in accordance IBC Section 1206. (Ord. 2020-__, Ord. 2007-45)

9-7-9: FIRE BARRIERS: 

The groups listed below shall be separated with fire barriers with the ratings indicated (table 508.4 IBC®). With sound transmission coefficient rating for minimum requirements.

Use	Unsprinklered	Sprinklered
One- and two-family dwellings	2 w/STC 50	0 w/STC 50
Townhouses as defined in the IRC	2 w/STC 50	0 w/STC 50
R-1, R-2 & R-3 in the IBC	2 w/STC 50	0 w/STC 50
All other groups (new construction)	2	0
All other groups (existing buildings with change of use or tenant)	2	0
Between tenant spaces	2	0

(Ord. 2020-__, Ord. 2007-45)

9-7-10: FIRE SUPPRESSION SYSTEMS: 

IBC section 903.2 is amended by adding the following additional requirement before the exception:

All buildings in every fire area, except detached single family, attached two family residences and townhouses shall be provided with complete sprinkler protection in accordance with the requirements of the applicable stand NFPA 13 or NFPA 13R.

Fire Protection Systems: Automatic fire suppression systems shall be installed and maintained in full operating condition in all new construction for all buildings two thousand five hundred (2,500) square feet or more in area containing any commercial, storage, industrial, or institutional uses, and for all buildings in which dwelling units are located except detached single

family homes, attached two-family residences, and townhouses.

The square footage is based on the footprint of the structure. The use of fire walls or fire barriers to reduce this footprint are not allowed.
(Ord. 2007-45, 5-1-2007)

Exception: Accessory structures located greater than 150 lineal feet from the nearest Village of Bartlett water main, that is less than 5,000 square feet, are constructed as non-habitable (no restrooms) and that are provided a full fire alarm system (smoke and heat detectors) tied into Du Com.

9-7-10.1 LIMITED AREA SPRINKLERS:

All One and Two Family Dwellings shall be protected with Limited Area Sprinkler Systems at the following locations:

1. Kitchens
2. 100 square feet over furnace/mechanicals
3. Laundry/Utility Rooms

All Limited area sprinkler systems shall comply with Section 903.3.8 of the Fire Code

9-7-11: GARAGE TO DWELLING UNIT SEPARATION:

Garages shall be separated from dwelling units in all buildings regardless of classification with a minimum of one layer of five-eighths inch ($\frac{5}{8}$ ") drywall on the garage side. If the wall supports the rated construction the wall shall equal the rating of the wall supported.
All beams, headers and horizontal supports shall be encased in the drywall.

The ceiling assembly shall have a minimum insulation value of R-30 or a sound transmission/structure-borne sound rating of fifty (50) when there is habitable space from another use above the garage. When mechanical duct systems are located in a garage ceiling area, soffit/framing required below so the R-30 insulation may not be compressed.

Opening Protection: All doors in the garage to house wall shall be self-closing. R 302.5.1

The other provisions of the IFC, which are not in conflict with the local amendments of this Code shall be applicable (Ord. 2007-45, 5-1-2007).

Chapter 8

BUILDING GENERALLY (COMMERCIAL AND RESIDENTIAL)

9-8-1: DEPTH OF FOOTINGS AND CONCRETE REQUIREMENTS:

9-8-2: FOOTINGS:

9-8-3: FOUNDATION WALLS:
9-8-4: TRENCH FOUNDATIONS:
9-8-5: SPOT SURVEY REQUIREMENTS AND FOUNDATION DRAINAGE:
9-8-6: CONCRETE FLOOR SLABS OR BASEMENT FLOORS:
9-8-7: MINIMUM GARAGE SIZE FOR NEW CONSTRUCTION:
9-8-8: DRIVEWAYS, APPROACHES, SERVICE WALKS AND PARKING LOTS:
9-8-9: PUBLIC SIDEWALKS:
9-8-10: WOOD FLOORS:
9-8-11: WALL CONSTRUCTION:
9-8-12: INSULATION REQUIREMENTS:
9-8-13: DRYWALL/GYPSUM BOARD:
9-8-14: WINDOW STANDARDS:
9-8-15: MIRRORS:
9-8-16: DOOR CLOSURES:
9-8-17: STAIR STRINGER SUPPORTS:
9-8-18: ROOF REQUIREMENTS:
9-8-19: MINIMUM ROOM SIZES:
9-8-20: ELEVATOR REQUIREMENTS:
9-8-21: IBC SECTION 3007 OWNER RESPONSIBILITY:
9-8-22: IBC SECTION 3007.1 CONTRACTOR RESPONSIBILITY:
9-8-23: IBC SECTION 3007.2 MAINTENANCE ITEMS:
9-8-24: IBC SECTION 3007.3 UNSAFE CONDITIONS:
9-8-25: IBC SECTION 3007.4 POWER TO SEAL EQUIPMENT:
9-8-26: IBC SECTION 3007.5 ACCIDENTS REPORTED AND RECORDED:
9-8-27: IBC SECTION 3008.1 CERTIFICATE OF COMPLIANCE:
9-8-28: IBC SECTION 3008.2 POSTING CERTIFICATES OF COMPLIANCE:
9-8-29: IBC SECTION 3009.1 APPLICATION:
9-8-30: IBC SECTION 3009.2 PERMITS:
9-8-31: IBC SECTION 3010.1 GENERAL:
9-8-32: IBC SECTION 3010.2 ACCEPTANCE TESTS:
9-8-33: IBC SECTION 3010.3 FREQUENCY OF TEST AND INSPECTIONS:
9-8-34: IBC SECTION 3011.1 MISCELLANEOUS HOISTING AND ELEVATING EQUIPMENT:

9-8-1: DEPTH OF FOOTINGS AND CONCRETE REQUIREMENTS: 

A. The frost line shall be forty two inches (42") below grade.

B. Concrete shall not be poured unless the outside temperature is at least twenty eight degrees Fahrenheit (28°F) and rising. If so, Insulated blankets and tarps, as well as straw covered with plastic sheets are required after pour.

C. When an accelerator or additive is to be used in concrete, it must be "nonchloride, non-corrosive".

D. No footing or foundation shall be poured for any residential building for any construction site unless there has first been provided access to such construction site over a first binder lift or paved road surface. (Ord. 2007-45, 5-1-2007)

9-8-2: FOOTINGS:

A. The minimum footing dimensions shall be ten inches by twenty inches (10" x 20") with keyway. A pre-pour inspection is required for all footings.

B. Wood footings/foundations are not permitted.

C. A soil test by a Soils Engineer shall be required at the time of the footing inspection. The report shall be done by a Soils Engineer.

D. All habitable buildings shall have continuous footings. Includes attached structures. (Posttension is not permitted.) (Ord. 2007-45, 5-1-2007)

9-8-3: FOUNDATION WALLS:

A. The minimum dimensions for foundation walls are ten inches (10") for masonry bearing walls and eight inches (8") for all other walls. A pre-pour inspection is required for all concrete walls.

B. All beam pockets shall be grouted. (Ord. 2007-45, 5-1-2007)

9-8-4: TRENCH FOUNDATIONS:

Concrete footings formed by mechanically dug trenches shall be permitted only as follows:

A. For one-story structures, trenched footings shall be not less than twelve inches (12") wide by forty-two inches (42") deep. (Provide soil test and copy to the Village prior to pre-pour inspection).

1. One- and/or two-family room additions: The minimum trench shall be ten inches (10") wide by forty-two inches (42") deep or specified by design professional. (Post-tension is not permitted). Soil conditions for room additions will be reviewed at the time of inspection to determine if a soil test is required.

B. For two-story and higher structures, trenched footings shall be not less than sixteen inches (16") wide by forty-two inches (42") deep or specified by design professional. (Provide soil test and copy to the Village before pre-pour inspection).

C. For all habitable structures with concrete slab floors or on grade underlain by HVAC lines a vertical ribbed type rubber water strip at least six inches (6") high and at least three-sixteenths inch ($\frac{3}{16}$ ") or one inch (1") thick shall be so installed on all non-monolithic pours so that water

will be effectively stopped between the concrete slab and the trench footing (Ord. 2007-45, 5-1-2007).

Note: A pre-pour inspection is required for all trench foundations.

9-8-5: SPOT SURVEY REQUIREMENTS AND FOUNDATION DRAINAGE:

A. Foundation drainage is required with no exceptions. Drain tile inspection required prior to backfilling the foundation.

1. Provide drains in all below grade stair landings and window wells. Connect drains to footing drain tile with approved "T" fittings.

B. Spot Survey Requirements: After the foundation has been backfilled, but prior to the installation of any framing, there shall be submitted to the Building Department one copy of a Spot Survey prepared by Licensed Illinois Land Surveyors showing the location of the foundation and the following information:

1. The closest distance from the foundation to all property lines and easements.
2. The elevation of the top of the foundation, including the elevation of each portion of a stepped foundation.
3. The elevation of the top of the curb (or the invert at each end of the drainage ditch, and the elevation of the edge of road pavement, where no curb exists) opposite each front lot corner.
4. The elevation of the top of the existing foundation walls on the adjacent sites closest to the common property line, or the proposed grade if no structure exists on such adjacent sites. The elevation noted on the adjoining site should be noted as "existing" for an existing structure, or "proposed" for a proposed structure.
5. The proposed garage floor elevation and the proposed driveway grade from the curb (or edge of road if no curb and gutter are proposed) to the front lot line and from the front lot line to garage or structure.
6. A certification by the Surveyor that the horizontal and vertical controls shown on the plat are as measured in the field and that all survey work was performed under his supervision.
7. In the event that the actual elevation of the top of the foundation is three inches (3") lower than approved engineering plans or twelve inches (12") or higher than the elevation shown on the site plan, the Building Director or Assistant Building Director shall require construction to stop until the Village Engineer approves or would require the foundation to be modified to meet the elevation shown on the approved site plan, within the tolerances above set forth, or removed. (Provide 2 copies of the survey prepared by a Licensed Surveyor).

8. In the event that the foundation encroaches upon a required front, side, corner side or rear yard by more than six inches (6"), or if a foundation is placed closer to another structure than the minimum distance specified in an ordinance approving a planned unit development plan, by more than six inches (6"), the permittee shall stop all further construction upon the issuance of a Stop Work Order from the Building Director or Planning & Development Director, which shall remain in effect until the owner of the lot applies for and obtains a zoning variation. If such zoning variation is denied, the Building Director shall require the foundation to be modified to meet the location shown on the approved site plan, within the tolerances above set forth, or removed (Ord. 2007-45, 5-1-2007).

9-8-6: CONCRETE FLOOR SLABS OR BASEMENT FLOORS:

A pre-pour inspection is required prior to the pouring of any concrete. No floor slab or basement floors is to be placed in water or on soft, wet subgrade. Basements must be pumped dry. An underslab inspection is required when any electrical, plumbing and/or HVAC is installed prior to the placement of any concrete.

A. Construction Requirements:

1. Subbase: Gravel, sand, screenings, or crushed rock a minimum thickness of four inches (4"). Remove all organic material before placing subbase; level and compact before placing fill. All basement floors shall have a minimum six (6) mil vapor barrier lapped a minimum of 12 inches at joints and taped.

2. Wire Mesh Reinforcement Required: Wire mesh reinforcing is required: When using six inch by six inch (6" x 6") 10/10 woven wire fabric it shall be installed in the horizontal center of the concrete slab. Fiber mesh may be used without the installation of the woven wire mesh.

B. Concrete Floor Finish:

1. Driveways shall have broom finish.

C. Slabs Used As Base For Floors Or As Finish Floor: Slabs on ground used as a base for floors or as a finish floor for habitable rooms shall be constructed as follows:

1. Exterior perimeter of concrete floor slabs on grade shall be insulated with a minimum of two inches (2") of approved inorganic, waterproof noncapillary material extending at least two feet (2') horizontally and two feet (2') vertically. Provide on surface of foundation under HVAC supply lines.

A six (6) mil polyethylene vapor retarder with joints lapped not less than twelve inches (12") taped shall be placed between the base course or subgrade and the concrete floor slab.
Exception: part of System in compliance with Illinois Energy Conservation Code.

D. Basement Floor Slabs: Wire mesh reinforcing may be required when soil and/or weather conditions warrant enhancing stability.

E. Stoops And Steps:

1. Shall be supported on wing walls, eight inch (8") minimum foundations, or similar design features. A pre-pour inspection is required prior to the placement of concrete.
2. Approved corrosion-resistance flashing shall be applied in a method to prevent entry of water into the wall cavity or building structure in accordance with IRC Section R703.4 Flashing. (Ord. 2020-___, Ord. 2007-45).

9-8-7: MINIMUM GARAGE SIZE FOR NEW CONSTRUCTION: 

The minimum size for a garage shall be twenty feet by twenty feet (20' x 20'), or four hundred (400) square feet.

A. Garage floor slabs shall be a minimum of five-inch (5") concrete on four inch (4") compacted stone base. On attached garages where overdig exists for foundation footings, excavation must be backfilled with clean stone with wire mesh or fiber mesh (Ord. 2007-45, 5-1-2007).

9-8-8: DRIVEWAYS, APPROACHES AND SERVICE WALKS: 

Only one driveway shall be permitted per principal dwelling with only one access to a public or private street per lot. No horseshoe or U-shaped drives shall be permitted. **Patio blocks are prohibited.**

A. Concrete Driveway and Approaches: A pre-pour inspection is required for all driveways.

1. Excavate to eleven inches (11") below proposed grade.
2. The base shall be six inches (6") of compacted crushed rock or limestone, or other aggregate material approved by a building official on a compacted subbase.
3. Wire mesh reinforcing with six inch by six inch (6" x 6") 10/10 woven wire fabric installed in the horizontal center of the concrete slab or fiber mesh.
4. Slab shall be a minimum of five inches (5") thick of three thousand (3,000) psi concrete with a maximum five-inch (5") slump, except for flowing concrete, which shall have a maximum eight inch (8") slump.
5. Minimum six (6) bag mix concrete with a maximum of six percent (6%) air entrainment.
6. Public walks and aprons/approaches shall be constructed per the concrete driveway specifications. No woven wire fabric shall be installed in the sidewalk portion or the apron/approach. Private service walks shall have woven wire fabric placed prior to the pre-pour inspection.

B. Bituminous Driveways, Brick Pavers and Approaches: A stone base compacted inspection is required prior to installing surface coat.

1. Excavate to eleven inches (11") below grade.
2. The base shall be eight inches (8") of compacted crushed rock or limestone, or other aggregate material approved by a Building Official on a compacted subbase. Brick Pavers will need to be installed per manufacturers specifications.
3. Stone base shall be rolled with a minimum two (2) ton roller.
4. Apply hot bituminous surface course of three inches (3") compacted I-11 or equivalent.
5. Roll the bituminous surface course with a one and one-half (1½) to two (2) ton roller.
6. Public walks between driveway and approaches shall NOT be bituminous material but shall be concrete and shall not be reinforced (wire mesh) and constructed per concrete driveway specifications and 5 inches thick.

Concrete approaches shall not be reinforced (wire mesh).

C. Driveway And Approach Widths:

1. Single driveways shall be a minimum of ten feet (10') wide. The approach shall be a minimum of ten feet (10') wide at the street side of the sidewalk, with a flare to fourteen feet (14') at the curb or edge of pavement. The approach width may vary under the written approval of the Public Works Director.
2. Double driveways shall be a minimum of eighteen feet (18') wide. The approach width at the sidewalk shall be eighteen feet (18') with a flare to twenty-two feet (22') at the curb or roadway. The approach width may vary under the written approval of the Public Works Director.
3. Triple driveway width shall be a minimum of twenty-eight feet (28') wide. The driveway is to be reduced (flared) down at the sidewalk. The approach shall be a minimum of twenty-four feet (24') wide at the street side of the sidewalk, with a flare to twenty-eight feet (28') at the curb or edge of pavement. The approach width may vary under the written approval of the Public Works Director.

D. Service Walks:

1. The service walk shall be constructed as follows: Concrete shall be a minimum of four inches (4") thick poured over four inches (4") of crushed stone or gravel. A minimum of six (6) bag mix with a five inch (5") slump (8 inch for flowing concrete) shall be used. Exception: Paver bricks may be used in lieu of concrete. Re-bar required to be tied into stoop for service walks.

2. An expansion joint shall be provided where service walks are adjacent to previously placed concrete.

E. Parking Lots and All Nonresidential Uses: A pre-pour inspection or a stone base inspection is required prior to all surfaces being installed.

1. Excavate to twelve inches (12") below proposed grade.

2. The base shall be eight inches (8") of compacted crushed rock, limestone or other aggregate material approved by the Building Director or Assistant Building Director on a compacted subbase.

3. Stone base shall be rolled with a minimum two (2) ton roller.

4. Construct bituminous pavement consisting of a two inch (2") bituminous binder and a two inch (2") bituminous surface course. Exception: re-surfaced lots need to be a minimum of (2").

5. Roll with a minimum two (2) ton roller. (Ord. 2007-45, 5-1-2007)

9-8-9: PUBLIC SIDEWALKS:

Sidewalks shall be of Portland cement concrete with a minimum six (6) bag mix and a maximum of six percent (6%) air entrainment, not less than five feet (5') wide (except in older subdivisions to match existing 4 foot wide sidewalks when approved by the Public Works Director) nor less than four inches (4") thick, placed over not less than four inches (4") of crushed gravel to IDOT gradation for a CA-6 granular material. Control joints shall be installed at five foot (5') centers. Premolded fiber expansion joints should be placed against existing concrete. No reinforcement shall be placed in public sidewalks unless approved by the Public Works Director.

Public walks where they cross a driveway shall be not less than five inches (5") thick, placed over not less than six inches (6") of crushed gravel to IDOT gradation for a CA-6 granular material. (**No reinforcement shall be used.**) (Ord. 2007-45, 5-1-2007) A pre-pour inspection is required prior to the placement of concrete.

9-8-10: WOOD FLOORS:

A. Truss Floor Joists: TJI's or open web trusses shall be designed by a Structural Engineer. Minimum of 40lb live load. Truss floors or open web joists are not permitted to be used on first floor over a basement. Exception 1: Unless the entire floor system (basement ceiling) is drywalled with fire code type X (5/8"), 2. Entire basement is suppressed/sprinkled. 3. Solid sawn lumber is used.

B. Plywood Subflooring: Shall not be less than three-fourths inch ($3/4$ ") thick tongue and groove flooring, glued and nailed 8 inch spacing at the edges and 12 inch spacing in the field.

C. Special Loading Conditions:

1. Floor joists shall be required to support washing machines, whirlpool bathtubs, or special loading conditions, such as kitchen islands. Special loading conditions shall require the floor joists to be spaced a minimum of twelve inches (12") on center.

D. Minimum Live Load:

1. Table R301.5 sleeping rooms' live load to be forty (40) pounds per square foot minimum.
2. Table R301.5 All Attics live load shall be twenty pounds (20 lbs.) per square foot minimum.

9-8-11: WALL CONSTRUCTION: 

Exterior walls are not permitted to have exposed concrete block as its final exterior wall covering. Unless approved through Planning & Development Services building review.

A. All studs in both bearing and non-bearing wall and partitions shall be a minimum of two inch by four inch (2" by 4") nominal members and not spaced more than sixteen inches (16") on center.

B. Exterior walls exceeding twelve feet (12') in height shall be a minimum of two inches by six inches (2" x 6") nominal material.

C. For All Non- Residential Applications: Non-Residential Walls shall be in compliance with IBC section 2303.2 fire retardant treated wood or light gauge steel construction

Exception 1. If the building is suppressed/sprinkled.

Exception 2. If the new construction is less than two-thousand five hundred (2,500) square feet and the building is not suppressed.

9-8-12: INSULATION REQUIREMENTS: 

A. All insulation shall be in compliance with Illinois Energy Conservation Code that is in effect at the time of installation.

B. Walls:

1. Residential: All exterior and plumbing walls shall be carefully insulated with insulation having a minimum insulation value of R-13 and R-5 insulated sheathing. The insulation shall not be so compressed during installation as to reduce its effectiveness.

C. Ceilings/Roof:

1. Commercial: Shall comply with the Illinois 2018 (Current Energy Conservation Code) ANSI/ASHRAE 90.1-2016 (Ord. 2020-___, Ord. 2010-07)

2. Residential: All ceilings shall be carefully insulated with an insulation having a minimum insulation value of R-49.

3. All sloped areas will be insulated with batts only. Blown in material is prohibited.

4. All ceilings that will be insulated are required to have a batt/blanket for the first layer.

D. Underfloor And Crawl Spaces:

1. Insulation with a minimum insulation value of R-15/19 is required on the crawl space walls thirty inches (30") vertically below the box sill. All box sills shall be insulated value of R-13. (Ord. 2007-45, 5-1-2007)

E. Insulation/firestop inspection is required before covering any insulation system.

9-8-13: DRYWALL/GYPSUM BOARD:

Truss ceilings shall have 5/8-inch Type X fire code drywall. Garage ceilings and walls up against interior living space shall be 5/8-inch Type X fire code drywall. Note: No drywall is allowed to be installed until all MEP's have been inspected. Drywall will be required to be removed prior to all rough inspections.

9-8-14: WINDOW STANDARDS: 

Windows need to comply with the fenestration requirements of the 2018 Illinois Energy Conservation Code or code that is in effect. Fenestration/Glazing will need to be in accordance with IECC Sections R402.3, 402.3.1 & 402.3.2.

When windows are installed an insulation inspection is required.

9-8-15: MIRRORS: 

All mirrors over four (4) square feet will need to be secured by an approved adhesive and an approved mechanical/fastening device (clips) (Ord. 2007-45, 5-1-2007).

9-8-16: DOOR CLOSURES: 

All doors from the garage to the house shall have an approved door closure R302.5.1(Ord. 2020-___, Ord. 2007-45).

9-8-17: STAIR STRINGER SUPPORTS: 

Where the stairway has four (4) or more risers, the contractor is responsible for supporting the stringers at mid run (Ord. 2007-45, 5-1-2007).

9-8-18: ROOF REQUIREMENTS: 

The minimum residential roof pitch shall be five to twelve (5:12). Where the existing roof pitch is less than five to twelve (5:12), any addition or alteration shall maintain existing roofline as a minimum.

A. Truss Roofs: Provide temporary bracing during erection and permanent lateral and cross bracing as specified by the manufacturer. A stiff back will be required at mid span above all rooms.

B. Roof Sheathing: Roof sheathing shall be exterior grade roof sheathing. Apply with face grain perpendicular to supports and panels continuous over two (2) or more supports with clips.

1. Pre-manufactured Roof Trusses spaced two feet (2') on center shall be installed along with five-eighths inch ($\frac{5}{8}$ ") exterior grade plywood sheathing clips are required. Conventional Roof Rafters spaced (16") on center with exterior grade plywood sheathing clips are required.

C. Protection of Exposed Edges: Protect exposed edges of sheathing along the eaves and the rake of the roof with moldings or sheet metal flashing (Drip Edge). Flashing along eaves may be integral with gutters.

D. Roof Shingles: Add new sections to IBC® 1506.3.1, 1507.8.5.1 and IRC 905.7.8 and R905.8.10 to read as follows: "All roofing shingles shall have a minimum twenty-five (25) year warranty. Said shingles shall be placed over a minimum fifteen pound (15 lb.) felt paper. Wood shakes shall have a minimum twenty-five (25) year warranty. Said wood shakes shall be placed over thirty pound (30 lb.) felt paper."

E. Truss/Rafter Connection: Is required in accordance with 2018 IRC section R802.5.2 & section R802.11.

9-8-19: MINIMUM ROOM SIZES: 

Except as otherwise provided by ordinance, rooms for the following uses shall meet the standards specified below:

A.	One- and two-story residences minimum gross floor area	Per village of Bartlett zoning ordinance
B.	Living, dining and cooking when in 1 room	220 square feet
C.	Living and dining in 1 room	180 square feet
D.	Living only in 1 room	160 square feet

E.	Kitchen cooking only (includes area occupied by equipment)	70 square feet
F.	If dining space is included in kitchen additional area	30 square feet
G.	Dining only	100 square feet
H.	Master bedroom	125 square feet
I.	*Note: Other bedrooms	100 square feet
J.	Minimum living room when unit has no bedroom	250 square feet
K.	Additional habitable rooms	100 square feet

*NOTE: Every bedroom occupied by more than one person shall contain a minimum of 50 square feet for each occupant thereof, not to exceed three (3) occupants per bedroom regardless of square foot area. Revise IPMC Section 404.4.1 (Ord. 2007-45, 5-1-2007).

9-8-20: ELEVATOR AND CONVEYING SYSTEM REQUIREMENTS:

Section 3000- Elevators and Conveying Systems. In all buildings with an elevator the following shall apply: The 2018 IBC Chapter 30. In addition to the rules below, all elevator owner's must comply with all mandatory revisions to the Illinois Public Act regarding Illinois Elevator Safety rules (41 IL. Admin. Code 1000) reflecting the Elevator Safety and Regulation Act including currently locally adopted IBC Chapter 30- Elevators – including but not limited to ASME A17.1, A18.1 and all applicable codes for residential and commercial properties as well as other applicable IBC chapters and local ordinances.

Delete sections: 3001.2, Automotive lifts (ALI ALCTV) & 3005.4 Exception #2.

3001.4: Accessibility. Add that the Accessibility Chapter 11 shall conform to ICC A117.1 & Illinois Accessibility Code (IAC)

3002.4 Elevator car to accommodate ambulance stretcher. Where elevators are provided in buildings, not fewer than one elevator, shall be provided for the fire department emergency access to all floors regardless of rise. **Elevators will be required in buildings with three (3) or more floors.**

Such elevator car shall be of such size and arrangement to accommodate a minimum 24 inch by 84 inch ambulance stretcher in the horizontal open position and shall be identified by the International Symbol for emergency medical services (Star of Life).

The symbol shall not be less than 3 x 3 inches high and wide (76 mm x 76 mm) and shall be placed inside on both sides of the main lobby hoistway door frame. Note: As per IBC, this is required for buildings which are 4 floors or higher. This change would be required regardless of floors.

9-8-21: ADD SECTION 3004.3.3 OWNER RESPONSIBILITY: 

The owner or the owner's legal agent for the building in which the equipment is located shall be responsible for the care, maintenance and safe operation of all equipment covered by this article after the installation thereof and acceptance by such owner or agent. The owner or legal agent shall make or cause to be made all periodic tests and inspections, and shall maintain all equipment in a safe operating condition, as required by this article.
(Ord. 2007-45, 5-1-2007)

9-8-21: IBC SECTION 3007.1 CONTRACTOR RESPONSIBILITY: 

The person installing any device covered by this article shall make all acceptance tests and shall be responsible for the care and safe operation of such equipment during its construction and until temporarily or finally accepted by the authority having jurisdiction elevator inspector (the "AHJ").
(Ord. 2007-45, 5-1-2007)

9-8-22: IBC SECTION 3007.2 MAINTENANCE ITEMS: 

All operating and electrical parts and accessory equipment or devices subject to this article shall be maintained in a safe operating condition. The maintenance of elevators, dumbwaiters and escalators shall conform to ASME A17.1 listed in Appendix A
(Ord. 2007-45, 5-1-2007).

9-8-23: IBC SECTION 3007.3 UNSAFE CONDITIONS: 

If, upon inspection, any equipment covered in this article is found to be in an unsafe condition, or not in accordance with the provisions of this code, the AHJ (Authority Having Jurisdiction) shall thereupon serve a written notice of such finding upon the building owner or lessee, stating the time when recommended repairs or changes shall be completed. After the service of such notice, it shall be the duty of the owner to proceed within the time allowed to make such repairs or changes as necessary, to place the equipment in a safe condition. It shall be unlawful to operate such equipment after the date stated in the notice unless such recommended repairs or changes have been made and the equipment has been approved, or unless an extension of time has been secured from the AHJ in writing. The time duration to be 24 hrs, 7 days, 15 days or a maximum of 30 days.
(Ord. 2007-45, 5-1-2007)

9-8-24: IBC SECTION 3007.4 POWER TO SEAL EQUIPMENT: 

In cases of an emergency, the AHJ, in addition to any other penalties herein provided, shall have the power to seal out of service any device or equipment covered by this article when, in the opinion of the AHJ, the condition of the device is such that the device is rendered unsafe or operation, or for willful failure to comply with recommendations and orders.
(Ord. 2007-45, 5-1-2007)

9-8-25: IBC SECTION 3007.5 ACCIDENTS REPORTED AND RECORDED: 

The owner of the building shall immediately notify the AHJ of every accident involving personal injury or damage to apparatus on, about or in connection with any equipment covered by this article, and shall afford the AHJ every facility for investigating such accident. When an accident involves the failure, breakage, damage or destruction of any part of the apparatus or mechanism, it shall be unlawful to use such device until after an examination by the AHJ is made and approval of the equipment for continued use is granted. It shall be the duty of the AHJ to make a prompt examination into the cause of the accident and to enter a full and complete report thereof in the records of the Building Department. Such records shall be open for public inspection at all reasonable hours.
(Ord. 2007-45, 5-1-2007)

9-8-26: IBC SECTION 3009 CERTIFICATE OF COMPLIANCE: 

The operation of all equipment governed by the provisions of this chapter and hereafter installed, relocated or altered shall be unlawful by persons other than the licensed installer until such equipment has been inspected and tested as herein required and final certificate of compliance has been issued by the AJH.
(Ord. 2020-__, Ord. 2007-45)

9-28-27: POSTING CERTIFICATES OF COMPLIANCE:

The owner or lessee shall post the current-issued certificate of compliance in a conspicuous place inside the conveyance. A copy of the current issued certificate is acceptable. Please refer to Illinois Elevator Safety Act.

9-8-28: IBC SECTION 3009.1 APPLICATION: 

The application for a permit shall be accompanied by construction documents in sufficient detail and indicating the location of the machinery room and equipment to be installed, relocated or altered; and all supporting structural members, including foundations. The construction documents shall indicate all materials to be used and all loads to be supported or conveyed. Documents to be reviewed and approved before a permit are issued.
(Ord. 2007-45, 5-1-2007).

9-8-29: IBC SECTION 3009.2 PERMITS: 

Equipment or devices subject to the provisions of this code shall not be constructed, installed, relocated or altered unless a permit has been received from the AHJ before the work is commenced. A copy of such permit shall be kept at the construction site at all times while the work is in progress.

(Ord. 2007-45, 5-1-2007)

9-8-30: IBC SECTION 3010.1 GENERAL:

All equipment and devices covered by the provisions of this code shall be subjected to acceptance, maintenance tests and periodic inspections as required herein.

(Ord. 2007-45, 5-1-2007)

9-8-31: IBC SECTION 3010.2 ACCEPTANCE TESTS:

Acceptance tests and inspections shall be required on all new, relocated and altered equipment subject to the provisions of this chapter. Tests and inspections shall be of such a nature as to determine whether the entire installation is designed, constructed and installed in compliance with this code, and shall include all parts of the equipment and machinery. In addition, full load tests to be done on the equipment. All such tests shall be made in compliance with the requirements of section 8.10 and in the presence of the AHJ, or by an approved agency for the AHJ and by the person installing such equipment.

(Ord. 2007-45, 5-1-2007)

9-8-32: IBC SECTION 3010.3 FREQUENCY OF TEST AND INSPECTIONS:

Tests and inspections shall be conducted at intervals of not more than those set forth in ASME A17.1 listed in chapter 35 for elevators, escalators, dumbwaiters and moving walks.

(Ord. 2007-45, 5-1-2007)

9-8-33: IBC SECTION 3011.1 MISCELLANEOUS HOISTING AND ELEVATING EQUIPMENT:

All miscellaneous hoisting and elevating equipment shall be subjected to tests and inspections as required by the AHJ to ensure safe operation.

(Ord. 2007-45, 5-1-2007)

Chapter 9

ELECTRICAL REQUIREMENTS

9-9-1: AMENDMENTS:

9-9-2: LISTING; LABELING:

9-9-3: ELECTRICAL SERVICES:

9-9-4: WIRING METHODS:

9-9-5: ROUGH INSPECTION REQUIREMENTS FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL:

9-9-6: ELECTRICAL REQUIREMENTS FOR ATTACHED OR DETACHED GARAGE:

9-9-7: SWIMMING POOL:

9-9-8: ELECTRICAL REQUIREMENTS FOR SIGNS:

9-9-1: AMENDMENTS: 

Electrical work including the planning, installing, altering, extending, repairing, maintaining or inspecting electrical systems within the Village limits shall be performed only by a person, firm, corporation, limited liability company or entity that undertakes or offers to undertake electrical contractor services to plan for, lay out, supervise, or install, or to make additions, alterations, or maintenance of wiring apparatus or equipment for electric, light, heat or power with or without compensation and possess an electrical contractor's license issued by an approved testing municipality in the State of Illinois, and the Village electrical contractor's license. Electrical work in or on commercial or industrial properties in the Village limits shall be performed by an electrical contractor possessing a commercial and industrial electrical contractor's license. New residential construction and home remodeling work involving electrical work shall be performed only by electrical contractor's license. except an owner/occupant of a single family home, or the owner of a single family home being remodeled or repaired for his or her occupancy within six (6) months after the date of completion of the remodeling or repair work, provided the owner has filed an affidavit in compliance with Section 9-4-2F of this Chapter with the building department at the time of application for a building permit, may perform minor electrical work that does not include the hook up or extension of electrical wiring to the electric panel. Homeowners shall not be permitted to install electrical services, swimming pools or hot tubs.

The following articles have been deleted, added, modified, clarified, elected or amended from the 2017 National Electrical Code:

Articles:	
208.8 (A) & (B)	2017 NEC 210.8 (A) & (B) was deleted and 2020 NEC 210.8 (A) & (B) was add to the current code.
310.106(B)	Aluminum, copper-clad conductors (deleted)
320	Armored cable type AC (deleted)
322	Flat cable assemblies type FC (deleted)
324	Flat conductor cable type FCC (deleted)
326	Integrated gas spacer cable (deleted)
328	Medium voltage cable type MV (deleted)
330	Metal-clad cable type MC (deleted)

332	Mineral-insulated, metal-sheathed cable type MI. It may be used for fire pumps, fire alarms, or hazardous locations (modified)
334 336	Nonmetallic sheathed cable types NM, NMC, NMS, NM-B (deleted) Power and control Tray Cable. Type TC (deleted)
338	Service entrance cable type SE and USE (deleted)
348 342	Limited to indoor use only and shall be limited to 6 ft. length (modified) Limited to indoor use only and not permitted in concrete or in direct contact with earth or outside. (modified)
350	Not in direct contact with earth or concrete and shall be limited to 6 ft. length (modified)
353 354 355 356	High density polyurethane conduit type HDPE conduit (deleted) Nonmetallic Underground Conduit With Conductors Type NUCC (deleted) Reinforced Thermosetting Rein Conduit Type RTRC (deleted) Not in direct contact with earth or concrete and shall be limited to 6 ft. length (modified)
358	Not permitted in concrete or in direct contact with earth or outside (modified)
362 370 372 374	Electrical nonmetallic tubing (deleted) Cablebus (deleted) Cellular Concrete Floor Raceway (deleted) Cellular METAL Floor Raceway (deleted)
382 393	Nonmetallic extension (deleted) Low-voltage suspended ceiling power distribution system (deleted)
394	Concealed knob-and-tube wiring (deleted)
396	Messenger supported wiring (deleted)
398	Open wiring on insulators (deleted)
590.4(B)&(C)	Type NM and type NMC or similar wiring methods (deleted)
604	Manufactured wiring (deleted)
Annex H	Administration and enforcement (deleted) Any voltage over 24 volts shall be in conduit system (added)

9-9-2: LISTING; LABELING:

All electrical equipment shall be listed and labeled by a third party agency to U.S. standards. (Ord. 2007-45, 5-1-2007)

9-9-3: ELECTRICAL SERVICES:

Meter sockets on new construction must be installed on the side of the house closest to the source.

A. Metering: For all new construction, underground wiring and metering must be used.

B. Rigid metallic conduit shall be used from the meter socket to the panel. For elements below grade, rigid nonmetallic conduit shall be permitted for commercial and industrial building use.

C. Service Requirements:

1. Services for residential shall be a minimum of one hundred (100) amps and shall comply with the following table: New Construction shall comply with the following:

1 to 1,199 square foot home = 100 amps
1,200 to 3,900 square foot home = 200 amps
3,901 and larger square foot home = 400 amps

2. Commercial and industrial services shall be a minimum of two hundred (200) amps.

D. Article 310.15(B) (7) have been deleted from the 2017 NEC.

E. Overhead Electrical Services: All overhead electrical services shall be in rigid metal pipe for the riser (conduit) and shall be installed with galvanized backs and straps (a type of clamp to hold the conduit in place), with three-eighths inch ($\frac{3}{8}$ ") galvanized mounting hardware. No zinc parts shall be used.

F. Grounding Electrodes and Ground Electrode Conductors: Rod electrodes shall be five-eighths inch ($\frac{5}{8}$ ") copper rods eight feet (8') in length and delete 250.52(A) (5) (a). There shall be two rods in all cases. The rods shall be not less than 6 (six) feet apart. Modifying 250.53(D) (2) and the exception from the 2017 NEC. Modifying 250.64 (B) Exception: the wire between ground rods will not be required to be in pipe. Ground electrode conductors shall be protected from physical damage by means of RMC 344, EMT 358, electrical PVC 352. There shall be no other wiring in the grounding electrode conductor conduit. Concrete-encased electrode shall be used for all dwellings and buildings. 250.52 (3) (1) & (2).

G. Main Disconnect: Each service shall be provided with one (1) main disconnect. Shunt trip capability shall be required for all services other than those serving Dwelling units. Shunt trip shall be remotely operated from a UL Listed mushroom-style or similar pushbutton switch secured inside a lockable weatherproof box. The box shall be located adjacent to the sprinkler

room door or per direction of the Fire District. One main disconnect shall be provided per building.

H. Fusible Disconnecting: Fusible disconnecting means shall be installed for more than five feet (5') of conduit between the panel and the metering device or a transformer. This includes under a building.

I. Mogul LB: Mogul LB shall be used for all conductors larger than #8.

J. Panel Sizing:

Size	100 amp	150 amp	200 amp
Circuit spaces available	24/30	24/30	42/60
Service conductor sizing	#3 THHN	1/0 THHN	3/0 THHN

K. Prohibited Circuit Breakers: No tandem, buddy, duplex, piggyback and half circuit breakers.

L. Subpanels & large Switchgear: 1. No subpanels for any new construction dwelling unit. 2. All switchboards or like floor mounted shall be installed on a concrete pad a minimum of 4 inch above the nominal floor. 3. Switchboard rooms containing equipment rated at 1000 amperes or greater shall have two (2) or more means of egress for personnel.

M. Identification of conductors in 3 phase installation: **Branch circuit ungrounded conductors:** (A) 1. Rated 150 volts to ground or less shall use the following color code: Black for A phase, Red for B phase, Blue for C phase. 2. Rated over 150 to ground shall use the following color code: Brown for A phase, Orange for B phase, Yellow for C phase. 3. On a delta 4 wire system the midpoint grounded phase, the high phase branch circuit conductor shall be marked with orange. All shall be durably and permanently marked. (B) **Branch circuit grounded conductors:** 1. Rated 150 volts to ground or less shall use the following color code: Continuous white outer finish up to #4. Larger than #4 shall be durably and permanently marked. 2. Rated over 150 to ground shall use the following color code: Continuous gray outer finish up to #4. Larger than #4 shall be durably and permanently marked.

N. Identification: Identification of the contractor shall be permanently displayed on the main service panel board upon completion of the project (Ord. 2007-45, 5-1-2007).

9-9-4: WIRING METHODS: 

A. All two hundred twenty (220) volt electric ranges shall be installed with a minimum of three-fourths inch (3/4") conduit and wired with two (2) #6s, one (1) #8 white and green one (1) #10.

B. The microwave shall be on its own circuit (20 amps).

C. The family room shall be on its own circuit (20 amps).

D. Wires terminated on receptacles or switches shall be under the screw of the device. Backstabbing shall not be permitted.

E. Article and table 210.21(B) (3) have been changed to all outlets or receptacles. Must be rated at the branch circuit rating.

15 amp = 15 amp receptacle on circuit rating

20 amp = 20 amp receptacle on circuit rating

F. The minimum wire size for commercial and industrial shall be #12 AWG. Exception: Control wiring installation.

G. Bracketed boxes shall be used in new construction and remodeling if the wall cavity has been made accessible.

H. All center ceiling boxes in rooms that are not listed in article 210.70(A) shall be fan rated.

I. For one- and two-family and apartment buildings, a GFCI protected outlet shall be installed at all balconies with doors. Amending 210.52 (E) (3).

J. All closets at least five (5) square feet or larger in area shall have an approved lighting fixture installed. All walk-in closets shall have a wall control switch for the light fixture(s).

K. There shall be no electrical device(s) within three feet (3') of a bathtub or shower (low voltage or 110/220 voltage). Exception: Power for hydromassage bathtub or listed steamer showers.

L. All furnace areas shall be equipped with a lighting fixture within six feet (6') of the furnace service panel and this light shall not be on the furnace circuit.

M. All flexible cords shall be grounded and rated for loads. The use of cords from fixture to fixture is not permitted (daisy chaining).

N. All underground conductors shall be installed in heavy wall metal conduit, electric PVC.

O. All commercial low voltage wiring that is not accessible or is subject to damage shall be in conduit and the stubs must have connectors and bushings and in bridle rings a maximum of ten feet (10') apart. All residential doorbell and thermostat wiring shall be in conduit system.

P. The fire alarm wiring shall be in conduit. Fire alarm conduit and boxes shall be red in color.

Q. All conduit systems and raceways and like systems shall have a green equipment grounding conductor sized in accordance with 250.122.

R. There shall be a minimum of two (2) kitchen appliance circuits that are required to be for countertop use only. Both circuits shall be available on all countertops if there is more than one outlet present. All island and peninsular outlets shall be hard piped into place.

S. There shall be additional supports for floor boxes by expander braces or two by four (2 x 4) means or a listed/approved device.

T. All abandoned electrical equipment, wiring methods, raceways, low voltage cabling, cables, conductors, boxes, etc. shall be removed.

U. Residential smoke detectors shall be wall mounted to manufacturer's installation instructions. If ceiling mounted, pipes shall enter the sides of the boxes. (No overhead entry) Smoke detectors shall be located within 15 feet of a sleeping room doorway and with-in all sleeping rooms (bedrooms). Carbon monoxide detectors shall be installed within fifteen feet (15') of a sleeping room on all levels that have sleeping rooms. These detectors shall be one hundred twenty (120) volts with battery backup interconnected.

V. All dishwashers shall have a kill switch within six feet (6') of the unit. (Ord. 2007-45, 5-1-2007)

W. Separately Derived System- All bonding and grounding shall be done at the first point of disconnect.

X. A single receptacle (Simplex outlet) shall be required for all sump and ejector pits. Amending 210.8 No GFCI protection is required.

Y. A single receptacle (Simplex outlet) shall be required for all washer and gas dryers. Amending 210.8 No GFCI protection is required. GFCI protection shall be required for finished or non finished basements for receptacle only.

Z. A single receptacle with Garvin cover (Simplex outlet) shall be required for all Radon vent pipes in the attic. This receptacle shall be with-in three feet (3') of the Radon vent pipe.

9-9-5: ROUGH INSPECTION REQUIREMENTS FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL:

A. All wires shall be in at the time of rough inspection. This includes low voltage thermostat and doorbell wiring. (Except slab work)

B. The basement must be roughed in and the wire pulled at the time of the rough inspection.

C. All splices shall have been made.

D. All drywall rings and flexible whips shall be installed at the time of the rough inspections (Ord. 2007-45, 5-1-2007).

9-9-6: ELECTRICAL REQUIREMENTS FOR ATTACHED OR DETACHED GARAGE:

- A. All garages shall be provided with at least one branch circuit.
- B. A separate twenty (20) amp circuit shall be installed to a GFCI protected wall receptacles for general use in the garage. This circuit shall have no other devised or outlets on it. **One separate twenty (20) amp branch circuit for vehicle bays for GFCI protected wall receptacle outlets for vehicle charging at 120 volts. This circuit shall have no other devices or outlets on it.**
- C. **For new construction and only for attached garages there shall be a ¾ inch EMT pipe from the electrical panel to the garage. This pipe shall be installed in to a deep 1900 box or an 11-B box for future installation of a 240-volt vehicle charging system.**
- D. Overhead outlets shall be installed for future garage door openers. These outlets shall be of a single receptacle type. (Simplex outlet) Amending 210.8 No GFCI protection is required (Ord. 2007-45, 5-1-2007).

9-9-7: SWIMMING POOL:

- A. All swimming pool lighting fixtures shall be low voltage having not more than fifteen (15) volts between conductors (Ord. 2007-45, 5-1-2007).
- B. The maintenance disconnecting means shall be six (6) feet from the inside wall of the pool. For above ground and in ground pools only. Hot Tubs disconnect shall be located a minimum of five (5) feet from the inside wall of the spa. But all shall be readily accessible and within sight.

9-9-8: ELECTRICAL REQUIREMENTS FOR SIGNS:

- A. All signs' metal parts shall be grounded.
- B. All signs shall have a disconnect means outside.
- C. All signs **and sign components** shall be third party listed and labeled to U.S. standards (Ord. 2007-45, 5-1-2007).

Chapter 10

PLUMBING REQUIREMENTS

9-10-1: AMENDMENTS:

9-10-2: COMMERCIAL WATER SERVICES:

9-10-3: PLUMBING AND INSTALLATION:

9-10-4: BUILDING WASTE LINES:

9-10-5: INSTALLATION AND MAINTENANCE OF GREASE INTERCEPTORS:

- 9-10-6: WATER SERVICES:
- 9-10-7: SANITARY SEWER:
- 9-10-8: SEPARATE CONNECTIONS:
- 9-10-9: STORM WATER DRAINS:
- 9-10-10: FLOOR DRAINS:
- 9-10-11: STUD GUARDS:
- 9-10-12: MECHANICAL AND LAUNDRY ROOMS:
- 9-10-13: WELLS:
- 9-10-14: SEPTIC TANK:
- 9-10-15: KITCHEN:
- 9-10-16: OWNER OCCUPIED INSTALLED PLUMBING:

9-10-1: AMENDMENTS: 

The following deletions, changes and additions are made to the Illinois State Plumbing Code 2014 or Latest edition, which is adopted by reference in subsection 9-1-2E of this title, in lieu of the 2018 International Plumbing Code which is deleted (Ord. 2020-___, Ord. 2007-45).

9-10-2: COMMERCIAL WATER SERVICES: 

All commercial buildings with more than one tenant or use shall have separate water services (shutoffs) provided unless written authority waiving requirement from Public Works Director (Ord. 2007-45, 5-1-2007).

9-10-3: PLUMBING AND INSTALLATION:: 

All plumbing and installation shall comply with the 2014 or latest code of the State of IL. Plumbing Code.

9-10-4: BUILDING WASTE LINES:

The minimum size of any gravity building drain shall be 4-inches in diameter. Horizontal branches of the building drain shall be sized in accordance with Appendix A, Table H. of the State of IL. Plumbing Code.

9-10-5 INSTALLATION AND MAINTENANCE OF GREASE INTERCEPTORS: 

A. Definitions: For the purpose of this section, the following words and terms shall have the meanings prescribed herein:

GREASE INTERCEPTOR: A constructed device, and its appurtenant surfaces and working parts, for the function of removing fats, oils and grease from wastewaters before such wastewaters are discharged to Village sewers.

PROHIBITED CONCENTRATION: Discharges of wastewaters from a grease interceptor in the

village shall not exceed one hundred milligrams per liter (100 mg/l) (total) of fats, oils and grease obtained as a grab sample.

B. Required Installation and Use of Grease Interceptors: Each person constructing or operating a facility within the Village, other than a private residence, which will be used for the manufacture, processing or preparation of food or food products, must install and use, at its own expense, a properly sized grease interceptor adequate to prevent a discharge of fats, oils and grease to the village sewers in prohibited concentrations designed and installed according to IDPH 890.510 in its entirety.

C. Required Maintenance Of Grease Interceptors: Each person who owns or operates a grease interceptor as required by subsection B of this section shall cause collected or trapped fats, oils and grease to be cleaned and removed from such device on a periodic basis, and delivered to a facility authorized to use, treat or dispose of such material. Such cleanout and removal shall be accomplished on a monthly basis unless the Village, upon receipt of proof from the owner or operator or on the basis of its own inspection of the grease interceptor, determines that a less or more frequent maintenance schedule is required to achieve the purposes of this section and to minimize the discharge of a prohibited concentration of fats, oils or grease. A record of the continued maintenance of the grease interceptor shall be kept on the premises in accordance with subsection G. of this code.

No fats, oils or grease removed from a grease interceptor may be offered to a person for transportation, nor transported off the site where such material was collected, except by a hauler licensed as required by subsection F of this section.

D. Prohibition On Discharge Of Fats, Oils And Grease: No person shall discharge a prohibited concentration of fats, oils or grease into Village sewers, from a facility required to install and use a grease interceptor.

In addition, no person shall reintroduce or deposit into the Village sewers any fats, oils or grease that have been removed from the sewer system by a grease interceptor.

No person shall deposit or discharge into the Village sewers any fats, oils or grease that have been removed from a grease interceptor or sewer system outside the Village.

E. Prohibition on Introduction of Enzymes and Emulsifiers: No person shall introduce, nor allow the physical, chemical or biological agents into grease interceptor for the purpose of re-suspending, dissolving, emulsifying or rendering any fats, oils or grease removed from a wastewater by such grease interceptor and reintroducing them into the Village sewer system.

F. Permitting Of Grease Haulers: No person or entity shall own or operate a vehicle used to transport fats, oils, or grease collected from a grease interceptor unless that vehicle is validly permitted by, and is inscribed with such permit numbers issued by the Illinois department of agriculture pursuant to 225 Illinois Compiled Statutes 610/9.1 and 610/9.2 (a scrap and grease permit); and the person or entity holds a current State or County license.

G. Requirements For Grease Haulers:

1. No person may cause or allow the transportation of fats, oils or grease away from the grease interceptor at which such materials were collected unless such materials are accompanied by a manifest/shipping document containing the information prescribed in subsection G2 of this section. No specific form of manifest/shipping document is required.
2. Each manifest/shipping document shall contain at a minimum the following information:
 - a. The name and telephone number of the owner or operator of the grease interceptor from which the fats, oils or grease were collected, the street address of the grease interceptor, the volume of fats, oils or grease and any associated water removed, the legible signature of an authorized representative of the owner or operator and the date of the material removal; and
 - b. The name, address, Village or Department of Agriculture permit number, and telephone number of the transporter, an acknowledgment of receipt of the collected materials, the legible signature of an authorized representative of the transporter, and the date of collection; and
 - c. The name, street address, and telephone number of the facility to which the material was delivered for use, treatment or disposal, the date and time of delivery, the volume delivered, and the legible signature of an authorized representative of the transporter verifying delivery.
3. The grease interceptor owner or operator and transporter shall each retain a copy of the manifest/shipping document for a minimum of two (2) years, and shall produce the documents upon request of the Village or the owner or operator of the sewage treatment works to which the Village's sewers are tributary (Ord. 2020-__, Ord. 2007-45).

H. Penalty: Any person or entity found in violation of the provisions of this title and/or does not correct said violation after two (2) subsequent inspections, shall be assessed a fine of not less than fifty dollars (\$50.00), nor more than five hundred dollars (\$750.00) for each offense. A separate and distinct offense shall be deemed committed each day in which a violation occurs or continues. If the Health Officer/Plumbing Inspector determines the grease interceptor to not be in good working condition, said Officer/Inspector may require the business to be closed until said violation has been corrected.

9-10-6: WATER SERVICES: 

This Code shall apply to all piping, including lawn sprinklers, swimming pools and process piping. The minimum water service piping requirements shall be:

A. Size; Water Service: The size of the water service shall be determined by the load occupant value in water fixture units and not be smaller than one inch and a quarter (1-1/4") in diameter. All new construction where fire suppression is required shall not have a water service line less than one and a half inch (1.5") in diameter.

B. Size; Nonresidential Buildings and Structures: All nonresidential buildings and structures shall be sized based upon the number of water fixture units, fire protection consideration and public health and safety.

C. Copper Pipe: A minimum of type K copper pipe shall be used belowground. A minimum of type L or **M ridgid** copper pipe shall be used aboveground. **IDPH Approval 5-26-2017**

D. Air Chambers: Air chambers shall not be less than twelve inches (12") nor more than 24" in height and shall be installed on all water supply connections to plumbing fixtures.

E. Shutoff Boxes: Shutoff boxes shall be of the type specified by the village.

F. Meter Spread: There shall be a twelve inch (12") meter spread at the main interior shutoff valves for the installation of a water meter.

G. Valve Vaults: Valve vaults not less than five feet (5') in diameter shall be installed for all pressure taps three inches (3") and larger.

H. Hose Bibs; Vacuum Breakers: A minimum of two (2) hose bibs shall be installed on opposite sides of all single-family residences. Vacuum breakers shall be provided.

I. Submerged Water Supply: No plumbing fixtures shall be installed unless the water supply enters said fixtures at least two inches (2") above any overflow connection or the supply is connected to an approved and certified RPZ valve.

J. Separate Water Service Required: Provide a separate water service for each owner/tenant and/or occupied unit, **unless otherwise approved by the Public Works Director, Building Director or Village Engineer.** (Ord. 2007-45, 5-1-2007)

9-10-7: SANITARY SEWER:

All new buildings constructed with basements, floors, rooms or occupancy areas below ground level at the building site shall have overhead plumbing for backwater protection. All sewage originating below grade shall be collected into a suitable ejector and discharged by automatic equipment into an overhead gravity sewer. If required, a second sump pump shall be installed to discharge the basement floor drains and laundry tub, and shall be connected to the overhead sanitary sewer. **IDPH Approval 5-26-2017.**

A. Service Pipe Size: All PVC service pipe shall be six inch (6") SDR schedule 40 or 26, five feet (5') from foundation, with six inch by four inch (6" x 4") mission coupling and a full size PVC cleanout outside within five feet (5') of the building at grade for all new installations. When sewer repair work involves a cleanout, a full size cleanout shall be installed. Unless one is already present. All underground couplings shall be non shear type.

B. Vertical Deflection: The vertical deflection of PVC pipe shall not exceed five percent (5%). No deflection is permitted for iron pipe.

C. Crawl Spaces, Slabs: Crawl spaces and slabs on grade shall have cleanouts outside of building foundation, within five feet (5') of building area at grade.

D. Service Trenches: All service trenches shall remain open until the appropriate Village Inspector makes the inspection; however, no trenches shall remain open overnight. Services under driveways and sidewalks shall be backfilled completely with stone. All trench drains shall have silt/sediment traps before entering the drainage system.

E. Granular Fill: Granular fill is required from the spring line to a point twelve inches (12") above the sewer service. Granular material to be used can be any gravel or stone with a gradation ranging from the no. 200 sieve through one inch (1") and two inch (2") sieves.

F. Bedding Material: Bedding material at least four inches (4") thick shall be placed under each sewer service pipe and carried to the spring line of the pipe, and extended bedding should extend twelve inches (12") above PVC.

G. Future Venting: A two inch (2") grinder pump shall be installed into sanitary ejector in a thirty inch (30") pit with a two inch (2") vent extended into basement or lower level for future venting of plumbing fixtures.

H. Separate Sanitary Service Required: Provide a separate sanitary service for each owner/tenant and/or occupied unit, **unless otherwise approved by the Public Works Director, Building Director or Village Engineer.** (Ord. 2007-45, 5-1-2007).

9-10-8: SEPARATE CONNECTIONS: 

The entire plumbing and drainage system of every building shall be entirely separate and independent from that of other buildings or as approved by the Public Works Director or Village Engineer. (Ord. 2007-45, 5-1-2007).

9-10-9: STORM WATER DRAINS: 

Rainpouts or roof leaders shall not be connected to any sanitary sewer, trunk line or branch thereof. **It is expressly prohibited to discharge drainage from downspouts, window wells, building footing drain tile, outside area drains, or from any other source of storm water, into sanitary sewers.**

A. Storm Sump Pumps: For lots or tracts served by a storm sewer system with drainage structures lying either in the road right of way immediately adjacent to the lot or in utility easement at the rear of the lot, all primary storm sump pumps shall discharge into and be connected by PVC (schedule 35 or better) from the point of discharge to a drainage structure, including any manhole, catch basin, inlet or by tapping into the storm sewer pipe using a tapping method acceptable to the Building Director. For lots or tracts served with an open drainage system, all sump pumps shall be discharged only into the rear yard at a point no closer than ten feet (10') from any lot line and in no event into a street. The owner shall be responsible to

maintain all sump pumps and discharge pipes and lines. Sump discharge cannot cause a nuisance in the public right of way.

B. Drain Tile: Drain tile shall be installed around all basement and crawl space areas, connected to a sump and discharged into the village storm sewer, a dry well or onto a splash block which discharges at least two feet (2') from the foundation at the rear of the house.

C. Gutters: Exterior gutters and downspouts discharging onto splash blocks are required on attached and detached single-family buildings. In addition, gutters would be required on all accessory structures within five feet (5') of adjoining lot lines. Gutter downspout must discharge at the rear of the house and at the front of the house a minimum of three feet (3') from any property line. Not at/towards side yard and locations cannot cause a nuisance to adjoining lots. (Ord. 2007-45, 5-1-2007)

9-10-10: FLOOR DRAINS:

A. Each floor drain shall be sized for its intended use and the surface area that it drains. Any floor drain or drain trap installed below a basement floor or underground shall be no less than two (2") in size.

B. Floor drains shall be within six feet (6') of water heater(s)/furnace area and in the same room as these appliances.

C. Any structure which has a drain installed shall have at least one vent stack carried full size through the roof to the outside atmosphere. The minimum stack size shall be three inches (3") in diameter with an increaser out the roof. No penetrations of a fire wall shall be allowed. (Ord. 2007-45, 5-1-2007)

9-10-11: STUD GUARDS:

Stud guards are to be installed on all water/sewer and vent lines when less than three-fourths ($\frac{3}{4}$) of an inch of framing remains.

The plumbing stack wall shall be constructed with not less than two inch by six inch (2" x 6") studs, top and bottom plate (Ord. 2007-45, 5-1-2007).

9-10-12: MECHANICAL AND LAUNDRY ROOMS:

Where water appliances such as water heaters, steam generators, or washing machines are installed above all habitable areas above the basement, they shall have a safe pan installed under each appliance connected to the floor drain or drain into a trapped and vented p-trap or mop sink. (Ord. 2007-45, 5-1-2007) No water heater tank over 20 gallons shall be installed above the ceiling or overhead unless it is on a landing and accessible by code approved stairs. A six gallon water heater shall service one hand sink only, a minimum of 15 gallon shall be required for a mop sink or other high flow faucet.

9-10-13: WELLS:

Where wells are permitted under this code, their type, construction and location shall be in accordance with the regulations, rules and recommendations of the board of health of the county in which they are located.

In all cases where a well is used as a source of water supply, the plumbing inspector shall approve the construction and location of such well. Before any water from such well is used, the builder, owner or well contractor shall submit a water sample to the state of Illinois department of health ("IDH"). The use of water from a well for drinking purposes shall not be permitted until the IDH and/or the other applicable county health authority has certified that the water from such well is fit for drinking, and no occupancy certificate for any building which has a well for its water supply shall be issued until the building director has received such certification from the IDH and/or the other applicable county health authority (Ord. 2007-45, 5-1-2007).

9-10-14: SEPTIC TANK:

Where septic tanks are permitted under this code, they shall comply with the appropriate county code and applicable regulations. The installer and owner must notify the village before installing any septic system. A Certificate of Acceptance from the applicable County Department shall be required before a building permit will be issued (Ord. 2007-45, 5-1-2007).

9-10-15: KITCHEN:

Only one kitchen shall be permitted per dwelling unit (Ord. 2007-45, 5-1-2007).

9-10-16: OWNER OCCUPIED RESIDENCE PLUMBING IMPROVEMENTS

All planning and designing of plumbing systems and all plumbing shall be performed by plumbers licensed under the Illinois Plumbing License Act¹, except nothing herein contained shall prohibit the owner occupant or lessee occupant of a single family residence or the owner of a single family residence under construction for his or her occupancy, from planning, installing, altering or repairing the plumbing system of such residence, provided (i) that such plumbing shall comply with the minimum standards for plumbing contained in the Illinois State Plumbing Code (latest edition), and shall be subject to inspection by the Village; (ii) such owner occupant or lessee occupant shall not employ other than a plumbing licensed pursuant to the Illinois Plumbing License Act to assist him or her; and (iii) the owner occupant has taken possession of the single family residence as bona fide sole and exclusive residence under construction for his or her occupancy, he or she intends to take possession of and live in the premises as his or her bona fide residence, and he or she has a current intention to live in such premises as his or her sole and exclusive residence for a period of not less than six (6) months after completion of the plumbing work, or in the case of an owner of a single family residence under construction for his or her occupancy, for a period of not less than six (6) months after the completion of construction of the residence, and has submitted an affidavit in compliance with Section 9-4-2F of this Chapter.

Chapter 11

MECHANICAL CODE

9-11-1: RETURN AIR DUCTS:

9-11-2: FLUES:

9-11-3: MECHANICAL EQUIPMENT:

9-11-4: GAS PIPING:

9-11-5: ALL HEATING AND COOLING SYSTEMS:

9-11-1: RETURN AIR DUCTS:

Return air ducts are required for all habitable rooms except kitchens and bathrooms in new construction and in alterations to existing buildings (Ord. 2007-45, 5-1-2007).

9-11-2: FLUES:

All mechanical flues that extend above the roofline shall be covered with decorative flue housing or of the same material used on the exterior sides of the house (Ord. 2007-45, 5-1-2007).

9-11-3: MECHANICAL EQUIPMENT:

All rooftop or ground mechanical units are required to be screened on all sides. Said screening shall be of noncombustible material and of the same character and design as the building upon which the screening is erected (Ord. 2007-45, 5-1-2007).

9-11-4: GAS PIPING:

All gas piping shall be a minimum of eighteen inches (18") below grade. (Ord. 2007-45, 5-1-2007) No less than an 18 AWG tracer wire and the insulation type suitable for direct burial shall be installed adjacent to the underground gas pipe with access provided at each end. IFGC 404.17.3

Plastic piping underground for gas shall comply with IFGC section 404.17.1 through 404.17.3. Plastic pipe shall be permitted to terminate above ground outside of buildings where installed in premanufactured anodeless risers or service head adapter risers that are installed in accordance with the manufacturer's instructions.

Testing and Inspection of all Gas Piping shall comply with IFGC section 406.

9-11-5; ALL HEATING AND COOLING SYSTEMS:

All heating and cooling systems shall be in compliance with the Illinois Energy Conservation Code 2018 or code that is in effect.

Chapter 12

FIRE CODE

9-12-1: FIRE PROTECTION REVIEW:

9-12-2: SPRINKLER SYSTEMS:

9-12-3: SPRINKLER BUILDING EXCEPTION:

9-12-4: STANDPIPES:

9-12-5: FIRE ALARM SYSTEMS:

9-12-6: KEY BOXES:

9-12-7: FIRE HYDRANTS:

9-12-1: FIRE PROTECTION REVIEW:

All water -based fire protection system plans, fire alarm system plans, alternative fire protection system plans, new uses and build-outs of existing uses need to be reviewed by the Bartlett fire Protection District (BFPD) or by the South Elgin Fire Protection District (SEFPD) The Building Department will require an approval letter from the applicable fire district that the proposed sprinkler plans have been reviewed and approved before permit is issued. Plans are to be submitted to the Village of Bartlett Planning and Development Services and will be routed to the Bartlett Fire Protection District or the South Elgin Fire Protection District for review. (Ord. 2020-___, Ord. 2007-45).

9-12-2: SPRINKLER SYSTEMS:

A. Sprinkler System Required: Automatic fire suppression systems shall be installed and maintained in full operating condition in all new construction for all buildings two thousand five hundred (2,500) square feet or more in area containing any commercial, storage, industrial, or institutional uses, and for all buildings in which dwelling units are located except detached single family homes, attached two-family residences, and townhouses. Installed per NFPA 13. Provide all spec warehouse buildings (use groups S or F) with a ceiling roof height of twenty- five feet (25') or greater to be protected with an ESFR fire sprinkler system or hydraulically calculated system for class IV commodities with rack storage calculated to the greatest storage height. All sprinkler systems shall be electronically supervised by a fire alarm system.

B. The fire hose valves system piping shall be: 1. A separate riser piping system. 2. The two and one-half inch (2-1/2") valves shall be supplied by a minimum of four inches (4") with two and one-half inch (2-1/2") drops to each valve. 3. Where system's pressure exceed one hundred (100) psi provide an approved pressure reducing field adjustable type valves.

C. All One-and Two-Family Dwellings shall be protected with Limited Area Sprinkler Systems at the following locations:

1. Kitchens
2. 100 square feet over furnace/mechanicals
3. Laundry/Utility Rooms

All Limited area sprinkler systems shall comply with Section 903.3.8 of the Fire Code

D. Building Additions: Except for single-family homes, two family dwellings and townhomes, additions to existing buildings totaling two thousand five hundred (2,500) square feet or more, the existing building and addition, regardless of fire walls or fire barriers shall be sprinklered. In addition, a manual fire alarm system complying with NFPA 72 will be required and tied into Du Comm.

E. Sprinkler Alarms: Add to IBC 903.4.2 and IFC 903.4.2 to provide an outside flow-activated visual notification device with red lens over the fire department connection.

F. Safety Factor: Add to IBC 903.5 and IFC 903.5 to provide a minimum 5 psi safety factor in the fire protection system hydraulic calculation. The system demand shall be 5 psi minimum below the seasonal low water flow test supply.

G. Floor Control Valves: Add to IBC 903.4.3 and IFC 903.4.3: In multiple story buildings, provide floor control valves with water flow switches for each floor.

H. Fire Pump Test Header: Provide a test header with OS&Y valve on fire pump installations.

I. Fire Sprinkler Equipment Room: Add to IBC 902.1.2 and IFC 901.4.6 to provide a minimum of a one- hour separation of sprinkler valve room and/or fire pump room. All sprinkler control and fire pump rooms shall be accessible by a direct outside access door and accessible from the inside of the building with six-inch letters identifying the room-NOTE: Fire District may waive requirement for interior access.

J. Test Valves: Fire sprinkler system inspector test valves shall be accessible at all times and located no more than six feet (6') above the finished floor. On multiple riser systems, test valves shall be marked as to which riser and area they test.

K. Fire Department Connection. Fire department sprinkler connections shall be a four- inch (4") Storz type quick release with a thirty degree (30') downward elbow.

9-12-3: SPRINKLER BUILDING EXCEPTION:

All new nonresidential multiple-tenant buildings will be "ring by tenant" with a fire sprinkler system flow switch installed in each tenant space and a weatherproof clear outside strobe over the entrance to each tenant space as directed by the Fire Official. All outside strobes shall be seventy-five (75) candela minimum. (Ord. 2020-___, Ord. 2007-45)

9-12-4: STANDPIPES:

Add the following: IFC section 905.3 Building Height: Revise this section so that standpipes are required in all buildings over two stories high or more than two stories below grade.

A. All fire hose valves (1-1/2" and 2-1/2") shall be of the field adjustable type. The local authority shall approve all valves.

9-12-5: FIRE ALARM SYSTEMS:

A. Monitoring: In addition to IBC 903.4.1 & IFC 903.4.1 All fire alarm systems are required to be connected to the fire district dispatch center.

B. The fire alarm panels shall be located in the sprinkler control room. The fire alarm wiring shall be in conduit. Fire alarm boxes and conduit shall be red in color.

C. All fire alarms systems shall be addressable type and shall be installed per NFPA 72.

D. Add to IBC 903.5 and IFC 903.5: All references to NFPA 2016 standards are to be considered part of this code.

(Ord. 2007-45, 5-1-2007)

E. All buildings and all use groups (except single-family homes and two-family dwellings) that are not fully protected with automatic sprinklers are required to be protected with an approved automatic fire detection system throughout. The system shall also include manual pull stations and notification appliances. The system shall be designed and installed in accordance with NFPA 72 and be approved by the Fire Official.

F. Smoke detector are required in the common areas in all new multi-family residential buildings.

9-12-6: KEY BOXES:

A. Key Box Location: For all buildings equipped with an automatic fire alarm or fire suppression system, **except**: single-family homes, two-family dwellings and townhouses. Key boxes are required. Multiple key boxes may be required in multiple locations including but not limited to: Main entrances; Sprinkler rooms; Electric/Utility rooms; Rear entrances; Gates. Provide a key box on all existing buildings that are renovated or at change of occupancy. Contact Fire Official for specific requirements.

B. The Fire Official shall be notified of any changes to the building that would require contents of the key box to be modified. This may include lock rekeying, addition of locks, or updated electronic/key-card codes. (Ord. 2020-___, Ord. 2007-45).

9-12-7: FIRE HYDRANTS:

Amend IFC section 507.5 to read:

The fire hydrant shall be located at a minimum of 40' from the building structure.

Add to IBC® 913: Fire hydrants shall be provided around the perimeter of the building in three hundred- foot (300') increments. Also, a fire hydrant shall be located within one hundred feet (100') of the fire department connection on the fire protection water supply to the building. (Ord. 2007-45, 5-1-2007)

CHAPTER 12

FIRE CODE

ARTICLE A. ANNUAL INSPECTION PROGRAM

9-12A-1: AUTHORIZATION:

9-12A-2: FIRE INSPECTION AREA:

9-12A-3: PURPOSE OF ANNUAL INSPECTION PROGRAM:

9-12A-4: TIME OF INSPECTIONS:

9-12A-1: AUTHORIZATION:

The Village of Bartlett (the "Village") Planning and Development Services (the "Building Division") and the Bartlett Fire Protection District and the South Elgin Fire District (the "Fire Department") are hereby authorized to conduct annual inspections of properties described in section 9-12A-2 of this article to be performed in accordance with the provisions of this article (Ord. 2007-45, 5-1-2007).

9-12A-2: FIRE INSPECTION AREA:

The following properties located within the corporate limits of the Village have been designated for annual inspections: a) commercial and/or industrial properties located in the B-1, B-2, B-3, B-4, O-R, P-1, I-1 or I-2 districts, or within a PD Planned Development District that has been designated as office/research, industrial, commercial and/or business, or within a PUD that contains industrial, commercial and/or business uses; and b) the common areas of multi-family buildings located in the SR-5 or SR-6 districts (including SR-5 PUD and SR-6 PUD districts), or in a PD Planned Development District that has been designated as SR-5 or SR-6. A list of properties subject to the Annual Inspection is on file with the Planning & Development Services Department. (Ord. 2007-45, 5-1-2007).

9-12A-3: PURPOSE OF ANNUAL INSPECTION PROGRAM:

The purpose of the annual inspection program is to:

A. Identify and control actual and potential fire hazards or code violations that threaten person and/or property;

B. Inform and educate owners and tenants of sound fire protection techniques;

C. Identify specific fire hazards within buildings for corrective action; and

D. Enhance safety for employees, customers and residents occupying and/or using the above described properties (Ord. 2007-45, 5-1-2007).

9-12A-4: TIME OF INSPECTIONS: 

A. Mandatory Inspection Period: Mandatory annual inspections shall commence annually for all properties listed and on file with the Building Division as updated from time to time by the Planning and Development Services. Most annual inspections will occur by the Bartlett Fire Protection District and South Elgin Fire Protection District.

B. Inspection Times: All inspections shall be performed in accordance with the procedures set forth herein and shall be performed only on Monday through Friday, nine o'clock (9:00) A.M. to four o'clock (4:00) P.M., excluding holidays. Restaurants shall not be inspected during the peak business hours of eleven o'clock (11:00) A.M. to two o'clock (2:00) P.M. (Ord. 2007-45, 5-1-2007).

Chapter 13

PROPERTY MAINTENANCE CODE 

9-13-1: AMENDMENTS:

9-13-2: TITLE:

9-13-3: APPLICATION OF OTHER CODES:

9-13-4: GENERAL ADMINISTRATION AND ENFORCEMENT:

9-13-5: GENERAL DEFINITIONS:

9-13-6: MAINTENANCE OF PARKING LOTS AND DRIVEWAY AREAS:

9-13-7: WEEDS/DEAD/DYING LANDSCAPING:

9-13-8: MOTOR VEHICLES:

9-13-9: INSECT SCREENS:

9-13-10: DISPOSAL OF GARBAGE AND RUBBISH:

9-13-11: GARBAGE ENCLOSURES:

9-13-12: INFESTATION:

9-13-13: HEAT SUPPLY TO DWELLINGS AND NONRESIDENTIAL:

9-13-14: TREE REMOVAL ON PRIVATE PROPERTY:

9-13-15: NOTICE OF ORDERS-FAILURE TO COMPLY-FINES:

9-13-1: AMENDMENTS: 

The following deletions, modifications, additions, clarifications, elections and amendments are hereby made to the 2018 International Property Maintenance Code. Section 9-1-3 lists other amendments and deletions, the other provisions of this chapter add to supplement and further amend and modify the 2018 International Property Maintenance Code. (Ord. 2020-___, Ord. 2007-45).

9-13-2: TITLE: 

The regulations set forth in this chapter shall be known as the *VILLAGE OF BARTLETT PROPERTY MAINTENANCE CODE*, hereinafter referred to in this chapter as "Property Maintenance Code" or "this Code" (Ord. 2007-45, 5-1-2007).

9-13-3: APPLICATION OF OTHER CODES: 

Any repairs, additions or alterations to a structure, or changes of occupancy, shall be constructed and/or performed in accordance with the procedures and provisions of the Bartlett Building Code, the Bartlett Zoning Ordinance and all other ordinances of the Village and the applicable state and county laws, ordinances, rules and regulations as amended from time to time (Ord. 2007-45, 5-1-2007).

9-13-4: GENERAL ADMINISTRATION AND ENFORCEMENT: 

Amend section 103.4: The Code Official or the employee charged with the enforcement of this code shall enforce all of the provisions of this code. The Planning and Development Services Director and/or Building Director, or his/her respective designee, is hereby designated as the Code Official for the Village of Bartlett for purposes of this Code (Ord. 2007-45, 5-1-2007).

9-13-5: GENERAL DEFINITIONS: 

COMPOST PILE: A collection of landscape waste which is piled and maintained in such a fashion as to encourage the decay of the waste into a fertilizing material, for use on the property on which the pile is located.

FIREWOOD: Combustible wood which is not painted, pressure-treated or chemically treated, not in excess of 30 inches in length, and free from screws, nails and hardware.

GARBAGE: Items subject to decay, including, but not limited to, animal and vegetable wastes and all putrescible matter and all other material resulting from the handling, preparing, cooking and/or consumption of food waste that may attract insects or rodents and/or vermin; dead animals; and any matter subject to rapid decay, putrefaction and generation of noxious gases or odor, excluding compost piles, as defined in IPMC Section 202.

PUBLIC NUISANCE: Shall include all of the following:

1. The physical condition or occupancy of any premises regarded as a public nuisance at common law;
2. Any physical condition or occupancy of any premises or its appurtenances considered to be an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations, unsafe fences or structures, and unlicensed, inoperable or abandoned vehicles;
3. Any premises that has unsanitary sewerage or plumbing facilities;
4. Any premises designated as unsafe for human habitation;

5. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecure so as to endanger life, limb or property;
6. Any premises from which the plumbing, heating or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided;
7. Any premises that is unsanitary, or that is littered with rubbish, debris or garbage, or that is vandalized with graffiti, or that has an uncontrolled growth of grass or weeds exceeding eight (8") inches in height; or that has a dead or dying tree/shrubs; or
8. Any structure that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowding; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.

RUBBISH: Combustible and noncombustible waste materials, except garbage, including, but not limited to paper, newspaper, magazines, books, cartons, boxes, wrappings, packaging materials, excelsior, straw, tin cans, metals, scraps and shavings, mineral matter, glass, crockery, dust and other similar materials; construction debris, including nails, wood, concrete, lumber, bricks, concrete blocks, shingles, aluminum trim, pipes and fittings on any lot where no active building permit is in effect; abandoned or inoperable vehicles; used appliances and refrigerators; furnishings, fixtures and bedding; yard trimmings, grass and leaves (except in compost piles), downed trees and shrubs, and loose branches (excluding neatly stacked firewood), mud and debris on public or private streets, sidewalks or pathways created by construction traffic; textile products, including, but not limited to, rags, shoes and articles of clothing; residue from the burning of wood, coal, coke or other combustible materials, including ashes and cinders, and any materials that create a danger or nuisance to the public health, safety and welfare (Ord. 2007-45, 5-1-2007).

9-13-6: MAINTENANCE OF PARKING LOTS AND DRIVEWAY AREAS:

All parking and driveway areas shall be paved with asphalt, concrete or approved paver stone or brick, shall be kept free from dirt and other debris, and shall be kept in good repair. Asphalt driveways and parking lots shall be regularly seal-coated to protect and extend the life of the asphalt, and all stall or parking space striping and parking bumpers or stops shall likewise be maintained in a state of good repair. Parking lots/including multifamily and commercial buildings shall be maintained at all times in broom clean condition without potholes, broken wheel stops or curbing, or other surface irregularities. All exterior parking lots shall be visible at all times and illuminations shall be maintained in functioning condition and activated by photo electronic device & not on a timer. (Ord. 2020-___, Ord. 2007-45).

9-13-7: WEEDS/DEAD/DYING LANDSCAPING:

All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches (8"). All noxious weeds shall be prohibited. Weeds shall be defined per the Bartlett Municipal Code Section 4-3-2: Plants, Weeds, grass, Vegetation and Native Plantings. All dead or dying landscaping, including trees and shrubs on private property shall be fully removed. In commercial districts, landscaping must be in accordance with approved landscape

plan. The Village shall have the authority upon receiving a complaint, to inspect dead, diseased, or infested tree(s) or shrub(s) on private property. The Village arborist will inspect the tree(s) or shrub(s) on the property and determine the extent that the tree(s) or shrub(s) are dead, or degree of disease or infestation, and recommend that said tree(s) be removed in the interest of public(Ord. 2020- __, Ord. 2007-45).

9-13-8: MOTOR VEHICLES: 

No inoperable or unlicensed motor vehicle may be parked, kept, or stored on the driveway except when covered with a commercially manufactured, opaque and form-fitting vehicle cover in good condition which covers the vehicle from bumper to bumper. No more than one covered inoperable or unlicensed motor vehicle shall be lawfully parked on the driveway or any property.

9-13-9: INSECT SCREENS: 

Insect screens are required at all times. Every door, window and other outside opening utilized or required for ventilation purposes serving any structure, habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per inch and every swinging storm door shall have self-closing devices in good working condition IPM 304.14 (Ord. 2007-45, 5-1-2007).

9-13-10: DISPOSAL OF GARBAGE AND RUBBISH: 

Every occupant of a building shall dispose of all garbage and rubbish in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers. In a residential district, garbage containers stored on the exterior shall be located in a rear yard or an interior side yard located behind the front elevation of the principal residence, or in a front yard if screened by evergreen plant materials. All other zoning districts must have enclosed refuse areas in accordance with the Village of Bartlett Zoning Ordinance. (Ord. 2007-45, 5-1-2007).

9-13-11: GARBAGE ENCLOSURES:

All structures enclosing garbage or trash containers shall be properly maintained, including all walls, doors, hardware, hard surface (concrete/asphalt) and screening, and shall be repaired or replaced if damaged, faded, rusted or has peeling paint.

9-13-12: INFESTATION: 

When infestations of insects, pests or animals are present within a dwelling or nonresidential structure, the building owner shall hire a licensed pest control contractor, and shall have a signed contract to eliminate the pest infestation until a time that infestations are no longer present. A copy of each extermination report from the hired exterminator shall be provided to the Village,

including the final report attesting to the eradication of the infestation. Additionally, the premises shall be cleaned and sanitized. (Ord. 2020-___, Ord. 2007-45).

9-13-13: HEAT SUPPLY TO DWELLINGS AND NONRESIDENTIAL:

Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitories or guestrooms on terms, either express or implied, to furnish heat to the occupants thereof, shall supply sufficient heat during the period from September 1 to May 1, or as needed to maintain the room temperatures specified in section IPMC 602.2 (not less than 68 degrees). Nonresidential: Every enclosed occupied workspace shall be supplied with sufficient heat during the period from (September 1 thru May 1) or as needed to maintain a temperature of not less than sixty-five degrees (Fahrenheit 65-F/18-C) during the work period or when the space is occupied. (Ord. 2007-45, 5-1-2007).

9-13-14: TREE REMOVAL ON PRIVATE PROPERTY:

The Village of Bartlett shall have the authority upon receiving a complaint, to inspect dead, diseased, or infested trees on private property. The Village Forester will inspect the trees on the property and determine the extent that the trees are dead, or the degree of disease, or infestation, and recommend that said trees be removed in the interest of public health, safety and welfare. A written report shall be submitted to the Village's Code Enforcement Officer have the authority to provide written notice to the property owner that said trees need to be removed within thirty (30) days of said notice. Failure to remove said trees shall result in the issuance of a ticket and /or notice to appear in court.

9-13-15: NOTICE OF ORDERS-FAILURE TO COMPLY-FINES:

Add Section 107.7 Failure to comply: If the owner or owners of a private property, or the persons or persons responsible for private property, fails to comply with a notice of violation, and refuses to remove garbage or debris from the property, or refuses to cut grass or weeds that have grown in excess of the maximum height specified in this code, the Village of Bartlett may provide for the removal of garbage or debris, or the cutting of grass or weeds, and may collect from the owner(s) or person(s) responsible the reasonable cost thereof. The cost of such removal or cutting shall be charged against the property, and shall be a lien upon such property or collected through IDROP (Illinois Debt Recovery Offset Portal). Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine not less than one hundred (\$ 100.00) dollars and no more than five-hundred (\$ 500.00) BBC 9-23-4

9-13-16: NUISANCE ABATEMENT; OTHER LIENS; PERFECTING LIENS:

- A. Nuisance Abatement. The village is authorized to perform or provide for property maintenance activities to abate a public nuisance as defined in section 9-25-2 of this chapter or other nuisance caused by a vacant building, including the following:

1. Cutting and removal of neglected weeds, grass, trees, and bushes as authorized by 65 Illinois Compiled Statutes 5/11-20-7;
 2. Pest control activities, as authorized by 65 Illinois Compiled Statutes 5/11-20-8;
 3. Removal of infected trees as authorized by 65 Illinois Compiled Statutes 5/11-20-12;
 4. Removal of garbage, debris, and graffiti as authorized by 65 Illinois Compiled Statutes 5/11-20-13; and
 5. Removal, securing, and enclosing abandoned residential properties, as authorized by 65 Illinois Compiled Statutes 5/11-31-1.01.
- B. Charges for Nuisance Abatement. The village shall have the authority to collect from the property owner the costs incurred in performing the property maintenance activities to abate the nuisances described in this section. The village shall send a bill for the cost to the property owner, his agent, legal representative, or occupant in legal possession or control of the premises.
- C. Traditional Lien Procedure. If a bill sent pursuant to subsection B of this section is not paid in full within 30 days of the date of the bill, the village shall have the authority to file and record a lien against the property, pursuant to section 11-20-15 of the Illinois municipal code, 65 Illinois Compiled Statutes 5/11-20-15. If, for any one property, the village engaged in any nuisance abatement activity described in subsection A of this section on more than one occasion during the course of one year, then the village may combine any or all of the costs of those activities into a single notice of lien. The lien must be filed in accordance with the lien procedure established by the specific code provision of which the property is alleged to be in violation or, if no such procedure exists, then the following procedure shall apply:
1. Notice of Lien. The village or the person performing the service by authority of the village, in its, his or her own name, may file a notice of lien in the office of the recorder of deeds in the county in which the real estate is located. The notice of lien shall be filed within one year after the cost and expense is incurred. If, for any one property, the village engaged in any nuisance abatement activity described in subsection A of this section on more than one occasion during the course of one year, then the village may combine any or all of the costs of those activities into a single notice of lien.
 - a. The notice of lien shall consist of a sworn statement setting forth:
 - (1) A description of the real estate that sufficiently describes the parcel;
 - (2) The amount of the cost and expense incurred or payable for the activities; and
 - (3) The date or dates when such cost and expense was incurred by the village or someone working on behalf of the village.

- b. After recording, the notice of lien shall be sent by certified mail to the property owner, his agent or legal representative or occupant in legal possession or control of the premises and, if different, to the person who received the tax bill for the preceding year.
 2. Release of Lien. Upon payment of the cost after the notice of lien has been filed as provided herein, the lien shall be released by the village or person in whose name the lien has been filed, and the release shall be recorded of record in the same manner as recording the notice of lien.
 3. Foreclosure of Lien. Subsequent to the filing of the above described lien, the village may cause to be filed a complaint for foreclosure of such lien, or upon becoming a defendant in a pending lawsuit affecting the premises or real estate, by answer to the complaint or in the nature of an intervening petition or cross complaint the village may proceed in its corporate name to foreclose such lien. An action to foreclose a lien under this section must be commenced within two years after the date of filing notice of lien. The property subject to a lien arising under this section may be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the monies owing the village.
- D. Priority Lien Procedure. The priority lien procedure described in this subsection shall apply only to costs incurred for activities performed on abandoned residential properties, as defined by 65 Illinois Compiled Statutes 5/11-20-15.1 and is an alternative to the traditional lien authorized by subsection C of this section. If a bill sent pursuant to subsection B of this section is not paid in full 60 days of the date of the bill, the village shall have the authority to file and record a priority lien against the property, pursuant to section 11-20-15.1 of the Illinois municipal code, 65 Illinois Compiled Statutes 5/11-20-15.1, in the following manner:
 1. Notice of Lien. The village or the person performing the service by authority of the village, in its, his or her own name, may file a notice of a priority lien in the office of the recorder of deeds in the county in which the real estate is located. The notice of lien shall be filed within one year after the cost and expense is incurred. If, for any one property, the village engaged in any nuisance abatement activity described in subsection A of this section on more than one occasion during the course of one year, then the village may combine any or all of the costs of those activities into a single notice of lien.
 - a. The notice of lien shall consist of a sworn statement setting forth:
 - (1) A description of the abandoned residential property that sufficiently describes the parcel;
 - (2) The amount of the cost incurred or payable for the activities;
 - (3) The date or dates when such cost was incurred by the village or someone working on behalf of the village; and
 - (4) A statement that the lien has been filed pursuant to one or more of the property maintenance activities described in subsection A of this section and authorized by 65 Illinois Compiled Statutes 5/11-20-7D, 5/11-20-8D, 5/11-20-12D, 5/11-20-13E, 5/11-31-1.01, as applicable.

- b. After recording, the notice of lien shall be sent by certified mail to the property owner, his agent or legal representative or occupant in legal possession or control of the premises and, if different, to the person who received the tax bill for the preceding year.
 - c. The village may not file a lien if the lender has provided notice to the village that the lender has performed, or will perform, remedial actions; provided, however, that the remedial actions must be performed or initiated in good faith within 30 days of the lender's notice to the village.
 2. Recordkeeping. To enforce a lien pursuant to this subsection D, the village must maintain contemporaneous records that include, at a minimum:
 - a. A dated statement of a finding by the village that the property has become abandoned residential property;
 - b. The date when the property was first observed to be unoccupied by any lawful occupant;
 - c. A description of the actions taken by the village to contact the legal owner of the property, or if known, any agent of the owner;
 - d. A statement that no contacts were made with the legal owner or, if known, any agent of the owner;
 - e. A dated certification by a village official of the necessity and specific nature of the work performed;
 - f. A copy of the agreement with the person or company performing the work and the rates and estimated cost of the work, if applicable;
 - g. Detailed invoices and payment vouchers for the work;
 - h. A statement whether the work was competitively bid, and if so, a copy of all proposals submitted by the bidders.
 3. Release of Lien. Upon payment of the cost after the notice of lien has been filed as provided herein, the lien shall be released by the village or person in whose name the lien has been filed, and the release shall be recorded of record in the same manner as recording the notice of lien.

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

Chapter 14

CONCRETE/PAVER PATIOS

9-14-1: PERMIT REQUIRED; CONSTRUCTION STANDARDS:

Permits are required for all concrete and brick paver patios which shall be constructed as follows:

A. **CONCRETE SLAB:** shall be a minimum of four inches (4") thick poured over six inches (6") of crushed stone, gravel or grindings with six inch by six inch (6" x 6") 10/10 woven wire mesh or fiber mesh placed in the horizontal center of the poured concrete or fiber mesh. When poured against the house, rebar (#4) shall be drilled low at the base of the stone into the primary structure every three feet (3') on center. A minimum of six (6) bag mix with a five-inch (5") slump (8 inches for flowing concrete) shall be used. Fiber mesh may be used in lieu of woven wire mesh. All vegetation shall be removed prior to placing the gravel base.

B. An expansion joint shall be provided where patios abut previously placed concrete.

C. Install flashing behind any wood and down face of foundation where concrete is poured. The flashing shall be corrosion-resistance in accordance with 2018 IRC 703.4

D. The concrete shall be poured not less than two inches (2") below the sill of any door within three feet (3') of the patio.

E. Guard and handrails shall be provided where concrete or a paver patio is elevated thirty inches (30") above grade.

F. **ROOF:** Any patio covered with a solid roof shall have a continuous foundation to the forty-two inch (42") frost line. Where a solid roof is constructed over a patio, this will be considered an addition to the structure. The structure would then be required to comply with this code and the Bartlett Zoning Ordinance. All plans and specifications shall be signed and sealed by an architect or structural engineer licensed by the State of Illinois (Ord. 2007-45, 5-1-2007).

G. **PAVERS:** Gravel base shall be installed with sufficient voids to allow water to drain into the subgrade. A minimum of eight-inches to twelve-inches of compacted stone shall be provided or in accordance with manufactured specifications. Add a minimum of 1-1/2 inch of sand/screeded and level it. Pavers installed shall be compacted with joint polymetric and sand applied. Paver edge restraints shall be installed. All vegetation shall be removed and excess soil removed from the property prior to placing the gravel base for any brick pavers.

H. **Inspections:** A base inspection shall be preformed prior to pouring or installing any concrete or brick paver patio or service walk. Final inspection required to close out the permit.

Chapter 15

BASEMENT BUILDOUT REQUIREMENTS

9-15-1: PERMIT REQUIRED; PLANS; STANDARDS:

Permits are required and plans shall include the following:

- A. Provide all room sizes, ceiling height, and window sill height.
- B. Provide electrical outlet, switch and lighting locations. (All wiring must be run in conduit.) Provide outlets every twelve feet (12') and on any wall section over two feet (2').
- C. Provide heating duct and return air locations. A supply and a return are required in all rooms. Exception: A return is not required in any restroom. The returns shall be ducted.
- D. Provide minimum four percent (4%) natural light and four percent (4%) ventilation. Also provide all window locations and their sizes. Exception: Mechanical light and vent may be substituted for up to two percent (2%) of the overall four percent (4%) where approved by the Code Official.
- E. Provide framing detail (Wall minimum 2-inches by 4-inches, 16 inches on center). Provide R-value insulation (minimum in walls is R-13).
- F. When building out for the furnace area, provide the BTU data on the furnace and water heater. Also provide information on louvered door and combustion air openings.
- G. Provide all plumbing fixture locations. Also, provide a material list including material sizes and specific type (example: water piping type L aboveground). Provide an isometric drawing of the plumbing system.
- H. Provide the type of interior wall finish (paneling, drywall, etc.).
- I. Provide the smoke detector locations. Provide CO detector locations when applicable for sleeping rooms.
- J. Provide door sizes and escape window location(s).
- K. Provide the circuit panel location.
- L. Provide type of ceiling (drywall, drop, etc.).
- M. Provide the tax identification number, street address and a copy of the signed contract.
- N. No kitchens shall be allowed in basements. (Ord. 2007-45, 5-1-2007) Wetbars are permitted.

Chapter 16

FENCES

9-16-1: PERMIT REQUIRED:

9-16-2: CONSTRUCTION STANDARDS:

9-16-1: PERMIT REQUIRED:

Fence permits are required for all new, enlarged, repaired, altered, and replaced fences. All fences shall be in strict compliance with the Construction Standards set forth in Section 9-16-2. A final inspection is required for all fence permits.

9-16-2: CONSTRUCTION STANDARDS:

A. Excess Fill: Excess fill or soil from excavating fence must be removed from the property. A fill permit must accompany the use of excess fill. (Ord. 2007-45, 5-1-2007)

B. Chainlink; The minimum gauge of wire for a wire mesh (chain link) fence shall be not less than 11-gauge, and the minimum size wire mesh shall be not less than two and one-fourth inches (2¹/₄"). No chicken wire or barbed wire fences shall be permitted on any residential lot (Ord. 2007-45).

C. Fence Side: If there is a better side to the fence it must face out.

D. Location: All fences shall be located in strict accordance with the regulations specified in the Bartlett Zoning Ordinance (Title 10). In addition, it shall be the homeowner's responsibility to ensure a fence including, all fence posts, is located within their property. No fence shall be installed directly on the property line. The bottom of a solid fence shall be placed three inches (3") above grade (Ground level) to assure that drainage swales will function properly.

E. Depth of Fence Posts: The depth of the fence posts shall be one-third (1/3) the height of the fence.

F. Proximity to Utilities; Fences shall be located a minimum of eighteen inches (18") from the side of the utility box that is accessible for maintenance, otherwise the fence shall be located a minimum of 12" from a utility box.

G. Homeowners are responsible for locating their sump pump line if buried in the backyard to avoid damaging it during the construction of the fence.

H. Swimming Pool fences shall be regulated in Chapter 21 or section 9-21-7 "Barriers" of this Code.

Chapter 17

WOOD DECKS

9-17-1: PERMIT REQUIRED; CONSTRUCTION STANDARDS:

Permits are required for wood decks and shall be constructed to the following requirements:

A. Depth Of Support Posts And Spacing: The holes for support posts for a wood deck shall be dug no less than forty two inches (42") below grade and six-inch by six- inch (6" x 6") posts may not be spaced more than six feet (8) apart. (Exception: Plans submitted by design professional). **The pier diameter shall be a minimum of twelve-inches (12").** If a post is placed in a pier, sixteen-inch (16") diameter is required. Lumber spans for decks shall be a minimum of forty (40) pound live loads. **Deck post connections shall comply with R507.4.1**

B. Excess Fill: Excess fill or spoil from excavating deck must be removed from property. A fill permit must accompany the use of excess fill. Provide positive drainage below deck away from house and a vegetation barrier installed below grade level decks under gravel.

C. Joist & Decking: Plastic composite decking shall comply with R507.2.2 Blocking for cantilevered joists required. R507.6 Deck joist spans shall comply with R507.6 Ledger boards flashing shall comply with R703.4 & R507.2.4

D. Guardrails: A guardrail not less than thirty six inches (36") high shall be required for any deck over thirty inches (30") above finished grade. In addition, the baluster spacing must not allow a four inch (4") diameter object to pass. Ledger: ½ inch diameter lag screws with washers must be hot-dipped galvanized or stainless steel only. 1-1/2 inch shank and must extend through existing band board and beyond band board a minimum of ½". Stagger fastners in 2 rows.

E. Stairs: Stairs shall be required for any wood decks over eight inches (8") above finished grade. The maximum riser height shall be seven and three-fourths inches (7¾") and the minimum tread depth shall be ten inches (10"). Open risers are permitted provided that the opening between treads does not permit the passage of a four inch (4") diameter sphere.

F. Handrails: Handrails shall be required for any set of stairs thirty inches (30") or more above finished grade. Decks greater than 2'(two feet) above grade shall be provided with diagonal bracing.

G. Location: Decks shall be located in strict accordance with the regulations specified in the Bartlett Zoning Ordinance. (Title 10 of the Bartlett Municipal Code.) Decks are permitted on or over any easement.

H. Additional Regulations: Decks that have a roof over the deck would be required to have a continuous trench footing or foundation under the deck. The plans shall be signed and sealed by a State of Illinois licensed architect (Ord. 2007-45, 5-1-2007).

Chapter 18

DETACHED GARAGES

9-18-1: PERMIT REQUIRED; CONSTRUCTION STANDARDS:

Permits are required and detached garages shall be constructed to the following requirements. All one-story detached garages shall be built in full compliance with the requirements of the code sections regulating one-story dwelling units with the following exceptions:

- A. Footings: Footings shall be a minimum of twenty inches (20") wide and ten inches (10") below ground level.
- B. Wall Studs: Wall studs shall be spaced a maximum of sixteen inches (16") on center.
- C. Top Plate: The top plate shall be double. Roof tie-downs required in accordance with R802.11
- D. Rafter Size: Rafter sizing at the eaves shall not be less than two inch by four inch (2" x 4") boards and in accordance with R802.4.1 and spaced not to exceed four feet (4') on center.
- E. Bottom Plates: Bottom plates shall be wolmanized or equal.
- F. Roof Shingle Warranty: The roof shingle shall be a minimum of twenty-five (25) year warranty.
- G. Garage Floor Slab: The garage floor slab shall be a minimum of five-inch (5") concrete on four-inch (4") stone base. Wire mesh reinforcing with six-inch by six inch (6" x 6") 10/10 woven wire mesh installed in the horizontal center of the concrete slab or fiber mesh.
- H. Location: Detached garages shall be located in strict accordance with the regulations specified in the Bartlett Zoning Ordinance (Title 10 of the Bartlett Municipal Code.) At no time shall a detached garage encroach on any public utility and/or drainage easement (Ord. 2007-45, 5-1-2007).
- I. Impervious Surface: Detached garages shall be calculated as part of the impervious surface requirements on a residential lot. The impervious surface for a lot cannot exceed the maximum percentage specified in the Bartlett Zoning Ordinance (Title 10 of the Bartlett Municipal Code).
- J. Maximum Size: The square footage of the building footprint for the detached garage shall not exceed the square footage of the building footprint of the principal building.

Chapter 19

ATTACHED GARAGES

9-19-1: CONSTRUCTION STANDARD:

9-19-2: CURB OR STEP REQUIRED:

9-19-3: SEPARATION:

9-19-4: HEATING AND VENTILATION:

9-19-5: GARAGE FLOOR SLABS:

9-19-6: PLANS TO BE SIGNED AND SEALED:

9-19-7: LOCATION:

9-19-1: CONSTRUCTION STANDARD: 

All garages attached to or built in a residence or other buildings shall be constructed in accordance with the same code provisions applicable to the construction of such residence or other buildings (Ord. 2007-45, 5-1-2007).

9-19-2: CURB OR STEP REQUIRED: 

All door openings between the garage and the dwelling or other building to which it is attached shall have at least a four-inch (4") concrete curb or step at each such door (Ord. 2007-45, 5-1-2007).

9-19-3: SEPARATION: 

For garage to dwelling unit separation requirements see section 9-7-11 of this title (Ord. 2007-45, 5-1-2007).

9-19-4: HEATING AND VENTILATION: 

When heaters are located in garages or accessory use buildings where motor driven vehicles or devices utilizing volatile liquids are housed or stored, combustion air openings and vents shall be located at least eighteen inches (18") above the exterior finished grade, and an interior pilot light access opening shall be located at least eighteen inches (18") above the finished floor. Where combustion air intake openings are located immediately adjacent to a driveway, the exterior eighteen-inch (18") height requirements shall apply. The ventilating equipment shall be protected from any type of mechanical injury from vehicular traffic. Vents from such heaters shall not be located within twelve inches (12") of any window, door or opening into a building (Ord. 2007-45, 5-1-2007).

9-19-5: GARAGE FLOOR SLABS: 

Garage floor slabs shall be a minimum of five-inch (5") concrete on four-inch (4") stone base. On attached garages where overdig exists for foundation footing, excavation must be backfilled with clean stone. (Clay not allowed to be used as backfill). Wire mesh reinforcing with six inch by six inch (6" x 6") 10/10 woven wire fabric shall be installed in the horizontal center of the concrete slab or fiber mesh (Ord. 2007-45, 5-1-2007).

9-19-6: PLANS TO BE SIGNED AND SEALED: 

All attached garages are additions and the plans and specifications shall be signed and sealed by a licensed architect or engineer licensed in the State of Illinois (Ord. 2007-45, 5-1-2007).

9-19-7: LOCATION: 

Attached garages shall be located on the lot in conformance with the Bartlett Zoning Ordinance (Ord. 2007-45, 5-1-2007).

Chapter 20

ACCESSORY BUILDINGS

9-20-1: PERMIT REQUIRED: 

Permits are required for accessory buildings (Ord. 2007-45, 5-1-2007).

9-20-2: ACCESSORY BUILDING DEFINED: 

“Accessory building” shall be defined as specified in the Bartlett Zoning Ordinance (Title 10 of the Bartlett Municipal Code). Detached garages shall follow the regulations set forth in Chapter 18 of this Title (Ord. 2007-45, 5-1-2007).

9-20-3: PRIVATE COVENANTS: 

Some of Bartlett's subdivisions have private covenants that prohibit, limit or otherwise pertain to sheds/accessory structures and should be reviewed by all owners and applicants prior to construction. (Ord. 2007-45, 5-1-2007).

9-20-4: EXCESS FILL, SPOIL: 

Excess fill or spoil from excavating building site must be removed from the property. A fill permit must accompany the use of excess fill being left on property. (Ord. 2007-45, 5-1-2007).

9-20-5: FLOORING: 

Accessory buildings may be placed on a concrete slab on a minimum of six (6”) crushed stone/gravel base. Pea gravel is not allowed. If structure is located on a wood deck, corners need to be secured by post-hole method, two feet (2') below grade (Ord. 2007-45, 5-1-2007).

9-20-6: STUD SPACING: 

Except for metal storage sheds, the maximum spacing for studs shall be twenty four inches (24”) on center; doubling of studs shall be required on all openings. Corner bracing is required. Corner post may be two (2) two inch by four-inch (2" x 4") or one four inch by four inch (4" x 4") post (Ord. 2007-45, 5-1-2007).

9-20-7: SIDING: 

Siding shall be wood or other approved material to match principal structure (example: brick, aluminum, or vinyl) (Ord. 2007-45, 5-1-2007).

9-20-8: ROOFING: 

Accessory structures must have a pitched roof. Roofing shall be fifteen (15) pound felt paper and have a twenty-five (25) year warranty. Flat roofs are prohibited. (Ord. 2007-45, 5-1-2007).

9-20-9: LOCATION: 

The accessory building shall be located in accordance with the regulations specified in the Bartlett Zoning Ordinance (Title 10 of the Bartlett Municipal Code). At no time shall an accessory building encroach on any public utility and/or drainage easement (Ord. 2007-45, 5-1-2007).

9-20-10: DOOR SIZE: 

The accessory building (shed) shall not have a door larger than forty-eight inches (48") wide unless approved by the building official. (Ord. 2007-45, 5-1-2007).

9-20-11 IMPERVIOUS SURFACE: All accessory buildings shall be calculated as part of the impervious surface requirements on a residential lot. The impervious surface for a lot cannot exceed the maximum percentage specified in the Bartlett Zoning Ordinance (Title 10 of the Bartlett Municipal Code).

9-20-12 MAXIMUM SIZE: The square footage of the building footprint for an accessory building shall not exceed the square footage of the building footprint of the principal building.

Chapter 21

SWIMMING POOLS!

9-21-1: PRIVATE SWIMMING POOLS GENERALLY; APPLICABILITY:

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- 9-21-21: INSPECTIONS REQUIRED:
- 9-21-22: CONTRACTOR LICENSE REQUIRED:

9-21-1: PRIVATE SWIMMING POOLS GENERALLY; APPLICABILITY: 

Any swimming pool and/or bathing pool which is used, or intended for the use that is accessory to a residential setting and available only to the household and its guests. Pools used for swimming or bathing shall be in conformity with the requirements of this code, provided, however, these regulations shall not be applicable to any such pool less than twenty-four inches (24") deep or having a surface area less than two hundred fifty (250) square feet. This includes inground, and onground storable swimming pools, hot tubs and spas (Ord. 2007-45, 5-1-2007).

9-21-2: AMENDMENTS: 

The following deletions, changes and modifications are made to IBC section 3109. Permits are required for all inground/onground storable swimming pools, hot tubs and spas. **Public swimming pools will need to comply with 2018 International Swimming Pool and Spa Code.** (Ord. 2020-__, Ord. 2007-45).

9-21-3: LOCATION: 

No portion of a private residential swimming pool shall be located at a distance less than eight feet (8') from any side or rear property line and not closer than four feet (4') from the dwelling. No swimming pool shall be located within any public utility easement. No portion of a private residential swimming pool shall be located at a distance less than five feet (5') from any underground service wire nor shall it be located at a distance less than twenty-two feet (22') measured horizontally from any overhead service wire (Ord. 2007-45, 5-1-2007).

9-21-4: DISINFECTION EQUIPMENT INSTALLATION: 

Pumps, filters, and pool water disinfection equipment installations shall be located at a distance not less than eight feet (8') from any side property line. Swimming pools and appurtenant equipment shall be located to the rear of the residence only and shall not be permitted in the side yard between dwellings (Ord. 2007-45, 5-1-2007).

9-21-5: WATER TREATMENT/RECIRCULATION OF POOL WATER:

Private swimming pools equipment shall be sized to provide a turnover of the pool water turnover not less than once every twelve (12) hours. Filters shall have a flow rating equal to or greater than the design flow rate of the system. All swimming pools shall be of the recirculation type, in which circulation of the water is maintained through the swimming pool by pumps, the water drawn from the swimming pool being clarified and disinfected before being returned to the pool. The circulation system shall be provided with a cleanable strainer or screen that captures material such as solids, debris, hair and lint and shall be provided upstream of the circulation pump. All pool drain outlets shall be equipped with gratings having an area of openings not less than four (4) times the cross-sectional area of the outlet pipe. The gratings shall be of such design so they cannot be readily removable by bathers and will not injure the bathers' fingers. (Ord. 2007-45, 5-1-2007).

9-21-6: PROTECTION OF WATER SUPPLY:

All swimming pools shall be provided with a potable water supply which shall be provided through and air gap complying with ASME A112.1.2 or a backflow prevention assembly in accordance with the IL. State Plumbing Code free of cross connections with the pool or its equipment (Ord. 2020-__, Ord. 2007-45).

9-21-7: BARRIER:

A fence surrounding the pool shall not be less than 48" inches in height. Additional barriers consist of a wall, a building wall, the wall of an aboveground swimming pool or a combination thereof, which completely surrounds the swimming pool and obstructs access to the swimming pool is required. Pedestrian access gates shall open outward away from pool or spa and shall be self-closing and shall have a self-latching device located on the pool side of the gate. For Onground storable pools that do not have a fence around the pool the top of the barrier shall not be less than sixty inches (60") above grade measured on the side of the barrier that faces away from the swimming pool to grade. Barriers mounted on top of Onground pool shall be installed in accordance with the pool manufacturer's instructions.

Power safety covers for all pools are not required (Ord. 2007-45, 5-1-2007).

9-21-8: MATERIALS:

The materials and components and accessory used for permanent inground residential swimming pools shall be suitable for the environment in which they are installed. The materials shall be capable of fulfilling the design, installation and the intended use requirements in the International Residential Code. (Ord. 2020-__, Ord. 2007-45).

9-21-9: STRUCTURAL DESIGN:

The structural design and materials shall be in accordance with the International Residential Code. (Ord. 2020-__, Ord. 2007-45).

9-21-10: WALL SLOPES: 

Two feet nine inches (2'9") from the top, the wall slope shall not be more than one unit horizontal in five (5) units vertical (Ord. 2007-45, 5-1-2007).

9-21-11: FLOOR SLOPES: 

The slope of the floor on the shallow side of transition point shall not exceed one unit vertical to seven (7) units horizontal. The transition point between shallow and deep water shall not be more than five feet (6') deep. The slope of the floor in the deep end, shall not exceed a slope of 1 unit vertical in 3 units horizontal. (Ord. 2007-45, 5-1-2007).

9-21-12: SURFACE SKIMMER SYSTEMS: 

The surface skimming system provided shall be designed and constructed to skim the pool surface where the water level is maintained between the minimum and maximum fill level of the pool. Not less than one skimmer shall be provided for each 800 square feet of the water surface area. (Ord. 2020-__, Ord. 2007-45, 5-1-2007).

9-21-13: WALKWAYS: 

All private swimming pools shall have walkways not less than three (3') in width extending entirely around the pool. Sidewalks around any swimming pool shall have a slip resistant surface for a width of not less than one foot (1') at the edge of the pool, and shall be so arranged as to prevent return of surface water to the pool. Walkways (deck) may not be located in, on, or above any drainage or utility (Ord. 2007-45, 5-1-2007).

9-21-14: STEPS AND LADDERS: 

One or more means of egress shall be provided from the pool. Treads of steps or ladders shall have slip resistant surfaces and handrails on both sides, except that handrails may be omitted when there are not more than four (4) steps or when they extend the full width of the side or end of the pool (Ord. 2007-45, 5-1-2007).

9-21-15: WATER DRAINAGE: 

A. Discharge Rate: Swimming pool shall be equipped with facilities for completely emptying the pool and the discharge of the pool water to the storm sewer shall be at a rate not exceeding two hundred (200) gallons per minute. No direct connection shall be made to the storm sewer. No direct or indirect connection shall be made to the sanitary sewer system.

B. Discharge During Storms Prohibited: Water drained from the swimming pool shall not be discharged to the storm sewer system during periods of rain or storms. At no time shall the rate

of drain water discharge exceed a flow of two hundred (200) gallons per minute. No direct or indirect connection shall be made to the sanitary sewer system.

C. Disposal of Discharged Water: The swimming pool and equipment shall be equipped to be completely emptied of water, and the discharged water shall be disposed of in an approved manner that will not create a nuisance to adjoining property.

D. Backwashing And Winterizing: When backwashing and/or winterizing a private pool, the owner, operator and/or pool service provider of said pool shall discharge the water by either: 1) a hose to the parkway grass before the public walk at a minimum distance of ten feet (10') before the curb and gutter or 2) a hose to the grass area approximately ten feet (10') from an open storm structure located on the same property, if available. No direct connection to the storm sewer adjacent to the property, however, shall be allowed (Ord. 2007-45, 5-1-2007).

9-21-16: SWIMMING POOL SAFETY DEVICES:

A. Enclosure Required: Every person owning land on which there is situated a swimming pool, which contains twenty-four inches (24") or more of water in depth at any point, shall erect and maintain thereon an adequate enclosure either surrounding the property or pool area, sufficient to make such body of water inaccessible to small children. Such enclosure, including gates therein, must be not less than four feet (4') above the underlying ground. All gates must be self-latching with latches placed four feet (4') above the underlying ground and otherwise made inaccessible from the outside to small children. Openings in the barrier shall not allow a passage of a four inch (4") diameter sphere.

B. Grounding Required: All metal fences, enclosures, or railings near or adjacent to any swimming pool which might become electrically alive as a result of contact with broken overhead conductors or from any other cause shall be effectively grounded.

C. Mechanical and Electrical Equipment Enclosure Required: Pumps, filters, and other mechanical and electrical equipment for swimming pools shall be enclosed in such a manner as to be inaccessible to children. Construction and drainage shall be such as to avoid the entrance and accumulation of water in the vicinity of electrical equipment. Swimming Pools will need to comply with all electrical requirements of this code and section 9-9-7.

D. Accessories: All swimming pool accessories shall be designed, constructed, and installed so as not to be a safety hazard. Installations or structures for diving purposes shall be properly anchored to ensure stability, and properly designed and located for maximum safety.

E. Diving Boards: Manufactured diving equipment shall be installed with permanently affixed label with minimum diving envelope and maximum weight limitation. Minimum water depths and distances for diving hoppers for pools, based on board height above water, shall comply with table 804.1 of the ISPSC.

F. Safety Cover: A spa or hot tub would be allowed to be constructed without a fence provided they are equipped with a lockable safety cover complying with ASTM F1346.

9-21-17: OPERATION AND MAINTENANCE:

All swimming pools shall be maintained in a clean and sanitary condition, and all equipment shall be maintained in a satisfactory operating condition during periods the pool is in use. No swimming pool shall be used, kept, maintained, or operated in the Village if such use, keeping, maintaining, or operating shall be the occasion of any nuisance or shall be dangerous to life or detrimental to health. A two-foot (2') fence attached to the top of the pool will be required for all aboveground pools when a fence does not protect the yard. A barrier of sixty inches (60") shall apply to all onground/above grade pools (Ord. 2007-45, 5-1-2007).

9-21-18: BUILDING PERMIT REQUIRED:

An inground swimming pool or onground storable pool, hot tub or spa shall not be constructed, installed, enlarged, or altered until plans have been submitted and a building permit has been obtained from the Planning and Development Building Division.

Building permits expire one year from the date the permit is issued. However, if work has not started within six (6) months of the date of the permit, the building permit shall automatically become void (Ord. 2007-45, 5-1-2007).

9-21-19: DRAWINGS AND PLANS:

A. All drawings and plans for the construction, installation, enlargement or alteration of any private residential swimming pool and appurtenances for which a permit is required shall first be presented to the Building Division of the Planning and Development Services Department for examination and approval as to proper location, construction, and use.

B. All plans and drawings shall be drawn to scale and shall accurately show dimensions and construction of the pool and appurtenances and properly established distances to the lot lines, buildings, walks, fences and distance from overhead or underground service wires, as well as details of water supply system, drainage and water disposal systems, and all appurtenances pertaining to the swimming pool (Ord. 2007-45, 5-1-2007).

9-21-20: BUILDING PERMIT FEE:

The building permit fee for an inground pool, hot tub or spa shall be based on the cost of construction per section 9-3-9 of this title (Ord. 2007-45, 5-1-2007).

9-21-21: INSPECTIONS REQUIRED:

The Building Inspector shall inspect the pool installation during its initial construction or installation and shall periodically inspect all swimming pools to determine whether or not the provisions of this code regarding health, sanitation, and safety applicable thereto are being complied with. Inspections during the initial construction or installation shall be requested in

person or by telephone to the Building Division of the Planning & Development Services Department at least twenty four (24) hours in advance (Ord. 2007-45, 5-1-2007).

9-21-22: CONTRACTOR LICENSE REQUIRED:

It shall be unlawful to engage in the business of installing or constructing inground or aboveground swimming pools, or any pool equipment or appurtenances, in the Village of Bartlett as a contractor without first having obtained a Building Contractor License.

A homeowner is not required to be licensed to install a pool or pool equipment on his or her own property (Ord. 2007-45, 5-1-2007).

Footnotes - Click any footnote link to go back to its reference.

Footnote 1: Excess fill or spoil from excavating pool site must be removed from the property. A fill permit with topographic survey must accompany the use of excess fill.

Chapter 22

INSPECTIONS

9-22-1: REQUIRED:

Contractors/Homeowners shall request inspections to the Building Department, by telephone or in person, at least twenty four (24) hours in advance of the inspection. Required inspections and Note below are as follows:

- A. Proposed Plat of survey for preliminary site inspection.
- B. Erosion control inspections are conducted weekly by P.W.'s until turf established.
- C. Footing/Trench footing inspection/Electric service grounding in footing.
- D. Pre-pour foundation wall inspection.
- E. Sewer and water and storm sump connection inspection.
- F. Dampproofing/drain tile inspection before backfilling foundation.
- G. Electric service inspection.
- H. Underground plumbing/mechanical inspection.
- I. Prepour basement floor, garage floor, and all exterior slabs on grade.
- J. Sheathing inspection.

- K. Spot survey submitted for review (before any roughs can be scheduled).
- L. Rough Plumbing, framing, heating and electrical inspections (Done at the same time)
- M. Insulation inspection.
- N. Concrete stoops, service walk, public walks and driveway.
- O. Final Topographic survey inspection. Provide Blower door test/Energy compliance.
- P. Final Inspections-General, Electrical and Plumbing. Energy compliance sticker on panel.
- Q. Final Landscaping- Non-residential will require ten (10) days- notice to schedule inspection.

Note: All work shall be left uncovered until inspected and all work is approved by Village Inspector. If any such work, or any portion thereof, has been covered up before being inspected, the work shall be uncovered by the owner or contractor executing such work and left uncovered until such inspection may be completed.

Chapter 23

STOP ORDERS, PENALTIES AND REMEDIES

9-23-1: INTERPRETATION:

9-23-2: STOP ORDER:

9-23-3: APPEALS:

9-23-4: PENALTIES:

9-23-5: OTHER REMEDIES:

9-23-1: INTERPRETATION:

Wherever in this code it is provided that anything must be done to the approval of or subject to the direction of the Building Director, Building Official or any other Officer of the Village, this shall be construed to give such officer only the discretion of determining whether the rules and standards established by this code have been complied with; and no such provision shall be construed as giving any officer discretionary powers as to what such regulations or standards shall be, or power to require conditions not prescribed by this code or other ordinance or to enforce this code in an arbitrary or discriminatory manner (Ord. 2007-45, 5-1-2007).

9-23-2: STOP ORDER:

Whenever any work is being conducted in violation of the provisions of this code, or in variance with the terms of any permit issued for such work, the Building Director may order all work on the job stopped until such violation or variance is eliminated and any work or installation made

in violation of this code corrected. Such stop order, if oral, shall be followed by a written stop order within forty eight (48) hours unless the following day is a Saturday, Sunday or holiday, in which event, said written stop order shall issue within twenty four (24) hours of the next succeeding workday.

It shall be unlawful to perform any work in violation of such stop order, except as may be necessary to prevent injury or damage to persons or property.

The Building Director, Planning and Development Director or the Village Administrator may revoke such stop order (Ord. 2007-45, 5-1-2007).

9-23-3: APPEALS:

Appeals must be submitted in writing to the Village Administrator within thirty (30) days after the Building Director or other Code Official issues the written ruling from which the appeal is taken. The Village Administrator shall hear and rule upon appeals from the decisions of the Building Director with regard to the interpretation and application of the provisions of this code, with respect to all matters in which he/she is given discretionary powers. In the event any permit is denied to any applicant, the Village Administrator shall hear and rule upon the appeal from the decision denying such permit. The applicant shall be given the opportunity to present evidence that the Building Director or other Code Official has unreasonably denied the permit requested, or has unreasonably stopped the appellant's work or has otherwise acted unreasonably in the enforcement of this code.(Ord. 2007-45, 5-1-2007).

9-23-4: PENALTIES:

Any person found guilty of violating, disobeying, omitting, neglecting or refusing to comply with any of the provisions of this code (except for sections 9-6-1 and 9-6-3 of this title) shall be fined not less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$750.00) for each offense. A separate and distinct offense shall be deemed committed each day in which a violation occurs or continues. (Ord. 2007-45, 5-1-2007)

9-23-5: OTHER REMEDIES:

Nothing in this title shall be construed as limiting any judicial remedies that the Village may have, at law or in equity for enforcement of this title, including, but not limited to, all rights and remedies pursuant to section 11-31-2 of the Illinois Municipal Code¹. In the event the Building Director, **Planning and Development Director** or Village Engineer reasonably determines that: a) the condition of a building or structure poses a risk of immediate harm to any person and/or property, or b) the delay in complying with the notice provisions and in permitting said owner and/or developer an opportunity to cause the building or structure to conform to minimum applicable health and safety standards as required under 65 Illinois Compiled Statutes 5/11-31-2 would unreasonably endanger the safety or health of any person(s) and/or property, then the Village Attorney and/or the Village Prosecutor may apply to a court of competent jurisdiction for a temporary restraining

order, preliminary injunction and/or permanent injunction requiring compliance. (Ord. 2007-45, 5-1-2007)

Footnotes - Click any footnote link to go back to its reference.

Footnote 1: 65 ILCS 5/11-31-2.

Chapter 24

ADDITIONAL REGULATIONS FOR DEVELOPMENTS AND BUILDING IN FLOODPLAINS AND WETLANDS

9-24-1: PURPOSE:

9-24-2: GENERAL PROVISIONS:

9-24-3: INITIATION OF SPECIAL USE:9-244PUBLIC HEARING

9-24-5: CRITERIA FOR EVALUATING REQUESTS FOR SPECIAL USES:

9-24-6: STORMWATER MANAGEMENT:

9-24-7: DISCLAIMER OF LIABILITY:

9-24-1: PURPOSE: 

Floodplain and wetland areas in their natural or relatively undisturbed state serve water resource values such as natural moderation of floods, water quality maintenance and ground water recharge. They also provide living resource values such as habitat for fish, wildlife and plant resources. In this natural state, the water of adjacent floodplains and wetlands are in a state of dynamic equilibrium. If the floodplain and/or wetland system is disturbed, the entire system usually readjusts toward a new equilibrium. The effects of this readjustment may occur in areas other than the original site. Therefore, floodplain and/or wetland encroachments must be approached with caution.

A careful assessment shall be made of any proposed encroachment to determine the impact on the natural floodplain and/or wetland values, as well as the effect on adjacent properties.

The provisions herein are enacted to lessen or avoid hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters, and are deemed essential for the protection of the public safety and general welfare of the people of the Village. In order to achieve this purpose, the following objectives shall be observed:

- A. Preventing developments from increasing the flood or drainage hazards to others.
- B. Protecting new buildings and major improvements to buildings from flood damage.
- C. Protecting human life and health from the hazards of flooding.

D. Lessening the burden on the taxpayer for flood control projects, repairs to flood damaged public facilities and utilities, and flood rescue and relief operations.

E. Making federally subsidized flood insurance available for property in the Village.

F. Providing for the orderly growth and development of those areas in the Village which are especially sensitive to changes from human activity. (Ord. 2008-79, 8-19-2008)

9-24-2: GENERAL PROVISIONS:

In the administration of these provisions, the **Planning and Development** Department shall, in all official actions related to land management, take cognizance of flood hazards and wetland conditions to the extent they are known. Nothing contained in this chapter is intended to supercede or modify the provisions of the Bartlett Subdivision and PUD Ordinance (title 11 of this code) and in particular chapter 8 thereof relating to stormwater and floodplain management, and the DuPage County countywide stormwater and floodplain ordinance, as amended, which is expressly incorporated therein (the "DuPage County regulations"), which have been adopted for the entire Village and made applicable to unincorporated areas of DuPage, Cook and Kane Counties that are within the extraterritorial jurisdiction of the Village or to property in said counties that may be annexed to the Village. The following regulations and requirements to obtain a special use permit from the corporate authorities of the Village after a public hearing before the Bartlett Plan Commission are additional requirements above and beyond any other applicable Federal, State or County, laws, regulations, rules and ordinances, and the DuPage County regulations.

A. Definitions: The definitions set forth in article 2 of the DuPage County regulations as supplemented by ordinance 2008-79 are expressly incorporated herein by this reference. For purposes of interpreting this chapter only, if there is a conflict between the definitions set forth in the Bartlett Building Code or the Bartlett Zoning Ordinance and the definitions set forth in article 2 of the DuPage County regulations, as amended and supplemented by ordinance 2008-79, the DuPage County regulations, except as they are expressly amended and supplemented by ordinance 2008-79, shall be controlling.

B. Preparation of Plans: The Bartlett Plan Commission, when considering any amendment or revision to any portion of the Comprehensive Plan for the Village, shall take the following into consideration:

1. Maintaining wetland areas in their natural conditions to avoid harm to the public associated with the loss of natural wetland values, and where this is not possible, encouraging uses such as agriculture and recreation.

2. Providing guidelines for the location of hazardous facilities or uses critically necessary to the functioning of the community outside of any wetland areas.

3. Identifying the base flood and historic flood elevations on public buildings and bridges, or at other prominent locations.

the 4. Other flood hazard mitigation techniques or floodplain management activities that could aid in accomplishment of the purposes of the ordinance codified herein.

C. Review Of Development Plans And Activities: All plans for development activities to be undertaken by the Village, other local governmental entities or public utilities, including those regulated by the Illinois Commerce Commission and private developers, subdividers and builders, which require a location within the special flood hazard area (SFHA) and/or wetland area. shall be reviewed by the Bartlett Plan Commission and the **Planning and Development Services Department** to ensure that they comply with the objectives and criteria of ordinance 2008-79. Where it is determined that any of these entities are exempt by federal or state enabling legislation from the regulations under the Bartlett Building Code, the Bartlett Subdivision and PUD ordinance, including the DuPage County regulations which are incorporated therein, they shall not be required to obtain a special use permit; however, compliance with the purpose, intent and standards of Ordinance 2008-79 is expected.

D. Permitted Uses: When permitted by the underlying zoning base district, the following uses shall be permitted within a special flood hazard area (SFHA) and/or wetland area, to the extent that they are not prohibited by any other law, regulation, rule, and ordinance or by the provisions of this code.

1. Normal maintenance of waterways, provided that such maintenance is limited to the removal of accumulated debris and the control of vegetation which can interfere with flows in the waterways. Materials removed shall be properly disposed of in a sanitary landfill or shall be placed in sites recommended by the Zoning Administrator as defined in the Bartlett Zoning Ordinance and approved by the corporate authorities.

2. Ordinary repairs, maintenance and nonstructural alterations may be made to any nonconforming building, structure or facility. For the purpose of this subsection, repairs shall include the replacement of storage tanks, septic tanks, and septic fields where health requirements or where the safety of operation of the building, structure or facility requires such replacement. Ordinary repairs shall not include the reconstruction of any nonconforming building, structure or facility which has been damaged or destroyed to the extent that the cost of restoration of such building, structure or facility to the condition immediately preceding such damage or destruction shall exceed fifty percent (50%) of the market value of the building, structure or facility.

3. Agricultural uses without permanent buildings, such as, but not limited to, general farming, pasture, grazing, outdoor plant nurseries, floriculture, apiculture, horticulture, viticulture, truck farming, forestry, sod farming and wild crop harvesting.

4. Private or public recreational uses such as golf courses, tennis courts, golf driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, camping grounds, wildlife and nature preserves, game farms, fish hatcheries, shooting preserves, target ranges, trap and skeet ranges, hunting and fishing area, hiking, horseback riding and bicycle riding.

5. Portions of industrial, business, institutional and residential uses such as natural area, lawns, gardens and unpaved play areas.

E. Uses Permitted Only By Special Use Permit: No special flood hazard area (SFHA) and/or wetland area shall be disturbed, reshaped, filled or otherwise affected by any of the following activities except by special use permit by the corporate authorities, and from the COE, or DuPage County Stormwater Management Department, which will be required unless the Village Engineer determines that only a single permit is required and approves it and the issuance of all necessary and proper federal, state and county permits, and permits required by the agencies of said governmental entities with jurisdiction over such development activities.

1. Construction, reconstruction or placement of any structure or facility (excluding buildings) including, but not limited to, the following: highways, roads and bridges and appurtenances thereto; culverts, docks or dams or appurtenances thereto; construction or erection of railroads or other transportation facilities or public utilities, water lines, storm and/or sanitary sewer lines, levees, walls or bulkheads and appurtenances thereto; and signs and fences.

2. New buildings or structures (both residential and nonresidential) or additions and structural improvements to existing nonconforming buildings or structures, including the elevation of such building and structures above the flood protection elevation (FPE) and the floodproofing of such buildings or structures where the topography of the property within a special flood hazard area (SFHA) and/or wetland area must be altered, after compliance with sections 9-24-3 and 9-24-5 of this chapter.

3. Drilling, mining or excavation of lakes or ponds.

4. Channel relocation, channel deepening, filling, dredging, excavation, grading of any type or other nonagricultural alterations of the ground surface.

5. Any other excavation, filing, constructing or storage which might cause a change in the direction, height, or velocity of the flood or surface waters or wetland area, including, but not limited to, landfills. (Ord. 2008-79, 8-19-2008)

9-24-3: INITIATION OF SPECIAL USE:

Prior to the excavation in or filling of any special flood hazard area ("SFHA") or wetland area located within the corporate limits of the village, or within the extraterritorial jurisdiction of the village and/or on property being annexed to the village, the owner thereof or any person having an interest in such property which is affected by the provisions of this chapter shall file an application for a special use permit to use such land for one or more of the special uses provided for in this code pursuant to the requirements established in this chapter. (Ord. 2008-79, 8-19-2008)

9-24-4: PUBLIC HEARING:

Upon application to the Building Department, the Bartlett Plan Commission shall schedule a

public hearing and shall give not less than fifteen (15) days notice of such hearing in accordance with the requirements of the Bartlett Zoning Ordinance. (Ord. 2008-79, 8-19-2008)

9-24-5: CRITERIA FOR EVALUATING REQUESTS FOR SPECIAL USES:

The following conditions and requirements are established for the utilization or alteration of the special flood hazard area (SFHA) and/or wetland area. Such criteria are to be used in determining whether a special use should be granted and what conditions or performance criteria should be placed on the property should it be granted a special use permit in order to protect the public health, safety and general welfare.

A. Minimum Requirements To Be Met: No special use permit shall be granted unless the applicant demonstrates:

1. That the granting of the special use is in harmony with the general purpose and intent of section 9-24-1 of this chapter, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the Village's Comprehensive Plan and official map for development.
2. That the granting of the special use permit will not:
 - a. Diminish the value of land and buildings in its neighborhood.
 - b. Increase the potential for flood damages to adjacent property.
 - c. Incur additional public expenses for flood protection, rescue or relief.
 - d. Increase the hazard from other dangers to said property.
 - e. Otherwise impair the public health, safety, comfort, or general welfare of the inhabitants of the Village, nor will it otherwise create a nuisance.

B. Additional Criteria For Evaluating Requests For Special Use Permit Issuance And Conditions: In reviewing all applications for a special use permit, the following additional criteria shall be used.

1. Protection Of Natural Floodwater Storage Areas: Natural drainage and associated flooding requiring space allocation are land use problems and to the degree practicable, the natural storage areas (floodplains and wetlands) will be allocated to those purposes, rather than for purposes of building additional manmade structures which results in increased cost to the public in construction and maintenance. Therefore, no modifications of a special flood hazard area (SFHA) and/or wetland area shall be allowed which would result in a damaging or potentially damaging increase in flood height or increase in velocity of the downstream flow of water. New residential and nonresidential buildings or structures and additions or structural improvements to nonconforming buildings or structures proposed to be located in a special flood hazard area (SFHA) and/or wetland area shall be elevated in accordance with the following:

- a. The building, structure or improvements shall be elevated on stilts, piles, walls, crawl spaces or other foundations that are permanently open to floodwaters, are not subject to damage by hydrostatic pressures, and allow water to soak into the ground underneath.
- b. The foundation and supporting members shall be anchored, shaped and aligned so as to minimize exposure to known hydrodynamic forces such as current, waves and floating debris.
- c. All areas below the flood protection elevation (FPE) shall be constructed of materials resistant to flood damage. The bottom of the joists of the lowest floor and all utility meters shall be located at or above the flood protection elevation (FPE).
- d. No area below the flood protection elevation (FPE) shall be used for storage or materials or supplies or HVAC systems.

The cost of construction of any addition or structural improvement to any building or structure currently located within a special flood hazard area and/or wetland area, shall not exceed fifty percent (50%) of the market value of the existing building or structure, or in the case of a building or structure which has been damaged or destroyed, the cost of construction of any addition or structural improvement to any building, in combination with the cost of construction to repair the building or structure shall not exceed fifty percent (50%) of the market value of the building or structure before such damage.

The Building Department shall maintain a record of the "as built" elevation of the lowest floor.

2. Protection And Enhancement Of Ground Water And Surface Water Resources: Ground water and surface water resources located in a special flood hazard area (SFHA) and/or wetland area should be protected and enhanced. Therefore, the following criteria shall be used to evaluate any proposed development or encroachment upon such special flood hazard area (SFHA) and/or wetland area:

- A. No development shall be allowed which includes locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, garbage, solid wastes, ash, or hazardous or toxic materials, including, but not limited to, petroleum products, solvents and paints.
- B. New and replacement water and sewer lines may be allowed, providing all manholes or other aboveground openings are located at or above the flood protection elevation (FPE). Any manhole or other aboveground opening proposed at an elevation below the flood protection elevation (FPE) shall be watertight.
- C. If such system is otherwise permitted under this code, no new or replacement on site soil absorption type waste disposal system shall be permitted at an elevation below the flood protection elevation (FPE).
- D. If a well is otherwise permitted under this code, such well shall be built or rebuilt so that its opening is not less than seventy five feet (75') from any property sealed according to the county department's specifications to prevent contamination of the aquifer.

3. Protection Of Significant Floodplain And Wetland Flora And Fauna: Significant floodplain and wetland flora and fauna shall be preserved and enhanced whenever possible. A special use shall not be granted where significant areas (as determined by Village Board) of floodplain and /or wetland flora and fauna shall be the criteria for determination that the specific area is significant. Restoration of significant flora and fauna in disturbed areas shall be encouraged. (Ord. 2008-79, 8-19-2008)

9-24-6: STORMWATER MANAGEMENT:

No building permit shall be issued for any building, structure or improvement which does not comply with chapter 8 of the Bartlett Subdivision and PUD Ordinance (Title 11 of the Bartlett Municipal Code), even if the underlying property is not proposed to be subdivided. To the extent any development is not subject to the provisions of the Bartlett Subdivision and PUD Ordinance, the purpose of this section is to provide standards and regulations governing stormwater management for such land development in order to reduce or to prevent flooding and, at the same time, minimize damage to real property, and the following requirements shall apply in all districts: In addition, all storm water will need to comply with the Bartlett Zoning Ordinance section 10-5-6 : Impervious Surface.

A. Excess Stormwater: The controlled release and storage of excess stormwater runoff shall be required in combination for all business and industrial development sites which exceed one acre in area, and for all residential developments of fifty (50) lots or three (3) acres, whichever is less. Exceptions may be granted based on evidence by an engineering drainage study approved by the Village Board.

B. Release Rate Of Stormwater: The controlled release of stormwater runoff from all developments shall not exceed the existing safe storm drainage capacity of the natural downstream outlet channel or storm sewer system. The release rate shall be an average value computed as a direct ratio to the tributary watershed area. In any case, the value shall not exceed 0.10 cfs per acre from an area designed to provide storage from excess stormwater or at a proportional rate of the most restrictive capacity of downstream channel or compatible with the "safe" capacity of most village rivers and streams. The rate of which stormwater runoff is transported into a designated stormwater storage area shall be unrestricted. Control structure piping shall be not less than four inches (4") in diameter. (Ord. 2008-79, 8-19-2008)

9-24-7: DISCLAIMER OF LIABILITY:

The degree of flood protection required by the Bartlett Subdivision and PUD Ordinance and by section 9-24-6 of this chapter is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by manmade or natural causes. The village's various ordinances do not imply that development either inside or outside of a special flood hazard area (SFHA) will be free from flooding or damage. Neither the Bartlett Subdivision and PUD Ordinance, nor this chapter create liability on the part of the village or any officer or employee thereof, for any flood damage that results from reliance on the ordinances of the village, or any administrative decision made lawfully thereunder. (Ord. 2008-79, 8-19-2008)

Chapter 25
VACANT BUILDINGS

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9-25-1: DECLARATION OF POLICY:  

The purpose of this chapter is to protect the public health, safety, and welfare by enactment of this chapter which:

- A. Establishes a program for identification, registration, and regulation of buildings which are or become "vacant" as defined herein; and
- B. Determines the responsibilities of owners of vacant buildings; and
- C. Provides for administration, enforcement, abatement of public nuisances, and the imposition of penalties.

This chapter shall be liberally construed to effect its purposes. (Ord. 2014-46, 6-3-2014)

9-25-2: OTHER ORDINANCES:  

This chapter shall not be construed to prevent the enforcement of other applicable ordinances, codes, legislation, and regulations which prescribe standards other than are provided herein. When a provision of this chapter conflicts with any other provision of the code regulating the same subject matter, the more stringent or restrictive provision shall apply. (Ord. 2014-46, 6-3-2014)

9-25-3: DEFINITIONS:  

Unless otherwise expressly stated or clearly indicated by the context, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section:

BOARDED BUILDING: A building that has had, in a manner intended to be temporary or permanent, any or all of its openings covered by some material for the purpose of securing or

preventing access or damage to the building or its components, whether such material is opaque, solid or transparent, and whether such material is affixed to the interior or exterior of the building. For the purpose of this definition, such openings shall include any doors, windows or other openings that exist for the purpose of providing light, ventilation, ingress and egress to the building or other access to a part or portion of the building.

BUILDING: Any residential structure, or portion thereof, containing one or more dwelling units used or intended to be used for human habitation, or any business or commercial structure occupied or intended for supporting any occupancy.

DANGEROUS BUILDING: A. Any building that is dangerous to the public health because of its construction or condition, or which may cause or aid in the spread of disease or cause injury to the health of its occupants or to neighboring structures; or

- B. Any building which, because of faulty construction, age, lack of proper repair or any other cause, is especially liable to fire and constitutes or creates a fire hazard; or
- C. Any building, which, by reason of faulty construction, age or lack of repair is likely to collapse or fall.

DANGEROUS STRUCTURE: Any structure which is in a condition that is dangerous to the public health in any way.

DIRECTOR: The building director, or his or her designee. All references to the director in this chapter shall be deemed to include the building director or his or her designee.

DWELLING: A structure, or portion thereof, used for human habitation.

DWELLING UNIT: One or more rooms containing individualized cooking, sleeping and sanitary facilities which is designated, occupied or intended for use by one household.

EVIDENCE OF VACANCY: Any condition that on its own or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions include, but are not limited to, the following:

- A. Substantially all lawful residential or business activity has ceased.
- B. The percentage of the overall square footage of occupied to unoccupied space or the overall number of occupied and unoccupied units.
- C. The building is substantially devoid of contents.
- D. The condition and value of fixtures or personal property in the building
- E. Lack of utility services (water, sewer, electric or natural gas).
- F. The building is the subject of a foreclosure action.
- G. The presence or recurrence of uncorrected code violations.
- H. Overgrown and/or dead vegetation.
- I. Accumulation of newspapers, circulars, fliers and/or mail.

J. Abandonment by owner.

OWNER: Any person, agent, operator, firm, corporation, limited liability company, partnership, joint venture, land trust, inter vivos trust, or other entity having a legal or equitable interest in a property; or recorded in the official records of the state, county, or municipality as holding title to the property; or otherwise having control of the property, including, but not limited to, the guardian of the estate of any such person if ordered to take possession of real property by a court, the executor or administrator of the estate of any such person if authorized by statute or ordered to take possession of real property by a court, or any person maintaining, operating or collecting rent with respect to a property.

PERSON: Includes a corporation, a partnership, a limited liability company, a joint venture, or other entity as well as an individual.

PREMISES: A lot, plot or parcel of land including any structures thereon.

PUBLIC NUISANCE: Shall include the following:

- A. Any physical condition or uses of any premises that is regarded as a public nuisance at common law, under the Illinois Compiled Statutes, or under this code, as amended; or
- B. Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations, swimming pools and unsafe fences or structures; or
- C. Any building that has unsanitary sewage or plumbing facilities; or
- D. Any building designated by the director as unsafe for human habitation or use; or
- E. Any building that constitutes a fire hazard, or is unsafe or insecure to a degree that endangers life, limb or property; or
- F. Any premises that is unsanitary, or which is littered with rubbish or garbage, or which has an uncontrolled growth of weeds; or
- G. Any building that is: in a state of dilapidation, deterioration or decay; improperly constructed; unsecured; vacant and boarded; damaged by fire to the extent that it no longer provides shelter; in danger of collapse or structural failure; or dangerous to anyone on or near the premises; or
- H. Any premises that contains evidence of unlawful activity to a degree that such activity may endanger, threaten or otherwise negatively impact the users and value of adjacent premises; or
- I. Any premises found by a court of competent jurisdiction to be a criminal public nuisance under [title 5, chapter 10](#) of this code; or
- J. Any building deemed to be a "dangerous building" or any structure deemed to be a "dangerous structure" under this section.

UNOCCUPIED BUILDING: Any business, industrial, retail, or commercial building, or any single-family or multi-family building, or portion thereof, which is vacant and lacks the habitual presence of human beings who have a legal right to be on the premises, including buildings ordered vacated by the director pursuant to authority granted to him by this code.

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

- A. A building at which substantially all lawful residential or business activity has ceased.
- B. The percentage of the overall square footage of occupied to unoccupied space or the overall number of occupied and unoccupied units.
- C. The building is substantially devoid of contents. The condition and value of fixtures or personal property in the building are relevant to this determination.
- D. The building lacks utility services, i.e., water, sewer, electric or natural gas.
- E. The building is the subject of a foreclosure action.
- F. The building is not actively for sale as part of a contractual agreement to sell the building, and lacks "For Sale", "For Rent" or similar signage.
- G. The presence or recurrence of uncorrected code violations.

VACANT BUILDING: A building or portion of a building which is:

- A. Unoccupied and unsecured; or
- B. Unoccupied and secured by boarding or other similar means for more than thirty (30) days; or
- C. Unoccupied and a dangerous structure; or
- D. Unoccupied as a result of having been declared unsafe for occupancy by the director pursuant to applicable law; or
- E. Unoccupied and having multiple violations of this code, as amended; or
- F. Unoccupied and the building or its premises have been the site of unlawful activity within the previous six (6) months; or
- G. Condemned or declared unsafe for occupancy by the director and unlawfully occupied; or
- H. Unoccupied for over ninety (90) days and during which time the director has issued an order to correct public nuisance conditions and the same have not been corrected in a code compliant manner; or
- I. Unoccupied and the subject of either pending mortgage foreclosure proceedings or mortgage foreclosure proceedings that have been completed within the past two (2) years and the building has not since been reoccupied; or
- J. Unoccupied for over one year; or
- K. Abandoned by persons who surrender their claim, right or interest in the property; or
- L. Unoccupied residential property found by a court of competent jurisdiction to be "abandoned residential property" as defined in sections 15-1200.5 and 15-1200.7 of the code of civil procedure¹.

But not including an:

Unoccupied building: a) which is undergoing construction, renovation, or rehabilitation and which is in compliance with all applicable ordinances, codes, legislation, and regulations, and for which a building permit has issued therefor, and for which construction, renovation or rehabilitation is proceeding diligently to completion; or b) which is unoccupied as a result of the owner who is a member of the military and is deployed for military service and is otherwise secure; or c) which is

secure but is the subject of a probate action, action to quiet title or other ownership dispute; or d) which is occupied only on a seasonal basis and is otherwise secure and in substantial compliance with all applicable codes, regulations and laws.

VILLAGE: The village of Bartlett, an Illinois municipal corporation of Cook, DuPage and Kane Counties, Illinois. (Ord. 2014-46, 6-3-2014)

9-25-4: VACANT BUILDING DETERMINATION:  

- A. The director may evaluate buildings in the village that he or she believes to be unoccupied by means of any lawful inspection and based on evidence of vacancy factors and make a determination as to whether the building is a "vacant building" within the meaning of section [9-25-3](#) of this chapter. For the purposes of conducting this evaluation, the director is authorized to enter upon any and all premises and within any and all unsecured structures. The director may determine that a building which meets any of the criteria set forth in the definition of "vacant building" in section [9-25-3](#) of this chapter is not to be regulated under this chapter for a stated period, if upon consideration of reliable, substantiated and sufficient evidence, he or she determines that the circumstances which give rise to the building being eligible for regulation hereunder are clearly temporary in nature and are either in the process of being addressed or will soon be addressed by the owner and that therefore regulation of the building under this chapter would not serve the public health, welfare, and safety and makes written findings in support of his or her decision. The determination shall be in writing and shall state the factual basis for the determination. For buildings the director determines to be "vacant buildings", he or she shall, within seven (7) days of making that determination, send notice of his/her written determination with the factual findings to the name and address of the last taxpayer of record for such parcel listed on the most recent Cook County, DuPage County or Kane County tax roll. Said notice of determination shall be sent by certified mail, return receipt requested, and by regular first class United States mail, with proper postage prepaid, or by personal substitute service and posted in a conspicuous location on the building. Failure of delivery shall not excuse a person from complying with this chapter. The director may personally serve or cause personal service of the notice of determination. Any person making such service shall execute an affidavit attesting to the facts of service. The director shall maintain a record of such mailing for each notice of determination sent.
- B. Unless waived by the director for good cause, the notice shall specify a date and time upon which the owner shall allow for a code compliance inspection of the interior of all "vacant buildings" to determine the extent of any compliance with village property maintenance, building, zoning, health, fire, water and sewer codes, and/or to determine whether there is any unsecured access to the building (doors, windows and other points of entry); whether flammable liquids or other hazardous materials are stored on the premises or in the vacant building; whether the utilities, including water, sanitary sewer, gas and/or electricity are running or have been shut off; whether the sump pump is working; whether there is any standing water in the basement or crawl space; whether the furnace and/or hot water heater are operable if the gas has not been turned off to the vacant building; whether the roof or other

exterior surface or enclosures are leaking or have been water damaged, whether there are any visible signs of mold; whether there are animals, rodents, vermin or insects present on the premises or in the building; and whether all outdoor pools and/or hot tubs are securely covered and/or drained. Said inspection shall also determine the existence of any unlawful improvements to the property and any portions of the building, including attic and basement areas, that appear to have been unlawfully occupied.

- C. If the director requests a code compliance inspection of the interior of the building at the time he or she issues the notice of determination, the director shall set a tentative date and time for the code compliance inspection of the interior of the vacant building. After receipt of the notice of determination that includes a tentative walk-through inspection date, if the owner does not appeal the determination, the owner shall either confirm the tentative date for the inspection or shall schedule a new date and time for same. If the owner fails to confirm the tentative date and time for the inspection or refuses to schedule or permit the inspection within a reasonable time, the village may obtain an administrative search warrant to accomplish the inspection, and will not conduct an interior inspection of the premises without obtaining such warrant, except when there is evidence of vacancy and access to the building is unsecured or there is an actual emergency or if the village administrator or the chief of police determines that there is an actual threat to health or safety based on reliable, substantiated and sufficient evidence.
- D. The village shall charge the owner a fee of two hundred fifty dollars (\$250.00) to offset the cost to the village of said inspection. The owner shall pay the inspection fee to the village within thirty (30) days of the initial inspection.
- E. Village real estate transfer stamps will not be issued by the village for the sale of such property until such inspection has taken place, if requested by the director, and the fee therefor or the fee without inspection has been paid and, if deemed necessary by the director, an administrative search warrant for the same has been timely obtained.
- F. The notice of determination shall contain a statement of the obligations of the owner of a building determined to be a vacant building, a copy of the registration from the owner is required to file pursuant to section [9-25-6](#) of this chapter, and a notice of the owner's right to appeal the director's determination. (Ord. 2014-46, 6-3-2014)

9-25-5: APPEAL OF VACANT BUILDING DETERMINATION:  

- A. An owner of a building determined by the director to be a vacant building as provided for in this chapter may appeal that determination to the village administrator. Such appeal shall be in writing and shall be filed with the village administrator within fifteen (15) days of the date of mailing of the notice of determination. The filing of an appeal stays the owner's obligation to register his or her building as required by section [9-25-6](#) of this chapter. The appeal shall contain a complete statement of the reasons the owner disputes the director's determination, shall set forth specific facts in support thereof, and shall include all evidence the owner relies upon to support the appeal. The village administrator or her designee shall decide the appeal on the basis of facts presented by the owner in his or her written appeal and the director's written determination.

- B. The burden is upon the owner to present sufficient evidence to persuade the village administrator that it is more likely than not that the subject building is not a "vacant building" within the meaning of this chapter.
- C. The village administrator, or her designee, shall send a written decision to the owner within ten (10) days of her receipt of the appeal. The village administrator may, but is not required to, seek additional information from the owner. The village administrator, or her designee, may, upon written notice thereof to the owner, take ten (10) additional days, to decide the appeal if she determines that such additional time is required for consideration of the appeal.
- D. An owner who wishes to challenge applicability of this chapter to his/her building prior to the director's determination having been made shall set forth specific facts to support inapplicability in writing to the director. In the event the director determines that the subject building is a "vacant building", the owner shall have the right to appeal the director's determination to the village administrator as provided for herein.
- E. If the village administrator, or her designee, fails to grant or deny an appeal within the time periods set forth in this section, the appeal shall be deemed denied.
- F. All references to the village administrator in this chapter shall be deemed to include the village administrator or her designee. (Ord. 2014-46, 6-3-2014)

9-25-6: OBLIGATION TO REGISTER VACANT BUILDINGS AND FORECLOSED UNOCCUPIED BUILDINGS:  

Owners of "vacant buildings" and mortgage lenders who acquire title to unoccupied buildings shall be required to register the same with the director as prescribed below:

- A. Owner's Obligation To Register Vacant Buildings: The owner of a building that the director has determined to be a "vacant building", or the owner of a building whose appeal from the director's determination has been denied by the village administrator, or the owner of a building who knows, or from all the facts and circumstances should know, that his or her building is or has become a "vacant building" within the meaning of this chapter, shall take the actions provided for in this section within fifteen (15) days after either the date of director's notice of determination, the denial of the owner's appeal, or the occurrence of facts that would cause a reasonable person to believe that the building was a "vacant building".
 - 1. Registration Of Building: The owner of a "vacant building" shall be required to register the building with the director on a form provided by the director and pay a two hundred dollar (\$200.00) annual nonprorated vacant building registration fee. This annual registration fee shall be in addition to the two hundred fifty dollar (\$250.00) inspection fee set forth in subsection [9-25-4D](#) of this chapter.
 - a. The form shall include, as a minimum, the name, street address, and telephone number of the owner; the case name and number of any litigation pending concerning or affecting the building, including bankruptcy cases; and the name, street address, and telephone number of all persons with any legal, equitable or beneficial interest in the building or the premises. The form shall

require the owner to identify and authorize a natural person twenty one (21) years of age or older who maintains a permanent address in Cook, DuPage or Kane County to accept service on behalf of the owner with respect to any notices the director sends pursuant to this chapter or service of process in any proceeding commenced to enforce any provision of this chapter, and file with the director on the registration form, the name, address, telephone number, of said person. A street address is required; a post office box is not an acceptable address.

- b. The form shall state that the owner, by affixing his or her signature, is advised that the village will not issue real estate transfer stamps without the director, or his designee, having first conducted an interior inspection for code compliance and the other items listed in subsection 9-25-4B of this chapter.
 - c. The form shall require the owner to:
 - (1) Indicate his or her "acceptance of notice by posting" consenting to service of notices sent or required to be sent, pursuant to this chapter, by posting on the building if the owner fails to renew the registration if required, or maintain as current with the director the information required regarding the person designated and authorized to accept notice and service of process;
 - (2) Renew the vacant building registration each year on the anniversary date of the first filing for the time the building remains vacant and pay the required two hundred dollar (\$200.00) annual fee; and
 - (3) File an amended registration within fifteen (15) days of any change in the information contained in the annual registration. A new registration is required for any change in ownership whatsoever.
 - d. Registration does not exonerate the owner from compliance with all applicable codes and ordinances, including this chapter, nor does it preclude any of the actions that the village is authorized to take pursuant to this chapter or elsewhere in this code.
2. Inspection Conducted: The village shall send the inspection report to the owner within thirty (30) days. The owner shall allow for a code compliance inspection of the interior of the vacant building and pay the two hundred fifty-dollar (\$250.00) fee therefor to defray the cost of said inspection. The inspection report shall include a reasonable date by which code compliance shall be required, and periodic re-inspections shall take place, as necessary, until code compliance is achieved.
3. Insurance Required: The owner shall obtain liability insurance and maintain such insurance for as long as the building is vacant, and file evidence of such insurance with the director, as follows: five hundred thousand dollars (\$500,000.00) for a vacant residential building of one to three (3) units; seven hundred fifty thousand dollars (\$750,000.00) for a vacant residential building of four (4) to eleven (11) units; one million dollars (\$1,000,000.00) for a vacant residential building of twelve (12) to forty eight (48) units; two million dollars (\$2,000,000.00) for a vacant residential building of more than forty eight (48) units; and two million dollars (\$2,000,000.00) for a vacant manufacturing, industrial, storage, or nonresidential commercial building.
4. Vacant Building Plan: Unless waived in writing by the director at the time of his or her determination that the building is a "vacant building", the owner shall submit a vacant building plan at the time a building is registered as required herein. The director may prescribe a form for the plan. If the owner fails to submit the plan if so requested and as provided for by this chapter, the director may determine the plan, which he may allow to be modified after conducting a code

compliance inspection and follow up inspections for code compliance. The plan shall contain the following as a minimum:

- a. A plan of action to repair any doors, windows, or other openings which are boarded up or otherwise secured or covered by any means other than conventional methods used in the design of the building or permitted for new construction or similar type. The proposed repair shall result in openings being secured by conventional methods used in the design of the building or by methods permitted for new construction of similar type with board removed. Boarding shall be accomplished with materials and methods described by the director and available from the director. The owner shall maintain the building in an enclosed and secure state until the building is reoccupied or made available for immediate occupancy. If the owner demonstrates that securing of the building will provide adequate protection to the public, the director may waive the requirement of an enclosure.
- b. For buildings and/or premises which are determined by the director as being or containing public nuisances, as defined in section [9-25-3](#) of this chapter, then the vacant building/premises plan shall contain a plan of action to remedy such public nuisance(s).
- c. A time schedule identifying a date of commencement of repair and date of completion of repair for each improperly secured opening and nuisance identified by the director.
- d. When the owner proposes to demolish the vacant building, then the owner shall submit a plan and time schedule for such demolition. The owner shall ensure all necessary permits and approvals are obtained prior to commencing demolition.
- e. A plan of action to maintain the building and/or premises thereof in conformance with this chapter.
- f. A plan of action, with a time schedule, identifying the date the building will be habitable and occupied or offered for occupancy or sale. The time schedule shall include date(s) by which all necessary permits shall be procured, date(s) of commencement and completion of all actions required to achieve habitability. No plan which fails to provide for compliance with this chapter or, which will not, as determined by the director, achieve such compliance, within thirty (30) days, in the case of a vacant boarded building, and within one year, in the case of a vacant, unboarded, and code compliant building will be approved, except that the director may approve an extension of the time during which the building will be unoccupied beyond one year to a date certain but then only based upon clear and documented evidence of good cause shown by the owner as determined by the director.
- g. All premises upon which unoccupied or vacant buildings are located shall at all times be maintained in compliance with this code, as amended, including, but not limited to, the following:
 - (1) Interior: All interior structures shall be maintained in a clean, safe, secure and sanitary condition. Special attention shall be made to utilities and, if applicable, sump pumps and other related devices shall be kept operational. Winterization of structures shall be completed as necessary.
 - (2) Exterior: All exterior structures and property shall be maintained and kept free of items that give the appearance that the property is abandoned, including, but not limited to, overgrown and/or dead vegetation, accumulation of newspapers, circulars, fliers and/or mail, past due utility notices and/or disconnected utilities, or the accumulation of junk or debris.

- h. For vacant commercial property exterior lighting shall be maintained according to standards established by the director and available from the director.
 - i. For vacant commercial property, all ground floor windows facing street frontage, including, but not limited to, all display windows in unoccupied or vacant commercial buildings shall be kept in a well maintained and clean condition and shall be covered on the interior side in a professionally finished manner with an opaque window covering material manufactured for that purpose and approved by the director, or in the case of display windows, such windows shall be kept in a well maintained and clean condition and the display area shall be enclosed with a professionally finished backdrop, floor, side walls and ceiling all of which shall be kept in a well maintained and clean condition and shall be well lighted from ten o'clock (10:00) A.M. to ten o'clock (10:00) P.M. each day unless waived by the director in the event electricity has been shut off to the commercial building. Photographs, paintings and other works of art or other tasteful forms of decoration may be professionally displayed in these properly enclosed clear glass display windows. If opaque window covering material is used, a one foot by one foot (1' x 1') clear glass opening through which the interior space is clearly visible shall be maintained at standing eye level along one edge of one such window.
5. Security Guard Service: In the event the director makes a written determination that the vacant commercial or industrial building constitutes a fire hazard, is otherwise dangerous to human life or the public welfare, involves illegal or improper use, occupancy, or maintenance, under such conditions that securing the building is insufficient to prevent the actual or threatened harm, the director shall provide notice thereof to the owner and may require the owner to provide bonded, licensed and insured security guard service at the building between the hours of four o'clock (4:00) P.M. and eight o'clock (8:00) A.M. as part of its vacant building plan.
 6. Additional Information Posted: Affix to any building which is boarded, a weatherproof eight and one-half inch by eleven inch (8.5" x 11") sign which provides the following information: the name, address, and telephone number of the owner, the name, address and telephone number of the person authorized to accept notice and service of process and in addition, for buildings which are the subject of a foreclosure action, the name, address, and telephone number of the plaintiff and the plaintiff's attorney, if any, in the foreclosure action. The sign must be placed so that its message is legible from the public way.

B. Mortgage Lender's Obligation To Register Unoccupied Buildings Acquired Through Mortgage Foreclosure: The obligation to register buildings shall extend to mortgage lenders that have obtained title to unoccupied buildings through a mortgage foreclosure action.

1. Mortgage lenders shall register unoccupied buildings with the director within fifteen (15) days of the date it knew or should have known that the building was unoccupied after the initiation of mortgage foreclosure proceedings, or within fifteen (15) days of obtaining title to same.
2. Mortgage lenders obtaining title to properties containing an unoccupied building shall comply with all of the requirements of this chapter with respect to ownership of vacant buildings.
3. An amended registration form shall be filed in accordance with subsection A of this section, within fifteen (15) days of any change in the information provided in any registration form provided hereunder, and a vacant building plan shall be filed in accordance with subsection A4 of this section within thirty (30) days of obtaining title to an unoccupied building, unless said requirement

has been waived or extended in writing by the director prior to the expiration for said thirty (30) days. (Ord. 2014-46, 6-3-2014)

9-25-7: APPROVAL OF PLAN:  

A. Review Of Vacant Building Plan: If required by this chapter, the director shall review the proposed vacant building plan in accordance with the standards below. The director shall send notice to the owner of the vacant building of his or her determination.

B. Standards For Vacant Building Plan Approval: In considering the appropriateness of a vacant building plan, the director shall include the following in his or her consideration and shall make written findings as to each:

1. The purposes of this chapter and intent of the village board to minimize the time a building is boarded or otherwise vacant.
2. The effect of the building and the proposed plan on adjoining property.
3. The length of time the building has been vacant.
4. The presence of any public nuisances on the property.
5. The likelihood that the plan or portion(s) thereof will prevent or ameliorate the condition it is designed to address. (Ord. 2014-46, 6-3-2014)

9-25-8: AUTHORITY TO MODIFY PLAN; RIGHT TO APPEAL:  

The director shall, upon notice to the vacant building owner, have the right to request an interior inspection and/or to request a vacant building plan at any time after making his or her initial written determination of a vacant building and to require the owner to modify the vacant building plan by modifying the dates of performance, the proposed methods of action, or by imposing additional requirements consistent with this chapter he or she deems necessary to protect the public health, safety, or welfare. The owner may appeal the director's determination under this section by filing an appeal in writing with the village administrator within fifteen (15) days from the date of mailing such a determination. Appeals under this section shall be reviewed in accordance with the procedures set forth in section [9-25-5](#) of this chapter. (Ord. 2014-46, 6-3-2014)

9-25-9: FAILURE TO COMPLY WITH PLAN:  

Failure to have an approved vacant building plan within thirty (30) days of filing the registration form or failure to comply with the approved plan shall constitute a violation of this chapter subjecting the owner of the building to penalties as provided in this chapter and to any remedies the village may avail itself of as provided for herein and elsewhere in this code, as amended, including, but not limited to, an action to compel correction of property maintenance violations. (Ord. 2014-46, 6-3-2014)

9-25-10: OTHER ENFORCEMENT:

The registration of a vacant building shall not preclude action by the village to demolish or to take other action against the building pursuant to other provisions of this chapter, this code, or other applicable legislation. (Ord. 2014-46, 6-3-2014)

9-25-11: REAL ESTATE TRANSFER STAMPS:

A premises upon which is situated a vacant building for which an interior inspection has been requested by the director, but which has not been conducted, or for which inspection fees or registration fees imposed pursuant to this chapter have not been paid in full, or which is not otherwise eligible under this chapter for the village real estate transfer stamps shall not be permitted to acquire same until such inspection has been conducted, all fees are paid and/or the eligibility issues are addressed. Unpaid fees shall be a lien upon the property. (Ord. 2014-46, 6-3-2014)

9-25-12: OCCUPANCY PERMIT:

An occupancy permit for vacant buildings issued by the building department and payment in full of all fees imposed pursuant to this chapter shall be required prior to any occupancy of a vacant building. Nothing contained in this chapter shall be construed to waive or modify the requirements to procure a building permit for any work or improvements to any vacant building or structure as provided in this code. (Ord. 2014-46, 6-3-2014)

9-25-13: TIME RESTRICTIONS FOR BOARDED BUILDINGS:

Boarded buildings are declared to be a public nuisance. Boarding is only a temporary solution to prevent unauthorized entry into a vacant building. A vacant building may not remain boarded longer than sixty (60) days unless an extension of that time is part of a vacant building plan approved by the director. (Ord. 2014-46, 6-3-2014)

9-25-14: ENFORCEMENT AND PENALTIES:

- A. Any person found to have violated any provision of this chapter shall be subject to a minimum fine of one hundred dollars (\$100.00) per day per violation to a maximum of seven hundred fifty dollars (\$750.00) per day per violation, in addition to any other legal or equitable remedies available to the village. Such other remedies include, but are not limited to, injunctive relief, application to a court of competent jurisdiction for a receiver, demolition, or condemnation, contracting for the repair or purchase of the premises, or foreclosure of any lien the village may have thereon.
- B. A separate and distinct offense shall be committed each day on which such person or persons shall violate the provisions of this chapter.

- C. The village may enforce this chapter through filing an appropriate action in the circuit court of Cook County, Illinois; in the circuit court for the 18th judicial circuit, DuPage County, Illinois; or in the circuit court for the 16th judicial circuit, Kane County, Illinois.

- D. Nothing herein contained shall prohibit the village from immediately condemning as provided in this code, a building or taking other immediate action upon a determination that the building is a public nuisance or poses an imminent danger to the occupants of the building, or the public health, safety and welfare. (Ord. 2014-46, 6-3-2014)