

Basic Building Code  
Ordinance No. 82- 7

An Ordinance establishing minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, maintenance and use of all buildings and structures, providing for the issuance of permits, collection of fees, making of inspections; providing penalties for the violation thereof; declaring and establishing fire limits; known as the Building Code; and repealing existing Ordinance Number 76-13 and amendments thereto of the County of Kendall, State of Illinois.

Be it ordained by the Kendall County Board of the County of Kendall, Illinois as follows:

SECTION 1. ADOPTION OF BUILDING CODE.

That a certain document, three (3) copies of which have been on file for at least 15 days in the office of the County Clerk of the County of Kendall, being marked and designated as "THE BOCA Basic Building Code, 8th Edition, 1981" as published by The Building Officials and Code Administrators International, Inc. be and is hereby adopted as The Building Code of the County of Kendall in the State of Illinois; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, conditions, and terms of said BOCA Basic Building Code, are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the additions, insertions, deletions, and changes, if any, prescribed in Section 3 of this Ordinance.

SECTION 2. INCONSISTENT ORDINANCES REPEALED.

That Ordinance Number 76-13 and amendments thereto of the County of Kendall entitled BASIC BUILDING CODE and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. ADDITIONS, INSERTIONS, DELETIONS AND CHANGES.

That the following sections are hereby revised as follows:

SECTION 100.1 (page 1, second line), insert: Kendall County

SECTION 114.3.1 (page 11, third line), see Section 5 of this Ordinance

SECTION 117.0 (page 12-13 all of 117.1 to 117.5), delete, see Section 6  
of this Ordinance.

SECTION 118.0 (page 13 all of 118.1 and 118.2), delete, see Section 6 of this  
Ordinance.

SECTION 123.3 (page 17, second line), insert: \$100

SECTION 501.2 (page 77, fourth line), insert: all commercial and industrial  
zoned property of 5 acres or more.

SECTION 1807.2.1 (page 361, second line), insert: three

SECTION 1807.2.2 (page 361, second line), insert: three

#### SECTION 4. TEMPORARY OCCUPANCY.

Also, a bond shall be required based on an estimated cost of the uncompleted improvements required as minimum for final occupancy. Said bond amount will be estimated and determined by the Kendall County Building Inspector based on the cost of such improvements at the time the bond is due. Upon failure of the permit holder and the Building Inspector to reach an agreement on the amount to be posted, the permit holder may appear before the Kendall County Building and Zoning Committee and the amount decided by the Committee will be final. Temporary Occupancy will not be permitted until such bond has been filed with the Building and Zoning Office.

The permit holder may in lieu of a cash bond, provide the Building and Zoning Department with a letter of credit in the amount as determined from an acceptable banking institution or may make a cash deposit in an acceptable institution of the total amount required in an interest bearing account, which account shall be drawn from only by the consent of the Building and Zoning Department Administrator and may be drawn against by the Building and Zoning Department in the event that improvements are not completed when due. All interest accrued in such savings shall accrue to the benefit of the permit holder. The letter of credit or interest bearing account as hereinabove provided shall expressly provide that it may be drawn against by the Building and Zoning Department at any time the permit holder fails to complete the improvements.

A. MINIMUM REQUIREMENTS FOR TEMPORARY OCCUPANCY

Exterior

1. Walls, windows, doors, eave troughs, downspouts must be finished completely.
2. Kendall County Approved waste disposal system and water supply.
3. Electrical outlets installed or otherwise made safe from electrical hazard.
4. Entry steps and handrails where required.
5. Sliding doors shall be blocked from opening when landing is not provided.

Interior

1. Heating system in operable condition.
2. Electrical system in operable condition, with GFI installed and made safe from electrical hazard.
3. Handrails and stairways installed.
4. The following shall be completed in the kitchen, living room, one bedroom, and one bathroom, (final painting, papering or panelling is not required);
  - a. walls, ceiling and subflooring.
  - b. electrical outlets in operable condition, cover installed.
  - c. water supply in operable condition.
  - d. bathroom and bedroom doors installed.
5. Fire wall in attached garages.

SECTION 5. FEE SCHEDULE.

A. Definitions:

Residential: One, two and multi-family dwellings including basements, covered porches and breezeways.

Commercial, Industrial and Institutional: Accessible and habitable floor areas above and below grade, covered porches and breezeways.

Accessory: As defined in the Kendall County Zoning Ordinance except signs and swimming pools.

Governmental: Public schools, Township buildings, County Buildings, State Buildings, Fire and Police Stations, when codes of another jurisdiction supercede County codes.

Remodeling (Non-structural): Alterations or repairs to an existing building or a portion thereof which are non-structural.

Remodeling (Structural): Whenever an existing building or portion thereof is altered structurally and/or changes the use or occupancy, a permit and a fee based on new construction will apply including an occupancy permit.

B. New Construction Fees:

Residential, accessory and

additions: \$.06 per square foot.

Commercial, Industrial

and Institutional: .05 per square foot.

Maximum fee including plumbing inspections  
\$1,000

Occupancy fee: \$5.00

A per-inspection fee will be \$17.50 for plumbing and building inspections determining a minimum fee charged.

A repeat inspection fee may be ordered by the Building or Plumbing inspector when a repeat inspection for corrections for said inspection requested is necessary.

PROCEDURE: A repeat inspection fee must be paid prior to a repeat inspection being made.

C. Double Fees:

Permit fees charged by Kendall County are to cover ordinary cost of making inspections. When work has started or is completed without obtaining the required permits, additional costs are incurred. To cover these additional costs when work for which a permit is required by the Kendall County Building Code is started prior to obtaining said permit, the fees specified on the preceding Table shall be doubled. In any event, the minimum additional fee shall not be less than thirty-five (\$35.00) dollars. The payment of such additional fee shall not relieve any person from

fully complying with the requirements of the Kendall County Building Codes in the execution of the work, nor from any other penalties described therein.

D. Flood Plain Construction:

Any construction or relocation of a structure that would raise the first floor elevation at least one foot above the Base Flood Elevation as defined in Ordinance 82-6 will be required to obtain a permit, but will be exempt from fees.

SECTION 6. VIOLATION PENALTIES.

A. Violations:

117.1 Unlawful acts: It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, use or occupy any building or structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

117.2 Notice of violation: The building official shall serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, removal, demolition, use or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

117.3 Prosecution of violation: If the notice of violation is not complied with promptly, the building official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation or to require the

removal or termination of the unlawful use of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

117.4 Violation penalties: Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a petty offense, punishable by a fine of not more than \$500 nor less than \$10. Each day that a violation continues shall be deemed a separate offense.

117.5 Abatement of violation: The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises or to stop an illegal act, conduct, business or use of a building or structure on or about any premises.

B. Stop Work Order:

118.1 Notice to owner: Upon notice from the building official that work on any building or structure is being prosecuted contrary to the provisions of this code or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work; and shall state the conditions under which work may be resumed.

118.2 Unlawful continuance: Any person who shall continue any work in or about the structure 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 conditions, shall be liable to a fine of not less than \$10 or more than \$500.

SECTION 7. SAVINGS CLAUSE.

That nothing in this Ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; not shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 8. DATE OF EFFECT.

That the County Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law, and this Ordinance shall take full force and effect immediately after this date of final passage and approval.

ADOPTED THIS 13 day of July, 1982.

Robert S. Cherry  
Robert S. Cherry, Chairman  
Kendall County Board

ATTEST:

Jean P. Brady  
County Clerk