

ORDINANCE NO. 21-12

CITY OF MACOMB, ILLINOIS

AN ORDINANCE TO AMEND CHAPTER 7 and SECTION 24-6
OF THE MUNICIPAL CODE OF THE CITY OF MACOMB

Preamble

WHEREAS, the City of Macomb (the "City"), is a municipality duly organized under the laws of the State of Illinois; and

WHEREAS, under state and local law, the City Council of the City of Macomb, McDonough County, Illinois (the "Council"), has the power to pass all necessary ordinances, rules and regulations; and

WHEREAS, the City of Macomb (the "City") has passed an ordinance adopting Chapter 7 of the Municipal Code of the City of Macomb; and

WHEREAS, the City recognizes the need to update, restructure and reorganize the provisions of Chapter 7, including the fee provisions contained in Section 24-6 of the Municipal Code; and

WHEREAS, the City Council of the City of Macomb, McDonough County, Illinois (the "Council") desires to amend Chapter 7 and Section 24-6 of the Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MACOMB, McDONOUGH COUNTY, ILLINOIS AS FOLLOWS:

Section 1. Incorporation of Preamble. The foregoing recitals are true and correct and are incorporated herein as the findings of the Mayor and City Council.

Section 2. Amendments. Chapter 7 of the Municipal Code, as it exists prior to the passage of this Ordinance, is hereby stricken in its entirety and replaced with Chapter 7 as it appears in Exhibit A, attached hereto and incorporated into this Ordinance. In addition, the fee provisions contained in Section 24-6 as relate Chapter 7 shall be amended as set forth in Exhibit B, attached hereto and incorporated into this Ordinance.

Section 3. Severability Clause. If any section, part or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the City Council in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

Section 4. Effective Date. This Ordinance shall be effective upon its passage, approval and publication, as provided by law.

Presented this 6th day of July, 2021.
First Reading: 6th day of July, 2021.
Second Reading: 19th day of July, 2021.
Passed this 19th day of July, 2021.
Approved this 20th day of July, 2021.
Recorded in City records this 20th day of July, 2021.
Published in pamphlet form this 20th day of July, 2021.


Dennis Moon Mayor Pro Tem

ATTEST: (SEAL)


Melanie Falk, City Clerk

Passed by roll call vote with the name of each City Council member recorded on the appropriate line below:

AYES: Katz, Brown-Edwards, Moon, Wayland, Viguzzi, Lynn, Koch

NAYS: None

ABSENT: None

ABSTAIN: None

Exhibit A

Chapter 7 BUILDINGS AND BUILDING REGULATIONS

State Law reference— Authority of city to regulate strength and manner of building construction, 65 ILCS 5/11-30-4

ARTICLE I.	GENERAL
ARTICLE II.	INTERNATIONAL CODES
ARTICLE III.	PERMITS
ARTICLE IV.	INSPECTIONS
ARTICLE V.	APPEALS OF ORDERS, DECISIONS OR DETERMINATIONS
ARTICLE VI.	SWIMMING POOLS
ARTICLE VII.	FLOOD MITIGATION

ARTICLE I. GENERAL

- Sec. 7-1. Fire limits.
- Sec. 7-2. Compliance with chapter.
- Sec. 7-3. Community Development Coordinator.
- Sec. 7-4. Discretionary power limited.
- Sec. 7-5. Right of entry.
- Sec. 7-6. Records and reports.
- Sec. 7-7. Registration of contractors, fees.
- Secs. 7-8 to 7-30. Reserved.

Sec. 7-1. Fire limits.

All that part of the city described and known as the original town, and blocks 7, 8, 23, 24, 39 and 40 in the eastern addition to the city, according to Plat No. 2, and blocks 43, 50, 51, 58, 59 and 66, as originally platted in the western addition to the city, shall be known as and constitute the fire districts of the city.

Sec. 7-2. Compliance with chapter.

It shall be unlawful to build, construct, remodel, repair, alter, remove or demolish any building or structure in the city without complying with the regulations contained in this chapter.

Sec. 7-3. Community Development Coordinator.

- A. The Community Development Coordinator shall be responsible for the general administration of this article and ensure that all development activities under the jurisdiction of the city meet the requirements of this article.
- B. The Community Development Coordinator shall be responsible for receiving applications and examining the plans and specifications for the proposed construction or development. After reviewing the application, the Community Development Coordinator shall require any additional measures which are necessary to meet the minimum requirements of this article.
- C. The Community Development Coordinator shall receive applications for and issue permits and certificates in accordance with the provisions of each of this Chapter, enforce the regulations established herein, and follow and enforce all orders entered by any court of competent jurisdiction arising under this Chapter.

- D. The Community Development Coordinator may designate another official in their office to perform any of the duties assigned to them in the Municipal Code, including the duties designated herein.

Sec. 7-4. Discretionary power limited.

Whenever any provision of this chapter provides that anything must be done to the approval of or subject to the direction of the Community Development Coordinator, of their designee, this shall be construed to give such person only the power to determine whether the rules and regulations established by this chapter have been complied with, and shall not be construed as giving them discretionary power.

Sec. 7-5. Right of entry.

Upon proper identification, the Community Development Coordinator, of their designee, shall have the authority to enter any building, structure or premises at any time during daylight hours, or at such other times as may be necessary in an emergency resulting from or arising out of any cause that endangers or tends to endanger the public health or safety, for the purpose of performing the duties provided for under the codes enumerated in this Chapter or for the purpose of enforcing the provisions of such codes. The Community Development Coordinator, of their designee, shall make a reasonable effort to do this at a time convenient to the owner or occupant of such building, structure or premises.

Sec. 7-6. Records and reports.

The Office of Community Development shall keep records of all permits issued, inspections made and certificates issued, and of all fees and moneys received. The office shall turn over to the Business Office all money received, at least monthly, together with a statement showing the source of the money. As soon as possible after the close of each fiscal year, a report shall be made to the city council showing the number of permits issued and inspections made and the amount of fees collected by the office under the building, heating, plumbing and electrical codes of the city, together with recommendations as to any needed changes in such codes.

Sec. 7-7. Registration of contractors, fee.

- A. Any person desiring to engage in the business of building, constructing, remodeling, repairing, altering, removing or demolishing any building or structure in the city shall first register their name, their residence and their place of business with the City and pay a registration fee as set forth in the City Fee Schedule, Section 24-6.
- B. Any person desiring to engage in the business of installing electrical equipment or altering or extending an electric wiring system in any building or structure in the city shall first register their name, their residence and their place of business with the City and pay a registration fee as set forth in the City Fee Schedule, Section 24-6. An electrical contractor who is registered in another municipality in this state shall not be required to pay a registration fee provided such registration is provided to the City and is current.
- C. Any person desiring to engage in the business of installing heating, ventilation and air conditioning ("HVAC") equipment shall first register their name, their residence and their place of business with the City and pay a registration fee as set forth in the City Fee Schedule, Section 24-6.

- D. The registration required by this Chapter shall be valid for a period of one year unless sooner revoked as provided herein.
- E. No person shall be allowed to register under the terms of this division unless they shall place on file with the City evidence of their liability insurance issued to them for the full period of registration, such insurance to be in the minimum amount of \$50,000.00 for property damage, \$100,000.00 for personal injury to one person, and \$300,000.00 for personal injury to more than one person, or, in lieu thereof, bodily injury and property damage combined, \$300,000.00 each occurrence, \$300,000.00 aggregate.
- F. Any person violating the provisions of this article may have their certificate of registration revoked for not more than one (1) year. Such action may be taken by the city council, upon recommendation by the Community Development Coordinator, of their designee, and after a hearing thereon. A contractor whose license has been previously revoked by the City, may be subject for revocation for a period not to exceed three (3) years.

Secs. 7-8 to 7-30. Reserved.

ARTICLE II. INTERNATIONAL CODES

DIVISION 1. – INTERNATIONAL BUILDING CODE

DIVISION 2. – ELECTRICAL CODE

DIVISION 3. – PLUMBING CODE

DIVISION 4. – MECHANICAL CODE

DIVISION 5. – INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS

DIVISION 6. – PROPERTY MAINTENANCE CODE

DIVISION 1. INTERNATIONAL BUILDING CODE

- Sec. 7-31. Adoption of International Building Code.
- Sec. 7-32. Additions, insertions, deletions and changes.
- Sec. 7-33. Barricades and warning lights.
- Sec. 7-34. Night construction operations.
- Sec. 7-35. Prebuilt residential structures.
- Secs. 7-36 to 7-50. Reserved.

Sec. 7-31. Adoption of International Building Code.

- A. A certain document, three copies of which are on file in the Office of the City Clerk of the City of Macomb, Illinois, being marked and designated as "The International Building Code, 2018", including Appendices F and G, as published by the International Code Council, Inc., be and is hereby adopted as the building code of the City of Macomb in the State of Illinois and referred to herein as "IBC"; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said IBC 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 7-32 of this article.
- B. Nothing in this article or in the IBC 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 7-33 of this article; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this article.

Sec. 7-32. Additions, insertions, deletions and changes.

- A. *Section 101.1.* Title. Insert "City of Macomb, Illinois" in place of [NAME OF JURISDICTION].
- B. *Section 101.4.1.* Gas. Delete this Section in its entirety.
- C. *Section 101.4.3.* Plumbing: Delete all references to the International Plumbing Code and insert the most recent version of the Illinois Plumbing Code, as Amended in its place.
- D. *Section 103.* Department of Building Safety: Delete this section in its entirety.
- E. *Section 104.1.* General: Delete the first sentence of the paragraph and replace with the following: "The Community Development Coordinator, or their designee, hereinafter known as the Building Official, is hereby authorized and directed to enforce the provisions of this code".
- F. *Section 105.* Permits: Delete this section in its entirety.
- G. *Section 109.* Fees: Delete this section in its entirety.
- H. *Section 113.* Board of Appeals: Delete this section in its entirety and insert the following: "The Board of Zoning Appeals as prescribed in Chapter 7, Article 5 of the Macomb Municipal Code shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code".
- I. *Section 114.4.* Violation Penalties: Delete this section in its entirety and insert the following: "Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed in the City Fee Schedule of the Macomb Municipal Code, Section 24-6".
- J. *Section [F] 903.2.8.* Group R. Delete this section in its entirety.
- K. *Section 1612.3.* Establishment of Flood Hazard Areas: Delete this section in its entirety and insert the following: "Flood Hazard Areas in the City of Macomb, Illinois shall be those as established in Ordinance No. 2816, An Ordinance to Amend Chapter 7, Article II, Building Code, Division 3-Permits of the Municipal Code of Macomb, Illinois to Regulate Development in Flood Plain Areas".
- L. *Chapter 27.* Electrical. Delete this chapter in its entirety.
- M. *Chapter 28.* Mechanical Systems. Delete this chapter in its entirety.
- N. *Chapter 29.* Plumbing Systems. Delete this chapter in its entirety.
- O. *Chapter 30.* Elevators And Conveying Systems. Delete this chapter in its entirety.

P. *Chapter 32. Encroachments Into The Public Right-Of-Way.* Delete this chapter in its entirety.

Q. *Appendix A – F and H – N.* Delete in their entirety.

R. *Appendix G, Section 102.2. Flood Resistant Construction Establishment of Flood Hazard Areas:*
Insert "December 4, 2000.

Sec. 7-33. Barricades and warning lights.

- A. It shall be the duty of the person or corporation doing any construction whenever there is danger from falling articles or materials to do the construction with proper care for the safety of persons and property. Warnings, barricades and lights shall be maintained whenever necessary for the protection of pedestrians and vehicular traffic, and temporary roofs over sidewalks shall be constructed whenever there is danger from falling articles or materials.
- B. The owners of all barricades being used in the city shall have their names stenciled on the barricades.

Sec. 7-34. Night construction operations.

No construction or alteration of a building or structure shall be carried on between the hours of 8:00 p.m. of one day and 7:00 a.m. of the next succeeding day if the construction or alteration is accompanied by or causes loud noise.

Sec. 7-35. Prebuilt residential structures.

- A. All prebuilt residential structures, with the exception of mobile homes, must meet all requirements of the building code and also have a permanent full-perimeter foundation.
- B. Mobile homes shall be installed upon a concrete slab and shall be secured in accordance with the Illinois Mobile Home Tiedown Act (210 ILCS 120/1 et. seq.).

Secs. 7-36 to 7-50. Reserved.

DIVISION 2. - ELECTRICAL CODE

- Sec. 7-51. National Electrical Code—Adopted.
- Sec. 7-52. Addition, insertions, deletions and changes.
- Sec. 7-53. Compliance with article.
- Sec. 7-54. Electrical inspection department.
- Secs. 7-55 to 7-70. Reserved.

Sec. 7-51. National Electrical Code—Adopted.

There is hereby adopted by reference that certain electrical code known as the NFPA 70 National Electrical Code, hereinafter referred to as "NEC," current edition, including annexes, as adopted and published by the National Fire Protection Association, three (3) copies of which are filed in the office of the city clerk, and such code is hereby adopted and incorporated as fully as if set out at length in this section.

Sec. 7-52. Addition, insertions, deletions and changes.

- A. The NEC adopted in section 7-51 is amended by deleting the term "aluminum conductor wire" wherever it exists in the NEC, except where listed as service entrance conductors. Copper conductor wiring is required in all structures for all electrical conductors exiting the panel board.
- B. No person shall use the municipal water supply lines or service lines connected thereto for any form of electrical grounding.
- C. *Section 80.13(13)* Insert "5" in the underlined blank before "days."
- D. *Section 80.15* Electrical Board is deleted.
- E. *Section 80.17* Records and Reports is deleted.
- F. *Section 80.19* Permits and Approvals is deleted.
- G. *Section 80.23(B)(3)* insert "twenty-five" in the underlined blank before "dollars" and insert "(25)" in the underlined blank in parenthesis right after it. Insert "seven hundred and fifty" in the underlined blank after "or more than" and insert "(\$750)" in the underlined parenthesis right after it. Delete the following ", imprisonment, or both, for not less than _____(_____) days or more than _____(_____) days".
- H. *Section 80.25(c)* insert "5 business" in the underlined blank.
- I. *Section 80.27(A)* insert "Macomb" in the underlined blank.
- J. *Section 80.27(B)(3)* insert "Illinois" in the underlined blank.
- K. *Section 80.27(B)(4)* delete this subsection.
- L. *Section 80.29* insert "City of Macomb" in the underlined blank.
- M. *Section 80.35* Effective Date is deleted.

Sec. 7-53. Compliance with article.

It shall be unlawful to install, alter, or extend an electric wiring system in any building or structure in the city without complying with the provisions of this article.

Sec. 7-54. Electrical inspection department.

The Community Development Coordinator, or their designee shall enforce the provisions of the NEC as adopted in the City of Macomb.

Secs. 7-55—7-70. Reserved.

DIVISION 3. PLUMBING CODE

Sec. 7-71. Compliance with article.

Sec. 7-72. Adoption of state plumbing code.

Sec. 7-73. State license required; liability insurance.

Secs. 74 to 90. Reserved.

Sec. 7-71. Compliance with article.

It shall be unlawful to install, alter or change any plumbing, drains or sewers in or about any house or premises in the city without complying with the regulations contained in this article.

Sec. 7-72. Adoption of state plumbing code.

There is hereby adopted by reference, as criteria for the issuance of construction, reconstruction, alteration or installation permits, the provisions of that certain plumbing code known as the Illinois Plumbing Code, as amended, issued and published by the Illinois Department of Public Health, of which code not less than three (3) copies of which are filed in the office of the city clerk, and such code is hereby adopted and incorporated as fully as if set out at length in this section, hereinafter referred to as "IPC."

Sec. 7-73. State license required; liability insurance.

No person shall engage in the business of plumbing in the city unless he is a plumber licensed under the provisions of the Illinois Plumbing License Law, as may be amended, and unless they shall deposit with the City proof of the license and evidence of liability insurance issued to them for the full period of registration, such insurance to be in the amount of \$50,000.00 for property damage, \$100,000.00 for personal injury to one person and \$300,000.00 for personal injury to more than one person, or, in lieu thereof, bodily injury and property damage combined, \$300,000.00 each occurrence, \$300,000.00 aggregate.

Secs. 7-74 to 7-90. Reserved.

DIVISION 4. MECHANICAL CODE

Sec. 7-91. Adoption of International Mechanical Code.

Sec. 7-92. Additions, insertions, deletions and changes.

Secs. 7-93 to 7-110. Reserved.

Sec. 7-91. Adoption of International Mechanical Code.

- A. A certain document, three copies of which are on file in the Office of the City Clerk of the City of Macomb, Illinois, being marked and designated as "The International Mechanical Code, 2018", including Appendix A, but not Appendix B, as published by the International Code Council, Inc., be and is hereby adopted as the Mechanical Code of the City of Macomb in the State of Illinois, hereinafter referred to as "IMC."
- B. The IMC shall regulate the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, or use or maintenance of mechanical systems in the City.
- C. Each and all of the regulations, provisions, conditions and terms of the IMC 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 7-322 of this article.

- D. Nothing in this article or in the IMC 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 by section 7-322 of this article; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this article.

Sec. 7-92. Additions, insertions, deletions and changes.

- A. *Section 101.1.* Title. Insert the "City of Macomb, Illinois" after the words "Mechanical Code of".
- B. *Section 103.* Department of Mechanical Inspection: Delete this section in its entirety.
- C. *Section 104.1.* General: Insert the following as the first sentence of the paragraph: "The Community Development Coordinator, or their designee, hereinafter referred to as the Code Official, shall enforce the provisions of this code."
- D. *Section 106.* Permits: Delete this section in its entirety and insert the following: "An owner, authorized agent or contractor who desires to erect, install, enlarge, alter, repair, remove convert or replace a mechanical system, the installation of which is regulated by this code, or to cause such work to be done, shall first make application to the code official and obtain the required permit for the work as prescribed in in Chapter 7 of the Macomb Municipal Code."
- E. *Section 108.4.* Violation Penalties Delete this section in its entirety and insert the following: "Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of an ordinance violation, punishable by a fine or not more than \$750.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense."
- F. *Section 108.5.* Stop Work Orders: Delete the words "[Amount]" and insert the words "twenty-five [dollars] (\$25.00)" after the words "a fine of not less than", and delete the words "[Amount]" and insert the words "seven hundred fifty [dollars] (\$750.00)" after the words "or more than".
- G. *Section 109.* Means of Appeal: Delete this section in its entirety and insert the following: "A person shall have the right to appeal the decision of the code official based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted by the code official, or the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. Appeals shall be made to the Board of Zoning Appeals as prescribed in Chapter 7, Article 5 of the Macomb Municipal Code."
- H. *Appendix B.* Recommended Permit Fee Schedule: Delete this Appendix in its entirety.
- I. The following changes are made throughout the International Mechanical Code, 2018 Edition: Delete all references to the International Plumbing Code and insert the most current Illinois State Plumbing Code, as amended.

Secs. 7-93 to 110. Reserved.

DIVISION 5. ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS

Sec. 7-111. Adoption of residential code for one and two-family dwellings.

Sec. 7-112. Additions, insertions, deletions and changes.

Secs. 7-112 to 7-120. Reserved.

Sec. 7-111. Adoption of residential code for one and two-family dwellings.

- A. A certain document, three (3) copies of which are on file in the Office of the City Clerk of the City of Macomb, Illinois, being marked and designated as "The International Residential Code for One- and Two-Family Dwellings, 2018", excluding all appendices, as published by the International Code Council, Inc., be and is hereby adopted as the One- and Two-Family Dwelling Residential Code of the City of Macomb in the State of Illinois; for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the city, and each and all of the regulations, provisions, conditions and terms of such International Residential Code for One and Two-Family Dwellings, 2018 Edition, are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in section 7-382 of this article.
- B. Nothing in this article or in the International Residential Code for One- and Two-Family Dwellings 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 7-382 of this article; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this article.

Sec. 7-112. Additions, insertions, deletions and changes.

- A. *Section R101.1.* Title. Insert the "City of Macomb, Illinois" after the words "Residential Code for One- and Two-Family Dwellings of".
- B. *Section R103.* Department of Building Safety: Delete this section in its entirety.
- C. *Section R104.1.* General: Insert the following as the first sentence of the paragraph: "The Community Development Coordinator, or their designee, hereinafter known as the Code Building Official, is hereby authorized and directed to enforce the provisions of this code".
- D. *Section R104.10.1.* Flood Hazard Areas: Delete this section in its entirety and insert the following: "The Building Official shall not grant modifications to any provisions related to areas prone to flooding, except as provided in the Macomb Flood Insurance Ordinance Number 2816, An Ordinance To Amend Chapter 7, Article Two of the Macomb Municipal Code".
- E. *Section R105.* Permits: Delete this section in its entirety and insert the following: "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure covered by this ordinance shall first satisfy all the permit requirements prescribed in Chapter 7 of the Macomb Municipal Code".
- F. *Section R108.* Fees: Delete this section in its entirety and insert the following: "A permit shall not be valid until all fees as prescribed in the City Fee Schedule have been paid".

- G. *Section R112*. Board of Appeals: Delete this section in its entirety and insert the following: "The Board of Zoning Appeals as prescribed in Chapter 7 of the Macomb Municipal Code shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code".
- H. *Section R113.4*. Violation Penalties: Delete this section in its entirety and insert the following: "Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to a fine not exceeding \$750.00.
- I. *Table R301.2(1)* Climatic and Geographic Design Criteria adopted a set forth in Appendix A of this Chapter with Ice Barrier Underlayment Required.
- J. *Section R313*. Automatic Fire Sprinkler Systems: Delete this section in its entirety.
- K. *Section R903.4.1*. Secondary (Emergency Overflow) Drains or Scuppers: Delete all references to the International Plumbing Code and insert in its place the 2004 Illinois State Plumbing Code, as amended.
- L. *Chapters 25 through 40*. Plumbing and Electrical: Delete all of Chapters 25 through 40 in their entirety.
- M. The following changes are made throughout the 2018 International Residential Code for One and Two-Family Dwellings: Delete all references to the ICC Electrical Code and insert the NFPA 70 National Electric Code and delete all references to the International Plumbing Code and insert the Illinois Plumbing Code, as amended.

Secs. 7-112 to 7-120. Reserved.

DIVISION 6. PROPERTY MAINTENANCE CODE

Sec. 7-121. Adoption of property maintenance code.

Sec. 7-122. Additions, insertions, deletions and changes.

Secs. 7-123 to 7-130. Reserved.

Sec. 7-121. Adoption of property maintenance code.

- A. A certain document, three copies of which are on file in the Office of the City Clerk of the City of Macomb, Illinois, being marked and designated as "The International Property Maintenance Code, 2018, including Appendix A", as published by the International Code Council, Inc., be and is hereby adopted as the property maintenance code of the City of Macomb in the State of Illinois, hereinafter referred to as "IPMC;"; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in section 7-122 of this article.

- B. Nothing in this article or in the International Property Maintenance 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 7-122 of this article; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this article.

Sec. 7-122. Additions, insertions, deletions and changes.

- A. *Section 101.1.* Title. Insert the "City of Macomb, Illinois" after the words "Property Maintenance Code of."
- B. *Section 102.3.* Application of other codes. Delete all references to the International Plumbing Code and insert the Illinois Plumbing Code, as amended, in its place; and delete all references to the International Zoning Code and insert Chapter 17 of the Macomb Municipal Code, as may be amended, in its place.
- C. *Section 103.* Department of Property Maintenance Inspection: Delete this section in its entirety.
- D. *Section 104.1.* General: Delete in its entirety and insert the following: "The Community Development Coordinator, or their designee, hereinafter known as the Building Official, is hereby authorized and directed to enforce the provisions of this code."
- E. *Section 107.5.* Penalties: Delete in its entirety and insert the following: "Penalties for noncompliance with orders and notices shall be set forth in the City Fee Schedule, Section 24-6."
- F. *Section 108.1.* Unsafe Structures and Equipment—General: Replace the words "shall be condemned pursuant to the provisions of this code" after the words "When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or found unlawful, such structure" with the words "shall be so classified and order demolished or repaired or violations corrected as provided by the Illinois Municipal Code."
- G. *Section 110.1.* Demolition—General: Delete in its entirety and insert the following: "If in code official's judgement, the structure is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, and so that such structure cannot reasonably be repaired, they request the City Attorney to seek demolition of the structure or to take other appropriate legal action."
- H. *Section 110.3.* Failure to Comply: Delete in its entirety and insert the following: "Upon order of the court or statutory authority, the code official shall cause the structure or part thereof to be demolished, either through a public agency or by contract or arrangement with private parties, and the cost of said demolition and removal shall be recoverable from the owner or owners as provided by law."
- I. *Section 111.* Means of Appeal: Delete this section in its entirety and insert the following: "The Board of Zoning Appeals shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code."
- J. *Section 201.3.* Terms Defined in Other Codes: Delete all references to the International Zoning Code and insert Chapter 17 of the Macomb Municipal Code, as may be amended, in its place; and

delete all references to the International Plumbing Code and insert the Illinois Plumbing Code, as amended; and delete all references to the ICC Electric Code and insert the NFPA 70 National Electric Code in its place. Insert the words "Ordinances and/or" between the words "those" and "codes."

- K. *Section 202.* General Definitions: Delete the definition of Code Official and replace with the following: "The Community Development Coordinator, or their designee, who is charged with the administration and enforcement of this code, or any duly authorized representative."
- L. *Section 302.4.* Weeds: Delete "10 inches (254 mm)" after the words "in excess of" and insert "6 inches" after the words "in excess of."
- M. *Section 302.9.* Defacement of Property: Insert the following sentence after the sentence ending with "any marking, carving or graffiti.": "No person shall willfully or wantonly damage or mutilate any exterior property area, including driveways, sidewalks or yards."
- N. *Section 302.10.* Indoor Furniture: Insert the following as Section 302.10: "All exterior shall be kept free from moveable furniture not designed for or maintained to withstand the elements and outdoor use which may deteriorate or fall into a state of disrepair and become a harborage for insects or vermin or otherwise pose a threat to the public health, safety or welfare."
- O. *Section 304.5.* Foundation Walls: Add the words "substantially" before "plumb."
- P. *Section 304.14.* Insect Screens: Delete this section in its entirety.
- Q. *Section 602.2.* Residential Occupancies: Delete the words "for the locality indicated in Appendix D of the International Plumbing Code."
- R. *Section 602.3.* Heat Supply: Delete the words "[DATE] to [DATE]" and Insert the words "November 1 to May 1" after the words "during the period from."
- S. *Section 602.3.* Heat Supply: Delete the following last sentence in the paragraph entitled "Exception": "The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code."
- T. *Section 604.2.* Service: Delete the reference to the ICC Electrical Code and replace the NFPA 70 National Electric Code in its place. Delete the last sentence and replace with "Dwelling units shall be served by electrical service having a minimum rating of 100 amperes."
- U. *Section 702.1.* General: Add the following sentence: "Every sleeping room in an R-3 Use Group located in a basement shall have at least one openable window or exterior door approved for emergency egress or rescue; or shall have access to not less than two approved independent exits."

Secs. 7-123 to 7-130. Reserved.

ARTICLE III. PERMITS

- Sec. 131. Permit Fees.
- Sec. 132. Permit Requirements.
- Sec. 133. Permit Application.
- Sec. 134. Eligibility.
- Secs. 135-140. Reserved.

Sec. 7-131. Permit Fees

- A. The fees for a permit required by this chapter shall be as established from time to time by the city council and as set forth in the City Fee Schedule, Section 24-6.
- B. Where work for which a permit is required by this Chapter is started or proceeded with prior to obtaining a permit, the following procedure shall be initiated:
 - 1. The contractor shall be sent a written notice of the failure to obtain a permit prior to the commencement of work.
 - 2. If the failure occurs a second time within twelve (12) months of the initial notice, the contractor shall be sent a final notice advising that double fees may apply for any future permit sought by the contractor.
 - 3. If the failure occurs a third time, all permit fees assessed to the contractor shall be doubled for twelve (12) months after third occurrence.
 - 4. If the contractor fails to obtain a permit as required herein more than five (5) times in any twelve (12) month period, such failure shall serve as cause for seeking revocation of their registration.
- C. Failure to pay any fees shall not relieve any person from fully complying with the requirements of this chapter in the execution of the work or from any other penalties prescribed in this chapter.

Sec. 7-132. Permit requirements.

- A. No person, firm, corporation, or governmental body not exempted by state law shall commence any development activity without first obtaining a development permit from the Community Development Coordinator, or their designee.
- B. No persons shall erect, construct, enlarge, alter, repair, improve, move or demolish any building or structure without first obtaining a separate permit for each building or structure from the Community Development Coordinator, or their designee.
- C. No manmade change to improve or unimproved real estate, including but not limited to buildings or other structures, fences, mining, dredging, filling, grading, paving, excavation or drilling operations, shall be commenced until a separate permit has been obtained from the Community Development Coordinator or their designee for each change.

- D. No manufactured home shall be placed on improved or unimproved real estate without first obtaining a separate permit for each manufactured home from the Community Development Coordinator, or their designee.
- E. No person shall install, alter, or extend the electric wiring system in any building or structure in the city without first obtaining a permit therefore from the City.
- F. Before any HVAC equipment is installed, a permit shall be obtained from the City. An HVAC permit shall be required when new furnaces or central air conditioning units are being installed, re-installed, or work exceeding \$3,000 in labor and material takes place.

Sec. 7-133. Permit application.

To obtain a permit, the applicant must first file a permit application. The permit must be completed and submitted to the Community Development Coordinator, or their designee. Building permit fees shall be as designated in the City Fee Schedule, Section 24-6.

Sec. 7-134. Eligibility.

A. The permit required by this Chapter shall be issued only to the following persons:

1. To a contractor registered in accordance with this chapter.
2. To any person to do any work regulated by this Chapter in or on a single-family dwelling used exclusively for living purposes, including the usual accessory buildings in connection with such dwelling, if the person is the bona fide owner or occupant of such dwelling and shall personally purchase all materials and perform all labor in connection therewith, the materials and workmanship to meet the requirements of this article.
3. To any person to do any building, wiring or heating in or on a business building, including the usual accessory buildings in connection with such business building, provided the person is the bona fide owner or occupant of such business building and shall personally purchase all materials and perform all labor in connection therewith, the materials and workmanship to meet the requirements of this article. In addition, the bona fide owner or occupant of the business building shall deposit with the City evidence of liability insurance, to be in the amount of \$50,000.00 for property damage, \$100,000.00 for personal injury to one person and \$300,000.00 for personal injury to more than one person, or, in lieu thereof, bodily injury and property damage combined, \$300,000.00 each occurrence, \$300,000.00 aggregate.

Secs. 135-140. Reserved.

ARTICLE IV. INSPECTIONS

- Sec. 7-141. Required inspections – new construction.
- Sec. 7-142. Required inspections – electrical
- Sec. 7-143. Required inspections – plumbing.
- Sec. 7-144. Exemptions.
- Sec. 7-145. Notification when building ready for inspection.
- Sec. 7-146. Certificate of compliance
- Secs. 7-147-160. Reserved.

Sec. 7-141. Required inspections – new construction.

- A. At least four inspections shall be made by the Community Development Coordinator, or their designee, on all new construction as follows:
 - 1. The footing and excavation inspection shall be made when and after the trenches are excavated and the forms are erected and when all materials for the foundation are delivered to the job site, except when a ready-mix concrete is used.
 - 2. The plate inspection shall be made when the plate is ready to be installed on the completed foundation and the termite protection is completed.
 - 3. The frame inspection shall be made after all framing, fire blocking and bracing are in place and when the structure is completely boxed in with chimneys and vents in place.
 - 4. The final inspection shall be made after the building is completed and ready for occupancy.
- B. As to any building or part thereof which is delivered on the site with fixtures, wiring and other items covered or enclosed so as to prevent the necessary inspection thereof, the Community Development Coordinator, or their designee, may in their discretion require that they be furnished with plans and specifications thereof and also with a certificate from the factory or builder that the structure meets the requirements of this chapter.
- C. Additional inspections may be required. Any additional inspections shall be subject to additional fees as set forth in the City Fee Schedule, Section 24-6.

Sec. 7-142. Required inspections – Electrical.

- A. Every electrical installation coming within the terms of this chapter shall be inspected as follows:
 - 1. When the wiring, connections and installations have been installed in the rough.
 - 2. When the fixtures are installed, all connections have been made and the work has been completed.
- B. No person shall use any electrical current in or through any wiring hereafter installed or on any building or structure until the wiring shall have been inspected and approved and the certificate of compliance provided for in this division shall have been issued therefor.
- C. No person furnishing electrical current for light, heat or power purposes shall connect their distribution system with any installation or wiring that is in or on any building without first having received a written permit from the Community Development Coordinator, or their designee. Such permit shall be given upon demand at any time after the certificate of compliance provided for in this division has been issued.
- D. The Community Development Coordinator, or their designee, may, before a certificate of compliance provided for in this division is issued, give temporary permission to furnish for use electric current to any wiring for a period of not to exceed 30 days if, in their opinion, such wiring is in such condition that current may safely be used therein, and there exists an urgent necessity

for such, and the Community Development Coordinator, or their designee, may renew such permit at the end of 30 days providing there exists an urgent necessity for such renewal.

- E. Additional inspections may be required. Any additional inspections shall be subject to additional fees as set forth in the City Fee Schedule, Section 24-6.

Sec. 7-143. Required inspections – plumbing.

- A. The Community Development Coordinator, or their designee, shall be notified by the person doing the work when any plumbing work is begun and when it is ready for inspection.
- B. All work shall be left uncovered and convenient for examination until inspected and approved.
- C. The Community Development Coordinator, or their designee, shall examine the work within three business days of receipt of notice that the work is ready for inspection.
- D. All plumbing must be tested in accordance with the Illinois Plumbing Code, as it may be amended from time to time, in the presence of the Community Development Coordinator, or their designee, and all defective materials and work replaced and corrected.

Sec. 7-144. Exemption.

Inspections for the construction, alteration or remodeling of a building or structure where the reasonable value of all labor and materials used in the construction, alteration or remodeling does not exceed \$1,000.00 and for which a permit was obtained shall be at the discretion of the Community Development Coordinator, or their designee. If a permit was not obtained in violation of this Chapter, an inspection shall be required and additional fees as set forth in the City Fee Schedule, Section 24-6, shall apply.

Sec. 7-145. Notification when building ready for inspection.

- A. Notice shall be given by the contractor when the work required to be inspected is ready for inspection. The Community Development Coordinator, or their designee, shall complete said inspection within three (3) business days.
- B. Any work not passing the inspection shall be corrected promptly by the contractor and may be subject to a follow-up inspection at the discretion of the Community Development Coordinator, or their designee.
- C. Any additional inspections shall be subject to additional fees as set forth in the City Fee Schedule, Section 24-6.

Sec. 7-146. Certificate of compliance.

- A. When an inspection is completed related to any permit issued pursuant to this chapter and such inspection is found to conform with the provisions of this chapter, the Community Development Coordinator, or their designee, shall issue a certificate of compliance certifying that such the inspection was completed and found to comply with the terms of this chapter.
- B. Additional inspections may be required. Any additional inspections shall be subject to additional fees as set forth in the City Fee Schedule, Section 24-6. No certificate of compliance shall be issued until all fees have been paid in full.

Secs. 7-147 to 7-160. Reserved.

ARTICLE V. APPEALS OF ORDERS, DECISIONS, OR DETERMINATIONS

Sec. 7-161. Right of appeal.

Sec. 7-162. Time in which appeal must be taken; filing of notice of appeal.

Sec. 7-163. Appeal fee.

Sec. 7-164. Notice of hearing.

Sec. 7-165. Required vote for variance or modification

Sec. 7-166. Conflict of interest.

Sec. 7-167. Decision on appeals generally.

Sec. 7-168. Decisions to be reached without delay.

Sec. 7-169. Contents of decisions.

Sec. 7-170. Decisions to be in writing and to indicate vote.

Sec. 7-171. Copy of decision to be given to Community Development Coordinator and Appellant.

Sec. 7-172. Action by Community Development Coordinator following appeal.

Sec. 7-173. Appeal from decision of commission.

Secs. 7-174 to 7-180. Reserved.

Sec. 7-161. Right of appeal.

Any person aggrieved or the head of any department of the City may take an appeal to the Board of Zoning Appeals from any decision rendered in accordance with this Chapter.

Sec. 7-162. Time in which appeal must be taken; filing of notice of appeal.

- A. An appeal to the Board of Zoning Appeals may be taken within 20 days from the date of the decision appealed by filing with the Community Development Coordinator and with the Board of Zoning Appeals a notice of appeal specifying the grounds thereof.
- B. In the case of a building or structure which in the opinion of the Community Development Coordinator, or their designee, is unsafe or dangerous, the time limit for such appeal may be shortened.
- C. The Community Development Coordinator, or their designee, shall transmit to the Board of Zoning Appeals all papers upon which the action appealed from was taken.

Sec. 7-163. Appeal fee.

An appeal fee shall accompany each appeal under this article, which fee shall in no event be returned to the party appealing. The fee shall be as set forth in the City Fee Schedule, Section 24-6.

Sec. 7-164. Notice of hearing.

All appeals shall be by public hearing before the Board of Zoning Appeals. Notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the city and mailed to the appellant by U.S. Mail at least ten days before the hearing.

Sec. 7-165. Required vote for variance or modification.

In varying the application of any provision of this Chapter or an order of the Community Development Coordinator, or their designee, an affirmative vote of four members of the Board of Zoning Appeals shall be required.

Sec. 7-166. Conflict of interest.

No member of the Board of Zoning Appeals shall pass upon any question in which they or any corporation in which they are is a shareholder is financially interested.

Sec. 7-167. Decision on appeals generally.

The Board of Zoning Appeals, when appealed to under the terms of this article and after a public hearing, may vary the application of any provision of this Chapter to any particular case when in its opinion the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of the codes or public interest, or when in its opinion the interpretation of the Community Development Coordinator, or their designee, should be modified or reversed.

Sec. 7-168. Decisions to be reached without delay.

The Board of Zoning Appeals shall, on all appeals brought before it, reach a decision without unreasonable or unnecessary delay.

Sec. 7-169. Contents of decisions.

A decision of the Board of Zoning Appeals to vary the application of any provision of this Chapter or to modify an order of the Community Development Coordinator, or their designee, shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefor.

Sec. 7-170. Decisions to be in writing and to indicate vote.

Every decision of the Board of Zoning Appeals shall be in writing and shall indicate the vote upon the decision.

Sec. 7-171. Copy of decision to be given to Office of Community Development Coordinator and appellant.

Every decision of the Board of Zoning Appeals shall be promptly filed in the Office of Community Development and shall be open to public inspection. A certified copy of such decision shall be sent by mail or otherwise to the appellant by such Office of Community Development.

Sec. 7-172. Action by Community Development Coordinator following appeal.

If a decision of the Board of Zoning Appeals reverses or modifies a refusal, order or disallowance of the Community Development Coordinator, or their designee, or varies the application of any provision of this Chapter, the Community Development Coordinator, or their designee, shall take action immediately in accordance with such decision.

Sec. 7-173. Appeal from decision of board.

A person aggrieved by a decision of the Board of Zoning Appeals, whether previously a party to the proceeding or not, or an officer or head of a department of the city, may, within 15 days after the filing of such decision in the Office of Community Development, apply to the appropriate court to correct errors of law in such decision.

Secs. 7-174 to 7-180. Reserved.

ARTICLE VI. SWIMMING POOLS

Sec. 7-181. Compliance with article.

Sec. 7-182. Definition.

Sec. 7-183. Fences.

Sec. 7-184. Means of egress.

Sec. 7-185. Ring buoys and poles.

Secs. 7-186-7-195. Reserved

Sec. 7-181. Compliance with article.

It shall be unlawful to construct, maintain, install or enlarge any swimming pool in the city except in compliance with all of the provisions of this article and issuance of a general building permit.

Sec. 7-182. Definition.

For purposes of this article, the term the following definitions shall apply:

- A. "Swimming pool" is defined as a receptacle of water for an artificial pool of water having a depth at any point of more than two feet, intended for the purpose of immersion or partial immersion therein of human beings, including all appurtenant equipment.
- B. "Portable swimming pool" is defined as a swimming pool with flexible or non-rigid sides that achieve their structural integrity by means of a uniform shape, support frame or combination thereof, and that can be disassembled for storage and relocation.
- C. "Hard-sided pool" is defined as a swimming pool that gains its structural integrity from a sheet metal or resin framing meant for permanent installation.
- D. "Public swimming pool" is defined as a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club, including any swimming pool located on the grounds of a hotel, motel, inn, an apartment complex, or any residential setting other than a single-family home.

Sec. 7-183. Barriers.

All outdoor swimming pools shall be completely enclosed by a barrier not less than 48 inches above grade measured on the side of the barrier that faces away from the swimming pool, as provided by the building code of the city. Portable swimming pools and hard-sided swimming pools with exterior walls that are at least 48 inches in height are permitted to consider the exterior walls thereof to be the barrier as required herein.

Sec. 7-184. Means of ingress and egress.

Two or more means of ingress and egress in the form of steps or ladders shall be provided for all public swimming pools. All other pools shall have at least one means of ingress and egress in the form of steps or ladders and shall have either a positive locking gate securing entrance thereto or a lockable ladder that secures and prevents entry when the pool is not in use.

Sec. 7-185. Ring buoys and poles.

Every public swimming pool shall be equipped with one or more throwing ring buoys not more than 15 inches in diameter and having 60 feet of at least 3/16 -inch line attached, and one or more light but strong poles with blunted ends, not less than 12 feet in length, for making reach assists or rescues.

Sec. 7-186. – Existing pools.

Any non-public or residential pool not presently in compliance with the requirement of Section 7-424 to have either a positive locking gate securing entrance to the pool or a lockable ladder securing and preventing entry to the pool when not in use shall have 60 days to become compliant.

Secs. 7-186-7-195. Reserved

ARTICLE VII. FLOOD MITIGATION

Sec. 7-196. Definitions.

Sec. 7-197. Review of proposed development.

Sec. 7-198. Review of permit application.

Sec. 7-199. Variances.

Sec. 7-200. Review of subdivision proposals.

Sec. 7-201. Water supply systems.

Sec. 7-202. Sanitary sewage and waste disposal systems.

Sec. 7-203. Annexation and extraterritorial jurisdiction.

Sec. 7-204. Abrogation and greater restriction.

Secs. 7-205 to 7-215. Reserved.

Sec. 7-196. Definitions.

- A. Unless specifically defined below, word or phrases used in this Article shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this document its most reasonable application.
- B. Development means any manmade change to real estate including but not limited to construction or reconstruction of buildings, installing manufactured homes or travel trailers, installing utilities, construction of roads or bridges, erection of levees, walls, or fences, drilling, mining, filling, dredging, and storage of materials.
- C. Flood means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface water from any source.
- D. Floodplain means any land area susceptible to being inundated by water from any source (see "flood").
- E. Floodproofing means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- F. Manufactured home means a structure transportable in one or more sections, that is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities.
- G. New construction for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December

31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

- H. Person means and includes any individuals, corporations, partnership, association, or any other entity, including state and local governments and agencies.
- I. Special flood hazard area means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed rate making has been completed in preparation for publication of the flood insurance map, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, or V1-30, VE or V. For purposes of these regulations, the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".
- J. Structure means for floodplain management purposes, a walled and roofed building, including gas or liquid storage tanks, that is principally above ground. The term includes recreational vehicles and travel trailers on site for more than 180 days.
- K. Substantial improvements means any repair, reconstructions, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purpose of definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alternation affects the external dimensions of the structure. The term does not, however, include either (1) any improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or (2) any alteration of a structure listed on the National Register of Historic Places or the Illinois Register of Historic Places.

Sec. 7-197. Review of proposed development.

- A. The Community Development Coordinator, or their designee, shall review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- B. If the development is proposed for a channel or adjacent area of a stream draining one square mile or more, the applicant must first secure a permit from the Illinois Division of Water Resources, or a letter stating "Permit Not Required."

Sec. 7-198. Review of permit application.

The Community Development Coordinator, or their designee, shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a floodprone area, all new construction and substantial improvements (including the placement of prefabricated buildings and mobile homes) shall:

- A. Be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure,
- B. Be constructed with materials resistant to flood damage,
- C. Be constructed by methods and practices that minimize flood damage, and
- D. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding.

Sec. 7-199. Variances.

- A. The Community Development Coordinator, or their designee, shall review any requests for waivers from the terms and conditions of this article. The Community Development Coordinator, or their designee, is authorized and directed to issue such variance in writing.
- B. Variances shall only be issued upon meeting the following standards:
 - 1. A showing of good and sufficient cause.
 - 2. A determination that failure to grant the variance would result in exceptional hardship to the applicant.
 - 3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

Sec. 7-200. Review of subdivision proposals.

The Community Development Coordinator, or their designee, shall review subdivision proposals and other proposed new development to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a floodprone area, any such proposals shall be reviewed to assure that:

- A. All such proposals are consistent with the need to minimize flood damage within the floodprone area,
- B. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and
- C. Adequate drainage is provided to reduce exposure of flood hazards.

Sec. 7-201. Water supply systems.

The Community Development Coordinator, or their designee, shall require within floodprone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems.

Sec. 7-202. Sanitary sewage and waste disposal systems.

The Community Development Coordinator, or their designee, shall require within floodprone areas:

- A. New and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters and
- B. On-site waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

Sec. 7-203. Annexation and extraterritorial jurisdiction.

The City shall not approve any plat or development located in a special flood hazard area (SFHA) outside the corporate limits unless such plat or development is in accordance with following:

- A. A floodplain ordinance legally adopted by the city that meets the minimum federal (44 CFR 60.3), state and local requirements for development within a special flood hazard area.
- B. The SFHA's of those parts of unincorporated McDonough County that are within the extraterritorial jurisdiction of the city or that may be annexed into the City of Macomb are generally identified as such on the flood hazard boundary map (FHBM) dated January 2, 1981 prepared by the Federal Emergency Management Agency (FEMA).

Sec. 7-204. Abrogation and greater restriction.

- A. This article is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restriction.
- B. Where this article and other ordinances, easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Secs. 7-205 to 7-215. Reserved.

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD ^a	WIND DESIGN				SEISMIC DESIGN CATEGORY ^c	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^d	ICE BARRIER UNDERLAYMENT REQUIRED ^e	FLOOD HAZARDS ^f	AIR FREEZING INDEX	MEAN ANNUAL TEMP ^g
	Speed ^a (mph)	Topographic effects ^a	Special wind region ^a	Windborne debris zone ^a		Weathering ^a	Frost line depth ^a	Terms ^a					
20	90	NO	NO	NO	B	Modcrate	36	YES	0	YES	12/4/2000	1500	50.1
MANUAL J DESIGN CRITERIA ^a													
Elevation		Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference					
205 Feet		40.4592076	—	—	—	—	—	—					
Cooling temperature difference		Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity	—					
—		—	—	—	—	—	—	—					

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering concrete shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from Figure R301.2(4). The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- b. Where the frost line depth requires deeper foundations than indicated in Figure R403.3(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map (Figure R301.2(5)A). Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 97th-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official. [Also see Figure R301.2(1).]
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and BFBMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- h. In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- l. In accordance with Figure R301.2(5)A, where there is local historical data documenting annual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- m. In accordance with Section R301.2.1.2 the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- n. The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from *ACCA Manual J* or established criteria determined by the jurisdiction.
- o. The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figure R301.2(6).

EXHIBIT B.

Sec. 24-6. – ~~Building~~ Permit fees and penalties.

- A. Permit Fees. Fees for all permits pursuant to Chapter 7 of this code shall be the sum equal to \$22.00 plus 0.6% of project cost exceeding \$1,000.00. The minimum fee shall be \$22.00.

Building permit fees:

\$0—999.0022.00
\$1,000.00—1,999.0029.00
\$2,000.00—2,999.0033.00
\$3,000.00—3,999.0037.00
\$4,000.00—4,999.0041.00
\$5,000.00—5,999.0044.00
\$6,000.00—6,999.0048.00
\$7,000.00—7,999.0052.00
\$8,000.00—8,999.0056.00
\$9,000.00—9,999.0060.00
\$10,000.00—10,999.0065.00
\$11,000.00—11,999.0071.00
\$12,000.00—12,999.0077.00
\$13,000.00—13,999.0083.00
\$14,000.00—14,999.0089.00
\$15,000.00—15,999.0095.00
\$16,000.00—16,999.00101.00
\$17,000.00—17,999.00107.00
\$18,000.00—18,999.00113.00
\$19,000.00—19,999.00119.00
\$20,000.00—20,999.00125.00
\$21,000.00—21,999.00133.00
\$22,000.00—22,999.00141.00
\$23,000.00—23,999.00149.00
\$24,000.00—24,999.00157.00
\$25,000.00—29,999.00166.00
\$30,000.00—34,999.00175.00
\$35,000.00—39,999.00190.00
\$40,000.00—44,999.00205.00
\$45,000.00—49,999.00268.00
\$50,000.00—54,999.00332.00
\$55,000.00—59,999.00354.00
\$60,000.00—64,999.00377.00
\$65,000.00—69,999.00399.00
\$70,000.00—74,999.00422.00
\$75,000.00—79,999.00444.00
\$80,000.00—84,999.00467.00
\$85,000.00—89,999.00489.00
\$90,000.00—94,999.00512.00
\$95,000.00—99,999.00534.00
\$100,000.00—199,999.00557.00
\$200,000.00—299,999.00925.00
\$300,000.00—399,999.001,294.00
\$400,000.00—499,999.001,700.00
\$500,000.00—599,999.002,107.00
\$600,000.00—699,999.002,514.00
\$700,000.00—799,999.002,889.00
\$800,000.00—899,999.003,264.00
\$900,000.00—999,999.003,639.00

~~\$1,000,000.00 — 1,999,999.00 4,014.00~~
~~\$200.00 per \$100,000.00 over \$2,000,000~~

- B. If an owner or contractor fails to obtain a ~~building~~ permit before beginning construction, the ~~building~~ permit fee shall double.