

Chapter 150: Building Regulations

CHAPTER 150: BUILDING REGULATIONS

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§ 150.01 ADMINISTRATION.

(A) *Building Code of Deer Park.* The regulations of this chapter shall be known as the “Building Code of Deer Park.”

(B) *Referenced standards and codes.* The standards and codes referenced in this chapter shall be considered part of the regulations of the Deer Park Building Code to the prescribed extent of each such reference. Where differences occur between provisions of the Deer Park Code and referenced standards and codes, the provisions of this Deer Park Code shall control.

(C) *Code application.* The provisions of this Code shall apply to all matters relating to structures, signs, swimming pools, and fences, and the removal of all structures, signs, swimming pools and fences, shall comply with this Code.

(D) *Building Department.* The Building Department is hereby created and the executive official in charge thereof shall be known as the Building Inspector.

(E) *Building Inspector.* The Building Inspector shall be appointed by the Village President with the advice and consent of the Board of Trustees. The President, with the advice and consent of the Board of Trustees, may remove the Building Inspector from office at any time.

(F) *Duties of Building Inspector.* The duties of the Building Inspector shall include:

(1) The enforcement of all ordinances and codes of the Village relating to the construction, repair, alteration, addition and removal of all buildings and structures, swimming pools, fences and signs.

(2) The enforcement of all zoning and land use ordinances of the Village. For this purpose the Building Inspector shall act as the Zoning Officer of the Village.

(3) Provision of technical assistance to the Village Board, Plan Commission, and Zoning Board of Appeals on matters of this code and zoning matters.

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- (4) The conducting of inspections to insure compliance with construction regulations.
- (5) The receiving and processing of building permit applications.
- (6) The issuance of building permits for the construction, repair, alteration, addition or removal of all buildings and structures, swimming pools, fences and signs.
- (7) The issuance of occupancy certificates.
- (8) The conducting of inspections of existing buildings to insure compliance with applicable codes and ordinances.
- (9) The conducting of inspections as provided for in the business license regulations.
- (10) The issuance of stop work orders as provided for in this chapter and other regulations relating to land use.

(G) *Stop work orders.* Stop work orders may be issued by the Building Inspector with respect to any construction or work when violations of the Building Code or the Village Code occur. Work shall not be continued until written permission for such resumption is issued by the Building Inspector and a \$100 fee is paid to the Village. If the stop work order is an oral order such order shall be put in writing and posted on the affected site or sites or issued within 24 hours. Any person who violates a stop work order shall be in violation of the Village Code and subject to revocation of their permit and other Village remedies provided therein.

(H) *Appeals.* Any person who wishes to appeal the interpretation of the Building Code by the Building Inspector shall, within 30 days of the issuance or nonissuance of a building permit, file an appeal to the Trustee for Public Safety, who shall make a recommendation to the Village Board of Trustees who may affirm, overrule, or modify the decision of the Building Inspector.

(I) *Violation; Penalties.* Any person who shall violate a provision of the Building Code shall be subject to the penalties as set forth in § 150.99.

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§ 150.02 BUILDING PERMITS AND FEES.

(A) *Required permits.*

(1) A building permit is required:

(a) For the construction, alteration, addition, repair, removal, demolition or restoration of any building or structure or its service equipment.

(b) For the erection or alteration of any sign as provided for in Chapter 157.

(c) For the construction, alteration, or addition to any fence.

(d) For the construction of any accessory building, structure, or any work in conjunction with accessory uses to include swimming pools, outdoor hot tubs and whirlpools, detached buildings garages, car ports, sheds, decks, patios, satellite antennae, radio towers, landscape terraces, ponds and similar improvements.

(2) A building permit is not required for ordinary repairs and maintenance of any of the improvements described in division (A)(1) of this section.

(B) *Certificate of occupancy.*

(1) A certificate of occupancy is required prior to occupying or using any premise for which a building permit has been issued.

(2) A temporary certificate of occupancy may be issued in the discretion of the Building Officer when a premises is substantially completed, all life safety and sanitary requirements are complete and the premises are fit for the purpose constructed.

(3) Minor construction items, final grading and landscaping, and other site improvements may be completed under the terms of a temporary occupancy certificate which shall specify a date by which such completion must occur and on which the temporary certificate of occupancy shall expire. Following completion of these items a final certificate of occupancy shall be issued. Failure to complete the items set forth on the temporary certificate of occupancy by its date of expiration shall mean that continued occupancy of the premises is unlawful.

(4) Road and performance bonds shall not be returned until a final certificate of occupancy has been issued.

(5) If it is determined by the Building Inspector that an increase in the performance bond is necessary prior to issuance of a temporary occupancy certificate, the Building Inspector shall determine the amount of that increase subject to approval by the Village Board. The permittee shall be required to post the additional amount with the Village prior to obtaining the temporary occupancy certificate.

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(6) A fee of \$100 or 5% of the basic building permit fee, whichever is greater, shall be required for obtaining a temporary occupancy certificates.

(7) Prior to occupancy the permittee shall obtain an “unexecuted certificate of occupancy” from the Building Inspector to be filed with the Assessor’s office for execution. The permittee shall provide receipt of filing with the Village.

(8) It shall be unlawful to occupy a building for which a building permit has been issued prior to obtaining a certificate of occupancy.

(C) *Permit application and process.*

(1) Applications for building permits shall be made to the Building Inspector on application forms provided by the Village Administrator. The completed application form submitted to the Village shall include the following documents, where applicable:

(a) Three copies of plans and specifications showing the work to be done, signed and sealed by an architect registered to practice in the state.

(b) Three copies of the site plan showing existing and proposed topography, location of all existing and proposed improvements, location of all drainage and stormwater structures, ponds, channels, swales, lakes, wetland, location of all utilities, and the location of all well and septic systems on the property or within 75 feet.

(c) Three copies of the ISD permit from the Lake County Health Department, including the soil letter and field notes.

(d) Three copies of existing septic system plans and specifications or three copies of proposed septic layout approved by the Lake County Health Department.

(e) Three copies of the plat of survey with the legal description of the parcel, showing the lot dimensions, total area, easements, and all building setback lines required by the Village Zoning Ordinance, Chapter 158 of this Code of Ordinances, or any recorded document.

(f) A \$500 nonrefundable deposit shall be required with application for new building construction. A \$100 nonrefundable deposit shall be required for all other construction in excess of \$10,000 estimated cost.

(2) The permit application and subsequent additional submittals shall be reviewed by the Building Inspector within three weeks for residential building and within six weeks for multi-family, commercial, or industrial structures.

(3) Following notification of permit approval the applicant must pay the applicable fees within three months or the application shall become null and void. The

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voided application and all associated documents shall be disposed of by the Village. The deposit, if applicable, shall be used to pay costs incurred with processing the application.

(4) Prior to permit review and issuance, where the construction of an ISD System is included, the Building Official must receive a ISD plan stamped with the approval of the Village Health Officer.

(5) After payment of the fees to the Village the Building Inspector shall issue the permit. The permit placard is to be placed on premises in a conspicuous exterior location protected from the weather. It is to remain in place while work covered by the permit until a certificate of occupancy is issued.

(6) The work covered by the permit must commence within six months and must be completed within 24 months of issuance. The permit may be extended for an additional 12 months with the approval of the Board of Trustees and the payment of a \$100 renewal fee.

(D) *Building fees and charges.* The building permit fees shall be established from time to time by the Board of Trustees, a schedule of which shall be available at the Village office.

(E) *Deposits, bonds and contributions.*

(1) Deposits

(a) A \$50 nonrefundable deposit shall be required for all applications for permit where construction costs are estimated to be less than or equal to \$10,000.

(b) A \$100 nonrefundable deposit shall be required for all applications for permit where construction costs are estimated to exceed \$10,000.

(c) A \$500 nonrefundable deposit shall be required for all applications for permit where construction costs are estimated to exceed \$100,000.

(d) A \$1000 nonrefundable deposit shall be required for all applications for permit where construction costs are estimated to exceed \$1,000,000.

(e) A \$1500 nonrefundable deposit shall be required for all applications for permit where construction costs are estimated to exceed \$2,000,000.

(f) A \$5000 nonrefundable deposit shall be required for all applications for permit where construction costs are estimated to exceed \$5,000,000.

(2) Bonds

(a) A \$500 performance bond shall be required for all permits where construction costs are estimated to be in excess of \$10,000. This cash bond

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shall be returned to whomever posted said bond upon issuance of a certificate of occupancy and/or a final inspection approval by the Village. This performance bond shall be forfeited to the Village if construction is not complete and in accordance with approved building plans and Village ordinances within one (1) year from the date of building permit. The Building Inspector shall have authority to extend the completion date for construction to two (2) years from the date of building permit without requiring the forfeiture of said bond.

(b) A \$1000 performance bond shall be required for all permits where construction costs are estimated to be in excess of \$100,000. This cash bond shall be returned to whomever posted said bond upon issuance of a certificate of occupancy and/or a final inspection approval by the Village. This performance bond shall be forfeited to the Village if construction is not complete and in accordance with approved building plans and Village ordinances within one (1) year from the date of building permit. The Building Inspector shall have authority to extend the completion date for construction to two (2) years from the date of building permit without requiring the forfeiture of said bond.

(c) A \$3000 performance bond shall be required for all permits where construction costs are estimated to be in excess of \$500,000. This cash bond shall be returned to whomever posted said bond upon issuance of a certificate of occupancy and/or a final inspection approval by the Village. This performance bond shall be forfeited to the Village if construction is not complete and in accordance with approved building plans and Village ordinances within one (1) year from the date of building permit. The Building Inspector shall have authority to extend the completion date for construction to two (2) years from the date of building permit without requiring the forfeiture of said bond.

(d) A \$5000 performance bond shall be required for all permits where construction costs are estimated to be in excess of \$ 1,000,000. This cash bond shall be returned to whomever posted said bond upon issuance of a certificate of occupancy and/or a final inspection approval by the Village. This performance bond shall be forfeited to the Village if construction is not complete and in accordance with approved building plans and Village ordinances within one (1) year from the date of building permit. The Building Inspector shall have authority to extend the completion date for construction to two (2) years from the date of building permit without requiring the forfeiture of said bond.

(e) A \$1000 performance road bond shall be required for all permits where construction costs are in excess of \$25,000 or where the Building Inspector determines that work in the Village right-of-way or damage to the Village right-of-way is possible. Village right of way shall include all

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drainageways, ditches, swales, culverts, curbs and gutters and other drainage structures. This cash bond shall be returned upon issuance of a certificate of occupancy and/or final inspection approval by the Village. This bond shall be forfeited to the Village if restoration of any damage to the right-of-way is not completed by the permittee within one (1) year from the date of the certificate of occupancy, or less if mandated by the Village.

(3) A \$750 road bond shall be required for all permits where construction costs are in excess of \$25,000 or where the Building Inspector determines that work in the Village right-of-way or damage to the Village right-of-way is possible. This shall include all dedicated right-of-way including drainageways, ditches, swales, culverts, curbs and gutters and other drainage structures. This cash bond shall be returned upon issuance of a certificate of occupancy and/or final inspection approval. This bond shall be forfeited to the Village if restoration to any damage to the right-of-way is not completed by the permittee.

(4) For required land dedication for park sites, school sites, fire/rescue sites and library sites, or cash contributions in lieu thereof, refer to Sections 155.60.00 through 155.60.22 of the Subdivision Regulations.

(Ord. passed 8-17-97)

(Am. Ord. 03-4, passed 1-20-03)

(Am. Ord. 03-8, passed 4-21-03)

Penalty, see § 150.99

§ 150.03 CONSTRUCTION REGULATION.

(A) *Building Codes*

(1) *Adoption of building codes.*

(a) Except as otherwise set forth herein, the International Building Code 2000 (“IBC”) is adopted by reference as the Building Code of the Village of Deer Park, as such Building Code may be amended from time to time. All amendments to the IBC shall be deemed adopted by the Village upon the date of publication of the amendment by IBC. Copies of the code shall be kept on file with the Village Clerk.

(b) The 2000 International Residence Code, as it may be amended from time to time (“IRC 2000”), is adopted by reference as the primary residential building code of the Village. Copies of the code shall be kept on file with the Village office.

(2) *Amendments and Additions to Building Codes.*

(a) *Foundations.*

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1. The minimum footing dimension shall be eight (8) inches by eighteen (18) inches. The minimum wall dimension shall be eight (8) inches supporting frame construction, ten (10) inches supporting brick veneer or masonry construction. All walls over nine (9) feet shall be minimum ten (10) inches.

2. Where approved by the Building Inspector, trench foundations are permitted; such foundations shall be minimum ten-inch flaring to 18 inches, 48 inch deep installations for additions of 500 square feet or less.

3. The requirements for waterproofing contained in Section R 406.3.2 of the IRC 2000 shall apply to any structure in which the lowest level of habitable or storage space is one foot or less above the high water elevation of any body of water within 200 feet of the structure, if ground water is found on the lot which is one foot or less from the lowest level of habitable or storage space or, if in the opinion of the Building Inspector, water, severe soil or other conditions indicate that waterproofing techniques should be employed.

(b) *Sited survey plats.* Following construction of the foundation, the permittee shall submit to the Building Inspector a plat of survey, prepared by an Illinois registered surveyor, showing the location of the foundation on the site with dimensions indicated from all lot lines. In the event that such plat is not filed within 15 days after such foundation is completed, all further work shall cease until such plat is filed; if further work has been completed no occupancy certificate shall be issued until such plat is filed.

(c) *Frame construction.*

1. Roof sheathing shall be minimum one-half inch CDX where supported on 16-inch centers and 5/8-inch CDX where supported on 24-inch centers.

2. All floor joists shall be minimum two inches by eight inches.

(d) *Insulation.*

1. Wall insulation shall be minimum R-13.

2. Roof insulation shall be minimum R-30.

3. Foundation insulation shall be minimum R-10.

(e) *Driveways/culverts.* No excavation or other construction work of and kind shall be commenced pursuant to the issuance of a Building Permit from the

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Village without first constructing a minimum 12-inch CMP culvert with flared end sections and gravel base driveway to the building site. All deliveries and travel to the building site must be via the driveway.

(f) *Construction refuse.* The permittee/owner of each lot on which a new structure is being constructed, or on other construction sites as may be deemed necessary by the Building Inspector, shall provide a trash dumpster on site. The site must be kept in a clean and orderly manner and the dumpster kept in such a manner so as to avoid the blowing of construction debris around the area.

(g) *Temporary sanitary facility.* The permittee/owner of each lot on which a new structure is being constructed, or on other construction sites as may be deemed necessary by the Building Inspector, shall provide a temporary toilet facility on site. The facility shall be kept in a sanitary and orderly manner.

(h) *Accessory buildings/uses.*

1. It shall be unlawful to build any garage, shed or other accessory building or to do any other construction of the main building.

2. No accessory building or use may be occupied or used prior to the completion and occupancy of the main building.

3. No accessory building may be used for residential purposes.

(Am. Ord. 03-8, passed 4-21-03)

(B) *Electrical Code.* The National Electric Code, as it may be amended from time to time, is adopted by reference.

(1) All electrical wiring is to be installed using thin wall metal conduit pipe.

(2) The minimum electric service for a new residence shall be 200 amperes and shall be buried underground.

(C) *Mechanical Code.* The 2000 International Mechanical Code, as it may be amended from time to time, is hereby adopted by reference.

(1) Provisions of the IRC 2000 Part 5, Chapters 12 shall also apply.

(2) In residential buildings all supply and return forced air systems shall be ducted.

(3) All gas piping shall be schedule 40 steel pipe.

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(Am. Ord. 03-8, passed 4-21-03)

(D) *Plumbing Code.* The Illinois State Plumbing Code, as it may be amended from time to time, is adopted by reference.

- (1) Above ground water piping shall be Type L rigid copper pipe.
- (2) Below ground water piping shall be Type K copper tubing. Underground pipe joints are to be voided.
- (3) Above ground waste and vents are to be schedule 40 PVC.
- (4) Below ground interior waste, vent and storm sewer piping is to be service weights cast iron.
- (5) Above ground interior storm water piping is to be cast iron, schedule 40 PVC, or schedule 40 steel pipe. Above ground exposed piping subject to damage from equipment or vehicular traffic shall be steel or cast iron pipe.
- (6) Below ground interior waste piping is to be minimum four-inch diameter.
- (7) Below ground vent piping is to be minimum two-inch diameter.
- (8) Exposed piping at fixture connection is to be chrome plated metal pipe.

(E) *Accessibility Code.* The 1997 Accessibility Code, as it may be amended from time to time, is hereby adopted by reference.

(F) *Fire Code.* The 2000 International Fire Code, as it may be amended from time to time, is hereby adopted by reference. The following amendments and additions to the 2000 International Fire Code shall also apply:

1. All new construction of all use groups other than single-family detached residential dwellings shall be protected by an approved fire suppression system in accordance with the latest IBC. The term “fully protected” shall include attics, basements, voids and all concealed spaces enclosed wholly or partly by combustible construction. An addition to an existing building in excess of fifty percent (50%) of the total floor area of such building or an addition of one thousand (1,000) square feet or more shall require that the entire structure have automatic sprinkler protection.
2. Every new structure other than a single-family detached residential dwelling shall be fully protected by an approved automatic fire suppression system that meet the standards of NFPA 13.
3. When expanding the total square footage of an existing building, other than a single-family detached dwelling, to 3,000 square feet or more, an automatic fire suppression

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system shall be provided for the entire building, regardless of building separation, fire rated assemblies, and type of construction.

4. The owner of a building having an automatic fire suppression or detection system shall be responsible for the continuous proper maintenance of such system at all times. Such owner shall test each such system at least once each calendar year and shall submit to the office of the Fire Prevention Bureau proof of each annual inspection not later than June 1st of each year.

5. All new and existing system fire suppression control valves shall be electronically monitored with the alarm transmitted to the appropriate Communication Center in accordance with NFPA 72C for remote stations.

6. All fire suppression systems shall be equipped so that, upon activation, an evacuation alarm shall sound that is heard throughout the structure. In multi-occupancy structures with a common suppression system, each unit shall be equipped so that, upon activation, an evacuation signal shall sound that is heard throughout each unit. Where an existing alarm system, common to a multi-occupancy will not reasonably support the addition of proper evacuation signaling devices, single station A/C powered smoke detectors designed to provide adequate coverage of the occupancy may be substituted at the discretion of the Fire Chief.

7. Any existing structure equipped with a fire detection, suppression, or alarm system shall have a supervised entry system (knox box), approved by the Lake Zurich Rural Fire Protection District, at a height not to exceed six feet (6') in a location approved by the Fire Chief. When an existing common area fire alarm system in a multi-occupancy building will not reasonably support the addition of proper evacuation signaling devices, the Fire Chief has the discretion to allow the use of single station A/C powered smoke detectors designed to provide adequate coverage of the occupancy.

8. A horn/white strobe unit in an approved weatherproof housing shall be installed above each fire department connection for each automatic sprinkler system. In a new multi-occupancy structure, an amber strobe shall be installed at an approved exterior location for each occupancy. These devices shall be designed to activate only when the waterflow device is activated.

(Ord. passed 4-20-98)

(Am. Ord. 03-8, passed 4-21-03)

§ 150.04 SCHEDULE OF BUILDING FEES AND CHARGES.

- (A) The building permit fee is \$12 per each \$1,000 of scaled construction cost.
- (B) The scaled cost of construction per square feet shall be determined as follows:
 - (1) Residential living area \$100

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(2)	Basement.....	\$15
(3)	Garage.....	\$40
(4)	Business/mercantile/industrial.....	\$100
(5)	Warehouse.....	\$70

(Am. Ord. 03-8, passed 4-21-03)

(C) Additions and alterations. Where the cost of construction is known the fee shall be \$12 per \$1,000 construction cost. Where construction cost is not established the schedule for new construction shall apply.

(D) Additional flat fees:

(1)	Air Conditioning	
	New residence, per unit.....	\$75
	Commercial/business/industrial per 3,000 square feet.....	\$125
(2)	Certificate of Occupancy: Commercial.....	\$.10/sq. ft.
(3)	Certificate of Occupancy: Residential	
	New Residence	\$125
	Miscellaneous residence (e.g. an addition).....	\$75
(4)	Culvert	\$75
(5)	Deck: \$12/sq. ft. with a minimum fee of.....	\$150
(6)	Demolition.....	\$100
(7)	Driveway	\$75
(8)	Electrical	
	New residence, per unit.....	\$125
	Commercial/business/industrial per 3,000 square feet.....	\$125
	Additions/alterations/tenant	\$75
(9)	Fence	
	\$20 per 100 lineal feet with a minimum fee of	\$100
(10)	Gazebo.....	\$150
(11)	Heating	
	New residence, per unit	\$125
	Commercial/business/industrial per 3,000 square feet.....	\$125
	Additions/alterations/tenant	\$75

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(12)	Inspections	
	Site inspection.....	\$60
	Re-inspection	\$60
	Extra, non-scheduled inspection.....	\$60
(13)	Miscellaneous other	\$75
(14)	Patio	\$100
(15)	Plumbing	
	Basic fee.....	\$75
	Fee per fixture.....	\$20
(16)	Porch	
	\$12/sq. ft. with a minimum fee of.....	\$150
(17)	Roofing: Re-roofing.....	\$85
(18)	Septic Fees: see § 51.04	
(19)	Shed.....	\$150
(20)	Sign Fees: see § 157.20	
(21)	Sprinkler – Lawn	\$100
(22)	Swimming Pool	
	\$.20/sq. ft. with a minimum fee of.....	\$300
(23)	Temporary structure for special event.....	\$100
(24)	Tennis courts	\$300
(25)	Well	\$75

(Am. Ord. 08-16, passed 10-20-08)

(E) A fee surcharge of 50% of total building fees, but not less than \$1000, shall be collected if construction or alterations are started before a required permit is issued.

(F) A plan review fee (the “Plan Review fee”) equal to the scaled cost of construction multiplied by .001 shall be collected for each building permit. In the event the Village incurs fees, including but not limited to outside consultant fees, in excess to the Plan Review Fee, such additional fees, not less than \$30, shall be collected from the permit applicant prior to issuance of each building permit.

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Penalty, see § 150.99

(Ord. passed 4-20-98)

(Am. Ord. 03-8, passed 4-21-03)

(Am. Ord. 07-10, passed 5-21-07)

§ 150.99 PENALTY.

Any person who shall violate a provisions of the Building Code of the Village or who shall fail to comply with any of the requirements thereof, and who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building Official, or in violation of the provisions of a permit or certificate issued under the provisions of the Building Code of the Village, shall be guilty of a misdemeanor, punishable by a fine of not more that \$500. Each day that a violation continues shall be deemed a separate offense.