

CHAPTER 15

SWANSEA BUILDING CODE

PART 1 GENERAL PROVISIONS

SECTION 15-101. ADMINISTRATION AND ENFORCEMENT.

SECTION 15-102. APPOINTMENT AND TERM OF OFFICE.

SECTION 15-103. COMPENSATION.

SECTION 15-104. DUTIES AND RESPONSIBILITIES.

SECTION 15-105. INSPECTION OF EXISTING COMMERCIAL PROPERTY

SECTION 15-106. INSPECTION AND PERMIT FEES.

SECTION 15-107. TABLE OF FEES.

SECTION 15-108. PENALTIES.

SECTION 15-109. BOARD OF BUILDING APPEALS.

SECTION 15-110. INSPECTION OF RENTAL DWELLINGS.

SECTION 15-101. ADMINISTRATION AND ENFORCEMENT.

The Code Administrator, established under Part 9 of Chapter 2, of the Swansea Municipal Code, is hereby authorized and empowered to administer and enforce provisions of this Chapter, and shall assure that all structures and buildings hereafter built in the Village of Swansea comply with all applicable building codes.

(A) The President of the Village of Swansea Board of Trustees may, with approval of the Board of Trustees, appoint a deputy or deputies to assist the Code Administrator in fulfillment of his duties.

(1) When so appointed, a deputy to the Code Administrator shall have the same authority and power granted herein to the Code Administrator, and any reference herein to the "Code Administrator" shall be construed as a reference to any deputies so appointed.

SECTION 15-102. APPOINTMENT AND TERM OF OFFICE.

Procedures for the appointment of the Code Administrator and his respective term of office, shall be governed by the provisions of Part 9, of Chapter 2, of the Swansea Municipal Code, and are not altered by this Chapter.

SECTION 15-103. COMPENSATION.

Any compensation paid to the Code Administrator shall be governed by the provisions of Part 9, of Chapter 2, of the Swansea Municipal Code, and are not altered by this Chapter.

SECTION 15-104. DUTIES AND RESPONSIBILITIES.

(A) The Code Administrator shall review every application for a building permit, electrical permit, mechanical permit or plumbing permit and assure that the proposed improvement, structure or building complies with the provisions of this Chapter.

(B) The Code Administrator shall collect all fees for building permits and promptly forward them to the office of the Village Treasurer.

(1) The Code Administrator shall include notification of such fees, along with information relative to the permit applications, in a monthly report to the Board of Trustees.

(C) Upon determining compliance, the Code Administrator shall issue a permit authorizing the proposed improvement, building, or structure in accordance with the provisions of this Code.

(D) The Code Administrator shall thereafter coordinate the scheduling of inspections at the appropriate stages and maintain the results of those inspections in a permanent file in his office.

SECTION 15-105. INSPECTION OF EXISTING COMMERCIAL PROPERTY.

(A) As referenced in this section, "commercial property" shall be defined as any property located within the Highway Business, Planned Business, Light Industrial, or Heavy Industrial zoning districts used for non-residential purposes. In addition, any residential property wherein a home occupation has been authorized by the Zoning Administrator is not subject to the provisions of this section.

(B) Prior to every occupancy of every existing commercial property or part thereof, the Code Administrator and the Fire Chief shall cause an inspection to be made of the exterior and interior of the building and the property on which it is located to determine that the building and property are in compliance with all zoning, building and fire safety codes of the Village of Swansea.

(C) The building owner, owner's agent, tenant or other person responsible for the building or part of the building to be occupied shall notify the Code Administrator of the intent to occupy the building.

(D) The designated representatives of the Code Administrator and the Fire Chief shall provide verbal notice of the inspection date and time to the owner, owner's agent, tenant, or other person responsible for the building or part of the building to be occupied. The owner, owner's agent, tenant, or other person responsible for the property and building or part thereof to be occupied shall not deny entry onto the property or the premise. If entry is refused, the Code Administrator or Fire Chief shall have recourse to the remedies provided by law to secure entry.

(E) The Fire Chief, upon completion of the inspection by the Fire Department, shall report his findings to the Code Administrator. The Code Administrator shall notify the owner of the results of the inspections by the Building and Zoning Department and the Fire Department.

(F) If the building and property are in compliance with all zoning, building and fire safety codes of the Village, and if payment of the inspection fees has been received, the Code Administrator shall be authorized to allow occupancy of the building.

(G) If violations of the various building and fire safety codes are determined to exist, a written Notice of Violation and Order to Correct, in accordance with the applicable codes, shall be issued to the building owner by the Code Administrator. The

building owner shall correct all violations prior to the occupancy. Authorization to occupy the building shall not be granted by the Code Administrator and the Fire Chief until an inspection has been conducted by the appropriate department(s) verifying that the violations have been corrected.

(H) If, at the time the building is re-inspected, code violations are found to exist, and in the judgment of the Code Administrator and Fire Chief, the conditions that are determined not to be in compliance would not materially affect the safety of the occupants and the public, the building owner may request permission to conditionally occupy the building. Said conditional occupancy may be authorized by the Code Administrator for a period not to exceed thirty days, and may be revoked at any time if the condition of the building or property warrants closure for the safety of the public and occupants. All violations shall be corrected within thirty days.

(I) The building owner may appeal the inspection findings in the manner provided in building and fire safety codes. (Ord 1536, Dec 1, 2008)

SECTION 15-106. INSPECTION AND PERMIT FEES. (Ord 1536, Dec 1, 2008)

All fees required to be paid pursuant to the provisions of this Chapter are contained in the Table of Fees listed under Section 15-107. All such fees shall be paid to the Code Administrator, who shall issue no permit until all applicable fees are paid. (Ord 1536, Dec 1, 2008)

SECTION 15-107. TABLE OF FEES. (Ord 1536, Dec 1, 2008)

The following is a listing of building, electrical and plumbing inspection and permit fees:

	Building	Electric	Plumbing	Mechanical
Permit fee per square foot	\$ 0.07	\$ 0.06	\$0.05	\$ 0.04
Minimum Charge	\$20.00	\$20.00	\$20.00	\$20.00
Excess charge for additional inspections	\$20.00	\$20.00	\$20.00	\$20.00

Fire (Does not apply to 1 & 2 family dwellings)	
Permit fee per square foot	.02
Minimum Charge	\$20.00
Excess charge for additional inspections	\$20.00

A. In calculating fees based upon square footage, the Code Administrator shall determine the total square footage of all floors of the structure in question, excluding unfinished basements but including garages, and multiply that area by the fee per square foot listed in the table above.

- (1) If, in calculating fees based upon square footage, the Code Administrator determines that the calculated fee is less than the minimum charge listed in the table above, the minimum fee shall be charged.
- (2) If the fee for a specific improvement or upgrade to an existing building or structure, because of its nature, cannot be calculated on the basis of square footage, the minimum fee shall be charged.
- (3) If, an inspector is required to perform additional inspections as a result of a previous failure to pass inspection, the applicant shall be subject to an additional charge, as listed in the table above, for each additional inspection required until the work has been approved.

B. The fee for the inspection of existing commercial property shall be as follows:

<u>5000 square feet of floor space or less</u>	<u>\$50.00; includes one re-inspection</u>
<u>More than 5000 square feet of floor space</u>	<u>\$60.00; includes one re-inspection</u>
<u>Excess charge for additional inspections</u>	<u>\$20.00</u>

The appropriate fee shall be paid prior to the inspection. (Ord 1536, Dec 1, 2008)

C. The fees for rental property inspections and related fees shall be as follows:

Annual rental dwelling	\$10.00
------------------------	---------

ownership registration	
Annual rental dwelling ownership registration late fee	\$25.00
Rental dwelling unit inspection except that there shall be no charge for the first re-inspection	\$35.00
Each additional inspection of the same rental dwelling unit	\$45.00
Inspection occurring between 7:00 and 8:00 a.m. or between 4:30 p.m. and 6:00 p.m., Monday through Friday	\$45.00
Appeal of violation notice and correction order, or other appeal	\$25.00
Crime Free Multi-Housing seminar	\$35.00

SECTION 15-108. PENALTIES. (Ord 1536, Dec 1, 2008)

Any person convicted of a violation of this Code shall be fined not less than twenty-five dollars (\$25.00), nor more than five hundred dollars (\$500.00), plus costs. Each day that a violation continues shall be considered a separate offense.

SECTION 15-109. BOARD OF BUILDING APPEALS.

(A) Establishment. There is hereby established a Board of Building Appeals to render decisions on appeals that the meaning and intent of the building code, residential code, fire code, mechanical code, electrical code or property maintenance code are being incorrectly interpreted, the provisions of the applicable code do not fully apply or an equally good or better form of construction is proposed. The Board of Building Appeals shall also render decisions on appeals of the meaning or interpretation of municipal code sections pertaining to rental property inspections. (Ord 1652, 06/18/2012)

(B) Right of Appeal. Any person shall have the right to appeal a decision of the Code Administrator (code official) to the Board of Building Appeals. An application for appeal shall be made in writing and submitted to the Code Administrator within twenty (20) calendar days of the date of the decision of the Code Administrator which is being appealed.

(C) Membership. The Board of Building Appeals shall consist of three (3) members, one (1) member appointed by the Mayor, with advice and consent of the Village Board, one (1) member chosen by the applicant and a third (3rd) member

mutually chosen by the Mayor and the applicant. The appointee of the Mayor shall not be the Village Engineer, an employee of the Village's consulting engineering firm, or an employee of the Village. The Board members shall be appointed within twenty (20) days of an appeal being filed with the Code Administrator. Credentials of the chosen members shall be exchanged between the Code Administrator and the applicant within the twenty (20) day period. If within the twenty (20) day period the Village and applicant have been unable to agree upon the third (3rd) Board member, the two (2) chosen members shall chose a qualified third (3rd) member. If the two Board members are unable to reach agreement upon a third (3rd) member, the Village Engineer shall appoint the third (3rd) qualified member.

(D) ~~Qualifications. Each member of the Board must be a design professional registered with the State of Illinois as an architect or engineer or a builder or superintendent of building construction with at least ten (10) years of experience, five (5) of which will have been in responsible charge of work. The design professional, builder or superintendent of construction must have experience in designing, building or installing the systems, equipment or types of construction which the appeal concerns.~~

(D) ~~Qualifications. For appeals pertaining to the building code, residential code, mechanical code, electrical code or property maintenance code, each member of the Board shall be either:~~

- (1) ~~an architect licensed by the State of Illinois,~~
- (2) ~~an engineer licensed by the State of Illinois,~~
- (3) ~~a journeyman, contractor or a superintendent of construction with at least possessing a minimum of three years experience in designing, building or installing the systems, equipment or types of construction which the appeal concerns~~ For appeals pertaining to the fire code, each member of the Board shall be either:

- (1) ~~an architect licensed by the State of Illinois,~~
- (2) ~~a certified fire protection engineer, or~~
- (3) ~~a member of a municipal fire department or fire protection district possessing a minimum of three years experience in construction plan review or the enforcement of the fire code.~~

For appeals pertaining to the administration of Section 15-110 Inspection of Rental Dwellings, each member of the Board shall be either:

- (1) ~~an attorney experienced in landlord-tenant affairs,~~
- (2) ~~a trained arbitrator, or~~
- (3) ~~a licensed social worker.~~

(Ord 1615, 06/06/2011) (Ord 1652, 06/18/2012)

(E) ~~Compensation of members. Compensation, if any is provided, shall be determined by the Board of Trustees. Compensation shall be based on the estimated or actual amount of time expended to hear the appeal and render a decision on the appeal, and the customary rates of compensation of the members.~~

(F) ~~Chairman. The board shall select one (1) of its members to serve as chairman.~~

(G) ~~Secretary. The Code Administrator shall designate a qualified clerk to serve as Secretary to the Board. The Secretary shall file a detailed record of all proceedings in the office of the Code Administrator.~~

(H) ~~Procedure. The appellant, the appellant's representative, the Code Administrator and any person whose interests are affected shall be given an opportunity to be heard. The Board shall not require compliance with strict rules of evidence, but shall require that only relevant information be received.~~

(I) ~~Board decision. The Board shall concur in, modify or reverse the decision of the Code Administrator by a concurring vote of two (2) members. The decision of the Board shall be reduced to writing, and mailed to the appellant within seven (7) days of the hearing. The Code Administrator shall take immediate action in accordance with the decision of the Board. (Ord 1615, 06/06/2011)~~

(J) ~~Court review. Any person, whether or not a previous party of to the appeal, shall have the right to apply to the Circuit Court for a writ of certiorari to correct errors of law, review of the Board's decision. (Ord 1582, 06/21/2010) (Ord 1615, 06/06/2011)~~

SECTION 15-110. INSPECTION OF RENTAL DWELLINGS.

A. Rental dwelling unit defined. A rental dwelling unit shall mean a dwelling unit within the Village that is available for rent or lease or

is rented or leased, with or without contract, including without limitation, unit(s) within a single building (an "apartment building") or a group of buildings on one parcel (an "apartment complex"), single family residences which are available for rent, manufactured homes which are available for rent, sleeping rooms, condominium units which are available for rent, rental dwelling units located within commercial property, and including accessory structures and premises on which rental dwellings are located, but not including rental units that are available for occupancy at no charge, residences owned under terms of bond for deed, hotels, nursing facilities and assisted living facilities. A dwelling that is rented or leased with an option to purchase is considered a rental dwelling unit until the lessee fully exercises the option to purchase.

B. Owner, agent of owner defined. "Owner" shall mean the person or entity maintaining fee simple title to the real estate on which the structure is located and the structure(s) itself, and shall mean any part owner, joint owner, mortgagee in possession, tenant in common, joint tenant, beneficiary of a land trust, tenant in partnership, or tenant by the entity. "Agent of the owner" shall mean the person or entity authorized by the owner to rent, lease, manage, maintain, make expenditures, collect rent, receive notices and correspondence from government agencies or courts or engage in any other activity required in the use and occupancy of a rental dwelling, and shall mean the person representing the agent or owner at a multi-family apartment building or multi-family apartment complex, or other rental dwelling.

C. Nuisance conditions defined. In addition to any other act declared to be a nuisance within the municipal code or other ordinances of the Village, nuisances are hereby defined and declared to be as follows.

Any dwelling unit(s), including common areas and premises, within which three (3) or more instances of any one or any combination of the actions listed below have occurred or continue to occur, which have occurred during any one hundred eighty (180) day period, which have resulted in three or more separate factual events that have been investigated by any law enforcement agency, which have resulted in an arrest, issuance of a warrant for any arrest, issuance of a court citation or the filing of a police report, which have been the alleged actions of the owner, occupants or persons frequenting or congregating about the premises:

- 1) Disorderly conduct as defined in 720 ILCS 5/26-1, as amended, or subsequent statute,

- 2) Unlawful use of weapons as defined in 720 ILCS 5/24-1,
- 3) Mob action as defined in 720 ILCS 5/25-1,
- 4) Discharge of a firearm as defined in 720 ILCS 5/24-1.2,
- 5) Gambling as defined in 720 ILCS 5/28-1,
- 6) Possession, manufacture or delivery of a controlled substance as defined in 720 ILCS 570/401,
- 7) Assault or battery or any related offense as defined in 720 ILCS 5/12-1,
- 8) Sexual abuse or related offenses as defined in 720 ILCS 5/12-15,
- 9) Public indecency as defined in 720 ILCS 5/21-1,
- 10) Prostitution as defined in 720 ILCS 5/11-14,
- 11) Criminal damage of property as defined in 720 ILCS 5/21-1,
- 12) Possession, cultivation, manufacture or delivery of cannabis as defined in 720 ILCS 550/1,
- 13) Illegal consumption or possession of alcohol as defined in 235 ILCS 5/10,
- 14) Any of the above statutes referenced, as amended, or any subsequent statute of the same subject matter,
- 15) Violation of a municipal ordinance of the same subject matter as the above referenced state statute.

D. Registration of owners. The owners of all rental dwellings shall annually register with the zoning administrator all rental dwellings in their ownership located within the Village. The registration fee shall be paid at the time of the submission of the registration application. All registrations made pursuant to this Section shall be valid for the twelve month period beginning January 1 and ending December 31. Registration applications submitted on any date after January 1 shall expire December 31. When the last day of December falls on a Saturday or Sunday, the registration shall be valid until the first Tuesday in January. Registrations shall become invalid upon the sale of the property or reconstitution of the entity in which name the property is owned. It shall be a violation of this Section for any owner to fail to submit a registration application and pay the required fee. A late fee shall be imposed for any application received after January 15.

E. Authorization to inspect. The code administrator, or his designated representative, is authorized and directed to make inspections to determine compliance with the building, residential, electrical, mechanical, fuel gas, plumbing, fire and property maintenance codes and ordinances enacted to provide for the safety and maintenance of structures and premises. For the purpose of making such

- inspections, the code administrator and his designated representatives are authorized to enter and inspect all structures and premises.
- F. Schedule of inspections, common areas.** Inspections of common areas and premises surrounding any rental dwelling unit may be conducted on a routine basis determined by the code administrator.
- G. Inspection of occupied rental dwelling units.** The owner, agent of the owner or tenant may request an inspection of an occupied rental dwelling unit if same has a reasonable belief that the condition or use of the rental dwelling significantly affects the health or safety of the occupants. It shall be the responsibility of the person who has requested the inspection to pay the inspection fee. If the tenant has requested an inspection, the code administrator shall notify the owner at least twenty-four (24) hours prior to the inspection. If the owner has requested an inspection, the code administrator shall notify the tenant at least twenty-four (24) hours prior to the inspection. Additionally, the fire chief and the police chief or their designees may request that the code administrator conduct an inspection for code violations after any call for fire department or police department service at any rental dwelling unit if either of the officials believes there is evidence of code violations that affect the health or safety of the occupants.
- H. Hours of inspection of rental dwelling units, common areas and premises.** The code administrator is authorized to make inspections of the interiors of rental dwelling units, common areas and premises surrounding any rental dwelling unit between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, with legal holidays excepted. Inspections in conjunction with fire investigations, police investigations, child or elder abuse investigations or other health or safety reasons may be conducted at any time.
- I. Refusal of entry; court authorization to inspect.**
- 1) When there is believed to be a condition or use that exists which significantly affects the health or safety of the occupants or of adjacent residents, and the tenant or the owner of the rental dwelling unit refuses to allow entry by the code administrator for an inspection to be conducted within the hours specified in Paragraph H of this Section, the code administrator, or his designee, is authorized to obtain a warrant from the Circuit Court of St. Clair County.
 - 2) The Circuit Court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant for an inspection shall be issued:
 - i. eyewitness account of violation;
 - ii. citizen complaints;
 - iii. tenant complaints;
 - iv. plain view violations;
 - v. violations apparent from Village records;
 - vi. property deterioration;
 - vii. age of property;
 - viii. nature of alleged violation;
 - ix. similar properties in the area;
 - x. documented violations of similar inspections in the area;
 - xi. passage of time since last inspection; and
 - xii. previous violations on the property.
- J. Application for inspection.** The application for an inspection may be completed by the owner, agent of the owner, or tenant on a form provided by the village. The inspection fee shall be paid at the time of the submission of the inspection application. If any subsequent inspections are required, the fees for said inspections shall be paid prior to conducting the inspections.
- K. False complaint of violation.** It shall be a violation of this Section for any person to knowingly make a false complaint of violation of village codes against the owner, the agent of the owner or the tenant concerning the condition or use of any rental dwelling, or part thereof.
- L. Notice of code violations.** If, as a result of the inspection, the code administrator determines that within the dwelling unit, common areas or premises there is evidence of one or more violations of village codes, he shall issue to the owner or the agent of the owner a written notice of violation and correction order. The notice shall be sent not more than three business days after the inspection date; the inspection date not included. The notice may be delivered in person, by first class mail or electronically. Said notice shall include the following:
 - 1) list the conditions or uses believed to be in violation of the code(s) and provide the applicable code sections,
 - 2) order the owner to correct the conditions or uses within a reasonable time,
 - 3) advise the method to appeal the determination of the code administrator,
 - 4) list the compliance actions that will be taken by the code administrator if all violations are not corrected within six (6) months and within nine (9) months after the date of the notice.
- M. Notice of nuisance conditions.** Whenever the chief of police believes that nuisance conditions as defined in Paragraph C of this

Section are occurring at any rental dwelling or on the premises therein, the chief of police shall issue a written notice of violation and correction order to the person or persons he believes is causing the nuisance or permitting the nuisance to occur. If the person causing a nuisance is a tenant or person or persons associating with a tenant of a rental dwelling, the chief of police shall direct the notice to the tenant. In the case of a nuisance notice directed to a tenant, the owner or agent of the owner shall also be notified.

N. Extensions of time to attain compliance; releases from compliance.

- 1) The code administrator is authorized to grant extensions not to exceed six (6) months, 180 calendar days, from the date of inspection in order to complete repairs. The chief of police is authorized to grant extensions not to exceed six (6) months to the owner, agent of the owner or tenant to abate any nuisance conditions, as herein defined. Requests for extensions beyond 180 calendar days may only be granted by the Board of Trustees.
- 2) The code administrator is not authorized to release an owner from compliance with the building, residential, electrical, mechanical, fuel gas, plumbing, fire and property maintenance codes and ordinances enacted to provide for the safety and maintenance of structures and premises. The Board of Trustees may release an owner from compliance by formal motion at a meeting of the Board.
- 3) Requests for an extension or release from compliance granted by the Board of Trustees shall be made to the Village Clerk. After scheduling by the Village Clerk, the requesting party shall make their request personally at a meeting of the Board of Trustees.

O. Non-compliance after six months, code administrator actions. If the owner fails to correct code violations or nuisance conditions cited by the code administrator or the police chief within six (6) months from the date of violation notice, or prior to an extension if one administrator shall notify the owner by first class mail of the following actions to be taken by the code administrator:

- 1) Conduct an informal meeting with the owner to develop a mutually agreeable correction plan; and
- 2) Require the owner to attend the Crime Free Multi-Housing seminar provided by the Village or by another source within St. Clair or Madison counties within twelve months, or provide certification of attendance at said seminar within the previous twelve months; and

3) Prohibit the rental of the rental dwelling unit in which code violations have been cited, if it is vacant, until all violations in the cited unit(s), common areas, building exterior(s) and premises are corrected, inspected and found to be in compliance with Village codes. The owner shall be notified at the time of the informal meeting. The code administrator shall contact the electric and/or the water utility to request that the utility initiate its procedure to disconnect such utility service to the cited vacant unit until the violations, hazardous health and/or safety conditions are corrected; and

4) Refer all uncorrected code violations for prosecution by administrative adjudication.

P. Non-compliance after nine months, code administrator actions. If the code violations or nuisance conditions are not corrected within nine (9) months from the date of the violation notice, or prior to an extension if one is granted by the Board of Trustees, the code administrator shall request that the Board of Trustees approve submission of a petition in the Circuit Court of St. Clair County for an injunction requiring compliance with such ordinances or for such other order as the court may deem necessary or appropriate to secure such compliance, or to appoint a receiver for the property as permitted in 65 ILCS 5/11-31-2 through 65 ILCS 5/11-31-2.3.

Q. Nuisance conditions-action by owner. The Village shall not prohibit the rental of any unit nor subject the owner to the penalties in Paragraph S of this Section if the owner has made a good faith effort to mitigate any nuisance conditions cited by the police chief which are the subject of the correction plan developed by the code administrator and the owner required pursuant to Paragraph O.1.

R. Appeals. Any appeal as to the meaning or application of the Property Maintenance Code or the imposition of compliance measures set forth in this Section shall be heard by the Board of Building Appeals. An appeal shall be filed with the code administrator no later than twenty (20) calendar days from the date of the violation notice and correction order. The Board of Building Appeals shall hear the matter within thirty (30) days of receipt of the appeal. If an appeal is sustained by the Board of Building Appeals, the appeal fee will be returned to the appellant.

S. Penalties. Any person or entity convicted of a violation of any section of this Section shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each such offense. (*Ord 1613, 06/06/11*)

THIS PAGE INTENTIONALLY LEFT BLANK

CHAPTER 15

SWANSEA BUILDING CODE

PART 2
BUILDING REGULATIONS

~~SECTION 15-201. ADOPTION OF BUILDING CODE.
SECTION 15-202. ADDITIONS, INSERTIONS AND CHANGES.
SECTION 15-203. COMPLIANCE WITH THE CODE.
SECTION 15-204. APPLICATIONS, LICENSES AND PERMITS.
SECTION 15-205. INSPECTIONS AND CERTIFICATES OF OCCUPANCY.~~

SECTION 15-201. ADOPTION OF BUILDING CODE.
SECTION 15-202. ADDITIONS, INSERTIONS AND CHANGES.
SECTION 15-203. ADOPTION OF RESIDENTIAL BUILDING CODE
SECTION 15-204. ADDITIONS, INSERTIONS AND CHANGES.
SECTION 15-205. COMPLIANCE WITH THE CODE.
SECTION 15-206. APPLICATIONS, LICENSES AND PERMITS.
SECTION 15-207. INSPECTIONS AND CERTIFICATES OF OCCUPANCY. (Ord 1465,
August 25, 2006)

~~SECTION 15-201. ADOPTION OF BUILDING CODE.~~

~~The "BOCA National Building Code / 1996" as published by the Building Officials and Code Administrators International, Inc., is hereby adopted as the Building Code for the Village of Swansea and shall hereafter regulate the construction of buildings and structures as herein provided.~~

~~(A) Each and all of the codes, provisions, penalties and terms of the "BOCA National Building Code / 1996", are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes if any, prescribed by Section 15-202 of this Part.~~

~~(B) All periodic revisions of the "BOCA National Building Code / 1996", are hereby adopted as revisions of the Building Code of the Village prospectively.~~

~~(C) The Village Clerk shall keep at least three (3) copies of the adopted Building Code on file in his office for public use, inspection and examination.~~

~~(D) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code, shall rest solely with the applicant.~~

~~SECTION 15-202. ADDITIONS, INSERTIONS AND CHANGES.~~

~~The following provisions of the "BOCA National Building Code / 1996" are hereby revised through addition, insertion or change:~~

~~(A) In Section 101.1 (page 1), insert "the Village of Swansea, Illinois";~~

~~(B) Section 112.3.1 shall be amended to read as follows:~~

~~112.3.1 FEES: A fee for each building permit or inspection required for construction of a building or structure, as set forth in Chapter 15, Part 1, Section 15-106, of the Swansea Municipal Code, shall be paid to the Code Administrator, prior to the issuance of any building permit.~~

~~(C) In Section 116.4, insert "Misdemeanor"; "25.00"; "500.00".~~

~~(D) Section 117.2 (Page 6) insert: \$25.00, \$500.00~~

~~(E) Amend Section 310.6 Use Group R-4 Structures, to read as follows:~~

~~This use group shall include all detached one and two family dwelling not more than three stories in height and any accessory structure including, but no limited to, detached garages, carports, and storage sheds. All such structures shall be designed and constructed in accordance with the 1995 CABO One and Two Family Dwelling Code.~~

~~(F) Delete the text in Chapter 11 (Accessibility) in its entirety and replace with the following:~~

~~**1101.1 GENERAL:** All buildings and structures, including their associated sites and facilities, shall be accessible to persons with physical disabilities including but not limited to: occupants, employees, students, spectators, participants and visitors.~~

~~**1101.2 STANDARD:** Details, dimensions and construction specifications for all accessibility features shall comply with the Illinois Accessibility code, effective April 24, 1997 (and as may be from time to time amended), published by the State of Illinois Capital Development Board).~~

~~(G) Delete Chapter 13 (Energy Conservation)~~

~~(H) Delete Section 2703.3; 2703.4~~

~~(I) Delete Chapter 29 (Plumbing Systems)~~

~~(J) Delete Section 3005.0 (Certificate of Compliance)~~

~~(K) Delete Section 3102 (Signs)~~

~~(L) Delete Chapter 32 (Construction in the Public Right-of-Way)~~

~~(M) In Section 3408.2 (page 320) insert "November 27, 1972"~~

SECTION 15-203. COMPLIANCE WITH THE CODE.

~~All persons, firms or corporations hereafter constructing any building or structure in the Village of Swansea shall comply with the provisions of this Article.~~

SECTION 15-204. APPLICATIONS, LICENSES AND PERMITS.

~~(A) Any person, firm or corporation, desiring or intending to make any improvements or construct any building or structure in the Village of Swansea, shall file an application with the Code administrator for a permit to do so, prior to initiating any such work.~~

~~(1) Application shall be made on forms provided by the Code Administrator which shall at least include a detailed description of the work to be done, the materials to be used, the locality of the premises by street name and number, and the name of the contractor, architect, or engineer.~~

~~(2) No permit so issued shall be transferable.~~

~~(3) No permit shall be required for the following minor alterations to existing structures:~~

- ~~(a) Construction of a carport;~~
- ~~(b) Erection of a utility shed, if less than 150 sq. ft. in size;~~
- ~~(c) Erection of a fence;~~
- ~~(d) Construction of a deck;~~
- ~~(e) Installation of an above ground pool;~~
- ~~(f) Replacement of siding;~~
- ~~(g) Replacement of shingles;~~
- ~~(h) Replacement of a roof.~~

SECTION 15-205. INSPECTIONS AND CERTIFICATES OF OCCUPANCY.

~~(A) All construction performed after the issuance of a permit shall be inspected by the Code Administrator or his legally authorized representative at the following stages:~~

- ~~(1) Upon completion of the footings and foundation~~
- ~~(2) Prior to the covering of structural members~~
- ~~(3) Following completion but prior to occupancy~~

~~(B) Responsibility for notifying the Code Administrator that a specific stage of construction has been reached and an inspection is requested, shall rest solely with the applicant.~~

~~(C) No new building, structure, or commercial tenant space shall be occupied or used unless it has passed each inspection and a Certificate of Occupancy has been issued.~~

~~(D) All fees, as set forth in Section 15-106 hereof, for any inspection required by this Chapter shall be paid, in advance, prior to the issuance of a permit, at the Swansea Government Center.~~

SECTION 15-201. ADOPTION OF BUILDING CODE.

The "International Building Code / 2006" as published by the International Code Council, is hereby adopted as the Building Code for the Village of Swansea and shall hereafter regulate the construction of buildings and structures as herein provided.

EXCEPTION – Detached 1 & 2 family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories above the grade plane in height with a separate means of egress, and their accessory structures, shall comply with the residential building code listed in Section 15-203 of this Part.

- (A) Each and all of the codes, provisions, appendices, penalties and terms of the "International Building Code / 2006", are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes prescribed by Section 15-202 of this Part.
- (B) All periodic revisions of the "International Building Code / 2006", are hereby adopted as revisions of the Building Code of the Village prospectively.
- (C) The Village Clerk shall keep at least three (3) copies of the adopted Building Code on file in his office for public use, inspection and examination.
- (D) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code, shall rest solely with the applicant.

SECTION 15-202. ADDITIONS, INSERTIONS AND CHANGES.

The following provisions of the "International Building Code / 2006" are hereby revised through addition, insertion or change:

- (A) In Section 101.1 (page 1), insert "the Village of Swansea, Illinois";
- (B) In Section 101.4 PLUMBING replace "International Plumbing Code" with "Illinois State Plumbing Code"
- (C) Amend Section 102.1 GENERAL by adding the following sentence to the end of the existing paragraph:
- (D) Amend Section 1101.2 DESIGN to read as follows:

1101.2 STANDARD: Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and the Illinois Accessibility Code, as published by the State of Illinois Capital Development Board.

(E) (Add) section 310.3 General-Concrete and Masonry Construction- In all Use Group R-1, R-2 and R-4 structures containing four or more units, the following shall apply:

a. Use of Brick - A minimum of twenty five percent (25%) of the exterior side of exterior walls shall be faced with brick. Door and window openings shall be excluded from the calculation.

a) Interior walls - All tenant separation walls shall be of masonry construction, rising through the roof.

Floors - All floors shall be constructed of pre-cast or poured concrete.

b. Exterior Walls - Exterior walls shall be constructed of masonry or concrete, rising at a minimum to the low edge of the roof.

c. Use of brick - A minimum of seventy five (75) per cent of the exterior side of exterior walls shall be faced with brick. Door and window openings shall be excluded from the calculation.

d. Definition of brick - Brick shall be defined as solid units, manufactured from clay, shale or similar naturally occurring earth substances and kiln fired, and meeting all requirements of ASTM Designation C-216, Standard Specification for Facing Brick, and excluded from the definition of brick shall be all hollow masonry units exceeding five (5) inches in height and sixteen (16) inches in length, facing tile, all concrete masonry units, plastic and/or composite blocks, molded, cast or otherwise artificially aggregated stone type units composed of fragments, "Novabrick," and pre-cast concrete panels or any composition panels designed to appear to be standard brick, and similar materials.

e. Exterior elevated walkways and balconies - Exterior elevated walkways and balconies shall be constructed of metal or concrete. (Ord 1681, 07/01/2013)

(F) Delete Section [P] 2901 GENERAL and Section [P] 2902 MINIMUM PLUMBING FACILITIES and replace with the following:

[P] 2901.1 Scope. The provisions of the Illinois State Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, addition to, use or maintenance of plumbing equipment and systems.

(G) Delete Chapter 32 ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY in its entirety.

(H) In Section 3410.2 insert "November 27, 1972" (Ord 1538, Jan 5, 2009)

SECTION 15-203. ADOPTION OF RESIDENTIAL BUILDING CODE.

The "International Residential Code for 1 & 2 Family Dwellings", as published by the International Code Council, is hereby adopted as the building code for detached 1 & 2 family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories above the grade plane in height with a separate means of egress, and their accessory structures, within the Village of Swansea, and shall hereafter regulate the construction, alteration, enlargement, replacement, maintenance, removal

and demolition of these buildings or structures as herein provided.

- (A) Each and all of the codes, provisions, appendices, penalties and terms of the "International Residential Code / 2006", are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes prescribed by Section 15-204 of this Part.
- (B) All periodic revisions of the "International Residential Code / 2006", are hereby adopted as revisions of the Building Code of the Village prospectively.
- (C) The Village Clerk shall keep at least three (3) copies of the adopted Residential Code on file in his office for public use, inspection and examination.
- (D) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code, shall rest solely with the applicant.

SECTION 15-204. ADDITIONS, INSERTIONS AND CHANGES.

The following provisions of the "International Residential Code / 2006" are hereby revised through addition, insertion or change:

- (A) In Section R101.1 insert "the Village of Swansea, Illinois";
- (B) In Section R301.2(1) insert
- (C) Should there be any conflicts between the provisions of Chapters 26 through 32 (inclusive) and the Illinois State Plumbing Code, the Illinois State Plumbing Code shall take precedence.
- (D) Amend Section 3306.3 to read as follows:

The minimum size of conductors for feeders and branch circuits shall be 12 AWG copper.

SECTION 15-205. COMPLIANCE WITH THE CODE.

All persons, firms or corporations hereafter constructing any building or structure in the Village of Swansea shall comply with the provisions of this Article.

SECTION 15-206. APPLICATIONS, LICENSES AND PERMITS.

- (A) Any person, firm or corporation, desiring or intending to make any improvements or construct any building or structure in the Village of Swansea, shall file an application with the Code administrator for a permit to do so, prior to initiating any such work.
 - (1) Application shall be made on forms provided by the Code Administrator which shall at least include a detailed description of the work to be done, the materials to be used, the locality of the premises by street name and number, and the name of the contractor, architect, or engineer.
 - (2) No permit so issued shall be transferable.
 - (3) No permit shall be required for the following minor alterations to existing structures:
 - (a) Construction of a carport;
 - (b) Erection of a utility shed, if less than 120 sq. ft. in size;
 - (c) Erection of a fence;
 - (d) Construction of a deck;
 - (e) Replacement of windows;
 - (f) Replacement of siding;
 - (g) Replacement of shingles;
 - (h) Replacement of a roof.

SECTION 15-207. INSPECTIONS AND CERTIFICATES OF OCCUPANCY.

- (A) All construction performed after the issuance of a permit shall be inspected by the Code Administrator or his legally authorized representative at the following stages:
 - (1) Upon Completion of the footings and foundation
 - (2) Prior to the covering of structural members
 - (3) Following completion but prior to occupancy
- (B) Responsibility for notifying the Code Administrator that a specific stage of construction has been reached and an inspection is requested shall rest solely with the applicant.
- (C) No new building, structure, or commercial tenant space shall be occupied or used unless it has passed each inspection and a Certificate of Occupancy has been issued.
- (D) All fees, as set forth in Section 15-106 hereof, for any inspection required by this Chapter shall be paid, in advance, prior to the issuance of a permit, at the Swansea Government Center.

(Ord 1465, August 25, 2006)

CHAPTER 15

SWANSEA BUILDING CODE

PART 3
ELECTRICAL REGULATIONS

- SECTION 15-301. ADOPTION OF CODE.
- SECTION 15-302. GENERAL EXCEPTIONS.
- SECTION 15-303. ADDITIONAL REGULATIONS, MANUFACTURED HOMES.
- SECTION 15-304. COMPLIANCE WITH CODE.
- SECTION 15-305. APPLICATIONS, LICENSES, PERMITS.
- SECTION 15-306. INSPECTIONS AND CERTIFICATES OF APPROVAL.
- SECTION 15-307. ANNUAL AND SEMIANNUAL INSPECTIONS.

SECTION 15-301. ADOPTION OF CODE.

The "National Electrical Code / ~~1996~~ 2005" as published by the National Fire Protection Association, is hereby adopted as the Electrical Code for the Village of Swansea and shall hereafter regulate the installation and alteration of electrical wiring and fixtures as herein provided.

- (A) Each and all of the codes, provisions, penalties and terms of the "National Electrical Code / ~~1996~~ 2005", are hereby referred to, adopted and made a part hereof, as if fully set out in this Section, with the additions, insertions, deletions, and changes if any, prescribed by Section 15-302 of this Part.
- (B) All periodic revisions of the "National Electrical Code / ~~1996~~ 2005", are hereby adopted as revisions of the Electrical Code of the Village of Swansea prospectively.
- (C) The Village Clerk shall keep at least three (3) copies of the adopted Electrical Code on file in his office for public use, inspections and examination.
- (D) Responsibility for assuring that plans for any proposed electrical installation or alteration comply with the provisions of the adopted code, shall rest solely with the applicant. (Ord 1602, 01/05/2011)

SECTION 15-302. GENERAL EXCEPTIONS.

- ~~(A) It shall be prohibited to use aluminum wire or copper clad aluminum wire in any electrical contracting within the Village of Swansea.~~

- (A) It shall be prohibited to use aluminum wire or copper clad aluminum wire in any branch circuit wiring within the Village of Swansea. Aluminum wiring or copper clad aluminum wiring shall be permitted for main service entrance feeders up to the distribution panel(s), only. All aluminum or copper clad aluminum wiring shall be AA-8000 series aluminum alloy meeting the requirements of ASTM B800 and ASTM B801. When used, all aluminum or copper clad aluminum wiring shall be installed in accordance with the adopted electrical code and the manufacturer's installation instructions. (Ord 1514, 5/19/08).
- (B) No branch circuit wires smaller than AWG No. 12 may be installed or connected to any device serving lighting or power loads, unless the branch circuit voltage is less than normal voltage supplied by Illinois Power Company and has been transformed down for use on low voltage control circuits.
- (C) Annex G Administration and Enforcement, Section 89.15 Electrical Board, paragraph (B) Appointments, paragraph (C) Terms, paragraph (D) Compensation, and paragraph (E) Quorum are deleted. The Village of Swansea Board of Building Appeals, as established in the Swansea Municipal Code, Section 15-109 Board of Building Appeals, shall serve as the Electrical Board of the Village of Swansea. (Ord 1602, 01/05/2011)
- (D) Annex G Administration and Enforcement, Section 80.23 Notice of Violation Penalties, paragraph B Penalties (3) is deleted. The Swansea Municipal Code, Chapter 15 Swansea Building Code, Part 1 General Provisions,

Section 15-108 Penalties shall govern. (Ord 1602, 01/05/2011)

SECTION 15-303. ADDITIONAL REGULATIONS, MANUFACTURED HOMES.

The provisions of Article 550, of the "National Electrical Code 1996 2005", "Mobile Homes and Mobile Home Parks", shall be applicable to the requirements of this Chapter. (Ord 1602, 01/05/2011)

- (A) Manufactured home, temporary or permanent electrical service.
- (1) **Temporary:** A manufactured home electrical service installation will be classed as temporary if it is installed for thirty (30) calendar days or less.
 - (2) **Permanent:** A manufactured home electrical service installation will be classed as permanent if it is installed for more than thirty (30) calendar days. Regardless of whether the manufactured home is moved from one location to another within the Village of Swansea, the days are accumulative.
- (B) The installation of all service entrance equipment and conductors shall conform to this electrical code.
- (1) All wiring shall be installed in rigid heavy wall galvanized conduit or service 40 P.V.C. rigid conduit from pole or pedestal to service panel in manufactured homes.
 - (2) Service 40 P.V.C. rigid conduit shall be permitted on the service entrance, only at a point under the manufactured home or chassis.
 - (3) Exposed conduit shall only be rigid heavy wall galvanized conduit or service 40 P.V.C. conduit.
 - (4) Conduit locknuts shall be installed on each side of the meter pedestal metal box and service panel and conduit bushings, bonding type inside of panels and locknuts and bushings shall be galvanized.
 - (5) Bonding ground conductor can be bare copper or identified by green color or continuous green color with one or more yellow stripes.
 - (6) The use of water pipe or water pipe fitting in the wire installation is not permissible.
- (C) The wiring from the manufactured home service panel to an air conditioner unit shall be in conduit

and shall have a disconnect switch located at the compressor unit.

No more than thirty-six inches (36") of P.V.C. flex conduit shall be allowed.

- (D) When outdoor or under-chassis line-voltage wiring is exposed to moisture or physical damage it shall be protected by rigid conduit. The conductor shall be suitable for wet locations in conformity with the National Electrical Code Section 550-8-10-h(1).
- (E) The grounding of both electrical and non-electrical parts on the manufactured home shall be through connection to a grounding bus in a manufactured home distribution panel.
- (1) The grounding bus shall be grounded through the green colored conductor in the supply cord or the feeder wiring to the service ground in the service entrance equipment located adjacent to the manufactured home location.
 - (2) Neither the frame of the manufactured home nor the frame of any appliance may be connected to the neutral conductor in the manufactured home so as to comply with Section 550-11 of the National Electrical Code.

SECTION 15-304. COMPLIANCE WITH THE CODE.

All persons, firms or corporations hereafter installing or altering any electrical wiring or fixture in the Village of Swansea shall comply with the provisions of this Article.

SECTION 15-305. APPLICATIONS, LICENSES AND PERMITS.

- (A) All persons, firms, or corporations desiring to install electrical wiring, apparatus or machinery for the use of electrical current, shall file an application with the Code Administrator for a permit to do so, prior to installing any new wiring, or altering any existing wiring.
- (1) Application shall be made on forms provided by the Code Administrator which shall at least include a detailed description of the work to be done, the materials to be used, the locality of the premises by street name and number, and a statement whether or not the person making the application is a qualified electrical contractor or electrician.
 - (2) If the applicant is the owner of a dwelling wherein he resides or proposes to reside,

and said applicant proposes to install or replace electrical wiring himself, he shall fully inform the Code Administrator of his qualifications for performing the work proposed and the administrator must approve the qualifications before any permit is issued.

- (3) No permit so issued shall be transferable. Temporary permits may be used, when in the judgment of the Code Administrator, such are deemed advisable. No permit shall be issued to any unqualified person, and the judgment of the Code Administrator as to the qualifications shall be final.

SECTION 15-306. INSPECTIONS AND CERTIFICATES OF APPROVAL.

(A) All electrical installation or alteration performed after the issuance of a permit shall be inspected by the Code Administrator or his legally authorized representative at the following stages:

- (1) Upon installation of any temporary service
- (2) Upon completion of rough in, but prior to covering
- (3) Upon completion of permanent service
- (4) Following completion but prior to occupancy

(B) Responsibility for notifying the Code Administrator that a specific stage of construction has been reached and an inspection is requested, shall rest solely with the applicant.

(C) No new building or structure shall be occupied or used unless it has passed each inspection and a Certificate of Occupancy has been issued.

- (1) No new or remodeled electrical installations shall be connected with the electrical power supply lines until the same have received a final inspection and certificate of approval from the Code Administrator.

(D) All fees, as set forth in Section 15-106 hereof, for any inspection required by this Chapter shall be paid, in advance, prior to the issuance of a permit, at the Swansea Government Center, 1400 North Illinois Street, Swansea, IL.

SECTION 15-307. ANNUAL AND SEMI-ANNUAL INSPECTIONS.

(A) All buildings and structures, other than residential buildings, located within the corporate limits of the Village of Swansea and using electricity for lighting or power, shall be subject to annual inspection by the Code Administrator.

(1) The Administrator may inspect the wiring and electrical installations and shall issue to the person in charge of the premises a notice, in writing, setting forth any changes or alterations which are to be made so that the wiring will comply with the safety regulations of the Village of Swansea.

(2) All such changes or alterations shall be made and completed within thirty (30) days of the receipt of the notice, unless, in the opinion of the Code Administrator, they shall be made immediately. After the changes or alterations are accomplished they shall be re-inspected by the Code Administrator for approval.

(B) All industrial plants and factories shall be subject to semiannual inspections of all electrical wiring and installations.

(1) The Administrator may inspect the wiring and electrical installations and issue to the person in charge of the premises a notice, in writing, setting forth any changes or alterations which are to be made so that the wiring will comply with the safety regulations of the Village of Swansea.

(2) All such changes or alterations shall be made and completed within thirty (30) days of the receipt of the notice, unless, in the opinion of the Code Administrator, they shall be made immediately. After the changes or alterations are accomplished they shall be re-inspected by the Code Administrator for approval.

This Page Intentionally Left Blank



CHAPTER 15

SWANSEA BUILDING CODE

PART 4
MECHANICAL REGULATIONS

- SECTION 15-401. ADOPTION OF MECHANICAL CODE.
- SECTION 15-402. ADDITIONS, INSERTIONS AND CHANGES.
- SECTION 15-403. ~~COMPLIANCE WITH THE CODE.~~
ADOPTION OF FUEL GAS CODE.
- SECTION 15-404. ~~APPLICATIONS, LICENSES AND PERMITS.~~
ADDITIONS, INSERTIONS AND CHANGES.
- SECTION 15-405. ~~COMPLIANCE WITH THE CODE.~~
- SECTION 15-406. ~~APPLICATIONS, LICENSES AND PERMITS.~~
- SECTION 15-407. ~~INSPECTIONS AND CERTIFICATES OF OCCUPANCY.~~

SECTION 15-401. ADOPTION OF MECHANICAL CODE.

The "International Mechanical Code / ~~1996~~ 2006", as published by the Building Officials and Code Administrators International, Inc., is hereby adopted as the Mechanical Code for the Village of Swansea and shall hereafter regulate the installation and alteration of mechanical systems as herein provided.

- (A) Each and all of the codes, provisions, penalties and terms of the "International Mechanical Code / ~~1996~~ 2006", are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes if any, prescribed by Section 15-402 of this Part.
- (B) All periodic revisions of the "International Mechanical Code / ~~1996~~ 2006", are hereby adopted as revisions of the Mechanical Code of the Village prospectively.
- (C) The Village Clerk shall keep at least three (3) copies of the adopted Mechanical Code on file in his office for public use, inspections and examination.
- (D) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code, shall rest solely with the applicant.

SECTION 15-402. ADDITIONS, INSERTIONS AND CHANGES.

The following provisions of the "International Mechanical Code / ~~1996~~ 2006" are hereby revised through addition, insertion or change:

- (A) In Chapter 1, ADMINISTRATION, Section 101, General, Subsection 101.1, Title, insert: "the Village of Swansea, Illinois";
- (B) In Chapter 1, ADMINISTRATION, Section 106, Permits, Subsection 106.5.2, Fee Schedule, insert the following table:

Residential:	_____ \$20.00 Per Dwelling Unit
Commercial:	_____ \$50.00 Per Commercial Unit

See Chapter 15 Swansea Building Code, Section 15-107, Table of Fees. (Ord 1587, 07/06/10)
- (C) In Chapter 1, ADMINISTRATION, Section 108, Violations, Subsection 108.4, Violation penalties, insert the terms:
"Misdemeanor" and "\$500.00"; and delete the phrase:
"or by imprisonment not exceeding [SPECIFY TIME], or both such fine and imprisonment."
- (D) ~~In Chapter 1, ADMINISTRATION, Section 108 Violations, Subsection 117.2, Violation Penalties, insert:~~
In Chapter 1, ADMINISTRATION, Section 108.4, Violation Penalties, (Ord 1587, 07/06/10)
"\$25.00" and "\$500.00"
- (E) In Chapter 2, DEFINITIONS, Section 202.0, GENERAL DEFINITIONS, ADD:

"Install: To connect any gas or oil-consuming device to a fuel line of approved size or type; or to place any solid fuel device into position for service or use in accordance with all instructions provided by the manufacturer for such installation."

- (F) In Chapter 8, CHIMNEYS AND VENTS, Section 804 ~~803~~, Connectors, Subsection 804 ~~803~~.10.3, Connection, add to the paragraph: "A vent connector shall not be connected to a chimney flue of a solid fuel burning fireplace unless the fireplace is permanently sealed."
(Ord 1587, 07/06/10)

- ~~(G) In Chapter 13, GAS PIPING SYSTEMS, Section 1302, Pipe sizing, Subsection 1302.1, Minimum Sizes, change the text to read:~~

~~"Pipe sizing tables are hereby provided to assist in the proper sizing of gas fuel lines. Natural gas is considered to have one thousand (1,000) B.T.U. per cubic foot. The fuel line shall be a minimum size of one (1) inch in diameter from the utility meter outlet connection to a point adjacent to the furthest appliance on line."~~

- ~~(H) In Chapter 13, GAS PIPING SYSTEMS, Section 1308.0, Outside Above Ground Piping, add the sentence:~~

~~"On Modular, Manufactured and Mobile Homes, the fuel line from the utility connection to the house fuel line shall be black iron pipe."~~

- ~~(I) In Chapter 13, GAS PIPING SYSTEMS, Section 1309, Appliance Connections, Subsection 1309.1.2, Appliance Fuel Connections, add the following to end of paragraph:~~

~~"A sediment trap shall be installed in fuel line adjacent to any gas utilization equipment".
(Ord 1587, 07/06/10)~~

SECTION 15-403. ADOPTION OF FUEL GAS CODE.

The "International Fuel Gas Code / 2006" as published by the International Code Council is hereby adopted as the Fuel Gas Code for the Village of Swansea and shall hereafter regulate the installation and alteration of fuel gas systems as herein provided.

- (A) Each and all of the codes, provisions, penalties and terms of the "international Fuel Gas Code / 2006", are hereby referred to, adopted and made a part of, as fully set out in this section, with the additions, insertions, deletions, and changes, if any, prescribed by Section 15-404 of this Part.

- (B) All periodic revisions of the "International Fuel Gas Code / 2006: are hereby adopted as revisions of the Mechanical Code of the Village prospectively.

- (C) The Village Clerk shall keep at least three (3) copies of the adopted Mechanical Code on file in his office for public use, inspection and examination.

- (D) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code shall rest solely with the applicant. (Ord 1589, 08/16/10)

SECTION 15-404. ADDITIONS, INSERTIONS AND CHANGES.

- (A) In Chapter 1 ADMINISTRATION, Section 101 GENERAL, Subsection 101.1 Title, insert: "the Village of Swansea, Illinois",

- (B) In Chapter 1 ADMINISTRATION, Section 106 PERMITS, Subsection 106.5.2 Fee schedule, the text shall read as follows: The fees shall be as indicated in the Swansea Municipal Code, Chapter 15 Swansea Building Code, Part 1 General Provisions, Section 15-107 Table of Fees.

- (C) In Chapter 1 ADMINISTRATION, Section 106 PERMITS, Subsection 106.5.3 Fee refunds, paragraph 2 and paragraph 3 are deleted.

- (D) In Chapter 1 ADMINISTRATION, Section 108 VIOLATIONS, Subsection 108.4 Violation penalties, insert the terms:

"Ordinance violation" and "\$500.00", and delete the phrase:

"or by imprisonment not exceeding [SPECIFY TIME] or both such fine and imprisonment."

- (D) In Chapter 1 ADMINISTRATION, Section 109 MEANS OF APPEAL is deleted. (Ord 1589, 08/16/10)

SECTION 15-405. COMPLIANCE WITH THE CODE.

All persons, firms or corporations hereafter installing or altering any mechanical system within the Village shall comply with the provisions of this Article.

SECTION 15-406. APPLICATIONS, LICENSES AND PERMITS.

- (A) Any person, firm or corporation, desiring or intending to install or alter any mechanical

system in the Village of Swansea, shall file an application with the Code Administrator for a permit to do so, prior to initiating any such work.

- (1) Application shall be made on forms provided by the Code Administrator which shall at least include a detailed description of the work to be done, the materials to be used, the locality of the premises by street name and number, and the name of the contractor, architect, or engineer.
- (2) No permit so issued shall be transferable.
- (3) No permit shall be required for the following minor alterations to existing systems:
 - (a) Routine service including cleaning, lubrication, filter replacement, adding freon, or any other minor maintenance task necessary to ensure proper system operation;
 - (b) Replacement of individual parts such as compressors, controls, motors, and the like.

SECTION 15-407. INSPECTIONS AND CERTIFICATES OF OCCUPANCY.

- (A) Any alteration or installation of a mechanical system performed after the issuance of a permit shall be inspected by the Code Administrator or his legally authorized representative at the following stages:
 - (1) Prior to covering or enclosing any part of the system;
 - (2) Upon completion of installation.
- (B) Responsibility for notifying the Code Administrator that a specific stage of alteration or installation has been reached and an inspection is required, shall rest solely with the applicant.
- (C) No new building or structure shall be occupied or used unless it has passed each inspection and a Certificate of Occupancy has been issued.
- (D) All fees, as set forth in Section 6-6-1.2 hereof, for any inspection required by this Chapter shall be paid, in advance, prior to the issuance of a permit, at the Swansea Government Center, 1400 North Illinois Street, Swansea, IL.

This Page Intentionally Left Blank

CHAPTER 15

SWANSEA BUILDING CODE

PART 5
PLUMBING REGULATIONS

- SECTION 15-501. DEFINITIONS.
- SECTION 15-502. ADOPTION OF CODE.
- SECTION 15-503. CONFORMITY TO STATE LICENSE STATUTE REQUIRED.
- SECTION 15-504. ADMINISTRATIVE AUTHORITY.
- SECTION 15-505. OFFICE OF PLUMBING INSPECTOR.
- SECTION 15-506. DUTIES AND RESPONSIBILITIES.
- SECTION 15-507. PLUMBING PERMITS.
- SECTION 15-508. INSPECTIONS, DEFECTIVE WORK, RE-INSPECTION.
- SECTION 15-509. REQUIREMENT OF BOND.
- SECTION 15-510. PENALTIES FOR VIOLATIONS.

SECTION 15-501. DEFINITIONS.

For the purpose of this Chapter, the following terms or words shall have the meaning indicated in this Section. The definitions as contained in this Section shall take precedence over any other accepted meaning including those contained in any reference material referred to in this Chapter.

Plumbing: Plumbing is the practice, materials, and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, appliances, and appurtenances in connection with any of the following:

Sanitary drainage or storm drainage facilities, the venting system, and public or private water supply systems, within or adjacent to any building, structure or conveyance; installation, maintenance, extension, or alteration of storm-water, liquid waste, or sewerage, and water supply systems of any premises to their connection with any point of public disposal or other acceptable terminal.

Plumbing Fixtures: Plumbing fixtures are installed receptacles, devices, or appliances which are supplied with water or which receive or discharge liquids or liquid-borne waste, with or without discharge into the drainage system with which they may be directly or indirectly connected.

Plumbing Systems: The plumbing system includes the water supply and distribution pipes, plumbing fixtures and traps, soil, waste and vent pipes, building drains, including their respective connections, devices, and appurtenances within the property lines

of the premises, and water-treating or water-using equipment.

SECTION 15-502. ADOPTION OF CODE.

The Illinois State Plumbing Code, as revised, and all amendments and modifications thereto, is hereby adopted as the Plumbing Code for the Village of Swansea and hereafter shall regulate the installation and alteration of plumbing systems as herein provided.

- (A) Each and all of the codes, provisions, penalties and terms of the Illinois State Plumbing Code, are hereby referred to, adopted and made a part hereof, as if fully set out in this Section, with the additions, insertions, deletions, and changes if any, prescribed herein.
- (B) All periodic revisions of the Illinois State Plumbing Code are hereby adopted as revisions of the Plumbing Code of the Village prospectively.
- (C) The Village Clerk shall keep at least three (3) copies of the adopted Plumbing Code on file in his office for public use, inspections and examination.
- (D) Responsibility for assuring that plans for any proposed plumbing system installation or alteration comply with the provisions of the adopted code, shall rest solely with the applicant.

SECTION 15-503. CONFORMITY TO STATE LICENSE STATUTE REQUIRED.

No person, firm or corporation shall hereinafter engage in the business of plumbing in the Village of Swansea, either as a plumbing contractor, employing plumbers or journeymen plumbers who shall not comply with the license requirement of the Plumbing License Law of the State of Illinois.

SECTION 15-504. ADMINISTRATIVE AUTHORITY.

Authority to administer and enforce the provisions of this Chapter shall be vested in the office of Plumbing Inspector.

SECTION 15-505. OFFICE OF PLUMBING INSPECTOR.

(A) There is hereby created the office of Plumbing Inspector, who shall be appointed annually by the President of the Board at the first regular meeting in May, with the advice and consent of the Board of Trustees, and who shall serve for a term of one (1) year or until his successor has been appointed and qualified.

(1) No person shall be appointed Plumbing Inspector who shall not have been, at the time of his appointment, a licensed plumber in accordance with the Illinois Plumbers' License Law.

SECTION 15-506. DUTIES AND RESPONSIBILITIES.

- (A) The Plumbing Inspector shall sign and issue all notices, permits and certificates required by this Chapter.
- (B) He shall keep a record of the performance of his duties, which shall include a record of all notices issued, applications received and permits granted.
- (C) He shall keep a record of violations of this Chapter.
- (D) He shall inspect and for the purpose thereof, may enter all houses undergoing alteration or repair as often as may be necessary to insure conformance with the requirements of this Chapter.
- (E) He shall compel all work on plumbing to be performed in accordance with the provisions of this Chapter.
- (F) He shall cause to be kept a record of measurements of all sewer taps in relation to property lines.

SECTION 15-507. PLUMBING PERMITS.

- (A) No plumbing shall be installed, altered or changed in any building or structure within the corporate limits of the Village, until an application for permit has been filed with the Code Administrator and a permit issued.
 - (1) Application shall be made on forms provided by the Code Administrator which shall at least include a detailed description of the work to be done, the materials to be used, the locality of the premises by street name and number, and a statement whether or not the person making the application is a licensed plumber in the State of Illinois.
 - (2) A permit shall be issued only to persons specified in the Illinois State Plumbing Code.
 - (3) No permit so issued shall be transferable.

SECTION 15-508. INSPECTIONS, DEFECTIVE WORK, RE-INSPECTION.

- (A) All plumbing installation or alteration performed after the issuance of a permit shall be inspected by the Plumbing Inspector or his legally authorized representative at the following stages:
 - (1) Upon completion of groundwork, but prior to covering
 - (2) Upon completion of rough in, but prior to covering
 - (3) Following completion, but prior to use
- (B) Responsibility for notifying the Code Administrator that a specific stage of construction has been reached and that inspection is requested, shall rest solely with the applicant.
- (C) No new building or structure shall be occupied or used unless it has passed each inspection and a Certificate of Occupancy has been issued.
- (D) All fees, as set forth in Section 15-106 hereof, for any inspection required by this Chapter shall be paid, in advance, prior to the issuance of a permit, at the Swansea Government Center, 1400 North Illinois Street, Swansea, IL.

SECTION 15-509. REQUIREMENT OF BOND.

- (A) Any person who shall engage in the business of plumbing as a journeyman plumber, plumbing contractor or employing plumbers in the Village of Swansea shall provide a copy of an indemnification bond as required by the State of Illinois Department of Professional Regulation.

(B) The Bond shall be conditioned upon full indemnity to the Village of Swansea against damage to same or to any persons to whom the Village of Swansea may be liable by reason of:

- (1) Failure of the firm to observe ordinances of the Village of Swansea pertaining to plumbing;
- (2) Failure of the firm to observe all rules and regulations established under the authority of any ordinance of the Village of Swansea pertaining to plumbing;
- (3) Negligence of the firm or its employees in performing or protecting any plumbing work.

(C) The Bond shall be kept in full force during the time the plumbing contractor, employing plumbers and self-employed journeyman perform plumbing work within the Village of Swansea.

(D) The surety providing the Bond shall be approved by the President of the Village of Swansea Board of Trustees and the Bond shall be filed with the Code Administrator.

SECTION 15-510. PENALTIES FOR VIOLATIONS.

(A) Any person who shall engage in the business of plumbing as a journeyman plumber, plumbing contractor, or employing plumbers in the Village of Swansea without having obtained a license for plumbing from the State of Illinois, shall, upon conviction, be fined in accordance with Section 15-108, for each time he so engages in the business of plumbing in violation of this Chapter.

(B) Any person who shall not have obtained the permit required by this Chapter, prior to the commencement of any plumbing work shall, upon conviction, be fined in accordance with Section 15-107.

(C) Any person who shall refuse or neglect to obey any order of the plumbing inspector to correct or remove a nuisance existing by reason of unsanitary plumbing, or plumbing installed in violation of this Chapter shall, upon conviction, be fined in accordance with Section 15-108. Each day that such nuisance shall continue to exist after the expiration of the time fixed by the plumbing inspector for the removal thereof shall constitute a separate offense.

SECTION 15-511. SUMP PUMPS.

Any new construction in the Village of Swansea that commences after the effective date of this Ordinance shall have sump pumps that are constructed in such a way as to not cause a nuisance as defined in Section 12-101(O). (Ord. 1498, 09/17/2007)

This Page Intentionally Left Blank



CHAPTER 15

SWANSEA BUILDING CODE

PART 6
FIRE CODE REGULATIONS

SECTION 15-601.	ADOPTION OF THE INTERNATIONAL FIRE CODE / 2000 <u>2006</u>
SECTION 15-602.	ADDITIONS, INSERTIONS AND CHANGES
SECTION 15-603.	VIOLATION PENALTIES (Of the International Fire Code / 2000 <u>2006</u>)
SECTION 15-604.	COMPLIANCE WITH THE CODE
SECTION 15-605.	ADDITIONAL INSPECTIONS & FEES

SECTION 15-601. ADOPTION OF THE INTERNATIONAL FIRE CODE / ~~2000~~ 2006 (Ord 1461, 7/17/2006)

The International Fire Code / ~~2000~~ 2006 as published by the Building Officials and de Administrators International, Inc., is hereby adopted as the Fire Prevention Code for the Village of Swansea for the control of buildings, structures and premises as herein provided. (Ord 1461, 7/17/2006)

(A) Each and all of the codes, provisions, penalties and terms of International Fire Code / ~~2000~~ 2006, are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions, and changes if any, prescribed by Section 15-602 of the Part. (Ord 1461, 7/17/2006)

(B) All periodic revisions of International Fire Code / ~~2000~~ 2006, are hereby adopted as revisions of the Fire Prevention Code of the Village prospectively. (Ord 1461, 7/17/2006)

(C) The Village Clerk shall keep at least one (1) copy of the adopted Fire Prevention Code on file in his office for the public use, inspection and examination.

(D) Responsibility for assuring that plans for any proposed construction comply with the provisions of the adopted code, shall rest solely with the applicant.

SECTION 15-602. ADDITIONS, INSERTIONS AND CHANGES

The following provisions of the International Fire Code / ~~2000~~ 2006 are hereby revised through addition, insertion or change: (Ord 1461, 7/17/2006)

- ~~(A) Section 105.6.12 Deleted in its entirety.~~
- ~~(B) Section 105.6.14 Deleted in its entirety.~~
- ~~(C) Section 105.6.18 Deleted in its entirety.~~
- ~~(D) Section 105.6.19 Deleted in its entirety.~~
- ~~(E) Section 105.6.24 Deleted in its entirety.~~
- ~~(F) Section 105.6.28 Deleted in its entirety.~~
- ~~(G) Section 105.6.29 Deleted in its entirety.~~
- ~~(H) Section 105.6.32 Deleted in its entirety.~~
- ~~(I) Section 105.6.34 Deleted in its entirety.~~
- ~~(J) Section 105.6.38 Deleted in its entirety.~~
- ~~(K) Section 105.6.39 Deleted in its entirety.~~

- ~~(1) Section 105.6 Delete in its entirety~~
- ~~(2) Section 105.6.1 Delete in its entirety~~
- ~~(3) Section 105.6.3 Delete in its entirety~~
- ~~(4) Section 105.6.4 Delete in its entirety~~
- ~~(5) Section 105.6.5 Delete in its entirety~~
- ~~(6) Section 105.6.6 Delete in its entirety~~
- ~~(7) Section 105.6.7 Delete in its entirety~~
- ~~(8) Section 105.6.8 Delete in its entirety~~
- ~~(9) Section 105.6.9 Delete in its entirety~~
- ~~(10) Section 105.6.10 Delete in its entirety~~
- ~~(11) Section 105.6.11 Delete in its entirety~~
- ~~(12) Section 105.6.12 Delete in its entirety~~
- ~~(13) Section 105.6.13 Delete in its entirety~~
- ~~(14) Section 105.6.14 Delete in its entirety~~
- ~~(15) Section 105.6.15 Delete in its entirety~~
- ~~(16) Section 105.6.16 Delete in its entirety~~
- ~~(17) Section 105.6.17 Delete in its entirety~~
- ~~(18) Section 105.6.18 Delete in its entirety~~
- ~~(19) Section 105.6.19 Delete in its entirety~~
- ~~(20) Section 105.6.20 Delete in its entirety~~
- ~~(21) Section 105.6.21 Delete in its entirety~~
- ~~(22) Section 105.6.22 Delete in its entirety~~
- ~~(23) Section 105.6.23 Delete in its entirety~~
- ~~(24) Section 105.6.24 Delete in its entirety~~
- ~~(25) Section 105.6.25 Delete in its entirety~~
- ~~(26) Section 105.6.26 Delete in its entirety~~
- ~~(27) Section 105.6.27 Delete in its entirety~~
- ~~(28) Section 105.6.28 Delete in its entirety~~

- (29) Section 105.6.29 Delete in its entirety
- (30) Section 105.6.30 Delete in its entirety
- (31) Section 105.6.31 Delete in its entirety
- (32) Section 105.6.32 Delete in its entirety
- (33) Section 105.6.33 Delete in its entirety
- (34) Section 105.6.34 Delete in its entirety
- (35) Section 105.6.35 Delete in its entirety
- (36) Section 105.6.36 Delete in its entirety
- (37) Section 105.6.37 Delete in its entirety
- (38) Section 105.6.38 Delete in its entirety
- (39) Section 105.6.39 Delete in its entirety
- (40) Section 105.6.40 Delete in its entirety
- (41) Section 105.6.41 Delete in its entirety
- (42) Section 105.6.42 Delete in its entirety
- (43) Section 105.6.43 Delete in its entirety
- (44) Section 105.6.44 Delete in its entirety
- (45) Section 105.6.45 Delete in its entirety
- (46) Section 105.6.46 Delete in its entirety
- (47) Section 105.7.3 Delete in its entirety
- (48) Section 105.7.6 Delete in its entirety
- (49) Section 105.7.7 Delete in its entirety
- (50) Section 105.7.8 Delete in its entirety
- (51) Section 105.7.9 Delete in its entirety
- (52) Section 105.7.13 Delete in its entirety
- (53) Section 307 Delete in its entirety
- (54) Section 308.3 Delete in its entirety

(Ord 1461, 7/17/2006)

SECTION 15-603. VIOLATION PENALTIES (Of the International Fire Code / 2000 2006) (Ord 1461, 7/17/2006)

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, repair, or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor, punishable by a minimum fine of twenty five (\$25.00) and not more than five hundred dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 15-604. COMPLIANCE WITH THE CODE

All persons, firms or corporations hereafter constructing any building or structure in the Village of Swansea shall comply with the provisions of this Chapter.

SECTION 15-605. ADDITIONAL INSPECTIONS & FEES.

(A) The following is a list of fire code inspections authorized and fees imposed:

Automatic suppression systems (wet and dry sprinkler, hood system, chemical agent, etc.) shall be tested by the installer and witnessed by the Fire Department Code Official	\$100.00
Re-inspection of automatic suppression system	\$50.00 per visit
Fire Code inspection 0-2,500 square feet of floor space	\$25.00 per visit (on routine schedule of the Fire Department Code Official)
Fire Code inspection 2,501-5,000 square feet	\$50.00
Fire Code inspection 5,001-10,000 square feet	\$100.00
Fire Code inspection 10,000 and larger	\$150.00

(Ord 1567, 03/01/10)

~~Automatic suppression system, i.e. wet and dry sprinkler, hood system, chemical agent etc. all newly installed systems shall be tested by the installer and witnessed by the Fire Department Code Official. Inspection Fee is \$100.00, re-inspection fee is \$50.00 per visit.~~

(B) The Fire Code inspection fee shall be waived for schools, churches, facilities controlled by not-for-profit organizations and governmental entities.

(C) A late fee in the amount of fifty (50) per cent of the inspection fee shall be assessed on any Fire Code inspection fee that is due and payment is not received by the Code Administrator within thirty (30) days after the date of the invoice. An additional late fee of fifty (50) per cent of the inspection fee shall be imposed for any fee not received within ninety (90) days of the date of the original invoice. (Ord 1627, 10/3/2011)

CHAPTER 15

SWANSEA BUILDING CODE

**PART 7
DANGEROUS BUILDINGS**

- SECTION 15-701. DEFINITIONS.**
- SECTION 15-702. PROHIBITION.**
- SECTION 15-703. ABATEMENT.**
- SECTION 15-704. LIEN.**
- SECTION 15-705. PAYMENT.**
- SECTION 15-706. FORECLOSURE OF LIEN.**
(Ord 1466, August 25, 2006)

**PART 7
PROPERTY MAINTENANCE CODE**

- SECTION 15-701. ADOPTION OF PROPERTY MAINTENANCE CODE.**
- SECTION 15-702. ADDITIONS, INSERTIONS, CHANGES.**
- SECTION 15-702. DEFINITIONS (Ord 1728, 09/21/15)**
- SECTION 15-703. DANGEROUS BUILDINGS.**
- SECTION 15-704. PROHIBITION.**
- SECTION 15-705. ABATEMENT.**
- SECTION 15-706. LIEN**
- SECTION 15-707. PAYMENT**
- SECTION 15-708. FORECLOSURE OF LIEN.**

SECTION 15-701. DEFINITIONS.

The term Dangerous Buildings as used in this Part shall mean:

- (A) Any building, shed, fence or other man made structure which is dangerous to the public health because of its condition, which may cause or aid in the spread of disease, or injury to the health of the occupants of it or neighboring structures;
- (B) Any building, shed, fence, or other man-made structure which, because of faulty construction, age, lack of proper repair or any other cause, is especially liable to fire and constitutes or creates a fire hazard;
- (C) Any building, shed, fence, or other man-made structure which, by reason of faulty construction or any other cause is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure;

(D) Any building, shed, fence, or other man-made structure which, because of its condition or because of lack of doors or windows is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure;

SECTION 15-702. PROHIBITION.

It shall be unlawful to maintain or permit the existence of any dangerous building in the Village of Swansea; and it shall be unlawful for the owner, occupant or person in custody of any dangerous building to permit the same to remain in a dangerous condition, or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition. Any such dangerous building in the Village of Swansea is hereby declared to be a nuisance;

SECTION 15-703. ABATEMENT.

(A) When the Code Administrator, the Fire Chief, the County Health Officer or any other authorized officer of the Village of Swansea shall be of the opinion that any building or structure in the Village is a dangerous building, he shall file a written statement to this effect with the Village Clerk.

(1) The Clerk shall thereupon cause written notice to be served upon the owner, including lien holders of record, thereof and the occupant thereof, if any, by mailing a copy thereof by United States Mail to the last known address for mailing of owner, lien holder, or occupant, if any, and shall report to the President of the Village of Swansea Board of Trustees when such notice has been served.

(2) If owner cannot be found then said notice shall be mailed to the person to whom the real estate was last assessed.

(3) Such notices shall state that the building has been declared to be in a dangerous condition, and that such dangerous condition must be removed or remedied by repairing or altering the building or by demolishing it; and that the condition must be remedied at once.

(4) Such notice shall be served upon the proper parties not less than fifteen (15) days before the Village of Swansea shall file application with the County Circuit Court for an order authorizing the demolition or repair of said building.

(5) Such notice may be in the following terms:

"To:

(owner occupant or lien holder of record) of the premises known and described as:

"You are hereby notified that:

(Describe building) on the premises above mentioned has been condemned as a nuisance and a dangerous building after inspection by:

"The cause for this decision is:

(Here insert the facts as to this condition and the corrective action required within fifteen (15) days from the date of this notice, or the Village of Swansea will proceed to require such action in the courts)

(B) In the event that the building is not demolished or repaired or altered within the fifteen (15) day period of time elapsing from the date of service of the notice, then the Village of Swansea shall institute application before the County Circuit Court requesting an order authorizing the demolition, alteration or repair of the dangerous building.

(C) Upon rendition of the proper order by the Circuit Court, the Village of Swansea shall then direct the demolition, alteration or repair of said building and the cost of such actions shall be recovered from the owner or owners of such real estate and shall be a lien thereon.

SECTION 15-704.—LIEN.

(A) Charges for such building removal, repair or alteration including attorney's fees and costs, shall be a lien upon the premises.

(B) A bill representing the cost and expense incurred or payable for the service shall be presented to the owner.

(C) If this bill is not paid within thirty (30) days of submission of the bill, a notice of lien for the cost and expenses incurred by the Village of Swansea shall be recorded in the following manner:

(1) A description of the real estate sufficient for identification thereof;

(2) The amount of money representing the costs and expenses incurred or payable for the service.

(3) The date or dates when said costs and expenses were incurred by the Village of Swansea;

(4) Said lien shall be filed within sixty (60) days after expenditure.

SECTION 15-705. PAYMENT.

Notice of such lien claim shall be mailed to the owner of the premises if his address is known. Upon payment of the cost and expense after notice of lien has been filed, the lien shall be released by the Village of Swansea or person in whose name the lien has been filed and the release shall be filed or recorded in the same manner as filing notice of the lien.

SECTION 15-706. FORECLOSURE OF LIEN.

Property subject to a lien for unpaid charges shall be sold for nonpayment of the same, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be in the name of the Village of Swansea, after the lien is in effect for sixty (60) days.

SECTION 15-701. ADOPTION OF PROPERTY MAINTENANCE CODE.

In an effort to ensure the public health, safety and welfare in so far as they are effected by the continued maintenance and occupancy of existing structures and premises, the "International Property Maintenance Code/2006" as published by the International Code Council, is hereby adopted as the property maintenance code for the Village of Swansea.

There is hereby adopted by the Village for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment use and occupancy, location and maintenance of buildings and structures, including permits and penalties, Chapter 29 of the Building Regulations of the Revised Code of Ordinances of the County of St. Clair County, Illinois, and the Codes adopted therein, which shall henceforth be known as the "Property Maintenance Code of the Village of Swansea", being particularly the current Chapter 29 of the St. Clair County Building Regulations and all subsequent additions and updates thereof as they relate to the foregoing, save and except such portions as are hereinafter deleted, modified or amended, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Code

shall take effect the provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the corporate limits of the Village.

All fees set forth in Chapter 29 of the Property Maintenance Code Regulations of the Revised Code of Ordinances of the County of St. Clair County, Illinois are amended to be the fees established by written contract between the Village and the County of St. Clair County, Illinois. In the absence of a specific written agreement, the fees set forth in Chapter 29 of the Property Maintenance Code Regulations of the Revised Code of Ordinances of the County of St. Clair County, Illinois shall be the fees assessed by the Village. (Ord 1728, 09/21/15)

SECTION 15-702. DEFINITIONS (Ord 1728, 09/21/15) ADDITIONS, INSERTIONS, CHANGES.

The following provisions of the "International Property Maintenance Code/2006" are hereby revised through addition, insertion, or change:

A). In Section 101.1 insert "the Village of Swansea, Illinois".

A) Wherever the term "code official" or "building official" is used, it shall mean and include the title of Code Administrator of the Village. (Ord 1728, 09/21/15)

B). In Section 102.1 add the following sentence to the end of the existing paragraph:

"Furthermore, in the event any section of this code conflicts with the Illinois Municipal Code, the Illinois Municipal Code shall govern".

B) Wherever the term "board of appeals" is used, it shall include and mean the Board of Building Appeals of the Village. (Ord 1728, 09/21/15)

C). In Section 103.5 insert fee schedule as follows:

[As determined by the Board of Trustees]

D). In Section 302.4 insert "eight (8) inches".

E). In Section 304.14 insert the dates "April 1st" and "October 31st" where indicated.

~~F). In Section 602.3 insert the dates "October 15th" and "April 30th" where indicated.~~

F). In Section 404.4.4 **Prohibited Occupancy:** Living rooms, dining rooms, family rooms, dens, kitchens, bathrooms, closets, halls, storage or utility spaces, basements (except in bedrooms which are code compliant) and attics (except in bedrooms which are code compliant) shall not be used for sleeping purposes. (Ord 1614, 06/06/11)

~~G). Section 602.4 insert the dates "October 15th" and "April 30th" where indicated.~~

G). In Section 602.3 insert the dates "October 15th" and "April 30th" where indicated. (Ord 1614, 06/06/11)

H). Section 602.4 insert the dates "October 15th" and "April 30th" where indicated. (Ord 1614, 06/06/11)

SECTION 15-703. DANGEROUS BUILDINGS.

The term **Dangerous Buildings** as used in this Part shall mean:

- (A) Any building, shed, fence or other man-made structure which is dangerous to the public health because of its condition, which may cause or aid in the spread of disease, or injury to the health of the occupants of it or neighboring structures;
- (B) Any building, shed, fence, or other man-made structure which, because of faulty construction, age, lack of proper repair or any other cause, is especially liable to fire and constitutes or creates a fire hazard;
- (C) Any building, shed, fence, or other man-made structure which, by reason of faulty construction or any other cause is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure;
- (D) Any building, shed, fence, or other man-made structure which, because of its condition or because of lack of doors or windows is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure.

SECTION 15-704. PROHIBITION.

It shall be unlawful to maintain or permit the existence of any dangerous building in the Village of Swansea; and it shall be unlawful for the owner, occupant or person in custody of any dangerous building to permit the same to remain in a dangerous condition, or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition. Any such dangerous building in the Village of Swansea is hereby declared to be a nuisance.

SECTION 15-705. ABATEMENT.

(A) When the Code Administrator, the Fire Chief, the County Health Officer or any other authorized officer of the Village of Swansea shall be of the opinion that any building or structure in the Village is a dangerous building, he shall file a written statement to this effect with the Village Clerk.

- (1) The Clerk shall thereupon cause written notice to be served upon the owner, including lien holders of record, thereof and the occupant thereof, if any, by mailing a copy thereof by United States Mail to the last known address for mailing of owner, lien holder, or occupant, if any, and shall report to the President of the Village of Swansea Board of Trustees when such notice has been served.
- (2) If owner cannot be found then said notice shall be mailed to the person to whom the real estate was last assessed.
- (3) Such notices shall state that the building has been declared to be in a dangerous condition, and that such dangerous condition must be removed or remedied by repairing or altering the building or by demolishing it; and that the condition must be remedied at once.
- (4) Such notice shall be served upon the proper parties not less than fifteen (15) days before the Village of Swansea shall file application with the County Circuit Court for an order authorizing the demolition or repair of said building.

(5) Such notice may be in the following terms:

"To:

(owner-occupant or lien holder of record) of the premises known and described as:

"You are hereby notified that:

(Describe building) on the premises above mentioned has been condemned as a nuisance and a dangerous building after inspection by:

"The cause for this decision is:

(Here insert the facts as to this condition and the corrective action required within fifteen (15) days from the date of this notice, or the Village of Swansea will proceed to require such action in the courts)

(B) In the event that the building is not demolished or repaired or altered within the fifteen (15) day period of time elapsing from the date of service of the notice, then the Village of Swansea shall institute application before the County Circuit Court requesting an order authorizing the demolition, alteration or repair of the dangerous building.

(C) Upon rendition of the proper order by the Circuit Court, the Village of Swansea shall then direct the demolition, alteration or repair of said building and the cost of such actions shall be recovered from the owner or owners of such real estate and shall be a lien thereon.

SECTION 15-706. LIEN.

(A) Charges for such building removal, repair or alteration including attorney's fees and costs, shall be a lien upon the premises.

(B) A bill representing the cost and expense incurred or payable for the service shall be presented to the owner.

(C) If this bill is not paid within thirty (30) days of submission of the bill a notice of lien for the cost and expenses incurred by the Village of Swansea shall be recorded in the following manner:

(1) A description of the real estate sufficient for identification thereof;

(2) The amount of money representing the costs and expenses incurred or payable for the service.

(3) The date or dates when said costs and expenses were incurred by the Village of Swansea;

(4) Said lien shall be filed within sixty (60) days after expenditure.

SECTION 15-707. PAYMENT.

Notice of such lien claim shall be mailed to the owner of the premises if his address is known. Upon payment of the cost and expense after notice of lien has been filed, the lien shall be released by the Village of Swansea or person in whose name the lien has been filed and the release shall be filed or recorded in the same manner as filing notice of the lien.

SECTION 15-708. FORECLOSURE OF LIEN.

Property subject to a lien for unpaid charges shall be sold for nonpayment of the same, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be in the name of the Village of Swansea, after the lien is in effect for sixty (60) days. (*Ord 1466, August 25, 2006*)

This Page Intentionally Left Blank

