

## ORDINANCE 22-17

### AN ORDINANCE AMENDING TITLE 9, BUILDING REGULATIONS, CHAPTER 1, ARTICLE C, PLUMBING CODE OF THE VILLAGE OF WEST DUNDEE

WHEREAS, the Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, the Village of West Dundee is committed to protecting the public health and safety; and

WHEREAS, the Village of West Dundee is committed to maintaining a functional built environment and safe neighborhoods while securing property values and quality of life by the efficient administrative of building code regulations; and

WHEREAS, the Village Board has recently reviewed new code provisions and is desirous of updating codes regulating the built environment to meet internationally accepted code standards; and

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, as follows:

Section 1: Title 9 Chapter 1 Article C of the Village Code of the Village of West Dundee is hereby amended to read as follows:

#### **9-1C-1: PLUMBING CODE ADOPTED:**

- A. Adoption: Pursuant to the authority granted by Title 65 Illinois Compiled Statutes 5/1-3-2, the Village of West Dundee hereby adopts by reference, as criteria for the issuance of construction, reconstruction, alteration, repair and installation permits of any plumbing or sewer system the provisions of the most current published State of Illinois Department of Public Health regulations commonly known as the State Plumbing Code.
- B. Regulations Adopted By Reference: The published books or pamphlets described and referred to in subsection A of this section and the regulations and standards contained therein or in the described portions thereof, modified in some cases as noted herein, are hereby adopted by reference and made a part of this plumbing code. In the event of a conflict between this code, or any part thereof, and such regulations and standards adopted by reference, the provisions of this code shall govern and prevail.

#### **9-1C-2: PLUMBING PERMITS:**

- A. Permit Required: It shall be unlawful to construct, alter, extend, repair or remove any building or structure without first having secured a permit therefore from the building official. Except that ordinary repairs to buildings may be made without application or notice to the building department; but such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the

removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit way requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety, or to recover or replace roof coverings, or exterior wall coverings.

- B. Application Procedure: The issuance of building permits shall follow the procedures established in section 9-1A-2 of this chapter. (Ord. 89-04, 4-3-1989)
- C. Fees: Fees for permits shall as provided in chapter 2 of this title. (Ord. 89-04, 4-3-1989; amd. 2004 Code)
- D. Work without Permit:
  - 1. Notice of Violation:
    - a. If work is done or is in progress without a permit, the building commissioner shall issue a violation notice. This violation notice shall be in writing to the owner and contractor, and require all work to stop.
    - b. The violation notice shall contain the name of the owner of the property and his address, the address of the building in violation, the name of the contractor and his address, a date for submission of plans and application for permits. Such compliance date shall be no sooner than twenty four (24) hours from violation notice issued, no more than forty eight (48) hours from violation notice issuance.
    - c. When an owner or contractor in violation makes application for permit, he shall agree to conform to all codes of the village, and to follow the plan review and building permit application procedures, and pay two (2) times the regular permit fee.
  - 2. Failure to Meet Compliance Date on Correction Notice:
    - a. Re-inspection of property in violation shall be required; fees as outlined in chapter 2 will apply.
    - b. Inspector shall contact owner or contractor in violation when there has been partial or no compliance. Such contact shall be verbally and also in writing within forty eight (48) hours of the re-inspection.
    - c. Notification shall recommend to the owner or contractor a course of action based on re-inspection and facts supplied by the owner or contractor. Such notification shall establish a reasonable compliance date and provide for re-inspection on compliance date.
    - d. Re-inspection process shall be repeated as long as satisfactory progress and good faith are demonstrated by the violator.
    - e. If compliance cannot be demonstrated, the village attorney shall file a complaint. (Ord. 89-04, 4-3-1989)

**9-1C-3: INSPECTIONS:**

- A. From time to time during the progress of permitted work, the building official shall cause an inspection to be made for the purpose of ascertaining that such work is being done in accordance with plans and specifications submitted as provided in section 9-1A-2 of this chapter, and a written report of such inspection shall be filed with, and made a part of, the record of the job.
- B. For the purpose of making such inspection, the official or his deputy, agent or any other employee of the village shall be permitted to enter upon premises where the work is being done at any and all reasonable times.
- C. Inspections shall be carried out by the building official or his duly appointed agent as provided in section 9-1A-3 of this chapter.

**9-1C-4: PENALTY:**

This plumbing code, including provisions adopted by reference, or who refuses to remedy a violation of any such provision or to remedy a hazard of fire, explosion, collapse, contagion or spread of infectious disease found to exist and duly ordered eliminated, shall be fined as provided in the general penalty in section 1-4-1 of this code for each offense, with each day such violation continues constituting a separate offense.

Section 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.


Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: That this Ordinance shall be in full force and effect upon its passage and approval, as provided by law.

PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois and approved by the President of said Village this 2<sup>nd</sup> day of May, 2022.

AYES: Trustees Alopogianis, Anderley, Wilbrandt, Price Yuscka and Haley  
NAYS: None  
ABSENT: None  
ABSTEIN: \_\_\_\_\_

ATTEST:

  
\_\_\_\_\_  
Mary Jo Pape  
Village Clerk

  
\_\_\_\_\_  
Christopher Nelson  
Village President

Passed: May 2, 2022

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Prepared by:

Village of West Dundee

Community Development Department

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West Dundee, IL 60118