

**ORDINANCE 14-27**

**AN ORDINANCE AMENDING TITLE NINE CHAPTER ONE ARTICLE B  
MECHANICAL 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 B of the Village Code of the Village of West Dundee is hereby amended to read as follows:

**9-1B-1: MECHANICAL 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 or installation permits, the provisions of the published **2012 International Mechanical Code** with the following amendments:

**Section 101.1-** These regulations shall be known as the *Mechanical Code* of [NAME OF JURISDICTION], hereinafter referred to as "this code".

Insert: Village of West Dundee as the NAME OF JURISDICTION

**Section 106.5.2-** The fees for mechanical work shall be as indicated in the following schedule.

[JURISDICTION TO INSERT APPROPRIATE SCHEDULE]

Insert: Chapter 9-2 of the West Dundee municipal code

**Section 106.5.3- Fee refunds**

Delete: Entire section

**Section 108.4 [SPECIFY OFFENSE] [AMOUNT] [NUMBER OF DAYS]**

Insert text: misdemeanor

Insert text: \$500

Insert text: 30

**Section 10.5 [AMOUNT] [AMOUNT]**

Insert text: \$25

Insert text: \$500

**Section 109.2- Membership of Board**

Delete: entire text

Insert text: The board of appeals shall be the Village Board.

**Section 109.2.1- Qualifications.**

Delete: Entire section

**Section 301.11-** Potable water supply and building drainage system connections to equipment and appliances regulated by this code shall be in accordance with the *International Plumbing Code*.

Delete text: International Plumbing Code

Insert text: 2004 Illinois State Plumbing Code

**Create Section 302.6 Safe pan installation.** An approved safe pan shall be provided for any water heater, clothes washing machine or HVAC equipment installed above the basement level of a structure. Safe pans shall be connected to a properly vented 2" floor drain or be provided with an automatic sensor capable of disconnecting power to the unit.

B. One copy of the international mechanical code, adopted herein by reference, shall be filed in the community development department and there kept available for public use, inspection and examination. In the event that any provision of the international mechanical code is in conflict with any provision of any ordinance of

the village, the village ordinance shall prevail and conflicting provision of said code shall be of no effect.

C. 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 mechanical 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. (Ord. 01-27, 8-20-2001)

#### **9-1B-2: MECHANICAL PERMITS:**

A. Permit Required: It shall be unlawful to construct, alter, extend, repair or remove any 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 department of community development; 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 subsection 9-1A-2B of this chapter.

C. Work without Permit:

1. Notice of Violation:

a. If work is done or is in progress without a permit, the building official 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. Reinspection of property in violation shall be required.
- 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 reinspection.
- c. Notification shall recommend to the owner or contractor a course of action based on reinspection and facts supplied by the owner or contractor. Such notification shall establish a reasonable compliance date and provide for reinspection on compliance date.
- d. Reinspection process shall be repeated as long as satisfactory progress and good faith are demonstrated by the violator; reinspection fees shall apply as per Chapter 2 of this title.
- e. If compliance cannot be demonstrated, the village attorney shall prepare and file the complaint.

D. Fees: Permit fees shall be as provided in chapter 2 of this title. (Ord. 89-04, 4-3-1989)

**9-1B-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. Every elevator, dumbwaiter, escalator, hoist and lift now in operation or which may hereinafter be installed together with the hoistway and all equipment thereof shall be inspected under and by the authority of the community development department at least once every six (6) months, and in no case shall a new unit be placed in operation until an inspection has been made.
- C. It shall be the joint duty of the owner, agent, lessee or occupant of the building in which such unit is located and of each person in charge or control of such unit to frame the certificate of elevator inspection signed by the building official and place same in a conspicuous place in each elevator or on each escalator hoist or dumbwaiter. (Ord. 89-04, 4-3-1989)

**9-1B-4: PENALTY:**

Unless otherwise provided herein, any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this mechanical 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. (Ord. 89-04, 4-3-1989; amd. 2004 Code)

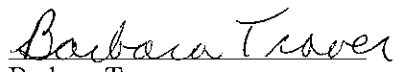
Section 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in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

AYES:	Trustees Price, Yuscka, Pflanz, Wilbrandt and Kembitzky
NAYS:	None
ABSENT:	Trustee Hanley
ABSTAIN:	None

ATTEST:

  
Barbara Traver  
Village Clerk

  
Christopher Nelson  
Village President

Passed: 8/4/2014  
Approved: 8/4/2014  
Published: 8/4/2014

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