

TITLE 9 BUILDING

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CHAPTER 1 BUILDING CODES

SECTION:

- 9-1-1: Building Code**
- 9-1-2: Electrical Code**
- 9-1-3: Plumbing Code**
- 9-1-4: Fire Prevention Code**
- 9-1-5: Mechanical Code**

9-1-1: BUILDING CODE:

A. BOCA National Building Code Adopted:

1. The City hereby adopted the following codes and standards to the as the building codes of the City: (Ord. 846, 3-8-1994; amd. Ord. 96-50-3, 7-23-1996, amd Ord 2003-28, 12-16-03)

- a. The International Building Code/2003.
- b. The International Mechanical Code/2003.
- c. The National Electrical Code 2002 NFPA 70.
- d. The International Residential Code/2003.
- e. The Illinois State Plumbing Code/1998.
- f. The International Fire Code/2003.

- g. The International Property Maintenance Code/2003.
- h. The International Fuel Gas Code/2003.
- i. The International Energy Conservation Code/2003.
- j. Illinois Accessibility Code.

All conflicts between this ordinance and the Unified Development Ordinance will require the enforcement of the stricter code requirements.

B. Interpretation And Application Of Building Code Provisions:

1. Name Of Municipality: References in the Building Codes herein adopted to "Name of Municipality" shall mean the City of Genoa.

2. Building Official: References in the Building Code to the Building Official shall mean the Building Inspector for the City. Provisions of the Building Code pertaining to appointment and qualifications of the Building Official shall not apply. (Ord. 846, 3-8-1994)

3. Building Permit And Associated Fees: Building permit fees and other associated fees shall be as follows:

Residential Construction (per dwelling unit as defined by the Unified Development Ordinance)

1. New Construction

- a.) Permit Fee \$ **.36** per square foot
- b.) Plan Review Fee \$ **.15** per square foot

Note: All areas of the residence including basements, garages, bonus spaces to be finished at a later date and similar spaces contribute to the square footage used to determine the building permit fee.

- c.) City Fee (For processing application and site plan review. To be charged only when a complete review is not conducted.) **\$ 325.00**
- d.) Certificate of Occupancy **10.00**
- e.) Temporary Certificate Of Occupancy **\$100.00**

2. Addition to Existing Structure

- a.) Permit Fee \$ **.35** per square foot
- b.) Plan Review Fee **\$40.00** per hour

3. Accessory Structures

- a.) Sheds, Greenhouses, Playhouses, etc
 - 1. Permit Fee **\$ 35.00**
- b.) Detached Garages
 - 1. Permit Fee **\$ 75.00**

Industrial, Commercial, Offices (per Unit)

4. New Construction

a.) Permit Fee

- 1. Commercial Office \$.45 per square foot
- 2. Industrial \$.22 per square foot

b.) Plan Review

- Up to 60,000 Cubic Feet **\$350.00**
- 60,001-80,000 Cubic Feet **430.00**
- 80,001- 100,000 Cubic feet **550.00**
- 100,000-150,000 Cubic Feet **625.00**
- 150,000-200,000 Cubic Feet **700.00**
- Over 200,000 **840.00 + \$8.00 per 10,000 cubic feet**

c.) Electrical Plan Review 50% of building plan review

d.) Plumbing Plan Review 25% of building plan review

e.) Mechanical Plan Review 25% of building plan review

f.) Certificate of Occupancy **\$ 50.00**

g.) Temporary Certificate of Occupancy **\$150.00**

2. Addition to existing Structure

a.)Permit Fee

- 1. Commercial Office \$.51 per square foot
- 2. Industrial .25 per square foot

b.)Plan Review

- Up to 60,000 Cubic Feet **\$350.00**
- 60,001-80,000 Cubic Feet **430.00**
- 80,001- 100,000 Cubic feet **550.00**
- 100,000-150,000 Cubic Feet **625.00**
- 150,000-200,000 Cubic Feet **700.00**
- Over 200,000 **840.00 + \$8.00 per 10,000 cubic feet**

c.) Electrical Plan Review 50% of building plan review

d.) Plumbing Plan Review 25% of building plan review

e.) Mechanical Plan Review 25% of building plan review

f.) Certificate of Occupancy **\$50.00**

Residential Alteration, Remodeling, Repair (Scope of work not defined elsewhere in this ordinance based on valuation of work. Valuation shall include all material and labor costs.)

- 1. \$1.00- \$500.00 **\$30.00**
- 501.00-1,000.00 **35.00**
- 1,001.00-2,000.00 **40.00**
- 2,001.00-5,000.00 **45.00**
- 5,001.00-8,000.00 **50.00**
- 8,001.00-10,000.00 **55.00**
- Over \$10,000.00 **55.00+ \$6.00 per thousand over \$10,000.00**
- 2. Plan Review Fee **\$40.00 per hour**

Commercial Alteration, Remodeling, Repair (Scope of work not defined elsewhere in this ordinance based on valuation of work. Valuation shall include all material and labor costs.)

- 1. \$1.00- \$500.00 **\$50.00**
- 501.00-1,000.00 **60.00**

| | |
|--------------------|---|
| 1,001.00-2,000.00 | 70.00 |
| 2,001.00-5,000.00 | 80.00 |
| 5,001.00-8,000.00 | 90.00 |
| 8,001.00-10,000.00 | 100.00 |
| Over \$10,000.00 | 100.00+ \$8.00 per thousand over \$10,000.00 |
| 2. Plan Review | \$40.00 per hour |

Electrical

| | |
|------------------------------|----------------|
| Change of Electrical Service | \$45.00 |
|------------------------------|----------------|

Plumbing

| | |
|----------------------------------|----------------|
| 1.) Permit Fee | |
| a. Lawn sprinkler | \$50.00 |
| Recording Fee for Parkway Waiver | \$30.00 |
| b. Grease Trap | 75.00 |
| c. Sewer or water service repair | 25.00 |
| d. Replace Hot Water Heater | \$30.00 |

Heating, Ventilation and Air Conditioning

| | |
|---|----------------|
| Replace Existing Furnace or Air Conditioner | \$35.00 |
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Demolition

| | |
|---------------------------------|-----------------|
| 1. Demolish Principal Structure | \$150.00 |
| 2. Demolish Accessory Structure | \$ 25.00 |

| | |
|---------------------------------|----------------|
| <u>Decks and Gazebos</u> | \$45.00 |
|---------------------------------|----------------|

| | |
|---|----------------|
| <u>Window and door Replacement</u> | \$35.00 |
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|----------------------|----------------|
| <u>Siding</u> | \$35.00 |
|----------------------|----------------|

| | |
|--------------------|----------------|
| <u>Roof</u> | \$35.00 |
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Fence

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|--|----------------|
| 1. First 150 lineal feet (minimum fee) | \$30.00 |
| 2. Each additional foot over 150 | .09 |

Swimming Pool

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|-----------------------|-----------------|
| 1. Above Ground Pools | \$75.00 |
| 2. In-Ground Pool | \$150.00 |

Parking Lots and Driveways

| | |
|--------------------|-----------------------|
| 1. Non-Residential | .05 square ft. |
| 2. Residential | \$25.00 |

Re-inspection Fee

\$50.00

Note: For all, commercial, industrial, and residential new construction permits, the first re-inspection is no charge.

Signs

- | | |
|--|----------------|
| 1. Base Fee (include plan review and 1 inspection) | \$55.00 |
| 2. Each Additional Inspections | \$15.00 |

Fire Protection

City fee for administration of fire alarm and fire suppression permits.(plan review and inspection fees shall be paid to consultant directly) **\$25.00**

5. Hearing Officer: The Hearing Officer created under Title 2, Chapter 2, of this Code shall serve as the Hearing Officer for Building Code matters, and the provisions of the BOCA Code setting forth the creation and membership of the Board of Appeals shall not apply. (Ord. 846, 3-8-1994; amd. Ord. 1995-11, 4-25-1995)

6. Penalty: Any person who violates the Building Code herein adopted shall be subject to the penalties provided for violation of the City Code. Provisions of the Building Code adopted pertaining to penalties shall not apply. (Ord. 846, 3-8-1994)

7. Building Permit Permit requirements:

a. The permit requirements shall apply to all building, structures and construction.

b. A permit application shall be denied if the plans submitted do not conform to all the requirements and ordinances of the City which denial shall be stated in writing.

c. The Building department shall with the issuance of a building permit furnish the permittee a placard which must be on the job at all times conspicuously posted on the job site which may not be removed until issuance of an occupancy permit.

d. All building permits shall expire 6 months from issuance if substantial construction is not commenced within such time and shall in all cases expire 18 month from issuance at which time all construction must cease until a permit extension is obtained. All work required to be done in accordance with the submitted plans and specifications shall be completed within the term of the permit.

e. Demolition permits shall expire 90 days after issuance.

f. No fees shall be refunded on lapsed permits

g. A final occupancy certificate shall be secured before any building is occupied. In addition, a final occupancy certificate shall not be issued until all work covered by the

permit is completed in compliance with the ordinances of the City, the permit and submitted plans and specifications.

8. Temporary Occupancy Permit: That permit issued by the City Building Department allowing occupancy of a building or structure intended for occupancy prior to final inspection and issuance of an occupancy permit.

Escrow: The sequestered amount approved by the Building Department and/or the City Engineer and created by an applicant for a temporary occupancy permit running in favor of the said applicant and the City to guarantee completion of the building, structure or construction.

Building Department: The Building Department of the City of Genoa as administered by the City Building Inspector or if none, the Mayor and City Council.

Provisions:

- a. A Temporary Occupancy Permit may be issued by the Building Department upon such other terms as may be contained herein where the items to be completed are limited to driveways when weather does not allow the work to be completed, landscaping and site work for only single family homes.
- b. A Temporary Certificate of Permit may be otherwise issued at the sole discretion of the Building Commissioner allowing occupancy of a building or structure intended for occupancy prior to final inspection by said department and issuance of a final occupancy permit.
- c. A Temporary Occupancy Permit may be issued upon the following conditions:
 1. Approval by the Building Inspector of all then completed items.
 2. Proper provisions for health and safety.
 3. Verification by the City Building Inspector or City Engineer of all uncompleted items of construction within the building or on the site and the estimated amount thereof.
 4. Written agreement by the applicant of a temporary occupancy permit shall identify the items and date to be completed
 5. Posting of an escrow in a sum no less that 125% of the cost of completion as determined by the Building Department or City Engineer.

9. Certificate Of Occupancy; Conditions: No certificate of occupancy shall be applied for or issued until such time that a paved surface has been provided for all driveways, approaches, and parking areas. The paving must meet City specifications. In the event of adverse weather preventing the installation of such paved surfaces, a bond may be provided to the City in the amount of one hundred ten percent (110%) of the estimated cost of the paving. The bond will be returned to the applicant upon completion of the paving or shall be used by the City to pay for paving in the event the applicant fails to comply with this requirement. This requirement shall not apply to drives, approaches,

and parking areas for park and recreational sites owned or administered by any unit of local government. (Ord. 882, 11-22-1994)

9-1-2: ELECTRICAL CODE:

A. Adoption Of Code: The "National Electrical Code", 2002 NFPA 70, as the rules and regulations of the National Fire Protection Association, are hereby adopted by reference and are declared to be the minimum requirements for the installation, alteration, and use of electrical equipment in the City. (Ord. 847, 3-8-1994; amd. Ord. 96-50-3, 7-23-1996)

B. Copies On File: The National Electrical Code shall be kept on file as follows: one copy in the office of the City Clerk and one copy furnished to the City Building Inspector.

C. Electrical Permits: No person shall install electrical equipment without a permit therefore, unless excepted therefrom by provisions of the National Electrical Code. Permits for the installation, alteration and use of electrical equipment shall be issued only on receipt of an application therefore, made out on a form to be issued by the Electrical Inspector and submitted to the Electrical Inspector and upon payment of the fee in advance as hereinafter provided. Application for such permit shall contain the name of the owner or user of the electrical equipment to be installed, altered or used; and the location by street and number; and a detailed description of the work to be done.

D. Penalty: Any person who fails or refuses to comply with the provisions of this Section, including the National Electrical Code, incorporated herein by reference, shall be subject to the penalties provided in Section 1-4-1 of this Municipal Code, and any electrical contractor or electrician who shall do any electrical work, or willfully permit it to be done, in violation hereof shall be liable for the penalties, and in addition thereto, any such person shall be required to remove such improper construction at his/her own expense. (Ord. 847, 3-8-1994)

9-1-3: PLUMBING CODE:

A. State Plumbing Code Adopted: The "Illinois State Plumbing Code", 1998 Edition, and all amendments and supplements thereto, is hereby adopted and incorporated herein by reference as and for the Plumbing Code of the City.

B. Code On File The Plumbing Code shall be kept on file in the office of the City Clerk to be available for public inspection and use.

C. Enforcement: The City Council shall designate such person to enforce the Plumbing Code adopted by this Section. (Ord. 848, 3-8-1994)

9-1-4: FIRE PREVENTION CODE:

A. Code Adopted: The "International Fire Code", 2003 Edition, and appendices thereto, as published by the Building and Code Officials International, Inc., is hereby adopted by reference in its entirety subject to modifications of this Chapter and shall be applicable in the City. (Ord. 849, 3-8-1994; amd. Ord. 96-50-3, 7-23-1996)

B. Code On File: The Fire Prevention Code herein adopted shall be kept on file as follows: one in the office of the City Clerk and one to be furnished to the Building Inspector of the City.

Name Of The Municipality: References in the Fire Prevention Code herein adopted to "Name of Municipality" shall mean the City of Genoa.

D. Penalty: Any person who violates the Fire Prevention Code herein adopted shall be subject to the penalties provided for violation of the City Code.

E. Amendments And Modifications To Code:

Section F-311 Establishment of Fire Lanes on Private Property Devoted to Public Use: The Fire Lanes referred to in Section 311 of the BOCA Fire Prevention Code are hereby established as follows: None.

F. Enforcement: The Fire Prevention Code adopted herein shall be enforced by the Chief of the Genoa-Kingston Fire Department and the Chief of Police of the City of Genoa, or other enforcing officer appointed by the Mayor of Genoa. (Ord. 849, 3-8-1994)

9-1-5: MECHANICAL CODE:

A. International Mechanical Code Adopted: The "International Mechanical Code", 2003, is hereby adopted by reference in its entirety subject to the modifications of this Chapter and shall be applicable to the City. (Ord. 850, 3-8-1994; amd. Ord. 96-50-3, 7-23-1996)

B. Code On File: The Mechanical Code herein adopted shall be kept on file as follows: one in the office of the City Clerk and one to be furnished to the Building Inspector of the City.

C. Interpretation; Name Of The Municipality: References in the Mechanical Code herein adopted to "Name of Municipality" shall be the City of Genoa. (Ord. 850, 3-8-1994)

D. Penalty: Any person who fails or refuses to comply with the provisions of this Section including the International Mechanical Code, 2003, incorporated herein by reference shall be subject to the penalties provided in Section 1-4-1 of this Municipal Code. (Ord. 850, 3-8-1994; amd. Ord. 96-50-3, 7-23-1996)

CHAPTER 2 MOBILE HOMES

SECTION:

- 9-2-1: Definitions**
- 9-2-2: Compliance with State Regulations**
- 9-2-3: Park Permit Requirements**
- 9-2-4: Park Plan**
- 9-2-5: Site Requirements and General Layout**
- 9-2-6: Required Services in Mobile Home Parks**
- 9-2-7: Operation and Management of Mobile Home Parks**
- 9-2-8: Inspections of Parks**
- 9-2-9: Location of Mobile Homes Outside Parks**
- 9-2-10: Removal of Wheels; Additions**
- 9-2-11: Notice of Violations; Hearings; Appeals**

9-2-1: DEFINITIONS:

For the purposes of this Chapter, the following words and phrases shall have the meanings ascribed to them in this Section:

DEPENDENT MOBILE HOME: A mobile home without toilet and bath or shower facilities.

ENFORCING OFFICER: The building inspector for the City, Police Chief, Health Officer, their authorized representatives or any officer or employee of the City authorized in law to enforce ordinances of the City.

HEALTH OFFICER: The legally designated health authority of the City or his authorized representative.

INDEPENDENT MOBILE HOME: A mobile home with a self-contained toilet and bath or shower facilities.

MOBILE HOME: Any vehicle or similar portable structure used, or so constructed as to permit its being used, as a conveyance upon the public streets or highways and constructed in such a manner as will permit occupancy thereof as a dwelling place for one or more persons.

MOBILE HOME PARK or PARK: Any plot of ground upon which two (2) or more mobile homes, occupied for dwelling or sleeping purposes, are located.

MOBILE HOME SPACE: A plot of ground within a mobile home park designated for the accommodation of one mobile home.

PERMIT: A written permit issued by the Health Officer permitting the mobile home park to operate under this Chapter and regulations promulgated hereunder.

SERVICE BUILDING: A building housing toilet, lavatory and such other facilities as may be required. (1978 Code §13.01)

9-2-2: COMPLIANCE WITH STATE REGULATIONS:

Requirements of construction, maintenance and operation of mobile home parks shall in no case be less than those requirements set forth by the Illinois Mobile Home Parks Act , as now or hereafter amended, and the rules and regulations pertaining to mobile home parks adopted by the Illinois Department of Public Health. (1993 Code)

9-2-3: PARK PERMIT REQUIREMENTS:

A. Permit Required; Term: It shall be unlawful for any person to establish, operate or maintain, or permit to be established, operated or maintained upon any property owned or controlled by him, a mobile home park within the City without having first secured a permit therefor. Such permit shall expire one year from the date of issuance but may be renewed under the provisions of this Chapter for additional periods of one year. (1978 Code §13.02)

B. Application For Permit: Applications for permits shall be in writing, signed by the applicant and accompanied by an affidavit of the applicant as to the truth of the application and shall contain or be accompanied by the following:

1. The name and address of the applicant or applicants or names and addresses of the partners if the applicant is a partnership or the names and addresses of the officers if the applicant is a corporation, company or an association.

2. The location and legal description of the mobile home park.

3. A complete plan of the mobile home park showing compliance with all applicable provisions of this Chapter and regulations promulgated hereunder.

4. Such further information as may be requested by the Building Inspector for the City to enable him to determine that the proposed mobile home park will comply with legal requirements. (1978 Code §13.03)

5. An annual permit fee of fifty dollars (\$50.00). (Ord. 96-3-35, 2-13-1996)

6. An improvement bond, acceptable to the City, in the total amount one hundred twenty five percent (125%) of the estimated cost of improvements to be made to assure the construction of the improvements required by this Chapter for the operation of a mobile home park.

7. A permit bond of five thousand dollars (\$5,000.00) to guarantee, within the terms of this Chapter, the operation of the mobile home park. (1978 Code §13.03)

C. Issuance Of Permit: All applications for permits shall be made to the City Council, who shall issue a permit upon compliance by the applicant with provisions of this Chapter and regulations adopted pursuant hereto, and with any other applicable ordinances of the City.

D. Planning Commission Recommendation; Inspections: Before such permit may be issued, there must be a favorable recommendation by a majority of the Planning Department of the City, and the premises must be inspected and approved by each of the following: Health Officer, Police Chief, Building Inspector for the City and such other officers or employees of the City as the City Council may deem necessary, as complying with all the provisions of this Chapter and all other applicable ordinances of the City.

E. Permit Nontransferable: No permit shall be transferable. Every person holding such a permit shall give notice, in writing, to the City Council within twenty four (24) hours after having sold, transferred, given away or otherwise disposed of interest in or control of any mobile home park in the City. Such notice shall include the name and address of the person succeeding to the ownership or control of such mobile home park. (1978 Code §13.02)

F. Suspension Or Revocation Of Permit :

1. Whenever, upon inspection of any mobile home park, an enforcing agent finds that conditions or practices exist which are in violation of any provision of this Chapter or other ordinances of the City or of any regulation adopted pursuant hereto, the enforcing agent shall give notice, in writing, to the person to whom the permit was issued, and unless such conditions or practices are corrected within a reasonable period of time, to be determined by the enforcing agent, the permit shall be automatically suspended. At the end of such reasonable period, the enforcing officer shall reinspect such mobile

home park, and if such conditions or practices have not been corrected, he shall give notice, in writing, to the person to whom the permit is issued that the permit has been automatically suspended. Upon receipt of notice of suspension, such person shall cease operation of such mobile home park.

2. Any person whose permit has been suspended or who has received notice from an enforcing agent that his permit will be suspended, unless certain conditions or practices at the mobile home park are corrected, may request and shall be granted a hearing on the matter before the City Council. When no petition for such hearing shall have been filed within ten (10) days following the day on which such permit was suspended, such permit shall be deemed to have been automatically revoked. (1978 Code §13.05)

9-2-4: PARK PLAN:

A complete plan, for the purpose of obtaining a permit, shall be prepared by a registered, professional engineer in the State and shall show:

- A. The area and dimensions of the tract of land.
- B. The number, location and size of all mobile home spaces.
- C. The location and width of roadways and walkways.
- D. The location of service buildings and any other proposed structures.
- E. The location of water and sewer lines.
- F. Plans and specifications of all buildings and other improvements constructed or to be constructed within the mobile home park. (1978 Code §13.04)

9-2-5: SITE REQUIREMENTS AND GENERAL LAYOUT:

A. Location: A mobile home park shall be located on a well-drained site and shall be so located that its drainage will not endanger any water supply. All such mobile home parks shall be in areas free from marshes, swamps or other potential breeding places for insects or rodents.

B. Area: The area of a mobile home park shall be large enough to accommodate:

- 1. The designated number of mobile home spaces.
- 2. Necessary streets and roadways.
- 3. Parking areas for motor vehicles.
- 4. Service areas and playgrounds.

C. Mobile Home Space: Each mobile home space shall be an average of at least thirty feet (30') wide, one hundred feet (100') deep and must have a minimum area of three thousand (3,000) square feet and shall abut on a driveway or roadway of not less than twenty four feet (24') in width, which driveway or roadway shall have unobstructed access to a public street. Such spaces shall be clearly defined, and mobile homes shall be parked in such spaces so that there will be a minimum of twenty feet (20') between mobile homes and so that no mobile home will be less than twenty feet (20') from the exterior boundary of the mobile home park and a minimum of two hundred feet (200') from the exterior boundary of the mobile home park abutting upon a major street.

It shall be illegal to park a mobile home less than twenty feet (20') from any street or highway or public way or so that any part of such mobile home will obstruct any roadway or walkway.

The following shall be provided for each individual space, all in conformity with the current minimum property requirements for mobile home parks of the Federal Housing Administration:

1. Mobile home stand.
2. Paved patio of at least one hundred eighty (180) square feet.
3. Tenant storage, including a locker, of at least twenty (20) cubic feet.
4. Parking space.
5. Accessway to mobile home stand.

D. Accessways: Accessways shall be provided to each mobile home space. Each accessway shall be continuous, shall connect with a street or highway and shall have a minimum width of twelve feet (12'), plus extra width as necessary for maneuvering a mobile home, but need not be paved.

E. Vehicle Parking: Areas shall be provided for the parking of motor vehicles. Such areas shall accommodate at least the number of vehicles equal to the number of mobile home spaces provided, plus an additional space for each five (5) mobile home spaces or portion thereof.

F. Playground Area: Playground areas shall be provided and shall be restricted to such use. These areas shall be protected from the main highway and from parking areas. A minimum of two hundred (200) square feet per mobile home space shall be made available in one or more places for such playground areas; provided, however, that a minimum of twenty thousand (20,000) square feet shall be restricted to playground area.

G. Clothes Drying: Outside drying space adjacent to the service building or other clothes-drying facilities shall be provided. A minimum of fifty (50) square feet per mobile home space shall be provided in the area used for clothes drying.

H. Streets: Streets within the mobile home park area shall be provided as follows:

1. All entrance streets, parking allowed, thirty six feet (36') wide;
2. All other streets, no parking, twenty feet (20'), plus an additional lane of eight feet (8') for each lane of parking. Streets and driveways in mobile home parks constructed after August 21, 1967, shall have a minimum width of twenty four feet (24'). Parking provided on the street may be substituted for one-half (1/2) the parking required in subsection E of this Section.
3. Construction shall be in accordance with street pavement construction contained in the subdivision regulations of the City.
4. Curb and gutter shall be required to furnish proper drainage.

I. Sidewalks: Adequate paved sidewalks, four feet (4') wide, shall be provided:

1. Between mobile home spaces and parking areas.
2. To all service buildings.
3. To playground areas.

J. Sewers:

1. All sewer improvements within the park areas shall conform to improvement standards established by the City's subdivision regulation.
2. Storm sewers shall be provided where drainage does not conform to minimum standards established by the Federal Housing Administration in "Minimum Property Requirements for Mobile Home Courts". Storm sewers may be required at any time during the term of a permit or as a prerequisite for renewal of a permit, if ponding of water becomes a nuisance or health hazard.

K. Lighting: Adequate lighting shall be provided on all streets, sidewalks and buildings used by the general mobile home park occupants.

L. Landscaping: Landscaping, walls or decorative fences shall be provided for screen purposes at such places as boundary lines, laundry yards, refuse collection points, playgrounds, etc.

M. Electricity: An electrical outlet supplying at least one hundred ten (110) volts shall be provided for each mobile home space. The installation shall comply with all State and City Electrical Codes. Such electrical outlets shall be weatherproof. No power line shall be permitted to lie on the ground, or to be suspended less than eighteen feet (18') above the ground. (1978 Code §13.08)

9-2-6: REQUIRED SERVICES IN MOBILE HOME PARKS:

A mobile home park shall provide for the following in the manner specified:

A. Supervision: The mobile home park shall be in the charge of a responsible attendant or caretaker at all times whose duty it shall be to maintain the court, its facilities and equipment in a clean, orderly and sanitary condition and be answerable, with the permittee, for any violation of this Chapter.

B. Water Supply:

1. An adequate supply of water furnished through the pipes connected directly to a City water main shall be furnished for drinking and domestic purposes.

2. At least one cold water supply outlet shall be provided within three hundred feet (300') of every dependent mobile home site. Each dependent site shall be provided with a cold water tap at least four inches (4") above the ground.

C. Plumbing Facilities:

1. Adequate toilet, lavatory and bathing facilities for occupants of dependent mobile homes shall be provided in a community service building or buildings. Such building or buildings shall be conveniently located, well constructed, having good natural and artificial lighting, adequate ventilation and floors of concrete or similar impervious materials. Concrete curbs, extending at least six inches (6") above the floor, shall be provided and the floor sloped to adequate drains. Walls and partitions shall be constructed of impervious material where subject to splash. Such building shall be maintained at a temperature of at least seventy two degrees (72°) Fahrenheit during the period from October 1 to May 1.

2. The community service building shall be provided with toilet rooms for each sex, plainly marked by appropriate signs, in which shall be installed water closets and lavatories adequate in number to serve the reasonable needs of occupants of dependent mobile homes. Each water closet shall be placed in a separate compartment, properly separated from other water closets and such compartment shall not be less than three feet (3') wide and shall be enclosed with proper partition and door. The community service building shall be provided, also, with separate tub or shower bath compartments for both sexes, adequate in number to accommodate the

reasonable needs of occupants of dependent mobile homes. In combination with each bath or shower stall, there shall be provided an individual dressing compartment not less than two and one-half feet by three feet (2 1/2' x 3') in plan so arranged as to insure privacy. The floor of such compartment shall be waterproof and elevated three inches (3") above the floor of the shower stall or a six inch (6") curbing provided, separating shower compartment from dressing room. Mats, grids and walkways made of wood, cloth or other absorbent materials will not be approved for use in bath sections of community service buildings.

3. No laundry trays shall be located in toilet or bathrooms.

4. An adequate water supply shall be provided at all times for the operation of all water closets in service buildings, and an adequate supply of hot and cold water shall be provided at all times in the service buildings for all bathing, washing, cleansing and laundry facilities.

5. The number of water closets, lavatories and baths or showers required for service of dependent mobile home sites and the number of laundry facilities required for all mobile home sites shall be in accordance with the rules promulgated by the Department of Health of the State.

D. Sewage Disposal:

1. All sewage and other water-carried wastes shall be disposed of into the Municipal sewerage system whenever available. In a mobile home park in which such connections are not available, disposal shall be into a private system which includes a sanitary means of disposal, the operation of which creates neither a nuisance nor a menace to health.

2. When a water carriage system of sewage is used, each mobile home site shall be provided with a sewer connection for the combined liquid waste outlet or outlets of the mobile home. It shall be the duty of the owner or operator of the park to provide an approved type of water and odortight connection from the mobile home water drainage to the sewer connection, and it shall be the duty of the owner or operator to make such connection and keep all occupied mobile homes connected to the sewer while located in the park. Sewer connections in unoccupied mobile home sites shall be so closed that they will not emit odors or cause a breeding place for flies. No water or waste shall be allowed to fall on the ground from mobile homes.

E. Garbage and Rubbish:

1. A sufficient number of adequate flyproof and watertight containers shall be supplied for the storage of garbage except where an adequate incinerator is provided.

2. Garbage containers shall be emptied at least every three (3) days and shall not be filled to overflowing or allowed to become foul smelling or a breeding place for flies.

3. Garbage and rubbish shall be disposed of in a manner which creates neither a nuisance nor a menace to health and which is approved by the Health Officer.

4. Adequate insect and rodent control measures shall be employed. All buildings shall be fly and rodentproof, and rodent harborages shall not be permitted to exist in the park.

F. Central Cooking and Eating Facilities: When community kitchens and dining rooms are provided, such facilities and equipment as are supplied must be maintained in a sanitary condition and in good repair.

G. Electrical Outlets: Electrical outlets for each individual mobile home site shall be provided, and the installation shall be in compliance with the Electrical Code. No connected electric extension cord shall lie on the ground or be suspended less than ten feet (10') from the ground above sidewalks or pathways .

H. Fire Protection: Fire extinguishers of a type approved by the State Fire Marshal for use at mobile home parks shall be placed at locations within two hundred feet (200') of each individual mobile home site. Each fire extinguisher shall be periodically examined and kept at all times in condition for use.

I. Porches and Canopies: Temporary porches, canvas-roofed canopies and skirts may be authorized for mobile homes in accordance with regulations of the Illinois Department of Public Health if constructed of fire resistant materials of such specifications as shall be required by such regulations.

J. Building Regulations: All buildings constructed or altered, all plumbing and all electrical and heating installations shall be in accordance with all applicable provisions of this Code relating thereto.

K. Streets and Driveways: Streets and driveways must be maintained in a passable and reasonably dustproof condition.

L. Lavatory Location: A park shall be so arranged that the walking distance from any dependent mobile home unit parking site to the water, toilet and shower accommodations will not exceed three hundred feet (300').

M. Report of Disease: It shall be the duty of the owner, operator or attendant of a mobile home park to report to the Health Officer the full name, age and address of every person who is affected or suspected of being affected with any reportable or communicable disease.

N. Maintenance of Equipment: The management of a mobile home park shall assume full responsibility for maintaining in good repair and condition all sanitary and safety appliances in the park and shall promptly bring such action as is necessary to prosecute or eject from the park any person who wilfully or maliciously damages such appliances

or any person who fails to comply with the regulations of this Chapter. (1978 Code §13.09)

9-2-7: OPERATION AND MANAGEMENT OF MOBILE HOME PARKS:

A. Permit Posted; Register Kept: A copy of the mobile home park permit shall be posted in the custodian's office, and the register shall at all times be kept in the office.

B. Manager:

1. Character: No permittee or manager, superintendent or person in charge of a mobile home park shall hold such position unless he is of good character and has never been convicted of a felony.

2. Duties: It is hereby made the duty of the attendant or person in charge, together with the permittee to:

a. Maintain the park in a clean, orderly and sanitary condition at all times.

b. See that the provisions of this Chapter are complied with and enforced and report promptly to the proper authorities any violations of this Chapter or any other violations of law which may come to his attention.

c. Prevent the running loose of dogs, cats or other animals or pets.

d. Maintain, in convenient places, fifteen (15) pound hand fire extinguishers in the ratio of one to each eight (1:8) mobile home spaces.

e. Prohibit the lighting of open fires on the premises.

f. Prohibit the use of any mobile home by a greater number of occupants than that which it is designed to accommodate.

g. Prohibit any mobile home to remain in the park unless a mobile home space is available. (1978 Code §13.14)

C. Report of Children: It shall be the duty of a mobile home park permittee, on the first days of February and September of each year, to file with the school board or boards of the school district or districts wherein the mobile home park is located a report giving the names and ages of all children of school age living in the park. (1978 Code §13.10)

D. Custodian's Office and Registry: A mobile home park shall be provided with a custodian's office where each mobile home entering the park shall be assigned to a lot location, given a copy of the park rules and registered according to the prescribed form. The registration shall include the name and address of every occupant of the mobile home, the license number of the unit, the state issuing such license and a statement

indicating the exact location at which the mobile home was last parked, including the state, city, town or village where such parking occurred. The permittee shall keep a registry of all children of school age occupying a mobile home in the park. The abovementioned register shall be signed by an occupant of the mobile home. No person shall furnish any misinformation for purposes of registration. The registration records shall be neatly and securely maintained, and no registration records shall be destroyed until six (6) years have elapsed following the date of registration. The register shall be available at all times for inspection by law enforcement officers. (1978 Code §13.11)

9-2-8: INSPECTION OF PARKS:

A. The enforcing agents are hereby authorized and directed to make periodic inspections to determine that all mobile home parks located within the City comply with this Chapter and all other ordinances of the City.

B. The enforcing agents shall have the power to enter, at reasonable times, upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Chapter and other ordinances of the City.

C. It shall be the duty of the owners or occupants of mobile home parks or of the person in charge thereof to give the enforcing agents free access to such premises at reasonable times for the purpose of inspection. (1978 Code §13.15)

9-2-9: LOCATION OF MOBILE HOMES OUTSIDE PARKS:

A. Prohibited Generally:

1. It shall be unlawful, within the City, for any person to park any mobile home or trailer on any street or other public place or on any tract of land owned by any person, occupied or unoccupied, within the City, except as provided in this Chapter.

2. Emergency or temporary stopping or parking is permitted on any street or alley for not longer than one hour, subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street or alley.

B. Storage Allowed: No person shall park or occupy any mobile home or trailer on the premises of any occupied dwelling or on any lot which is not a part of the premises of any occupied dwelling, either of which is situated outside an approved mobile home park; except, the parking of only one unoccupied mobile home or trailer in an accessory private garage building or in a rear yard in any district is permitted, providing no living

quarters shall be maintained or any business practiced in the mobile home or trailer while so parked or stored. (1978 Code §13.07)

9-2-10: REMOVAL OF WHEELS; ADDITIONS:

A. Removal of Wheels: The removal of wheels except for temporary purposes of repair or other action to attach the mobile home to the ground by means of posts, piers, foundations or skirtings shall subject the mobile home to the requirements of the Building Code.

B. Adding On to Mobile Homes: No permanent additions of any kind shall be built onto or become apart of the mobile home. (1978 Code §13.12)

9-2-11: NOTICE OF VIOLATIONS; HEARINGS; APPEALS:

A. Notice: Whenever the enforcing agent determines that there are reasonable grounds to believe that there has been a violation of any provision of this Chapter or other applicable ordinances of the City, he shall give notice of such alleged violation to the person responsible therefor. Such notice shall:

1. Be put in writing.
2. Set forth the deficiencies which must be corrected.
3. Specify a reasonable time for the performance of any act it requires.
4. Be served upon the owner or his agent or the occupant, as the case may require; provided, that such notice or order shall be deemed to have been properly served upon such owner or agent or upon such occupant, when a copy thereof has been sent by registered mail to his last known address or when a copy thereof has been posted in a conspicuous place in or about the dwelling affected by the notice or when he has been served with such notice by any other method authorized or required by the laws of this State.

B. Hearing: Any person affected by any notice which has been issued in connection with the enforcement of this Chapter or other ordinances of the City or of any regulation adopted pursuant hereto may request and shall be granted a hearing on the matter before the City Council; provided, that such person shall file in the office of the City Clerk a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within ten (10) days after the day the notice was served. Upon receipt of such petition, the Council shall set a time and place for such hearing and shall give the petitioner written notice of the hearing. At such hearing, the petitioner shall be given

an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than the next regular Council meeting but, in no case, less than eight (8) days after the day on which the petition was filed.

C. Council Action: After such hearing, the City Council shall sustain, modify or withdraw the notice provided for in this Section, depending upon its findings as to compliance or noncompliance with the provisions of this Chapter or other applicable ordinances of the City. If the Council sustains or modifies such notice, it shall be deemed final and effective. Any notice served pursuant to this Section shall automatically become final and effective if a written petition for a hearing shall not have been filed in the office of the City Clerk within ten (10) days after such notice was served. After a hearing, in the case of any notice suspending any permit required by this Chapter or by any regulation adopted pursuant hereto, when such notice shall have been sustained by the Council, the permit shall be deemed to have been revoked. Any such permit which shall have been suspended by a notice shall be deemed to be automatically revoked if a petition for a hearing shall not have been filed in the office of the City Clerk within ten (10) days after such notice was served or compliance with the notice.

D. Records Kept: A summary of the proceedings at such hearing, including the findings and decision of the Council, shall be reduced to writing and entered as a matter of public record. Such record shall include, also, a copy of every notice issued in connection with the matter.

E. Appeals: Any person aggrieved by the decision of the Council may seek relief therefrom in any court of competent jurisdiction as provided by the laws of this State.

F. Emergency Action: Whenever the Health Officer finds that an emergency exists which requires immediate action to protect the public health, he may, without notice or hearing, require such immediate action as he may deem necessary to meet the emergency, notwithstanding any other provisions of this Chapter. Any person shall comply with the requirements immediately but, upon petition to the City Council, shall be afforded a hearing as soon as possible. After such hearing, depending upon its findings as to compliance or noncompliance with the provisions of this Chapter and any other applicable ordinance of the City have been complied with, the Council shall continue such notice in effect or modify it or revoke it. (1978 Code §13.06)

CHAPTER 3 NUMBERING BUILDINGS

SECTION:

- 9-3-1: Numbering Buildings Required**
- 9-3-2: Method of Numbering Established**

- 9-3-3: Unit System of Numbering**
9-3-4: Penalty

9-3-1: NUMBERING BUILDINGS REQUIRED:

It is the duty of the owner of any building situated in the City to place numbers in a conspicuous place on the building. (1978 Code §5.25)

9-3-2: METHOD OF NUMBERING ESTABLISHED:

The following basis is established for the numbering of lots and buildings in the City:

- A. The base or dividing line east and west in the City shall be Sycamore Street; the dividing line north and south shall be Main Street.
- B. All blocks and streets except as hereinafter provided shall be divided into as many twenty five foot (25') spaces as possible.
- C. When numbering east from Sycamore Street, measurements shall commence from the east line of Sycamore Street, and when numbering south from Main Street, from the south line thereof.
- D. Measurements shall extend from said starting points respectively along the block frontage and across the next street, which place shall be a new starting point, and said measurements shall in a similar manner be continued along the whole street.
- E. The blocks and streets on Main Street, west of Sycamore Street and east of State Street shall be divided into as many twelve and one-half foot (12 1/2') spaces as possible.
- F. In fixing the said spaces on the south side of West Main Street between Emmett Street and Washington Street the east line of lot 1 in block 1 of the original town of Genoa shall be regarded as a street and all spaces west thereof to Washington Street shall be assigned numbers as though in the fourth block west of Sycamore Street.
- G. In fixing such spaces on the east side of South Genoa Street the alley between Central Subdivision to Genoa and Traveler's Second Addition to Genoa shall be regarded as a street, and all spaces south thereof to Church Street shall be assigned numbers as though in the second block south of Main Street.
- H. In fixing said spaces on the west side of South Sycamore Street the south line of lot 5 of Central Subdivision to Genoa shall be regarded as a street and all spaces south

thereof to Church Street shall be assigned numbers as though in the second block south of Main Street.

I. Each block and street as aforesaid shall be divided into as many twenty five foot (25') spaces or twelve and one-half foot (12 1/2') spaces, as hereinbefore provided, as possible, and in the event any lot as shown and a fraction thereof, then such fraction is to be considered and treated as a whole space and a number is to be assigned therefor. (1978 Code §5.25)

9-3-3: UNIT SYSTEM OF NUMBERING:

A. The numbering shall be made on a unit system; that is, each block and street or lines designated herein as streets shall be one hundred (100) and multiples of one hundred (100). All of said spaces abovementioned shall be numbered from said base or dividing lines.

B. All of said spaces on the east or south side of any street shall be numbered with even numbers, commencing at the base line with number one hundred two (102) and numbering consecutively therefrom to the next starting point and then in each case the second multiple of one hundred (100) shall be used, and so on, along the entire length of the street.

C. All of said spaces on the west or north side of any street shall be numbered with odd numbers, commencing at the base line with number one hundred one (101) and numbering consecutively therefrom to the next starting point and then in each case the second multiple of one hundred (100) shall be used, and so on, along the entire length of said street. (1978 Code §5.25)

9-3-4: PENALTY:

Any person violating any provision of this Chapter shall be fined not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed for each and every day during which a violation exists or continues. (1978 Code §5.26)

CHAPTER 4 MOVING BUILDINGS

SECTION:

- 9-4-1: Permit Required**
- 9-4-2: Permit Procedure**

9-4-1: PERMIT REQUIRED:

No person shall move a building on any street without a permit therefor. (1978 Code §5.24)

9-4-2: PERMIT PROCEDURE:

A. Application: Application for such permit, together with the bond required herein, shall be made to the City Clerk. The City Clerk shall submit the same to the City Council, together with a statement of the route to be followed and the time estimated during which the building or buildings will occupy any portion of the public street or alleys, and the legal description of the lot or location to which such building or buildings shall be moved.

B. Approval: If the Council shall approve the same, a permit shall be issued.

C. Content of Permit: The permit shall name the streets and alleys along which the building is to be moved, and the lot and block numbers or legal description of the property to which the building is to be moved.

D. Bond: No permit shall be issued until a bond is executed to the City by the applicant for the permit conditioned that he will assume and become liable for all damages caused by reason of moving the building, to either the City or to any individual. The bond shall be executed in such amount as may be fixed by the City Council, but not less than three thousand dollars (\$3,000.00), with such sureties as the Council may require. The bond shall further provide that in the event the City shall have to remove the building from any street the bond shall be conditioned upon payment to the City of all expenses incident thereto. (1978 Code §5.24)

E. Penalty: Any person violating any provision of this Chapter shall be fined not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed for each and every day during which a violation exists or continues. (1978 Code §5.26)

CHAPTER 5 FLOOD CONTROL

SECTION:

| | |
|----------------|---------------------------------------|
| 9-5-1: | Purpose |
| 9-5-2: | Definitions |
| 9-5-3: | Base Flood Elevation |
| 9-5-4: | Development Permit |
| 9-5-5: | Preventing Increased Damages |
| 9-5-6: | Protecting Buildings |
| 9-5-7: | Other Development Requirements |
| 9-5-8: | Variances |
| 9-5-9: | Administration and Enforcement |
| 9-5-10: | Disclaimer of Liability |
| 9-5-11: | Violation; Penalties |

9-5-1: PURPOSE:

This Chapter is enacted pursuant to the police powers granted to the City by Illinois Compiled Statutes, chapter 65, sections 5/1-2-1, 5/11-12-12, 5/11-30-2, 5/11-30-8 and 5/11-31-2 in order to accomplish the following purposes:

- A. To prevent unwise developments from increasing the flood or drainage hazards to others.
- B. To protect new buildings and major improvements to buildings from flood damage.
- C. To protect human life and health from the hazards of flooding.
- D. To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities and flood rescue and relief operations.
- E. To maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas.
- F. To make federally subsidized flood insurance available for property in the City by fulfilling the requirements of the National Flood Insurance Program. (1978 Code §24.06.01)

9-5-2: DEFINITIONS:

For the purposes of this Chapter, the following definitions are adopted:

BASE FLOOD: The flood having a one percent (1%) probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year flood. The base flood elevation at any location is as defined in Section [9-5-3](#) of this Chapter.

DEVELOPMENT: Any man-made change to real estate, including:

A. Construction, reconstruction or placement of a building or any addition to a building valued at more than one thousand dollars (\$1,000.00);

B. Installing a manufactured home on a site, preparing a site for a manufactured home or installing a travel trailer on a site for more than one hundred eighty (180) days;

C. Installing utilities, construction of roads or similar projects;

D. Construction or erection of levees, walls, fences, bridges or culverts;

E. Storage of materials; or

F. Any other activity that might change the direction, heights or velocity of flood or surface waters.

FPE or FLOOD PROTECTION ELEVATION: The elevation of the base flood plus one foot (1') at any given location in the SFHA.

FLOOD: A general and temporary condition of inundation of normally dry land areas from the overflow, the unusual and rapid accumulation or the runoff of surface waters from any source.

FLOODWAY: That portion of the SFHA required to store and convey the base flood. The floodway for each of the SFHAs of the City shall be according to the best data available to the Illinois State Water Survey Floodplain Information Repository.

RIVERINE SFHA: Any SFHA subject to flooding from a river, creek, intermittent stream, ditch or any other identified channel. This term does not include areas subject to flooding from lakes (except public bodies of water), ponding areas, areas of sheet flow or other areas not subject to overbank flooding.

SFHA or SPECIAL FLOOD HAZARD AREA: Those lands within the jurisdiction of the City that are subject to inundation by the base flood. The SFHAs of the City are generally identified as such on the Flood Insurance Rate Map of the City prepared by the Federal Insurance Administration and dated May 25, 1984. The SFHAs of those parts of unincorporated DeKalb County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City are generally identified as such on the Flood Insurance Rate Map prepared for DeKalb County by the Federal Emergency Management Agency and dated September 4, 1985. (1978 Code §24.06.02)

9-5-3: BASE FLOOD ELEVATION:

This Chapter's protection standard is the base flood. The best available base flood data are listed below. Whenever a party disagrees with the best available data, the party may finance the detailed engineering study needed to replace existing data with better data and submit it to the State Water Survey and the Federal Emergency Management Agency.

A. The base flood elevation for the SFHAs delineated as an unnumbered "A Zone" on the Flood Insurance Rate Map of the City shall be according to the best data available to the Illinois State Water Survey Floodplain Information Repository. When no base flood elevation exists, the base flood elevation shall be the 100-year flood depth calculated according to the formulas presented in Depth and Frequency of Flooding in Illinois published by the U.S. Geological Survey, 1976.

B. The base flood elevation for the SFHAs of those parts of unincorporated DeKalb County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City shall be according to the best data available to the Illinois State Water Survey Floodplain Information Repository. (1978 Code §24.06.04)

9-5-4: DEVELOPMENT PERMIT:

A. Permit Required: No person or governmental body not exempted by State law shall commence any development in the SFHA without first obtaining a development permit from the building inspector for the City. The building inspector for the City shall not issue a development permit if the proposed development does not meet the requirements of this Chapter.

B. Application for Permit: Application for a development permit shall be accompanied by:

1. Drawings of the site, drawn to scale, showing property line dimensions, existing grade elevations and all changes in grade resulting from excavation or filling.

2. The location and dimensions of all buildings and additions to buildings.

3. The elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section [9-5-6](#) of this Chapter.

C. Determination of Applicable Development Requirements: Upon receipt of an application for a development permit, the building inspector for the City shall compare the elevation of the site to the base flood elevation. Any development located on land that can be shown to have been higher than the base flood elevation as of May 25, 1984, is not located in the SFHA and, therefore, not subject to the requirements of this Section. The building inspector for the City shall maintain documentation of the existing

ground elevation at the development site and certification that this ground elevation existed prior to May 25, 1984.

D. Other Required Permits: The building inspector for the City shall inform the applicant of any and all other local, State and Federal permits that may be required for this type of development activity. The building inspector for the City shall not issue the development permit unless all required Federal and State permits have been obtained. (1978 Code §24.06.05)

9-5-5: PREVENTING INCREASED DAMAGES:

No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

A. Standards in Riverines: Within all riverine SFHAs, the following standards shall apply:

1. In addition to the other requirements of this Section, a development permit for a site located in a floodway (or in a riverine SFHA where no floodway has been identified) shall not be issued, unless the applicant first obtains a permit or written documentation that a permit is not required from the Illinois Department of Transportation, Division of Water Resources, issued pursuant to 65 Illinois Compiled Statutes 5/5 et seq.

2. The following activities may be constructed without the individual permit required in subsection A1 above in accordance with statewide permits issued by the Illinois Department of Transportation, Division of Water Resources, provided the activities do not involve placement of fill, change of grade or construction in the normal channel. Such activities must still meet the other requirements of this Chapter.

a. The construction of wells, septic tanks and underground utility lines not crossing a lake or stream.

b. The construction of light poles, signposts and similar structures.

c. The construction of sidewalks, driveways, athletic fields (excluding fences), patios and similar surfaces which are built at grade.

d. The construction of properly anchored, unwallled, open structures such as playground equipment, pavilions and carports.

e. The placement of properly anchored buildings not exceeding seventy (70) square feet in size nor ten feet (10') in any dimension (e.g. animal shelters and tool sheds).

f. The construction of additions to existing buildings which do not increase the first floor area by more than twenty percent (20%), which are located on the upstream or

downstream side of the existing building and which do not extend beyond the sides of the existing building that are parallel to the flow of flood water.

3. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the base flood elevation more than one foot (1.0') for the affected hydraulic reach of the stream and will not increase the flood damage or potential flood damage.

B. Public Health Standards in All SFHAs:

1. No development in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the FPE unless such materials are stored in a storage tank or floodproofed building constructed according to the requirements of subsection [9-5-6B4](#) of this Chapter.

2. New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings located below the FPE are watertight. (1978 Code §24.06.06)

9-5-6: PROTECTING BUILDINGS:

A. Applicable Situations: In addition to the damage prevention requirements of Section [9-5-5](#) of this Chapter, all buildings to be located in the SFHA shall be protected from flood damage below the FPE. This building protection requirement applies to the following situations:

1. Construction or placement of a new building valued at more than one thousand dollars (\$1,000.00).

2. Structural alterations made to an existing building that increase the floor area by more than twenty percent (20%) or the market value of the building by more than fifty percent (50%).

3. Reconstruction or repairs made to a damaged building that are valued at more than fifty percent (50%) of the market value of the building before the damage occurred.

4. Installing a manufactured home on a new site or a new manufactured home on an existing site. This Section does not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage.

5. Installing a travel trailer on a site for more than one hundred eighty (180) days.

B. Method of Compliance: This building protection requirement may be met by one of the following methods. The building inspector for the City shall maintain a record of compliance with these building protection standards as required in Section [9-5-9](#) of this Chapter.

1. A residential or nonresidential building may be constructed on permanent land fill in accordance with the following:

a. The fill shall be placed in layers no greater than one foot (1') deep before compaction.

b. The lowest floor (including basement) shall be at or above the FPE. The fill should extend at least ten feet (10') beyond the foundation of the building before sloping below the FPE.

c. The fill shall be protected against erosion and scour during flooding by vegetative cover, rip rap or bulkheading. If vegetative cover is used, the slopes shall be no steeper than three horizontal to one vertical (3:1).

d. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.

2. A residential or nonresidential building may be elevated in accordance with the following:

a. The building or improvements shall be elevated on crawl space, walls, stilts, piles or other foundation, provided:

(1) The walls have permanent openings no more than one foot (1') above grade.

(2) The walls and floor are not subject to damage by hydrostatic pressures associated with the base flood.

b. The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjacent structures so as to minimize exposure to known hydrodynamic forces such as currents, waves, ice and floating debris.

c. All areas below the FPE shall be constructed of materials resistant to flood damage. The lowest floor (including basement) and all electrical, heating, ventilating, plumbing and air-conditioning equipment and utility meters shall be located at or above the FPE. Water and sewer pipes, electrical and telephone lines, submersible pumps and other waterproofed service facilities may be located below the FPE.

3. Manufactured homes and travel trailers to be installed on a site for more than one hundred eighty (180) days shall be:

a. Elevated at or above the FPE in accordance with subsections B1 and B2 hereof.

b. Anchored to resist flotation, collapse or lateral movement by being tied down in accordance with the rules and regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 210 Illinois Compiled Statutes 120/1 through 120/6.

4. Only a nonresidential building may be floodproofed in accordance with the following:

a. A registered professional engineer shall certify that the building has been designed so that below the FPE, the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood. The building design shall take into account flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy and impacts from debris or ice.

b. Floodproofing measures shall be operable without human intervention and without an outside source of electricity. (1978 Code §24.06.07)

9-5-7: OTHER DEVELOPMENT REQUIREMENTS:

The City Council shall take into account flood hazards, to the extent that they are known, in all official actions related to land management, use and development.

A. New subdivisions, manufactured home parks, travel trailer parks, annexation agreements, planned unit developments (PUDs) and additions to manufactured home parks and subdivisions shall meet the requirements of Sections 9-5-5 and 9-5-6 of this Chapter. Plats or plans for new subdivisions, manufactured home parks and planned unit developments (PUDs) shall include a signed statement by a registered professional engineer that the plat or plans account for changes in the drainage of surface waters in accordance with the Plat Act .

B. Proposals for new subdivisions, manufactured home parks, travel trailer parks, planned unit developments (PUDs) and additions to manufactured home parks and subdivisions shall include base flood elevation data and floodway delineations. Where this information is not available from an existing study filed with the Illinois State Water Survey, the applicant shall be responsible for calculating the base flood elevation and the floodway delineation and submitting it to the State Water Survey for review and approval as best available regulatory data. (1978 Code §24.06.08)

9-5-8: VARIANCES:

Whenever the standards of this Chapter place undue hardship on a specific development proposal, the applicant may apply to the Plan Commission for a variance. The Plan Commission shall review the applicant's request for a variance and shall

submit its recommendation to the City Council. The City Council may attach such conditions to granting of a variance as it deems necessary to further the intent of this Chapter.

A. Conditions for Variance: No variance shall be granted unless the applicant demonstrates that:

1. The development activity cannot be located outside the SFHA.
2. An exceptional hardship would result if the variance were not granted.
3. The relief requested is the minimum necessary.
4. There will be no additional threat to public health or safety or creation of a nuisance.
5. There will be no additional public expense for flood protection, rescue or relief operations, policing or repairs to roads, utilities or other public facilities.
6. The provisions of subsection 9-5-4D of this Chapter are met.
7. The provisions of subsection 9-5-5A of this Chapter are met.

B. Notice to Applicant of Liabilities: The building inspector for the City shall notify an applicant, in writing, that a variance from the requirements of Section 9-5-6 of this Chapter that would lessen the degree of protection to a building will:

1. Result in increased premium rates for flood insurance up to amounts that may be as high as twenty five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage.
2. Increase the risks of life and property.
3. Require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.

C. Buildings on National Register: Variances to the building protection requirements of Section 9-5-6 of this Chapter requested in connection with the reconstruction, repair or alteration of a site or building included on the National Register of Historic Places or the Illinois Register of Historic Places may be granted using criteria more permissive than the requirements of subsections A1 through A5 hereof. (1978 Code §24.06.09)

9-5-9: ADMINISTRATION AND ENFORCEMENT:

The building inspector for the City shall be responsible for the general administration and enforcement of this Chapter including but not limited to the following duties:

- A. Ensure that all development activities within the SFHAs of the jurisdiction of the City meet the requirements of this Chapter.
- B. Provide information and assistance to citizens upon request about permit procedures and flood plain construction techniques.
- C. Ensure that construction authorization has been granted by the Illinois Department of Transportation, Division of Water Resources for all development projects subject to Section 9-5-6 of this Chapter and maintain a record of such authorization.
- D. Maintain a record of the "as built" elevation of the lowest floor (including basement) of all buildings subject to Section 9-5-6 of this Chapter.
- E. Maintain a record of the engineer's certification and the "as built" floodproofed elevation of all buildings subject to subsection 9-5-6B4 of this Chapter.
- F. Inspect all development projects to ensure they comply with the provisions of this Chapter.
- G. Cooperate with State and Federal flood plain management agencies to improve base flood and floodway data and to improve the administration of this Chapter; submit reports as required for the National Flood Insurance Program.
- H. Maintain for public inspection and furnish upon request base flood data, SFHA maps, copies of Federal or State permit documents and "as built" elevation and floodproofing data for all buildings constructed subject to this Chapter. (1978 Code §24.06.03)

9-5-10: DISCLAIMER OF LIABILITY:

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This Chapter does not create liability on the part of the City or any officer or employee thereof for any flood damage that results from reliance on this Chapter or any administration decision made lawfully thereunder. (1978 Code §24.06.10)

9-5-11: VIOLATION; PENALTIES:

A. Procedure: Failure to obtain a permit for development in the SFHA or failure to comply with the requirements of a permit or conditions of a variance resolution shall be deemed to be a violation of this Chapter. Upon due investigation, the City Attorney may determine that a violation of the minimum standards of this Chapter exists. The City Attorney shall notify the owner, in writing, of such violation.

B. Failure to Abate; Penalty: If such owner fails, after ten (10) days' notice, to correct the violation:

1. The City may make application to the circuit court for an injunction requiring conformance with this Chapter or make such other order as the court deems necessary to secure compliance herewith.

2. Any person who violates this Chapter shall, upon conviction thereof, be fined not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

3. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

C. Additional Remedies: Nothing herein shall prevent the City from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible. (1978 Code §24.06.11; 1993 Code)

CHAPTER 6 PROPERTY MAINTENANCE AND ZONING

SECTION:

9-6-1: Office Created; Duties; Term

9-6-1: OFFICE CREATED; DUTIES; TERM:

A. Office Created: There is hereby established for the City the office of Property Maintenance and Zoning Officer. The Officer shall be appointed by the Mayor with the advice and consent of the City Council.

B. Duties: The Property Maintenance and Zoning Officer shall perform all duties and have all powers assigned by law or ordinance to such Officer, and such other duties and functions as may be lawfully required or assigned to him. The Property Maintenance and Zoning Officer shall be responsible for enforcement of housing and property maintenance regulations as set forth in the "**International** Property Maintenance Code, **2003**", Third Edition, and shall advise the Plan Commission, the City Council and the Mayor, on matters related thereto, as, from time to time, requested.

C. Term of Office: The term of office for the Property Maintenance and Zoning Officer shall be for one year, beginning May 1 of each year, and until his successor is appointed and qualified. (Ord. 825, 4-13-93)

CHAPTER 7

HOUSING AND PROPERTY MAINTENANCE REGULATIONS

SECTION:

- 9-7-1: International Property Maintenance Code/2003 Adopted**
- 9-7-2: Additions and Deletions to the International Property Maintenance Code/2003**
- 9-7-3: Citations**

9-7-1: INTERNATIONAL PROPERTY MAINTENANCE CODE/2003 ADOPTED:

A. Adoption Of Code: Except for the revisions made in this Chapter, the "International Property Maintenance Code, 2003," as published by the Building Officials and Code Administrators International, Inc., be and the same is hereby adopted as the Property Maintenance Code of the City of Genoa for: 1) establishing minimum standards for basic equipment and facilities for light, ventilation, space heating and sanitation; for safety from fire; for space, use and location; and for safe and sanitary maintenance; for cooking equipment in all structures now in existence; 2) fixing the responsibilities of owners, operators and occupants of all structures; and 3) providing for administration, enforcement and penalties, and each and all of the regulations of the "International Property Maintenance Code, 2003" are hereby referred to, adopted and made a part hereof, as if fully set out in this Chapter, except for the revisions mentioned in Section 9-7-2 of this Chapter.

B. Violations: The procedures for violation shall be those that are established in the "International Property Maintenance Code, 2003" adopted above, except that section PM-106.2 shall have no force or effect and the penalties for violation shall be as follows: (Ord. 826, 6-8-1993; amd. Ord. 96-50-3, 7-23-1996)

Every person, firm or corporation who shall violate any provision of the Property Maintenance Code shall be guilty of a misdemeanor and upon conviction thereof, shall be subject to a fine of not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00). Each day that a violation continues after due notice has been served in accordance with the terms and provisions of the Property Maintenance Code, above adopted, shall be deemed a separate offense. (Ord. 826, 6-8-1993)

C. Property Maintenance Reinspection: It is hereby made the duty of the Property Maintenance and Zoning Officer, or his designee, to serve a notice, in writing, upon the owner, agent, occupant or person in possession, charge or control of any lot, building or premises in or upon which any violation of the International Property Maintenance Code, 2003, adopted above, may be found, requiring them to install, repair, replace or remove the same within a time specified in such manner as prescribed therein. It shall not be necessary in any case to specify in what manner the violation shall be resolved. If the person so notified shall refuse or neglect to comply with such order within the time and manner specified, the Property Maintenance and Zoning Officer, or his designee, shall send a bill for any and all additional reinspections required to obtain compliance in accordance with the following fee schedule: (Ord. 826, 6-8-1993; amd. Ord. 96-50-3, 7-23-1996)

PROPERTY MAINTENANCE REINSPECTION

| FEE SCHEDULE | |
|-----------------------------|-------------|
| Initial inspection | \$ 0.00 |
| 2nd reinspection | 25.00 |
| 3rd reinspection | 50.00 |
| Any additional reinspection | 100.00 each |

Any violation observed or recorded which is not a part of the original written notice, shall be in and of itself separate from said notice, and shall constitute a new violation. (Ord. 826, 6-8-1993)

9-7-2: ADDITIONS AND DELETIONS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE/2003:

The following sections of the "International Property Maintenance Code, 2003," are revised as follows: (Ord. 826, 6-8-1993; amd. Ord. 96-50-3, 7-23-1996)

In all articles and sections where "name of jurisdiction" is written, insert "City of Genoa, Illinois".

In all articles and sections where "Code Official" is written, insert "Property Maintenance and Zoning Officer" or his designee. (Ord. 826, 6-8-1993)

Section PM-111.0 Right to Appeal. Delete in its entirety. Insert in its place the following:

Section PM-111.0 Right to Appeal. See appeals section in the Building Code.

(Ord. 826, 6-8-1993; amd. Ord. 96-50-3, 7-23-1996)

Section PM-202.0 Add the following: Applied Meaning of Words and Terms:

Boarding House: A building other than a hotel where meals or sleeping accommodations and meals are provided for compensation to three (3) or more individuals not of the same family, pursuant to previous arrangements for definite periods, but not open to the public or transients.

Dormitory: A boarding or lodging house where sleeping accommodations with or without dining facilities are designed or provided for more than twenty (20) individuals, exclusive of the resident family and having common toilet and bathroom facilities.

Lodging House: A building whose sleeping accommodations only are provided for compensation to three (3) or more individuals not of the same family, pursuant to previous arrangements, for definite periods but not open to the Public or transients.

One-Family Dwelling: A building containing one dwelling unit with not more than one family or an individual plus no more than two (2) lodgers or boarders or guests.

Rooming House: See Lodging House.

Two-family Dwellings: A building containing two (2) dwelling units with not more than one family or an individual plus no more than two (2) lodgers or boarders or guests per unit.

Section PM-305.4. Lead-based paint. Delete in its entirety.

Chapter 5. Plumbing Facilities and Fixture Requirements. Where "plumbing code" is written, insert " Illinois State Plumbing Code/1998 as adopted in Section 9-1-3 of the Municipal Code of the City of Genoa, Illinois. (Ord. 826, 6-8-1993)

Chapter 6. Mechanical and Electrical Requirements. Where "NFPA 70" is written, insert "National Electrical Code, 2002 Edition" as adopted in Section 9-1-2 of the Municipal Code of the City of Genoa, Illinois. (Ord. 826, 6-8-1993; amd. Ord. 96-50-3, 7-23-1996)

Section PM-602.1 Residential Buildings. Delete in its entirety.

Insert New PM-601.1 Residential Buildings.

Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of 65 degrees F. (18 degrees C.) at the level of three (3) feet (914 mm) above the floor and a distance of three (3) feet (914 mm) from the exterior walls in all habitable rooms, bathrooms and toilet rooms based on the outside design temperature required for the locality by the mechanical code listed in Appendix A.

Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guest room on terms, either express or implied, to

furnish heat to the occupants thereof shall supply sufficient heat to maintain a room temperature of not less than 65 degrees F. (18 degrees C.) in all habitable rooms, bathrooms and toilet rooms during the hours between 6:30 A.M. and 10:30 P.M. of each day and not less than 60 degrees F. (16 degrees C.) during other hours. The temperature shall be measured at a point three (3) feet (914 mm) above the floor and three (3) feet (914 mm) from the exterior walls. When the outdoor temperature is below the outdoor design temperature required for the locality by the mechanical code listed in Appendix A, the owner or operator shall not be required to maintain the minimum room temperatures, provided the heating system is operating at full capacity, with supply valves and dampers in a full open position. Heat shall be furnished in accordance with the following (91-54 92-30)

1. The owner and operator shall provide and maintain the heating facilities and shall ensure such facilities are serviced and in operable condition on or before September 15 of each calendar year.
2. Every residential building exceeding two stories in height or containing thirteen (13) or more dwelling units, shall be supplied with sufficient heat within all units as prescribed in Section PM-601.1, during the period from September 15 to May 15.

(Ord. 826, 6-8-1993)

9-7-3: CITATIONS:

The Property Maintenance and Zoning Officer or his designees, are hereby authorized to establish and enforce a system of citations for specified violations of codes and ordinances of the City. The use of citations shall be solely at the discretion of the Property Maintenance and Zoning Officer or his designee, and shall not preclude the use of other enforcement methods.

A. Applicability: This citation system shall apply to all properties within the City and enforcement of specific ordinance provisions enumerated hereon.

B. Enforcement And Responsibility:

1. Citations may be issued by the Property Maintenance and Zoning Officer or any code enforcement officer.
2. Owners or tenants are subject to citations based upon apparent culpability. Managers and agents are subject to citations as the owner's representative.
3. Citations as provided in subsection C of this Section shall be personally served upon the person responsible for the violations, his agent or representative. In the event the owner, occupant, contractor or other person responsible for the violation cannot be

located, the citation may be served by posting a copy at the property, structure or vehicle where the violation has occurred and sending a copy by certified mail, return receipt requested, to the last known address of such person.

C. Citation And Settlement In Lieu Of Prosecution For Certain Offenses:

1. Whenever the Property Maintenance and Zoning Officer observes a violation as specified in subsection E1 of this Section or has probable cause to believe that such a violation has occurred and that a particular person is responsible, said officer may, in lieu of the filing of a complaint in court, issue to the alleged violator one of the following citations:

a. Warning Ticket: This type of citation shall advise the alleged violator that the same has violated a specified provision of the Municipal Code, and shall prescribe an appropriate time period to remedy the violation. In addition, the warning ticket shall advise the alleged violator that the failure to remedy the specified violation within the prescribed time period will result in the issuance of a failure-to-comply ticket.

b. Failure-To-Comply Ticket: This type of citation shall advise the alleged violator to make payment in the amount specified for the applicable offense. The failure-to-comply ticket shall also, where applicable, advise the alleged violator to abate the specified violation within seven (7) days or the City will cause the observed violation to be abated. The cost of such summary abatement shall be a lien on the real property where the violation was abated or removed.

2. Any person served with a failure-to-comply ticket may settle and compromise the violation claim by ceasing and/or abating said violation and paying to the City the applicable amount as shown within seven (7) days.

D. Appearance In Court: Upon receipt of a failure-to-comply ticket, the alleged violator may petition for a court hearing by signing and returning the ticket to the City Property Maintenance and Zoning Officer within seven (7) days of the specified violation date. A summons to appear will be mailed to the alleged violator specifying the time and place of the court hearing.

E. Enumerated Violations And Fines:

1. Citations may be issued for violations of any provision of the Municipal Code:

Section PM-106.2 and PM-106.3. Delete in its entirety. Replace with Section 9-7-3 herein.

2. Citations issued for violations of those sections of the Municipal Code specified in subsection E1 of this Section, in the amount of fifty dollars (\$50.00) or less, may be settled by payment of the sum of the corresponding amount enumerated therein, if paid within seven (7) calendar days of the service of the citation. Ticket recipients may pay a

reduced fine of ten dollars (\$10.00) if the reduced payment is received by the Property Maintenance and Zoning Officer within seventy two (72) hours of the specified violation date and the violation cited has been either abated, removed and/or ceases to exist. Citations issued for violations in excess of fifty dollars (\$50.00) may be settled by payment in full of the corresponding amount as prescribed herein.

3. Any person found guilty of violating, disobeying, omitting, neglecting or refusing to comply with, or resisting or opposing the enforcement of any provisions of this Chapter or the rules and regulations authorized by this Chapter, shall be deemed to have committed a misdemeanor and shall, upon conviction thereof, be fined not less than the corresponding amounts enumerated herein and may be incarcerated in the DeKalb County Jail for a term not to exceed six (6) months. These penalties are not deemed as being exclusive of any other remedy or penalty. Each day a violation of this Chapter shall continue after seven (7) days shall constitute a separate offense. An additional penalty as prescribed by the corresponding amounts enumerated herein will be charged for each day that the violation continues after the seven (7) day compliance period.

4. If, after the settlement and compromise of a particular violation described in subsection E1 of this Section, a person repeats the offense a second time, the penalty will be fifty dollars (\$50.00). Third and additional violations will result in a penalty of one hundred dollars (\$100.00).

5. The City may also bring suit for injunctive relief in the Circuit Court against any person violating any provision listed in subsection E1 of this Section, and by such suit may seek a court order enjoining violation of, in requiring compliance with, any provision herein. (Ord. 826, 6-8-1993)