

**CITY OF COLLINSVILLE, ILLINOIS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ADOPTING BUILDING AND FIRE SAFETY CODES  
WITH ADDITIONS, DELETIONS, AND MODIFICATIONS, AND  
REPEALING CERTAIN PROVISIONS RELATED THERETO, TO THE  
CODE OF ORDINANCES OF THE CITY OF COLLINSVILLE, ILLINOIS**

**ADOPTED BY THE**

**CITY COUNCIL**

**OF THE**

**CITY OF COLLINSVILLE, ILLINOIS**

**THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025**

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Published in pamphlet form by authority of the City Council of the City of  
Collinsville, Madison County, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2025.

**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance Adopting Building and Fire Safety Codes with Additions,  
Deletions, and Modifications, and Repealing Certain Provisions Related  
Thereto, to the Code of Ordinances of the City of Collinsville, Illinois**

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**WHEREAS**, the City Council of the City of Collinsville (hereinafter “the City”) recognizes the need to provide for the safety, health and welfare of Collinsville’s citizens and visitors by regulating buildings and ensuring life safety therein.

**WHEREAS**, Article VII, Section 6, of the Constitution of the State of Illinois of 1970, provides that home rule municipalities, subject to the specific limitations of Illinois law, may exercise any power and perform any function pertaining to its government and affairs;

**WHEREAS**, for the purpose of establishing rules and regulations to protect the public health, safety and welfare with respect to the construction, alteration, moving, removal, demolition, equipment, use, occupancy, and maintenance of buildings and structures, the City Council desires to adopt and to keep current building and fire safety codes.

**WHEREAS**, 65 ILCS 5/1-3-2 and 50 ILCS 220/2 both provide that where rules, regulations, and codes for the construction of buildings have been printed in book form, such rules, regulations, and codes, or portions thereof, may be adopted by reference.

**WHEREAS**, three (3) copies of the Building Codes adopted by this Ordinance, and containing the rules and regulations hereafter, have been filed in the Office of the City Clerk for use and examination by the public for at least thirty (30) days prior to their adoption.

**WHEREAS**, although three (3) copies of the Building Codes have been filed with the City Clerk as recited above, this Ordinance adopting the Building Codes, as hereinafter set forth, is adopted pursuant to the provisions regarding home rule of the Illinois Constitution of 1970 and is to be regarded as an exercise of the home rule powers of the City of Collinsville.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and the City Council of the City of Collinsville, in the County of Madison, and State of Illinois as follows:

**Section 1.** The preamble paragraphs of this Ordinance shall be deemed included in this Section 1 as if set for verbatim herein.

**Section 2.** Title 15 (Buildings and Construction) of the Collinsville Code of Ordinances is hereby amended so as to read in its entirety as provided for in the attached Exhibit A to be designated as “Title 15 – Buildings and Construction,” which shall be deemed included in this Section 2 as if set forth verbatim herein.

**Section 3.** In the event any section or provision of this Ordinance shall be held unconstitutional or invalid by any Court, in whole or in part, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance, other than the part held unconstitutional or invalid.

**Section 4.** All ordinances, or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.

**Section 5.** Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

**Section 6.** This Ordinance is effective upon its passage by the City Council, approval by the Mayor, and publication according to law.

Passed by the City Council and approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2025.

Ayes: \_\_\_\_\_  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_  
Approved: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
**JEFF STEHMAN, MAYOR**

ATTEST: \_\_\_\_\_  
**KIM WASSER, CITY CLERK**

RECORDED: \_\_\_\_\_, 2025.

# Exhibit A

## 15.10 – BUILDING REGULATIONS

### 15.10.01 – ADOPTION OF BUILDING CODES

Pursuant to Division 3 of the Illinois Municipal Code (65 ILCS 5/3-1-1 et al.), the Building Codes of the City shall consist of the following, which are incorporated by reference and made a part hereof as though fully set out herein, and are hereby adopted:

- A. The "2021 International Building Code," published by the International Code Council, Inc. including Appendices G, H, and J, and the amendments prescribed in Section 15.10.02, is hereby adopted as the "Collinsville Building Code" (the "Commercial Building Code");
- B. The "2021 International Residential Code", published by the International Code Council, Inc., et al. including amendments thereto prescribed in Section 15.10.03, is hereby adopted as the "Collinsville Residential Code" (the "Residential Code");
- C. The "2021 International Property Maintenance Code", published by the International Code Council, Inc., et al. including Appendix A, and the amendments thereto prescribed in Section 15.10.04, is hereby adopted as the "Collinsville Property Maintenance Code" (the "Property Maintenance Code");
- D. The "2021 International Existing Building Code" published by the International Code Council, Inc., et al., including the amendments thereto prescribed in Section 15.10.05, is hereby adopted as the "Collinsville Existing Building Code" ("Existing Building Code");
- E. The "2021 International Fire Code", published by the International Code Council, Inc. including Appendices B, C, D, E, F, G, H, and I and the amendments prescribed in Section 15.10.06, is hereby adopted as the "Collinsville Fire Code" (the "Fire Code");
- F. The "2021 International Mechanical Code", published by the International Code Council, Inc., et al. including Appendix A thereto, and the amendments prescribed in Section 15.10.07, is hereby adopted as the "Collinsville Mechanical Code" (the "Mechanical Code");
- G. The "2020 National Electrical Code" published by the National Fire Protection Association, Inc. including the amendments thereto prescribed in Section 15.10.08, is hereby adopted as the "Collinsville Electrical Code" (the "Electrical Code").
- H. The "Illinois Plumbing Code 77 IL Admin Code 890" published by the Illinois Department of Public Health thereto prescribed in Section 15.10.09, is hereby adopted as the "Collinsville Plumbing Code" (the "Plumbing Code");
- I. The "2021 International Fuel Gas Code" published by the International Code Council, Inc., et al including the amendments thereto prescribed in Section 15.10.10, is hereby adopted as the "Collinsville Fuel Gas Code" ("Fuel Gas Code");
- J. The "Illinois Energy Conservation Code" published by the Illinois Capital Development Board thereto prescribed in Section 15.10.11, is hereby adopted as the "Collinsville Energy Code" ("Energy Code");
- K. The "2021 International Swimming Pool and Spa Code" published by the International Code Council, Inc. et al. including the amendments thereto prescribed in Section 15.10.12 is hereby adopted as the "Collinsville Swimming Pool and Spa Code " ("Swimming Pool and Spa Code");
- L. The "Illinois Accessibility Code" published by the Illinois Capital Development Board thereto prescribed in Section 15.10.13 of this Ordinance is hereby adopted as the "Collinsville Accessibility Code"
- M. The "2015 NFPA 101 Life Safety Code" published by National Fire Protection Association including the amendments thereto prescribed in Section 15.10.14, of this Ordinance is hereby adopted as the "Collinsville Life Safety Code" ("Life Safety Code ").

#### 15.10.02 – COMMERCIAL BUILDING CODE AMENDMENTS

A. The Collinsville Building Code, as adopted in Section 15.10.01, is hereby amended as follows:

(a) Section 101.1 is hereby amended by substituting "City of Collinsville, Illinois" for the words "[NAME OF JURISDICTION]";

(b) Section 103.1 is hereby repealed and a new Section 103.1 is adopted in lieu thereof as follows:

*"103.1 Department of Building Safety, Code Official defined.* The term "Department of Building Safety" as used in this code shall mean the Building and Safety Division of the Community Development Department of the City of Collinsville, Illinois. The term "code official" as used in this code shall mean the duly appointed Building Official of the City of Collinsville, Illinois and including any designee thereof.";

(c) Section 103.2, inclusive is hereby repealed in its entirety;(d) Section 109. 2 is hereby amended by substituting " by written order or ordinance of the City Council" for the words " by the applicable governing authority",

(e) Section 109.6 is hereby repealed and a new Section 109.6 is hereby adopted in lieu thereof as follows:

*"109.6 Refunds.* No portion of any fee shall be returned to a permit holder in the case of a revocation of a building permit or a suspension, discontinuance, or abandonment of work.";

(f) Section 113.0 is hereby repealed in its entirety and a new Section 113.0 is hereby adopted in lieu thereof as follows:

*"Section 113.0 Means of Appeal*

*113.1 Application for appeal; limitations.* Any person shall have the right to appeal to the Building Code Review Committee established in Section 113.2 of this code from a decision of the code official or from any notice issued in connection with the enforcement of the Fire Prevention Code, the Mechanical Code, the Property Maintenance Code, the Residential Code, the Existing Building Code, the Fuel Gas Code, the Energy Conservation Code ,the Electrical Code, the Swimming Pool and Spa Code and the Accessibility Code(as applicable, "the code"). Any such appeal shall be based solely upon and shall state a claim that: (i) the true intent of the code or the rules or regulations adopted pursuant thereto have been incorrectly interpreted, (ii) the provisions of the code do not apply, or (iii) an equivalent form of construction can be used; provided that the Building Code Review Committee shall have no authority to interpret the administrative provisions of the code nor to waive substantive requirements of the code. Any appeal under this section shall be in writing, shall contain a written statement of the grounds for the appeal and shall be filed in the office of the code official within thirty (30) days after the rendering of the decision or from the date of service of the notice from which the appeal is taken.

*113.2 Committee established; membership.* The Building Code Review Committee hereby established shall consist of five (5) members appointed by the City Council. The members may be but are not required to be certified in fields of expertise pertaining to building codes, including, but not limited to architecture, structural engineering, building inspection, and fire protection; or are qualified by having adequate experience as a contractor or superintendent of construction in their field of expertise. All members shall serve without compensation.

The terms of members first appointed shall be staggered as follows: one for five (5) years, one for four (4) years, one for three (3) years, one for two (2) years, and one for one (1) year. Subsequent terms shall be for five (5) years. Appointments to fill vacancies shall be for the unexpired portion of a term only.

The Chairman of the Committee shall be appointed by the Mayor and approved by the City Council. The Committee shall from time to time elect one (1) of its members to serve as vice-chair and one (1) of its members to serve as secretary. Members so elected may be re-elected for successive terms. The Committee is hereby authorized to adopt and from time to time to amend rules of procedure for

hearings under this code. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information shall be received.

The Mayor with City Council approval shall appoint two (2) alternate members who shall be called by the board chairman to hear appeals during the absence of or disqualification of a member. A member shall be disqualified to hear an appeal in which that member has a personal, professional, or financial interest in the subject matter. Alternate members shall be appointed for five-year terms.

Appointments to fill vacancies shall be for the unexpired portion of a term only.

113.3 Hearing on appeal; decisions. The Committee shall meet to hear an appeal upon notice from the chair within thirty (30) days of the filing of the appeal. The Committee shall immediately determine whether the appeal filed complies with the jurisdictional requirements of Section 113.1 of this code.

Upon so determining, the Committee may hear testimony and evidence and, upon conclusion of the hearing, may modify or reverse the decision or order of the code official by a concurring vote of three (3) members. The decision of the Committee shall be in writing and a copy shall be made available to the appellant and to the code official within a reasonable time after the vote and rendering of the decision."

- (g) Section (114), Violations, is hereby amended and adopted in addition to the Commercial Building Code and is hereby incorporated as if fully set forth therein by adding to Paragraph 114.4.1 as follows:

114.4.1 Except as otherwise provided, a person convicted of a violation of this code shall be punished by a fine of not more than \$750. With respect to violations of this code that are continuous with respect to time, each day the violation continues is a separate offense.

114.4.2 The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise.

114.4.3 Violations of this code that are continuous with respect to time may be abated by injunctive or equitable relief. The imposition of a penalty does not prevent equitable relief.

- (h) The following Section (117), named "Maintenance of Construction Sites", including additional regulations and requirements are hereby adopted in addition to the Building Code and are hereby incorporated as if fully set forth therein.

#### 117.1 Dumpsters

- (1) Each building construction site shall have on-site a dumpster(s) of sufficient capacity to contain the construction debris generated by the construction activity on said site.
- (2) All construction debris from each building construction site, shall be placed in the construction site dumpster(s), by the end of each work day.
- (3) Every construction site dumpster, having been filled, shall be removed from the construction site and where appropriate, replaced with another empty dumpster until such time as construction debris is no longer generated on the site.

#### 117.2 Rocked Driveways

- (1) Each commercial construction site or subdivision construction site entrance shall have its driveway or roadway (as delineated on the building permit application site plan) rocked with CA3 (3 inch minimum) to a minimum depth of 6 inches. This subsection may not be required if the permanent paved driveway or entry road is in place and can be used by all construction equipment or delivery vehicles.
- (2) Rock drives or roadways must be constructed and maintained on stable soil in order to maintain the desired intent or the rock shall be replaced and/or soil stabilization may be required, as directed by the Code Official.
- (3) All deliveries of building materials, of all kinds, shall be made using the rocked road or driveway, without exception.

#### 117.3 Sanitary Facilities

- (1) Each building construction site shall provide sanitary facilities (including toileting and hand washing facilities) for the convenience of all workers and shall be discharged into a sanitary sewer or if the facility is portable, it shall be an enclosed, chemically-treated tank tight unit. All non-sewered units shall be pumped regularly to assure adequate working and sanitary facilities.

#### 117.4 Responsibility

- (1) It shall be the responsibility of the permit holder and any individual or company acting under the direction of the permit holder to ensure compliance of all provisions of Section 116.

### 15.10.03 – RESIDENTIAL BUILDING CODE AMENDMENTS

A. The Collinsville Residential Code, as adopted in Section 15.10.01, is hereby amended as follows:

- (a) Section R101.1 is hereby amended by substituting "City of Collinsville, Illinois" for the words "[NAME OF JURISDICTION]";
- (b) Section R103.1 is hereby repealed in its entirety and a new Section R103.1 is hereby adopted in lieu thereof as follows:

"Section R103.1 Department of Building Safety, Code Official defined

R103.1 General. The term "department of building safety" wherever used in this code shall mean the Building and Safety Division of the Community Development Department of the City of Collinsville, Illinois. The term "code official" as used in this code shall mean the duly appointed Building Official of the City of Collinsville, Illinois and any designee thereof.

- (c) Section R103.2, inclusive is hereby repealed in its entirety;
- (d) Section R105.2 is hereby repealed in its entirety and a new Section R105.2 is hereby adopted in lieu thereof as follows:

R105.2: Work exempt from permit

Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. *Permits* shall not be required for the following:

#### Building:

1. Other than *storm shelters*, one-story detached *accessory structures*, provided that the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>).
2. Fences not over 7 feet (2134 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon *grade* if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

#### Electrical:

1. *Listed* cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.

3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, *appliances*, apparatus or *equipment* operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.

**Gas:**

1. Portable heating, cooking or clothes drying *appliances*.
2. Replacement of any minor part that does not alter approval of *equipment* or make such *equipment* unsafe.
3. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

**Mechanical:**

1. Portable heating *appliances*.
2. Portable ventilation *appliances*.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling *equipment* regulated by this code.
5. Replacement of any minor part that does not alter approval of *equipment* or make such *equipment* unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
  2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
- (e) Section R108.2 and R108.3 are hereby amended by substituting "by written order or ordinance of the City Council" for the words "by the applicable governing authority",
- (f) Section R108.5 is hereby repealed and a new Section R108.5 is hereby adopted in lieu thereof as follows:
- "R108.5 Refunds. No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work."
- (g) Section R112 is hereby repealed in its entirety and a new Section R112 is hereby adopted in lieu thereof as follows:
- "Section R112 Means of Appeal*
- R112.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal as provided for in Section 15.10.02A(g), which shall additionally govern the grounds and regulate the procedures for such appeals."
- (h) Section R113.4 is hereby repealed in its entirety and a new Section 113.4 is hereby adopted in lieu thereof as follows:



"R113.4 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 114.4 of Section 3, Commercial Building Code."

- (j) The following Section (115), named "Maintenance of Construction Sites", including additional regulations and requirements are hereby adopted in addition to the Building Code and are hereby incorporated as if fully set forth therein.

#### 115.1 Rocked Driveways

- 1) Each residential building construction site shall have its driveway (as delineated on the building permit application site plan) rocked with CA 6 to a minimum depth of 3 inches.
- 2) Rock drives or roadways must be constructed and maintained on stable soil in order to maintain the desired intent or the rock shall be replaced and/or soil stabilization may be required, as directed by the Code Official.
- 3) All deliveries of building materials, of all kinds, shall be made using the rocked road or driveway, without exception.

#### 115.2 Sanitary Facilities

- (1) If a residential construction site provides sanitary facilities (including toileting and hand washing facilities) for the convenience of all workers and shall be discharged into a sanitary sewer or if the facility is portable, it shall be an enclosed, chemically-treated tank tight unit. All non-sewer units shall be pumped regularly to assure adequate working and sanitary facilities.

#### 115.3 Responsibility

- (1) It shall be the responsibility of the permit holder and any individual or company acting under the direction of the permit holder to ensure compliance of all provisions of Section 115.

- (k) Section R313.2 Sprinklers in residential Structures is repealed in its entirety and insert:

Section R313.2 One and Two-Family Dwellings Automatic Fire Systems A builder of one-and two-family dwellings to be constructed for a prospective purchaser shall offer to the purchaser at the time of entering into the construction/purchase contract the option, at the purchasers cost, to install or equip fire sprinklers in the dwelling, residence or unit. No purchaser of such one- or two-family dwelling shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or residence being purchased. Written verification by the builder affirming that a fire sprinkler system was offered to the purchaser at the time of entry into the construction/purchase contract must be included in the permit application.

- (l) Section 403.1.4.1 Exception #1 is hereby amended by substituting "400 square feet (37m<sup>2</sup>)" for the words "600 square feet (56m<sup>2</sup>)"
- (m) Should there be any conflicts between the provisions of Chapters 25 through 32 (inclusive) and the Illinois State Plumbing Code; the Illinois State Plumbing Code shall take precedence.
- (n) Should there be any conflicts between the provisions of Chapters 34 through 43 (inclusive) and the Collinsville Electric Code; the Collinsville Electric Code shall take precedence.

### **15.10.04 – PROPERTY MAINTENANCE CODE AMENDMENTS**

- A. The Collinsville Property Maintenance Code, as adopted in Section 15.10.01, is hereby amended as follows:

- (a) Section 101.1 is hereby amended by substituting "City of Collinsville, Illinois" for the words "[NAME OF JURISDICTION]";
- (b) Section 103 is hereby amended as follows:

"Section 103 Code Official and Department;

103.1 General. The term "department of property maintenance inspection" wherever used in this code shall mean the Building and Safety Division of the Community Development Department of the City of Collinsville, Illinois. The term "code official" as used in this code shall mean the duly appointed Building Official of the City of Collinsville, Illinois and any designee thereof."

- (c) Section 104.1 is hereby repealed and a new Section 103.5 is hereby adopted in lieu thereof as follows:  
 "104.1 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as established by written order or ordinance of the City Council.";
- (d) Sections 113.3 and 113.4 are hereby repealed in their entirety. [See applicable Illinois law on demolition of unsafe structures.]
- (e) Section 107 is hereby repealed in its entirety and a new Section 107 is hereby adopted in lieu thereof as follows:  
*"Section 107 Means of Appeal*  
 107.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of as provided for in Section 15.10.02A(g), which shall additionally govern the grounds and regulate the procedures for such appeals."
- (f) In Section 112.4 Failure to Comply, the words "of not less than [amount] dollars or more than [amount] dollars" shall be replaced with "of not more than 750 dollars".
- (g) Section 202 is hereby amended by adding "Responsible Party. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures, and premises. In addition, any other person or entity who may be reasonably considered to have a role or responsibility in the creation, continuation, or correction of any violation of this code shall be a responsible party or additional responsible party for such violation."
- (h) Section 302.4 shall have 8 inches inserted as the jurisdiction requirement.
- (i) In Section 304.14 Insect Screens, from April 1st to October 31st shall be inserted.
- (k) Section 304.15 is hereby amended by adding "Exterior egress doors must maintain a minimum 36" continuous clear pathway from the public way"
- (l) In Section 602.3 Heat Supply, from September 15th to June 1st shall be inserted.
- (m) In Section 602.4 Occupiable Work Spaces, from September 15th to June 1st shall be inserted.
- (n) The following Section 704.2, shall be amended to add item 4., as follows:  
 "If a dwelling is equipped with battery-operated smoke detection devices and carbon monoxide detection devices, batteries for those detectors that are located inside a dwelling unit shall be provided by the owner at the beginning of tenancy. Thereafter, it shall be the responsibility of the occupant to ensure batteries are energized and effective during the term of occupancy."
- (o) Appendix A is hereby amended by adding the following:

#### Purpose.

The purpose of this chapter is to ensure that no building shall be boarded by any person without the issuance of a boarding permit from the City, to establish regulations related to the boarding of windows and other openings on buildings, and to provide for abatement procedures by the City for certain nuisances as related to boarded buildings.

#### Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Boarded or boarding* shall mean the covering of the windows, doors or other openings of a residential building, commercial building, or any other structure, with wood, plexiglass, metal, or other material approved by the City.

*Building* means any residential or commercial structure used or intended for supporting or sheltering any use or occupancy, as well as any accessory structure thereto.

*Owner* means one (1) or more of the persons of record listed as an owner or taxpayer in the most recent County real estate tax records.

*Person* means individual, trustee, beneficiary, firm, corporation, partnership, limited liability company, association, or any other legal or governmental entity.

#### **Boarding of building openings not generally permitted.**

- A. Building wall openings, such as windows, doors and porch openings, shall not be boarded or otherwise enclosed, except as a temporary measure resulting from:
  - a. An emergency measure due to fire, explosion, or another sudden catastrophic event;
  - b. Vandalism;
  - c. An incident to the construction or repair of a building or structure.
- B. Any person may provide for the immediate boarding of a building resulting from the above events, provided a boarding permit is applied for within the following timeframes:
  - a. Ten (10) business days after an event under subsection A.1;
  - b. Five (5) business days after an event under subsection A.2 or A.3.

#### **Permit required.**

- A. No building shall be boarded by any person without the issuance of a boarding permit within the timeframes expressed in Section 15.60.030.B of this chapter.
- B. Any permit issued for the boarding of a building shall be issued for a period of time not exceeding ninety (90) days, unless a longer period is specifically allowed by this chapter.
- C. Any building that remains boarded after the expiration of the ninety (90) day period shall be found to be a nuisance and shall be inspected and placed for demolition pursuant to ordinance and state statutes.

#### **Permit extension.**

- A. If the building sought to be boarded is precluded by an ongoing police, fire or insurance investigation, then the boarding period in this chapter may be extended for thirty (30) days upon written request made to the City by the property owner. Proof of the ongoing investigation shall be provided from the police, fire, or insurance investigating agency, in written form, informing the City that the ongoing investigation specifically precludes the boarding of the subject building.
- B. If the building sought to be boarded is subject to a delay in coverage benefits from an insurance carrier, then the boarding period in this chapter may be extended for thirty (30) [days] upon written request made to the City by the property owner. Proof of the delay in benefits shall be provided from the insurance carrier, in written form, informing the City that the total insurance benefits have not yet been paid to the owner in an amount that would exceed the owner's costs for the repairs or replacement of the affected areas to be boarding on the subject building. For each extension sought, the owner shall provide a new and updated proof of delay from the insurance carrier.

#### **Retroactive compliance.**

- A. Buildings boarded prior to the effective date of this chapter shall be brought into compliance as provided for herein.
  - a. Within ninety (90) days after the effective date of this chapter, the City shall endeavor to evaluate all boarded buildings in within the corporate limits it believes to not in compliance with this chapter.
  - b. Within fifteen (15) days of making such determination, the City shall deliver a written notice of its findings to the owner.

- c. The notice of determination shall be delivered either by hand-delivery or certified mail return receipt requested or posting of a notice in the same fashion as required for the condemnation of a property by the City's Building Code Official. Failure of delivery shall not excuse the owner from complying with this chapter.
- d. Within thirty (30) days of delivery of the notice of determination, the owner shall bring the building into full compliance with this chapter.

#### Boarding by City; lien.

- A. The City may provide for the boarding of a building when the owner or occupants refuse or neglect to make the necessary repairs and can collect from the owner the reasonable costs and expenses incurred in doing so.
- B. The costs of boarding by the City shall be a lien upon the real estate affected, superior to all other liens and encumbrances, except tax liens; provided that within three hundred sixty-five (365) days after the last cost and expense is incurred by the City it shall file a notice of lien in the office of the County Recorder.
- C. Perfection and enforcement of any lien under this chapter for the boarding of a building shall be in accordance with Section 11-20-15.1 of the Illinois Municipal Code, as amended (65 ILCS 5/11-20-15.1).

#### Multiple remedies.

- A. Nothing in this chapter shall preclude the City from pursuing any other remedial actions in relation to a building, even if done concurrently. Other similar provisions and remedies provided for in City ordinances, regulations, or Building Codes may likewise be enforced and pursued against violators without being deemed in conflict herewith.
- B. All remedies available to either party, whether expressly provided for herein or otherwise available at law or in equity, shall be deemed cumulative, and the exercise of one (1) or more of such remedies shall not preclude the exercise of any other. No delay or omission on the part of either party in exercising any right or remedy hereunder shall impair such right or remedy or be construed as a waiver of any default or acquiescence therein, nor shall any single or partial exercise of any right or remedy of either party preclude later full exercise thereof or exercise of any other right or remedy.

#### Permit fees.

No boarding permit shall be issued unless upon application thereof there is full payment of the filing fee required by this chapter and as established in [Title 4](#) of the Collinsville Municipal Code. In the event the permit applied for is denied, the filing fee shall not be returned to the applicant.

Permit fees may be waived by the City for boarding permits relating to events outlined in Section 15.60.030.A.1 of this chapter.

#### Permit not a warranty.

In issuing an occupancy permit, the City does not intend to, nor does it warrant, insure or guarantee to the holder thereof, to his or her assignee or to any other interested person, that there are no violations of any provision of this chapter or any other ordinance. The City makes no warranty or representation, whatsoever, as to the condition of any structure.

#### Appeal.

Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of as provided for in Section 15.10.02A(g), which shall additionally govern the grounds and regulate the procedures for such appeals.

#### Penalty.

Any person, firm, corporation, agent, association, or employee who violates any provision of this chapter shall be subject to a fine as provided for in [Section 1.16.010](#) (General Penalty) of the Collinsville Municipal Code. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

## B. OCCUPANCY PERMIT AND INSPECTIONS

### . Statement of purpose.

This chapter is intended to assist in providing healthy and safe living conditions for the residents of the City of Collinsville by adopting and incorporating minimum Building Code standards required of structures. Inspections shall be done in an objective and neutral manner.

### Regulations adopted.

The following regulations are hereby adopted as supplementary and in addition to the requirements of the Property Maintenance Code and are hereby incorporated as if fully set forth therein.

### Permit required.

Except for as otherwise provided for in this chapter, it shall be unlawful for the owner of a parcel of real estate on which a residential or non-residential structure is situated, to occupy the structure or permit the occupancy of the structure by any person without complying with this chapter. The owner shall not occupy or allow the occupancy of any existing residential or non-residential structure, if the occupancy permit thereto has been revoked.

A. A change in occupancy or a change in ownership as defined herein shall require compliance with this chapter, unless otherwise excepted herein. To obtain an occupancy permit, the owner must comply with the application process outlined in this chapter within the prescribed time.

B. Except for as otherwise provided for in this chapter, once an occupancy permit is issued it shall thereafter it shall be unlawful for the owner to change or allow a change of occupancy with or without change of ownership of the residential or non-residential structure without the owner complying with the chapter prior to the change of occupancy.

### Definitions.

Building Code means, individually and collectively, those Building Codes listed in Section 15.04.010, and such appendices and amendments further prescribed by City Ordinances adopting such codes, as may be amended.

Building Official shall include the City in general and specifically mean the City's employee, officer, or other authorized representative designate with that title or charged with the administration and enforcement of this chapter and may also include more than one (1) City employee or agent at a time. Building Official may be considered interchangeable with Code Official.

Change in occupancy shall mean one (1) or more of the following:

A. A change in possession of a residential or non-residential structure by way of rental, leasehold, ownership, or other manner of tenancy.

B. Occupancy of a residential or non-residential structure following vacancy of the property of more than 1 year

C. Occupancy of a residential or non-residential structure following a period of time wherein utilities for said structure were inactive for more than 1 year

City means the City of Collinsville, Illinois.

Code official shall include the City in general and specifically mean the City's employee, officer, or other authorized representative designate with that title or charged with the administration and enforcement of this chapter and may also include more than one (1) City employee or agent at a time. Code Official may be considered interchangeable with Building Official.

Change of ownership shall mean one (1) or more of the following:

- A. Transfer of title to the real property via a deed;
- B. Transfer of a majority interest in a trust holding title to the real property; or
- C. Transfer of majority interest in a corporation, limited liability company, partnership, joint venture, or other entity holding title to the real property.

Owner means the person or entity having a legal or equitable interest in the real estate on which a structure is located at the time of transfer of the title to the real estate to the transferee or at the time of change in occupancy of the structure situated on the real estate.

Property Maintenance Code means that International Property Maintenance Code listed in Section 15.04.010, and such appendices and amendments further prescribed by City Ordinances adopting such codes, as may be amended. .

Residential Code means the International Residential Code listed in Section 15.04.010, and such appendices and amendments further prescribed by City Ordinances adopting such codes, as may be amended.

Certificate required.

A Certificate of occupancy issued for new structures by the Code official under Section 110.0 of the Building Code and Section R110 of the Residential Code shall be considered and is expressly distinguished from the occupancy permit required pursuant to this chapter. However, such Certificate of occupancy may be honored as an alternative to the occupancy permit required by this chapter, provided the subject structure otherwise complies with the standards and requirements of this chapter. In the absence of such compliance, any building permit fees paid to the City shall be counted toward the fee required for the occupancy permit under the Property Maintenance Code.

Existing structures.

Any existing structures inspected under the property maintenance code will not be subject to the requirements of the Building Code or Residential Code, unless the building is also subject to new construction, alteration, addition, or relocation requirements, and then only the portion that is affected by that work. The legal occupancy of any structure existing on the date of the adoption of this code, or for which it has been heretofore approved shall be permitted to continue without change, except as is otherwise specifically covered in this Property Maintenance Code, the Residential Building Code, the Building Code, or Fire Prevention Codes or presents a threat to the life, health and safety of the occupants.

Exceptions.

The inspection provisions of this chapter shall not be applicable in the following instances:

- A. To the change in ownership of a residential or non-residential structure containing a dwelling unit when the change in ownership is between co-owners and if there is no change in occupancy.
- B. To the change in occupancy or ownership of a residential structure within twenty-four (24) months from the date of the last issued occupancy permit provided for by this chapter.

Exception 1: The property is Vacant or the utilities are inactive for a period longer than 1 year.

- C. To a change in ownership of a residential or non-residential structure when the new buyer or transferee within seven (7) days from date of purchase or transfer, delivers a notarized statement to the Code Official stating that the buyer/transferee will cause the structure to be demolished within six (6) months from the date of purchase or transfer. Said notarized statement is required to include the following: "I declare (or certify, verify, or state) under penalty of perjury that the statement herein is true and correct."

- D. To the change in ownership or occupancy of a residential structure within thirty-six (36) months from the date of issue of a certificate of occupancy for new construction.

Exception 1: The property is Vacant or the utilities are inactive for a period longer than 1 year.

E. To the change in ownership of any structure when a new owner accepts all responsibility for obtaining the inspection and an occupancy permit required by this chapter that the owner and the new owner submit an application for an occupancy permit along with a written, dated, and signed agreement between the owner and new owner, with signatures notarized, that the new owner accepts responsibility for obtaining the inspection and an occupancy permit. The structure may not be occupied until the above documents have been filed with the Code Official. Said notarized statement by all parties is required to include the following: "I declare (or certify, verify, or state) under penalty of perjury that the statement herein is true and correct."

#### Application process.

Application for the occupancy permit required by the Property Maintenance Code shall be made by the owner of the structure or by their agent. Any application submitted by a person other than the owner shall be done so with legal authorization from the owner. The application shall contain the full name and street address of the owner or the names and street addresses of the responsible officers if the owner is other than a natural person and the name and street address of the applicant. It shall be unlawful for any person to knowingly make any false statement on an application for an occupancy permit. The application for such occupancy permit shall be submitted in such form as the building official prescribes and shall be filed with the City:

- A. In the case of a change of ownership, irrespective of tenancy, at least seven (7) days before the date of transfer of title or effective date of contract for deed.
- B. In the case of a change of renter, tenant, or lessee.

#### Submitting application.

Once application is made, owner can allow the structure to be occupied, unless the conditions in exception (below) apply. The property maintenance inspection required for issuance of an occupancy permit must be scheduled within seven (7) days after application is made and once the property maintenance inspection is completed and the owner has been notified of any violations, all violations shall be corrected within thirty (30) days and a re-inspection scheduled. An extension of the thirty-day period listed above can be obtained, with due cause, only after written request and then by approval of the Building Official.

Exception: If the property is sold/purchased "As Is" or if the structure has not been occupied for a period of six (6) months or more than an initial inspection must be completed if any structure that is clearly unsafe for its use and occupancy on the exterior of the property, or there are any life safety violations, they must be corrected. This inspection will need to be scheduled within two (2) business days of the request. Once the exterior violations and life safety violations are completed, normal time requirements will apply.

#### Action on application; permit contents.

The Code Official shall examine or cause to be examined all applications for an occupancy permit and shall inspect or cause to be inspected, the structure which is the subject of the application within thirty (30) days after filing. If the application and the structure conform to the requirements of all pertinent laws of the City, the Code Official shall issue the occupancy permit within the same thirty (30) day period. The occupancy permit shall certify that the structure complies with the provisions of this chapter and the Property Maintenance Code and shall additionally set forth the use, street address or other means of identification, date of issuance, and such other information as the Code Official shall deem appropriate for the implementation of this code. Occupancy permits for residential structures shall additionally state the maximum number of occupants permitted by the Building Code.

#### Scheduling of regular inspections.

Inspections and re-inspections shall be scheduled for normal work days and hours of the City of Collinsville. Appointments for inspection and/or re-inspection shall be made for time(s) of mutual convenience of the applicant and the building official whenever possible and within the time frames specified in this chapter. It shall be the responsibility of the owner or the owner's agent, or the structure's tenant to provide access to the residential or non-residential structure(s) within seven (7) days from the date of request by the City for gain of entry and free access.

#### Utility services.

Water and electric utility services connections, and gas utility service connection, if applicable, shall be in service at the time scheduled for inspection and re-inspection. Water service through the City and authorization to have electric service activated by that service provider will not be authorized until application is made, when required, for an occupancy permit and has been filed with the Building Official.

#### Duty of public utility companies.

A. Every person, firm or corporation or other business entity, whether public or private, that sells or supplies utility services within the City limits, including but not limited to, water, electricity or gas, but excepting telephone service, shall not commence such service, nor initiate providing such service, to any dwelling unit or portion thereof, to any person or party unless the person or party intending to occupy same has presented to the said utility supplier or provider an occupancy permit to owner/agent wherein the signature of the appropriate City official.

B. This section shall not apply to any occupancy wherein the occupant is seeking restoration of utility service subsequent to a discontinuance or disconnection of same or where the occupant is seeking additional services at the same dwelling.

#### Refusal to consent; warrant procedures.

If the owner does not consent to the any of the inspection provided for by this chapter, the City may appear before any judge in a circuit court of competent jurisdiction and seek an administrative search warrant to allow the inspection. Any such application shall be made within fifteen (15) calendar days after the owner's non-consent. The application for the warrant shall specify the basis upon which the warrant is being sought and shall include a statement that the inspection will be limited to a determination whether there are violations of the code provisions identified in this chapter, and whether there have been any illegal conversions. The court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant shall issue:

- A. Eyewitness account of violations;
- B. Citizen complaints;
- C. Tenant complaints;
- D. Plain view violations;
- E. Violations apparent from City records;
- F. Property deterioration;
- G. Age of property;
- H. Nature of alleged violation;
- I. Condition of similar properties in the area;
- J. Documented violations on similar properties in the area;
- K. Passage of time since last inspection;
- L. Previous violations on the property.

#### Residential permit requirements.

The following additional regulations and standards are hereby adopted for both owner-occupied and rented residential units as supplementary and in addition to the requirements of the Property Maintenance Code and are hereby incorporated as if fully set forth therein.



A. The following locations shall have GFCI protection pursuant to Part VIII of the 2021 International Residential Code:

1. Toilet and bathrooms.
2. Garages.
3. Outdoor receptacles.
4. Kitchen and bar sink receptacles that serve countertop surfaces.
5. Unfinished basement receptacles.
6. Hydromassage bathtubs.
7. Crawl space receptacles.

B. Garages shall be separated from the residence and its attic by the following means:

1. The garage shall be separated from the residence and its attic area by means of minimum of one-half (½) inch gypsum board applied to the garage side.
2. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with either solid wood doors not less than one and three-eighths (1⅜) inch in thickness, twenty-minute fire-rated doors or metal insulated doors.

C. Gas appliances shall have a shutoff valve separate from the appliance. The shutoff valve shall be located in the same room as the appliance, not further than six (6) feet from the appliance or within reasonable proximity, and installed upstream from the union, connector, or quick disconnect device it serves.

D. Swimming pools must comply with the safety regulations of the 2021 International Swimming Pool and Spa Code.

E. Panel covers must be provided access for removal or cause to be removed electric service panel covers for inspection of inside service panel, if required.

F. Carbon Monoxide Detector requirements are set forth in the Illinois Carbon Monoxide Detector Act.

G. Emergency escape and rescue openings in basements must comply with Section R310 of the 2021 International Residential Code.

Commercial permit requirements.

As to Sections 15.50.170 through 15.50.180, the following additional regulations and standards are hereby adopted for non-residential/commercial structures as supplementary and in addition to the requirements of the Property Maintenance Code and are hereby incorporated as if fully set forth therein.

Annual inspections.

Shall be required on all non-residential/commercial structures or premises of the following types and uses:

A. A principal non-residential/ commercial structure that contains a residential occupancy, such as apartments, that constitutes an accessory use to the structure. The residential portion of that structure shall be only inspected under the guidelines for residential occupancy and related exceptions.

B. All structures in the R1 Use Group as defined in the Building Code, i.e., hotels, motels, bed and breakfast and boarding houses.

C. All structures in the A-1 Use Group as defined in the Building Code, i.e., theaters, concert halls.

D. All structures in the A-3 Use Group as defined in the Building Code, i.e., structures intended for worship, recreation, amusement, community halls, dance halls, etc.

E. Any other structure within the Assembly Group as defined in the Building Code, which in the determination of the Building Official presents a potential public safety hazard to the occupants.

F. All structures having automatic fire suppression systems, including fire suppression cooking hood systems.

G. All structures and facilities used for child care and having an average daily attendance of eight (8) or more children.

H. Any structure in the H (hazardous) Use Group as defined by the Building Code.

I. Commercial buildings required to have a fire alarm and/or fire sprinkler monitoring system either by code requirements or by agreement with the Code Official or Fire Department as a condition of occupancy must have those systems monitored by an approved central station alarm company or proprietary supervising station. The building owner and/or occupant shall notify the Community Development Department of the central station alarm company or proprietary supervising station contracted to monitor the system. This notification shall be done on an annual basis. Owner/occupant shall immediately notify the Community Development Department of any change in status of the alarm, the central service company or proprietary supervising station, discontinuance of service, or for any other reason that may render the alarm inoperable. Central station alarm companies monitoring alarm systems within the City of Collinsville shall notify the Community Development Department of any discontinuance of service of any fire alarm system monitored within the city.

(a) Buildings or structures with this group that are not required to be inspected on an annual basis are not exempt from any other requirements within this chapter.

Accessibility.

Multi-family buildings of more than four (4) units and all commercial lots must have striping and signage that shall be maintained for compliance with the Illinois Accessibility Code.

Sec. 15.50.190. Means of appeal.

Any person affected by a decision of the Code Official, or a notice or order issued under this chapter, shall have the right of appeal as provided for in Section 15.10.20A(g), which shall additionally govern the grounds and regulate the procedures for such appeals.

Sec. 15.50.200. Permit not a warranty.

In issuing an occupancy permit, the City does not intend to, nor does it warrant, insure or guarantee to the holder thereof, to his or her assignee or to any other interested person, that there are no violations of any provision of this chapter or any other ordinance. The City makes no warranty or representation, whatsoever, as to the condition of any structure.

Sec. 15.50.210. Fees.

Fees for an occupancy permit shall be paid to the City at the rate or rates established in Title 4 of the Collinsville Municipal Code.

#### **15.10.05 – EXISTING BUILDING CODE AMENDMENTS**

A. The Collinsville Existing Building Code, as adopted in Section 15.10.01, is hereby amended as follows:

- (a) Section 101.1 is hereby amended by substituting "City of Collinsville, Illinois" for the words "[NAME OF JURISDICTION]";
- (b) Section 103.1 is hereby repealed in its entirety and a new Section R103.1 is hereby adopted in lieu thereof as follows:

"Section 103.1 Department of Building Safety, Code Official defined

103.1 General. The term "department of building safety" wherever used in this code shall mean the Building and Safety Division of the Community Development Department of the City of Collinsville, Illinois. The term "code official" as used in this code shall mean the duly appointed Building Official of the City of Collinsville, Illinois and any designee thereof.

- (c) Section 103.2., inclusive is hereby repealed in its entirety;

Section 108.2 is hereby amended by substituting "by written order or ordinance of the City Council" for the words "by the applicable governing authority,"

- (d) Section 108.6 is hereby repealed and a new Section 108.6 is hereby adopted in lieu thereof as follows:

"108.6 Refunds. No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work."

- (e) Section 112 is hereby repealed in its entirety and a new Section 112 is hereby adopted in lieu thereof as follows:

*"Section 112 Means of Appeal"*

112.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal as provided for in Section 15.10.02A(g), which shall additionally govern the grounds and regulate the procedures for such appeals."

- (f) Section 114.4 is hereby repealed in its entirety and a new Section 109.3 is hereby adopted in lieu thereof as follows:

"114.4 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 114.4 of Section 3, Commercial Building Code."

- (g) Sections 117.3 and 117.4 are hereby repealed in their entirety. (See applicable Illinois law on demolition of unsafe structures.)

**15.10.06 – FIRE CODE AMENDMENTS**

- A. The Collinsville Fire Code, as adopted in Section 15.10.01, is hereby amended as follows:

- (a) Section 101.1 is hereby amended by substituting "City of Collinsville, Illinois" for the words "[NAME OF JURISDICTION]" and by adding the sentence, "The term "jurisdiction" wherever appearing in this code shall mean the City of Collinsville, Illinois.";

- (b) Section 103 "Department of Fire Prevention" is hereby amended as follows: "103.1 Department of Fire Prevention and Fire Code Official, defined. The term "Department of Fire Prevention"" as used in this code shall mean the Fire Department of the City of Collinsville, IL. The term "fire code official" as used in this code shall mean the duly appointed Fire Chief of the City of Collinsville, Illinois and any designee thereof."

- (c) Section 105, Permits is hereby amended by adding Section 107.2 hereby adopted as follows:

"107.2 Fee schedule. A fee for each plan examination, building permit, and inspection shall be paid to the City at the rate or rates established by written order or ordinance of the City Council."

- (d) Section 111.0 is hereby repealed in its entirety and a new Section 111.0 is hereby adopted in lieu thereof as follows:

*"Section 111.0 Means of Appeal"*

111.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal as provided for in Section 15.10.02A(g), which shall additionally govern the grounds and regulate the procedures for such appeals."

- (e) Section 112.4 is hereby repealed in its entirety and a new Section 112.4 is hereby adopted in lieu thereof as follows:

"112.4 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 114 of the Commercial Building Code."

112.4.1 Abatement of Violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises."

- (f) Section 307 is hereby repealed in its entirety and a new section 307 is hereby adopted in lieu thereof as follows:

“307.1 General – A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with sections 307.1.1 through 307.5

307.1.1 Prohibited open burning - A fire is prohibited and shall be immediately extinguished any time wind conditions become at or above 15 MPH, or if there are sustained wind gusts in excess of 20 MPH, or if the wind begins to carry brands or embers creating a potential for fire extension.

- Exception #1 – Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the fire code official or Fire Chief
- Exception #2 – The fire code official or the Fire Chief may temporarily allow open burning of tree limbs fallen due to severe weather or a declared disaster upon request of the Mayor or City Manager. Prior to allowing open burning under this section, a permit must be obtained from the Illinois EPA and the city.

307.1.2 – Prohibited Burning Materials – Leaves, brush, grass, wood, tree limbs, rubbish, garbage, trash or other similar combustible materials are prohibited.

307.2 – Permit Required – A permit shall be obtained from the Community Development Department with approval from the fire code official in accordance with Section 105.5 prior to kindling a fire for recognized silviculture or range or wildlife management practices, prevention or control of disease or pests, bonfire, debris fallen from trees due to severe weather or a declared disaster or any other open burning as defined by this code. Application for such approval shall only be presented by permits issued to the owner of the land on which the fire is to be kindled.

307.2.1 – Authorization. – Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorizations are followed.

307.3 – Extinguishment Authority - Where open burning creates or adds to a hazardous situation, deemed to be a nuisance in accordance with the Collinsville Code of Ordinances, or a required permit for open burning has not been obtained, the fire code official, Fire Chief or his/her designee, a sworn police officer, or code enforcement official is authorized to order the extinguishment of the open burning operation.

307.4 – Location – The location for open burning shall be not less than 50 feet (15240mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15420 mm) of any structure.

- Exception #1 – Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.
- Exception #2 – The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

307.4.1 – Bonfires – A bonfire shall not be conducted within 50 feet (15240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 50 feet (15240 mm) of a structure shall be eliminated prior to ignition.

307.4.2 – Recreational Fires – Recreational Fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

307.4.2.1 - Time limitations – All recreational fires have a maximum time limit of 4 hours and shall be properly extinguished at the end of activities or time limit. Regardless of when the fire was initiated it is not allowed to extend later than 11:00 PM and may begin no earlier than 07:00 AM.

307.4.3 – Portable outdoor fireplaces – Portable outdoor fireplaces shall be used in accordance with the manufacturer’s instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

- Exception #1 – Portable outdoor fireplaces used at one and two-family dwellings

307.4.4 – Approved Material – Only clean, dry firewood or charcoal may be used for recreational fires and fires within portable outdoor fireplaces and approved outdoor fireplace structures. The use of flammable or combustible liquids, other than commercially produced charcoal lighter fluid, to start the fire is strictly prohibited.

307.5 – Attendance – Open burning, bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. Not fewer than one portable fire extinguisher complying with section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for utilization.”

#### **15.10.07 – MECHANICAL CODE AMENDMENTS**

A. The Collinsville Mechanical Code, as adopted in Section 15.10.01, is hereby amended as follows:

(a) Section 101.1 is hereby amended by substituting "City of Collinsville, Illinois" for the words "[NAME OF JURISDICTION]";

(b) Section 103 is hereby repealed in its entirety and a new Section 103 is hereby adopted in lieu thereof as follows:

*"Section 103 Code Official*

103.1 General. The term "department of mechanical inspection" wherever used in this code shall mean the Building and Inspections Division of the Community Development Department of the City of Collinsville, Illinois. The term "Code Official" as used in this code shall mean the duly appointed Building Official of the City of Collinsville, Illinois and any designee thereof."

(c) Section 109.2 is hereby repealed and a new Section 106.5.2 is hereby adopted in lieu thereof as follows:

"109.2 Schedule of permit fees. A fee for each plan examination, building permit, and inspection shall be paid to the Chief Financial Officer at the rate or rates established by written order or ordinance of the City Council.";

(d) Section 115.4 is hereby repealed in its entirety and a new Section 115.4 is hereby adopted in lieu thereof as follows:

"115.4 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 114.4 of Section 3, Commercial Building Code."

(e) Section 113.0 is hereby repealed in its entirety and a new Section 109.0 is hereby adopted in lieu thereof as follows:

*"Section 113.0 Means of Appeal*

113.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal as provided for in Section 15.10.02A(g), which shall additionally govern the grounds and regulate the procedures for such appeals."

#### **15.10.08 - ELECTRICAL CODE AMENDMENTS**

A. The Collinsville Electrical Code, as adopted in Section 15.10.01, is hereby amended as follows:

(a) The following additional regulations and standards are hereby adopted as supplementary and in addition to the requirements of the Electrical Code and are hereby incorporated as if fully set forth therein.

a. No other electrical conductor other than copper shall be used in the City other than:

i. By the utility company in its service supply lines.

ii. Service and feeders approved by the Building Official.

b. All branch circuits shall be a minimum of 12-gauge copper.

c. Use of circuit breakers commonly known and referred to as "space saver circuit breakers" shall be prohibited in new construction. It may be allowed in panel board replacement in existing services and in upgrading of existing services if the service panel is rated for their use, with the approval of the Building Official.

(b) Section 90-4 is hereby amended by adding thereto the following provisions:

"The Building and Safety Division of the Community Development Department of the City of Collinsville, Illinois and the duly appointed Code Official of the City of Collinsville, Illinois and authorized designees (individually a "code official" and together, the "code officials") that are hereby authorized and designated to carry out the enforcement provisions of this code.

Any person affected by a decision of a code official or a notice or order lawfully issued under this code shall have the right of appeal to the Building Code Review Committee, established by section 113.0 of the Building Code, which shall additionally govern the grounds and regulate the procedures for such appeals."

#### **15.10.09 – PLUMBING CODE AMENDMENTS**

- A. The Collinsville Plumbing Code, as adopted in Section 15.10.01, is hereby adopted with no amendments

#### **15.10.10 – FUEL GAS CODE AMENDMENTS**

- A. The Collinsville Fuel Gas Code, as adopted in Section 15.10.01, is hereby amended as follows:

- (a) Section 101.1 is hereby amended by substituting "City of Collinsville, Illinois" for the words "[NAME OF JURISDICTION]";
- (b) Section 103.1 is hereby repealed in its entirety and a new Section R103.1 is hereby adopted in lieu thereof as follows:

"Section 103.1 Department of Building Safety, Code Official defined

103.1 General. The term "department of inspection"" wherever used in this code shall mean the Building and Safety Division of the Community Development Department of the City of Collinsville, Illinois. The term "code official" as used in this code shall mean the duly appointed Building Official of the City of Collinsville, Illinois and any designee thereof.
- (c) Section 109.2 is hereby repealed in its entirety and a new Section 109.2 is hereby adopted in lieu thereof as follows:

"109.2 Schedule of permit fees. A fee for each plan examination, building permit and inspection shall be paid to the City at the rate or rates established by written order or ordinance of the City Council."
- (d) Section 109.6 is hereby repealed and a new Section 109.6 is hereby adopted in lieu thereof as follows:

"109.6 Refunds. No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work."
- (e) Section 115.4 is hereby repealed in its entirety and a new Section 115.4 is hereby adopted in lieu thereof as follows:

"115.4 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 114.4 of Section 3, Commercial Building Code."
- (f) Section 113 is hereby repealed in its entirety and a new Section 113 is hereby adopted in lieu thereof as follows:

*"Section 113 Means of Appeal*

113.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal as provided for in Section 15.10.02A(g), which shall additionally govern the grounds and regulate the procedures for such appeals."

#### **15.10.11 – ENERGY CONSERVATION CODE AMENDMENTS**

- A. The Collinsville Energy Conservation Code, as adopted in Section 15.10.01, is hereby amended as follows:

- (a) Section C101.1 is hereby amended by substituting "City of Collinsville, Illinois" for the words "[NAME OF JURISDICTION]";
- (b) Section C104.2 is hereby repealed in its entirety and a new Section C104.2 is hereby adopted in lieu thereof as follows:

"C104.2 Schedule of permit fees. A fee for each plan examination, building permit and inspection shall be paid to the City at the rate or rates established by written order or ordinance of the City Council."

- (c) Section C104.5 is hereby repealed and a new Section C104.5 is hereby adopted in lieu thereof as follows:  
 "C104.5 Refunds. No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work."
- (d) Section C109 is hereby repealed in its entirety and a new Section C109 is hereby adopted in lieu thereof as follows:  
*"Section C109 Means of Appeal"*  
 C109.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal as provided for in Section 15.10.02A(g), which shall additionally govern the grounds and regulate the procedures for such appeals."
- (e) Section R101.1 is hereby amended by substituting "City of Collinsville, Illinois" for the words "[NAME OF JURISDICTION]";
- (f) Section R104.2 is hereby repealed in its entirety and a new Section R104.2 is hereby adopted in lieu thereof as follows:  
 "R104.2 Schedule of permit fees. A fee for each plan examination, building permit and inspection shall be paid to the City at the rate or rates established by written order or ordinance of the City Council."
- (g) Section R104.5 is hereby repealed and a new Section R104.5 is hereby adopted in lieu thereof as follows:  
 "R104.5 Refunds. No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work."
- (h) Section R109 is hereby repealed in its entirety and a new Section R109 is hereby adopted in lieu thereof as follows:  
*"Section R109 Means of Appeal"*  
 R109.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal as provided for in Section 15.10.02A(g), which shall additionally govern the grounds and regulate the procedures for such appeals."

#### **15.10.12 – SWIMMING POOL AND SPA CODE AMENDMENTS**

A. The Collinsville Swimming Pool and Spa Code, as adopted in Section 15.10.01, is hereby amended as follows:

- (a) Section 101.1 is hereby amended by substituting "City of Collinsville, Illinois" for the words "[NAME OF JURISDICTION]";
- (b) Section 103.1 is hereby repealed in its entirety and a new Section R103.1 is hereby adopted in lieu thereof as follows:  
*"Section 103.1 Department of Building Safety, Code Official defined"*  
 103.1 General. The term "department of inspection"" wherever used in this code shall mean the Building and Safety Division of the Community Development Department of the City of Collinsville, Illinois. The term "code official" as used in this code shall mean the duly appointed Building Official of the City of Collinsville, Illinois and any designee thereof.
- (c) Section 103.2., inclusive is hereby repealed in its entirety;
- (d) Section 108.2 is hereby repealed in its entirety and a new Section 108.2 is hereby adopted in lieu thereof as follows:  
 "108.2 Fee schedule. A fee for each plan examination, building permit and inspection shall be paid to the City at the rate or rates established by written order or ordinance of the City Council."
- (e) Section 108.6 is hereby repealed and a new Section 108.6 is hereby adopted in lieu thereof as follows:  
 "108.6 Refunds. No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work."
- (f) Section 113.4 is hereby repealed in its entirety and a new Section 113.4 is hereby adopted in lieu thereof as follows:

"113.4 Violation Penalties. Any person who shall violate any of the provisions of this code or shall fail to comply with any order issued pursuant to any section of this code, upon conviction therefore, shall be punished in accordance with the provisions set forth in Section 114.4 of Section 3, Commercial Building Code."

- (g) Section 111 is hereby repealed in its entirety and a new Section 111 is hereby adopted in lieu thereof as follows:

*"Section 111 Means of Appeal*

111.1 Means of Appeal. Any person affected by a decision of the code official or a notice or order issued under this code shall have the right of appeal as provided for in Section 15.10.02A(g), which shall additionally govern the grounds and regulate the procedures for such appeals."

**15.10.13 – ACCESSIBILITY CODE AMENDMENTS**

- A. The Collinsville Accessibility Code, as adopted in Section 15.10.01, is hereby adopted with no amendment.

**15.10.14 – LIFE SAFETY CODE AMENDMENTS**

- A. The Collinsville Life Safety Code, as adopted in Section 15.10.01, is hereby amended as follows:

- (a) Section 24.3.5.1, inclusive is hereby repealed in its entirety.

**15.10.20 – BUILDING CODE APPEALS**

Notwithstanding anything to contrary in the Building Code and any other provisions included in this chapter, all appeals provided for therein after the decision of the Building Code Review Committee shall be to the Madison County Circuit Court in accordance with the procedures of the Illinois Administrative Review Act.

**15.10.21 – CITY CLERK TO MAINTAIN COPIES**

The City Clerk is hereby authorized and directed to maintain on file in at least one department of the City, one (1) copy each of the City's Building Codes listed in Section 15.10.01 as herein adopted (collectively, the "City Building Codes").

**15.10.22 – ENFORCEMENT AUTHORITY**

- A. Primary, but not exclusive, responsibility for the enforcement of the provisions of the City Building Codes provided for in this Chapter shall be:
1. Building Code -- Building Official;
  2. Fire Code -- Fire Chief; Building Official
  3. Mechanical Code -- Building Official;
  4. Property Maintenance Code -- Building Official;
  5. Residential Code -- Building Official;
  6. Existing Building Code -- Building Official;
  7. Fuel Gas Code -- Building Official;
  8. Energy Code -- Building Official;
  9. Electrical Code -- Building Official;
  10. Plumbing Code -- Plumbing Inspector;
  11. Life Safety Code -- Fire Chief; Building Official
  12. Swimming Pool and Spa Code -- Building Official;
  13. Accessibility Code -- Building Official;
- B. In addition to subsection A, the City Manager, Director of Community Development, Director of Public Works, City Engineer, City Clerk, Police Chief, Zoning Administrator, Building Inspector, as well as the subordinates in their respective departments, shall coordinate their respective administrative and enforcement functions in carrying out the provisions of this chapter, including designating each other and any other City officer or employee in the administration and enforcement of this chapter.



#### **15.10.23 – VACANCY FILLING**

In the vacancy, absence, disability, or failure of any officials set out in Section 15.04.090, the functions of their offices related to this chapter may be performed by the head of their principal departments, their designee, or by such other persons as the City Manager may direct.

#### **15.10.24 – INTEREST IN BUILDING RELATED SERVICES AND MATERIALS**

No enforcement officer performing the duties provided for in this chapter shall have any interest, directly or indirectly, in the manufacture, fabrication or sale of any building, plumbing or electrical materials, nor in any labor, service or process of building, plumbing or electrical work.

#### **15.10.25 – LEGAL RIGHTS OF INDIVIDUALS AND CONTRACTING PARTIES**

Except that the standards set forth in any City Codes may be taken as minimum or reasonable standards of workmanship and materials, nothing contained in any of the City Codes adopted provided for in this chapter shall be construed as affecting the rights, powers, privileges and immunities, or duties, liabilities, disabilities and subjections of private individuals or contracting parties

#### **15.10.26 – UNIFORM PROCEDURE FOR ADMINISTRATION OF TECHNICAL CODES**

The uniform procedure provided by this chapter may be elaborated upon or expanded in accordance with the provisions of any City Codes, but no such provision expressly inconsistent with the uniform procedure provided by this chapter shall have any force or effect. The uniform procedure shall be as provided in this chapter.

#### **15.10.27 – MINOR REPAIRS; REQUIREMENTS**

Nothing in this chapter shall be construed to require a permit, fee, inspection certificate or approval of any minor repairs made at a cost of less than five hundred dollars (\$500.00), but the fire prevention, construction, safety, installation, materials and other standards of the City Codes provided for in this chapter shall apply to such work.

#### **15.10.28 – CONFLICT WITH STATE STATUTES**

Where any provision of any local ordinances or state statutes conflicts with a provision of the City Codes, the City Codes shall control, unless the City's home rule authority is otherwise preempted.

#### **15.10.29 – VIOLATIONS UNLAWFUL**

It is unlawful to do any building, new construction, remodeling, repairing, renovating, or additions to, or plumbing, electrical, housing or maintenance work, or excavation in violation of the respective City Codes applicable to such work.

#### **15.10.30 – PENALTY**

### **15.20 – CHANGE IN PROPERTY OWNERSHIP AND/OR CONTRACTOR DURING LAND DEVELOPMENT ACTIVITIES**

#### **15.20.01 – NOTIFICATION REQUIRED**

For all permits or authorizations to proceed issued by the City under this title, all permittees, property owners and/or contractors shall provide written notification to the City when a change of ownership of a property and/or contractor occurs subsequent to an application for, but prior to an approval of any platting procedure, zoning procedure, grading permit, or building permit; or during any development, land disturbance or construction activity; or during the term of an active permit or authorization issued by the City; or prior to the issuance of an occupancy permit (all hereinafter referred to as "development activities"), a written notification of a change in ownership and/or contractor shall be made to the City with notarized signatures from all property transferors and transferees, stating that the property has been subject to a whole or partial conveyance.

#### **15.20.02 – DEFINITIONS**

Contractor means any person or firm that undertakes with or for another to construct, alter, repair, or demolish any structure or any portion thereof, including every: i) plumbing contractor, ii) electrical contractor, iii) mechanical heating, ventilation, and air conditioning ("HVAC") contractor, and iv) general contractor, building contractor, residential contractor, and landscape contractor, as well as heavy construction contractors engaged in activities such as paving, highway construction, and utility construction.

#### **15.20.03 – PROCEDURE**

- A. When a change of ownership of a property occurs during development activities (as defined herein), a written notification of a change in ownership shall be made to the City with notarized signatures from all property transferors and transferees, stating that the property has been subject to a whole or partial conveyance.
- B. The written notification required by this chapter shall provide:
  - 1. The permit/project number(s), address and locator number or legal description of the property in the letter's subject line.
  - 2. All transferors' and the transferees' names, addresses, phone numbers, and email addresses.
- C. All permits or authorizations shall be reissued by the City showing the new transferee as the permittee or authorized party as of the transfer date, but the date of the effective permit or authorization shall remain as when it was originally issued. Permit issuance dates shall not be deemed extended due to a change in the property's ownership or contractor.
- D. When a change in a contractor occurs during development activities, written notification of any change in contractor(s) shall be made to the City with notarized signatures from the property owners and all new contractors, stating that the project has been subject to a change in contractors.
- E. The written notification required by this chapter shall provide:
  - 1. The permit/project number(s), the address and locator number or legal description of the property in the letter's subject line.
  - 2. All owners' names, addresses, phone numbers, and email addresses.
  - 3. All new contractor's names, addresses, phone numbers, email addresses, and licenses, if applicable.
  - 4. All past contractors' names, addresses, phone numbers, and email addresses.
  - 5. All engineers' and architects' names, addresses, phone numbers, and email addresses.

#### **15.20.04 – VIOLATION; PENALTY.**

Failure to comply with the provisions of this chapter may result in the issuance of a stop work order (SWO), citation under applicable Codes, the requirement for submission of new applications, including applicable review and fees, and any other remedies at law or in equity available to the City, including fines and penalties pursuant to [Section 1.16.010](#). General penalty.

#### **15.20.05 -- MEANS OF APPEAL.**

Any person affected by a decision of the Code Official, or a notice or order issued under this chapter, shall have the right of appeal as provided for in Section 15.10.20A(g), which shall additionally govern the grounds and regulate the procedures for such appeals.

## **15.30 – MOVING BUILDINGS**

### **15.30.01 – PERMIT REQUIRED**

No person shall remove, or cause to be removed, or aid or assist in removing any building into, along or across any street, alley or public ground in the City without first obtaining written permission from the City Manager or his designee, countersigned by the Mayor, and conforming to such restrictions and conditions as may be prescribed in such permit.

### **15.30.02 – SAME – MOVING TIME SPECIFIED**

Every permit granted or contemplated in [Section 15.30.01](#) shall specify the time to be occupied in such removal, which time in no case shall be longer than is absolutely required therefor, but such time may be extended for good and sufficient cause.

### **15.30.03 – SAME – CONDITIONS**

The City official issuing the permit may attach conditions thereto to preserve and protect the public property and to provide for the safety of residents, which conditions shall have the force and effect of law. The City official issuing the permit shall also require a certificate of insurance certifying that the permittee has liability and other insurance at least equal to that required by the City for contractors performing work under City projects, and an indemnification agreement in the form required by the City generally.

### **15.30.04 – SAME – TIME EXTENDED WITHOUT APPROVAL DEEMED OFFENSE**

The owner of any building, or the contractor for its removal, either or both, who permits the same to be or remain in any of the streets, alleys or public grounds for any longer time than that specified in the permission is guilty of an offense.

### **15.30.05 -- MEANS OF APPEAL.**

Any person affected by a decision of the Code Official, or a notice or order issued under this chapter, shall have the right of appeal as provided for in Section 15.10.20A(g), which shall additionally govern the grounds and regulate the procedures for such appeals.

## **15.40 – DEMOLITION PERMITS**

### **15.40.01 – PERMIT REQUIRED**

No person, firm, corporation or entity shall demolish any building in excess of two hundred (200) square feet without first securing a demolition permit.

### **15.40.02 – FEE REQUIRED**

A demolition permit fee as set forth in [Title 4](#) shall be paid to the City Clerk.

### **15.40.03 – PROCEDURE**

Applications for a demolition permit shall be made with the building official, upon forms to be supplied. As conditions for the issuance of the permit, the applicant shall furnish proof that he has notified all utility companies of the impending demolition and secured from them releases indicating that all utility connections have been either removed or plugged, and the applicant shall furnish a performance bond conditioned upon completion of the demolition according to all applicable laws and rules and regulations, for five thousand dollars (\$5,000.00). Demolition shall not be started without the issuance of the permit.

#### **15.40.04 – CONDITIONS OF DEMOLITION**

- A. The permit holder shall comply with all statutes and rules and regulations of the Illinois and U.S. Environmental Protection Agencies.
- B. Foundations shall be demolished to a level at least three (3) feet below the final surface level. Basement floors shall be broken so as to drain.
- C. No fill shall be permitted unless it is compacted and will retain compaction permanently without settling, which would include but not be limited to soil, masonry rubble smaller than one (1) foot in the largest dimension, or rock. All other material shall be considered waste and shall be removed from the site and disposed of at a State approved landfill, and landfill receipts shall be exhibited for the Building Official before completion shall be approved.
- D. Burning of waste material is prohibited.
- E. Upon completion, the area shall be covered with a minimum of six (6) inches of soil capable of encouraging vegetation, compacted, graded and seeded. This subsection shall be waived at the discretion of the building inspector, where the owner has on file with the City an issued building permit to construct a building to replace the one being demolished, and construction under the building permit is started within six (6) months of the completion of the demolition; in which event, however, the permit holder during any interim period before construction begins is required to either provide a temporary fill to approximate ground level or provide a fence around any open excavated area of sufficient size and strength to protect against persons being injured because of the excavation.
- F. Surface drainage shall not adversely affect adjoining property.
- G. All work shall start upon issuance of the permit and proceed in a reasonably continuous manner to completion, with a thirty (30) day maximum completion time from the date of the permit.
- H. Surface drainage shall not adversely affect adjoining property.
- I. The permit holder shall be solely liable for all claims of third persons for damage to persons or property, and the City by issuing the permit makes no representations concerning the permit holder's performance of the work or that he has fully complied with all laws, rules and regulations applicable.
- J. The permit holder shall leave the premises in a clean and presentable condition, per Subsection E of this section, and notify the building official of completion. Completion shall not be acceptable until the building official issues a certificate of completion.
- K. The permit holder shall assure that suitable barriers, fences, flagging tape or other methods shall be erected to deny the public reasonable access to excavations during the entire period of demolition.

#### **15.40.05 – VIOLATION; PENALTY**

Any person, firm, corporation or entity guilty of violating any provision of this chapter shall be fined not more than seven hundred fifty dollars (\$750.00) for each offense. Each day of violation shall be considered a separate offense. Violators shall also be subject to other penalty provisions of this Code.

#### **15.40.06 -- MEANS OF APPEAL.**

**Any person affected by a decision of the Code Official, or a notice or order issued under this chapter, shall have the right of appeal as provided for in Section 15.10.20A(g), which shall additionally govern the grounds and regulate the procedures for such appeals.**

## 15.50 – MOBILE HOME PARK CODE

### 15.50.01 – DEFINITIONS

Unless the context clearly requires otherwise, the words and phrases set forth in the Mobile Home Park Code, shall have the meanings set forth hereafter.

*Accessory structure* means a subordinate building or structure, the use of which is incidental to and customarily in conjunction with the main building or use and which is located on the same lot as the main building or use. Accessory Structures shall include, but not be limited to, sheds, detached garages, decks, pools and covered patios.

*City* means the City of Collinsville, Illinois.

*Code* means this Mobile Home Park Code as adopted and codified in [Chapter 15.34](#) of the Code of Ordinances of the City of Collinsville, as amended from time to time.

*Mobile home* means a structure, transportable in one (1) or more sections, which, in traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utility's, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The term Manufactured Home is synonymous with the term mobile home.

*Mobile home park* means a tract of land or two (2) or more contiguous tracts of land upon which contain sites with the necessary utilities for two (2) or more mobile homes for permanent habitation either free of charge or for revenue purposes and maintained or operated jointly, and shall include any building, structure, vehicle, or enclosure used or intended for use as a part of the equipment of such mobile home park. Separate ownership of contiguous tracts of land shall not preclude the tracts of land from common licensure as a mobile home park if they are maintained and operated jointly. A motorized recreational vehicle shall not be construed as being a part of a mobile home park.

*Person* means any natural person, trustee, court-appointed representative, syndicate, association, partnership, firm, club, company, corporation, business trust, institution, agent, governmental corporation, municipal corporation, district or other political subdivision, contractor, supplier, vendor, vendee, operator, user or owner, or any officers, agents, employees or other representative acting either for himself or for any other person in any capacity, or any other entity recognized by law as the subject of rights and duties.

*Revenue purposes* shall include, but not be limited to, monies or other valuable consideration paid by a tenant or lessee or paid by a contract purchaser pursuant to a lease, rental agreement, contract for deed, sale or purchase prior to the delivery of the deed conveying legal title.

*Site* means the lot on which the mobile home is located for permanent habitation.

### 15.50.02 – FULFILLMENT OF ZONING REGULATIONS

No person shall alter an existing mobile home park, or construct or establish a new mobile home park without first complying with the requirements contained in [Title 17](#)—Zoning, of the City's Code of Ordinances, including, but not limited to Section 17.040.090.—"R-4" Manufactured Home District. The term "alter" shall include but not be limited to any expansion or material change to any improvements within the Mobile home park such as utilities, streets, pads or buildings, or any re-subdivision, but shall not include changes only to a mobile home structure itself or minor maintenance.

### **15.50.03 – APPLICATION FOR PERMIT**

- A. Upon satisfaction of all zoning requirements and receipt of an application for a permit to construct a new mobile home park or an application for a permit to alter a licensed mobile home park, the City shall, if the park is, or the proposed park will be, in conformity with this Code and the rules and regulations adopted by the City pursuant thereto, issue a permit to construct, a permit to alter or an original license, as the case may be. If the application for a permit to construct, a permit to alter or an original license is declined, the City shall give the reasons therefore in writing to the applicant; and if the objections can be corrected, the applicant may amend his application and re-submit it for approval.
- B. If a permit to construct or a permit to alter a park has been issued, the applicant upon completion thereof shall notify the City. The City shall then inspect the park and, if completed in accordance with the approved plans, shall issue a license for the number of approved sites after receipt of the required fee.

### **15.50.04 – LICENSE**

- A. No person shall establish, maintain, conduct, or operate a mobile home park after the effective date of this Code, without first obtaining and maintaining a valid license therefore from the City. "Conduct or operate a mobile home park" as used in this Code shall include, but not necessarily be limited to supplying or maintaining common water, sewer or other utility supply or service, or the collection of rents directly or indirectly from two (2) or more independent mobile homes. Such license shall expire April 30 of each year and a new license shall be issued upon proper application and payment of the annual license fee provided the applicant is in compliance with this Code. The annual license fee shall be in an amount as established by the City.
- B. Annual license fees submitted after April 30 shall be subject to a late fee as established by the City. The licensee shall also complete and return a license renewal application by March 31 of each year.
- C. The licensee shall pay to the City within 30 days of receipt of notification from the City an additional fee, as established by the City, for each additional mobile home site added to the park under authority of a written permit to alter the park as provided in this Code. Payment of the addition fee for the additional mobile home sites shall be paid and amended license therefore obtained before any mobile homes are accommodated on the additional mobile home sites. The City shall issue an amended license to cover such additional mobile home sites, when they are to be occupied before the end of the license year, for which an annual license has been previously issued.
- D. Each license fee shall be paid to the City and any license fee or any part thereof, once paid to and accepted by the City shall not be refunded.
- E. All permits to construct, all licenses to operate, and all permits to make alterations therein shall be prominently displayed in the park office. All licenses issued under this Code shall be transferable only with the written consent of the City, provided, however, that the City may not withhold such consent where the provisions of this Code have been met.
- F. Each licensed mobile home unit shall contain a red metal label, permanently affixed to the rear of each towable unit.

### **15.50.05 – STANDARDS**

- A. Each mobile home park licensed or to be constructed under the provisions of this Code shall be operated and maintained in accordance with the requirements of this chapter and all other applicable codes and regulations of the City and the following supplemental regulations:
  - 1. Every mobile home park shall be managed by a responsible individual whose name, address and telephone number shall be on file at all times with the City and whose duty it shall be to

maintain the park, its facilities and equipment in a clean, orderly and sanitary condition, and shall be responsible, with the licensee, for any violation of the provisions of this Code.

2. .No mobile home park shall be so located that the drainage of the park area will endanger any water supply. All such parks shall be well drained. No waste water shall be deposited on the surface of the ground within the mobile home park.
3. Each site on which a mobile home is accommodated shall have a minimum area of two thousand five hundred (2,500) square feet.
4. Except as noted hereafter, no mobile home shall be parked closer than five (5) feet to the side lot lines of a park. However, a minimum separation of ten (10) feet shall be maintained between the mobile home and any other structures including those structures on adjoining property. No mobile home shall be situated closer than twenty-five (25) feet to a public street, alley or building and no closer than ten (10) feet to a private street or alley. Each individual site shall abut or face on a private or public street. All streets shall have unobstructed access to a public street.
5. When a water carriage system of sewage is used each site shall be provided with a sewer connection for the combined liquid waste outlet or outlets of each mobile home. It shall be the duty of the owner or operator of said park to provide an approved type of water and odor tight connection from the mobile home water drainage to the sewer connection, and it shall be the duty of said owner or operator to make such connection and keep all occupied mobile homes, connected to said sewer while located in the park. Sewer connections in unoccupied sites shall be so closed that they will emit no odors or cause a breeding place for flies. No water or waste shall be allowed to fall on the ground from a mobile home.
6. A sufficient number of adequate fly proof and watertight containers in accordance with rules and regulations adopted by the City shall be supplied for the storage of garbage.
7. Garbage containers shall be emptied at least once a week and shall not be filled to overflowing, or allowed to become foul smelling or a breeding place for flies. 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 City.
8. Adequate insect and rodent control measures shall be employed. All buildings shall be fly and rodent proof and rodent harborages shall not be permitted to exist in the park or pathways.
9. All streets in every park must be maintained in a passable and reasonably dust-proof condition at all times.
10. The management and owner of every park shall assume full responsibility for maintaining in good repair and condition all sanitary, electrical and safety appliances in the park, and shall promptly bring such action as is necessary to prosecute or eject from the park any person or persons who willfully or maliciously damage such appliances, or any person or persons who fail to comply with the regulations of this Code.
11. Electrical outlets for each individual site shall be provided and the installation shall be in accordance with all state or local codes and ordinances.
12. In no event shall a non-permanent shelter or other vehicle designed or used for sleeping purposes, other than a mobile home, be permitted for occupancy at any time in a mobile home park.

13. When community kitchens, dining rooms, laundries, or other facilities are provided, such facilities and equipment as are supplied must be maintained in a sanitary condition and kept in good repair, and subject to such rules and regulations as may be issued by the City.
14. All buildings constructed or altered, all plumbing, and all electrical and heating installations shall be in accordance with existing City ordinances, regulations, and codes and the applicable codes and regulation of the State of Illinois.
15. The City shall keep a record of all mobile home parks; said records to show the names and addresses of all parks, names and addresses of the licensees, number of mobile home lots in each park, source of sewage and garbage disposal, and any other information desired by the City.
16. A register shall be maintained by the manager of each mobile home park. Such register shall include the name and address of the owner of each mobile home and every occupant of such mobile home and the square feet of floor space contained in such mobile home and the date of entry of such mobile home into the park. The register shall be signed by the owner or occupant of the mobile home. Any person furnishing misinformation for purposes of registration shall be deemed in violation of this code. The registration records shall be neatly and securely maintained, and no registration records shall be destroyed until one (1) year following change in ownership of a mobile home or the termination of a lease of a mobile home or eviction of the mobile home or tenant from the park. The register shall be available for inspection upon request by all law enforcement officers and by the City.
17. Mobile Home Parks shall comply with such additional requirements as set forth in 210 ILCS 115, the Illinois "Mobile Home Park Act" and any state regulations enacted pursuant thereto except where inconsistent with the requirements herein.
18. All mobile homes shall comply with the Federal Manufactured Home Construction and safety standards established pursuant to the National Manufactured Home Construction and Safety Standards Act, 42. U.S.C. Section 5403 and constructed after June 15, 1976.
19. The City may adopt such interpretations, policies, or orders as may be necessary to enforce and apply the provisions and intent of this Code, so long as they are not in contradiction with the provisions herein.

#### **15.50.06 – INSPECTION**

- A. The City shall have the option of inspecting at least once each year, each mobile home park and all the accommodations and facilities therewith. Such officials or officers are hereby granted the power and authority to enter upon the premises of such parks at any time for the purposes herein set forth.
- B. It shall be the duty of the park management to give the City free access to all lots at reasonable times for the purpose of inspection.
- C. It shall be the duty of every occupant of a manufactured home park to give the owner thereof or his agent or employee access to their manufactured home, at reasonable times, for the purpose of making such repairs or alterations as are necessary to effectuate the compliance with this Code. Prior to performing the repairs or alterations, the owner thereof or his agent or employee shall provide the tenant with a written notice of intent to perform the repairs or alterations one (1) day prior to the start of the repairs or alterations. All efforts should be made to obtain the tenant's permission prior to the start of the work. In the event of an emergency, the park owner or his agent or employee may perform the necessary repairs and shall provide the tenant with a written notice of such repairs being made on the first business day after the repairs were started.



- D. The City may issue rules and regulations to carry out the provisions of this Code. Such rules may contain provisions for the City to grant a waiver to a mobile home park, if the intent and purpose of the Code are met.

#### **15.50.07 – SUSPENSION OR REVOCATION OF LICENSE**

- A. Any license granted hereunder shall be subject to revocation or suspension by the City. However, the City shall first serve or cause to be served upon the licensee a written notice in which shall be specified the way or ways in which such licensee has failed to comply with the Code, or any rules or regulations promulgated by the City pertaining thereto. Said notice shall require the licensee to remove or abate such nuisance, unsanitary or objectionable condition, specified in such notice, within five (5) days or within a longer period of time as may be allowed by the City. If the licensee fails to comply with the terms and conditions of said notice, within the time specified or such extended period of time, the City may revoke or suspend such license.
- B. A mobile home park, whose license has been voided, suspended, denied or revoked, may be re-licensed by submission of an application to the City. Approval shall be issued if an inspection of the park, by the City, reveals compliance with this Code and the rules promulgated pursuant to this Code.

#### **15.50.08 – PENALTY**

- A. Any person who shall violate any of the provisions of this Code or shall fail to comply with any lawful order issued pursuant to any section of this Code shall be punished in accordance with the general penalty provisions for violation of ordinances of the City of Collinsville. Each day such violation or failure to comply continues after issuance of notice by the City, shall constitute a separate offence. Nothing herein shall limit the City from enforcing this Code by means available as a remedy at law, even if done concurrently.
- B. Any failure to operate a Mobile Home Park without a valid license shall also preclude any claim of continued lawful nonconforming status as may otherwise exist pursuant to the Zoning Code of the City.

#### **15.50.09 – APPEAL AND JUDICIAL REVIEW**

Any person whose application for a license is denied or whose license is suspended or revoked shall have the right to appeal the decision to the Hearing Officer and judicial review in the same manner as appeals are provided for in the Zoning Code of the City. Any person that fails to file such an appeal within the time frames and requirements set forth therein shall to the full extent permitted by law be barred from obtaining judicial review of such administrative decision for failure to exhaust applicable remedies.

### **15.60 – OUTSTANDING MONIES DUE TO THE CITY**

#### **15.60.01 – OUTSTANDING MONIES DUE TO THE CITY**

Any permit, license, program, or utility, or service provided by the City of Collinsville may be denied if the person has outstanding fines, fees, taxes, or money due the City and has failed to pay the fines, fees, taxes or money due. The denial of the permit, license, program, utility or service shall not apply to emergency services relating to the public health, welfare or safety. The denial of permit, license, program, utility or service shall not apply to any property with outstanding real property taxes. The person requesting the permit, license or fee, utility, or service may appeal a denial to the Hearing Officer in the same manner as provided for in Section 15.80 of the Collinsville Code of Ordinances.

## 15.70 – HEARING PROCEDURES FOR BUILDING, HOUSING, SOLID WASTE AND ZONING VIOLATIONS

### 15.70.01 – RESERVED

### 15.70.02 – DEFINITIONS

As used in this chapter, unless context requires otherwise:

*Building inspector* means a City employee whose duties include the inspection or examination of structures or property in the City to determine if zoning or other code violations exist.

*Code* means any the City ordinance, law, housing, building code or zoning ordinance that establishes construction, plumbing, heating, electrical, fire prevention, sanitation or other health and safety standards that are applicable to structures under the territorial jurisdiction of the City.

*Hearing officer* means an employee, officer, or agent of the City, other than a building inspector or law enforcement officer, whose duty it is to:

- A. Preside at an administrative hearing called to determine whether or not a code violation exists;
- B. Hear testimony and accept evidence from the property inspector, the building owner and all interested parties relevant to the existence of a Code violation;
- C. Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
- D. Issue and sign a written finding, decision and order stating whether a Code violation exists.

### 15.70.03 – CODE HEARING DEPARTMENT

There is hereby established a Code Hearing Department, the function of which is to expedite the presentation and correction of Code violations in the manner set out in Division 31.1 of Article 11 of the Illinois Municipal Code (65 ILCS 5/11-31.1 et seq.) and this chapter.

### 15.70.04 – CODE HEARING PROCEDURES

- A. When a building inspector finds a Code violation, he shall note the violation on a multiple copy violation notice and report form, indicating the name and address of the property owner, the type and nature of the violation, the date and time that the violation was observed, the names of witnesses to the violation, and the address of the property where the violation is observed.
- B. The violation report form shall be forwarded by the building inspector to the Code Hearing Department where a docket number shall be stamped on all copies of the report, and a hearing date noted in the blank spaces provided for that purpose on the form. The hearing date shall not be less than thirty (30) days nor more than forty (40) days after the violation is reported by the Building Inspector.
- C. One (1) copy of the violation report form shall be maintained in the files of the Code Hearing Department and shall be part of the record of hearing. One (1) copy of the report form shall be returned to the Building Inspector so that he may prepare evidence of the Code violation for presentation at the hearing on the date indicated. One (1) copy of the report form shall be served by first class mail on the property owner along with a summons commanding the property owner to appear at the hearing.

- D. If there is another City ordinance or code provision requiring property owners to register with the City, service may be made on the property owner by mailing the report and summons to the property owner's address registered with the City.
- E. If the name of the property owner of the structure cannot be ascertained or if service on the property owner cannot be made by mail, service may be made on the property owner by posting or nailing a copy of the violation report form on the front door of the structure where the violation is found, not less than twenty (20) days before the hearing is scheduled.

#### **15.70.05 – SUBPOENAS**

At any time prior to the hearing date the Hearing Officer assigned to hear the case may, at the request of the Building Inspector or the City Attorney, or the property owner or his attorney, issue subpoenas directing witnesses to appear and give testimony at the hearing.

#### **15.70.06 – DEFAULT**

If on the date set for hearing the property owner or his attorney fails to appear, the Hearing Officer may find the property owner in default and shall proceed with the hearing and accept evidence relevant to the existence of a Code violation.

#### **15.70.07 – TESTIMONY AT HEARING; RULES OF EVIDENCE**

At the hearing, a Hearing Officer shall preside and shall hear testimony and accept any evidence relevant to the existence or nonexistence of a code violation relating to a property or structure indicated. The strict rules of evidence applicable to judicial proceedings shall not apply to hearings authorized by this chapter.

#### **15.70.08 – RETALIATORY ACTION AGAINST OCCUPANTS PROHIBITED**

No action for eviction, abatement of a nuisance, forcible entry and detainer or other similar proceeding shall be threatened or instituted against an occupant of a dwelling solely because such occupant agrees to testify or testifies at a Code violation hearing.

#### **15.70.09 – DEFENSES TO CODE VIOLATIONS**

- A. It shall be a defense to a Code violation charge under this chapter if the property owner, his attorney, or any other agent or representative proves to the Hearing Officer's satisfaction that:
  - 1. The Code violation alleged in the notice does not in fact exist, or at the time of the hearing the violation has been remedied or removed;
  - 2. The Code violation has been caused by the current property occupants and that in spite of reasonable attempts by the property owner to maintain the dwelling free of such violations, the current occupants continue to cause the violations;
  - 3. An occupant or resident of the dwelling has refused entry to the property owner or his agent to all or a part of the dwelling for the purpose of correcting the Code violation.

#### **15.70.10 – FINDINGS; DECISION; ORDER OF HEARING OFFICER**

- A. At the conclusion of the hearing the Hearing Officer shall make a determination on the basis of the evidence presented at the hearing whether or not a Code violation exists. The determination shall be in writing and shall be designated as findings, decision and order. The findings, decision and order shall include the hearing officer's finding of fact, a decision whether or not a Code violation exists based upon the findings of facts, and an order ordering the property owner to correct the violation or dismissing the case in the event a violation is not proved.

- B. If a Code violation is proved, the order may also impose the sanctions that are provided in the code for the violation proved.
- C. A copy of the findings, decision, and order shall be served on the property owner within five (5) days after they are issued. Service shall be in the same manner as the report form and summons are served pursuant to [Section 2.80.040](#).
- D. Payment of any penalty or fine and the disposition of fine money shall be as ordered by the Hearing Officer, unless the corporate authorities of the City provide otherwise.
- E. Unless the amount of the penalty is otherwise specified in the section of this Code being violated, prior to the hearing date as provided for in this chapter monetary sanctions for violations may be satisfied by a payment of fifty dollars (\$50.00) in a manner as directed by City's Code Hearing Department. Such advanced payment shall preclude the need for a hearing. However, abatement of the violation must have occurred concurrent with or prior to the advanced payment to preclude the hearing.

Multiple or repeat offenders for the same violation may not utilize the advanced payment option of this section.

This section specifically applies for violations under for the following provisions of this Code:

- 1. [5.20](#) - Yard sales;
- 2. [5.52](#) - Auction sales;
- 3. [6.08.010](#), [6.08.030](#), [6.08.040](#), [6.08.050](#), [6.08.070](#) - Animals;
- 4. [6.12.010](#), [6.12.020](#), [6.12.030](#), [6.12.050](#), [6.12.060](#), [6.12.070](#), [6.12.080](#) - Animals;
- 5. [8.04](#) - False alarms;
- 6. [8.12](#) - Nuisances;
- 7. [8.16](#) - Open burning;
- 8. [8.20](#) - Weeds and grass;
- 9. [8.24](#) - Fireworks;
- 10. [Title 9](#);
- 11. [Title 10](#).

#### **15.70.11 – FINES AND SANCTIONS**

The City adopts by reference all current and future local ordinances, and those provisions of Division 31.1 of the Illinois Municipal Code (65 ILCS 5/11-31.1-1 et seq.) governing property or zoning codes applicable to structure or properties relative to construction, plumbing, heating, electrical, fire prevention, sanitation and other health and safety standards in the City, for its enforcement and adjudication within the jurisdictional boundaries of the City.

#### **15.70.12 – ADMINISTRATIVE REVIEW LAW**

The findings, decision and order of the Hearing Officer shall be subject to review in the Circuit Court of Madison County, Illinois, and the provisions of the Illinois administrative review law (735 ILCS 5/3-101 et seq.), and all amendments and modifications thereto, and the rules adopted pursuant thereto are adopted and shall apply to and govern every action for the judicial review of the final findings, decision and order of a Hearing Officer under this chapter.

#### **15.70.13 – DISPOSITION OF VIOLATIONS**

- A. Any fine, other sanction or costs imposed, or part of any fine, other sanction or costs imposed remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under the administrative review law shall be a debt due and owing the City and, as such, may be collected in accordance with applicable law.
- B. After expiration of the period within judicial review under the administrative review law may be sought for a final determination of the Code violation, the City may commence a proceeding in the Circuit Court for purposes of obtaining a judgment on the findings, decision and order. Nothing in this chapter shall prevent the City from consolidating multiple findings, decisions and orders against a person in such a proceeding.
- C. Upon commencement of the action, the City shall file a certified copy of the findings, decision and order, which shall be accompanied by a certification that recites facts sufficient to show that the findings, decision and order was issued in accordance with this chapter and applicable state law.
- D. Service of the summons and a copy of the petition may be any method provided by Section 2-203 of the Illinois Code of Civil Procedure or by certified mail return receipt requested, provided that the total amounts of fines, other sanctions and costs imposed by the findings, decision and order does not exceed two thousand five hundred dollars (\$2,500.00).

#### **15.70.14 – SANCTIONS AND FINDINGS TO RUN WITH PROPERTY**

The order to correct a Code violation and the sanctions imposed by the City as the result of a finding of a Code violation under this chapter shall attach to the property as well as to the property owner so that a finding of Code violation against one (1) owner cannot be avoided by conveying or transferring the property to another owner. Any subsequent transferee or owner of property takes subject to the findings, decision and order of a Hearing Officer under this chapter.