

CHAPTER 11

BUILDING CODE

DIVISION 1 - BUILDING COMMISSIONER

SEC. 11.1-1 BUILDING INSPECTION DEPARTMENT

- A. Establishment. There has heretofore been established and is hereby continued, a Building Inspection Department of and for the Town of Normal.
- B. Duties and Responsibilities. The Building Inspection Department shall apply, interpret and enforce the Building, Plumbing, Electrical, Mechanical and Housing Codes of the Town of Normal.

SEC. 11.1-2 POSITION OF BUILDING COMMISSIONER.

- A. Establishment. There has heretofore been established and is hereby continued, the Town of Normal employment position of Building Commissioner.
- B. Supervision. The Building Commissioner shall be hired by and shall be under the supervision of the City Manager, as provided in the Town's Personnel Code.
- C. Assistants. The Building Commissioner may be assisted by other employees in the Building Inspection Department, including but not limited to, those individuals holding the employment positions of Plumbing Inspector, Electrical Inspector, Heating Inspector, Housing Inspector and such other personnel as may be authorized by the Town Council and assigned by the City Manager. Employees in and personnel assigned to the Building Inspection Department, at the direction of the Building Commissioner, may exercise any power and perform any duty, function or responsibility of the Building Commissioner.
- D. Office. The Building Commissioner has heretofore established and shall maintain an office at the Normal Municipal Building.

SEC. 11.1-3 QUALIFICATIONS. No person shall be hired as Building Commissioner who has not had experience as an architect, structural engineer, building inspector or superintendent of building construction.

SEC. 11.1-4 DUTIES. The Building Commissioner shall have the following duties, functions and responsibilities:

- A. To be and perform the duties of the "Code Official" as that term is used in the BOCA National Building Code and the One and Two-Family Dwelling Code as adopted and modified hereby. (Amended 6/18/90)

- B. To perform the duties, functions and responsibilities specified in the current job description of the Town of Normal employment position “Building Commissioner”, which job description is approved from time to time by the Town Council as part of the Town’s Salary Administration Program.
- C. To supervise, direct and assign employees in and personnel assigned to the Building Inspection Department.

SEC. 11.1-5 RECORDS. All records and reports of the Building Inspection Department shall be open to the public during regular office hours, but shall not be removed from that office without the written consent of the Building Commissioner or his designee.

SEC. 11.1-6 RIGHT OF ENTRY. Each employee in or person assigned to the Building Inspection Department, in the discharge of his or her official duties and upon proper identification, shall have the authority to enter any building, structure or premise at any reasonable hour.
(ENTIRE DIVISION 1 AMENDED 4/20/87)

DIVISION 2 – BUILDING BOARD OF APPEALS

SEC. 11.2-1 CREATION, COMPOSITION, APPOINTMENT AND TERM. There is hereby created a Building Board of Appeals consisting of fifteen members. The members of the Board shall be individuals who are qualified by experience and training to decide upon matters pertaining to building construction and shall have the specific qualifications of each discipline set forth in this Section. Three members shall represent each of the following disciplines:

- A. **Design Professional:** The Design Professional representative must be a licensed architect, licensed structural engineer, or an individual with a minimum of a Master's Degree in Construction Technology or similar field.
- B. **General Construction:** The General Construction representative must be a contractor with a minimum of five years' experience in general construction or an individual with a minimum of a Master's Degree in Construction Technology or related field.
- C. **Mechanical Construction:** The Mechanical Construction representative must be a licensed mechanical engineer or a licensed HVAC contractor with a minimum of five years' experience in HVAC installation and maintenance.
- D. **Electrical Construction:** The Electrical Construction representative must be a licensed electrical engineer or a licensed electrical contractor with a minimum of five years' experience in electrical installation and maintenance.
- E. **Plumbing Construction:** The Plumbing Construction representative must be a licensed plumber with a minimum of five years' plumbing experience or an individual with a minimum of a Bachelor's Degree in environmental science.

The President of the Board of Trustees with the consent of the Board of Trustees shall make appointments to the Building Board of Appeals. The initial board shall consist of representatives in each category serving either a two, three, or a four-year term. Thereafter, members shall be appointed for terms of four (4) years and shall serve until their successors are appointed and duly qualified. The Board shall designate one of its members to serve as Chairperson. The Chairperson shall serve a one (1) year term and may be reappointed. The Building Commissioner of the Town of Normal shall serve as an advisor to the Board and may act as its Secretary. Vacancies among Board members shall be filled for the unexpired term in the same manner as original appointments.

SEC. 11.2-2 FUNCTIONS. The Building Board of Appeals shall have the following functions:

- A. To hear and decide all appeals from rulings or determinations of the Building Commissioner under this Chapter and rulings or determinations of the Building Commissioner, Plumbing Inspector, HVAC Inspector, Electrical Inspector, and to hear and decide all appeals from rulings or determinations of the Chief Fire Inspector under the Fire Prevention Code (Chapter 6 of the Municipal Code, Town of Normal, Illinois, as amended). In Any appeal stemming from a particular discipline, two representatives of that discipline must attend and participate in

hearing and deliberation of the case unless such participation would be prohibited by law. (Amended 2/19/79)(Amended 6/18/90)

- B. To serve as the “Board of Appeals” as that term is used in the various International construction and property maintenance codes adopted by the Town of Normal. (Amended by Ord. No. 4231 4/18/94)
- C. To recommend to the Town Council reasonable rules and regulations governing the issuance of permits by the Building Commissioner under this Chapter.
- D. To recommend to the Town Council reasonable fees to be paid for the inspections performed by the personnel of the Building Inspection Department of the Town of Normal under this Chapter.
- E. To perform such other duties as may be given or assigned by the Town Council.
- F. The Building Board of Appeals, in concurrence with the Building Commissioner, shall have the authority to provide for experimental programs or pilot studies, including studies which would allow for the installation of materials or methods which are otherwise prohibited by Town ordinance. In determining whether to approve such studies or pilot programs, the Building Board shall consider the health and safety of the residents of the Town of Normal, the likely future use of the product or method sought to be used, and the expected benefit of the intended material or method. Any program or study approved shall be limited in duration and scope such that a reasonable assessment can be made of the material or method. The Building Commissioner shall report regularly to the Building Board of Appeals on the effectiveness of such material or method approved for a pilot program or study. (Added 6/4/07 by Ord. No. 5137)

SEC. 11.2-3 QUORUM. Five (5) members of the Board shall constitute a quorum. All decisions shall require an affirmative vote of a simple majority of the Board members present. No member of the Board shall consider or vote on any question in which he, or any corporation in which he is a shareholder, is financially interested to an extent greater than other persons, firms or corporations performing or in business to perform comparable work.

SEC. 11.2-4 MEETINGS AND RECORDS. Meetings of the Board shall be held bi-annually and at the call of the Chairperson and at such other times as the Board may determine. All hearings before the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member on every question. If a member is absent or fails to vote, the minutes shall so indicate. The Board shall also keep records of its other official actions. Such minutes and such records shall be public records.

SEC. 11.2-5 APPEAL PROCEDURE.

- A. Application for Appeal. Any application for appeal shall be made within ten (10) days from the date of the decision appealed from, by filing with the Building Commissioner a Notice of Appeal specifying the grounds for the appeal. The Building Commissioner shall transmit to the Board of Appeals the Notice of Appeal and all papers or documents on which the matter appealed from was based.

- B. Decision of the Board of Appeals. The Board of Appeals shall in every case reach a decision without unreasonable or unnecessary delay. Every decision of the Board shall be in writing and shall promptly be filed in the office of the Building Commissioner and served either by personal delivery or regular mail on the party initiating the appeal.

If a decision of the Board of Appeals reverses or modifies a decision of the Building Commissioner, the Building Commissioner shall take action immediately in accordance with such decision.

The decision of the Board shall be final, subject only to judicial review.

SEC. 11.2-6 RULES AND REGULATIONS. The Board may establish rules and regulations for its own procedure not inconsistent with the provisions of this Chapter.

(Entire Division 2 Amended 2/5/07 by Ord. No. 5115)

DIVISION 3 – VACANT BUILDINGS

11.3-1 SCOPE OF DIVISION. This Division shall apply to all vacant buildings and premises thereof in the Town of Normal now existing or hereafter becoming vacant.

11.3-2 INTENT. It is in the intent of this Division to protect the public health, safety, and welfare by establishing a registration process for vacant buildings and requiring responsible parties to implement a maintenance plan for such buildings to remedy any public nuisance, prevent deterioration, unsightly blight and consequent adverse impact on the value of nearby property.

This Division shall be construed liberally and justly to effect its purposes.

11.3-3 OTHER LAWS, CODES, ORDINANCES, AND REGULATIONS. This Division shall not be construed to prevent the enforcement of other laws, codes, ordinances, and regulations which prescribe standards other than are provided herein, and in the event of conflict, the most restrictive shall apply.

11.3-4 DEFINITIONS:

- A. Building – A structure built for the support, shelter, or enclosure of a person’s animals, chattels, or movable property of any kind and which is permanently affixed to the ground.
- B. Exterior Property Areas – The open space on the premises and on adjoining property under the control of owners or operators of such premises.
- C. Maintenance – Acts of repair and other acts to prevent a decline in the condition of grounds, structures, and equipment; such that the condition does not fall below the standards established by this code and other applicable statutes, codes and ordinances.
- D. Occupant – Any person (including domestic service employees) living and/or sleeping in a dwelling unit or having possession of a space within a building.
- E. Operator – Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.
- F. Owner – Any person, agent, operator, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.
- G. Person – Includes a corporation or co-partnership as well as an individual.

- H. Premises – A lot, plot or parcel of land including the buildings or structures thereon.
- I. Public Nuisances – Includes the following:
1. The physical condition, or uses of any premises regarded as a public nuisance at common law; or
 2. Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or
 3. Any premises which has unsanitary sewerage or plumbing facilities; or
 4. Any premises designated as unsafe for human habitation or use; or
 5. Any premises which is manifestly capable of being a fire hazard, or manifestly unsafe or insecure as to endanger life, limb or property; or
 6. Any premises which is unsanitary, or which is littered with rubbish or garbage, or which has an uncontrolled growth of weeds; or
 7. Any structure or building that is in a state of dilapidation, deterioration or decay; faulty construction; open or vacant and the doors, windows, or other openings are boarded up or secured, by any means other than conventional methods used in the design of the building or permitted for new construction of similar type; damaged by fire to the extent as not to provide shelter, in danger of collapse or failure and dangerous to anyone on or near the premises.
- J. Renovation – A building and its facilities made to conform to present day minimum standards of sanitation, fire and life safety.
- K. Rubbish – Combustible and noncombustible waste materials, except garbage, and the term shall include the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust and other similar materials.
- L. Vacant – (1) Empty or (2) Not occupied on a regular basis by an occupant or (3) Not used by a person on a regular basis for the usual and customary purposes for which a building is designed and lawfully permitted.
- M. Workmanlike – Whenever the words “workmanlike state of maintenance and repair” are used in this code, they shall mean that such maintenance and repair shall be made in a reasonably skillful manner.

- N. Yard – An open unoccupied space on the same lot with a building extending along the entire length of street, or rear or interior lot line.

11.3-5 OBLIGATION TO REGISTER VACANT BUILDINGS

- A. Except as provided in Subsection B, whenever any building in the Town is vacant for more than sixty (60) days or whenever any building in the Town is vacant and such building or premises thereof contains one or more of the public nuisances described in this Division, then the owner of such building shall, within ten (10) days of notification, register such building as a vacant building and submit a vacant building plan.
- B. Whenever any building designed as a single-family dwelling is vacant and such building or premises thereof contains one or more of the public nuisances described in this Division, then the owner of such building shall, within ten (10) days of notification, register such building as a vacant building and submit a vacant building plan.

11.3-6 NOTICE OF VACANCY. The Building Commissioner shall provide notice to the owner and person who last paid the general real estate taxes on the building by letter sent by first class mail, return receipt requested, requesting the owner of the building to register the building and submit a vacant building plan with the Building Commissioner.

11.3-7 NOTICE OF PUBLIC NUISANCE. In the event any public nuisance exists in connection with the building or premises thereto then the Building Commissioner shall specify in the notice the existence of such nuisance(s).

11.3-8 REGISTRATION OF VACANT BUILDINGS. The owner registering a vacant building shall supply the following information:

- A. Name, address, and telephone number of owner.
- B. Name, address, and telephone number of any local agent or representative.
- C. Name, address and telephone number of all persons with any legal interest in the property, building, and premises.
- D. Legal description and tax parcel identification number of the premises on which the building is situated.
- E. The common address of the building.
- F. Date on which building became vacant.
- G. Vacant building plan.

The vacant building registration shall be filed with the Building Commissioner accompanied with a one hundred dollar (\$100.00) filing fee.

Registration of a vacant building shall be valid for a period of six (6) months. If the building is vacant at the expiration of any registration period and requirements of the vacant building plan are not completed, then the owner shall re-register such building and pay another one hundred dollar (\$100.00) filing fee.

If the building is vacant at the expiration of any registration period and the requirements of the vacant building plan are completed, the owner shall re-register such building without filing a new vacant building plan or paying the one hundred dollar (\$100.00) filing fee.

SEC. 11.3-9 OTHER ENFORCEMENT. The registration of a vacant building shall not preclude action by the Town to demolish or force rehabilitation of the building pursuant to other provisions of this code or other law.

SEC. 11.3-10 VACANT BUILDING PLAN. When a building is registered as required herein, the owner or agent shall submit a vacant building plan. The plan shall contain the following:

- A. A plan of action to repair any doors, windows, or other openings which are boarded up or otherwise secured by any means other than conventional methods used in the design of the building or permitted for new construction of similar type. The proposed repair shall result in openings secured by conventional methods used in the design of the building or by methods permitted for new construction of similar type.
- B. For buildings and premises thereof which are identified as being or containing public nuisances, then the vacant building plan shall contain a plan of action to remedy such public nuisance(s).
- C. For each required plan, a time schedule shall be submitted identifying a date of commencement of repair and date of completion of repair for each improperly secured opening and identified nuisance.
- D. When the owner proposes to demolish the vacant building, then the owner shall submit a plan and time schedule for such demolition.
- E. A plan of action to maintain the building and premises thereof in conformance with this Division.

SEC. 11.3-11 APPROVAL OF PLAN. The Building Commissioner shall have sole discretion to approve the proposed vacant building plan in accordance with the standards governing Building Board of Appeals review. If the Building Commissioner approves the plan, notice shall be sent to the owner or agent of the vacant building.

SEC. 11.3-12 AUTHORITY TO MODIFY PLAN AND APPEAL RIGHT. The Building Commissioner shall, upon notice to the vacant building owner or agent, have the right to modify the vacant building plan by altering the dates of performance or the proposed methods of action. If the owner or agent of the vacant building objects to the modifications made by the Building Commissioner, such owner shall have the right of appeal to the Town Building Board of Appeals for final determination. Such appeal shall be filed with the Building Commissioner within ten (10) days of receipt of the Building Commissioner's notice of modification.

SEC. 11.3-13 STANDARDS GOVERNING BUILDING BOARD OF APPEALS REVIEW. In considering the appropriateness of a vacant building plan, the Building Board of Appeals shall consider the following:

- A. The purposes of this Division and intent of the Town Council to minimize the period of time a building is boarded up or otherwise vacant.
- B. The affect of the proposed plan on adjoining property.
- C. The general economic conditions of the community.
- D. The financial condition of the owner.
- E. The cost to implement the proposed plan.
- F. The length of time the building has been vacant.
- G. The presence of any public nuisances on the property.
- H. The relative hardship on or gain to the public as contrasted and compared to the hardship or gain of the owner resulting from approval or modification of the proposed plan.

SEC. 11.3-14 DECISION BY BUILDING BOARD OF APPEAL. The Building Board of Appeals, after considering the testimony of the Building Commissioner, the building owner and any interested person, shall render its decision on the owner's appeal of the Building Commissioner's modifications to the proposed vacant building plan. The Building Board of Appeals shall have authority to fashion its own vacant building plan or approve the plan submitted by the owner or the plan modified by the Building Commissioner. The decision of the Building Board of Appeals shall be final and constitute the approved vacant building plan.

SEC. 11.3-15 FAILURE TO COMPLY WITH PLAN. Failure to comply with the approved plan shall constitute violation of this Division subjecting the owner of the building to penalties upon conviction as provided in this Chapter.

SEC. 11.3-16 CHANGE OF OWNERSHIP. The vacant building plan shall remain in effect notwithstanding a change in ownership. The new owner is required to file a new registration with the Building Commissioner, and supply the name and address and telephone number of the new owner(s). The new registration shall be in the same form as the original registration, however, the one hundred dollar (\$100.00) filing fee shall waived.

SEC. 11.3-17 MAINTENANCE STANDARDS. The owner of a vacant building shall comply with the International Property Maintenance Code as amended from time to time, with specific additions, deletions, insertions, and modifications as hereafter set forth in SEC. 11.4-5.

Division 3 Added by Ord. No. 4088 on October 19, 1992.

(Amended 2/5/07 by Ord. No. 5116)

DIVISION 4 – GENERAL REQUIREMENTS

SEC. 11.4-1 SCOPE OF DESIGN. The provisions of this Division shall control the design and installation of all building construction within the Town of Normal, including but not limited to, the erection, construction, enlargement, rebuilding, alteration, repair, moving, shoring, removal, demolition and conversion of occupancy of buildings, structures and portions thereof, and the maintenance and installation of plumbing equipment, heating equipment, boilers, elevators and electrical wiring and appliances, including mechanical ventilation and natural lighting fixtures located therein.

It shall be unlawful for any person, firm or corporation to do any building construction regulated by this Chapter in any way other than that authorized by this Chapter and the technical codes as adopted and modified hereby.

The requirements contained in this Chapter covering the maintenance of buildings shall apply to all buildings or structures now existing or hereafter erected. All buildings or structures and all parts thereof shall be maintained in a safe condition and all devices or safeguards which are required by this Chapter during the construction, alteration or repair of any building shall be maintained in good working order.

This Section shall not be construed as permitting the removal or non-maintenance of any previously authorized or required device or safeguards unless such removal or non-maintenance is authorized in writing by the Building Commissioner.

SEC. 11.4-2 ADOPTION OF THE INTERNATIONAL BUILDING CODE/2012 WITH AMENDMENTS.

- A. **Incorporation by Reference.** There is hereby adopted by the Town of Normal for the purpose of establishing rules, standards, regulations and procedures for the location, construction, maintenance, alteration, removal, demolition, use and occupancy of buildings and structures and the service equipment located within such buildings or structures, a Building Code known as the International Building Code 2012, published by International Code Council, with specific additions, deletions, insertions, modifications and amendments (which said Code as so amended is hereinafter referred to as the “IBC”) not less than one copy of which Code with the specified additions, deletions, insertions, modifications and amendments, has been for more than thirty (30) days prior to the adoption of the Ordinance incorporating said Code by reference and is now filed in the Office of the Town Clerk of the Town of Normal. As editions and amendments to the IBC are officially adopted and published by the International Code Council, such new editions and amendments are hereby adopted by the Town of Normal without further action by the Town Council and such new editions and amendments shall be effective when published by the International Code Council except for those sections which are specifically modified, amended or deleted by this Division of the Municipal Code of the Town of Normal

The provisions of said Code are hereby adopted and incorporated as fully as if set out at length and the provisions thereof as added, deleted, inserted, modified and amended by Paragraph B of this Section shall be controlling in regard to all buildings and structures within the corporate limits of the Town.

B. Additions, Deletions, Insertions, Modifications, and Amendments to the International Building Code.

1. Insert the phrase “Town of Normal, Illinois” in all locations in the IBC where parenthetical reference is made to the “name of jurisdiction”.
2. Insert the date December 17, 2012, in all locations in the IBC where parenthetical reference is made to “date of adoption of this Code”.
3. Section 101.2 - Scope. Add the Phrase “in zero lot-line construction,” before the words “multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress.”
4. Section 101.4.3 – Plumbing. Substitute the word “Town’s” for the word “International” in the first sentence and delete the second sentence.
5. Section 101.4.6 – Energy. Delete this Section.
6. Delete Section 102.4, 102.4.1, and 102.4.2 and substitute therefore the following:

The codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and other adopted codes and standards, the more restrictive provisions shall apply.

7. Delete Section 103 – Department of Building Safety and insert in lieu therefore the following:

“Section 103.0 – Department of Building Safety”

Section 103.1 – Building Inspection Department. The Building Inspection Department of the Town of Normal shall be the “Department of Building Safety” as that term is used in this Code.

Section 103.2 – Building Commissioner. The Building Commissioner of the Town of Normal shall be the “Building Official” as that term is used in this Code.

Section 103.3 – Restriction of Employees. The Building Official or employee connected with the Department of Building Inspection except one

whose only connection is that of a member of the Board of Appeals established under the provisions of SEC. 11.2-1 of the Municipal Code of the Town of Normal, Illinois, 1969, as amended, shall not be engaged in or directly or indirectly connected with the furnishing of labor, materials or appliances for the preparation of plans or the specifications therefore, unless he is the owner of the building, nor shall such officer or employee engage in any work which conflicts with his official duties or with the interests of the Department.

8. Add a new sentence at the beginning of Section 105.5 Expiration as follows:

Every permit issued shall expire and become invalid 180 days after issuance or a later date if a later date is indicated on the permit by the building official.

9. Add the following Section:

Section 105.8 – Permit – Demolition.

Before any permit required by this Division is issued granting authority to wreck a building or structure, the person engaged in the work of wrecking, hereafter the wrecking contractor, shall file with the Town Clerk, a Certificate of Liability Insurance from an insurance company authorized to do business in the State of Illinois. Said Certificate shall designate the specific job to be performed by said contractor and designate coverage provided by such policy as required below. Said Certificate shall name the Town as an additional insured. The policy shall:

- a. Insure both parties for single limit coverage for bodily injury and property damage for at least \$300,000.00 per occurrence and aggregate, and shall contain both general and automobile coverages; or
- b. Provide at least \$100,000.00 worth of coverage for bodily injury per individual and \$300,000.00 of bodily injury coverage per occurrence and \$100,000.00 of property damage coverage for both general and automobile coverages. A Certificate shall also be provided showing the wrecking contractor has adequate worker's compensation insurance in accordance with the Workmen's Compensation Act and the Workmen's Occupational Disease Acts of Illinois, as amended.

The foregoing insurance requirement may be waived at the discretion of the Code Official where:

- a. The estimated cost of demolition of a structure including removal of the debris and clearing of the site is less than Five Hundred Dollars (\$500.00).
- b. No extra hazardous conditions exist.

c. The demolition permit is being sought by the owner of the structure.

10. Add the following Section:

Section 105.9 – Moving Buildings.

Moving Buildings

- a. Permit Required. No person, firm, or corporation shall move any building along the public streets, alleys or other places within said Town unless he shall first obtain a license as a house mover under a penalty of not less than \$50.00 nor more than \$200.00 for each offense or be imprisoned for not to exceed six (6) months, or both such fine and such imprisonment. Each day that any such violation or failure continues shall be considered as a separate and distinct offense and shall be punishable as such.
- b. Bond. Any person may obtain a license as a house mover upon the payment of a license fee of \$25.00 per annum and the furnishing to the Town Clerk, a Certificate of Liability Insurance from an insurance company authorized to do business in the State of Illinois. Said Certificate shall designate the specific job to be performed by said mover and designate coverage provided by such policy as required below. Said Certificate shall name the Town as an additional insured. The policy shall:
- (1) Insure both parties for single limit coverage for bodily injury and property damage for at least \$300,000.00 per occurrence and aggregate, and shall contain both general and automobile coverages; or
 - (2) Provide at least \$100,000.00 worth of coverage for bodily injury per individual and \$300,000.00 of bodily injury coverage per occurrence and \$100,000.00 of property damage coverage for both general and automobile coverages. A Certificate shall also be provided showing the mover has adequate Workmen's Compensation Insurance in accordance with the Workmen's Compensation Act and the Workmen's Occupational Disease Acts of Illinois, as amended.
- c. Application and Permit Required. Prior to an issuance of a moving permit, a "Building Moving Application" must be submitted to the Inspection Department for approval. The fee for a permit authorizing the moving of buildings shall be \$200.00 for a dwelling unit or other structure and a \$100.00 for a garage.

- d. Building Moved to Comply with Ordinances. No wooden building, within or not within the fire limits, shall be moved to any lot or part of lot within the fire limits and all buildings, when so moved, shall thereafter comply with the existing building regulations as set forth in various Ordinances of the Town.
- e. Lights and Warnings. Whenever a street or alley is blocked by a house or structure which is being moved, warnings to that effect shall be placed by the Police Department so as to warn vehicles and persons from entering that portion of the street so blocked. The person, firm or corporation moving any building through the streets shall keep warning signs and lanterns or lights on the building so as to guard against any person or vehicle from colliding with it.
- f. Cutting Wires. Whenever it shall be necessary to interfere with the wires or cables of a public utility in moving a building, the terms of any special or franchise Ordinance governing shall apply and the bond therein specified shall be given. If no specific terms are spelled out, approval shall first be obtained from the utility company involved and the costs or expenses involved shall be paid to such utility company.
- g. Fire Alarm Wires. When any moving building shall approach any fire alarm wire or pole which shall be endangered by the removal of such building or structure, it shall be the duty of the mover to notify the Chief of Police at least six (6) hours before reaching such wire or pole so that they may be removed or cared for by the Town authorities.
- h. Additional Restrictions. No buildings shall be moved upon or along any alley or other public thoroughfare without at least twenty-four (24) hours notice in writing to the Fire Chief of the Town and whenever possible, paved surfaces of streets, alleys or sidewalks shall be planked so as not to be damaged by such moving operation. No permit shall entitle the mover to cut or injure any tree unless special permission for same has been obtained from the Director of Public Works.

11. Add the following Section 105.10 Additional Permit Requirements:

Section 105.10 – Miscellaneous Permit Requirements: No building permit shall issue until the following conditions are met:

- a. Storm Water Storage. No person, firm, corporation or agency shall be issued a building permit under this Chapter unless and until all applicable requirements are met as set forth in Chapter 7, Division 31 of the Municipal Code, Town of Normal, 1969, as amended.

- b. No person, firm, corporation or agency shall be issued a building permit under this Chapter unless and until a Bloomington-Normal Water Reclamation District connection permit has been obtained for the proposed construction. This subsection shall not apply to building permits issued solely for the alteration, repair, shoring, or maintenance of existing buildings or structures.
- c. No person, firm, corporation, agency, partnership or other entity shall undertake or cause to be undertaken any type of alteration to the exterior of any property designed a historical landmark by the Town of Normal or any property located within an area designated as a historical district by the Town of Normal without first submitting plans and obtaining from the Town a building permit for such alteration. As used herein, the term alteration means any type of modification or repair including but not limited to maintenance, shoring, repair work, alteration, additions, rejuvenations, rehabilitations, remodeling, or any other action which changes in any manner the existing physical appearance of such property, except for painting.

In addition to the general penalties set forth in this Chapter, any violation of the foregoing shall be subject to the following: (a) Equitable relief as provided by law; or (b) A fine in any amount no more than five hundred dollars (\$500.00) for each offense. A separate and distinct offense shall be regarded each day upon which said violation shall continue after knowledge or notification of the existence thereof to or by the violator.

12. Section 107.5 Retention of Construction Documents. Delete this Section.

13. Add at the end of Section 109.2 Schedule of Permit Fees the following:

- a. General. The fee for a permit shall be based upon the reasonable cost of the improvements, including material and labor in accordance with the fee schedule of sub-section (b) of this Section. Estimated cost shall include all cost of labor and material given a fair market value. In the absence of a bona fide contract establishing the estimated costs, the values for arriving at the fee for a permit shall be established by the Code Official upon the basis of area and type of construction.

If any person initiates construction without first taking out a permit, such person shall pay, in addition to the regular fees prescribed for permits, an additional amount equal to one hundred per cent (100%) of the fee required, and may be subject to all penalty provisions of this Chapter.

- b. Fee Schedule. Fees shall be as set forth in Chapter 25 of the Municipal Code of the Town of Normal.
(Subsection 12 Amended 10/1/07 by Ord. No. 5154)(Now Subsection 12 is 13)

14. Add to the existing language of Section 111.3 – Temporary Occupancy, the following:

Temporary use or occupancy may be granted by the Code Official for a maximum duration of one (1) month from the date of issuance. Such occupancy may be further extended only by approval of the City Manager, subject to a favorable safety inspection by the Building Inspection Department.

15. Add to the existing language of Section 112.1 – Connection of Service Utilities the following:

No utility meters shall be placed on the street side(s) of any commercial or multiple-family building.

16. Delete the existing language of Section 113 – Board of Appeals and substitute therefore the following:

Section 113 – General. Decisions of the Building Official may be appealed to the Building Board of Appeals pursuant to SEC. 11.2-5 of the Municipal Code of the Town of Normal.

17. Delete the following phrase from Section 114.3 – Prosecution of Violation.

“If the notice of violation is not complied with promptly”.

18. Delete the existing language of Section 114.4 – Violation Penalties, and insert in lieu thereof, the following:

Section 114.4 – Penalties. Any person found guilty of violating, disobeying, omitting, neglecting or refusing to comply with, or resisting or opposing the investigation or enforcement of any of the provisions of this Chapter or any of the Codes as adopted and modified hereby, upon conviction, may be subject to the penalties prescribed in SEC. 11.6-4 of the Municipal Code of the Town of Normal, Illinois, 1969, as amended.

19. Add to Section 1026.1 – Exterior Exit Stairways and Ramps, as follows:

No exterior stairways shall be placed or construed on the street side(s) of commercial or multi-family buildings.

20. Add to Table 1607.1 Balconies (exterior) and Decks. Section 5 – Hotels and Multiple-Family Dwellings – 100.

21. Delete the existing language of Section 2901.1 – Scope, and substitute in lieu thereof, the following:

Section 2901.1 – Scope. The design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and storm water and sewage disposal in buildings and structures, shall comply with the requirements of this Article, and the requirements of the Plumbing Code of the Town of Normal.

22. Add Section 3001.5, as follows:

Section 3001.5 Each elevator must comply with all state laws, including required inspections, and must display any certificate of inspection. A copy of proof of compliance with the state statute must be sent to the Building Official upon the demand of the Building Official. (Amended 10/1/07 by Ord. No. 5154)

23. Delete the existing language of Chapter 13 – Energy Efficiency.

(Entire SEC. 11.4-2 Amended 9/15/03 by Ord. No. 4889)(Amended 2/5/07 by Ord. No. 5116)(Amended 12/7/09 by Ord. No. 5300)(Amended 12/17/12 by Ord. No. 5476)

SEC. 11.4-3 – RESERVED.

SEC. 11.4-4 ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE.

- A. Incorporation by Reference. There is hereby adopted by the Town of Normal for the purpose of regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of building systems in residential buildings thereto, a Building Code known as the International Residential Code, 2012 Edition, published by the International Code Council, as amended thereto with specific additions, deletions, insertions, modifications, and amendments, which said Code as so amended is hereinafter referred to as the “International Residential Code”, not less than one copy of which Code with additions, deletions, insertions, modifications and amendments have been, for more than thirty (30) days prior to the adoption of this Ordinance incorporating said Code by reference and is now filed in the Office of the Town Clerk of the Town of Normal. The provisions of said Code are hereby adopted and incorporated as fully as if set out at length and the provisions thereof as added, deleted, inserted, modified and amended by Paragraph B of this Section shall be controlling in regard to all matters pertaining to the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of building systems in residential buildings thereto. As editions and amendments to the International Residential Code are officially adopted and published by the International Code Council, such new editions and amendments are hereby adopted by the Town of Normal without further action by the Town Council and such new editions and amendments shall be effective when published by the International Code Council except for those sections which are specifically modified, amended or deleted by this Division of the Municipal Code of the Town of Normal.

B. Additions, deletions, insertions, modifications, and amendments to the International Residential Code.

1. In Section 101.2 - Delete the exceptions and insert the phrase “in zero lot-line construction” before the words:

“townhouses not more than three stories above grade plan in height with a separate means of egress and their accessory structures.”

2. Delete Sections 102.4 inclusive of the exception, 102.4.1, and 102.4.2 and substitute the following:

The codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference.

Where differences occur between provisions of this Code and other adopted codes and standards, the more restrictive provisions shall apply.

3. Delete Section 103 – Department of Building Safety and insert in lieu therefore, the following:

“Section 103.0 – Department of Building Safety”

Section 103.1 – Building Inspection Department. The Building Inspection Department of the Town of Normal shall be the “Department of Building Safety” as that term is used in this Code.

Section 103.2 – Building Commissioner. The Building Commissioner of the Town of Normal shall be the “Building Official” as that term is used in this Code.

Section 103.3 – Restriction of Employees. The Building Official or employee connected with the Department of Building Inspection except one whose only connection is that of a member of the Board of Appeals established under the provision of SEC. 11.2-1 of the Municipal Code of the Town of Normal, Illinois, 1969, as amended, shall not be engaged in or directly or indirectly connected with the furnishing of labor, materials or appliances for the preparation of plans or the specifications therefore, unless he is the owner of the building, nor shall such officer or employee engage in any work which conflicts with his official duties or with the interests of the Department.

4. Section 104.6 – Right of Entry. Delete this entire section and substitute therefore the following: The Code Official of his designee is authorized to enter the structure or premises to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official is authorized to seek a search warrant as authorized by law.

5. Section 105.2 – Work Exempt from Permit. In section Building 1, delete the phrase “200 square feet (18.8 m2) and substitute therefore 144 square feet”. In section Building 2, substitute ‘6 feet’ for ‘7 feet.’ Delete Building Section 10.

6. Add at the beginning of Section 105.5 – Expiration as follows:

Every permit issued shall expire and become invalid 180 days after the issuance or a later date if a later date is indicated on the permit by the building official. A permittee holding an unexpired permit may apply for a one-time ninety (90) day extension provided the permittee can show good and satisfactory reasons that the work cannot be completed within the initial one hundred eighty (180) day period. No additional fee is required for a one-time extension.

7. Section 105.8 – Responsibility. Add at the end of the Section the following:

Condition of Permits: A construction permit issued pursuant to the Residential Code does not permit a person to perform electrical, plumbing, or other mechanical work. All construction work performed in the Town of Normal shall be performed in accordance with all plans and specifications submitted to the Town of Normal for the issuance of a permit. It shall be unlawful for any person to perform construction in a manner not consistent with the permit issued. It shall be unlawful for any person to perform construction work for which a permit is required without a permit. It shall be unlawful for any person to perform construction work after a stop work order has been issued. All framing, mechanical, plumbing, and electrical work must be inspected before being covered. It is the responsibility of the permit holder to call for all inspections. No permit shall be assigned or transferred to any other person.

8. Add the following Section 105.10 – Additional Permit Requirements.

Section 105.10 – Miscellaneous Permit Requirements. No building permit shall be issued until the following conditions are met:

- a. Storm Water Storage. No person, firm, corporation or agency shall be issued a building permit under this Chapter unless and until all applicable requirements are met as set forth in Chapter 7, Division 31 of the Municipal Code, Town of Normal, 1969, as amended.
- b. No person, firm, corporation or agency shall be issued a building permit under this Chapter unless and until a Bloomington-Normal Water Reclamation District connection permit has been obtained for the proposed construction. This subsection shall not apply to building permits issued solely for the alteration, repair, shoring, or maintenance of existing buildings or structures.

- c. No person, firm, corporation, agency, partnership or other entity shall undertake or cause to be undertaken any type of alteration to the exterior of any property designated a historical landmark by the Town of Normal or any property located within an area designated as a historical district by the Town of Normal without first submitting plans and obtaining from the Town a building permit for such alteration. As used herein, the term alteration means any type of modification or repair including but not limited to maintenance, shoring, repair work, alteration, additions, rejuvenations, rehabilitations, remodeling, or any other action which changes in any manner the existing physical appearance of such property, except for painting.

In addition to the general penalties set forth in this Chapter, any violation of the foregoing shall be subject to the following: (a) Equitable relief as provided by law; or (b) A fine in any amount no more than five hundred dollars (\$500.00) for each offense. A separate and distinct offense shall be regarded each day upon which said violation shall continue after knowledge or notification of the existence thereof to or by the violator.

9. SECTION 106.3.1 – Approval of Construction Documents. Delete this Section.
10. Amend Section 109.1.5 Other Inspections to include:

“In addition to the called inspections above, a site inspection prior to excavation, a pre-footing inspection prior to the placement of concrete and a lot grading inspection shall all be required inspections enforced by the Building Department.”
11. Delete Section 112 and substitute therefore, the following:

“Section 112 – Board of Appeals – All persons shall have the right to appeal any decision of the Building Official to the Building Board of Appeals of the Town of Normal in the manner provided by SEC. 11.2-5 of the Municipal Code of the Town of Normal, 1969, as amended.”
12. Delete the following phrase from Section 113.3 – Prosecution of Violation:

“If the notice of violation is not complied with in the time prescribed by such notice”.
(Entire SEC. 11.4-4(B)(12) Amended 2/5/07 by Ord. No. 5116)
13. Delete the existing language of Section 113.4 – Violation Penalties and substitute in lieu therefore the following:

“Section 113.4 – Violation Penalties. Any person, firm or corporation violating any provision of this Code shall be subject to the penalty provisions provided in SEC. 11.6-4 of the Municipal Code of the Town of Normal, Illinois, 1969, as amended.”

14. Amend Table No. 301.2(1) Climatic and Geographic Design Criteria as follows:
 - a. Amend Table 301.2(1) by inserting (20psf) under “Ground Snow Load”.
 - b. Amend Table 301.2(1) by inserting (90mph) under “Wind Design (Speed)”.
 - c. Amend Table 301.2(1) by inserting (No) under “Wind Design” (Topographic effects).
 - d. Amend Table 301.2(1) by inserting (B) under “Seismic Design Category”.
 - e. Amend Table 301.2(1) by inserting (Severe) under “Subject to Damage From” (Weathering).
 - f. Amend Table 301.2(1) by inserting (40”) under “Subject to Damage From” (Frost Line Depth).
 - g. Amend Table 301.2(1) by inserting (Moderate to Heavy) under “Subject to Damage From” (Termite).
 - h. Amend Table 301.2(1) by inserting (-4 Degrees) under “Winter Design Temp”
 - i. Amend Table 301.2(1) by inserting (Yes) under “Ice Barrier Underlayment Required”
 - j. Amend Table 301.2(1) by inserting (Engineering Insurance Study) under “Flood Hazards.”
 - k. Amend Table 301.2(1) by inserting (1500) under “Air Freezing Index.”
 - l. Amend Table 301.2(1) by inserting (52 degrees) under “Mean Annual Temp.”

15. Amend Section 302.6 Dwelling/garage fire separation by adding the following sentence:

With a detached garage where the separation between the garage and another structure is less than 10’, the entire garage shall be protected by ½” gypsum board applied to the inside of the garage.

16. Delete the word “Townhouse” from Sections 302.2, 302.2.1, and 302.2.4, and insert “Zero Lot Line Unit”.
17. Amend Section 302.2 Townhouses to read:

“Section 302.2 Zero Lot Line Units. Each zero lot line unit shall be considered a separate building and shall be separated by 2-hour assembly from the foundation to roof underside. The assembly shall be continuous and shall not be interrupted by unit partitions. This assembly shall be a UL listed or USG approved.”
18. Section 313 – Automatic Fire Sprinkler Systems. In Section 313.2 change the effective date to upon adoption by the City of Bloomington, Illinois. In Section 313.2.1 delete the phrase “Section P2904 or”. (Revised 11/7/11 by Ord. No. 5402)
19. Amend Section 401.3 – Drainage to read:

“Lot grading shall comply with the approved verified subdivision grading plan as submitted by the lot developer. In addition, sump pump discharge lines shall be connected to the storm water drainage system where provided.”
20. Amend Section 403.1.6 Foundation Anchorage. Delete exceptions 2 and 3.
21. Delete the following Chapters in their entirety.
 - a. Chapter 11 – Energy Efficiency.
 - b. Chapter 25 – Plumbing Administration
 - c. Chapter 26 – General Plumbing Requirements.
 - d. Chapter 27 – Plumbing Fixtures.
 - e. Chapter 28 – Water Heaters.
 - f. Chapter 29 – Water Supply and Distribution.
 - g. Chapter 30 – Sanitary Drainage.
 - h. Chapter 31 – Vents.
 - i. Chapter 32 – Traps.
 - j. Chapter 33 – Storm Drainage
 - k. Chapter 34 – General Requirements.
 - l. Chapter 35 – Electrical Definitions.

- m. Chapter 36 – Services.
 - n. Chapter 37 – Branch Circuit and Feeder Requirements.
 - o. Chapter 38 – Wiring Methods.
 - p. Chapter 39 – Power and Lighting Distribution.
 - q. Chapter 40 – Devices and Luminaires.
 - r. Chapter 41 – Appliance Installation.
 - s. Chapter 42 – Swimming pools.
 - t. Chapter 43 – Class 2 Remote Control Signaling and Power-Limited Circuits.
22. Delete the following Appendices:
- a. Appendix A Sizing and Capacities of Gas Piping
 - b. Appendix B Sizing of Venting Systems Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents.
 - c. Appendix C. Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.
 - d. Appendix D. Recommended Procedure for Safety Inspection of an Existing Appliance Installation.
 - e. Appendix E. Manufactured Housing Used as Dwellings.
 - f. Appendix F. Radon Control Methods.
 - g. Appendix H. Patio Covers.
 - h. Appendix I. Private Sewage Disposal.
 - i. Appendix L. Permit Fees.
 - j. Appendix M. Home Day Care – R-3 Occupancy.
 - k. Appendix N. Venting Methods.
 - l. Appendix P. Sizing of Water Piping System.

- m. Appendix Q. ICC International Residential Code Electrical Provisions/National Electrical Code Cross Reference.

(Entire SEC. 11.4-4 Amended 12/7/2009 by Ord. No. 5306)(Entire SEC. 11.4-4 Amended 12/17/2012 by Ord. No. 5475)

SEC. 11.4-5 ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE – 2012.

- A. Incorporation by Reference. There is hereby adopted by the Town of Normal for the purpose of ensuring the public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises in the Town of Normal, and to prevent blight and deterioration of neighborhoods, a property maintenance code known as the International Property Maintenance Code, First Printing, 2012, published by the International Code Council, Inc. with specific additions, deletions, insertions, modifications and amendments as hereinafter set forth. The provisions of said 2012 International Property Maintenance Code are hereby adopted and incorporated as fully as if set out at length, and the provisions thereof as added, deleted, inserted, modified and amended by Paragraph B of this Section shall be controlling in regard to all premises, buildings and structures within the corporate limits of the Town. Not less than one copy of said property Maintenance Code with the specified additions, deletions, insertions, modifications, and amendments shall be filed and kept at the Office of the Town Clerk of the Town of Normal. As editions and amendments to the International Property Maintenance Code are officially adopted and published by the International Code Council, such new editions and amendments are hereby adopted by the Town of Normal without further action by the Town Council and such new editions and amendments shall be effective when published by the International Code Council except for those sections which are specifically modified, amended or deleted by this Division of the Municipal Code of the Town of Normal.
- B. Additions, Deletions, Insertions, Modifications and Amendments to the International Property Maintenance Code, 2012.
1. Insert the phrase “Town of Normal, Illinois” in all locations in the International Property Maintenance Code where parenthetical reference is made to the “name of jurisdiction”.
 2. Section 101.3 - Delete the second sentence and substitute therefore the following:

“An additional purpose of this Code is to prevent blight and deterioration of neighborhoods. Existing structures and premises that do not comply with these provisions and which do not meet a minimum level of health and safety shall be altered or repaired to provide a minimum level of health and safety as required herein.”

- a. Bedrooms which are below grade which existed prior to the adoption of this Code shall cease their use as bedrooms effective August 1, 2005, unless those rooms can meet the following standards:
- (1) Stair and hallway geometry. All stairs leading to such bedrooms must have a riser height of no more than 8.25 inches, a tread depth of no less than 9 inches, a tread width of no less than 32 inches and a headroom clearance of no less than 76 inches. Hallways and doors serving bedrooms must be at least 32 inches wide.
 - (2) Ceiling height. The ceiling height in the bedroom and all hallways and doors serving bedrooms shall be a minimum of 80 inches high. Projections from the ceiling into the room, such as beams and ducts, may not intrude so that the remaining height is below 76 inches. Projections into the room may not constitute more than 25% of the overall ceiling area.
 - (3) Egress windows and doors. Except as set forth in Subsection (1) of this Section, egress must be provided as set forth in Section R310 and R311 of the 2009 Edition of the International Residential Code adopted at SEC. 11.4-4 of the Municipal Code of the Town of Normal.
 - (4) Smoke alarms. Smoke alarms must be provided as set forth in Section R314 of the 2009 Edition of the International Residential Code adopted at SEC. 11.4-4 of the Municipal Code of the Town of Normal.
- b. The Building Commissioner is hereby authorized to issue building permits to persons seeking to modify their existing basement bedrooms to meet the standards set forth in this ordinance, even though these standards are less restrictive than those regularly required in remodeling. Nothing in this Ordinance shall authorize the Building Commissioner to waive current Code requirements for property which did not have an existing bedroom below grade prior to the time this Code was adopted.

(Entire Subsection 2 Amended 3/15/04 by Ord. No. 4938)

3. Section 102.1 – Delete the second sentence.
4. Section 102.2 – Delete the last sentence and substitute therefore the following:

“The owner and the owner’s designated agent shall be jointly and severally responsible for the maintenance of buildings and structures and premises.”

5. Section 102.3 – Delete this section in its entirety and substitute therefore the following:

“Repairs, additions, or alterations to a structure, or changes of occupancy shall be done in accordance with the procedures and provisions of the appropriate zoning, building, mechanical, and other Codes of the Town of Normal. Nothing in this Code shall be construed to cancel, modify or set aside any provision of the zoning, building, mechanical, or other Code of the Town of Normal.”

6. Section 102.6 – Delete this section and substitute therefore the following:

“The provisions of this Code shall not be mandatory for existing buildings or structures designated by the state or the Town of Normal as historic buildings when such buildings or structures are judged by the Code Official to be safe and in the public interest of health, safety, and welfare.”

7. Delete Sections 102.7, 102.7.1, and 102.7.2 and substitute therefore the following:

The codes and standards referenced in this Code shall be those that are listed in Chapter 8 and considered part of the requirement of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and the referenced standards, the more restrictive provisions shall apply.

8. Section 103 – Delete the entirety of Section 103- Department of Property Maintenance Inspection and insert in lieu therefore the following:

“Section 103 – Building Inspection Department”

Section 103.1 - The Building Inspection Department of the Town of Normal shall be the “Department of Property Maintenance Inspection” as that term is used in this Code.”

Section 103.2 - The Building Commissioner of the Town of Normal shall be the “Code Official” as that term is used in this Code.

Section 103.3 - Restriction of employees. The Code Official or employee connected with the enforcement of this Code, except one whose only connection is that of a member of the Building Board of Appeals established under the provisions of SEC. 11.2-1 of the Municipal Code of the Town of Normal, Illinois, 1969, as amended, shall not be engaged in, or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of construction documents thereof, unless that person is the owner of the building; nor shall such officer or employee engage in any work that conflicts with official duties or with interests of the department.

Section 103.4 - Relief from Personal Liability.

The Code Official, officer or employee charged with the enforcement of this Code, while acting for the Town of Normal shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by him in the lawful discharge of his duties and under the provisions of this Code shall be defended by the legal representative of the Town of Normal until a final termination of the proceedings. The Code Official or any of his subordinates shall not be liable for costs in any action, suit or proceeding that may be instituted in pursuance of the provisions of this Code and any officer of the Department of Building Inspection acting in good faith and without malice shall be free from liability for acts performed under any of its provisions of by reason of any act or omission in the performance of his official duties in connection therewith.

9. Section 104.2. – Inspections. Insert the phrase “or his designee” after the words “Code Official” in the first line.
10. Section 104.3 - Right of Entry. Delete this entire Section and substitute therefore the following: The Code Official or his designee is authorized to enter the structure or premises to inspect, subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official is authorized to seek a search warrant as authorized by law.
11. Section 104.4 – Identification. Insert the words “or his designee” after the word “Official”.
12. Section 106.2 – Notice of violation. Add the following sentence:

“However the failure to serve a notice shall not prevent the prosecution of legal actions against a violator seeking fines and compliance with this Code.”
13. Section 106.3 – Prosecution of violation. Delete the existing language and substitute therefore the following:

In case of a violation of any provision of this Code, the Code Official may cause to be instituted the appropriate proceeding at law or in equity to obtain penalties or to restrain, correct or abate such violation, or to require the removal or termination of an unlawful occupancy of the structure. The Town may take action to abate any violation, and any costs incurred in abating such violations may be charged against the real estate upon which such abatement occurs and shall be a lien upon such property.

14. Section 106.4 – Violation penalties. Delete the existing language and substitute therefore the following:

Any person who shall violate any of the provisions of this Code, upon being found guilty, shall be subject to a fine of not less than \$25.00 nor more than \$200.00 for each violation. Each day upon which a violation occurs shall be considered a separate and distinct offense and shall be punishable as such.

15. Section 107.1 – Notice to person responsible. Delete this section and substitute therefore the following:

“Notice to Owner or Agent. Whenever the Code Official determines that there has been a violation of this Code or has grounds to believe that a violation has occurred, notice may be given in the manner prescribed in Sections 107.2 and 107.3 to the owner or person responsible for the maintenance of the property as specified in this Code. Notices for condemnation procedures shall also comply with Section 108.3.”

16. Section 107.2 – Form. Delete this Section and substitute therefore the following:

Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. May include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this Code.
5. Inform the property owner of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

17. Section 107.3 - Method of service.

Add the following language before the semi-colon in Section 107.3(2):

“or the address listed in the Normal Tax Assessor’s Office for receipt of the property tax bill for the property”

18. Section 108.1 – General. Delete this section and substitute therefore:

When a structure, property, or equipment is found by the Code Official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such a structure may be condemned pursuant to the provisions of this Code.

19. Section 108.1.1 – Delete this section and substitute therefore:

Unsafe property or structures.

An unsafe property or an unsafe structure is one that has any condition that is found to be an imminent danger to the life, health, or safety of the occupants or the public. A structure is to be deemed unsafe if the structure does not contain minimum safeguards to protect from fire and to warn occupants in the event of fire.

A structure is to be deemed unsafe if it contains unsafe equipment.

A structure or property shall be deemed unsafe if it has holes in the floors or ground such that a person could fall through the floor or into the hole, except for excavation, which is lawfully fenced.

A structure or property shall be deemed unsafe if it is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.

20. Section 108.1.3 – Structure unfit for human occupancy. Delete word “unlawful” from this section.

21. Section 108.2 – Closing of Vacant structures.

Delete the language of Section 108.2 and substitute therefore:

Vacant structures shall be registered and rehabilitated or demolished as set forth in SEC. 11.3 of the Municipal Code of the Town of Normal, 1969 as amended.

22. Section 108.2.1 – Authority to Disconnect Utilities. Delete the existing language and substitute the following therefore: The Code Official or his designee shall have the authority to authorize the disconnection of utility service to the building, structure, or system in case of emergency where necessary to eliminate an immediate hazard to life or property.

23. Section 108.3 – Notice. Delete this section and substitute therefore:

Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place on or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in the Section 107.2.

24. Section 108.7 – Record. Delete this Section in its entirety.

25. Section 109.5 – Costs of Emergency Repairs. In the first sentence delete the word “jurisdiction” and substitute therefore the word “owner.”

26. Section 110.1 – General. Delete this Section and substitute therefore the following: The Code Official may order the owner of any premises upon which is located any structure, which is so dilapidated or out of repair as to be dangerous, unsafe, or otherwise unfit for human habitation or occupancy, to demolish and remove such structure, or, if such structure is capable of being made safe by repairs, to repair and make safe at the owner’s option. The Code Official may also order the demolition and removal or completion of any structure under construction (including repairs) for which there has been a cessation of construction for more than six months, or for which a construction permit has been expired for more than six months.

27. Section 111

Delete the existing language of Section 111 and substitute in lieu therefore the following:

Section 111- All persons shall have the right to appeal any decision of the Code Official to the Building Board of Appeals of the Town of Normal in the manner provided by SEC. 11.2-5 of the Municipal Code of the Town of Normal, Illinois, 1969, as amended.

28. Section 112.4 – Failure to Comply. Delete all of the language after the word “liable” and substitute therefore the following: “for a fine as set forth in this Code. Additionally the Code Official may seek immediate injunctive action to prevent further violation of the stop work order. Each day upon which a violation occurs is a separate offense.

29. Section 201.3 – Terms defined in other Codes. Delete this Section.

30. Section 202. General Definitions.

Delete the definitions of “Code Official”, “dwelling unit”, “inoperable vehicle,” “public way,” “rooming house”, “rooming unit” and “yard”.

Insert the following definitions in the appropriate alphabetical place:

Bed and Breakfast Establishments: An operator-occupied residence of historical significance providing public accommodations for a charge only breakfast may be provided to the guest. Bed and Breakfast establishments shall not include motels, hotel, boarding rooms, boarding houses, rooming housing or food service establishments.

Code Official: The Code Official is the Building Commissioner of the Town of Normal.

Deadbolt lock: Deadbolt lock shall mean a single cylinder deadbolt that is locked or unlocked by key from the outside and thumb turn on the inside. The deadbolt automatically deadlocks when it is fully extended. The deadbolt shall contain case hardened steel material. Deadbolt locks shall meet the following specification:

- a. Throw: Minimum throw of one (1) inch which penetrates the strike not less than three fourths (3/4) inch.
- b. Cylinders: The solid brass cylinder must have a minimum of five (5) pin tumblers. The solid brass cylinder guard shall be designated or protected so that it cannot be gripped by pliers or other wrenching devices.
- c. Back-set: The back-set must be a minimum of two and three-eighths (2 3/8) inches for a wood door and a minimum of two and three-fourths (2 3/4) inches for a metal door.
- d. Striker Plate: Steel striker plates shall be located at the point where the required lock engages the jamb and shall be secured with hardened steel screws of sufficient length to screw one (1) inch into the two by four (2X4) in the door frame.

Domestic Utility Trailer: A single-axle trailer used for domestic or recreational purposes only and not exceeding any of the following dimensions: six (6) feet in width; twelve (12) feet in length or eight (8) feet in height. No domestic utility trailer may be used for business or commercial purposes.

Dormitory: A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family.

Duplex: A Duplex is a two-family dwelling.

Dwelling Unit: A dwelling unit is one or more rooms arranged or designed for the use of one group living together as a single housekeeping unit.

Dwelling, Multiple Family: A multiple-family dwelling is a building containing three (3) or more dwelling units.

Dwelling, One Family: A one family dwelling is a building containing one (1) dwelling only.

Dwelling, Two Family: A two family dwelling is a building containing two (2) dwelling units only.

Efficiency Unit: An efficiency unit is a dwelling unit consisting of one principal room with bathroom, kitchen, hallway, closets or dining alcove off the principal room.

Fire Equipment Distributor: A person or entity licensed as a Fire Equipment Distributor by the State of Illinois pursuant to 225 ILCS 216/1 et seq.

Inoperable vehicle: Inoperable vehicle shall mean any vehicle which is incapable of being operated on a public highway or which has not operated on the highway for a period of eight (8) weeks whether the vehicle is operable or not.

Kitchen: A kitchen is any space used for the storage and preparation of foods.

Major Recreational Equipment. Major recreational equipment means travel trailers (a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational or vacation uses, or one permanently identified as a Travel Trailer by the manufacturer of the trailer); Pick-up Coaches (a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation); Motorhomes (a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle); Camping trailers (a canvas, material or metal folding structure, mounted on wheels designed for travel, recreation and vacation use); boats; snowmobiles; jet skis; all-terrain vehicles (ATV); dirt bikes; golf carts; and trailers holding boats, snowmobiles, jet skis, all-terrain vehicles (ATV), dirt bikes or golf carts.

Noxious Weeds: Noxious weeds means any plant now or hereafter listed by the State of Illinois as a noxious weed pursuant to the Illinois Noxious Weed Act, 505 ILCS 100/1 et seq., any plant now or hereafter listed as an exotic weed by the Illinois Exotic Weed Act, 525 ILCS 10/1 et seq., dandelions, poison ivy (*Toxicodendron Radicans*), Poison Oak (*Toxicodendron Quericifolium*) and Poison Sumac (*Toxicodendron Vernix*).

Person: Person means any natural person, partnership, corporation, trust or other legal entity.

Private Alarm Contractor: A person licensed by the State of Illinois as a Private Alarm Contractor pursuant to 225 ILCS 446/1 et seq.

Rodent: A rodent means a rat or a mouse.

Rooming house: A rooming house is a residential building containing one (1) or more rooming units.

Rooming unit: A rooming unit is any room or group of rooms forming a single unit used or intended to be used for living and sleeping, but not for cooking.

Turf grass: Turf grass means any grass except grasses being grown for food or agricultural purposes and ornamental grasses which are intentionally and sporadically planted as part of a landscape design.

Unlicensed vehicle: An unlicensed vehicle is any vehicle which does not display a valid license plate or license applied for sticker.

Yard: A yard is any area on a lot that does not contain a structure, driveway, or permitted hard-surfaced parking area.

31. Section 301.2 – Responsibility. Insert the words “including the interior of the structure” after the word “structures” in the first sentence. Insert the words “exclusively” after the word “they” in the third sentence.

32. Section 301.3 - Vacant structures and land. Add the following line:

Additionally vacant structures must comply with Division 3 of Chapter 11 of the Municipal Code of the Town of Normal, 1969, as amended, Vacant Buildings.

33. Section 302.1 - Sanitation.

Delete the second sentence and substitute therefore:

"No well, cistern, excavation or other depression shall exist in a dangerous or unprotected condition."

34. Section 302.2 – Grading and drainage. Add at the end of this section:

No fill excavation dirt, or concrete chunks should be mounded above the natural terrain. SEC. 21.3.9 of the Municipal Code of the Town of Normal must be complied with in regard to standing water.

35. Section 302.4 - Weeds.

Delete the language of this section and substitute therefore the following:

Section 302.4 - Vegetation.

- a. All premises and exterior property shall be maintained free from noxious weeds or turf grass, which exceed 8 inches in height.
- b. All areas not containing a structure, paved pathway, driveway, or permitted hard surfaced parking area must be covered with vegetation such as grass, shrubs, trees or gardens. Where the vegetation has died, the area must be re-planted.
- c. All dead trees, tree limbs and shrubs shall be removed.
- d. All bushes and trees must be trimmed to allow for free passage along sidewalks and streets, and to allow for adequate line of sight for vehicular and pedestrian traffic along streets and sidewalks.
- e. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice violation, the Town of Normal shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property and such costs may become a lien on the property.

36. Section 302.7 - Accessory structures.

Add the word "sheds" after the word garages.

37. Section 302.8 - Motor vehicles. Delete the entire section and substitute therefore:

"No unlicensed or inoperable motor vehicle shall remain on a premises unless such vehicle is in an enclosed building, or unless said premises has as its principal use the maintenance, repair, sale, storage or manufacture of vehicles. Motor vehicles may not be parked other than on a permitted hard-surfaced area except major recreational equipment and domestic utility trailers as provided by SEC. 15.7-2(B) of the Municipal Code of the Town of Normal, 1969, as amended. In areas where repeated violations of this section occur, the Code Official can require a property owner to install curbs, fences, posts or other devices intended to prevent violations of this section. No truck with more than two axles or any vehicle with a height in excess of 8 feet or a gross weight of more than 10,000 pounds, or any trailer, except for major recreational equipment or domestic utility trailers, shall be parked on any premises outside of a building which are zoned for residential purposes except when such vehicle is being used for delivery purposes, or when a construction permit has been issued for the property and the truck or trailer is reasonably necessary for the completion of the construction, or as otherwise provided by law. No owner of property or person responsible for the maintenance of property shall permit a violation of this Section to occur on their property.

38. Section 302.9 - Defacement of property.

Delete this Section.

39. Section 304.1.1 – Delete the words “or the International Existing Building Code as required for existing building.” Add at the end: “The foregoing list shall not be considered an exhaustive list of unsafe conditions, but shall be considered as examples of unsafe conditions. Any condition which causes a structure to be unsafe so as to create a danger to the occupants or the public may be declared an unsafe condition requiring repair, removal, replacement, or closure.”

40. Section 304.5 - Foundation walls. Add the words "and water" after the word "pests".

41. Section 304.6 - Add the following language at the end of this section:

All exterior surfaces including windows and doors shall be maintained in good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected. Exterior painted surfaces of dwelling and child and day care facilities, including fences and accessory structures, which contain lead levels equal to or greater than 1.0 milligram per square centimeter or an excess of 0.50 percent lead by weight shall be maintained in a condition free from peeling, chipping and flaking paint.

42. Section 304.13 – Window, skylight and door frames. Add the following:

BOARDING UP: No window, door or other opening shall be boarded up or otherwise secured by any means other than conventional methods used in the design of the building or otherwise permitted for new construction of similar type for a period in excess of thirty (30) days unless authorized pursuant to a vacant building plan.

43. Section 304.14 - Insect screens.

Insert the dates "April 15" and "October 15" as the beginning and ending dates for the requirement of insect screens.

44. Section 305.1.1 – Delete the words “or the International Existing Building Code as required for existing buildings.” Add at the end: “The foregoing list shall not be considered an exhaustive list of unsafe conditions, but shall be considered as examples of unsafe conditions. Any condition which causes a structure to be unsafe so as to create a danger to the occupants or the public may be declared an unsafe condition requiring repair, removal, replacement, or closure.”

45. Section 305.3. - Interior surfaces.

Delete this section and substitute in lieu therefore the following:

Section 305.3 - Interior surfaces. All interior surfaces including windows and doors shall be maintained in good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected. Interior painted surfaces of dwelling and child and day care facilities, which contain lead levels equal to or greater than 1.0 milligram per square centimeter or an excess of 0.50 percent lead by weight shall be maintained in a condition free from peeling, chipping and flaking paint. No interior surface shall have an excess accumulation of mold or mildew. All worn, frayed or un-cleanable carpet or vinyl shall be replaced.

46. Section 307.1. Handrails and Guardrails. Delete the number 30 wherever it appears in this Section and substitute therefore the number 36.

47. Section 308.1.1 – Outdoor Storage of Indoor Upholstered Furniture.

Add the following:

Section 308.1.1 – Outdoor Storage of Indoor Upholstered Furniture. No person shall place, use, keep, store or maintain outdoors any indoor upholstered furniture not manufactured for outdoor use, including, but not limited to, upholstered chairs and couches, except when said indoor upholstered furniture is placed at the curb on the customary collection day for it to be removed as part of bulky waste removal or when said indoor upholstered furniture is placed outdoors as part of a garage sale allowed under SEC. 15.4-4(D) of the Code. No real property owner or real property manager or other person in control of such real property shall permit indoor upholstered furniture to remain on such real property after it has been placed there in violation of this Section. As used herein indoor upholstered furniture means any furniture constructed with stuffing or cushions or springs, not intended for outdoor use. As used herein outdoors means any place visible from a public place and exposed to precipitation, including but not limited to yards, rooftops, and unenclosed porches, decks, patios, and balconies. As used herein “unenclosed” means an area not totally surrounded with a combination of walls, windows, doors, floor and roof

48. Section 308.2.1 - Rubbish storage facilities.

Add the phrase “of adequate size and number” before the word “and”.

49. Section 308.3.1. - Garbage facilities. Delete this section and substitute therefore:

The owner of every dwelling unit shall supply approved leak-proof, covered outside garbage containers of sufficient size to accommodate all garbage generated by the dwelling unit(s).

50. Section 309.2 – Owner. Delete the phrase “within the structure prior to renting or leasing the structure.”
51. Section 309.3 – Single occupant. Delete this section.
52. Section 309.4 – Multiple occupancy. Delete this section.
53. Section 309.5 – Occupant. Delete this section.
54. Section 401.1 – Add the following to the end of this section:

Nothing in this Code shall abridge the requirements of the Mechanical Code of the Municipal Code of the Town of Normal, 1969, as amended. In places where this Code and the Mechanical Code conflict, the stricter restriction shall control.

55. Section 401.3 – Alternative devices. Delete this Section and substitute therefore;

In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the Building Code adopted by the Town of Normal shall be permitted.

56. Section 403.3 – Cooking facilities. Delete the second exception.
57. Section 404.1 - Privacy.

Add at the end of this section the following language:

No dwelling unit shall be constructed so that access to the street or additional facilities such as laundry rooms or heating facilities requires a person to pass through any other dwelling unit or commercial unit.

58. Section 404.5 – Overcrowding. Add the phrase at the end of the first sentence “or as permitted by the Zoning Code, Chapter 15 of the Municipal Code of the Town of Normal, 1969, as amended.”
59. Section 404.6 - Efficiency Unit. Delete the language “Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:” and substitute therefore “All efficiency units must meet the following requirements:”

60. Section 404.6(1) - Add the following sentence at the end of part (1).

“These required areas shall also be exclusive of any dining alcove in excess of 125 square feet.”

61. Section 404.7 - Food preparation.

Add the following at the end of the section: In dwelling units all kitchens shall include a refrigerator to be used for the storage of food, a stove for the preparation of cooked foods and a sink and faucet connected to both hot and cold water supplies. Any appliance supplied by the owner shall be in good and safe working order and in a condition in which they may be kept clean and sanitary. No more than one kitchen per dwelling unit shall be permitted.

62. Section 501.1 – Add the following to the end of this section:

Nothing in this Code shall abridge the requirements of the Plumbing Code, of the Municipal Code of the Town of Normal, 1969, as amended. In places where this Code and the Plumbing Code conflict, the stricter restriction shall control.

63. Section 502.5 – Public toilet facilities. Delete the word “International.”

64. Section 503.4 – Floor Surface. Add at the end of this Section the following:

“In dwelling units, the floor must be maintained in a clean and sanitary condition.”

65. Section 504.3 – Delete Section 504.3.

66. Section 505.1 – General. Omit word “International.”

67. Section 507.1 – Storm Drainage.

Delete the words “a public nuisance” and substitute therefore “the accumulation of standing water, either on the property or other property. Gutters and downspouts shall be required and shall be in good repair.”

68. Section 601.1 - General

Add the following to the end of this section:

Nothing in this Code shall abridge the requirements of the Mechanical Code, Chapter 11.2 of the Municipal Code of the Town of Normal, 1969, as amended, or the Electrical Code, Chapter 11.3.1 of the Municipal Code of the Town of Normal, 1969, as amended. In places where this Code and the Mechanical or Electrical Code conflict, the stricter restriction shall control.

69. Section 602.2 - Residential occupancies:

Delete the exception and the phrase “ based on the winter outdoor design temperature for the locality indicated in Appendix D of the plumbing code” and substitute therefore “when the outdoor temperature is minus ten degrees Fahrenheit (-10° F). Portable heating equipment shall not be considered as heating facilities”.

70. Section 602.3 – Heat supply.

Insert October 1 and May 1 for the starting and ending dates of the heating season.

Delete the exception and add the following at the end of the sentence: “when the outdoor temperature is above minus ten degrees Fahrenheit (-10°F). When the outdoor temperature is below minus ten degrees Fahrenheit (-10° F), the heating system must be operating at full capacity”.

71. Section 602.4

Insert October 1 and May 1 for the starting and ending dates of the heating season.

72. Section 604.2 – Service.

Delete “ICC Electrical Code” and substitute “the Town’s Electrical Code.”

73. Section 606 – Elevators, Escalators, and Dumbwaters. Delete Section 606.

74. Section 701.1 - Add the following to the end of this section:

Nothing in this Code shall abridge the requirements of the Fire Code, Chapter 6, Division 4 of the Municipal Code of the Town of Normal, 1969, as amended. In places where this Code and the Fire Code conflict, the stricter restriction shall control.

75. Section 701.2 – Responsibility. Add the following phrase after the word “owner” in the first sentence: “and the owner’s agent shall be jointly and severally.”

76. Section 702.1 Omit the second sentence and substitute therefore the following: No egress door shall be blocked by any chair, table, or other object at any time.

77. Section 702.2 Omit this Section and substitute therefore the following:

Arrangements of chairs or tables and chairs shall provide for ready access by aisle accessways and aisles to each egress door. The clear width of aisles shall not be blocked by chairs, tables or other objects.

78. Section 702.3 Locked Doors. Add the following after the word “Code”: “and is approved by the Code Official for security purposes.”

79. Add Section 702.5 Arrangements as follows:

Arrangements. Exits from dwelling units, rooming units, guest rooms, or dormitory units shall not lead through other such units or through toilet rooms or bathrooms.

80. Add Section 702.6 Exit Signs as follows:

Exit Signs. All means of egress shall be indicated with approved exit signs as required by the Building Code. All exit signs shall be maintained visible and illuminated at all times that the building is occupied.

81. Add Section 702.7 Stairway identifiable.

Stairway identifiable. A sign shall be provided at each floor landing in all interior stairways more than three stories above grade, designating the floor level above the floor of exit discharge.

82. Add Section 702.8 Emergency escape.

Emergency escape. Every sleeping room located below the third story in residential occupancies shall have at least one operable window or exterior door approved for emergency egress or rescue, or shall have access to not less than two approved independent exits, except for buildings equipped throughout with an automatic fire suppression system.

83. Add Section 703.1 Fire resistance-rated assemblies. Add the word “ceilings,” after the word “walls.”

84. Section 703.2 Opening Protectives. Add the following sentence at the end:

Fire doors shall not be held open by door stops, wedges or other unapproved hold-open devices.

85. Section 704.1 General. Omit all of the language after the word “times.”

86. Section 704.2 Smoke alarms. Delete the following: “Single or multiple station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load” and substitute therefore: “In residential occupancies, approved smoke alarms shall be located.” Also delete the last sentence and substitute therefore the following: “Smoke alarms shall be installed and maintained in other than residential occupancies according to the Fire Code.

87. Section 704.3 Power Source. Delete the exception and substitute therefore the following:

Exception: Smoke alarms are permitted to be solely battery operated in buildings which were constructed prior to the requirement that smoke alarms receive their primary power from the building wiring. Any alteration or repair of buildings which requires the removal of interior walls or ceilings shall require the smoke alarms receive their power source from a commercial source.

88. Section 704.4 Interconnection. Delete the words “Group R-2, R-3, 4 and in dwellings not regulated as Group R” and substitute therefore “residential buildings.”

89. Section 704.5 Fire Suppression Systems. Add Section 704.5 as follows:

704.5 Fire Suppression Systems. Fire suppression systems shall be maintained in proper operating condition at all times.

90. Section 704.6 Fire alarm systems. Add Section 704.6 as follows:

704.6 Fire Alarm Systems. Fire alarm systems shall be in proper operating condition at all times.

91. Section 704.7 Fire extinguishers. Add Section 704.7 Fire extinguishers as follows:

704.7 Fire extinguishers. Fire extinguishers shall be maintained in operating condition and shall be visible with ready access thereto. Fire extinguishers shall display a certificate of inspection a licensed Illinois Fire Equipment Distributor bearing a date no more than one year old.

92. System certification. Add Section 704.8 System certification as follows:

Section 704.8 System certification. Every fire alarm, smoke alarm, smoke detector, fire detector and fire suppression system shall be tested in the manner and frequency prescribed in the Fire Code. Every fire suppression system and every fire alarm system, smoke alarm, smoke detector and smoke detector system which is not able to be easily tested by the Code Official must be tested by a licensed Illinois Fire Equipment Distributor or a licensed Illinois Private Alarm Contractor as set forth in the Fire Code, but in no event less than on an annual basis. Any building owner or owner’s agent, shall produce a copy of the fire alarm, smoke alarm and fire suppression system certificate with a date not more than one year old upon demand by the Code Official.

93. Smoke detectors and smoke detection systems. Add Section 704.9 Smoke detectors and smoke detection systems as follows:

Section 704.9 Smoke detectors and smoke detection systems. All smoke detectors and smoke detection systems must be maintained and operating at all times.

94. Section 705. Add Section 705 Hazardous Materials as follows:

Section 705. Hazardous Materials. Combustible, flammable, explosive or other hazardous materials such as paints, volatile oils, and cleaning fluids or combustible trash such as wastepaper, boxes and rags shall not be accumulated or stored unless such storage complies with applicable requirements of the Fire Code.

(Entire Division 5 Amended 9/15/03 by Ord. No. 4892 Amended 2/5/07 by Ord. No. 5116)(Entire Division 4-5 Amended 12/7/09 by Ord. No. 5303)(Entire Division 5 Amended 12/17/12 by Ord. 5480)

SEC.11.4-6 MULTI-FAMILY RENTAL OCCUPANCY LICENSE

- A. License required. It shall be unlawful for any person, firm, corporation, trust, partnership, or other legal entity, to conduct, keep, manage, or operate, or cause to be conducted, kept, managed or operated any bed and breakfast establishment, apartment, rooming house, multiple-use dwelling, duplex (except the owner-occupied side of the duplex), hotel or motel without the premises having a rental occupancy license issued by the Building Commissioner. (Amended 8/2/99 by Ord. No. 4607)(Amended 3/15/04 by Ord. No. 4939)(Amended 12/15/08 by Ord. No. 5232)
- B. Duration of license. Licenses shall run from January 1 through December 31 of a given year unless sooner terminated or revoked. Licenses shall be specific to one owner and one property and are not transferable without payment of a transfer fee and a completed application from the new owner.
- C. License Application. A written application for a license required by this section shall be submitted to the Building Commissioner on forms provided by the Building Commissioner. The application shall include the address of the property, type of building and number of units, name, street address, mailing address and telephone number of the owner of the property. If the owner is an entity other than a natural person, the application must also include the name, street address and telephone number of the agent of the owner upon whom service of process can be affected, and the name, address and telephone number of any agent responsible for maintenance of the property. Rooming houses which are licensed for 10 or more occupants must also provide a resident agent's name, street address and telephone number. A resident agent is any competent person over 25 years of age residing in McLean County. Notice to an agent or resident agent shall be notice to the owner for all purposes of Chapter 11 of this Code. An owner of property shall include in

all lease agreements, a provision which allows the Town access to the premises upon reasonable notice to the tenant for the purpose of the inspections required by this Code. (Amended 1/20/04 by Ord. No. 4926)(Amended 3/15/04 by Ord. No. 4939)

D. Inspections.

1. Prior to the issuance of any license pursuant to this section, the Building Commissioner shall cause an inspection to be made of the property, including all public and private areas of the building. The owner shall be responsible for notifying tenants of the inspection and providing the Town of Normal with access to the property including the interior of all dwelling units and all other public and private spaces. Rooming houses which are licensed for 10 or more occupants shall be inspected three times annually.

The Building Commissioner may reduce the number of inspections of rooming houses licensed for 10 or more occupants if the Building Commissioner finds that the building or property has passed three (3) consecutive inspections and has not had more than three (3) violations of Town ordinances regarding Fire Safety, Building, Property Maintenance, or Zoning codes in a twelve (12) month period. After the Building Commission has reduced the number of inspections of rooming houses licensed for ten (10) or more occupants, the Building Commissioner may increase the number of inspections to three (3) per year if the Building Commissioner finds that the Building or property has failed an inspection or has had more than three violations of Town ordinances regarding Fire Safety, Building, Property Maintenance, or Zoning codes within a twelve (12) month period.

2. No license shall be issued until the building is approved by the Building Commissioner as being in compliance with Town of Normal Fire Safety, Building, Zoning, and Property Maintenance Codes.

(Entire Subsection D Amended 1/20/04 by Ord. No. 4926)

3. If a tenant or owner refuses access for purpose of inspection pursuant to this Section, the Town of Normal may seek a search warrant for the purpose of this inspection. (Added 12/15/08 by Ord. No. 5232)

E. Fees. Fees shall be paid and collected as set forth in Chapter 25 of this Code. (Amended 6/16/08 by Ord. No. 5199)

F. Revocation. The Building Commissioner may revoke a license by notifying the owner. A license may be revoked upon the occurrence of any of the following events:

1. A violation of Town Code which remains on the property after notice to the owner. The Building Commissioner may assume that a violation remains on the premises if the owner does not arrange for a reinspection and pay a reinspection fee.

2. A change of owner.
3. Discovery of a falsehood on an application.
4. A serious violation of Town Code on the property which causes an immediate and present danger to the occupants or public at large.

G. Appeals.

1. Appeals to the Building Commissioner. An owner may appeal a refusal to issue a license or a revocation of a license, by filing a written appeal to the Building commissioner within 30 days of the notice of revocation or refusal to issue a license. The Building Commissioner shall make due inquiry into the matter and shall respond to the appeal in writing in a final decision within 30 days of the appeal to the Commissioner.
2. Appeals to the Building Board of Appeals. An owner may appeal a final decision of the Building Commissioner to the Building Board of Appeals in the manner provided in SEC. 11.2-5 of the Municipal Code of the Town of Normal, 1969, as amended.

- H. Penalties. Any person or entity found guilty of violating this Section shall be punished by a fine of not less than \$25.00 nor more than \$200.00 for a first offense and not less than Fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for the second or subsequent offense. A separate and distinct offense shall be regarded as committed each day upon which said violation occurs.

(SEC. 11.4-6 Added 4/5/99 by Ord. No. 4586)

(ENTIRE SEC. 4 OF CHAPTER 11 WAS AMENDED 12/16/96 BY ORD. NO. 4428)

SEC. 11.4-7 Single Family Rental Occupancy License.

- A. License required. It shall be unlawful for any person, firm, corporation, trust, partnership, or other legal entity to allow or permit the occupancy of any rented dwelling unit in the Town of Normal without the premises having a rental occupancy license issued by the Building Commissioner, provided, however, no such license shall be required for any unit licensed pursuant to SEC. 11.4-6 of this Code. (Amended 2/4/08 by Ord. No. 5170)(Amended 12/15/08 by Ord. No. 5232)
- B. Duration of License. Licenses shall run from January 1 through December 31 of a given year unless sooner terminated or revoked. Licenses shall be specific to one owner and one property and are not transferable without payment of a transfer fee and a completed application from the new owner.
- C. License application. A written application for a license required by this section shall be submitted to the Building Commissioner on forms provided by the Building Commissioner. The application shall include the address of the property, type of building and number of units, name, street address, mailing

address and telephone number of the owner of the property. If the owner is an entity other than a natural person, the application must also include the name, street address and telephone number of the agent of the owner, upon whom service of process can be affected, and the name, address and telephone number of any agent responsible for maintenance of the property. Notice to an agent shall be notice to the owner for all purposes of Chapter 11 of this Code. An owner of property shall include in all lease agreements, a provision which allows the Town access to the premises upon reasonable notice to the tenant for the purpose of the inspections required by this Code. The owner shall provide to the Town of Normal a document signed by all tenants of a building subject to this Section that no more than the permitted number of unrelated persons may reside in the premises. The document shall state the number of unrelated persons permitted to reside in the premises. If more than the permitted number of tenants are named in the document, the document must contain the exact nature of the family relationship of the tenants. (Amended 12/15/08 by Ord. No. 5232)

- D. Inspections. Prior to the issuance of an initial license pursuant to this section, the Building Commissioner shall cause an inspection to be made of the property, including all public and private areas of the building. The owner shall be responsible for notifying tenants of the inspection and providing the Town of Normal with access to the property including the interior of all dwelling units and all other public and private spaces. No license shall be issued until the building has been inspected and approved by the Building Commissioner. After the initial license has been issued, any building subject to this Section shall be subject to random inspections, re-inspections upon a failure to pass a prior inspection, inspections at the request of a tenant or owner, and inspections based on a reasonable suspicion of a violation. No building will be subject to a random inspection more than once in one year. If a tenant or owner refuses access for purpose of inspection pursuant to this Section, the Town of Normal may seek a search warrant for the purpose of an inspection. (Amended 12/15/08 by Ord. No. 5232)
- E. Fees. Fees shall be paid and collected as set forth in Chapter 25 of this Code. (Amended 6/16/08 by Ord. No. 5199)
- F. Revocation. The Building Commissioner may revoke a license by notifying the owner in writing. A license revocation shall take effect 14 days after a notice of revocation is sent to the owner. Prior to the effective date of a revocation, a property owner can ask for a hearing in front of the Building Commissioner. The Building Commissioner shall hold a hearing on the revocation, and shall issue a ruling in writing within seven days of the conclusion of the hearing. A license may be revoked upon the occurrence of any of the following events:
1. A violation of Town Code which remains on the property after notice to the owner. The Building Commissioner may assume that a violation remains on the premises if the owner does not arrange for a reinspection and pay a reinspection fee.
 2. A change of owner.

3. Discovery of a falsehood on an application.
4. A serious violation of Town Code on the property which causes an immediate and present danger to the occupants or public at large.

G. Appeals.

1. Appeals to the Building Commissioner. An owner may appeal a refusal to issue a license by filing a written appeal to the Building Commissioner within 30 days of the notice of refusal to issue a license. The Building Commissioner shall make due inquiry into the matter and shall respond to the appeal in writing in a final decision within 30 days of the appeal to the Commissioner.
2. Appeals to the Building Board of Appeals. An owner may appeal a final decision of the Building Commissioner to the Building Board of Appeals in the manner provided in SEC. 11.2-5 of the Municipal Code of the Town of Normal, 1969, as amended.

- H. Penalties. Any person or entity found guilty of violating this Section shall be punished by a fine of not less than \$25.00 nor more than \$200.00 for a first offense and not less than Fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for the second or subsequent offense. A separate and distinct offense shall be regarded as committed each day upon which said violation occurs.

(Entire Division 11.4-7 Added 3/15/04 by Ord. No. 4839)

DIVISION 5 – FIRE CODESEC. 11.5-1 – FIRE CODE

- A. Incorporation by Reference. There is hereby adopted by the Town of Normal for the purpose of establishing rules, standards, regulations and procedures for the location, construction, maintenance, alteration, use and occupancy of buildings, property and structures with regard to fire safety and the materials and equipment located within such buildings or structures and on property, a Fire Code known as the International Fire Code 2012 published by the International Code Council (which said Code as so amended is hereinafter referred to as the “IFC”) not less than one copy of which Code with the specified additions, deletions, insertions, modifications and amendments, has been for more than thirty (30) days prior to the adoption of the Ordinance incorporating said Code by reference and is now filed in the Office of the Town Clerk of the Town of Normal. As editions and amendments to the IFC are officially adopted and published by the International Code Council, such new editions and amendments are hereby adopted by the Town of Normal without further action by the Town Council and such new editions and amendments shall be effective when published by the International Code Council except for those sections which are specifically modified, amended or deleted by this Division of the Municipal Code of the Town of Normal. The provisions of said Code are hereby adopted and incorporated as fully as if set out at length and the provisions thereof as added, deleted, inserted, modified and amended by Paragraph C of this Section shall be controlling in regard to all buildings, materials, equipment, property and structures within the corporate limits of the Town.
- B. Nothing in the adoption of this International Fire Code is intended to abrogate or modify provisions of the Fire Prevention Code adopted at SEC. 6.4-1 of the Municipal Code of the Town of Normal. Whenever provisions of this International Fire Code conflict or are different from the Fire Prevention Code or any other Code adopted by the Town of Normal, the stricter Code Sections shall prevail.
- C. Additions, Deletions, Insertions, Modifications and Amendments to the International Fire Code.
1. Delete Chapter 1 except for Section 105 and substitute for the deleted Sections Chapter 1 of the International Building Code as adopted and amended by the Town of Normal at SEC. 11.4-2 of the Municipal Code of the Town of Normal as the administration chapter of this Fire Code. All provisions of the International Fire Code shall be enforced in the manner provided in the International Building Code, including penalties for violation. Wherever in the International Fire Code reference is made to the “Fire Official” the term “Building Official” as used in the International Building Code shall be substituted.

2. Delete Appendix A – Board of Appeals, Appendix C – Fire Hydrant Locations and Distributions and Appendix D – Fire Apparatus Access Roads.
3. Adopt as part of the International Fire Code Appendix B – Fire-Flow Requirements for Buildings, Appendix E – Hazard Categories, Appendix F Hazard Ranking and Appendix G Cryogenic Fluids – Weight and Volume Equivalentents.

Entire Division 5 Amended 9/15/03 by Ord. No. 4890 (Amended 12/6/2010 by Ord. No. 5363)(Amended 12/17/2012 by Ord. No. 4377)

DIVISION 6 – ADMINISTRATION

SEC. 11.6-1 CONSTRUCTION OF CHAPTER. Nothing in this Chapter shall be construed to exempt any person, firm or corporation from liability now existing or that may in the future arise to the Town of Normal or any other person, firm or corporation for damage from negligence or from defective construction relating to the construction, alteration, addition, repair, removal, demolition, use, location, occupancy, or maintenance of any building or structure or the service equipment located therein, within the corporate limits of the Town of Normal or on Town property outside the corporate limits, nor to release any person, firm or corporation from any franchise restrictions, nor shall the Town be held to assume any liability by reason of the inspections authorized herein or certificates or permits issued hereunder or from failure of the Building Official or member of the Building Inspection Department to perform his or her duties hereunder.

SEC. 11.6-2 CONFLICT OF PROVISIONS OF CODES OF THE TOWN – EFFECT OF PARTIAL INVALIDITY. In any case where a provision of this Chapter is found to be in conflict with any Zoning, Mechanical, Fire, Safety or Health provision of the Municipal Code of the Town of Normal existing on the effective date of this Chapter or which hereafter may exist, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people of the Town shall prevail. In any case where any other Code provisions of the Town establishes a lower standard for the promotion and protection of the health and safety of the Town's people, the provisions of this Chapter shall be deemed to prevail.

SEC. 11.6-3 SEVERABILITY. It is hereby declared to be the intention of the Town Council of the Town of Normal, Illinois, that the several provisions of this Chapter are severable in accordance with the following:

- A. If any Court of competent jurisdiction adjudges any provision of this Chapter to be invalid, such judgment shall not affect any other provisions of this Chapter not specifically included in such judgment order.
- B. If any Court of competent jurisdiction shall adjudge invalid the application of any provision of this Chapter to a particular property, building or structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in such judgment order.

SEC. 11.6-4 PENALTIES. Any person found guilty of violating, disobeying, omitting, neglecting or refusing to comply with, or resisting or opposing the investigation or enforcement of any of the provisions of this Chapter, or any of the Codes adopted and modified hereby, upon conviction thereof, shall be punished by a fine of not less than Twenty-five (\$25.00) Dollars nor more than Two Hundred (\$200.00) Dollars for the first offense and not less than Fifty (\$50.00) Dollars nor more than Five Hundred (\$500.00) Dollars for the second and each subsequent offense in any 180 day period; provided however, that all actions seeking the imposition of fines only shall be filed as quasi-criminal actions, subject to the provisions of the Illinois Code of Civil Procedure (735 ILCS 5/1 et seq.). A separate and distinct offense shall be regarded as committed each day upon which said person shall continue any such violation, or permit any such violation to exist after notification or knowledge of the existence thereof. (Amended 6/7/93 by Ord. No. 4143)(Amended 6/3/02 by Ord. No. 4797).

(Entire Chapter 11 Amended by Ordinance No. 3072, Dated March 1, 1982)