

## CHAPTER 6

### BUILDING REGULATIONS

#### ARTICLE I - BUILDING CODES

**6-1-1**        **ADOPTION BY REFERENCE.** A certain document, **one (1) copy** of which is on file in the office of the Village Clerk, being marked and designated as the ***International Building Code, 2003 edition***, including all Appendix Chapters, as published by the International Code Council, be and is hereby adopted as the Building Code of the Village of Rochester, in the State of Illinois for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Village Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in **Section 6-1-2** of this Article.

- All permits issued for this Code and the subsequent codes in this Chapter shall be signed by the Village President or his designated representative.

**6-1-2**        **ADDITIONS, INSERTIONS, AND CHANGES.** The following sections are hereby revised:

- (A)            Section 101.1. Insert: Village of Rochester.
- (B)            Section 1612.3. Insert: Village of Rochester.
- (C)            Section 1612.3. Insert: June 1, 2008.
- (D)            Section 3410.2. Insert: June 1, 2008.

**(See Section 1-1-20 for penalty.)**

**6-1-3**        **UNCONSTITUTIONAL.** If any section, subsection, sentence, clause or phrase of this Article, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Article. The Village hereby declares that it would have passed this Article, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**6-1-4**        **EXISTING SUITS.** Nothing in this Article or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquires or existing, under any act or ordinance hereby repealed as cited as **Section 6-**

**1-2** of this Article; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Article.

**[ED. NOTE: Once a building permit is issued, the applicable building codes of any unit of local government that are in effect at the time of the issuance of the permit shall be the only building codes that apply for the duration of the building permit.] (65 ILCS 5/11-39-4)**

## **ARTICLE II – RESIDENTIAL BUILDING CODE**

**6-2-1 RESIDENTIAL BUILDING CODE ADOPTED.** The 2003 (Residential Building Code) edition, as published by The International Code Administrators, and referred to and incorporated in IBC (RBC) be and is hereby adopted as part of the Building Code of the Village for the control of one- and two-family dwelling units as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said RBC are hereby referred to, adopted and made a part hereof as if fully set out in this Chapter, with the additions, insertions, deletions and changes, if any, prescribed in this Chapter; provided, however, that in the event any of the provisions of the said RBC are in conflict with the Illinois Municipal Code or any other ordinance of the Village, the more restrictive regulation shall prevail.

**6-2-2 2003 EDITION.** For the purpose of this Chapter, any reference to IBC will mean the 2003 edition of the International Building Code; any reference to RBC will mean the 2003 edition of the Residential Building Code; any reference in IBC, RBC and this Chapter to the governing body or the appointing authority shall be read as meaning the President and Board of Trustees; any reference to the Village will mean the Village of Rochester, Illinois; and any reference to the Trustee will mean the trustee of Public Health and Safety of the Village. Any reference to the Code Official shall mean a person appointed from time to time by the President and the Board of Trustees of Rochester, Illinois to oversee and/or participate in the plan check and inspections of the building activity within the Village of Rochester. Any reference to the Building Inspector will mean the person or persons duly appointed from time to time by the President and Board of Trustees of Rochester, Illinois to administer the Building Code.

**(Ord. No. 06-07; 07-12-06)**

## **ARTICLE III – ILLINOIS PLUMBING CODE**

**6-3-1**        **ADOPTION OF ILLINOIS PLUMBING CODE.** The Illinois State Plumbing Code, 2004 Edition (“ISPC”), promulgated pursuant to authority granted by the Illinois Plumbing License Law is hereby adopted and incorporated herein by reference pursuant to the authority of the Illinois Municipal Code; provided that in the event any of the provisions of the said ISPC are in conflict with any other ordinance of the Village, said ordinance shall prevail.

**6-3-2**        **2004 EDITION.** For the purpose of this Article any reference to the ISPC will mean the 2004 edition of the Illinois State Plumbing Code; any reference in the ISPC and this Article to the governing body or the appointing authority shall be read as meaning the President and Board of Trustees of the Village of Rochester, Illinois; any reference to the Village will mean the Village of Rochester, Illinois; and any further reference to the Trustee will mean the Trustee of Public Health & Safety of the Village. Any reference to the Code Official and/or Plumbing Inspector will mean the person or persons appointed from time to time by the President and Board of Trustees of Rochester, Illinois to administer the Plumbing Code. **(Ord. No. 06-07; 07-12-06)**

## **ARTICLE IV - ELECTRICAL CODE**

**6-4-1**        **ADOPTION OF THE NATIONAL ELECTRICAL CODE.** The National Electrical Code, 2005 Edition (“NEC”), as published by the National Fire Protection Association, is hereby adopted and incorporated herein by reference pursuant to the authority of the Illinois Municipal Code; provided that in the event any of the provisions of the said NEC are in conflict with the Illinois Municipal Code or any other ordinance of the Village, the more restrictive regulation shall prevail.

**6-4-2**        **2005 EDITION.** For the purpose of this Chapter any reference to the NEC will mean the 2005 edition of the National Electrical Code; any reference in the NEC and this Chapter to the governing body or the appointing authority shall be read as meaning the President and Board of Trustees of the Village of Rochester, Illinois; any reference to the Village will mean the Village of Rochester, Illinois; and any further reference to the Trustee will mean the Trustee of Public Health & Safety of the Village. Any reference to the Code Official and/or Electrical Inspector will mean the person or persons appointed from time to time by the President and Board of Trustees of Rochester, Illinois to administer the Electrical Code. **(Ord. No. 06-07; 07-12-06)**

## **ARTICLE V – MECHANICAL CODE**

**6-5-1**        **ADOPTION OF INTERNATIONAL MECHANICAL CODE.** The International Mechanical Code, (“IMC”), as published by the International Code Administrators, is hereby adopted and incorporated herein by reference pursuant to the authority of the Illinois Municipal Code; provided that in the event any of the provisions of the said IMC are in conflict with the Illinois Municipal Code or any other ordinance of the Village, the more restrictive regulation shall prevail.

**6-5-2**        **1996 EDITION ADOPTED.** For the purpose of this Chapter any reference to the IMC will mean the 1996 edition of the International Mechanical Code; any reference in the IMC and this Chapter to the governing body or the appointing authority shall be read as meaning the President and Board of Trustees of the Village of Rochester, Illinois; any reference to the Village will mean the Village of Rochester, Illinois; and any further reference to the Trustee will mean the Trustee of Public Health & Safety of the Village. Any reference to the Code Official and/or Mechanical Inspector will mean the person or persons appointed from time to time by the President and Board of Trustees of Rochester, Illinois to administer the Mechanical Code. **(Ord. No. 06-07; 07-12-06)**

## **ARTICLE VI – LIFE SAFETY CODE**

**6-6-1**        **ADOPTION OF NFPA LIFE SAFETY CODE.** The NFPA 101 Life Safety Code, the most recently published edition by the National Fire Protection Association, is hereby adopted and incorporated herein by reference pursuant to the authority of the Illinois Municipal Code; provided that in the event any of the provisions of the said NFPA are in conflict with the Illinois Municipal Code or any other ordinance of the Village, the more restrictive regulation shall prevail.

**6-6-2**        **LIFE SAFETY CODE EDITION.** For the purpose of this Chapter any reference to the NFPA will mean the most recently published edition of the NFPA 101 Life Safety Code; any reference in the NFPA and this Article to the governing body or the appointing authority shall be read as meaning the President and Board of Trustees of the Village of Rochester, Illinois; any reference to the Village will mean the Village of Rochester, Illinois; and any further reference to the Trustee will mean the Trustee of Public Health & Safety of the Village. Any reference to the Code Official and/or Life Safety Code Inspector will mean the person or persons appointed from time to time by the President and Board of Trustees of Rochester, Illinois to administer NFPA.

**(Ord. No. 06-07; 07-12-06)**

## **ARTICLE VII – INTERNATIONAL ENERGY CONSERVATION CODE**

**6-7-1**        **CODE ADOPTED.** A certain document, **one (1) copy** of which is on file in the office of the Village Manager of Rochester, Illinois, being marked and designated as the *International Energy Conservation Code*, 2006 edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the Village of Rochester, in the State of Illinois for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in office of the Village Manager are hereby referred to, adopted, and made a part hereof, as if fully set out in this Article, with the additions, insertions, deletions and changes, if any, prescribed in **Section 6-7-2** of this Article.

**6-7-2**        **REVISED SECTIONS.** The following sections are hereby revised:  
Section 101.1. Insert: Village of Rochester.

**6-7-3**        **REPEALING ORDINANCE.** That Ordinance No. 06-07 of Rochester and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**6-7-4**        **SECTIONS UNCONSTITUTIONAL.** If any section, subsection, sentence, clause or phrase of this Article is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Article. The Village hereby declares that it would have passed this Article, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**6-7-5**        **IMPENDING LAWSUITS.** Nothing in this Article or in the Energy Conservation Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in **Section 6-7-3** of this Article; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Article.

**(Ord. No. 06-07; 07-12-06)**

## **ARTICLE VIII – ADA CODE**

**6-8-1**        **CODE ADOPTED.** A certain document, **one (1) copy** of which is on file in the office of the Village Manager of Rochester, Illinois, being marked and designated as the A.D.A. Code, the most recent federal and state codes and statutes, be and is hereby adopted as the A.D.A. Code of the Village of Rochester, in the State of Illinois for regulating and governing accessibility; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said A.D.A. Code on file in office of the Village Manager are hereby referred to, adopted, and made a part hereof, as if fully set out in this Article, with the additions, insertions, deletions and changes, if any, prescribed in **Section 6-8-2** of this Article.

**6-8-2**        **REVISED SECTIONS.** The following sections are hereby revised:  
Section 101.1. Insert: Village of Rochester.

**6-8-3**        **UNCONSTITUTIONAL PROVISIONS.** If any section, subsection, sentence, clause or phrase of this Article is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Article. The Village hereby declares that it would have passed this Article, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**6-8-4**        **IMPENDING LAWSUITS.** Nothing in this Article or in the A.D.A. Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in **Section 6-7-3** of this Article; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Article.

**(Ord. No. 06-07; 07-12-06)**

**EXHIBIT A**  
**FEE SCHEDULE**

No building or structure shall be constructed, installed, repaired, remodeled or demolished in the Village which is under the jurisdiction of the Village without prior application for permit to the Village and receipt from the Village of the appropriate permit for such construction, installation, repair, remodel or demolition. In addition a permit shall be required for any structure including portable or moveable building. **(Ord. No. 11-10; 09-12-11)**

The valuation to be used in computing the permit fees shall be as set forth in the Schedule of Building Valuations.

The fee for each permit shall be as follows and shall be paid when the application is filed or upon receipt of a statement from the Village prior to the issuance of a permit.

A. The Issuance of Every Permit

New Building	\$50.00
Addition to or remodeling of existing building	\$30.00

In addition to the fee provided in part A, the following fees shall be assessed:

B. Inspection Fee Schedule

	Plan Review
Minimum Plan Check Fee	\$25.00
Residential Building	
1-2 dwelling units	\$25.00
3-12 dwelling units	\$25.00 + \$10.00 for each dwelling unit over 2
13 or more dwelling units	\$125.00 + \$5.00 for each dwelling unit over 12
Commercial Building	
Up to 1500 sq. ft.	\$100.00 per floor
1500 sq. ft. or more	\$250.00 for one floor \$100.00 for each additional floor

NOTE: Basement same as story when used for other than storage or mechanical rooms.

C. Site Inspections

Construction Residential Building

1-2 dwelling units	\$25.00
3-12 dwelling units	\$25.00 + \$5.00 for each dwelling unit over 2
13 or more dwelling units	\$75.00 + \$3.00 for each dwelling unit over 12
Remodel Residential Building	\$25.00

Construction and Remodel Commercial Building

Up to 1500 sq. ft.	\$25.00 for each floor
1500 – 3000 sq. ft.	\$30.00 for each floor
over 3000 sq. ft.	\$40.00 for each floor
Special or Reinspection	\$25.00

D. Fees for site inspections are for individual inspections. Each type of inspection (building, electrical, mechanical, and plumbing) is a separate inspection.

E. Preliminary plan check fee will be a minimum of \$50.00 or 15% of the permit fee whichever is larger. If a permit is eventually issued the amount shall be deducted from the final permit fee.

F. Should any building contract be taken from the original contractor before completion thereof and/or transferred to another contractor or owner, the person, firm, corporation to whom the transfer has been made shall obtain a new permit. The fee will be Twenty Dollars (\$20.00) if no changes have been made from the original permit.

G. The Issuance of Every Permit (in addition to the other fees set forth in this Section):

New building	\$50.00
Addition to or remodeling of existing building	\$30.00
Signs pursuant to Section 40-10-3 <sup>1</sup>	\$30.00
New siding or roof	\$30.00
Swimming pool in excess of 8,000 gallons <sup>2</sup>	\$10.00
Demolition	\$50.00
Inspecting Fence Installation	\$25.00

**(Ord. No. 11-10; 09-12-11)**

H. Public Health and Safety Fee \$600.00 per premises

<sup>1</sup>Fee includes fee for application for zoning certificate in Section 40-12-6.

<sup>2</sup>Permit fee is in addition to the required structural, plumbing, electric or other inspection fees.

**(Ord. No. 99-13)**