

ARTICLE 31
BUILDING PERMIT

7 TCC 1-31 (a) General Requirement. No building or structure shall be constructed, erected, enlarged, structurally altered, extended, converted, or relocated unless a building permit has first been issued by the Community Development Administrator. The conversion of a recreational vehicle, manufactured/mobile home, semi-trailer container, semi-trailer or enclosed box trailer into an accessory structure shall be prohibited.

7 TCC 1-31(b) Basis for Issuance. A building permit shall only be issued after the Community Development Administrator determines that the proposed development is in compliance with all requirements of this ordinance and all other applicable regulations of the County, including but not limited to the Environmental Barriers Act (410 ILCS 15/1 et seq now in effect or as hereinafter amended), the building and property maintenance code, subdivision, erosion control, and floodplain regulations. (Amendment #37 – 7/11)

In addition, a building permit shall only be issued for 7TCC 1-31(c) (1), (2), (4), (5), (7), (9) after the Community Development Administrator determines that the parcel of land involved was divided in compliance with the Illinois Plat Act, 765 ILCS 205/0.01 et seq. now in effect or as hereafter amended. (Added Amendment #37 – 7/11)

7 TCC 1-31 (c) When Permit Required. A building permit shall be obtained from the Community Development Administrator, by the owner, lessee, or other person having the right to possession or his authorized agent, of any property or structure before commencing:

- (1) The construction, erection, or development of any building or structure, either by itself or in addition to another use, including buildings or structures to be used for agricultural purposes;
- (2) To move or relocate any building or structure or part thereof;
- (3) The expansion, change, or re-establishment of any non-conforming use, including the change from one use to another;
- (4) The construction of a swimming pool;
- (5) The reconstruction or structural alteration of any building or structure or part thereof; (Added Amendment #37 – 7/11)
- (6) The demolition of any building or structure, including buildings or structures to be used for agricultural purposes; (Added Amendment #37 – 7/11)
- (7) The alteration of the interior of any institutional, commercial, industrial, or multi-family structure; (Added Amendment #37 – 7/11)
- (8) The interior alteration of any structure located in the floodplain; (Added Amendment #37 – 7/11)
- (9) The construction of a fence, other than ornamental (as defined in 7TCC 1-5 (o)) or agricultural fences; (Added Amendment #37 – 7/11)

- (10) Installation of new electrical service or equipment and repairs to or replacement of existing electrical systems of any institutional, commercial, industrial or multi-family structure; (Added Amendment #37 – 7/11)
- (11) Installation or alteration of any heating, ventilation, air conditional or other mechanical system of any institutional, commercial, industrial or multi-family structure; (Added Amendment #37 – 7/11)
- (12) Installation or alteration of any plumbing system of any institutional, commercial, industrial or multi-family structure. (Added Amendment #37 – 7/11)

7 TCC 1-31 (d) Exemptions. No building permit shall be required for the following:

- (1) Routine maintenance or repair of buildings, or structures, such as siding, veneering, repainting or re-roofing;
- (2) The construction of a portable swimming pool if the capacity of such pool is under twenty-four (24) inches in depth or has a surface area less than one hundred twenty-five (125) square feet;
- (3) Any accessory structure that is less than twenty-five (25) square feet. All such structures are required to meet the setback requirements for the district in which they are located, unless otherwise exempted by these regulations.

7 TCC 1-31 (e) Application for Building Permit. An application for a building permit shall be filed in the office of the Community Development Administrator on forms prescribed by the Community Development Administrator, along with the fees for building permits, plan review and inspections, and other pertinent information. Such application shall contain and be accompanied with the following: (Amendment #37 – 7/11)

- (1) The name and address of the owner, the name and address of the applicant, and the name and address of the contractor if known;
- (2) Property identification number, and legal description of the property;
- (3) The estimated cost;
- (4) A description of the uses to be established or expanded;
- (5) A site plan drawn to scale containing the following:
 - i. Actual dimensions of the lot to be built upon;
 - ii. Size, shape, and location of the use to be established or the structure to be constructed;
 - iii. Size, shape, and location of all existing buildings and uses on the lot;
 - iv. Auto parking area; and

- v. Lot area to be used.
- (6) Ingress and egress: An approved ingress and egress permit shall be obtained from the appropriate state, county, or township responsible for road jurisdiction, when any such structure or use requires installation of a new ingress and egress;
- (7) Water supply and sewage disposal facilities, including a true and correct copy of any permit required by the County or State Health Department approving such facilities;
- (8) For all proposed commercial, industrial and multi-family projects with three or more units, and institutional projects, three (3) full sets of architecturally sealed building plans and specifications shall be submitted and approved by the Community Development Administrator prior to issuance of a building permit. One set of digital building plans and specifications may be required upon the Community Development Administrator's request; (Added Amendment #37 – 7/11)
- (9) All plans for proposed commercial, industrial, multi-family and institutional projects shall be submitted to and approved in writing by the appropriate fire protection district, prior to issuance of a building permit, in all fire protection districts that have adopted a fire protection code and that have advised the Community Development Administrator that a plan review is required; (Added Amendment #37 – 7/11)
- (10) Any such other information as may be required by the Community Development Administrator to enforce the provisions of these regulations; and
- (11) Property located within the Flood Hazard Areas shall meet the standards as specified in Chapter 6, Regulating Development in Floodplain Areas.

7 TCC 1-31 (f) Issuance of a Building Permit. A building permit shall be issued when the Community Development Administrator determines that an application for a building permit conforms to the applicable regulations and standards of the ordinance, and all required permits and approvals have been obtained, and all relevant fees have been paid pursuant to 7TCC1-33(a) Fee Schedule associated with a building permit. (Amendment #37 – 7/11)

7 TCC 1-31 (g) Denial of a Building Permit. The Community Development Administrator shall deny the application for a building permit if the proposed construction, or use does not meet the applicable provisions by this ordinance.

7 TCC 1-31 (h) Fees. The applicant shall pay all costs associated with the application for a building permit pursuant to Article 9, Appendix “A” Fee Schedule of the Building and Property Maintenance Code for all commercial, industrial, institutional and multi-family projects as defined therein. The fee shall be paid to the Community Development Department at the time of filing the application.

7 TCC 1-31 (i) Conspicuous Posting. The building permit posting card issued by the Community Development Administrator shall be conspicuously posted by the applicant on the property for which it was obtained in the manner prescribed by the Community Development Administrator. The building permit posting card shall remain posted until such time as a permanent certificate of compliance has been issued by the Community Development Administrator.

7 TCC 1-31 (j) Changes to Approved Permits.

- (1) After a building permit has been issued, no changes or deviations from the terms of the permit or the application and accompanying plans and specifications, and site plan shall be made without specific written approval of such changes or deviations by the Community Development Administrator. (Amendment #37 – 7/11)
- (2) An amendment to a building permit which requires payment of an additional fee, either because of an increase in the size of the buildings or a change in the scope of the work, shall not be approved until the applicant has paid the additional fees and the amendment has been approved for compliance with the County's regulations.

7 TCC 1-31 (k) Expiration of Building Permit.

- (1) A building permit, with exception of a demolition permit, for which work approved by the permit has not commenced, as shown on the building permit, within one hundred and eighty (180) days after the date of issuance, shall expire and become null and void, unless an extension has been obtained in writing by the Community Development Administrator. The Community Development Administrator may grant only one extension for an additional ninety (90) day period of time. Such extension shall be obtained by the applicant no later than ten (10) working days following expiration. (Amendment #37 – 7/11)
- (2) A building permit shall immediately expire if the work is not completed within two (2) years from the date of issuance. A written notice thereof, shall be given to the applicant together with notice that no further work shall proceed until a new permit shall have been issued. The Community Development Administrator may grant only one (1) renewal of a building permit not to exceed a two (2) year period. A building permit that has been renewed and is not completed within the additional two (2) years, shall be subject to enforcement procedures found in Article 36.
- (3) Building permits for the purpose of demolition of a single family residential principal or accessory structures shall become null and void unless the work approved by the permit has commenced within thirty (30) days after the date of issuance, as shown on the building permit, unless an extension has been obtained in writing by the Community Development Administrator. The Community Development Administrator may grant only one extension for an additional thirty (30) day period of time. The permit shall immediately expire if the work is not completed within ninety (90) days, unless an extension has been obtained in writing from the Community Development Administrator. The Administrator may only grant one extension for an additional ninety (90) day period of time. No work authorized by any permit which has expired shall thereafter be performed until a new permit has been issued. The Community Development Administrator shall only grant one (1) renewal of a demolition permit. (Added Amendment #37 – 7/11)
- (4) Building permits for the purpose of demolition of principal and accessory commercial, industrial, institutional, multi-family or agricultural structures shall become null and void unless the work approved by the permit is commenced within ten (10) days after the date of issuance, as shown on the building permit, unless an extension has been obtained in writing by the Community Development Administrator. The Community Development Administrator may grant only one

extension for additional ten (10) day period of time. The permit shall immediately expire if the work is not completed within ninety (90) days, unless an extension has been obtained in writing from the Community Development Administrator. The Administrator may only grant one extension for an additional ninety (90) day period of time. No work authorized by any permit that has expired shall thereafter be performed until a new permit has been issued. The Community Development Administrator shall only grant one (1) renewal of a demolition permit. (Added Amendment #37 – 7/11)

- (5) Renewal of a building permit will require re-payment of the original fee.

7 TCC 1-31 (l) Revocation of Building Permit.

- (1) The Community Development Administrator has the authority to revoke and require the return of any building permit in the following instances;
 - i. Any material departure from the approved application, plans, or specifications;
 - ii. Refusal or failure to comply with the requirements of these regulations or any other applicable County regulations, including but not limited to subdivision, erosion control, and floodplain regulations;
 - iii. False statements or misrepresentations made in securing such permit; and
 - iv. Refusal to comply with other applicable, state, county or federal laws.
- (2) When a building permit has been determined revoked the Community Development Administrator may notify the permit holder in writing stating the reasons for revocation.

7 TCC 1-31 (m) Stop Work Order. When any building or structure is being constructed, either without a building permit or in violation of a properly issued building permit, the Community Development Administrator or their designee is hereby authorized to issue a Stop Work order on the premises where the violation is taking place. (Added Amendment #32 - 3/10)

The Community Development Administrator shall assess a fee for a stop work order as set forth in Article 33, Fee Schedule. (Added Amendment #37 – 7/11)

- (1) The Stop Work Order shall cite the violated section(s) of the Zoning Ordinance and shall be presented to the owner of the property, the owner's agent or to the person doing the work.
- (2) Compliance with the Order shall be the responsibility of the owner of record of, the current occupant of and the person performing the work upon the property.
- (3) After a Stop Work Order has been posted pursuant to this Section by the Community Development Administrator or their duly authorized representative, it shall be unlawful for any person to remove or deface the posted Stop Work Order. Removal of or defacement of the posted Stop Work Order shall be punishable as a petty offense as set forth in the Illinois Compiled Statutes (55ILCS 5/5 12017).
- (4) Any person who shall continue to work in, on or about the building or structure shall be considered as having violated this provision and shall be subject to the provisions of Article 36.

7 TCC 1-31 (n) Entry and Inspection of Land and Buildings. The Community Development Administrator or their authorized representative(s) are hereby authorized in the performance of their function to enter upon any land in the unincorporated area of Tazewell County for the purpose of making inspections, examinations, or to place notices, signs or placards to effectuate the purpose and provisions of this Ordinance. The above authorized persons shall be required to present credentials upon demand when entering upon any land or structure for the purpose of this Section. (Added Amendment #32 - 3/10)

7 TCC 1-31 (o) Fee for Failure to Obtain Building Permit Prior to Construction. Failure or refusal to obtain a building permit prior to the construction, erection, enlargement, alteration, extension, conversion or relocation of any structure or use of land for which a permit is required shall result in a doubling of the fee required when application of the permit is made.

7 TCC 1-31 (p) Enforcement. Failure to obtain a permit after notification shall be deemed a violation of this Ordinance and punishable as provided in Article 36.