

Chapter 7 – Building Regulations

ARTICLE I BUILDING CODE

Division I – General

7-1-1	Adoption of Building Code	1
7-1-2	Administration and enforcement	1
7-1-3	Title	1
7-1-4	Scope	1
7-1-5	Intent	1
7-1-6	Referenced codes	1

Division II – Applicability

7-1-7	General	2
7-1-8	Other laws	2
7-1-9	Application of references	2
7-1-10	Referenced code and standards	3
7-1-11	Partial invalidity	3
7-1-12	Existing structures	3

Division III – Department Of Building Safety

7-1-13	Creation of enforcement agency	3
7-1-14	Appointment	3
7-1-15	Deputies	3

Division IV – Duties And Powers Of Building Official

7-1-16	General	3
7-1-17	Applications and permits	3
7-1-18	Notices and orders	4
7-1-19	Inspections	4
7-1-20	Identification	4
7-1-21	Right of entry	4
7-1-22	Department records	4
7-1-23	Liability	4
7-1-24	Approved materials and equipment	4
7-1-25	Modifications	5
7-1-26	Alternative materials, design and methods of construction and equipment	5

Division V – Permits

7-1-27	Required	6
7-1-28	Work exempt from permit	6
7-1-29	Application for permit	8
7-1-30	Validity of permit	9
7-1-31	Expiration	9

7-1-32	Suspension or revocation	9
7-1-33	Placement of permit	9

Division VI – Floor and Roof Design Loads

7-1-34	Live loads posted	10
7-1-35	Issuance of certificate of occupancy	10
7-1-36	Restrictions on loading	10

Division VII – Submittal Documents

7-1-37	General.....	10
7-1-38	Construction documents.....	10
7-1-39	Examination of documents	11
7-1-40	Amended construction documents	12
7-1-41	Retention of construction documents	12

Division VIII – Temporary Structures And Uses

7-1-42	General.....	12
7-1-43	Conformance.....	13
7-1-44	Temporary power	13
7-1-45	Termination of power	13

Division IX - Fees

7-1-46	General.....	13
7-1-47	Special Fees	13
7-1-48	New construction and alterations.....	13
7-1-49	Residential permit fees.....	13
7-1-50	Commercial and industrial construction permit fees	16
7-1-51	Sign permit fees	18
7-1-52	Electrical permit fees	18
7-1-53	Demolition permit fees.....	18
7-1-54	Storm water management and erosion control permit.....	18
7-1-55	Subdivision plats and commercial developments storm water management and erosion control filing fee.....	19
7-1-56	Accounting	19
7-1-57	Refunds	19

Division X – Inspections

7-1-58	General.....	19
7-1-59	Preliminary inspection.....	19
7-1-60	Required inspections.....	20
7-1-61	Inspection agencies	21
7-1-62	Inspection request.....	21
7-1-63	Approval required	21

Division XI – Certificate Of Occupancy

7-1-64 Use and occupancy..... 21
7-1-65 Certificate issued 21
7-1-66 Temporary occupancy..... 22
7-1-67 Revocation 22

Division XII – Service Utilities

7-1-68 Connection of service utilities 22
7-1-69 Temporary connection 22
7-1-70 Authority to disconnect service utilities 22

Division XIII – Board Of Appeals

7-1-71 Application for appeal 22
7-1-72 Membership of the board 23
7-1-73 Notice of meeting 23
7-1-74 Open hearing 23
7-1-75 Board decision..... 23
7-1-76 Determination of substantial improvement in flood hazard areas 23
7-1-77 Criteria for issuance of a variance for flood hazard areas..... 24
7-1-78 Court review 24

Division XIV - Violations

7-1-79 Unlawful acts 25
7-1-80 Notice of violation..... 25
7-1-81 Prosecution of violation..... 25
7-1-82 Violation penalties 25

Division XV – Stop Work Order

7-1-83 Authority..... 25
7-1-84 Issuance 25
7-1-85 Unlawful continuance..... 25

Division XVI – Unsafe Structures And Equipment

7-1-86 Conditions..... 26
7-1-87 Record 26
7-1-88 Notice 26
7-1-89 Method of service 26
7-1-90 Restoration 26

Division XVII – Building Code Amendments

7-1-91 Building Code; Amendments 26

ARTICLE II RESIDENTIAL CODE

Division I - General

7-2-1 Adoption of Residential Code..... 28
7-2-2 Administration and enforcement 28
7-2-3 Title..... 28
7-2-4 Scope 28
7-2-5 Intent 28

Division II - Applicability

7-2-6 General..... 29
7-2-7 Other laws 29
7-2-8 Application of references..... 29
7-2-9 Referenced codes and standards 29
7-2-10 Appendices 29
7-2-11 Partial invalidity 29
7-2-12 Existing structures 29
7-2-13 Creation of enforcement agency 30
7-2-14 Appointment 30
7-2-15 Deputies 30

Division III – Duties And Powers Of The Building Official

7-2-16 General..... 30
7-2-17 Application and permits..... 30
7-2-18 Notices and orders..... 30
7-2-19 Inspections 30
7-2-20 Identification..... 30
7-2-21 Right of Entry..... 30
7-2-22 Department records..... 31
7-2-23 Liability 31
7-2-24 Approved materials and equipment..... 31
7-2-25 Modification 31
7-2-26 Alternative materials, design, and methods of construction and equipment 31

Division IV – Permits

7-2-27 Required 32
7-2-28 Work exempt from permit 32
7-2-29 Application for permit 34
7-2-30 Validity of permit 35
7-2-31 Expiration 35
7-2-32 Suspension or revocation 35
7-2-33 Placement of permit 35

7-2-34	Responsibility	35
7-2-35	Preliminary inspection	36

Division V – Construction Documents

7-2-36	Submittal documents	36
7-2-37	Site plan or plot plan	37
7-2-38	Examination of documents	37
7-2-39	Amended construction documents	37
7-2-40	Retention of construction documents	37

Division VI – Temporary Structures And Uses

7-2-41	General	37
7-2-42	Conformance	37
7-2-43	Temporary power	38
7-2-44	Termination of approval	38

Division VII - Fees

7-2-45	Payment of fees	38
7-2-46	Schedule of permit fees	38
7-2-47	Building permit valuations	38
7-2-48	Related fees	38
7-2-49	Refunds	38
7-2-50	Work commencing before permit issuance	38

Division VIII - Inspections

7-2-51	Types of inspections	38
7-2-52	Inspection agencies	39
7-2-53	Inspection requests	39
7-2-54	Approval required	39

Division IX – Certificate Of Occupancy

7-2-55	Use and occupancy	40
7-2-56	Change in use	40
7-2-57	Certificate issued	40
7-2-58	Temporary occupancy	41
7-2-59	Revocation	41

Division X Service Utilities

7-2-60	Connection of service utilities	41
7-2-61	Temporary connection	41
7-2-62	Authority to disconnect service utilities	41

Division XI – Board Of Appeals

7-2-63 Board of appeals 41

Division XII - Violations

7-2-64 Unlawful acts 41
7-2-65 Notice of violation..... 41
7-2-66 Prosecution of violation..... 42
7-2-67 Violation penalties 42

Division XIII – Stop Work Order

7-2-68 Notice to owner 42
7-2-69 Unlawful continuance..... 42
7-2-70 Climatic and Geographic Design Criteria 42

Division XIV – Carbon Monoxide Detectors

7-2-71 Carbon monoxide detectors..... 43

Division XV – Residential Code Amendments

7-2-72 Residential Code; Amendments 44

ARTICLE III MECHANICAL CODE

Division I - General

7-3-1 Adoption of Mechanical Code 47
7-3-2 Administration and enforcements 47
7-3-3 Title..... 47
7-3-4 Scope 47
7-3-5 Intent 47
7-3-6 Severability 47

Division II - Applicability

7-3-7 General..... 48
7-3-8 Existing installations 48
7-3-9 Maintenance 48
7-3-10 Additions, alterations or repairs 48
7-3-11 Change in occupancy..... 48
7-3-12 Historic buildings 48
7-3-13 Moved buildings 48
7-3-14 Referenced codes and standards 49
7-3-15 Requirements not covered by this code..... 49
7-3-16 Other laws 49

7-3-17	Application of references.....	49
--------	--------------------------------	----

Division III – Department Of Mechanical Inspection

7-3-18	General.....	49
7-3-19	Appointment	49
7-3-20	Deputies	49
7-3-21	Liability	49

Division IV – Duties And Powers Of The Code Official

7-3-22	General.....	50
7-3-23	Applications and permits	50
7-3-24	Inspections	50
7-3-25	Right of entry.....	50
7-3-26	Identification.....	50
7-3-27	Notices and orders.....	50
7-3-28	Department records.....	51

Division V - Approval

7-3-29	Modifications	51
7-3-30	Alternative materials, methods, equipment, and appliances.....	51
7-3-31	Required testing	51
7-3-32	Approved materials and equipment.....	51
7-3-33	Materials, equipment and appliance reuse.....	51

Division VI - Permits

7-3-34	When required	52
7-3-35	Permits not required	52
7-3-36	Application for permit	52
7-3-37	Permit issuance	53

Division VII - Fees

7-3-38	Fees	54
--------	------------	----

Division VIII – Inspections And Testing

7-3-39	General.....	55
7-3-40	Required inspections and testing	55
7-3-41	Testing	56
7-3-42	Approval	57
7-3-43	Temporary connection	57
7-3-44	Connection of service utility.....	57

Division IX - Violations

7-3-45	Unlawful acts	57
7-3-46	Notice of violation.....	57
7-3-47	Prosecution of violation.....	57
7-3-48	Violation penalties	57

Division X – Stop Work Orders

7-3-49	Stop work orders	58
7-3-50	Abatement of violation.....	58
7-3-51	Unsafe mechanical systems.....	58

Division XI – Means Of Appeal

7-3-52	Means of Appeal.....	59
--------	----------------------	----

Division XII – Mechanical Code Amendments

7-3-53	Mechanical Code; Amendments	59
--------	-----------------------------------	----

ARTICLE IV FUEL GAS CODE

Division I - General

7-4-1	Adoption of Fuel Gas Code	61
7-4-2	Administration and enforcement	61
7-4-3	Title.....	61
7-4-4	Scope	61
7-4-5	Appendices	63
7-4-6	Intent	63
7-4-7	Severability	63

Division II - Applicability

7-4-8	General.....	63
7-4-9	Existing installations	63
7-4-10	Maintenance	63
7-4-11	Additions, alterations or repairs	63
7-4-12	Change in occupancy.....	63
7-4-13	Historic buildings	64
7-4-14	Moved buildings	64
7-4-15	Referenced codes and standards	64
7-4-16	Requirements not covered by code.....	64
7-4-17	Other laws	64
7-4-18	Application of references.....	64

Division III – Department Of Inspection

7-4-19	General.....	64
7-4-20	Appointment	65
7-4-21	Deputies	65
7-4-22	Liability	65

Division IV – Duties And Powers Of The Code Official

7-4-23	General.....	65
7-4-24	Applications and permits	65
7-4-25	Inspections	65
7-4-26	Right of entry.....	65
7-4-27	Identification.....	66
7-4-28	Notices and orders.....	66
7-4-29	Department records.....	66

Division V - Approval

7-4-30	Modifications	66
7-4-31	Alternative materials, methods and equipment	66
7-4-32	Required testing	66
7-4-33	Used materials, appliances and equipment.....	67
7-4-34	Approved materials and equipment.....	67

Division VI - Permits

7-4-35	When required	67
7-4-36	Permits not required	67
7-4-37	Application for permit	67
7-4-38	Preliminary inspection.....	68
7-4-39	Permit issuance	68

Division VII - Fees

7-4-40	Fees	69
--------	------------	----

Division VIII – Inspections And Testing

7-4-41	General.....	70
7-4-42	Required inspections and testing	70
7-4-43	Testing	71
7-4-44	Approval	71
7-4-45	Temporary connection	72
7-4-46	Connection of service utilities	72

Division IX - Violations

7-4-47	Unlawful acts	72
7-4-48	Notice of violation.....	72
7-4-49	Prosecution of violation.....	72
7-4-50	Violation penalties	72

Division X – Stop Work Orders

7-4-51	Stop work orders	72
7-4-52	Abatement of violation.....	72
7-4-53	Unsafe installation	73

Division XI – Means Of Appeal

7-4-54	Means of Appeal.....	73
--------	----------------------	----

Division XII – Fuel Gas Code Amendments

7-4-55	Fuel Gas Code, Amendments.....	73
--------	--------------------------------	----

ARTICLE V ENERGY CONSERVATION CODE RESIDENTIAL

Division I – Scope And General Requirements

7-5-1	Adoption of Energy Conservation Code Residential	75
7-5-2	Administration and enforcement	75
7-5-3	Title.....	75
7-5-4	Scope	75
7-5-5	Intent	75
7-5-6	Applicability.....	75
7-5-7	Compliance	76

Division II – Alternate Materials – Method Of Construction, Design Or Insulating Systems

7-5-8	General.....	77
-------	--------------	----

Division III – Construction Documents

7-5-9	General.....	77
7-5-10	Information on construction documents	77
7-5-11	Examination of documents	78
7-5-12	Amended construction documents	78
7-5-13	Retention of construction documents	78

Division IV - Inspections

7-5-14	General.....	78
7-5-15	Required approvals.....	78
7-5-16	Final inspection.....	79
7-5-17	Reinspection.....	79
7-5-18	Approved inspection agencies.....	79
7-5-19	Inspection requests.....	79
7-5-20	Reinspection and testing.....	79
7-5-21	Approval.....	79

Division V - Validity

7-5-22	General.....	79
--------	--------------	----

Division VI – Reference Standards

7-5-23	Referenced codes and standards.....	79
7-5-24	Conflicting requirements.....	79
7-5-25	Application of references.....	80
7-5-26	Other laws.....	80

Division VII - Violations

7-5-27	Unlawful acts.....	80
7-5-28	Notice of violation.....	80
7-5-29	Prosecution of violation.....	80
7-5-30	Violation penalties.....	80

Division VIII – Stop Work Order

7-5-31	Authority.....	80
7-5-32	Issuance.....	80
7-5-33	Unlawful continuance.....	80
7-5-34	Emergencies.....	81

Division IX – Means of Appeal

7-5-35	Means of appeal.....	81
--------	----------------------	----

ARTICLE VI ENERGY CONSERVATION CODE COMMERCIAL

Division I – Scope And General Requirements

7-6-1	Adoption of Energy Conservation Code.....	83
7-6-2	Administration and enforcement.....	83
7-6-3	Title.....	83
7-6-4	Scope.....	83

7-6-5	Intent	83
7-6-6	Applicability.....	83
7-6-7	Compliance	85

II – Alternate Materials – Methods Of Construction, Design Or Insulating Systems

7-6-8	General.....	85
-------	--------------	----

Division III – Construction Documents

7-6-9	General.....	85
7-6-10	Information on construction documents.....	86
7-6-11	Examination of documents	86
7-6-12	Amended construction documents	86
7-6-13	Retention of construction documents	86

Division IV - Inspections

7-6-14	General.....	87
7-6-15	Required approvals.....	87
7-6-16	Final inspections	87
7-6-17	Reinspections	87
7-6-18	Approved inspection agencies	87
7-6-19	Inspection requests	87
7-6-20	Reinspection and testing	87
7-6-21	Approval	87

Division V - Validity

7-6-22	General.....	87
--------	--------------	----

Division VI – Reference Standards

7-6-23	References codes and standards	88
7-6-24	Conflicting requirements	88
7-6-25	Application of references.....	88
7-6-26	Other laws	88

Division VII - Violations

7-6-27	Unlawful acts	88
7-6-28	Notice of violation.....	88
7-6-29	Prosecution of violation.....	88
7-6-30	Violation penalties	88

Division VIII – Stop Work Order

7-6-31	Authority.....	89
--------	----------------	----

7-6-32	Issuance	89
7-6-33	Unlawful continuance.....	89
7-6-34	Emergencies	89

Division IX – Means of Appeal

7-6-35	Means of appeal	90
--------	-----------------------	----

ARTICLE VII ELECTRICAL CODE

Division I – General

7-7-1	Adoption of Electrical Code.....	91
7-7-2	Administration and enforcement	91
7-7-3	Title.....	91

Division II – Electrical Commission

7-7-4	Electrical Commission	91
7-7-5	Electrical Board of Appeals	91

Division III – Electrical Inspectors

7-7-6	Creation.....	91
7-7-7	Electrical Inspection Department; Inspector	91
7-7-8	Powers and Duties.....	91
7-7-9	Inspections	92
7-7-10	Certificate of Inspection	92
7-7-11	Time of Inspection.....	92
7-7-12	Penalties	92

Division IV – Electrical Code Amendments

7-7-13	Additions, Insertions and Changes.....	92
--------	--	----

ARTICLE VIII ELECTRICAL CODE ADMINISTRATIVE PROVISIONS

Division I - General

7-8-1	Adoption of Electrical Code – Administrative Provisions	95
7-8-2	Administration and Enforcement.....	95
7-8-3	Title.....	95
7-8-4	Purpose	95
7-8-5	Scope	95

Division II - Applicability

7-8-6	General.....	95
-------	--------------	----

7-8-7	Differences.....	96
7-8-8	Other laws	96
7-8-9	Validity	96
7-8-10	Application of references.....	96
7-8-11	References codes and standards	96
7-8-12	Appendices	96
7-8-13	Subjects not regulated by this code	96

ARTICLE IX – SWIMMING POOL AND SPA CODE

Division I – General

7-9-1	Adoption of Swimming Pool and Spa Code.....	99
7-9-2	Administration and enforcement.....	99
7-9-3	Title	99
7-9-4	Scope.....	99
7-9-5	Intent.....	99
7-9-6	Severability.....	99

Division II - Applicability

7-9-7	General	99
7-9-8	Existing installations	99
7-9-9	Maintenance	99
7-9-10	Additions, alterations or repairs	100
7-9-11	Historic building.....	100
7-9-12	Moved aquatic vessels.....	100
7-9-13	Referenced codes and standards	100
7-9-14	Requirements not covered by code	100
7-9-15	Other laws	100
7-9-16	Application of references.....	100

Division III – Department of Building Safety

7-9-17	Creation of enforcement agency	101
7-9-18	Appointments	101
7-9-19	Deputies	101
7-9-20	Liability	101

Division IV – Duties and Powers of the Code Official

7-9-21	General.....	101
7-9-22	Applications and permits	101
7-9-23	Notices and orders.....	101
7-9-24	Inspections	101
7-9-25	Identification	101
7-9-26	Right of entry	102
7-9-27	Department records.....	102

7-9-28	Modifications	102
7-9-29	Alternative materials, methods and equipment	102
7-9-30	Required testing	102
7-9-31	Alternative engineered design	103
7-9-32	Materials and equipment reuse	103

Division V – Permits

7-9-33	When required	103
7-9-34	Application for permit.....	103
7-9-35	Construction documents.....	103
7-9-36	Time limitation of application.....	104
7-9-37	Permit issuance	104
7-9-38	Fees.....	105

Division VI – Inspections

7-9-39	General	105
7-9-40	Preliminary inspection	105
7-9-41	Required inspections and testing	105
7-9-42	Other inspections.....	106
7-9-43	Inspection requests	106
7-9-44	Approval required	106
7-9-45	Approved agencies	106
7-9-46	Evaluation and follow-up inspection services	106
7-9-47	Evaluation service.....	106
7-9-48	Follow-up inspection	106
7-9-49	Test and inspection records.....	106
7-9-50	Special inspections.....	106
7-9-51	Periodic inspection	106
7-9-52	Written report	107
7-9-53	Testing	107
7-9-54	New, altered, extended or repaired systems	107
7-9-55	Equipment material and labor for tests.....	107
7-9-56	Reinspection and testing	107
7-9-57	Approval	107
7-9-58	Temporary connection	107
7-9-59	Connection of service utilities	107

Division VII – Violations

7-9-60	Unlawful acts.....	107
7-9-61	Notice of violation.....	108
7-9-62	Prosecution of violation	108
7-9-63	Violation penalties	108
7-9-64	Stop work orders	108
7-9-65	Abatement of violation	108

Division VIII – Means of Appeal

7-9-66 Means of appeal 109

ARTICLE X – FIRE ALARM AND SIGNALLING CODE

Division I - Administration

7-10-1 Adoption of the National Fire Alarm and Signaling Code 111
7-10-2 Administration and enforcement 111
7-10-3 Scope 111
7-10-4 Purpose 111
7-10-5 Application 111
7-10-6 Retroactivity 112
7-10-7 Equivalency 113
7-10-8 Units and formulas 113
7-10-9 Code adoption requirements 113

ARTICLE XI – ILLINOIS ACCESSIBILITY CODE

Division I - General

7-11-1 Adoption of Illinois Accessibility Code 115
7-11-2 Administration and enforcement 115
7-11-3 Title 115
7-11-4 Purpose 115
7-11-5 Standards incorporated by reference 115
7-11-6 Applicability 116
7-11-7 Civil Enforcement 116
7-11-8 Local Standards 116
7-11-9 Revision to Code 116
7-11-10 Interpretations of the requirements 116
7-11-11 Permits/Statements of Compliance 117

ARTICLE XII – PLUMBING CODE

Division I - General

7-12-1 Adoption of Illinois Plumbing Code 119
7-12-2 Administration and enforcement 119

Article - I Building Code

Division - I General

7-1-1 Adoption of Building Code. That a certain document, one (1) copy of which is on file in the office of the Zoning Administrator of St. Clair County, being marked and designated as "The International Building Code, 2012" as published by the International Code Council be and is hereby adopted in part and as contained herein as the "Building Regulations" of St. Clair County, Illinois, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Building Code, 2012, 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 herein. (See 55 ILCS 5/5-1063)

7-1-2 RESERVED

7-1-3 Title. These regulations shall be known as the Building Regulations of County of St. Clair, hereinafter referred to as "this code." (IBC 101.1)

7-1-4 Scope. The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. (IBC 101.2)

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with Article II of this Chapter 7.

2. Existing buildings undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the County of St. Clair Property Maintenance Code Chapter 29.

A. Appendices. Provisions in the appendices shall not apply unless specifically adopted. (IBC 101.2.1)

7-1-5 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations. (IBC 101.3)

7-1-6 Referenced codes. The other codes listed in Sections 7-1-6 (A) through 7-1-6 (G) (IBC 101.4.1 through IBC 101.4.6) and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. (IBC 101.4)

A. Electrical. The provisions of the National Electrical Code NFPA 70/2011 as adopted herein shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

B. Gas. The provisions of the International Fuel Gas Code as adopted herein shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories. (IBC 101.4.1)

C. Mechanical. The provisions of the International Mechanical Code as adopted herein shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems. (IBC 101.4.2)

D. Plumbing. The provisions of the Illinois State Plumbing Code as adopted herein shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems. (IBC 101.4.3)

E. Property maintenance. The provisions of the County of St. Clair Property Maintenance Code Chapter 29 shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures. (IBC 101.4.4)

F. Fire prevention. The provisions of the International Fire Code as adopted herein shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation. (IBC 101.4.5)

G. Energy. The provisions of the International Energy Conservation Code as adopted herein shall apply to all matters governing the design and construction of buildings for energy efficiency. (IBC 101.4.6)

Division - II Applicability

7-1-7 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. (IBC 102.1)

7-1-8 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. (IBC 102.2)

7-1-9 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code. (IBC 102.3)

7-1-10 Referenced codes and standards. 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 and as further regulated in Sections 102.4.1 and 102.4.2. (IBC 102.4)

A. Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply. (IBC 102.4.1)

B. Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the International Codes listed in Section 101.4, the provisions of this code or the International Codes listed in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard. (IBC 102.4.2)

7-1-11 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions. (IBC 102.5)

7-1-12 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *County of St. Clair Property Maintenance Code Chapter 29* or the *International Fire Code*, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public. (IBC 102.6)

Division - III Department Of Building Safety

7-1-13 Creation of enforcement agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the building official. (IBC 103.1)

7-1-14 Appointment. The building official shall be appointed by the chief appointing authority of the jurisdiction. (IBC 103.2)

7-1-15 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official. For the maintenance of existing properties, see the *County of St. Clair Property Maintenance Code Chapter 29*. (IBC 103.3)

Division - IV Duties And Powers Of Building Official

7-1-16 General. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. (IBC 104.1)

7-1-17 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving

of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code. (IBC 104.2)

7-1-18 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with this code. (IBC 104.3)

7-1-19 Inspections. The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority. (IBC 104.4)

7-1-20 Identification. The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code. (IBC 104.5)

7-1-21 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry. (IBC 104.6)

7-1-22 Department records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records. (IBC 104.7)

7-1-23 Liability. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code. (IBC 104.8)

7-1-24 Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval. (IBC 104.9)

A. Used materials and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official. (IBC 104.9.1)

7-1-25 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety. (IBC 104.10)

A. Flood hazard areas. The building official shall not grant modifications to any provision required in flood hazard areas as established by Section 1612.3 unless a determination has been made that: (IBC 104.10.1)

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards of Section 1612 inappropriate.
2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.
5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced flood elevation, and stating that construction below the design flood elevation increases risk to life and property.

7-1-26 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. (IBC 104.11)

A. Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources. (IBC 104.11.1)

B. Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records. (IBC 104.11.2)

Division - V Permits

7-1-27 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. (IBC 105.1)

A. Annual permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application therefore to any person, firm or corporation regularly employing one or more qualified trade persons in the building, structure or on the premises owned or operated by the applicant for the permit. (IBC 105.1.1)

B. Annual permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated. (IBC 105.1.2)

7-1-28 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following: (IBC 105.2)

A. Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²).
2. Fences not over 7 feet (2134 mm) high.
3. Oil derricks.
4. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2 to 1.

6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below and which are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
13. Nonfixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches (1753 mm) in height,

B. Electrical:

1. **Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. **Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for power supply, the installations of towers and antennas.
3. **Temporary testing systems:** A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

C. Gas:

1. Portable heating appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

D. Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part which does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

E. Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

F. Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official. (IBC 105.2.1)

G. Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety. (IBC 105.2.2)

H. Public service agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right. (IBC 105.2.3)

7-1-29 Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the department of building safety for that purpose. (IBC 105.3) Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 7-1-36 (IBC 106.3).
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the building official.

A. Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable. (IBC 105.3.1)

B. Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated. (IBC 105.3.2)

7-1-30 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction. (IBC 105.4)

7-1-31 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. (IBC 105.5)

7-1-32 Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code. (IBC 105.6)

7-1-33 Placement of permit. The building permit or copy shall be kept on the site of the work until the completion of the project. (IBC 105.7)

Division - VI Floor and Roof Design Loads

7-1-34 Live loads posted. Where the live load for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m²), such design live loads shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices. (IBC 106.1)

7-1-35 Issuance of certificate of occupancy. A certificate of occupancy required by section 111 shall not be issued until the floor load signs, required by 7-1-34 (IBC 106.1), have been installed. (IBC 106.2)

7-1-36 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code. (IBC 106.3)

Division - VII Submittal Documents

7-1-37 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional. (IBC 107.1)

Exception:

1. The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

7-1-38 Construction documents. Construction documents shall be in accordance with Sections 7-1-38 A (IBC 107.2.1) – 7-1-38 E (IBC 107.2.5). (IBC 107.2)

A. Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. (IBC 107.2.1)

B. Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9. (IBC 107.2.2)

C. Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress including the path of the exit discharge to the public way in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, as applicable in Section 7-1-4 (IBC 101.2), and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces. (IBC 107.2.3)

D. Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used. (IBC 107.2.4)

E. Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted. (IBC 107.2.5)

1. Design flood elevation. Where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1. (IBC 107.2.5.1)

7-1-39 Examination of documents. The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances. (IBC 107.3)

A. Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative. (IBC 107.3.1)

B. Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned. (IBC 107.3.2)

C. Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. (IBC 107.3.3)

D. Design professional in responsible charge. When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. (IBC 107.3.4)

1. Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official. (IBC 107.3.4.1)

7-1-40 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. (IBC 106.4)

7-1-41 Retention of construction documents. One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. (IBC 106.5)

Division - VIII Temporary Structures and Uses

7-1-42 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause. (IBC 108.1)

7-1-43 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare. (IBC 108.2)

7-1-44 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the National Electrical Code NFPA 70-2011. (IBC 108.3)

7-1-45 Termination of approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued. (IBC 108.4)

Division - IX Fees

7-1-46 General. No permit to begin work for new construction, alteration, removal, demolition or other building operation shall be issued until the fees prescribed in this Chapter have been paid to the County's Department of Building Inspection or other authorized agency of the jurisdiction, nor shall an amendment to a permit necessitating an additional fee be approved until the additional fee has been paid. **(Ord. No. 03-787; 04-28-03)**

7-1-47 Special Fees. The payment of the fee for the construction, alteration, removal or demolition for all work done in connection with or concurrently with the work contemplated by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law or ordinance for water taps, sewer connections, electrical permits, erection of signs and display structures, marquees or other appurtenant structures, or fees of inspections, certificates of occupancy or other privileges or requirements, both within and without the jurisdiction of the Department of Building Inspection. **(Ord. No. 03-787; 04-28-03)**

7-1-48 New construction and alterations. The fees for plan examination, building permit and inspections shall be as prescribed in this Chapter and the Code Official is authorized to establish by approved rules a schedule of unit rates for buildings and structures of all use group and types of construction as classified and defined in the International Building Code 2012. **(Ord. No. 18-1201; 12-17-18)**

7-1-49 Residential permit fees. The residential permit fees shall be as follows:

- A. Single-Family Residential.** A building permit and inspections of Single-Family Residence with **two thousand five hundred (2,500) square feet** and under of living space the fee shall be **Five Hundred Dollars (\$500.00)**. Single Family Residence with **two thousand five hundred one (2,501) square feet** and over of living space the fee is **Seven Hundred Dollars (\$700.00)**.

- B. Manufactured or Modular.** A building permit and inspections of Modular Home or Manufactured Home shall be a fee of **One Hundred Fifty Dollars (\$150.00)**. A Modular Home or Manufactured Home placed over a basement the fee shall be **Three Hundred Dollars (\$300.00)**. [Supplement No. 20; 08-01-00]
- C. Residential Alterations.** A building permit and inspections for residential alterations with a construction cost of **Ten Thousand Dollars (\$10,000.00)** or less shall be a fee of **Two Hundred Dollars (\$200.00)**. Construction cost of over **Ten Thousand Dollars (\$10,000.00)** up to **Fifty Thousand Dollars (\$50,000.00)** the fee shall be **Two Hundred Fifty Dollars (\$250.00)** and construction cost of over **Fifty Thousand Dollars (\$50,000.00)** shall be a fee of **Three Hundred Dollars (\$300.00)**.
- D.** A Building Permit and inspections for residential remodeling with a construction cost of **Fifty Thousand Dollars (\$50,000.00)** or less the fee shall be **Two Hundred Dollars (\$200.00)**. Construction cost of over **Fifty Thousand Dollars (\$50,000.00)** the fee shall be **Three Hundred Dollars (\$300.00)**.
- E.** A Building Permit and inspections for a Multi-Family Residence with **four (4) units** and under the fee shall be **Seven Hundred Dollars (\$700.00)**; for each additional unit the fee shall be **One Hundred Seventy-Five Dollars (\$175.00)**.
- F.** A Building Permit and inspections for portable sheds that are over two hundred (200) square feet the fee shall be **One Hundred Twenty-Five Dollars (\$125.00)**. A Building Permit and inspections for decks and carports, the fee shall be **One Hundred Dollars (\$100.00)**.
- G.** A Building Permit and inspections for decks and carports, the fee shall be **One Hundred Twenty-Five Dollars (\$125.00)**
- H.** A Building Permit and inspections for garages and pole barns, the fee shall be **One Hundred Seventy-Five Dollars (\$175.00)**
- I.** A Building Permit and inspections for garage or pole barn additions, the fee shall be **One Hundred Seventy-Five Dollars (\$175.00)**.
- J.** A Building Permit and inspections for in-ground swimming pools, the fee shall be **Two Hundred Dollars (\$200.00)**; above-ground swimming pools the fee shall be **One Hundred Twenty-Five Dollars (\$125.00)**.
- K.** A Building Permit and inspections for a Residential or Commercial Solar Energy Systems, the fee shall be **Seven Dollars (\$7.00)** per **One Thousand Dollars (\$1,000)** of construction cost and Commercial ground mount will be required to have a Stormwater Permit.
- L.** A Demolition Permit and inspection for the demolition of a structure, the fee shall be **One Hundred Dollars (\$100.00)**.

- M.** A Electrical Permit and inspection for Electrical Service, the fee shall be **Seventy-Five Dollars (\$75.00)**; Electrical Service and Re-wire the fee shall be **One Hundred Dollars (\$100.00)**.
- N.** Upon failing an inspection the fee shall be **Seventy-Five Dollars (\$75.00)**.
- O.** Building Permits are not required for the following: Sidewalks, driveways, concrete patios, siding and replacement of windows or doors.
- P.** The standard permit fee, plan review fee and inspection fee are all included in the aforementioned fees. Fees for any "additional inspection"* required including inspections for compliance with approved development or site plans or fees for any "extra inspection"** that may be required are not shown here and shall be added to the total payment fee at the rate of **Seventy-Five Dollars (\$75.00)** per inspection. **(Ord. No. 13-1087; 11-25-13)**
- Q. Exempt Structures.** The following structures shall be exempt from building inspections and fees, provided that the structure is used exclusively for a related activity. Public schools, townships structures and agricultural structures. **(Ord. No. 03-787; 04-28-03)**

* An "additional inspection" is defined as an inspection, which is required as a result of unusual or complicated construction.

** An "extra inspection" is defined as an inspection which is made as a result of non-compliance, not ready, lock out, etc.

[NOTE: Does not include the applicant fee for the Certificate of Zoning Compliance.]
[Supplement No. 20; 08-01-00]

7-1-50 Commercial And Industrial Construction Permit Fees. Commercial Solar Energy Systems see Section 7-1-49(K) for fee.

COMMERCIAL AND INDUSTRIAL PERMIT FEE SCHEDULE

Cost	Fee	Cost	Fee	Cost	Fee	Cost	Fee
Thousand	Amount	Thousand	Amount	Thousand	Amount	Thousand	Amount
Up to 1	\$104.68	Up to 37	\$473.49	Up to 115	\$1,122.53	Up to 390	\$3,193.64
Up to 2	\$143.34	Up to 38	\$489.60	Up to 120	\$1,174.06	Up to 400	\$3,259.67
Up to 3	\$169.10	Up to 39	\$491.21	Up to 125	\$1,204.66	Up to 420	\$3,390.12
Up to 4	\$196.48	Up to 40	\$505.70	Up to 130	\$1,256.20	Up to 440	\$3,536.68
Up to 5	\$244.80	Up to 42	\$521.81	Up to 135	\$1,288.41	Up to 460	\$3,668.74
Up to 6	\$278.62	Up to 44	\$537.91	Up to 140	\$1,336.72	Up to 480	\$3,813.69
Up to 7	\$293.11	Up to 46	\$552.40	Up to 145	\$1,368.93	Up to 500	\$3,944.14
Up to 8	\$325.32	Up to 48	\$571.73	Up to 150	\$1,417.25	Up to 520	\$4,074.59
Up to 9	\$339.82	Up to 50	\$586.23	Up to 155	\$1,451.07	Up to 540	\$4,222.76
Up to 10	\$343.04	Up to 52	\$603.94	Up to 160	\$1,483.28	Up to 560	\$4,351.60
Up to 11	\$343.04	Up to 54	\$634.54	Up to 165	\$1,531.60	Up to 580	\$4,483.66
Up to 12	\$343.04	Up to 56	\$636.15	Up to 170	\$1,563.81	Up to 600	\$4,610.89
Up to 13	\$343.04	Up to 58	\$650.65	Up to 175	\$1,615.34	Up to 620	\$4,742.95
Up to 14	\$343.04	Up to 60	\$669.97	Up to 180	\$1,647.55	Up to 640	\$4,875.01
Up to 15	\$343.04	Up to 62	\$684.47	Up to 185	\$1,679.76	Up to 660	\$5,003.85
Up to 16	\$344.65	Up to 64	\$702.18	Up to 190	\$1,728.08	Up to 680	\$5,134.31
Up to 17	\$357.53	Up to 66	\$716.68	Up to 195	\$1,760.29	Up to 700	\$5,266.37
Up to 18	\$357.53	Up to 68	\$734.39	Up to 200	\$1,792.50	Up to 720	\$5,395.21
Up to 19	\$376.86	Up to 70	\$750.50	Up to 210	\$1,874.63	Up to 740	\$5,525.66
Up to 20	\$376.86	Up to 72	\$766.60	Up to 220	\$1,955.16	Up to 760	\$5,656.11
Up to 21	\$376.86	Up to 74	\$782.71	Up to 230	\$2,030.85	Up to 780	\$5,786.56
Up to 22	\$378.47	Up to 76	\$798.81	Up to 240	\$2,103.33	Up to 800	\$5,918.62
Up to 23	\$376.86	Up to 78	\$814.92	Up to 250	\$2,183.85	Up to 820	\$6,047.47
Up to 24	\$391.35	Up to 80	\$831.02	Up to 260	\$2,248.27	Up to 840	\$6,160.20
Up to 25	\$391.35	Up to 82	\$848.74	Up to 270	\$2,332.02	Up to 860	\$6,290.65
Up to 26	\$409.07	Up to 84	\$864.84	Up to 280	\$2,332.02	Up to 880	\$6,421.10
Up to 27	\$409.07	Up to 86	\$879.34	Up to 290	\$2,478.57	Up to 900	\$6,551.55
Up to 28	\$423.56	Up to 88	\$897.05	Up to 300	\$2,541.38	Up to 920	\$6,665.90
Up to 29	\$423.56	Up to 90	\$929.26	Up to 310	\$2,571.98	Up to 940	\$6,796.35
Up to 30	\$423.56	Up to 92	\$945.37	Up to 320	\$2,691.16	Up to 960	\$6,925.19
Up to 31	\$439.67	Up to 94	\$963.08	Up to 330	\$2,752.36	Up to 980	\$7,041.15
Up to 32	\$439.67	Up to 96	\$977.58	Up to 340	\$2,834.50	Up to 980	\$7,041.15
Up to 33	\$439.67	Up to 98	\$995.30	Up to 350	\$2,900.53		
Up to 34	\$455.77	Up to 100	\$1,009.79	Up to 360	\$2,981.05		
Up to 35	\$455.77	Up to 105	\$1,043.61	Up to 370	\$3,048.70		
Up to 36	\$471.88	Up to 110	\$1,091.93	Up to 380	\$3,111.51		

COMMERCIAL AND INDUSTRIAL PERMIT FEE SCHEDULE

Cost	Fee	Cost	Fee	Cost	Fee	Cost	Fee
Millions	Amount	Millions	Amount	Millions	Amount	Millions	Amount
Up to 1.1	\$7,756.22	Up to 5.4	\$30,586.81	Up to 16.5	\$81,308.21	Up to 34.5	\$166,945.47
Up to 1.2	\$8,355.33	Up to 5.6	\$31,561.16	Up to 17.0	\$83,772.29	Up to 40.0	\$196,068.32
Up to 1.3	\$8,957.66	Up to 5.8	\$32,533.91	Up to 17.5	\$86,234.76	Up to 40.5	\$198,522.74
Up to 1.4	\$9,540.66	Up to 6.0	\$33,490.56	Up to 18.0	\$88,697.23	Up to 41.0	\$200,969.10
Up to 1.5	\$10,125.28	Up to 6.2	\$34,463.30	Up to 18.5	\$91,161.31	Up to 41.5	\$203,423.52
Up to 1.6	\$10,708.28	Up to 6.4	\$35,423.17	Up to 19.0	\$93,623.78	Up to 42.0	\$205,869.88
Up to 1.7	\$11,278.40	Up to 6.6	\$36,345.99	Up to 19.5	\$96,086.25	Up to 42.5	\$208,324.30
Up to 1.8	\$11,845.30	Up to 6.8	\$37,318.74	Up to 20.0	\$98,382.83	Up to 43.0	\$210,770.66
Up to 1.9	\$12,413.81	Up to 7.0	\$38,260.89	Up to 20.5	\$100,845.30	Up to 43.50	\$213,225.08
Up to 2.0	\$12,980.71	Up to 7.2	\$39,201.42	Up to 21.0	\$103,301.33	Up to 44.0	\$215,671.45
Up to 2.1	\$13,531.51	Up to 7.4	\$40,141.96	Up to 21.5	\$105,763.80	Up to 44.5	\$218,125.86
Up to 2.2	\$14,083.91	Up to 7.6	\$41,084.11	Up to 22.0	\$108,218.22	Up to 45.	\$220,572.23
Up to 2.3	\$14,636.31	Up to 7.8	\$42,008.54	Up to 22.5	\$110,680.69	Up to 45.5	\$223,028.26
Up to 2.4	\$15,187.11	Up to 8.0	\$42,934.59	Up to 23.0	\$113,135.11	Up to 46.0	\$225,473.01
Up to 2.5	\$15,739.51	Up to 8.2	\$43,860.63	Up to 23.5	\$115,599.19	Up to 46.5	\$227,929.04
Up to 2.6	\$16,275.81	Up to 8.4	\$44,783.45	Up to 24.0	\$118,053.60	Up to 47.0	\$230,375.40
Up to 2.7	\$16,808.89	Up to 8.6	\$45,709.49	Up to 24.5	\$120,516.07	Up to 47.5	\$232,829.82
Up to 2.8	\$17,343.58	Up to 8.8	\$46,617.82	Up to 25.0	\$122,970.49	Up to 48.0	\$235,276.18
Up to 2.9	\$17,881.49	Up to 9.0	\$47,526.15	Up to 25.5	\$125,434.57	Up to 48.5	\$237,730.60
Up to 3.0	\$18,417.79	Up to 9.2	\$48,436.09	Up to 26.0	\$127,888.99	Up to 49.0	\$240,176.97
Up to 3.1	\$18,954.09	Up to 9.4	\$49,344.42	Up to 26.5	\$130,351.46	Up to 49.5	\$242,631.38
Up to 3.2	\$19,471.07	Up to 9.6	\$50,252.74	Up to 27.0	\$132,805.88	Up to 50.0	\$244,660.63
Up to 3.3	\$19,991.26	Up to 9.8	\$51,161.07	Up to 27.5	\$135,268.35		
Up to 3.4	\$20,527.56	Up to 10.0	\$52,053.29	Up to 28.0	\$137,722.76		
Up to 3.5	\$20,997.83	Up to 10.5	\$54,291.90	Up to 28.5	\$140,186.84		
Up to 3.6	\$21,555.07	Up to 11.0	\$56,516.02	Up to 29.0	\$142,641.26		
Up to 3.7	\$22,067.21	Up to 11.5	\$58,722.42	Up to 29.5	\$145,103.73		
Up to 3.8	\$22,587.40	Up to 12.0	\$60,928.81	Up to 30.0	\$147,308.52		
Up to 3.9	\$23,091.49	Up to 12.5	\$63,103.00	Up to 30.5	\$149,762.94		
Up to 4.0	\$23,610.08	Up to 13.0	\$65,278.80	Up to 31.0	\$152,218.96		
Up to 4.2	\$24,615.03	Up to 13.5	\$67,433.66	Up to 31.5	\$154,673.38		
Up to 4.4	\$25,636.10	Up to 14.0	\$69,593.36	Up to 32.0	\$157,127.80		
Up to 4.6	\$26,628.17	Up to 14.5	\$71,735.34	Up to 32.5	\$159,582.21		
Up to 4.8	\$27,634.74	Up to 15.0	\$73,861.21	Up to 33.0	\$162,036.63		
Up to 5.0	\$2,853.82	Up to 15.5	\$76,383.27	Up to 33.5	\$164,491.05		
Up to 5.2	\$29,614.06	Up to 16.0	\$78,845.74	Up to 34.0	\$166,945.47		

A. The fee for a building permit and inspection of commercial and industrial construction shall be determined by applying the table 7-1-47 of fee rates to the total estimated cost of

construction, as determined heretofore. Permit processing, plan review and inspection charges are included in the fee rate shown.

B. The standard permit fee, plan review fee and inspection fee are all included in the aforementioned fees. Fee for any "additional inspection"* required including inspections for compliance with approved development or site plans or fees for any "extra inspection"** that may be required are not shown here and shall be added to the total payment fee at the rate of **Fifty Dollars (\$50.00)** per each inspection. **(Ord. No. 03-787; 04-28-03)**

7-1-51 Sign permit fees. The fees for sign permits for each ground sign, post sign, roof sign, wall sign, or marquee sign shall be as follows:

A. Seventy-Five Dollars (\$75.00) for each sign up to **one hundred (100) square feet** in size. Permit processing, plan review and **two (2) inspections** are included in the fee rate shown.

B. One Hundred Fifty Dollars (\$150.00) for each sign of more than **one hundred (100) square feet** in size. Permit processing, plan review and **two (2) inspections** are included in the fee rate shown.

C. Addition inspections due to complexity of structure shall be charged at the rate of **Fifty Dollars (\$50.00)** per inspection.

D. All signs on **one (1) lot** not exceeding in aggregate the maximum allowable size and all inspected at one time, may be allowed on one permit for one fee. (Does not include the Applicant fee for the Certificate of Zoning Compliance) **(Ord. No. 03-787; 04-28-03)**

7-1-52 Electrical permit fees. A **Seventy Five Dollars (\$75.00)** permit shall be required prior to any upgrading of service or change of service made to any existing installation of electrical wiring or equipment. A **One Hundred Dollars (\$100.00)** permit shall be required prior to any upgrade of service and rewiring to any existing installation of electrical equipment.

A. The standard permit fee, plan review fee and inspection fee are all included in the total fee shown. Fees for any "additional inspections"* required including inspections for compliance with approved development or site plans or fees for any "extra inspection"** that may be required are not shown here and shall be added to the total payment fee at the rate of **Fifty Dollars (\$50.00)** for each inspection. **(Ord. No. 03-787; 04-28-03)**

* An "additional inspection" is defined as an inspection, which is required as a result of unusual or complicated construction.

** An "extra inspection" is defined as an inspection which is made as a result of non-compliance, not ready, lock out, etc.

7-1-53 Demolition permit fees. The fee for a demolition permit and inspections of structure being demolished or removed, shall be **One Hundred Dollars (\$100.00)**.

7-1-54 Storm water management and erosion control permit. The fee shall be an additional **Thirty-Four Percent (34%)** of Building Permit Fee.

7-1-55 Subdivision plats and commercial developments storm water management and erosion control filing fee. The permit fee for residential development, multi-family residential development and commercial developments shall be based on the number of lots. The number of lots will be assessed as the total plan number of lots in the proposed development. The filing fee is determined as follows:

- A.** Residential developments and Multi-family development of **two (2) to five (5)** individual lots **Five Hundred Dollars (\$500.00)**.
- B.** Residential development and Multi-family development of **six (6) to Twenty (20)** individual lots **One Thousand Dollars (\$1000.00)**.
- C.** Residential development and Multi-family development of **twenty-one (21) to fifty (50)** individual lots **One Thousand Five Hundred Dollars (\$1,500.00)**.
- D.** Residential development and Multi-family development of **Fifty-one (51) or greater** individual lots **Two Thousand Dollars (\$2,000.00)**.
- E.** Commercial development filing fee is **Two Thousand Dollars (\$2,000.00)**.
- F.** Planned Building Development filing fee is **Two Thousand Dollars (\$2,000.00)**.

7-1-56 Accounting. The Code Official shall keep an accurate account of all fees collected and such collected fees shall be deposited weekly with the St. Clair County Treasurer. **(Ord. No. 03-787; 04-28-03)**

7-1-57 Refunds. In the case of a revocation of a permit or abandonment or discontinuance of a building project, the portion of the work actually completed shall be computed and any excess fee for the incomplete work shall be returned to the permit holder upon written request. All plan examination and permit processing fees and all penalties that have been imposed on the permit holder under the requirements of this Code shall first be collected. **(Ord. No. 03-787; 04-28-03)**

Division - X Inspections

7-1-58 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection. (IBC 110.1)

7-1-59 Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. (IBC 110.2)

7-1-60 Required inspections. The building official, upon notification, shall make the inspections set forth in Sections (IBC 110.3.1) 7-1-60(A) through (IBC 110.3.10) 7-1-60(J). (IBC 110.3)

A. Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job. (IBC 110.3.1)

B. Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor. (IBC 110.3.2)

C. Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the building official. (IBC 110.3.3)

D. Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved. (IBC 110.3.4)

E. Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished. (IBC 110.3.5)

Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

F. Fire- and smoke-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved. (IBC 110.3.6)

G. Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency. (IBC 110.3.7)

H. Other inspections. In addition to the inspections specified in Sections 7-1-59(A) (IBC 110.3.1) through 7-1-59(G) (IBC110.3.7), the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety. (IBC 110.3.8)

I. Special inspections. For special inspections, see Chapter 17. (IBC 110.3.9)

J. Final inspection. The final inspection shall be made after all work required by the building permit is completed. (IBC 110.3.10)

1. Flood hazard documentation. If located in a flood hazard area, documentation of the elevation of the lowest floor as required in Section 1612.5 shall be submitted to the building official prior to the final inspection. (IBC 110.3.10.1)

7-1-61 Inspection agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability. (IBC 110.4)

7-1-62 Inspection requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. (IBC 110.5)

7-1-63 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. (IBC 110.6)

Division - XI Certificate of Occupancy

7-1-64 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. (IBC 111.1)

Exception: Certificates of occupancy are not required for work exempt from permits under section 7-1-28 (IBC 105.2)

7-1-65 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that contains the following: (IBC 111.2)

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.

- 8. The use and occupancy, in accordance with the provisions of Chapter 3.
- 9. The type of construction as defined in Chapter 6.
- 10. The design occupant load.
- 11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
- 12. Any special stipulations and conditions of the building permit.

7-1-66 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid. (IBC 111.3)

7-1-67 Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code. (IBC 111.4)

Division - XII Service Utilities

7-1-68 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official. (IBC 112.1)

7-1-69 Temporary connection. The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power. (IBC 112.2)

7-1-70 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 7-1-6 (IBC 101.4) in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section 7-1-70 (IBC 112.1) or 7-1-68 (IBC 112.2). The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter. (IBC 112.3)

Division - XIII Board Of Appeals

7-1-71 Application for appeal. Any person affected by a decision of the Code Official or a notice or order issued under this Code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within **twenty (20) days** after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or the requirements of this Code are adequately satisfied by other means. The fee for an application of appeal of **Fifty Dollars (\$50.00)** is to be paid at the time application is filed and shall be non-refundable.

7-1-72 Membership of the board. The Board of Appeals shall consist of **five (5) members** appointed by the Chief Appointing Authority as follows: **one (1) for five (5) years, one (1) for four (4) years, one (1) for three (3) years, one (1) for two (2) years, and one (1) for one (1) year.** Thereafter, each new member shall serve for **five (5) years** or until a successor has been appointed.

A. Alternate members. The Chief Appointing Authority shall appoint **two (2) alternate members** who shall be called by the Board Chairman to hear appeals during the absence or disqualification of a member. Alternate members shall be appointed for **five (5) years** or until a successor has been appointed.

B. Chairman. The Board shall annually select one of its members to serve as Chairman.

C. Disqualification of member. A member shall not hear an appeal in which that member has any personal, professional or financial interest.

D. Secretary. The Chief Administrative Officer shall designate a qualified clerk to serve as Secretary to the Board. The Secretary shall file a detailed record of all proceedings in the office of the Chief Administrative Officer, and in the office of the Code Official.

7-1-73 Notice Of meeting. The Board shall meet upon notice from the Chairman, within **ten (10) days** of the filing of an appeal, or at stated periodic meetings.

7-1-74 Open hearing. All hearings before the Board shall be open to the public. The appellant, that appellant's representative, the Code Official and any person whose interests are affected shall be given an opportunity to be heard.

A. Procedure. The Board shall adopt and make available to the public through the Secretary, procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

7-1-75 Board decision. The Board shall modify or reverse the decision of the Code Official by a concurring vote of **three (3) members.**

A. Resolution. The decision of the Board shall be by resolution. Certified copies shall be furnished to the appellant and the Code Official.

B. Administration. The Code Official shall take action within **five (5) working days** in accordance with the decision of the Board.

7-1-76 Determination of substantial improvement in flood hazard areas. When the building official provides a finding required in Section R105.3.1.1, the board of appeals shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 40 percent of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial improvements regardless of the actual repair work performed. The term does not include:

- A.** Improvements of a building or structure required to correct existing health, sanitary or safety code violations identified by the building official and which are the minimum necessary to assure safe living conditions; or
- B.** Any alteration of an historic building or structure, provided that the alteration will not preclude the continued designation as an historical building or structure. For the purpose of this exclusion, an historic building is:
 - 1.** Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or
 - 2.** Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or
 - 3.** Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

7-1-77 Criteria for issuance of a variance for flood hazard areas. A variance shall be issued only upon:

- A.** A showing of good and sufficient cause that the unique characteristics of the size, characteristics of the size, configuration or topography of the site render the elevation in Section R322 inappropriate.
- B.** A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
- C.** A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with any existing state law or St. Clair County ordinance
- D.** A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.
- E.** Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

7-1-78 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the Chief Administrative Officer.

Division - XIV VIOLATIONS

7-1-79 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. (IBC 114.1)

7-1-80 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. (IBC 114.2)

7-1-81 Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. (IBC 114.3)

7-1-82 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to all fines, penalties, and sentencing of a petty offense, as such term is defined in the Unified Code of Corrections Act (see 730 ILCS 5/5-4.5-75).

Nothing contained in this Section shall prevent the county from taking any other lawful action that may be necessary to secure compliance with this Code.

Division - XV Stop Work Order

7-1-83 Authority. Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order. (IBC 115.1)

7-1-84 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume. (IBC 115.2)

7-1-85 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law. (IBC 115.3)

Division - XVI Unsafe Structures And Equipment

7-1-86 Conditions. Structures or existing equipment that are or hereafter become unsafe, in sanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe. (IBC 116.1)

7-1-87 Record. The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition. (IBC 116.2)

7-1-88 Notice. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order. (IBC 116.3)

7-1-89 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner. (IBC 116.4)

7-1-90 Restoration. The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section (IBC 105.2.2) 7-1-28(G) and Chapter 34. (IBC 116.5)

Division - XVII Building Code Amendments

7-1-91 Building Code; Amendments. The following provisions shall further apply and shall supersede any and all references listed within the adopted edition of the International Building Code – 2012 Edition.

A. Chapter 11 Accessibility Insert the following text. When there is a conflict between this Chapter and the Illinois Accessibility Code the stricter of the two shall apply.

B. Section 1612.3 Establishment of flood hazard areas amend to read the following. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for County of St. Clair," dated November 5, 2003 (study

#17163V000A), as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

C. Section 1805 Footings and Foundation all references to wood footings and foundation are deleted. The use of wood footings and foundation is prohibited.

D. Delete all and any reference to the ICC Electrical Code and insert the National Electric Code 2011 edition.

E. Delete all and any reference to the International Plumbing Code and add the following: The County Building Official shall require that the provisions of the current "Illinois Plumbing Code Law", 225 Illinois Compiled Statutes 320/1 et seq., as presently in force or as the same may be hereafter amended or modified and the same is hereby incorporated herein by reference and adopted as the standard for the purposes of this Chapter. Any conflicts concerning the provisions of these codes shall be determined by the strictest standard contained in the code provisions.

F. Section 2902 Plumbing Systems delete this section in its entirety and replace with Article X.

G. Section 3410.2 **Applicability** amended to read the following. Structures existing prior to 1978, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

H. Adopt Appendix F – Rodent proofing.

I. Adopt Appendix G – Flood-Resistant Construction

J. Adopt Appendix J – Grading.

Article - II Residential Code

Division - I General

7-2-1 Adoption of Residential Code. That a certain document, **one (1) copy** of which is on file in the office of the Zoning Administrator of St. Clair County, being marked and designated as "The International Residential Code, 2012" as published by the International Code Council be and is hereby adopted in part and as contained herein as the Residential Code of St. Clair County, Illinois, for the control of residential buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Residential Code, 2012, 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 herein.

7-2-2 RESERVED.

7-2-3 Title. These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of County of St. Clair, and shall be cited as such and will be referred to herein as this code. (IRC R101.1)

7-2-4 Scope. The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures. (IRC R101.2)

Exceptions:

1. Existing buildings undergoing repair, alteration or additions, and change of occupancy shall be permitted to comply with the County of St. Clair Property Maintenance Code Chapter 29.
2. Live/work units complying with the requirements of Section 419 of the International Building Code shall be permitted to be built as one- and two-family dwellings or townhouses. Fire suppression required by Section 419.5 of the International Building Code when constructed under the International Residential Code for One- and Two-family Dwellings shall conform to Section P2904.
3. Owner-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-family Dwellings when equipped with a fire sprinkler system in accordance with Section P2904.

7-2-5 Intent. The purpose of this code is to establish minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations. (IRC R101.3)

Division - II Applicability

7-2-6 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. (IRC R102.1)

7-2-7 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. (IRC R102.2)

7-2-8 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code. (IRC R102.3)

7-2-9 Referenced codes and standards. 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 and as further regulated in Sections 7-2-9(A) (IRC R102.4.1) and 7-2-9(B) (IRC R102.4.2). (IRC R102.4)

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturers instructions shall apply.

A. Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply. (IRC R102.4.1)

B. Provisions in referenced code and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provision in the referenced code or standard. (IRC R102.4.2)

7-2-10 Appendices. Provisions in the appendices shall not apply unless specifically referenced in the adopting ordinance. (IRC R102.5)

7-2-11 Partial invalidity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions. (IRC R102.6)

7-2-12 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the County of St. Clair Property Maintenance Code Chapter 29 or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public. (IRC R102.7)

A. Additions, alterations or repairs. Additions, alterations or repairs to any structure shall conform to that required for a new structure without requiring the existing structure to comply with all of the requirements of this code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building. (IRC R102.7.1)

7-2-13 Creation of enforcement agency. The department of building safety is hereby created and the official in charge thereof shall be known as the building official. (IRC R103.1)

7-2-14 Appointment. The building official shall be appointed by the chief appointing authority of the jurisdiction. (IRC R103.2)

7-2-15 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official. (IRC R103.3)

Division - III Duties And Powers Of The Building Official

7-2-16 General. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. (IRC R104.1)

7-2-17 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection and alteration of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code. (IRC R104.2)

7-2-18 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with this code. (IRC R104.3)

7-2-19 Inspections. The building official is authorized to make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority. (IRC R104.4)

7-2-20 Identification. The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code. (IRC R104.5)

7-2-21 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official or designee is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry. (IRC R104.6)

7-2-22 Department records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records. (IRC R104.7)

7-2-23 Liability. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code. (IRC R104.8)

7-2-24 Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval. (IRC R104.9)

A. Used materials and equipment. Used materials, equipment and devices shall not be reused unless approved by the building official. (IRC R104.9.1)

7-2-25 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety. (IRC R104.10)

A. Areas prone to flooding. The building official shall not grant modifications to any provision related to areas prone to flooding as established by Table IRC 301.2(1) without the granting of a variance to such provisions by the board of appeals. (IRC R104.10.1)

7-2-26 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code. Compliance with the specific performance-based provisions of the International Codes in lieu of specific requirements of this code shall also be permitted as an alternate. (IRC R104.11)

A. Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no

expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records. (IRC R104.11.1)

Division - IV Permits

7-2-27 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. (IRC R105.1)

7-2-28 Work exempt from permit. Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. (IRC R105.2)

A. Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m²).
2. Fences not over 7 feet (2134 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

B. Electrical:

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

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

C. Gas:

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

D. Mechanical:

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

E. Plumbing

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

F. Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official. (IRC R105.2.1)

G. Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety. (IRC R105.2.2)

H. Public service agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right. (IRC R105.2.3)

7-2-29 Application for permit. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. (IRC R105.3)

Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section (IRC R106.1) 7-2-35.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicants authorized agent.
7. Give such other data and information as required by the building official.

A. Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable. (IRC R105.3.1)

1. Substantially improved or substantially damaged existing buildings in areas prone to flooding. For applications for reconstruction, rehabilitation, addition, or other improvement of existing buildings or structures located in an area prone to flooding as established by Table (IRC R301.2(1), the building official shall examine or cause to be examined the construction documents and shall prepare a finding with regard to the value of the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its pre-damage condition. If the building official finds that the value of proposed work equals or exceeds 40 percent of the market value of the building or structure before the damage has occurred or the improvement is started, the finding shall be provided to the board of appeals for a determination of substantial improvement or substantial damage. Applications determined by the board of appeals to constitute substantial improvement or substantial damage shall meet the requirements of Section R322. (IRC R105.3.1.1)

2. Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. (IRC R105.3.2)

7-2-30 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction. (IRC R105.4)

7-2-31 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. (IRC R105.5)

7-2-32 Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code. (IRC R105.6)

7-2-33 Placement of permit. The building permit or copy thereof shall be kept on the site of the work until the completion of the project. (IRC R105.7)

7-2-34 Responsibility. It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, to comply with this code. (IRC R105.8)

7-2-35 Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. (IRC R105.9)

Division - V Construction Documents

7-2-36 Submittal documents. Submittal documents consisting of construction documents, and other data shall be submitted in two or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

A. Information on construction documents. Construction documents shall be drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. Where required by the building official, all braced wall lines, shall be identified on the construction documents and all pertinent information including, but not limited to, bracing methods, location and length of braced wall panels, foundation requirements of braced wall panels at top and bottom shall be provided. (IRC R106.1.1)

B. Manufacturer’s installation instructions. Manufacturer’s installation instructions, as required by this code, shall be available on the job site at the time of inspection. (IRC R106.1.2)

C. Information for construction in areas prone to flooding. For buildings and structures located in whole or in part in flood hazard areas as established by Table (IRC R301.2(1), construction documents shall include: (IRC R106.1.3)

1. Delineation of flood hazard areas, floodway boundaries, and flood zones, and the design flood elevation, as appropriate;
2. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade;
3. The elevation of the bottom of the lowest horizontal structural member in coastal high hazard areas (V Zone); and
4. If design flood elevations are not included on the communities Flood Insurance Rate Map (FIRM), the building official and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.

7-2-37 Site plan or plot plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alternation or repair or when otherwise warranted. (IRC R106.2)

7-2-38 Examination of documents. The building official shall examine or cause to be examined construction documents for code compliance. (IRC R106.3)

A. Approval of construction documents. When the building official issues a permit, the construction documents shall be approved in writing or by stamp which states "REVIEWED FOR CODE COMPLIANCE". One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his or her authorized representative. (IRC R106.3.1)

B. Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned. (IRC R106.3.2)

C. Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holders own risk with the building operation and without assurance that a permit for the entire structure will be granted. (IRC R106.3.3)

7-2-39 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. (IRC R106.4)

7-2-40 Retention of construction documents. One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. (IRC R106.5)

Division - VI Temporary Structures And Uses

7-2-41 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause. (IRC R107.1)

7-2-42 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare. (IRC R107.2)

7-2-43 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the National Electrical Code NFPA 70/2011. (IRC R107.3)

7-2-44 Termination of approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued. (IRC R107.4)

Division - VII Fees

7-2-45 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid. (IRC R108.1)

7-2-46 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by **St Clair County Ordinance No 13-1087;11-25-13**). (IRC R108.2)

7-2-47 Building permit valuations. Building permit valuation shall include total value of the work for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment and other permanent systems, including materials and labor. (IRC R108.3)

7-2-48 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law. (IRC R108.4)

7-2-49 Refunds. The building official is authorized to establish a refund policy. (IRC R108.5)

7-2-50 Work commencing before permit issuance. Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the applicable governing authority that shall be in addition to the required permit fees. (IRC R108.6)

Division - VIII Inspections

7-2-51 Types of inspections. For onsite construction, from time to time the building official, upon notification from the permit holder or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with this code. (IRC R109.1)

A. Foundation inspection. Inspection of the foundation shall be made after poles or piers are set or trenches or basement areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations. (IRC R109.1.1)

B. Plumbing, mechanical, gas and electrical systems inspection. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection. (IRC R109.1.2)

Exception: Backfilling of ground-source heat pump loop systems tested in accordance with Section M2105.1 prior to inspection shall be permitted.

C. Floodplain inspections. For construction in flood hazard areas as established by Table (IRC R301.2(1) 7-2-70(A), upon placement of the lowest floor, including basement, and prior to further vertical construction, the building official shall require submission of documentation, prepared and sealed by a registered design professional, of the elevation of the lowest floor, including basement, required in Section R322. (IRC R109.1.3)

D. Frame and masonry inspection. Inspection of framing and masonry construction shall be made after the roof, masonry, all framing, fire stopping, draft stopping and bracing are in place and after the plumbing, mechanical and electrical rough inspections are approved. (IRC R109.1.4)

E. Other inspections. In addition to the called inspections above, the building official may make or require any other inspections to ascertain compliance with this code and other laws enforced by the building official. (IRC R109.1.5)

1. Fire-resistance-rated construction inspection. Where fire-resistance-rated construction is required between dwelling units or due to location on property, the building official shall require an inspection of such construction after all lathing and/or wallboard is in place, but before any plaster is applied, or before wallboard joints and fasteners are taped and finished. (IRC R109.1.5.1)

F. Final inspection. Final inspection shall be made after the permitted work is complete and prior to occupancy. (IRC R109.1.6)

1. Elevation documentation. If located in a flood hazard area, the documentation of elevations required in Section R322.1.10 shall be submitted to the building official prior to the final inspection. (IRC R109.1.6.1)

7-2-52 Inspection agencies. The building official is authorized to accept reports of approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability. (IRC R109.2)

7-2-53 Inspection requests. It shall be the duty of the permit holder or their agent to notify the building official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work. (IRC R109.3)

7-2-54 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. (IRC R109.4)

Division - IX Certificate Of Occupancy

7-2-55 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. (IRC R110.1)

Exception:

1. Certificates of occupancy are not required for work exempt from permits under Section (IRC R105.2) 7-2-28.
2. Accessory buildings or structures.

7-2-56 Change in use. Changes in the character or use of an existing structure shall not be made except as specified in Sections 3405 and 3406 of the International Building Code. (IRC R110.2)

7-2-57 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy which shall contain the following: (IRC R110.3)

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. If an automatic sprinkler system is provided and whether the sprinkler system is required.

9. Any special stipulations and conditions of the building permit.

7-2-58 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid. (IRC R110.4)

7-2-59 Revocation. The building official shall, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code. (IRC R110.5)

Division - X Service Utilities

7-2-60 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until approved by the building official. (IRC R111.1)

7-2-61 Temporary connection. The building official shall have the authority to authorize and approve the temporary connection of the building or system to the utility source of energy, fuel or power. (IRC R111.2)

7-2-62 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section (IRC R102.4) 7-2-9 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section (IRC R111.1) 7-2-60 or (IRC R111.2) 7-2-59. The building official shall notify the serving utility and whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action if not notified prior to disconnection. The owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter. (IRC R111.3)

Division - XI Board Of Appeals

7-2-63 Board of Appeals. See Article I Division XIII Board of Appeals Section 7-1-71 thru 7-1-78.

Division - XII Violations

7-2-64 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. (IRC R113.1)

7-2-65 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved there under, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct

the discontinuance of the illegal action or condition and the abatement of the violation. (IRC R113.2)

7-2-66 Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto. (IRC R113.3)

7-2-67 Violation penalties. See Article I, Division XIV, Section 7-1-82.

Division – XIII Stop Work Order

7-2-68 Notice to owner. Upon notice from the building official that work on any building or structure is being prosecuted contrary to the provisions of this code or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owners agent, or to the person doing the work; and shall state the conditions under which work will be permitted to resume. (IRC R114.1)

7-2-69 Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law. (IRC R114.2)

7-2-70 Climatic and Geographic Design Criteria.

7-2-70(A) (IRC Table R301.2(1))

GROUND SNOW LOAD	WIND DESIGN		SESMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^g	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^e		Weathering ^a	Frost line depth ^b	Termite ^c					
20 # S.F.	90	None	C	Severe	32"	Mod. to heavy	0°F – 10°F	No R905.2.7.1	See Footnote	<1000	0° F

Flood Hazard Design Criteria are in accordance with St Clair County Code of Ordinances Chapter 13 *Flood Plain Code*.

Division – XVII Carbon Monoxide Detectors

7-2-71 Carbon monoxide detectors. Effective Date January 1, 2007 all dwelling shall be in compliance with the following:

A. Definitions.

1. "Approved carbon monoxide alarm" or "alarm" means a carbon monoxide alarm that complies with all the requirements of the rules and regulations of the Illinois State Fire Marshal, bears the label of a nationally recognized testing laboratory, and complies with the most recent standards of the Underwriters Laboratories or the Canadian Standard Association.

2. "Dwelling unit" means a room or suite of rooms used for human habitation, and includes a single family residence as well as each living unit of a multiple family residence and each living unit in a mixed use building.

B. Carbon monoxide detector.

1. Every dwelling unit shall be equipped with at least one approved carbon monoxide alarm in an operating condition within 15 feet of every room used for sleeping purposes. The carbon monoxide alarm may be combined with smoke detecting devices provided that the combined unit complies with respective provisions of the administrative code, reference standards, and departmental rules relating to both smoke detecting devices and carbon monoxide alarms and provided that the combined unit emits an alarm in a manner that clearly differentiates the hazard.

2. Every structure that contains more than one dwelling unit shall contain at least one approved carbon monoxide alarm in operating condition within 15 feet of every room used for sleeping purposes.

3. It is the responsibility of the owner of a structure to supply and install all required alarms. It is the responsibility of a tenant to test and to provide general maintenance for the alarms within the tenant's dwelling unit or rooming unit, and to notify the owner or the authorized agent of the owner in writing of any deficiencies that the tenant cannot correct. The owner is responsible for providing one tenant per dwelling unit with written information regarding alarm testing and maintenance. The tenant is responsible for replacement of any required batteries in the carbon monoxide alarms in the tenant's dwelling unit, except that the owner shall ensure that the batteries are in operating condition at the time the tenant takes possession of the dwelling unit. The tenant shall provide the owner or the authorized agent of the owner with access to the dwelling unit to correct any deficiencies in the carbon monoxide alarm that have been reported in writing to the owner or the authorized agent of the owner.

4. The carbon monoxide alarms required under this Act may be either battery powered, plug-in with battery back-up, or wired into the structure's AC power line with secondary battery back-up.

5. New construction carbon monoxide alarms required to be interconnected to the smoke detector and be both 110 volt and battery backup.

C. Violation.

1. Willful failure to install or maintain in operating condition any carbon monoxide alarm required by this Act is a Class B misdemeanor.

2. Tampering with, removing, destroying, disconnecting, or removing the batteries from any installed carbon monoxide alarm, except in the course of inspection, maintenance, or replacement of the alarm, is a Class A misdemeanor in the case of a first conviction and a Class 4 felony in the case of a second or subsequent conviction.

D. Exemptions.

1. A residential unit in a building that: (i) does not rely on combustion of fossil fuel for heat, ventilation, or hot water; (ii) is not connected in any way to a garage; and (iii) is not sufficiently close to any ventilated source of carbon monoxide, as determined by the local building commissioner, to receive carbon monoxide from that source.

2. A residential unit that is not sufficiently close to any source of carbon monoxide so as to be at risk of receiving carbon monoxide from that source, as determined by local building commissioner.

Division - XVIII Residential Code Amendments

7-2-72 Residential Code; Amendments. The following provisions shall further apply and shall supersede any and all references listed within the adopted edition of the International Residential Code – 2012 Edition.

A. Delete all and any reference to the ICC Electrical Code and insert the National Electric Code 2011 edition.

B. Delete all and any reference to the International Plumbing Code and add the following: The County Building Official shall require that the revisions of the current "Illinois Plumbing Code Law", 225 Illinois Compiled Statutes 320/1 et seq., as presently in force or as the same may be hereafter amended or modified and the same is hereby incorporated herein by reference and adopted as the standard for the purposes of this Chapter. Any conflicts concerning the provisions of these codes shall be determined by the strictest standard contained in the code provisions.

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

D. Delete all and any reference to wood footings and foundation are deleted. The use of wood footings and foundations is prohibited.

E. Adopt Appendix G Swimming Pools, Spas and Hot Tubs

F. Adopt Appendix H Patio Covers.

Mechanical Code

Division - XIX General

7-3-1 Adoption of Mechanical Code. That a certain document, **one (1) copy** of which is on file in the office of the Zoning Administrator of St. Clair County, being marked and designated as "The International Mechanical Code, 2012" as published by the International Code Council be and is hereby adopted in part and as contained herein as the Mechanical Code of St. Clair County, Illinois, for the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings;; and each and all of the regulations, provisions, penalties, conditions and terms of said International Mechanical Code, 2012, 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 herein.

7-3-2 RESERVED.

7-3-3 Title. These regulations shall be known as the Mechanical Code of St. Clair County, here in after referred to as "this code." (IMC 101.1)

7-3-4 Scope. This code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code. (IMC 101.2)

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories high with separate means of egress and their accessory structures shall comply with Article II of this Chapter.
2. Mechanical systems in existing buildings undergoing repair, alterations, or additions, and change of occupancy shall be permitted to comply with the County of St. Clair Property Maintenance Code Chapter 29.

A. Appendices. Provisions in the appendices shall not apply unless specifically adopted. (IMC 101.2.1)

7-3-5 Intent. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of mechanical systems. (IMC 101.3)

7-3-6 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code. (IMC 101.4)

Division - XX Applicability

7-3-7 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. (IMC 102.1)

7-3-8 Existing installations. Except as otherwise provided for in this chapter, a provision in this code shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, a mechanical system lawfully in existence at the time of the adoption of this code. (IMC 102.2)

7-3-9 Maintenance. Mechanical systems, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in compliance with the code edition under which they were installed. The owner or the owner's designated agent shall be responsible for maintenance of mechanical systems. To determine compliance with this provision, the code official shall have the authority to require a mechanical system to be re-inspected. The inspection for maintenance of HVAC systems shall be done in accordance with ASHRAE/ACCA/ANSI Standard 180. (IMC 102.3)

7-3-10 Additions, alterations or repairs. Additions, alterations, renovations or repairs to a mechanical system shall conform to that required for a new mechanical system without requiring the existing mechanical system to comply with all of the requirements of this code. Additions, alterations or repairs shall not cause an existing mechanical system to become unsafe, hazardous or overloaded. Minor additions, alterations, renovations and repairs to existing mechanical systems shall meet the provisions for new construction, unless such work is done in the same manner and arrangement as was in the existing system, is not hazardous and is approved. (IMC 102.4)

7-3-11 Change in occupancy. It shall be unlawful to make a change in the occupancy of any structure which will subject the structure to any special provision of this code applicable to the new occupancy without approval. The code official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare. (IMC 102.5)

7-3-12 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction 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 regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of buildings. (IMC 102.6)

7-3-13 Moved buildings. Except as determined by Section (IMC 102.2) 7-3-8, mechanical systems that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations. (IMC 102.7)

7-3-14 Referenced codes and standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 7-3-14(A) (IMC 102.8.1) and 7-3-14(B) (IMC 102.8.2). (IMC 102.8)

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and the manufacturer's installation instructions shall apply.

A. Conflicts. Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply. (IMC 102.8.1)

B. Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provision in the referenced code or standard. (IMC 102.8.2)

7-3-15 Requirements not covered by this code. Requirements necessary for the strength, stability or proper operation of an existing or proposed mechanical system, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official. (IMC 102.9)

7-3-16 Other laws. The provisions of this code shall not be deemed to nullify any provision of local, state or federal law. (IMC 102.10)

7-3-17 Application of references. References to chapter section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code. (IMC 102.11)

Division - XXI Department Of Mechanical Inspection

7-3-18 General. The department of mechanical inspection is hereby created and the executive official in charge thereof shall be known as the code official. (IMC 103.1)

7-3-19 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction. (IMC 103.2)

7-3-20 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official. (IMC 103.3)

7-3-21 Liability. The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, 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 or by reason of an act or omission in the discharge of official duties. (IMC 103.4)

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

Division - XXII Duties And Powers Of The Code Official

7-3-22 General. The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provision. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. (IMC 104.1)

7-3-23 Applications and permits. The code official shall receive applications, review construction documents and issue permits for the installation and alteration of mechanical systems, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code. (IMC 104.2)

7-3-24 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority. (IMC 104.3)

7-3-25 Right of entry. Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code which make the building or premises unsafe, insanitary, dangerous or hazardous, the code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the code official by this code. If such building or premises is occupied, the code official shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the code official has recourse to every remedy provided by law to secure entry. (IMC 104.4)

When the code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the code official for the purpose of inspection and examination pursuant to this code.

7-3-26 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code. (IMC 104.5)

7-3-27 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code. (IMC 104.6)

7-3-28 Department records. The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records. (IMC 104.7)

Division - XXIII APPROVAL

7-3-29 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases upon application of the owner or owner's representative, provided that the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the mechanical inspection department. (IMC 105.1)

7-3-30 Alternative materials, methods, equipment and appliances. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. (IMC 105.2)

A. Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources. (IMC 105.2.1)

7-3-31 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. (IMC 105.3)

A. Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures. (IMC 105.3.1)

B. Testing agency. All tests shall be performed by an approved agency. (IMC 105.3.2)

C. Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records. (IMC 105.3.3)

7-3-32 Approved materials and equipment. Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval. (IMC 105.4)

7-3-33 Material, equipment and appliance reuse. Materials, equipment, appliances and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition and approved. (IMC 105.5)

Division - XXIV Permits

7-3-34 When required. An owner, authorized agent or contractor who desires to erect, install, enlarge, alter, repair, remove, convert or replace a mechanical system, the installation of which is regulated by this code, or to cause such work to be done, shall first make application to the code official and obtain the required permit for the work. (IMC 106.1)

Exception: Where equipment and appliance replacements or repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day of the department of mechanical inspection.

7-3-35 Permits not required. Permits shall not be required for the following: (IMC 106.2)

- A.** Portable heating appliances;
- B.** Portable ventilation appliances and equipment;
- C.** Portable cooling units;
- D.** Steam, hot water or chilled water piping within any heating or cooling equipment or appliances regulated by this code;
- E.** The replacement of any minor part that does not alter the approval of equipment or an appliance or make such equipment or appliance unsafe;
- F.** Portable evaporative coolers;
- G.** Self-contained refrigeration systems that contain 10 pounds (4.5 kg) or less of refrigerant, or that are actuated by motors of 1 horse power (0.75 kW) or less; and
- H.** Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of this code or other laws or ordinances of this jurisdiction.

7-3-36 Application for permit. Each application for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or an authorized agent. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the code official. (IMC 106.3)

A. Construction documents. Construction documents, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law. Where special conditions exist, the code official is authorized to require additional construction documents to be prepared by a registered design professional. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of

the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for mechanical systems, and the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking. (IMC 106.3.1)

Exception: The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that reviewing of construction documents is not necessary to determine compliance with this code.

B. Preliminary inspection. Before a permit is issued, the code official is authorized to inspect and evaluate the systems, equipment, building, devices, premises and spaced or areas to be used. (IMC 106.3.2)

C. Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official shall have the authority to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. (IMC 106.3.3)

7-3-37 Permit issuance. The application, construction documents and other data filed by an applicant for a permit shall be reviewed by the code official. If the code official finds that the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, and that the fees specified in Section (IMC 106.5) 7-3-38 have been paid, a permit shall be issued to the applicant. (IMC 106.4)

A. Approved construction documents. When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "APPROVED." Such approved construction documents shall not be changed, modified or altered without authorization from the code official. Work shall be done in accordance with the approved construction documents. (IMC 106.4.1)

The code official shall have the authority to issue a permit for the construction of part of a mechanical system before the construction documents for the entire system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire mechanical system will be granted.

B. Validity. The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of other ordinances of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of this code shall be in valid.

The issuance of a permit based upon construction documents and other data shall not prevent the code official from thereafter requiring the correction of errors in said construction documents and other data or from preventing building operations from being carried on thereunder when in violation of this code or of other ordinances of this jurisdiction. (IMC 106.4.2)

C. Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work recommences, a new permit shall be first obtained and the fee, therefore, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. (IMC 106.4.3)

D. Extensions. A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. A permit shall not be extended more than once. The fee for an extension shall be one-half the amount required for a new permit for such work. (IMC 106.4.4)

E. Suspension or revocation of permit. The code official shall have the authority to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code. (IMC 106.4.5)

F. Retention of construction documents. One set of approved construction documents shall be retained by the code official for a period of not less than 180 days from the date of completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or job at all times during which the work authorized thereby is in progress. (IMC 106.4.6)

G. Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned. (IMC 106.4.7)

H. Posting of permit. The permit or a copy shall be kept on the site of work until the completion of the project. (IMC 106.4.8)

Division - XXV Fees

7-3-38 Fees. A permit shall not be issued until the fees prescribed in Section (IMC 106.5.2) 7-3-37(B) have been paid, nor shall an amendment to a permit be released until the additional fee, if any, due to an increase of the mechanical system, has been paid. (IMC 106.5)

A. Work commencing before permit issuance. Any person who commences work on a mechanical system before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee in addition to the required permit fees. (IMC 106.5.1)

B. Fee schedule. See Article I Division IX.

C. Fee refunds. See Article I Division IX Section 7-1-57.

D. Returned Check. Any returned check will be an additional fee of \$25.00.

Division - XXVI Inspections And Testing

7-3-39 General. The code official is authorized to conduct such inspections as are deemed necessary to determine compliance with the provisions of this code. Construction or work for which a permit is required shall be subject to inspection by the code official, and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. (IMC 107.1)

7-3-40 Required inspections and testing. The code official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and other such inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or the permit holder's agent of violations that must be corrected. The holder of the permit shall be responsible for the scheduling of such inspections. (IMC 107.2)

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping installed, and before backfill is put in place. When excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the piping or cause corrosive action, clean back fill shall be on the job site.

2. Rough-in inspection shall be made after the roof, framing, fireblocking and bracing are in place and all ducting and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes.

3. Final inspection shall be made upon completion of the mechanical system.

Exception: Ground-source heat pump loop systems tested in accordance with Section 1208.1.1 shall be permitted to be back filled prior to inspection.

The requirements of this section shall not be considered to prohibit the operation of any heating equipment or appliances installed to replace existing heating equipment or appliances serving an occupied portion of a structure provided that a request for inspection of such heating equipment or appliances has been filed with the department not more than 48 hours after such replacement work is completed, and before any portion of such equipment or appliances is concealed by any permanent portion of the structure.

A. Other inspections. In addition to the inspections specified above, the code official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced. (IMC 107.2.1)

B. Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspection of such work that are required by this code. (IMC 107.2.2)

C. Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspection and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the code official. (IMC 107.2.3)

D. Approved inspection agencies. The code official shall accept reports of approved agencies, provided that such agencies satisfy the requirements as to qualifications and reliability. (IMC 107.2.4)

E. Evaluation and follow-up inspection services. Prior to the approval of a prefabricated construction assembly having concealed mechanical work and the issuance of a mechanical permit, the code official shall require the submittal of an evaluation report on each prefabricated construction assembly, indicating the complete details of the mechanical system, including a description of the system and its components, the basis upon which the system is being evaluated, test results and similar information, and other data as necessary for the code official to determine conformance to this code. (IMC 107.2.5)

1. Evaluation service. The code official shall designate the evaluation service of an approved agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code. (IMC 107.2.5.1)

2. Follow-up inspection. Except where ready access is provided to mechanical systems, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the code official shall conduct the in plant inspections as frequently as necessary to ensure conformance to the approved evaluation report or shall designate an independent, approved inspection agency to conduct such inspections. The inspection agency shall furnish the code official with the follow-up inspection manual and a report of inspections upon request, and the mechanical system shall have an identifying label permanently affixed to the system indicating that factory inspections have been performed. (IMC 107.2.5.2)

3. Test and inspection records. Required test and inspection records shall be available to the code official at all times during the fabrication of the mechanical system and the erection of the building; or such records as the code official designates shall be filed. (IMC 107.2.5.3)

7-3-41 Testing. Mechanical systems shall be tested as required in this code and in accordance with Sections (IMC 107.3.1 through 107.3.2) 7-3-40(A) thru 7-3-40(C). Tests shall be made by the permit holder and observed by the code official. (IMC 107.3)

A. New, altered, extended or repaired systems. New mechanical systems and parts of existing systems, which have been altered, extended, renovated or repaired, shall be tested as prescribed herein to disclose leaks and defects. (IMC 107.3.1)

B. Apparatus, material and labor for tests. Apparatus, material and labor required for testing a mechanical system or part thereof shall be furnished by the permit holder. (IMC 107.3.2)

C. Re inspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for inspection and testing. (IMC 107.3.3)

7-3-42 Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official. (IMC 107.4)

A. Revocation. The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code. (IMC 107.4.1)

7-3-43 Temporary connection. The code official shall have the authority to authorize the temporary connection of a mechanical system to the sources of energy for the purpose of testing mechanical systems or for use under a temporary certificate of occupancy. (IMC 107.5)

7-3-44 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until authorized by the code official. (IMC 107.6)

Division - XXVII Violations

7-3-45 Unlawful acts. It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a mechanical system, or cause same to be done, in conflict with or in violation of any of the provisions of this code. (IMC 108.1)

7-3-46 Notice of violation. The code official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of mechanical work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. (IMC 108.2)

7-3-47 Prosecution of violation. If the notice of violation is not complied with promptly, the code official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. (IMC 108.3)

7-3-48 Violation penalties. See Article I, Division XIV, Section 7-1-82.

Division - XXVIII Stop Work Orders

7-3-49 Stop work orders. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the

conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to those fines and penalties as provided for in Article I, Division XIV, Section 7-1-82.

7-3-50 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the mechanical system on or about any premises. (IMC 108.6)

7-3-51 Unsafe mechanical systems. A mechanical system that is unsafe, constitutes a fire or health hazard, or is otherwise dangerous to human life, as regulated by this code, is hereby declared as an unsafe mechanical system. Use of a mechanical system regulated by this code constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe equipment and appliances are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal. (IMC 108.7)

A. Authority to condemn mechanical systems. Whenever the code official determines that any mechanical system, or portion thereof, regulated by this code has become hazardous to life, health, property, or has become insanitary, the code official shall order in writing that such system either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective mechanical system after receiving such notice. (IMC 108.7.1)

When such mechanical system is to be disconnected, written notice as prescribed in Section (IMC 108.2) 7-3-42 shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

B. Authority to order disconnection of energy sources. The code official shall have the authority to order disconnection of energy sources supplied to a building, structure or mechanical system regulated by this code, when it is determined that the mechanical system or any portion thereof has become hazardous or unsafe. Written notice of such order to disconnect service and the causes therefor shall be given within 24 hours to the owner and occupant of such building, structure or premises, provided, however, that in cases of immediate danger to life or property, such disconnection shall be made immediately without such notice. Where energy sources are provided by a public utility, the code official shall immediately notify the serving utility in writing of the issuance of such order to disconnect. (IMC 108.7.2)

C. Connection after order to disconnect. A person shall not make energy source connections to mechanical systems regulated by this code which have been disconnected or ordered to be disconnected by the code official, or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such mechanical systems. (IMC 108.7.3)

When a mechanical system is maintained in violation of this code, and in violation of a notice issued pursuant to the provisions of this section, the code official shall institute appropriate action to prevent, restrain, correct or abate the violation.

Division - XXIX Means Of Appeal

7-3-52 Means of Appeal See Article I Division XIII Board of Appeals Section 7-1-71 thru 7-1-78.

Division - XXX Mechanical Code Amendments

7-3-53 Mechanical Code; Amendments. The following provisions shall further apply and shall supersede any and all references listed within the adopted edition of the International Mechanical Code – 2012 Edition.

A. Delete all and any reference to the ICC Electrical Code and insert the National Electric Code 2011 edition.

B. Delete all and any reference to the International Plumbing Code and add the following: The County Building Official shall require that the provisions of the current "Illinois Plumbing Code Law", 225 Illinois Compiled Statutes 320/1 et seq., as presently in force or as the same may be hereafter amended or modified and the same is hereby incorporated herein by reference and adopted as the standard for the purposes of this Chapter. Any conflicts concerning the provisions of these codes shall be determined by the strictest standard contained in the code provisions.

Article - III Fuel Gas Code

Division - I General

7-4-1 Adoption of Fuel Gas Code. That a certain document, **one (1) copy** of which is on file in the office of the Zoning Administrator of St. Clair County, being marked and designated as "The International Fuel Gas Code, 2012" as published by the International Code Council be and is hereby adopted in part and as contained herein as the Fuel Gas Code of St. Clair County, Illinois, for the control of the installation of fuel-gas piping systems, fuel gas appliances, gaseous hydrogen systems and related accessories; and each and all of the regulations, provisions, penalties, conditions and terms of said International Fuel Gas Code, 2012, 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 herein.

7-4-2 RESERVED.

7-4-3 Title. These regulations shall be known as the Fuel Gas Code of St. Clair County, here in after referred to as "this code." (IFGC 101.1)

7-4-4 Scope. This code shall apply to the installation of fuel-gas piping systems, fuel-gas appliances, gaseous hydrogen systems and related accessories in accordance with Sections (IFGC 101.2.1) 7-4-4(A) through (IFGC 101.2.5) 7-4-4(E). (IFGC 101.2)

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with Article II of this Chapter.
2. As an alternative to the provisions of this code, fuel-gas piping systems, fuel-gas utilization equipment and related accessories in existing buildings that are undergoing repairs, alterations, changes in occupancy or construction of additions shall be permitted to comply with the provisions of the County of St. Clair Property Maintenance Code Chapter 29.

A. Gaseous hydrogen systems. Gaseous hydrogen systems shall be regulated by Chapter 7. (IFGC 101.2.1)

B. Piping systems. These regulations cover piping systems for natural gas with an operating pressure of 125 pounds per square inch gauge (psig) (862 kPa gauge) or less, and for LP-gas with an operating pressure of 20 psig (140 kPa gauge) or less, except as provided in Section 402.6.. Coverage shall extend from the point of delivery to the outlet of the appliance shut off valves. Piping systems requirements shall include design, materials, components, fabrication, assembly, installation, testing, inspection, operation and maintenance. (IFGC 101.2.2)

C. Gas utilization equipment. Requirements for gas appliances and related accessories shall include installation, combustion and ventilation air and venting and connections to piping systems. (IFGC 101.2.3)

D. Systems and equipment outside the scope. This code shall not apply to the following: (IFGC 101.2.4)

1. Portable LP-gas appliances and equipment of all types that is not connected to a fixed fuel piping system.
2. Installation of farm equipment such as brooders, dehydrators, dryers and irrigation equipment.
3. Raw material (feedstock) applications except for piping to special atmosphere generators.
4. Oxygen-fuel gas cutting and welding systems.
5. Industrial gas applications using gases such as acetylene and acetylenic compounds, hydrogen, ammonia, carbon monoxide, oxygen and nitrogen.
6. Petroleum refineries, pipeline compressor or pumping stations, loading terminals, compounding plants, refinery tank farms and natural gas processing plants.
7. Integrated chemical plants or portions of such plants where flammable or combustible liquids or gases are produced by, or used in, chemical reactions.
8. LP-gas installations at utility gas plants.
9. Liquefied natural gas (LNG) installations.
10. Fuel gas piping in power and atomic energy plants.
11. Proprietary items of equipment, apparatus or instruments such as gas-generating sets, compressors and calorimeters.
12. LP-gas equipment for vaporization, gas mixing and gas manufacturing.
13. Temporary LP-gas piping for buildings under construction or renovation that is not to be come part of the permanent piping system.
14. Installation of LP-gas systems for railroad switch heating.
15. Installation of hydrogen gas, LP-gas and compressed natural gas (CNG) systems on vehicles.
16. Except as provided in Section 401.1.1, gas piping, meters, gas pressure regulators and other appurtenances used by the serving gas supplier in the distribution of gas, other than undiluted LP-gas.
17. Building design and construction, except as specified herein.
18. Piping systems for mixtures of gas and air within the flammable range with an operating pressure greater than 10 psig (69 kPa gauge).
19. Portable fuel cell appliances that are neither connected to a fixed piping system nor interconnected to a power grid.

E. Other fuels. The requirements for the design, installation, maintenance, alteration and inspection of mechanical systems operating with fuels other than fuel gas shall be regulated by the International Mechanical Code. (IFGC 101.2.5)

7-4-5 Appendices. Provisions in the appendices shall not apply unless specifically adopted. (IFGC 101.3)

7-4-6 Intent. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas systems. (IFGC 101.4)

7-4-7 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code. (IFGC 101.5)

Division - II Applicability

7-4-8 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. (IFGC 102.1)

7-4-9 Existing installations. Except as otherwise provided for in this chapter, a provision in this code shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, existing installations lawfully in existence at the time of the adoption of this code. (IFGC 102.2)

A. Existing buildings. Additions, alterations, renovations or repairs related to building or structural issues shall be regulated by the International Building Code. (IFGC 102.2.1)

7-4-10 Maintenance. Installations, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe condition. Devices or safeguards which are required by this code shall be maintained in compliance with the code edition under which they were installed. The owner or the owner's designated agent shall be responsible for maintenance of installations. To determine compliance with this provision, the code official shall have the authority to require an installation to be re-inspected. (IFGC 102.3)

7-4-11 Additions, alterations or repairs. Additions, alterations, renovations or repairs to installations shall conform to that required for new installations without requiring the existing installation to comply with all of the requirements of this code. Additions, alterations or repairs shall not cause an existing installation to become unsafe, hazardous or overloaded.

Minor additions, alterations, renovations and repairs to existing installations shall meet the provisions for new construction, unless such work is done in the same manner and arrangement as was in the existing system, is not hazardous and is approved. (IFGC 102.4)

7-4-12 Change in occupancy. It shall be unlawful to make a change in the occupancy of a structure which will subject the structure to the special provisions of this code applicable to the new occupancy without approval. The code official shall certify that such structure meets the

intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare. (IFGC [EB] 102.5)

7-4-13 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction 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 regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of buildings. (IFGC [EB] 102.6)

7-4-14 Moved buildings. Except as determined by Section IFGC [EB] 102.2) 7-4-9, installations that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations. (IFGC 102.7)

7-4-15 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 7-4-15(A) (IFGC 102.8.1) and 7-4-15(B) (IFGC 102.8.2). (IFGC 102.8)

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and the manufacturer's installation instructions shall apply.

A. Conflicts. Where conflicts occur between the provisions of this code and the referenced standards, the provisions of this code shall apply. (IFGC 102.8.1)

B. Provisions in referenced codes and standards. Where the extent of the referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

7-4-16 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing or proposed installation, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official. (IFGC 102.9)

7-4-17 Other laws. The provisions of this code shall not be deemed to nullify any provision of local, state or federal law. (IFGC 102.10)

7-4-18 Application of references. Reference to chapter section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code. (IFGC 102.11)

Division - III Department Of Inspection

7-4-19 General. The Department of Inspection is hereby created and the executive official in charge thereof shall be known as the code official. (IFGC 103.1)

7-4-20 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction. (IFGC 103.2)

7-4-21 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official. (IFGC 103.3)

7-4-22 Liability. The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, 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. (IFGC 103.4)

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

Division - IV Duties And Powers Of The Code Official

7-4-23 General. The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided in this code. (IFGC 104.1)

7-4-24 Applications and permits. The code official shall receive applications, review construction documents and issue permits for installations and alterations of fuel gas systems, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code. (IFGC 104.2)

7-4-25 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and shall be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority. (IFGC 104.3)

7-4-26 Right of entry. Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the code official by this code. If such building or premises is occupied, the code official shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having

charge or control of the building or premises and request entry. If entry is refused, the code official has recourse to every remedy provided by law to secure entry. (IFGC 104.4)

When the code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the code official for the purpose of inspection and examination pursuant to this code.

7-4-27 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code. (IFGC 104.5)

7-4-28 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code. (IFGC 104.6)

7-4-29 Department records. The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records. (IFGC 104.7)

Division - V Approval

7-4-30 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided that the code official shall first find that special individual reason makes the strict letter of this code impractical and that such modification is in compliance with the intent and purpose of this code and does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the Department of Inspection. (IFGC 105.1)

7-4-31 Alternative materials, methods, appliances and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. (IFGC 105.2)

A. Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources. (IFGC 105.2.1)

7-4-32 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. (IFGC 105.3)

A. Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures. (IFGC 105.3.1)

B. Testing agency. All tests shall be performed by an approved agency. (IFGC 105.3.2)

C. Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records. (IFGC 105.3.3)

7-4-33 Used materials, appliances and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used appliances, equipment and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition, and approved by the code official. (IFGC 105.4)

7-4-34 Approved materials and equipment. Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval. (IFGC 105.5)

Division - VI Permits

7-4-35 When required. An owner, authorized agent or contractor who desires to erect, install, enlarge, alter, repair, remove, convert or replace an installation regulated by this code, or to cause such work to be done, shall first make application to the code official and obtain the required permit for the work. (IFGC 106.1)

Exception: Where appliance and equipment replacements and repairs are required to be performed in an emergency situation, the permit application shall be submitted within the next working business day of the Department of Inspection.

7-4-36 Permits not required. Permits shall not be required for the following: (IFGC 106.2)

A. Any portable heating appliance.

B. Replacement of any minor component of appliance or equipment that does not alter approval of such appliance or equipment or make such appliance or equipment unsafe.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of this code or of other laws or ordinances of this jurisdiction.

7-4-37 Application for permit. Each application for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or an authorized agent. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the code official. (IFGC 106.3)

A. Construction documents. Construction documents, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be

prepared and designed by a registered design professional when required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. (IFGC 106.3.1)

Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for installations and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

Exception: The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that reviewing of construction documents is not necessary to determine compliance with this code.

B. Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official shall have the authority to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. (IFGC 106.3.2)

7-4-38 Preliminary inspection. Before a permit is issued, the code official is authorized to inspect and evaluate the systems, equipment, buildings, devices, premises and spaces or areas to be used. (IFGC 106.4)

7-4-39 Permit issuance. The application, construction documents and other data filed by an applicant for a permit shall be reviewed by the code official. If the code official finds that the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, and that the fees specified in Section (IFGC 106.6) 7-4-40 have been paid, a permit shall be issued to the applicant. (IFGC 106.5)

A. Approved construction documents. When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "APPROVED." Such approved construction documents shall not be changed, modified or altered without authorization from the code official. Work shall be done in accordance with the approved construction documents. (IFGC 106.5.1)

The code official shall have the authority to issue a permit for the construction of part of an installation before the construction documents for the entire installation have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire installation will be granted.

B. Validity. The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of other ordinances of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of this code shall be invalid. (IFGC 106.5.2)

The issuance of a permit based upon construction documents and other data shall not prevent the code official from thereafter requiring the correction of errors in said construction

documents and other data or from preventing building operations from being carried on thereunder when in violation of this code or of other ordinances of this jurisdiction.

C. Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work recommences, a new permit shall be first obtained and the fee, therefor, shall be one-half the amount required for a new permit for such work, provided no changes have been or will be made in the original construction documents for such work, and further that such suspension or abandonment has not exceeded one year. (IFGC 106.5.3)

D. Extensions. A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which he or she will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. A permit shall not be extended more than once. The fee for an extension shall be one-half the amount required for a new permit for such work. (IFGC 106.5.4)

E. Suspension or revocation of permit. The code official shall have the authority to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any provision of this code. (IFGC 106.5.5)

F. Retention of construction documents. One set of approved construction documents shall be retained by the code official for a period of not less than 180 days from the date of completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress. (IFGC 106.5.6)

Division - VII Fees

7-4-40 Fees. A permit shall not be issued until the fees prescribed in Section (IFGC 106.6.2) 7-4-40(B) have been paid, nor shall an amendment to a permit be released until the additional fee, if any, due to an increase of the installation, has been paid. (IFGC 106.6)

A. Work commencing before permit issuance. Any person who commences work on an installation before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee in addition to the required permit fees. (IFGC 106.6.1)

B. Fee schedule. See Article I Division IX.

C. Fee refunds. See Article I Division IX Section 7-1-57.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Division - VIII Inspections And Testing

7-4-41 General. The code official is authorized to conduct such inspections as are deemed necessary to determine compliance with the provisions of this code. Construction or work for which a permit is required shall be subject to inspection by the code official, and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. (IFGC 107.1)

7-4-42 Required inspections and testing. The code official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and other such inspections as necessary, and shall either release that portion of the construction or notify the permit holder or the permit holder's agent of violations that are required to be corrected. The holder of the permit shall be responsible for scheduling such inspections. (IFGC 107.2)

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping is installed and before back fill is put in place. When excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the piping or cause corrosive action, clean back fill shall be on the job site.
2. Rough-in inspection shall be made after the roof, framing, fire blocking and bracing are in place and components to be concealed are complete, and prior to the installation of wall or ceiling membranes.
3. Final inspection shall be made upon completion of the installation.

The requirements of this section shall not be considered to prohibit the operation of any heating appliance installed to replace existing heating appliance serving an occupied portion of a structure in the event a request for inspection of such heating appliance has been filed with the department not more than 48 hours after replacement work is completed, and before any portion of such appliance is concealed by any permanent portion of the structure.

A. Other inspections. In addition to the inspections specified above, the code official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced. (IFGC 107.2.1)

B. Inspection requests. It shall be the duty of the holder of the permit or his or her duly authorized agent to notify the code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. (IFGC 107.2.2)

C. Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be

corrected and such portion shall not be covered or concealed until authorized by the code official. (IFGC 107.2.3)

D. Approved inspection agencies. The code official shall accept reports of approved agencies, provided that such agencies satisfy the requirements as to qualifications and reliability. (IFGC 107.2.4)

E. Evaluation and follow-up inspection services. Prior to the approval of a prefabricated construction assembly having concealed work and the issuance of a permit, the code official shall require the submittal of an evaluation report on each prefabricated construction assembly, indicating the complete details of the installation, including a description of the system and its components, the basis upon which the system is being evaluated, test results and similar information and other data as necessary for the code official to determine conformance to this code. (IFGC 107.2.5)

1. Evaluation service. The code official shall designate the evaluation service of an approved agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code. (IFGC 107.2.5.1)

2. Follow-up inspection. Except where ready access is provided to installations, appliances, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the code official shall conduct the in plant inspections as frequently as necessary to ensure conformance to the approved evaluation report or shall designate an independent, approved inspection agency to conduct such inspections. The inspection agency shall furnish the code official with the follow-up inspection manual and a report of inspections upon request, and the installation shall have an identifying label permanently affixed to the system indicating that factory inspections have been performed. (IFGC 107.2.5.2)

3. Test and inspection records. Required test and inspection records shall be available to the code official at all times during the fabrication of the installation and the erection of the building; or such records as the code official designates shall be filed. (IFGC 107.2.5.3)

7-4-43 Testing. Installations shall be tested as required in this code and in accordance with Sections (IFGC 107.3.1 through 107.3.3) 7-4-43(A) through 7-4-43(C). Tests shall be made by the permit holder and observed by the code official. (IFGC 107.2)

A. New, altered, extended or repaired installations. New installations and parts of existing installations, which have been altered, extended, renovated or repaired, shall be tested as prescribed herein to disclose leaks and defects. (IFGC 107.3.1)

B. Apparatus, instruments, material and labor for tests. Apparatus, instruments, material and labor required for testing an installation or part thereof shall be furnished by the permit holder. (IFGC 107.3.2)

C. Re-inspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for inspection and testing. (IFGC 107.3.3)

7-4-44 Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official. (IFGC 107.4)

7-4-45 Temporary connection. The code official shall have the authority to allow the temporary connection of an installation to the sources of energy for the purpose of testing the installation or for use under a temporary certificate of occupancy. (IFGC 107.5)

7-4-46 Connection of service utilities. A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required until authorized by the code official. (IFGC 107.6)

Division - IX Violations

7-4-47 Unlawful acts. It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize an installation, or cause same to be done, in conflict with or in violation of any of the provisions of this code. (IFGC 108.1)

7-4-48 Notice of violation. The code official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. (IFGC 108.2)

7-4-49 Prosecution of violation. If the notice of violation is not complied with promptly, the code official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. (IFGC 108.3)

7-4-50 Violation penalties. See Article I, Division XIV, Section 7-1-82.

Division - X Stop Work Orders

7-4-51 Stop work orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to those fines and penalties as provided for in Article I, Division XIV, Section 7-1-82.

7-4-52 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction, restrain, correct or abate a violation, prevent illegal occupancy of a building, structure or premises, or stop an illegal act, conduct, business or utilization of the installations on or about any premises. (IFGC 108.6)

7-4-53 Unsafe installations. An installation that is unsafe, constitutes a fire or health hazard, or is otherwise dangerous to human life, as regulated by this code, is hereby declared an unsafe installation. Use of an installation regulated by this code constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe installations are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal. (IFGC 108.7)

A. Authority to condemn installations. Whenever the code official determines that any installation, or portion thereof, regulated by this code has become hazardous to life, health or property, he or she shall order in writing that such installations either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective installation after receiving such notice.

When such installation is to be disconnected, written notice as prescribed in Section (IFGC 108.2) 7-4-48 shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice. (IFGC 108.7.1)

B. Authority to disconnect service utilities. The code official shall have the authority to require disconnection of utility service to the building, structure or system regulated by the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The code official shall notify the serving utility, and wherever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practicable thereafter. (IFGC 108.7.2)

C. Connection after order to disconnect. A person shall not make energy source connections to installations regulated by this code which have been disconnected or ordered to be disconnected by the code official, or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such installations.

When an installation is maintained in violation of this code, and in violation of a notice issued pursuant to the provisions of this section, the code official shall institute appropriate action to prevent, restrain, correct or abate the violation. (IFGC 108.7.3)

Division - XI Means Of Appeal

7-4-54 Means of Appeal. See Article I Division XIII Board of Appeals Section 7-1-71 thru 7-1-78.

Division - XII Fuel Gas Code Amendments

7-4-55 Fuel Gas Code; Amendments. The following provisions shall further apply and shall supersede any and all references listed within the adopted edition of the International Fuel Gas Code – 2012 Edition.

A. Delete all and any reference to the ICC Electrical Code and insert the National Electric Code 2011 edition.

B. Delete all and any reference to the International Plumbing Code and add the following: The County Building Official shall require that the provisions of the current "Illinois Plumbing Code Law", 225 Illinois Compiled Statutes 320/1 et seq., as presently in force or as the same may be hereafter amended or modified and the same is hereby incorporated herein by reference and adopted as the standard for the purposes of this Chapter. Any conflicts concerning the provisions of these codes shall be determined by the strictest standard contained in the code provisions.

Article - IV Energy Conservation Code Residential

Division - I Scope and General Requirements

7-5-1 Adoption of Energy Conservation Code Residential. That a certain document, **one (1) copy** of which is on file in the office of the Zoning Administrator of St. Clair County, being marked and designated as "International Energy Conservation Code Residential" as published by International Code Council be and is hereby adopted as contained herein as the Energy Conservation Code Residential of St. Clair County, Illinois for the regulation of the design and construction of residential buildings for the effective use and conservation of energy over the useful life of each residential building ; and each and all of the regulations, provisions, penalties, conditions and terms of said International Energy Conservation Code 2012, 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 herein. (Illinois Administrative Code, Title 71, Chapter I, Subchapter d, Part 600 et. al.)

7-5-2 RESERVED.

7-5-3 Title. This code shall be known as the St Clair County Energy Conservation Code Residential , and shall be cited as such. It is referred to herein as "this code." (2012 International Energy Conservation Code R101.1) (hereinafter known as IECC)

7-5-4 Scope. This code applies to *residential buildings* and the buildings sites and associated systems and equipment. (IECC R101.2)

7-5-5 Intent. This code shall regulate the design and construction of buildings for the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances. (IECC R101.3)

7-5-6 Applicability. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall govern. (IECC R101.4)

A. Existing buildings. Except as specified in this article, this code shall not be used to require the removal, *alteration* or abandonment of, nor prevent the continued use and maintenance of, an existing building or building system lawful in existence at the time of adoption of this code. (IECC R101.4.1)

B. Historic buildings. Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, are exempt from this code. (IECC R101.4.2)

C. Additions, alterations, renovations or repairs. Additions, alterations, renovations or repairs to an existing building, building system or portion thereof shall conform to the

provisions of this code as they relate to new construction without requiring the unaltered portion(s) of the existing building or building system to comply with this code. Additions, alterations, renovations or repairs shall not create an unsafe or hazardous condition or overload existing building systems. An addition shall be deemed to comply with this code if the addition alone complies or if the existing building and addition comply with this code as a single building. (IECC R101.4.3)

Exception: The following need not comply provided the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.
2. Glass only replacements in an existing sash and frame.
3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are filled with insulation.
4. Construction where the existing roof, wall or floor cavity is not exposed.
5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing.
6. Replacement of existing doors that separate *conditioned space* from the exterior shall not require the installation of a vestibule or revolving door, provided, however, that an existing vestibule that separates a *conditioned space* from the exterior shall not be removed.
7. Alterations that replace less than 50 percent of the luminaries in a space, provided that such alterations do not increase the installed interior lighting power.
8. Alterations that replace only the bulb and ballast within the existing luminaries in a space provided that the *alteration* does not increase the installed interior lighting power.

D. Change in occupancy or use. Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code.

E. Change in space conditioning. Any nonconditioned space that is altered to become *conditioned space* shall be required to be brought into full compliance with this code. (IECC R101.4.5)

F. Mixed occupancy. Where a building includes both *residential* and *commercial* occupancies, each occupancy shall be separately considered and meet the applicable provisions of the IECC – Commercial and Residential Provisions. (IECC R101.4.6)

7-5-7 Compliance. *Residential buildings* shall meet the provisions of IECC – Residential Provisions. *Commercial buildings* shall meet the provisions of IECC – Commercial Provisions. (IECC R101.5)

A. Compliance materials. The *code official* shall be permitted to approve specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of this code. (IECC 101.5.1)

B. Low energy buildings. The following buildings, or portions thereof, separated from the remainder of the building by the *building thermal envelope* assemblies complying with this code shall be exempt from the *building thermal envelope* provisions of this code: (IECC 101.5.2)

1. Those with a peak design rate of energy usage less than 3.4 Btu/h-ft² (10.7 W/m²) or 1.0 watt/ft² (10.7 W/m²) of floor area for space conditioning purposes.
2. Those that do not contain *conditioned space*.

Division - II Alternate Materials-Method of Construction, Design or Insulating Systems

7-5-8 General. This code is not intended to prevent the use of any material, method of construction, design or insulating system not specifically prescribed herein, provided that such construction, design or insulating system has been *approved* by the *code official* as meeting the intent of this code. (IECC R102.1)

A. Above code programs. The *code official* or other authority having jurisdiction shall be permitted to deem a national, state or local energy efficiency program to exceed the energy efficiency required by this code. Buildings *approved* in writing by such an energy efficiency program shall be considered in compliance with this code. The requirements identified as "mandatory" in IECC Chapters 4 shall be met. (IECC R102.1.1)

Division - III Construction Documents

7-5-9 General. Construction documents and other supporting data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require necessary construction documents to be prepared by a registered design professional. (IECC R103.1)

Exception: The *code official* is authorized to waive the requirements for construction documents or other supporting data if the *code official* determines they are not necessary to confirm compliance with this code.

7-5-10 Information on construction documents. Construction documents shall be drawn to scale upon suitable material. Electronic media documents are permitted to be submitted when *approved* by the *code official*. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in sufficient detail pertinent data and features of the building, systems and equipment's herein governed. Details shall include, but are not limited to, as applicable, insulation materials and their *R*-values; fenestration *U*-factors and SHGCs; area-weighted *U*-factor and SHGC calculations; mechanical system design criteria; mechanical and service water heating system and equipment types, sizes

and efficiencies; economizer description; equipment and systems controls; fan motor horsepower (hp) and controls; duct sealing, duct and pipe insulation and location; lighting fixture schedule with wattage and control narrative; and air sealing details. (IECC R103.2)

7-5-11 Examination of documents. The *code official* shall examine or cause to be examined the accompanying construction documents and shall ascertain whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances. (IECC R103.3)

A. Approval of construction documents. When the *code official* issues a permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "Reviewed for Code Compliance." Such *approved* construction documents shall not be changed, modified or altered without authorization from the *code official*. Work shall be done in accordance with the *approved* construction documents.

One set of construction documents so reviewed shall be retained by the *code official*. The other set shall be returned to the applicant, kept at the site of work and shall be open to inspection by the *code official* or a duly authorized representative. (IECC R103.3.1)

B. Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned. (IECC R103.3.2)

C. Phased approved. The *code official* shall have the authority to issue a permit for the construction of part of an energy conservation system before the construction documents for the entire system have been submitted or *approved*, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permit shall proceed at their own risk without assurance that the permit for entire energy conservation system will be granted. (IECC R103.3.3)

7-5-12 Amended construction documents. Changes made during construction that are not in compliance with the *approved* construction documents shall be resubmitted for approval as an amended set of construction documents. (IECC R103.4)

7-5-13 Retention of construction documents. One set of *approved* construction documents shall be retained by the *code official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. (IECC R103.5)

Division - IV Inspections

7-5-14 General. Construction or work for which a permit is required shall be subject to inspection by the *code official*. (IECC R104.1)

7-5-15 Required approvals. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official*. The *code official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be

corrected and such portion shall not be covered or concealed until authorized by the *code official*. (IECC R104.2)

7-5-16 Final inspection. The building shall have a final inspection and not be occupied until *approved*. (IECC R104.3)

7-5-17 Re-inspection. A building shall be re-inspected when determined necessary by the *code official*. (IECC R104.4)

7-5-18 Approved inspection agencies. The *code official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability. (IECC R104.5)

7-5-19 Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. (IECC R104.6)

7-5-20 Re-inspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the *code official* for inspection and testing. (IECC R104.7)

7-5-21 Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the *code official*. (IECC R104.8)

A. Revocation. The *code official* is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code. (IECC R104.8.1)

Division - V Validity

7-5-22 General. If a portion of this code is held to be illegal or void, such a decision shall not affect the validity of the remainder of this code. (IECC R105.1)

Division - VI Reference Standards

7-5-23 Referenced codes and standards. The codes and standards referenced in this code shall be those listed in Chapter 5, and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 7-5-23(A) and 7-2-23(B). (IECC R106.1)

A. Conflicts. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

B. Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the

provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

7-5-24 Conflicting requirements. Where the provisions of this code and the referenced standards conflict, the provisions of this code shall take precedence. (IECC R106.2)

7-5-25 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provisions of this code. (IECC R106.3)

7-5-26 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. (IECC R106.4)

Division - VII Violations

7-5-27 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

7-5-28 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

7-5-29 Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

7-5-30 Violation penalties. See Article I, Division XIV, Section 7-1-82.

Division - VIII Stop Work Order

7-5-31 Authority. Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.

7-5-32 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

7-5-33 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

7-5-34 Emergencies. Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

Division - IX Means of Appeal

7-5-35 Means of appeal. See Article I Division XIII Board of Appeals Section 7-1-71 thru 7-1-78.

Article - V Energy Conservation Code Commercial

Division - I Scope and General Requirements

7-6-1 Adoption of Energy Conservation Code. That a certain document, **one (1) copy** of which is on file in the office of the Zoning Administrator of St. Clair County, being marked and designated as "International Energy Conservation Code Commercial" is hereby adopted as contained herein as the Energy Conservation Code Commercial of St. Clair County, Illinois, for the design and construction of commercial buildings for the effective use and conservation of energy over the useful life of each commercial building; and each and all of the regulations, provisions, penalties, conditions and terms of said International Energy Conservation Code 2012, 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 herein. (Illinois Administrative Code, Title 71, Chapter I, Subchapter d, Part 600 et. al.)

7-6-2 RESERVED.

7-6-3 Title. This code shall be known as the Energy Conservation Code Commercial of St. Clair County, Illinois, and shall be cited as such. It is referred to herein as "this code." (2012 International Energy Conservation Code C101.1) (hereinafter known as IECC)

7-6-4 Scope. This code applies to *commercial buildings* and the buildings sites and associated systems and equipment. (IECC C101.2)

7-6-5 Intent. This code shall regulate the design and construction of buildings for the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances. (IECC C101.3)

7-6-6 Applicability. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall govern. (IECC C101.4)

A. Existing buildings. Except as specified in this article, this code shall not be used to require the removal, *alteration* or abandonment of, nor prevent the continued use and maintenance of, an existing building or building system lawful in existence at the time of adoption of this code. (IECC C101.4.1)

B. Historic buildings. Any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the national or State registers of Historic Places either individually or as a contributing building to a historic district by the State Historic preservation Officer or the Keeper of the National register of Historic Places, are exempt from this code. (IECC C101.4.2)

C. Additions, alterations, renovations or repairs. Additions, alterations, renovations or repairs to an existing building, building system or portion thereof shall conform to the provisions of this code as they relate to new construction without requiring the unaltered portion(s) of the existing building or building system to comply with this code. Additions, alterations, renovations or repairs shall not create an unsafe or hazardous condition or overload existing building systems. An addition shall be deemed to comply with this code if the addition alone complies or if the existing building and addition comply with this code as a single building. (IECC C101.4.3)

Exception: The following need not comply provided the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.
2. Glass only replacements in an existing sash and frame.
3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are filled with insulation.
4. Construction where the existing roof, wall or floor cavity is not exposed.
5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing.
6. Replacement of existing doors that separate *conditioned space* from the exterior shall not require the installation of a vestibule or revolving door, provided, however, that an existing vestibule that separates a *conditioned space* from the exterior shall not be removed.
7. Alterations that replace less than 50 percent of the luminaries in a space, provided that such alterations do not increase the installed interior lighting power.
8. Alterations that replace only the bulb and ballast within the existing luminaries in a space provided that the *alteration* does not increase the installed interior lighting power.

D. Change in occupancy or use. Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code. Where the use in a space changes from one use in Table 505.5.2 to another use in Table 505.5.2, the installed lighting wattage shall comply with Section 505.5. (IECC R101.4.4)

E. Change in space conditioning. Any nonconditioned space that is altered to become *conditioned space* shall be required to be brought into full compliance with this code. (IECC R101.4.5)

F. Mixed occupancy. Where a building includes both *residential* and *commercial* occupancies, each occupancy shall be separately considered and meet the applicable provisions of Chapter 5 for *commercial*. (IECC C101.4.6)

7-6-7 Compliance. *Residential buildings* shall meet the provisions of IECC – Residential Provisions. *Commercial buildings* shall meet the provisions of IECC – Commercial Provisions. (IECC C101.5)

A. Compliance materials. The *code official* shall be permitted to approve specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of this code. (IECC C101.5.1)

B. Low energy buildings. The following buildings, or portions thereof, separated from the remainder of the building by the *building thermal envelope* assemblies complying with this code shall be exempt from the *building thermal envelope* provisions of this code: (IECC C101.5.2)

1. Those with a peak design rate of energy usage less than 3.4 Btu/h-ft² (10.7 W/m²) or 1.0 watt/ft² (10.7 W/m²) of floor area for space conditioning purposes.
2. Those that do not contain *conditioned space*.

Division - II Alternate Materials-Method of Construction, Design or Insulating Systems

7-6-8 General. This code is not intended to prevent the use of any material, method of construction, design or insulating system not specifically prescribed herein, provided that such construction, design or insulating system has been *approved* by the *code official* as meeting the intent of this code. (IECC C102.1)

A. Above code programs. The *code official* or other authority having jurisdiction shall be permitted to deem a national, state or local energy efficiency program to exceed the energy efficiency required by this code. Buildings *approved* in writing by such an energy efficiency program shall be considered in compliance with this code. The requirements identified as “mandatory” in Chapters 4 and 5 of this code, as applicable, shall be met. (IECC C102.1.1)

Division - III Construction Documents

7-6-9 General. Construction documents and other supporting data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require necessary construction documents to be prepared by a registered design professional. (IECC C103.1)

Exception: The *code official* is authorized to waive the requirements for construction documents or other supporting data if the *code official* determines they are not necessary to confirm compliance with this code.

7-6-10 Information on construction documents. Construction documents shall be drawn to scale upon suitable material. Electronic media documents are permitted to be submitted when *approved* by the *code official*. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in sufficient detail pertinent data and features of the building, systems and equipment's herein governed. Details shall include, but are not limited to, as applicable, insulation materials and their *R*-values; fenestration *U*-factors and SHGCs; area-weighted *U*-factor and SHGC calculations; mechanical system design criteria; mechanical and service water heating system and equipment types, sizes and efficiencies; economizer description; equipment and systems controls; fan motor horsepower (hp) and controls; duct sealing, duct and pipe insulation and location; lighting fixture schedule with wattage and control narrative; and air sealing details. (IECC C103.2)

7-6-11 Examination of documents. The *code official* shall examine or cause to be examined the accompanying construction documents and shall ascertain whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances. (IECC C103.3)

A. Approval of construction documents. When the *code official* issues a permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "Reviewed for Code Compliance." Such *approved* construction documents shall not be changed, modified or altered without authorization from the *code official*. Work shall be done in accordance with the *approved* construction documents.

One set of construction documents so reviewed shall be retained by the *code official*. The other set shall be returned to the applicant, kept at the site of work and shall be open to inspection by the *code official* or a duly authorized representative. (IECC C103.3.1)

B. Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned. (IECC C103.3.2)

C. Phased approved. The *code official* shall have the authority to issue a permit for the construction of part of an energy conservation system before the construction documents for the entire system have been submitted or *approved*, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permit shall proceed at their own risk without assurance that the permit for entire energy conservation system will be granted. (IECC C103.3.3)

7-6-12 Amended construction documents. Changes made during construction that are not in compliance with the *approved* construction documents shall be resubmitted for approval as an amended set of construction documents. (IECC C103.4)

7-6-13 Retention of construction documents. One set of *approved* construction documents shall be retained by the *code official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. (IECC C103.5)

Division - IV Inspections

7-6-14 General. Construction or work for which a permit is required shall be subject to inspection by the *code official*. (IECC C104.1)

7-6-15 Required approvals. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official*. The *code official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *code official*. (IECC C104.2)

7-6-16 Final inspection. The building shall have a final inspection and not be occupied until *approved*. (IECC C104.3)

7-6-17 Re-inspection. A building shall be re-inspected when determined necessary by the *code official*. (IECC R104.4)

7-6-18 Approved inspection agencies. The *code official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability. (IECC C104.5)

7-6-19 Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. (IECC C104.6)

7-6-20 Re-inspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the *code official* for inspection and testing. (IECC C104.7)

7-6-21 Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the *code official*. (IECC C104.8)

A. Revocation. The *code official* is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code. (IECC C104.8.1)

Division - V Validity

7-6-22 General. If a portion of this code is held to be illegal or void, such a decision shall not affect the validity of the remainder of this code. (IECC C105.1)

Division - VI Reference Standards

7-6-23 Referenced codes and standards. The codes and standards referenced in this code shall be those listed in Chapter 5, and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 7-6-23(A) and 7-6-23(B). (IECC C106.1)

A. Conflicts. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

B. Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

7-6-24 Conflicting requirements. Where the provisions of this code and the referenced standards conflict, the provisions of this code shall take precedence. (IECC C106.2)

7-6-25 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provisions of this code. (IECC C106.3)

7-6-26 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. (IECC C106.4)

Division - VII Violations

7-6-27 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

7-6-28 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

7-6-29 Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

7-6-30 Violation penalties. See Article I, Division XIV, Section 7-1-82.

Division - VIII Stop Work Order

7-6-31 Authority. Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.

7-6-32 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

7-6-33 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

7-6-34 Emergencies. Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

Division - IX Means of Appeal

7-6-35 Means of appeal. See Article I Division XIII Board of Appeals Section 7-1-71 thru 7-1-78.

Article - VI Electrical Code

Division - I General

7-7-1 Adoption of Electrical Code. That a certain document, **one (1) copy** of which is on file in the office of the Zoning Administrator of St. Clair County, being marked and designated as "The National Electrical Code, 2011" as published by the National Fire Protection Association, Inc. be and is hereby adopted in part and as contained herein as the Electrical Code of St. Clair County, Illinois to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of electrical systems and equipment; and each and all of the regulations, provisions, penalties, conditions and terms of said The National Electrical Code, 2011, 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 herein. **(Ord. No. 06-868; 06/27/05)**

7-7-2 RESERVED.

7-7-3 Title. These regulations shall be known as the Electrical Code of St. Clair County, and shall be cited as such. It is referred to herein as "this code."

Division - II Electrical Commission

7-7-4 Electrical Commission. See Chapter 5 of the Revised Code of Ordinances Boards and Commissions Article VI Electrical – Division I – Electrical Commission.

7-7-5 Electrical Board of Appeals. See Chapter 5 of the Revised Code of Ordinances Boards and Commissions Article VI Electrical – Division II – Electrical Board of Appeals.

Division - III Electrical Inspections

7-7-6 Creation. These is hereby established an Electrical Inspection Department of the Building and Zoning Department.

7-7-7 Electrical Inspection Department; Inspector The Electrical Inspector whose office is hereby created shall administer the Electrical Inspection Department. He shall be appointed by the County Board Chairman and with the advice and consent of the County Board. The person chosen or appointed to fill the office of Electrical Inspector shall be a competent electrician of good moral character. He shall have at least five (5) years experience as a journeyman in the practice of his trade or three (3) years training in a recognized college of electrical engineering and in addition thereto, two (2) years of practical experience in the electrical construction industry, and have knowledge of the statues of the State of Illinois relating to electrical work rules and regulations issued by the Fire Marshall of Illinois under the authority of the safety rules and standards approved by the American Engineer Standards Committee. The Electrical Inspector shall receive compensation for performing his duties as set forth by the County Board. The Electrical Inspector shall be immediately responsible to the Building Official.

7-7-8 Powers And Duties. The powers and duties of the Electrical Inspector are to inspect all the electrical materials and equipment within unincorporated areas of the County in

order to verify or certify that the requirements thereto be adopted and/or enacted by the County are complied with.

7-7-9 Inspections.

- A.** The Electrical Inspector shall inspect and shall require that all work and installations conform to the standards and specifications applicable thereto

- B.** The Electrical inspector shall have the right during reasonable hours to enter any building in the discharge of his official duties, for the purpose of making any inspection or test of the installation or alteration of electrical currents and to cut or disconnect any conductors where such electrical currents are dangerous to life or property. The said installation shall not again be supplied with electricity until it is in compliance with the standards and specifications applicable thereto.

7-7-10 Certificate of Inspection. Upon the completion of the installation or alteration of electrical equipment in any building, it shall be the duty of the person installing or altering the same, to notify the Electrical Inspector who shall inspect the work and if such electrical equipment is found to fully be in compliance with the standards and specifications applicable thereto and does not constitute a hazard to life or property, he shall issue authorization for connection to the electrical service and the turning on of current. All wiring which is to be hidden from view shall be inspected before concealment and any person installing such wires shall notify the Electrical Inspector giving him forty-eight (48) hours in which to make the required inspection before such wires are concealed.

7-7-11 Time of Inspection. The provisions for inspection of work provided herein shall not be construed as prohibiting the inspection of any electrical equipment whenever the Electrical Inspector shall determine that the public safety requires it.

7-7-12 Penalties. Any person, corporation, company or firm whether as principal agent, employee, or otherwise, who violates, disobeys, omits, neglects, refuses to comply with, or who resists the enforcement of any of the rules, regulations, or provisions provided and set forth in this chapter or who refuses or neglects to comply with or obey any of the rules, orders, or regulations of the Electrical Inspection Department of this County, shall be referred by the Electrical Inspector to the State's Attorney's Office for prosecution, and upon conviction shall be subject to all fines, penalties, and sentencing of a petty offense, as such term is defined in the Unified Code of Corrections Act (see 730 ILCS 5/5-4.5-75).

Division - IV Electrical Code Amendments

7-7-13 Additions, Insertions and Changes.

- 1.** All power wiring 110 volts and higher shall be 12 AWG and larger. (Article 210-19)

- 2.** Four (4) receptacles per circuit in kitchen. Dining room receptacles shall be on a separate circuit from kitchens. All major appliances shall be on a dedicated circuit [dishwasher, disposal, microwave, refrigerator, etc.]. heating and/or cooling unit blowers shall be on a dedicated circuit. Note: All receptacles shall be installed so cords hang down properly. (Article 210-52)

- 3.** Entrance conductors and neutral must be of the same size and rating. (Article 225-39)

4. All dwelling units service panels shall have a single main disconnect. On new construction, all service panels shall have three (3) spaces for future circuits. No one-half (1/2) size circuit breakers permitted on new construction. Note: Also workspace shall be maintained and top of main no more than 6'6". (Article 230-71)
5. The minimum size service is 100 Amp.
6. Ground wire shall be in PVC conduit from meter socket to ground rod. (Article 250-64b)
7. Aluminum conductors shall have a minimum ampacity of 100 amps. **(ORD. No. 10-1029; 09-27-10)**
8. All buildings and their accessory structures other than dwellings shall be in conduit or other material approved by St. Clair County Electrical Inspector prior to installation. (Article 210 & 215)
9. All dwellings shall have smoke detectors, they shall be hard wired with battery backup and they shall be interconnected. Smoke detectors shall be located in each bedroom and halls outside of bedroom within **fifteen (15) feet** of bedroom and each level of the home. Smoke detectors of a security system will not be acceptable. Carbon monoxide detectors are required to be installed within fifteen (15') feet of bedroom doors of any dwelling which burns any type of fuel or has a garage attached to the dwelling. Carbon monoxide detectors are required to be interconnected with smoke detector circuit.
10. 15 and 20 ampere, 125-volt, receptacles serving refrigerators, freezers, sump pumps and garage door openers shall not be required to have ground-fault circuit-interrupter protection. (Article 210.8 B2)
11. Arc Fault Circuit-Interrupter Protection

A. Definition: Arc-Fault Circuit Interrupter. An arc-fault circuit interrupter is a device intended to provide protection from the effects of arc faults by recognizing characteristics unique to arcing and by functioning to de-energize the circuit when an arc fault is detected.

B. Dwelling Unit Bedroom. All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit bedrooms shall be protected by a listed arc-fault circuit interrupter, combination type installed to provide protection of the branch circuit.

Branch/feeder AFCIs shall be permitted to be used to meet requirements of 210.12(B) until January 1, 2015.

FPN. For information on types of arc-fault circuit interrupters, see UL 1699-1999, standard for Arc-Fault Circuit Interrupters.

Exception. The location of arc-fault circuit interrupter shall be permitted to be at other than the origination of the branch circuit in compliance with (a) and (b):

- (a) The arc-fault circuit interrupter installed within 1.8 m (6 ft) of the branch circuit overcurrent device as measured along the branch circuit conductors.
- (b) The circuit conductors between the branch circuit overcurrent device in a metal raceway or a cable with a metallic sheath.

Article - VII Electrical Code Administrative Provisions

Division - I General

7-8-1 Adoption of Electrical Code–Administrative Provisions. That a certain document, **one (1) copy** of which is on file in the office of the Zoning Administrator of St. Clair County, being marked and designated as "The Electrical Code–Administrative Provisions, 2003" as published by the International Code Council be and is hereby adopted as contained herein as the Electrical Code Administrative Provisions of St. Clair County, Illinois; and each and all of the regulations, provisions, penalties, conditions and terms of said The Electrical Code–Administrative Provisions, 2011, 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 herein.

7-8-2 RESERVED.

7-8-3 Title. These regulations shall be known as the Electrical Code–Administrative Provisions of St. Clair County and shall be cited as such and will be referred to herein as "this code." (ECAP 101.1)

7-8-4 Purpose. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of electrical systems and equipment. (ECAP 101.2)

7-8-5 Scope. This code shall regulate the design, construction, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of electrical systems and equipment. (ECAP 101.3)

Division - II Applicability

7-8-6 General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section (ECAP 101) Division I. (ECAP 102.1)

A. Existing installations. Except as otherwise provided for in this chapter, a provision in this code shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, existing electrical systems and equipment lawfully in existence at the time of the adoption of this code. (ECAP 102.1.1)

B. Maintenance. Electrical systems, equipment, materials and appurtenances, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. Devices or safeguards that are required by this code shall be maintained in compliance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of the electrical systems and equipment. To determine compliance with this provision, the code official shall have the authority to require that the electrical systems and equipment be re-inspected. (ECAP 102.1.2)

C. Additions, alterations and repairs. Additions, alterations, renovations and repairs to electrical systems shall comply with the provisions of the International Existing Building Code and this code, as applicable. (ECAP [EB] 102.1.3)

D. Change in occupancy. The provisions of the International Existing Building Code shall apply to all buildings undergoing a change of occupancy. (ECAP [EB] 102.1.4)

E. Moved buildings. Electrical systems and equipment that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations. (ECAP 102.1.5)

7-8-7 Differences. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. (ECAP 102.2)

7-8-8 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. (ECAP 102.3)

7-8-9 Validity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions thereof, which are determined to be legal; and it shall be presumed that this code would have been adopted without such illegal or invalid parts or provisions. (ECAP 102.4)

A. Segregation of invalid provisions. Any invalid part of this code shall be segregated from the remainder of this code by the court holding such part invalid, and the remainder shall remain effective. (ECAP 102.4.1)

7-8-10 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapters, sections or provisions of this code. (ECAP 102.5)

7-8-11 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 13 and such codes and standards 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 referenced codes or standards, the provisions of this code shall apply. (ECAP 102.6)

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

7-8-12 Appendices. Provisions in the appendices shall not apply unless specifically referenced in the adopting ordinance. (ECAP 102.7)

7-8-13 Subjects not regulated by this code. Where no applicable standards or requirements are set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of nationally recognized standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the code official to determine compliance with codes or standards for those activities or installations within the code official's jurisdiction or responsibility. (ECAP 102.8)

Article - VIII Swimming Pool and Spa Code

Division – I General

7-9-1 Adoption of Swimming Pool and Spa Code. That a certain document, **one (1) copy** of which is on file in the office of the Zoning Administrator of St. Clair County, being marked and designated as "The International Swimming Pool and Spa Code, 2012" as published by the International Code Council be and is hereby adopted as contained herein as the Swimming Pool and Spa Code of St. Clair County, Illinois for the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic vessels; and each and all of the regulations, provisions, penalties, conditions and terms of said International Swimming Pool and Spa Code, 2012, 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 herein.

7-9-2: RESERVED.

7-9-3 Title. These regulations shall be known as the Swimming Pool and Spa Code of St Clair County, hereinafter referred to as "this code". (ISPSC 101.1)

7-9-4 Scope. The provisions of this code shall apply to the construction, alteration, movement, renovation, replacement, repair, and maintenance of aquatic vessels. (ISPSC 101.2)

7-9-5 Intent. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality or materials, location and maintenance or use of aquatic vessels. (ISPSC 101.3)

7-9-6 Severability. If any section, subsection, sentence, clause or phase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code. (ISPSC 101.4)

Division – II Applicability

7-9-7 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. (ISPSC 102.1)

7-9-8 Existing installations. Any aquatic vessel and related mechanical, electrical and plumbing system lawfully in existence at the time of the adoption of this code shall be permitted to have their use and maintenance continued if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property is created. (ISPSC 102.2)

7-9-9 Maintenance. All aquatic vessel and related mechanical, electrical and plumbing systems, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design in a safe and sanitary condition. All devices or safeguards required by this code shall be maintained in compliance with the code edition under which they were installed.

The owner or the owner's designated agent shall be responsible for maintenance of all systems. To determine compliance with this provision, the code official shall have the authority to require any system to be re-inspected. (ISPSC 102.3)

7-9-10 Additions, alterations or repairs. Additions, alterations, renovations or repairs to any aquatic vessel and related systems shall conform to that required for a new system without requiring the existing system to comply with all of the requirements of this code. Additions, alterations or repairs shall not cause existing systems to become unsafe, insanitary or overloaded.

Minor additions, alterations, renovations and repairs to existing systems shall be permitted in the same manner and arrangement as in the existing system, provided that such repairs or replacement are not hazardous and are approved. (ISPSC 102.4)

7-9-11 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of aquatic vessels or systems shall not be mandatory for existing aquatic vessels or systems identified and classified by the state or local jurisdiction as part of a historic structure when such aquatic vessels or systems are judged by the code official to be safe and in the public interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of such aquatic vessel. (ISPSC 102.5)

7-9-12 Moved aquatic vessels. Except as determined by Section 7-9-8 (ISPSC 102.2), systems that are part of aquatic vessels or systems moved into or within the jurisdiction shall comply with the provisions of this code for new installations. (ISPSC 102.6)

7-9-13 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listing in Chapter 11 of the International Swimming Pool and Spa Code and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the references standards, the provisions of this code shall be the minimum requirements. (ISPSC 102.7)

A. Application of the International Codes. Where the International Residential Code is referenced in this code, the provisions of the International Residential Code shall apply to related systems in detached one- and two-family dwellings and townhouses not more than three stories in height. All other related systems shall comply with the applicable International Code or referenced standard. (ISPSC 102.7.1)

7-9-14 Requirements not covered by code. Any requirements necessary for the strength, stability or proper operation of an existing or proposed system, or for the public safety, health and general welfare, not specifically covered by this code shall be determined by the code official. (ISPSC 102.8)

7-9-15 Other laws. The provisions of this code shall not be deemed to nullify any provision of local, state or federal law. (ISPSC 102.9)

7-9-16 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code. (ISPSC 102.10)

Division – III

Department of Building Safety

7-9-17 Creation of enforcement agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the code official. (ISPSC 103.1)

7-9-18 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction. (ISPSC 103.2)

7-9-19 Deputies. In accordance with the prescribed procedures of the jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have the powers as delegated by the code official. (ISPSC 103.3)

7-9-20 Liability. The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to person or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code. (ISPSC 103.4)

Division – IV

Duties and Powers of the Code Official

7-9-21 General. The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. (ISPSC 104.1)

7-9-22 Applications and permits. The code official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition, and moving of aquatic vessels, related mechanical, electrical, plumbing systems, to inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code. (ISPSC 104.2)

7-9-23 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code. (ISPSC 104.3)

7-9-24 Inspections. The code official shall make all of the required inspections, or the code official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority. (ISPSC 104.4)

7-9-25 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code (ISPSC 104.5)

7-9-26 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the code official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owners or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry. (ISPSC 104.6)

7-9-27 Department records. The code officials shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspection, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records. (ISPSC 104.7)

7-9-28 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen sustainability, health, accessibility, life safety and structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety. (ISPSC 104.8)

7-9-29 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, durability and safety. (ISPSC 104.9)

7-9-30 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. (ISPSC 104.10)

A. Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures. (ISPSC 104.10.1)

B. Testing agencies. All tests shall be performed by an approved agency. (ISPSC 104.10.2)

C. Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records. (ISPSC 104.10.3)

7-9-31 Alternative engineered design. The design, documentation, inspection, testing and approval of an alternative engineered design shall comply with Sections 7-9-31 A-F (ISPSC 104.11.1 – 104.11.6). (ISPSC 104.11)

A. Design criteria. An alternative engineered design shall conform to the intent of the provisions of this code and shall provide an equivalent level of quality, strength, effectiveness, durability and safety. Material, equipment or components shall be designed and installed in accordance with the manufacturer’s installation instructions. (ISPSC 104.11.1)

B. Submittal. The registered design professional shall indicate on the permit application that the system is an alternative engineered design. The permit and permanent permit records shall indicate that an alternative engineered design was part of the approved installation. (ISPSC 104.11.2)

C. Technical data. The registered design professional shall submit sufficient technical data to substantiate the proposed alternative engineered design and to prove that the performance meets the intent of this code. (ISPSC 104.11.3)

D. Construction documents. The registered design professional shall submit to the code official two complete sets of signed and sealed construction documents for the alternative engineered design. (ISPSC 104.11.4)

E. Design approval. Where the code official determines that the alternative engineered design conforms to the intent of this code, the system shall be approved. If the alternative engineered design is not approved, the code official shall notify the registered design professional in writing, stating the reasons thereof. (ISPSC 104.11.5)

F. Inspection and testing. The alternative engineered design shall be tested and inspected in accordance with the requirements of Section 7-9-49 (ISPSC 104.11.6)

7-9-32 Materials and equipment reuse. Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested, placed in good and proper working condition and approved. (ISPSC 104.12)

Division – V Permits

7-9-33 When required. Any owner, or authorized agent who desires to construct, enlarge, alter, repair, move, or demolish an aquatic vessel or to erect, install, enlarge, alter, repair, remove, convert or replace any system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the code official and obtain the required permit for the work. (ISPSC 105.1)

7-9-34 Application for permit. Each applicant for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. (ISPSC 105.2)

7-9-35 Construction documents. Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the

location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. (ISPSC 105.3)

7-9-36 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued; except that the code official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. (ISPSC 105.4)

7-9-37 Permit issuance. The application, construction documents and other data filed by an applicant for permit shall be reviewed by the code official. If the code official finds that the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, and that the fees specified in Section 7-9-37 have been paid, a permit shall be issued to the applicant. (ISPSC 105.5)

A. Approved construction documents. When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "APPROVED". Such approved construction documents shall not be changed, modified or altered without authorization from the code official. All work shall be done in accordance with the approved construction documents. (ISPSC 105.5.1)

The code official shall have the authority to issue a permit for the construction of a part of a system before the entire construction documents for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permit shall proceed at their own risk without assurance that the permit for the entire system will be granted.

B. Validity. The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or any other ordinance of the jurisdiction. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid. (ISPSC 105.5.2)

The issuance of a permit based upon construction documents and other data shall not prevent the code official from thereafter requiring the correction of errors in said construction documents and other data or from preventing building operations being carried on there under when in violation of this code or of other ordinances of this jurisdiction.

C. Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The code official is authorized to grant, in writing, one or more extensions of time, for a period not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated. (ISPSC 105.5.3)

D. Extension. Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a

period not exceeding 180 days if there is reasonable cause. The fee for an extension shall be one-half the amount required for a new permit for such work. (ISPSC 105.5.4)

E. Suspension or revocation of permit. The code official shall revoke a permit or approval issued under the provisions of this code in case of any false statement or misrepresentation of fact in the application or on the construction documents upon which the permit or approval was based. (ISPSC 105.5.5)

F. Retention of construction documents. One set of approved construction documents shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building work at all times during which the work authorized thereby is in process. (ISPSC 105.5.6)

7-9-38 Fees. A permit shall not be issued until the fees prescribed in Section 7-9-38(B) have been paid. An amendment to a permit shall not be released until the additional fee, if any, has been paid. (ISPSC 105.6)

A. Work commencing before permit issuance. Any person who commences work on a system before obtaining the necessary permits shall be subject to a fee as indicated in the adopted fee schedule and would be in addition to the required permit fees. (ISPSC 105.6.1)

B. Fee schedule. See Article I Division IX.

C. Fee refunds. See Article I Division IX Section 7-1-57.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Division – VI Inspections

7-9-39 General. Construction or work for which a permit is required shall be subject to inspection by the code official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection. (ISPSC 106.1)

7-9-40 Preliminary inspection. Before issuing a permit, the code official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. (ISPSC 106.2)

7-9-41 Required inspections and testing. All aquatic vessel installations or alterations thereto, including equipment, piping, and appliances related thereto, shall be inspected by the code official to ensure compliance with all of the requirements of this code. (ISPSC 106.3)

7-9-42 Other inspections. In addition to the inspections specified above, the code official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced. (ISPSC 106.4)

7-9-43 Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspection of such work that are required by this code. (ISPSC 106.5)

7-9-44 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspection and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his other agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portions shall not be covered or concealed until authorized by the code official. (ISPSC 106.6)

7-9-45 Approved agencies. Test reports submitted to the code official for consideration shall be developed by approved agencies that have satisfied the requirements as to qualifications and reliability. (ISPSC 106.7)

7-9-46 Evaluation and follow-up inspection services. Prior to the approval of a closed, prefabricated system and the issuance of a permit, the code official shall require the submittal of an evaluation report on each prefabricated system indicating the complete details of the system, including a description of the system and its components, the basis upon which the system is being evaluated, test results and similar information, and other data as necessary for the code official to determine conformance to this code. (ISPSC 106.8)

7-9-47 Evaluation service. The code official shall designate the evaluation service of an approved agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code. (ISPSC 106.9)

7-9-48 Follow-up inspection. Except where ready access is provided to all systems, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the code official shall conduct the frequency of in-plant inspections necessary to ensure conformance to the approved evaluation report or shall designate an independent, approved inspection agency to conduct such inspections. The inspection agency shall furnish the code official with the follow-up inspection manual and a report of inspections upon request, and the system shall have an identifying label permanently affixed to the system indicating that factory inspections have been performed. (ISPSC 106.10)

7-9-49 Test and inspection records. All required test and inspection records shall be available to the code official at all times during the fabrication of the system and the installation of the system, or such records as the code official designates shall be filed. (ISPSC 106.11)

7-9-50 Special inspections. Special inspections of alternative engineered design systems shall be conducted in accordance with Section 7-9-30 (F) (ISPSC 104.11.6). (ISPSC 106.12)

7-9-51 Periodic inspection. The registered design professional or designated inspector shall periodically inspect and observe the alternative engineered design to determine that the installation is in accordance with the approved construction documents. All discrepancies shall be

brought to the immediate attention of the contractor for correction. Records shall be kept of all inspections. (ISPSC 106.13)

7-9-52 Written report. The registered design professional shall submit a final report in writing to the code official upon completion of the installation, certifying that the alternative engineered design conforms to the approved construction documents. A notice of approval for the system shall not be issued until a written certification has been submitted. (ISPSC 106.14)

7-9-53 Testing. Systems shall be tested as required by this code. Tests shall be made by the permit holder and the code official shall have the authority to witness such tests. (ISPSC 106.15)

7-9-54 New, altered, extended or repaired systems. New systems and parts of existing systems that have been altered, extended or repaired shall be tested as prescribed by this code. (ISPSC 106.16)

7-9-55 Equipment, material and labor for tests. All equipment, material and labor required for testing a system or part thereof shall be furnished by the permit holder. (ISPSC 106.17)

7-9-56 Re-inspection and testing. Where any work or installation does not pass any initial test or inspection, the necessary corrections shall be made to comply with this code. The work or installation shall then be resubmitted to the code official for inspection and testing. (ISPSC 106.18)

7-9-57 Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official. (ISPSC 106.19)

A. Revocation. The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of the incorrect information supplied, or where it is determined that the building or structure, premise, system or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code. (ISPSC 106.19.1)

7-9-58 Temporary connection. The code official shall have the authority to authorize the temporary connection of the building or system to the utility source for the purpose of testing systems. (ISPSC 106.20)

7-9-59 Connection of service utilities. A person shall not make connections from a utility, source of energy, fuel, power, water system or sewer system to any buildings or system that is regulated by this code for which a permit is required until authorized by the code officials. (ISPSC 106.21)

Division – VII Violations

7-9-60 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any system, or cause same to be done, in conflict with or in violation of any of the provisions of this code. (ISPSC 107.1)

7-9-61 Notice of violation. The code official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents there under, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. (ISPSC 107.2)

7-9-62 Prosecution of violation. If the notice of violation is not complied with promptly, the code official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful aquatic vessel in violation of the provisions of this code or of the order or direction made pursuant thereto. (ISPSC 107.3)

7-9-63 Violation penalties. See Article I Division XIV Section 7-1-82

7-9-64 Stop work orders. See Article I Division XV

7-9-65 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent violation, or to prevent illegal use of an aquatic vessel, or to stop an illegal act, conduct, business or utilization of the plumbing on or about any premises. (ISPSC 107.7)

A. Authority to condemn a system. Whenever the code official determines that any system, or portion thereof, regulated by this code has become hazardous to life, health or property or has become insanitary, the code official shall order in writing that such system either be removed or restored to a safe and sanitary condition. A time limit for compliance with such order shall be specified in the written notice. No person shall use or maintain a defective system after receiving such notice. (ISPSC 107.7.1)

When such a system is to be disconnected, written notice as prescribed in Section 7-9-60 (ISPSC 107.2) shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

B. Authority to disconnect service utilities. The code official shall have the authority to authorize disconnection of utility service to the aquatic vessel regulated by the technical codes in case of an emergency, where necessary, to eliminate an immediate danger to life or property. Where possible, the owner and occupant of the building where the aquatic vessel is located shall be notified of the decision to disconnect utility service prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building shall be notified in writing, as soon as practical thereafter. (ISPSC 107.7.2)

C. Connection after order to disconnect. No person shall make connections from any energy, fuel, power supply or water distribution system or supply energy, fuel or water to any equipment regulated by this code that has been disconnected or ordered to be disconnected by the code official or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such equipment. (ISPSC 107.7.3)

When any system is maintained in violation of this code, and in violation of any notice issued pursuant to the provisions of this section, the code official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

Division – VIII Means of Appeal

7-9-66 See Article I Division XIII Board of Appeals Section 7-1-71 thru 7-1-78

Article - IX Fire Alarm and Signaling Code

Division - I Administration

7-10-1 Adoption of the National Fire Alarm and Signaling Code. That a certain document, **one (1) copy** of which is on file in the office of the Zoning Administrator of St. Clair County, being marked and designated as "NFPA 72 – National Fire Alarm and Signaling Code, 2013" as published by the National Fire Protection Association be and is hereby adopted as contained herein as the Fire Alarm and Signaling Code of St. Clair County, Illinois, for the application, installation, location, performance, inspection, testing and maintenance of fire alarm systems, supervising station alarm systems, public emergency alarm reporting systems, fire warning equipment and emergency communications systems, and their components; and each and all of the regulations, provisions, penalties, conditions and terms of said NFPA 72 – National Fire Alarm and Signaling Code, 2013, 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 herein .

7-10-2 RESERVED.

7-10-3 Scope. This code covers the application, installation, location, performance, inspection, testing and maintenance of fire alarm systems, supervising station alarm systems, public emergency alarm reporting systems, fire warning equipment and emergency communications systems (ECS), and their components. (NFPA 72 1.1.1)

The provisions of this Article apply throughout this Chapter unless otherwise noted. (NFPA 72 1.1.2)

7-10-4 Purpose. The purpose of this Article is to define the means of signal initiation, transmission, notification, and annunciation; the levels of performance; and the reliability of the various types of fire alarm systems, supervising station alarm systems, public emergency alarm reporting systems, fire warning equipment, emergency communications systems, and their components. (NFPA 72 1-2-1)

A. This Article defines the features associated with these systems and also provides information necessary to modify or upgrade an existing system to meet the requirements of a particular system classification. (NFPA 72 1.2.2)

B. This Article establishes minimum required levels of performance, extent of redundancy, and quality of installation but does not establish the only methods by which these requirements are to be achieved. (NFPA 72 1.2.3)

C. This Article shall not be interpreted to require a level of protection that is greater than that which would otherwise be required by the applicable building or fire code. (NFPA 72 1.2.4)

7-10-5 Application.

A. Alarm systems shall be classified as follows (NFPA 72 1.3.1):

- (1) Fire alarm systems
 - (a) Household fire alarm systems
 - (b) Protected premises (local) fire alarm systems
- (2) Supervising station alarm systems
 - (a) Central station (service) alarm systems
 - (b) Remote supervising station alarm systems
 - (c) Proprietary supervising station alarm systems
- (3) Public emergency alarm reporting systems
 - (a) Auxiliary alarm systems — local energy type
 - (b) Auxiliary alarm systems — shunt type

B. Emergency communications systems shall be classified as follows (NFPA 72 1.3.2):

- (1) One-way emergency communications systems
 - (a) Distributed recipient mass notification systems
 - (b) In-building fire emergency voice/alarm communications systems
 - (c) In-building mass notification systems
 - (d) Wide area mass notification systems
- (2) Two-way emergency communication systems
 - (a) In-building emergency communication systems.

C. Any reference or implied reference to a particular type of hardware shall be for the purpose of clarity and shall not be interpreted as an endorsement. (NFPA 72 1.3.3)

D. The intent and meaning of the terms used in this Article shall be, unless otherwise defined herein, the same as those of *NFPA 70, National Electrical Code*. (NFPA 72 1.3.4)

7-10-6 Retroactivity. Unless otherwise noted, it is not intended that the provisions of this document be applied to facilities, equipment, structures, or installations that were existing or approved for construction or installation prior to the effective date of the document. (NFPA 72 1.4.1)

A. In those cases where it is determined by the authority having jurisdiction that the existing situation involves a distinct hazard to life or property, retroactive application of the provisions of this document shall be permitted. (NFPA 72 1.4.2)

7-10-7 Equivalency. Nothing in this Article shall prevent the use of systems, methods, devices, or appliances of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety over those prescribed by this Article. (NFPA 72 1.5.1)

A. Technical documentation shall be submitted to the authority having jurisdiction to demonstrate equivalency. (NFPA 72 1.5.2)

B. The systems, methods, devices, or appliances that are found equivalent shall be approved. (NFPA 72 1.5.3)

7-10-8 Units and formulas. The units of measure in this Article are presented in U.S. Customary Units (inch-pound units). (NFPA 72 1.6.1)

A. Where presented, the International System (SI) of Units follow the inch-pound units in parentheses. (NFPA 72 1.6.2)

B. Where both systems of units are presented, either system shall be acceptable for satisfying the requirements in this Article. (NFPA 72 1.6.3)

C. Where both systems of units are presented, users of this Article shall apply one set of units consistently and shall not alternate between units. (NFPA 72 1.6.4)

D. The values presented for measurements in this Article are expressed with a degree of precision appropriate for practical application and enforcement. It is not intended that the application or enforcement of these values be more precise than the precision expressed. (NFPA 72 1.6.5)

E. Where extracted text contains values expressed in only one system of units, the values in the extracted text have been retained without conversion to preserve the values established by the responsible technical committee in the source document.

7-10-9 Code adoption requirements. This Article shall be administered and enforced by the authority having jurisdiction designated by the governing authority. (NFPA 72 1.7)

7-10-10 Violation penalties. See Article I, Division XIV, Section 7-1-82.

Article - X Illinois Accessibility Code

Division - I General

7-11-1 Adoption of Illinois Accessibility Code. That a certain document, **one (1) copy** of which is on file in the office of the Zoning Administrator of St. Clair County, being marked and designated as "The Illinois Accessibility Code, 1997" as published by the International Code Council be and is hereby adopted as contained herein as the Illinois Accessibility Code of St. Clair County, Illinois for the control of all spaces and elements of all applicable buildings and facilities to ensure that they are so designed, constructed, and/or altered to assure the safety and welfare of all members of society and to be readily accessible to, and usable by, environmentally limited persons; and each and all of the regulations, provisions, penalties, conditions and terms of said Illinois Accessibility Code, 1997, 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 herein .

7-11-2 RESERVED.

7-11-3 Title. These regulations shall be known as the Illinois Accessibility Code of St. Clair County and shall be cited as such and will be referred to herein as "this code." (IAC 101.1)

7-11-4 Purpose. (IAC 400.110)

A. The purpose of this Article is to implement the Environmental Barriers Act (EBA) [410 ILCS 25] as amended to date, and to replace the former version of the Code (71 Ill. Adm. Code 400) effective May 1, 1988. This Article is intended to ensure that the built environment, including all spaces and elements of all applicable building and facilities in the County are so designed, constructed, and/or altered to assure the safety and welfare of all members of society and to be readily accessible to, and usable by, environmentally limited persons.

B. This Article is also intended to resolve areas of difference between the federal accessibility standards, Americans with Disabilities Act Accessibility Guidelines (ADAAG), which are applicable to buildings and facilities covered by the Americans with Disabilities Act (ADA), and the Illinois accessibility standards, Illinois Accessibility Code (IAC), which are applicable to buildings and facilities in the State of Illinois covered by the EBA.

C. This Article, together with the Environmental Barriers Act (EBA) and the standards incorporated by reference identified in Section (IAC 400.120) , has the force of a building code and as such is law in the State of Illinois.

7-11-5 Standards incorporated by reference. For projects involving alterations to historic buildings only, the "Secretary of the Interior's Standards for Rehabilitation Historic Buildings" (Revised 1992), U.S. Department of the Interior, National Park Service, Preservation Assistance Division, Washington, D.C., shall apply. The document is available from the U.S. Government Printing Office, Document No. 024-005-01061-1 Washington D.C. 20402-9325. It is also available from the Illinois Historic Preservation Agency. The Standards and Guidelines do not include any later amendments or editions. (IAC 400.120)

7-11-6 Applicability. (IAC 400.130)

- A.** Buildings and facilities covered: This Article applies to all “public facilities” and “multi-story housing units” as defined and governed by the EBA and located, in whole or in part, within the legal geographic boundaries of the State of Illinois, unless specifically exempted herein.
- B.** The fact that a building or facility governed by the EBA is also a facility financed by federal funds is no bar to the application of this Article.
- C.** This Article is applicable when work involving new construction, alterations, additions, historic preservation, restoration, or reconstruction in whole or in part begins after the effective date of this Article. The Article becomes enforceable with the signing of a construction contract, issuance of an official authorization or permit for construction, or the start of construction, whichever occurs first.

7-11-7 Civil enforcement. (IAC 400.140)

A. The Attorney General shall enforce the EBA and this Article in accordance with Section 6 of the EBA. The Attorney General shall investigate any complaint or reported violation and, where necessary to ensure compliance, may bring an action including, but not limited to, any or all of the following.

- 1. mandamus;
- 2. injunction to halt the construction, alteration, or use of any public facility which has been or is being constructed, altered, or leased in violation of the EBA and this Article;
- 3. injunction to halt the construction or use of any multi-story housing unit which has been or is being constructed in violation of the EBA and this Article;
- 4. actions to require compliance with the EBA and this Article by private persons, State and local authorities, and other entities;
- 5. actions to impose civil penalties in accordance with Section 7 of the EBA;
- 6. other appropriate relief (Section 6, EBA).

B. Upon receipt of a complaint, the Executive Director of the Capital Development Board will forward it to the Attorney General. Any other person may request the State’s Attorney of the county in which the public facility or multi-story housing unit is located to initiate prosecution under Section 6 of the EBA, or may forward the complaint to the Attorney General.

7-11-8 Local Standards. The provisions of the EBA and this Article constitute minimum requirements for all governmental units, including home rule units. Any governmental unit may prescribe more stringent requirements to increase and facilitate access to the built environment by environmentally limited persons (Section 8, EBA). (IAC 400.150)

7-11-9 RESERVED.

7-11-10 Interpretation of the requirements. (IAC 400.170)

A. Words used in the singular number shall include the plural sense and vice-versa.

- B.** Unless otherwise specified in this Article, each element or space of a particular building or facility shall comply with the applicable requirements of this Article.
- C.** Use of the terms “provide” or “shall” means the provision is mandatory.
- D.** Parenthetical references within this Part are to the Americans with Disabilities Act Accessibility Guidelines that relate to the rule.

7-11-11 Permits/Statement of Compliance. (IAC 400.180)

- A.** Where permits are required for the construction or alteration of any public facility or multi-story housing unit, the plans and specifications submitted by the Owner to obtain such a permit shall be examined for compliance with this Article by the administrative authority which issues the permit for construction.
- B.** Section 5(d) of the EBA requires a Statement of Compliance by the architect/engineer unless the cost of construction or alteration is less than \$50,000. For privately owned it shall be filed with the local administrative authority or, in the absence of an administrative authority, with the County Clerk. For publicly-owned work, it shall be filed with the governmental unit contracting for the work.
- C.** The Statement of Compliance shall be worded as follows and signed by the architect/engineer:

STATEMENT OF COMPLIANCE	
<p>I have prepared, or caused to be prepared under my direct supervision, the attached plans and specifications and state that, to the best of my knowledge and belief and to the extent of my contractual obligation, they are in compliance with the Environmental Barriers Act [410 ILCS 25] and the Illinois Accessibility Code (71 Ill. Adm. Code 400).</p>	
Signed: _____	
Architect/Engineer	
SEAL	ILLINOIS REGISTRATION NO.: _____
Date: _____	

- D.** The seal of the architect/engineer as required by Section 14 of the Illinois Architecture Practice Act [225 ILCS 305], Section 12 of Illinois Structural Engineering Licensing Act [225 ILCS 340] and Section 14 of the Illinois professional Engineering Practice Act [225 ILCS 325] may be provided in lieu of the “Statement of Compliance” required in subsection (C) above.

7-11-12 Violation penalties. See Article I, Division XIV, Section 7-1-82.

Article - XI Plumbing Code

Division - I General

7-12-1 Adoption of Illinois Plumbing Code. The Illinois State Plumbing Code, 77 Illinois Administrative Code, Part 890, as amended and promulgated by the Illinois Department of Public Health, and as may be amended from time to time, is hereby adopted as the Plumbing Code of St. Clair County, Illinois by the St. Clair County Board, to govern the design and installation of new plumbing or plumbing systems and the alteration, renovation, or replacement of plumbing or plumbing systems, as if fully set forth in this Article XII. Each and all of the regulations, provisions, penalties, conditions and terms of said Illinois State Plumbing Code 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 herein. A copy of the Illinois State Plumbing Code is on file in the office of the Zoning Administrator of St. Clair County.

7-12-2 RESERVED.

7-12-3 Plumbing Enforcement. All enforcement shall be in compliance with the State Plumbing Code.

7-12-4 Violation penalties. See Article I, Division XIV, Section 7-1-82.

Previously Adopted Ordinances

- 07/25/1983 Ord. #373-83-0 Adopting The BOCA Basic Building Code 1981 8th Edition
- 05/26/1987 Ord. #87-28 Adopting The BOCA National Building Code 1987 10th Edition
- 07/30/1990 Ord. #90-202 Adopting The BOCA National Building Code 1990 11th Edition
- 09/27/1993 Ord. #93-419 Adopting The BOCA National Building Code 1993 12th Edition
- 02/01/1994 Building, Electrical and Plumbing Inspection Program Established
- 01/01/2000 Ord. #99-695 Adoption The BOCA National Building Code 1999 14th Edition
- 04/28/2003 Ord. #03-787 Amendment of Chapter 7, 29 & 40 Filing Fees
- 06/27/2005 Ord. #06-868 Adopting The National Electrical Code 2005
- 05/29/2007 Ord. #07-937 Adopting The International Building Code 2003, International Residential Code 2003, International Mechanical Code 2003, International Fuel Gas Code 2003, International Energy Conservation Code 2003, International Electrical Code Administrative Provisions, Illinois Accessibility Code 1997 and current Illinois Plumbing Code
- 09/27/2010 Ord. #10-1029 Electrical Code Amendment – Aluminum wire
- 12/20/2010 Ord. #10-1035 The International Energy Conservation Code 2009
- 01/27/2014 Ord. #14-1092 Adopting The International Energy Conservation Code 2012
- 12/17/2018 Ord. #18-1201 Revised Fees