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February 8, 2018

Sam Trakas
Village Administrator
Village of Inverness
1400 Baldwin Road
Inverness, Illinois 60067

RE: IDPH Approval of Plumbing Ordinance – Village of Inverness

Dear Mr. Trakas,

The Illinois Department of Public Health (“IDPH” or the “Department”) has received a certified copy of the Village of Inverness’ (the “Village”) plumbing ordinance adopted on September 12, 2017, attached and referenced here. Pursuant to Sections 36 and 38 of the Illinois Plumbing License Law (the “Law”; 225 ILCS 320) and Section 750.800(b) of the Illinois Plumbing Licensing Code (the “Code”; 78 Ill. Adm. Code 750), units of local government should seek advisement for the adoption of a local plumbing ordinance.

As authorized by the Law and Code, the Department hereby approves the Village of Inverness’ adoption of the amendments relative to the following Sections of the Illinois Plumbing Code (77 Ill. Adm. Code 890):

- Section 890. Appendix A. Table A Approved Building Draining/Vent Pipe
- Section 890. Appendix A. Table A Approved Water Service Pipe
- Section 890. Appendix A. Table A Approved Water Distribution Pipe

These amendments shall be approved until five (5) years after the date of the adoption of the subject ordinance or until the promulgation of subsequent revisions of the amended Sections of the ILPC by the Department. The Department neither approves nor disapproves of administrative language added by the Village in these Sections.

If you have any further questions concerning the Village’s adoption of the Illinois Plumbing Code, please contact the Department at (217) 524-0791 or at dph.plumbing@illinois.gov.

Sincerely,

Brian W. Cox, P.E.
Manager, Plumbing and Water Quality Program

VILLAGE OF INVERNESS

ORDINANCE NO. 17-0984

AN ORDINANCE AMENDING THE VILLAGE OF
INVERNESS VILLAGE CODE

(Re: Amending Title 4 "BUILDING REGULATIONS"
in its entirety)

ADOPTED BY THE

CORPORATE AUTHORITIES

OF THE

VILLAGE OF INVERNESS, ILLINOIS

THIS 12TH DAY OF SEPTEMBER, 2017.

Published in pamphlet form by authority of the Corporate Authorities of the Village of Inverness,
Cook County, Illinois, this 12th day of September, 2017.

AN ORDINANCE AMENDING THE VILLAGE OF
INVERNESS VILLAGE CODE

(Re: Amending Title 4 “BUILDING REGULATIONS”
in its entirety)

WHEREAS, the Corporate Authorities of the Village find that it is in the best interests of the Village and its residents to amend Title 4 of the Village of Inverness Village Code by revising it in its entirety; now, therefore,

BE IT ORDAINED by the President and Board of Trustees of the Village of Inverness, Cook County, Illinois, in exercise of its authority as a Home Rule unit, as follows:

SECTION 1: The President and Board of Trustees hereby find that the recitals hereinabove set forth are true and correct and are incorporated into the text of this Ordinance as its findings to the same extent as if each such recital had been set forth herein in its entirety.

SECTION 2: That Title 4, BUILDING REGULATIONS, of the Village of Inverness Village Code is hereby amended by the deletion of the existing title in its entirety and the addition, in lieu thereof, of a new Title 4, which new Title shall read as follows:

Title 4 - BUILDING REGULATIONS

**CHAPTER 1
GENERAL BUILDING PROVISIONS**

4-1-1: SHORT TITLE; DESIGNATION OF PARTS:

- A. This title, including the rules and regulations it adopts by reference, is entitled the *INVERNESS BUILDING CODE*. The number or letter designations used to set off or identify its various parts refer to sections, subsections, paragraphs, rules, regulations or other divisions as the text or arrangement may indicate. Reference to any of these parts may be by such designation alone.
- B. To the extent that any provisions of this title are inconsistent with other provisions of this title or of this code, the more restrictive provisions shall prevail, except that to the extent that the provisions of this chapter are inconsistent with any provisions of the code, regulations, standards, or appendices adopted in this title, in such event the provisions of this chapter shall govern and prevail.

4-1-2: SCOPE OF PROVISIONS; PERMITS REQUIRED:

- A. Each regulated building and structure, part and/or appurtenance thereof, both existing and hereafter erected or installed, shall be so maintained that the occupants and users thereof and all others are reasonably safe from the hazards of fire, explosion, collapse, contagion and spread of infectious disease.
- B. The owner of record of the subject real estate or his employee contractor, or beneficiary on behalf of such owner shall obtain a permit, as hereinafter provided by this title, in advance, and all other requirements of these building regulations shall be complied with whenever a building or structure or part or appurtenance thereof, including, but not limited to, any electrical, gas, mechanical, or plumbing system, or any portion thereof, located within the limits of the village is constructed, erected, installed, altered, converted, remodeled, structurally repaired, moved, demolished or its use or occupancy is established or changed.
- C. WORK EXEMPT FROM PERMIT OF THIS SECTION: Exemption from permit requirements of this code section shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this section or any other code and ordinances of this Village. Permits shall not be required for the following:
1. BUILDING:
 - a. Accessory buildings or structures, provided that the area does not exceed 150 square feet or has plumbing, gas or electric installed and shall not be placed in any setback areas required by village code. Metal accessory buildings and sheds shall be prohibited.
 - b. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge and or directly adjacent to a walking surface area.
 - c. Stoops, sidewalks and driveways within same footprint.
 - d. Patio flatwork; not including areas served by special use P.U.D. Ordinance and or Home Owner Associations.
 - e. Wood deck board surface replacement.
 - f. Interior: painting, papering, tiling, carpeting, wood flooring, cabinets, countertops, doors (within same opening and in like kind) and similar finish work.
 - g. Exterior: painting, siding, windows (within same opening), doors (within same opening), tear-off and re-roofs, fascia, soffit, gutters and similar finish work.
 - h. Swings and other playground equipment and shall not be placed in any building setback areas required by village code.
 - i. Coy Ponds and Fountains must be less than 24 inches in depth, not electrically powered and shall not be placed in any building setback area required by village code.
 - j. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall, do not require additional support and are not electrically powered.
 - k. Tents on private property. Village Board approval required prior to erecting a tent on any Village property.

2. ELECTRICAL:

- a. Replacements of attachment plug receptacles, but not the outlets therefor.
- b. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
- c. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
- d. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

3. GAS:

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

4. MECHANICAL:

- a. Portable heating appliances.
- b. Portable ventilation appliances.
- c. Portable cooling appliances.
- d. Steam, hot or chilled-water piping within any heating or cooling equipment regulated by village code.
- e. Replacement of any minor part that does not alter approval or listing of equipment or make such equipment unsafe.
- f. Replacement of a through-wall A/C unit in like kind and size.
- g. Fixed-in-place A/C condenser unit replacement in like kind and size.
- h. Forced air furnace unit replacement in like kind and size.
- i. Radon mitigation systems for existing homes not required to be electrically powered.
- j. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

5. PLUMBING:

- a. 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 may be subject to permit as required by this section.

- b. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and re-installation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
- c. Emergency repair or replacement of septic sewer lateral from building to septic tank. If not so equipped, a cleanout shall be added within 5 feet of the building.
- d. Hot water heater replacement in like kind and size.

4-1-3: ADMINISTRATION; ENFORCEMENT:

The office of building official is hereby created in which is vested the power and duty to administer and enforce all the provisions of this title and such other regulations as are designated by the board of trustees by ordinance or by direction of the village president. Wherever in this title the term building official or building officer is used, said reference shall be to the building official as herein created.

- A. Building Official Appointment: The village president shall appoint as building official a person who is qualified by professional or practical training and experience to conduct the affairs and carry out the duties of that office.
- B. Duties: The services of the building official and/or deputy building officials shall be provided by one or more persons acting as employees of the village or acting as independent contractors pursuant to a contract or contracts approved by the board of trustees.
- C. Term Of Office: The building official shall have no fixed term of office but shall serve at the pleasure of the president and may be terminated with or without cause by the president but shall serve until a successor has been appointed and qualified.
- D. Inquiries And Reports: The building official shall inquire into and report upon any matter pertaining to building and zoning as may be requested by the president and/or board of trustees.
- E. Deputy Building Official Appointment: The village president may also appoint such deputy building officials as are needed and qualified to carry out efficiently the duties and powers assigned to them by said village president or building official, and there are hereby created the offices of deputy building officials, who shall be appointed by the president. The number of such deputies shall be determined, from time to time by the president and board of trustees, and each such deputy shall serve at the pleasure of the president and may be terminated with or without cause by the president. Each such deputy shall have the same powers and duties as are assigned to the building official but shall be subject to the direction of the building official.
- F. Compensation: The building official and deputy building officials shall receive such compensation, if any, as employees of the village or as independent contractors of the village, as may be fixed by the board of trustees from time to time.
- G. 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.

4-1-4: BUILDING PERMIT FEES:

- A. New Construction and Alterations: The fees for all building permits shall be six dollars (\$6.00) for each one thousand dollars (\$1,000.00) of scaled cost of construction, or fraction thereof.

The scaled cost of construction shall be determined by the method below:

<u>Type Of Structure</u>	<u>Construction Cost</u>
One- and two-family and multiple-family residential structures, per square foot for all finished and/or unfinished space	\$ 100.00
Business, offices, institutional structures, per square foot for all finished and/or unfinished space	100.00
Manufacturing, industrial structures, per square foot for all finished and/or unfinished space	100.00
Accessory residential structure, and decks per square foot for all finished and/or unfinished space or surface	50.00
Fireplaces (added value of each)	2,500.00

The scaled cost of construction of an addition, alteration or remodeling to a particular type of structure shall be determined at the same rate as the scaled cost of construction of the existing structure would be determined if new.

There shall be a permit fee for new fences of fifteen dollars (\$15.00) per one hundred (100) linear feet or fraction thereof.

In addition to the fees otherwise herein provided for, a fee surcharge of fifty percent (50%) of total building fees will be collected if construction is started before a construction permit is issued, including site, building, fence demolition, etc., not to exceed five hundred dollars (\$500.00).

Other applicable fees shall be as follows:	
Certificate of occupancy and administrative costs	\$25.00
Insurance fee	\$25.00 (fixed charge)
Off street parking facilities permit	\$50.00
Permit for moving of buildings	\$6.00 per \$100.00 of estimated cost of work
Permit extension fee	Each and every extension of such a building permit beyond the initial term thereof as authorized by section 107.9 of the Inverness building code, a fee surcharge of fifty percent (50%) of the original total building fees shall be paid by the permittee prior to the grant of each such extension
Plan review fee	\$60.00 per hour of actual time required by the building inspector for such plan review, with a minimum charge of one-half (1/2) hour, plus reimbursement to the village for any out of pocket expenses incurred by the village in such plan review
Reinspection fee	\$100.00 for each inspection after both the initial inspection and after the first reinspection of the same project or of some portion thereof or of the work of each separate trade due to noncompliance (i.e., the cost of the initial inspection and the first reinspection are included in the specific permit fees)

Removal of stop work order fee	\$52.00
Septic permit	\$300.00
Septic repair permit	\$150.00
Sign permits	The fee for signs, billboards and other display of structures for which permits are required under the provisions of the basic code shall be in accordance with title 5, chapter 5 of this code
Site development permit	\$200.00
Swimming pool permit	\$200.00
Temporary certificate of occupancy	\$250.00
Tennis court permit	\$100.00
Well permit	\$50.00

B. Fees For Demolition Or Removal Of Building Or Structure Or Tanks: The fee for a permit for the demolition of a building or structure shall be at the rate of three dollars (\$3.00) for each one hundred (100) square feet of floor area of the building or structure. The fee for removal of miscellaneous structures such as underground storage tanks shall be thirteen dollars (\$13.00) for each item. A performance bond and a road bond shall be posted for each demolition permit in accordance with section 4-1-5 of this chapter.

C. Electrical Permit And Inspection Fees: In addition to the above fees, the following electrical permit and inspection fees are hereby established:

1. For the inspection of original installations in a single-family residence, during construction of such residence including all circuits, fixtures, receptacles and equipment:

For a residence to contain up to 1,000 square feet of livable floor area	\$70.00
For a residence to contain 1,001 to 2,000 square feet of livable floor area	\$85.00
For a residence to contain 2,001 to 3,000 square feet of livable floor area	\$105.00
For a residence to contain in excess of 3,000 square feet of livable floor area	\$105.00 plus \$55.00 for each 1,000 square feet of area or any fraction thereof in excess of 3,000 square feet

2. For the inspection of electrical installations in any nonresidential building during construction of such building including all circuits, fixtures, receptacles and equipment:

For a building to contain up to 1,000 square feet of usable floor area	\$70.00
For a building to contain 1,001 to 2,000 square feet of usable floor area	\$85.00

For a building to contain 2,001 to 3,000 square feet of usable floor area	\$105.00
For a building to contain in excess of 3,000 square feet of usable floor area	\$105.00 plus \$25.00 for each 1,000 square feet of area or any fraction thereof in excess of 3,000 square feet

3. For each inspection of additional electrical outlets on existing circuits, there shall be no charge.
4. For inspection of any electrical installation in any existing building, and for additional or replacement circuits in an existing building or for additional circuits in any remodeling or enlargement of an existing building:

For remodeling or additions affecting up to 1,000 square feet of usable floor area	\$70.00
For remodeling or additions affecting 1,001 to 2,000 square feet of usable floor area	\$85.00
For remodeling or additions affecting 2,001 to 3,000 square feet of usable floor area	\$105.00
For remodeling or additions affecting in excess of 3,000 square feet of usable floor area	\$105.00 plus \$55.00 for each 1,000 square feet of usable floor area or any fraction thereof in excess of 3,000 square feet

5. If additional electrical inspections are required by reason of inaccurate or incomplete information supplied by the applicant, a charge of sixty dollars (\$60.00) per hour shall be made for the time consumed in making any such additional inspection.

D. Plumbing Permit And Inspection Fees: The fee for each plumbing permit shall be twenty dollars (\$20.00) plus ten dollars (\$10.00) for each fixture included in the system, such as, but not limited to, bathtubs, lavatories, closets, sinks, laundry tubs, drinking fountains, floor drains, and/or any installed receptacles, devices or other appliances which are supplied with water or which receive or discharge liquids or liquid borne wastes, with or without discharge into the drainage system with which they may be directly or indirectly connected shall be considered a fixture, but in no event shall the fee be less than the out of pocket expenses incurred by the village for its plumbing inspection contractor relative to such permit and the related inspections. The fee for each plumbing permit shall defray the village's charges for all initial plumbing inspections plus one reinspection related to such permit. If more than one reinspection is required related to any plumbing permit, a charge of one hundred dollars (\$100.00) per reinspection shall be paid by the permittee.

E. Refunds: Whenever, after application for a building permit and prior to any building site preparation and/or construction of permanent improvements on the property, the applicant requests that the application be withdrawn and any permits issued revoked, there shall be refunded to such applicant all building permit fees paid and all water-sewer connection and similar fees paid excepting, however:

1. Plan review charges;
2. An additional charge, if appropriate, to reimburse the village for time spent or charges incurred other than usual plan review; and
3. Recapture charges which may have been paid by the village to others entitled thereto.

F. Deposits: A non refundable deposit shall be paid at the time of permit application. This deposit will be applied to the permit fee when a permit is issued.

1. A \$75.00 non refundable deposit shall be required for all applications where the construction value is estimated to be less than or equal to \$5,000.00.
2. A \$250.00 non refundable deposit shall be required for all applications where the construction value is estimated to exceed \$5,000.00.
3. A \$500.00 non refundable deposit shall be required for all applications where the construction value is estimated to exceed \$10,000.00.
4. A \$1,000.00 non refundable deposit shall be required for all applications where the construction value is estimated to exceed \$500,000.00.
5. A \$5,000.00 non refundable deposit shall be required for all applications where the construction value is estimated to exceed \$1,000,000.00.
6. A \$7,500.00 non refundable deposit shall be required for all applications where the construction value is estimated to exceed \$2,000,000.00.
7. A \$10,000.00 non refundable deposit shall be required for all applications where the construction value is estimated to exceed \$5,000,000.00.

4-1-5: BONDS:

A. Performance Bond:

1. Each person who applies for a building permit for the construction of any new building, for an addition to an existing building, for remodeling of an existing building, or who applies for any site development permit to be issued pursuant to chapter 8 of this title or for any demolition permit shall post with the village collector a cash performance bond as follows:
 - a. One thousand dollars (\$1,000.00) for any addition to an existing building or for any remodeling of an existing building where the total estimated scaled cost of construction is in excess of five thousand dollars (\$5,000.00) but does not exceed one hundred thousand dollars (\$100,000.00), or for any demolition permit.
 - b. One thousand dollars (\$1,000.00) for any site development permit to be issued pursuant to chapter 8 of this title where the cost of the site work does not exceed one hundred thousand dollars (\$100,000.00).
 - c. Two thousand dollars (\$2,000.00) for any new building or for any addition to an existing building or for remodeling of any existing building where the total estimated scaled cost of construction exceeds one hundred thousand dollars (\$100,000.00); and
 - d. Two thousand five hundred dollars (\$2,500.00) for any site development permit to be issued pursuant to chapter 8 of this title where the cost of the site work exceeds one hundred thousand dollars (\$100,000.00).
2. Such bond shall be refunded to the applicant if the village president finds that the construction, demolition and/or site work has been completed in compliance with this code and all other applicable rules, regulations and ordinances of the village and with state law. Otherwise, said performance bond shall be forfeited to the village without prejudice to the rights of the village to require compliance with this code and all other applicable rules, regulations and ordinances and with state law.

B. Road Bond:

1. Each person who applies for a building permit for the construction of any new building, for an addition to an existing building, or for remodeling of an existing building, or who applies for any site development permit to be issued pursuant to chapter 8 of this title, or for any demolition permit shall post with the village collector a cash road bond as follows:
 - a. One thousand dollars (\$1,000.00) for any addition to an existing building or for any remodeling of an existing building where the total estimated scaled cost of construction is in excess of five thousand dollars (\$5,000.00) but does not exceed one hundred thousand dollars (\$100,000.00) or for any demolition permit;
 - b. One thousand dollars (\$1,000.00) for any site development permit to be issued pursuant to chapter 8 of this title where the cost of the site work does not exceed one hundred thousand dollars (\$100,000.00);
 - c. Two thousand dollars (\$2,000.00) for any new building or for any addition to an existing building or for remodeling of any existing building where the total estimated scaled cost of construction exceeds one hundred thousand dollars (\$100,000.00); and
 - d. Two thousand five hundred dollars (\$2,500.00) for any site development permit to be issued pursuant to chapter 8 of this title where the cost of the site work exceeds one hundred thousand dollars (\$100,000.00).
2. Such road bond shall be refunded to the applicant if the village president finds that the construction, demolition and/or site work has been completed without any substantial damage to the streets, roads or highways within the village, including immediate removal of any mud or debris therefrom. Otherwise, said cash road bond shall be forfeited to the village, without prejudice to the rights of the village to require compliance with this code and all other applicable rules, regulations and ordinances and with state law.

C. Release Of Bonds: The requirements for the release of the bonds specified in subsections A and B of this section shall include, but shall not be limited to, the following requirements:

1. A reasonably mature lawn which shall inhibit erosion shall be established and must extend through the ditch and parkway to the near edge of the paved roadway.
2. For all new construction and when work is performed in the right of way, culverts under driveways shall be constructed of corrugated metal or concrete, be at least twelve inches (12") in diameter and extend at least five feet (5') beyond the edges of the driveway and be terminated in flared end sections. Any damage to an existing culvert sustained during the construction shall have been repaired. In order that drainage not be impaired, ditches shall be properly graded, and culverts shall be cleaned of debris and silt.
3. Drainage pipes from curtain drains, sump pumps, roof drains, etc., shall end twenty feet (20') from any lot line and shall not extend into any right of way or any ditch or swale within the right of way or directly onto the neighboring property.
4. No posts (other than standard mailbox posts complying with the requirements of this code), and no rocks, structures, lights, light posts, or obstructions of any kind shall exist in the right of way. In addition, no structures (except for light posts) such as sheds, swing sets, shall be placed within the building setbacks.
5. Construction and landscaping shall be completed to that stage where the need for further heavy equipment or vehicles such as cement trucks, end loaders, etc., is unlikely.

6. Public roads shall be in the same condition as existed before construction commenced.
 7. Damage to, or debris left upon, neighboring lots or rights of way attributable to the permittee's construction shall be repaired or removed. Ditch grading shall remain unimpaired at all times on adjacent lots so that drainage shall not be impeded in a manner which might result in standing water or soil erosion. Erosion fences or other such environmental protections, if required, shall be in place.
 8. There shall be no evidence that the septic system is malfunctioning or of violations of this code relative to the septic system. Sprinkler systems shall not be installed within twenty five feet (25') of the septic seepage field.
- D. Forfeiture: Any failure to comply with the provisions of subsections A, B, and/or C of this section or any other provisions of this code or any other applicable rules, regulations or ordinances of the village or the state law shall result in the forfeiture of any such cash bond held by the village; provided, however, that prior to any such forfeiture, the village shall give thirty (30) days' written notice by U.S. mail, postage prepaid, to the applicant at his last known address, that such action is contemplated and that the applicant has the right to request a hearing before the village president on the question of such forfeiture within that time period, and that if such applicant fails to do so, said bond shall be automatically forfeited. If any such cash bond is unclaimed for two (2) years, the same may be forfeited to the village by resolution adopted by the village board; provided, however, that prior to the passage of such a resolution, the village shall give thirty (30) days' written notice by U.S. mail, postage prepaid, to the applicant at his last known address, that such forfeiture is contemplated if such applicant fails to claim the funds in question within that time period.

4-1-6: PERMIT APPLICATIONS:

A. Form of Application:

1. Application for such permits shall be made to the village administrator, who shall refer it to the building official. The application shall be filed and shall contain the legal description, real estate index number and street address for the land on which the work is to be done. The application for building permit shall be accompanied by two (2) for residential and four (4) for commercial sets of plans and specifications showing the work to be done; such plans and specifications shall be verified by the signature either of the owner of the premises or by the architect or contractor in charge of operations.
2. When required by the building official, plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and shall show in detail that it will conform to the provisions of the Inverness Building Code and all relevant laws, ordinances, rules and regulations. Plans shall include a plat of survey, drawn to scale, showing all easements, drainage facilities, adjacent grades, property lines, the proposed building and every existing building on the property. The building official may require the plans and specifications to be certified and stamped by a registered architect or structural engineer licensed by the state of Illinois. For any construction project where the scale construction cost therefor may exceed ten thousand dollars (\$10,000.00), the building official shall require such certificate and stamp be provided for the plans for such project by such a registered architect or by a structural engineer licensed by the state of Illinois. Soil tests may be required if in the opinion of the building official and/or the village engineer and/or village president or his designee, tests are deemed necessary.
3. Each applicant for a building permit shall deliver a copy of the following acknowledgement executed by the applicant and the owners of record of the property which is the subject of the application:

Acknowledgement of Possible Covenants, Conditions and Restrictions of Record:

The undersigned, having applied to the Village of Inverness for a building permit, acknowledges:

(a) That there may be private covenants, conditions and restrictions running with the title to the property which is the subject of their permit applications which regulate, govern, control and/or affect what type of improvements may be made on the subject property;

(b) That the Village, by issuance of a building permit has no power to and does not abrogate, vary, terminate, waive or release any such covenants, conditions and restrictions of record which may be applicable to the subject property;

(c) That the undersigned remains obligated to comply with such covenants, conditions and restrictions of record notwithstanding the fact that they have received a building permit from the Village of Inverness;

(d) That the undersigned and their attorney should review a title insurance policy or title insurance commitment for the subject property to determine what covenants, conditions and restrictions of record are in fact applicable to the subject property; and

(e) That, in consideration for the issuance of a building permit, the undersigned further agree to hold harmless and indemnify the Village, its officers, employees and agents, from any cost, claim, expense or liability to the Village, resulting directly or indirectly from or related to, any violation claimed by the undersigned of such covenants, conditions and restrictions of record as may be applicable to the subject property, including reasonable attorneys' fees and other costs of defense.

B. Description Of Work: The application shall contain a general description of the proposed work, its location, the use and occupancy of all parts of the building or structure and of all portions of the site or lot not covered by the building, provisions for special inspections as required by sections 1704 and 1705 of the International Building Code, 2015, as adopted in chapter 2 of this title, and such additional information as may be required by the building official. The application must also contain a plat of survey prepared by a registered Illinois land surveyor showing lot dimensions, total area, all existing improvements, all easements of record and all building and setback lines required by the zoning ordinance or any recorded document, provided, however, no such plat of survey shall be required for a condominium unit where all proposed and actual work is confined to the interior of the existing structure.

C. Time Limitation Of Application: An application for a permit for any proposed work shall be deemed to have been abandoned one hundred eighty (180) days after the date of filing, unless such application has been pursued in compliance with this title 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 one hundred eighty (180) days in total. The extension shall be requested in writing and justifiable cause demonstrated.

4-1-7: PERMIT TIME LIMITATIONS:

Whenever any building permit is issued, the construction contemplated by such building permit shall begin within three (3) months from the date of the issuance of such building permit and such construction shall be completed within the time prescribed from the date of the issuance of such building permit:

New homes and demolition/rebuild projects	24 months
Nonresidential structures	24 months
Residential additions 2,500 square feet or greater	18 months
Residential additions less than 2,500 square feet	12 months
Pools	9 months
Septic repairs/modifications	9 months
Accessory structures, decks and all other exterior work, except as specified above	6 months

except that if said permit has expired or been abandoned: a) the building official may, in his discretion, and if there is reasonable cause shown, grant one or more extensions of time for said permit, all of which shall not exceed, in the aggregate, one hundred eighty (180) days for any such permit if there is reasonable cause shown; and b) in addition, the village president may, in his discretion, and if there is reasonable cause shown, grant one or more extensions of time for such permit, all of which extensions shall, in the aggregate, not exceed one hundred eighty (180) days for any such permit. In the event such construction is not begun within said three (3) month period, the building permit shall be null and void. The building or structure shall be completed within the period referred to above from the date of issuance of said permit and the extensions thereof as authorized by this section. Each day any building or structure remains incomplete after the expiration of such period and any extensions thereof as authorized by this section shall be deemed to be a separate offense.

This title 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 compliance with this title unless said permit has expired or been abandoned.

4-1-8: FOUNDATION SURVEYS REQUIRED:

A. A plat of survey (also known as a "spot survey") shall be required when any foundation is completed. A plat of the lot(s) or parcel(s) of land, or parts or portion thereof, drawn to a scale showing the actual dimensions of the lot(s) or parcel(s), the location of all buildings and improvements, including excavations and foundation walls, and the elevation of all levels of the top of foundation with respect to United States geological survey (USGS) datum, and certified by a registered land surveyor licensed by the state as a true copy of the lot(s) or parcel(s) shall be submitted to the building official for review and approval of the foundation elevation and location immediately after the foundation walls have been completed. Said plat or spot survey must meet the following requirements:

1. Such survey shall be prepared by and certified by a professional land surveyor registered in the state;
2. The legal description must be clearly set forth thereon;
3. All information on such plat must be legible;
4. The location of all foundations, buildings and improvements upon the lot or parcel shall be defined by measurements perpendicular to the boundaries;
5. Exterior dimensions of all foundations, buildings and improvements at ground level shall be shown.

B. No further construction other than backfilling shall occur until the foundation wall elevations shown on the plat have been reviewed and approved by the village engineer. Acceptance of the location and elevation of foundation walls shall be shown by a stamp on the plat of survey marked "APPROVED, Village of Inverness Village Engineer", with the date and signature of the village engineer.

4-1-9: CERTIFICATE OF OCCUPANCY:

A. General: Except as provided for in subsection B of this section, no building hereafter erected shall be used or occupied in whole or in part until a certificate of use and occupancy shall have been issued for same by the building official. The nature of the proposed use and occupancy of the property, including the permitted business or occupation, if any, or other purpose for which such certificate of occupancy is issued shall be specified in such certificate and the use and occupancy of such

premises shall not be altered or modified without application for and issuance of a new certificate of occupancy.

- B. Temporary Occupancy: Upon the request of the holder of a permit and the payment of the required fee, the building official may issue a temporary certificate of occupancy for a building or structure, or part thereof, before the entire work covered by the permit shall have been completed, provided such portion or portions may be occupied safely prior to full completion of the building or structure and occupancy shall have a term specified by the building and zoning officer not exceeding ninety (90) days from the date of issuance. Any occupancy permitted by a temporary certificate of occupancy shall be discontinued upon the expiration of such temporary certificate.
- C. Certificate Of Occupancy; Issuance Procedure: If, as a result of appropriate inspection, the building official determines that all construction has been completed in compliance with the building permit and all village ordinances, and the proposed use and occupancy of the premises will comply with all such ordinances, the building official shall issue to the owner a signed certificate of occupancy, and the building official shall then immediately transmit to the assessor a copy thereof.

4-1-10: FINAL AS BUILT SURVEYS REQUIRED:

- A. Prior to the issuance of an occupancy permit, a final as built topographical survey of the lot grading shall be submitted to and approved by the village engineer. Said surveys shall also be prepared by a registered land surveyor. After the receipt of such final as built survey, the village engineer shall conduct a final site inspection.
- B. Final as built surveys shall show the following information:
1. Property lines (dimensioned), building lines, easements;
 2. Lot corners (must be monumented by an iron pipe);
 3. Building foundations at ground level, including dimensions;
 4. Foundation location measurements relative to all property lines showing clearly that no building setback lines or easements have been encroached upon;
 5. Bench mark description and elevations;
 6. The following elevations shall be shown at USGS datum:
 - a. Top of foundation elevation for each level, and approximate grade change by scale;
 - b. Brick ledge, if applicable;
 - c. Garage floor elevation;
 - d. Centerline and edge of street or top of curb, if same exists, opposite front corners of property (indicate if final surface or not);
 - e. Ground at twenty five foot (25') intervals along:
 - (1) Roadside ditch flow line;
 - (2) Lot lines;

(3) Drainage swale flow lines.

f. Driveway culverts;

g. At locations where proposed elevations are indicated on approved final lot grading plan.

7. A final occupancy permit shall not be issued if the property is not in compliance with the approved foundation plat of survey, the approved site plan, the approved septic plan, and the approved final lot grading plan and the approved final engineering for the subdivision.

4-1-11: UNAUTHORIZED CHANGES IN SITE GRADING PROHIBITED:

A. No grades within the village shall be disturbed or otherwise altered except as allowed pursuant to a site development permit issued by the village engineer.

B. Any change in grading done without authorization of the village engineer shall be regraded and restored to its original approved grades, at owner's expense. If not completed within fourteen (14) days, regrading may be ordered by the village and charged to owner.

C. No final occupancy permit or other indication of approval of new construction shall be issued or given by the building official until all grade requirements set forth in this section and other applicable provisions of this code have been met.

D. The applicant, i.e., developer, contractor, and/or the builder, shall provide to the village, prior to the issuance of any occupancy permit, a statement signed by the applicant and buyer/new owner, if any, stating that grades of the property purchased shall not be altered without a duly issued site development permit, and that any other improvements to the property shall require permits prior to any construction of such improvements.

4-1-12: GENERAL DRAINAGE REQUIREMENTS:

A. Nonresidential Properties: All properties, other than residentially zoned properties, shall be drained into village approved drainage structures or into storm water detention facilities within said property. Drainage onto properties that abut a nonresidential property shall be strictly prohibited unless such drainage reasonably maintains an existing or historic drainage pattern or unless those other properties are designed to accommodate such drainage as approved by the village engineer.

B. Residential Properties: Residentially zoned lots or parcels shall be graded and drained in such a manner as to reasonably maintain existing or historic drainage patterns from and onto other abutting properties. To the greatest extent practical, drainage shall be directed into village approved drainage swales and/or easements provided and approved for such use.

C. Approval Required For Further Alterations: The passage of drainage to or from other properties shall not be obstructed or altered from the latest plan approved by the village engineer, without the further written approval of such village engineer.

D. Existing Field Tiles, Drains And Storm Sewers To Be Repaired, Replaced And/Or Rerouted: If any existing field tile, drain, or storm sewer is destroyed, damaged or interrupted during the course of any construction, said tile, drain, or storm sewer shall be immediately repaired, replaced and/or rerouted in a manner approved by the village engineer in order to maintain the existing or historic drainage patterns, unless, based upon the written determination of the village engineer and based upon evidence submitted to such village engineer, such tile, drain, or storm sewer should be abandoned.

E. Surface Drainage: Surface drainage shall not be directed into any right of way unless approved by the village engineer.

F. Point Of Discharge To Be Set Back; Certain Connections To Storm Sewers Required:

1. The point of discharge (i.e., the release at or above grade) of any sump pump drain, swimming pool drain, downspout drain or any other conduit, pipe, impervious surface, or drain which channels, collects or conveys water related to any structure or improvement shall be set back at least twenty feet (20') from any property line of the lot or parcel on which the structure or improvement is located unless such conduit, pipe, impervious surface, or drain is connected directly to a storm sewer within a public right of way (or one offered for dedication) or within a recorded drainage easement and such connection and the manner of such connection shall have been approved in advance in writing by the village engineer.
2. Every sump drain, swimming pool drain, downspout drain or any other conduit, pipe, impervious surface, or drain which temporarily, occasionally, periodically, or permanently channels, collects or conveys unpolluted water related to any structure or improvement shall be connected to a storm sewer which is within a public right of way (or one offered for public dedication) or within a recorded drainage easement if such a storm sewer exists, and such connection shall have been approved in advance in writing by the village engineer.

4-1-13: FOUNDATION GRADING:

- A. All foundation grades shall be established in such a manner as to achieve the free and unobstructed flow of surface water away from the buildings.
- B. Every application for a building permit shall show the proposed foundation grade and set forth a grading plan for the proposed construction of the entire lot, determined in accordance with this section and all other applicable provisions of this code. No building permit shall be issued unless the proposed foundation grade for the building and grading plan is in accordance with the provisions of this section and all other applicable provisions of this code.
- C. No building permit shall be issued by the building official unless he has on file an approved final grading plan for such subdivision, and the proposed foundation elevation and lot grading for the lot in question shall substantially comply with same.
- D. Every building constructed in a location for which a final grading plan is on file shall conform to said final grading plan.

4-1-14: FIRE SUPPRESSION SYSTEMS:

Notwithstanding anything contained in this code to the contrary, all buildings with a "building area", as defined in C. Chapter 3 of this title, in excess of four thousand eight hundred (4,800) square feet or required by Chapter 9 of the IBC or IFC and all townhouses as defined in the IRC shall be equipped with a full functioning operational fire sprinkling system meeting NFPA standard no. 13, 13D, or 13R as applicable.

4-1-15: TRAFFIC IMPACT STUDY REQUIRED:

A traffic impact study prepared by a registered professional engineer qualified in traffic analysis shall be obtained at the applicant's expense and reviewed and approved by the board of trustees prior to the issuance of any building permit or any site development permit for any nonresidential use when either such use will include or will utilize more than fifty (50) parking spaces or when such use is likely to generate peak hour traffic volumes of greater than fifty (50) vehicles per hour. The traffic impact study shall identify those improvements by the applicant reasonably necessary to mitigate, to the extent possible, the traffic impacts specifically and uniquely attributable to such proposed use.

4-1-16: VIOLATIONS:

- A. Notice Of Violation: The building official shall serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, use or occupancy of a building, structure, accessory building, or fence in violation of the provisions of this title, or in violation of a detailed statement or plan approved hereunder, or in violation of a permit certificate issued under the provisions of this title; and such order shall direct discontinuance of the illegal action or condition and the abatement of the violation.
- B. Penalties: Any person who shall violate a provision of this title or shall fail to comply with any of the requirements hereof, who shall erect, construct, alter, or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this title, shall be guilty of a petty offense, punishable by a fine of not more than seven hundred fifty dollars (\$750.00).

Each day that a violation continues shall be deemed a separate offense.

- C. 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 liable to a fine of not less than one hundred dollars (\$100.00) or more than seven hundred fifty dollars (\$750.00).

4-1-17: APPEALS:

Any person aggrieved by any decision of the building official involving the interpretation of this title, the Inverness building code, may petition for an appeal of said decision to the zoning board of appeals. Upon such appeal being made, the zoning board of appeals shall hold a public meeting and shall make a recommendation to the board of trustees to affirm, overrule, or modify the decision of the building official as the facts may indicate. No appeal or variation from this title shall be granted, except by an ordinance approved by the board of trustees.

4-1-18: CONSTRUCTION PARKING:

No owner of property, contractor, and/or other permittee, who has been issued any village permit, including, but not limited to, any building permit, demolition permit, site development permit, septic permit, or other permit issued by the village authorizing any construction activity pursuant to this code ("village permits"), nor any contractor, subcontractor or material supplier of such owner, contractor, or permittee, shall cause, permit, or allow:

- A. Any vehicles and/or equipment, related to activity which is or should be the subject of such a village permit, to be parked or stored on any such village right of way, unless specifically authorized by a special condition of such a permit; and
- B. Any nonrubber tired equipment used in any activity related to such village permit(s) to be loaded or unloaded, except within the boundary lines of the property which is the subject of such village permit(s), and in no event shall such loading or unloading occur within the boundary lines of any public or private right of way.

The restrictions of this section shall not be applicable to any work within a right of way which has been duly authorized by the entity having maintenance jurisdiction over said right of way.

**CHAPTER 2
INVERNESS BUILDING CODE**

4-2-1: INTERNATIONAL BUILDING CODE ADOPTED:

The International Building Code, 2015 edition (IBC), of the International Code Council, is hereby adopted, except for such deletions and substitutions of sections as herein provided, as part of the Inverness Building Code (hereinafter sometimes referred to as "IBC" and sometimes referred to in this chapter as "this code").

4-2-2: AMENDMENTS, DELETIONS, ADDITIONS AND MODIFICATIONS:

The following amendments, deletions, additions and modifications are hereby made to the Inverness Building Code as adopted in section 4-2-1 of this chapter:

Sections 101.4.3, 103, 104.1, 104.2, 104.3, 104.5, 104.7, 105.1, 105.1.1, 105.1.2, 105.2, 105.2.1, 105.2.2, 105.2.3, 105.3, 105.3.1, 105.3.2, 105.4, 105.5, 107.3.2, 110.1, 110.2, 110.3, 111.2, 113, 113.1, 113.2, and 113.3 of the IBC are hereby deleted and are not adopted as parts of the Inverness building code. See Chapter 1 for additional administrative requirements.

Section 101.1 shall be and is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the "Inverness Building Code", hereinafter sometimes referred to as "this code".

Section 101.2 shall be and is hereby amended to read as follows:

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, 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.

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than two stories above grade plane in height (plus any mezzanine as authorized by this code) with a separate means of egress and their accessory structures shall comply with the Inverness Building Code.
2. All other existing buildings shall comply with this code, the Inverness Building Code.

Section 101.4 shall be and is hereby amended to read as follows:

101.4 Referenced Codes. The other codes referenced in this code shall be considered part of the requirements of this code in their entirety.

Section 101.4.4 shall be and is hereby amended to read as follows:

101.4.5 Property Maintenance. The provision of the International Property Maintenance Code (2015), which is hereby adopted, 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.

Section 101.4.5 shall be and is hereby amended to read as follows:

101.4.5 Fire Prevention. The provisions of the International Fire Code (2015), which is hereby adopted, 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 and alarm systems or fire hazards in the structure or on the premises from occupancy or operation, provided, however, section 903.2.7 of the international fire code (2015) shall be amended to provide as follows:

"903.2.7 Group R. An automatic sprinkler system installed in accordance with section 903.3 shall be provided throughout all buildings with a group R fire area, provided, however, that this requirement shall not be applicable to R-3 residential occupancies as defined in said fire code, except where and in the manner that automatic sprinkler systems are otherwise required by this village code."

Section 108.5 of the Inverness Building Code shall be added and is hereby amended to read as follows:

108.5 Accessory Buildings Or Structures. It shall be unlawful to build any garage, shed or other accessory building or structure before the main building is built on the subject property, and no building permit shall be issued for same, before the main building is built on the subject property, and no accessory building shall be used as a residence.

Section 1805.4.3 shall be and is hereby amended to read as follows:

Section 1805.4.3 Drainage Discharge. Any floor base and foundation perimeter drain hereinafter installed shall discharge by mechanical means or by a combination of mechanical means and gravity into an approved drainage system that complies with the Inverness plumbing code. However, systems relying only on gravity shall not be permitted.

Chapters 29, 30 and 32, of the IBC are hereby deleted and not adopted as part of the Inverness building code.

The following appendices of the IBC shall be adopted:

Appendix F Rodent proofing

Appendix I Patio Covers

CHAPTER 3 RESIDENTIAL BUILDING CODE

4-3-1: RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS ADOPTED:

The International Residential Code for One- and Two-family Dwellings, 2015 edition (IRC), of the International Code Council, is hereby adopted, except for such deletions and substitutions of sections as herein provided, as part of the Inverness residential building code (hereinafter sometimes referred to as the "IRBC" and sometimes in this chapter referred to as "this code").

4-3-2: AMENDMENTS TO CODE:

The following amendments, deletions, additions, and modifications are hereby made to the Inverness residential building code as adopted in section 4-3-1 of this chapter:

Sections 101.4.3, 103, 104.1, 104.2, 104.3, 104.5, 104.7, 105.1, 105.1.1, 105.1.2, 105.2, 105.2.1, 105.2.2, 105.2.3, 105.3, 105.3.1, 105.3.2, 105.4, 105.5, 107.3.2, 110.1, 110.2, 110.3, 111.2, 113, 113.1, 113.2, and 113.3 of the IBC are hereby deleted and are not adopted as parts of the Inverness building code. See Chapter 1 for additional administrative requirements.

The following chapters of the IRC are NOT adopted and are hereby deleted in their entirety:

- Chapter 11, Energy;
- Chapter 25, Plumbing Administration;
- Chapter 26, General Plumbing Requirements;
- Chapter 27, Plumbing Fixtures;
- Chapter 28, Water Heaters;
- Chapter 29, Water Supply And Distribution;
- Chapter 30, Sanitary Drainage;
- Chapter 31, Vents;
- Chapter 32, Traps;
- Chapter 34, General Requirements;
- Chapter 35, Electrical Definitions;
- Chapter 36, Services;
- Chapter 37, Branch Circuits And Feeder Requirements;
- Chapter 38, Wiring Methods;
- Chapter 39, Power And Lighting Distribution;
- Chapter 40, Devices And Luminaries;
- Chapter 41, Appliance Installation;
- Chapter 42, Swimming Pools;
- Chapter 43, Class 2 Remote-Control Signaling;

Section R101.1 shall be and is hereby amended to read as follows:

R101.1 Title. These provisions shall be known as the "Inverness Residential Building Code".

Section R101.2 shall be and is hereby amended to read as follows and the "exception" which was previously part thereof is deleted:

R101.2 Scope. The provisions of the Inverness residential building code 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 two stories (plus any mezzanine or habitable attic authorized by this code) in height with a separate means of egress and their accessory structures. In addition, the provisions of the Inverness residential building code shall not apply to manufactured housing which is hereby prohibited.

Section R102.7 shall be and is hereby amended to read as follows:

R102.7 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 International Property Maintenance Code (2015), which is hereby adopted, or the International Fire Code (2015), which is also hereby adopted, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public, provided, however, section 903.2.7 of the International Fire Code (2015) shall be amended to provide as follows:

"903.2.7 Group R. An automatic sprinkler system installed in accordance with section 903.3 shall be provided throughout all buildings with a group R fire area, provided, however, that this requirement shall not be applicable to R-3 residential occupancies as defined in said fire code, except where and in the manner that automatic sprinkler systems are otherwise required by this village code."

Section R103 is hereby deleted in its entirety and the following shall be and hereby is substituted therefor:

R103. Building Department; Creation Of Enforcement Agency. The village of Inverness building department is hereby created and the official in charge thereof shall be known as the building official.

Section R104.10.1 is hereby deleted in its entirety.

Section R105 is hereby deleted in its entirety.

Section R106.1.4 is hereby deleted in its entirety.

Section R106.3.3 is hereby deleted in its entirety.

Section R109.1.3 is hereby deleted in its entirety.

Section R109.3 shall be and is hereby amended to read as follows:

R109.3 Requests For Inspections: It shall be the duty of the permit holder or their agent to notify the building official that such work is ready for inspection. Requests for inspections by the building official or the village engineer or any other village officer or employee as required by this code shall be made at least two (2) working days in advance. 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.

The exception found in section R110.1 is hereby deleted in its entirety.

Section R110.4 is hereby deleted in its entirety with the following added See section 4-1-9 of this ordinance.

Section R111 is amended by adding a new section R111.4 which shall read as follows:

R111.4 Building Demolition. Before a building or structure is demolished or removed, the owner or agent shall cause all utility providers to disconnect and sever their respective service connections to the premises.

Section R112 is hereby deleted in its entirety.

Section R202 shall be and is hereby amended to add the following definitions in alphabetical order:

ATTIC, HABITABLE: A finished area, not considered a story, complying with all of the following requirements:

1. All habitable areas and spaces shall have emergency escape and rescue provisions per section R310, whether or not said areas and spaces are used for sleeping.
2. Any and all emergency escape and rescue provisions shall face and be clearly visible from the public street.
3. The maximum sill height of said emergency escape and rescue provisions shall not exceed 24 feet above the immediate finished grade below, and shall be no more than 2 feet back from roof eave below.
4. The total limits of space finished within the attic shall be not more than $\frac{1}{3}$ of the finished space of the floor immediately under the attic.
5. The entire residence shall be equipped with a full functioning operable fire sprinkling system meeting NFPA standard no. 13, 13D, or 13R as applicable together with a backup electrical supply sufficient to power system pumping equipment.

BUILDING AREA. The area included within the surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

FIRE WALL. Fire walls shall be constructed of masonry with a UL fire rated design of at least 2 hours. Fire walls shall extend from the foundation to a termination point at least 30 inches above the roof or to the underside of the roof sheathing if the roof sheathing is constructed of fire-retardant-treated wood for a distance of 4 feet on both sides of the wall. Each portion of a building separated by one or more fire walls shall be considered a separate building.

Section R202 shall be and is also hereby amended by the amendment of the definition of "accessory structure" which shall read as follows:

ACCESSORY STRUCTURE. A detached building or structure, the use of which is incidental to that of the main building and which is located on the same lot. It shall be unlawful to build any accessory structure before the main building is built on the subject property, and no building permit shall be issued for same, before the main building is built on the subject property, and no accessory structure shall be used as a separate residence. Notwithstanding any provision contained in this title to the contrary, no accessory building or structure shall require a building permit unless it exceeds one hundred fifty (150) square feet in ground area or has plumbing, gas, or electric service installed therein and connected thereto but any such accessory building or structure shall otherwise comply with the requirements of this title. Metal accessory buildings and sheds shall be prohibited

Section R202 shall be and is hereby amended by the amendment of the definition of "mezzanine, loft", which shall hereafter read as follows:

MEZZANINE, LOFT. An intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-third ($\frac{1}{3}$) of the area of the room or space in which the level or levels are located and which shall be open and unobstructed to the room in which such mezzanine or loft is located except for walls not more than 42 inches (1,067 mm) high, columns, and posts.

Section R202 shall be and is also hereby amended by the amendment of the definition of "townhouse" which shall read as follows:

TOWNHOUSE. A single-family dwelling unit constructed in a group of two or more attached dwelling units in which each dwelling unit extends from foundation to roof and with open space on at least two sides.

Table R301.2 (1) is hereby amended to read as follows:

Ground snow load:	30 pounds per square foot
Wind speed:	115 mph
Topographical effect	No
Special wind region	No
Wind-borne debris	No
Seismic design category:	Design category A

Weathering:	Severe
Frost line depth:	42 inches below grade
Termite:	Moderate to heavy
Winter design temperature:	0°F
Ice barrier underlayment required:	Yes
Flood hazards:	Official flood prone map, as revised on January 31, 1984, FIRM, effective on November 6, 2000
Air freezing index:	2000
Mean annual temperature:	50°F.

Section R301.2.2.4.1 shall be and is hereby amended to read as follows:

R301.2.2.4.1 Building Height. Buildings shall be limited to the lesser of two stories (plus any mezzanine or habitable attic authorized by this code) with separate means of access of limits as given in table R602.10.1 and further subject to the limitations of the zoning ordinance of the Village of Inverness.

Section R302.5.1 shall be and is hereby amended to read as follows:

R302.5.1 Opening Protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1³/₄ inches in thickness, solid or honeycomb core steel doors not less than 1³/₄ inches thick, or 90-minute fire-rated doors. The residence shall be protected from the garage with a 6-inch (6") high concrete gas curb at the common wall.

Section R302.6 shall be and is hereby amended to read as follows:

R309.2 Separation Required. The garage shall be completely separated from the residence and its attic area by not less than 5/8-inch (16 mm) type X fire rated gypsum board or its equivalent applied to the garage side. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than 5/8-inch (16 mm) type X fire rated gypsum board or its equivalent. The same material shall be installed in every furnace room.

Section R309.3 is hereby deleted in its entirety.

Section R317.2 shall be and is hereby amended to read as follows:

R317.2 Townhouses. Each townhouse shall be considered a separate building if separated by a firewall as defined in section R202. At a minimum, townhouses shall be separated by fire-resistance-rated wall assemblies meeting the requirements of R302 for exterior walls and shall, in addition, be subject to the fire suppression system requirements of section 4-1-14 of the village code.

Exception: A common 2-hour fire-resistance-rated wall is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. Electrical installations shall be installed in accordance with the Inverness electrical code. Penetrations of electrical outlet boxes shall be in accordance with section R317.3.

Section R322 is hereby deleted in its entirety.

Section R401 is hereby amended by adding a new section R401.5 which shall read as follows:

R401.5 Trenched Foundations. Trenched foundations will be allowed provided soils information prepared and certified by a soils testing laboratory approved by the village engineer is provided substantiating the use of same. Trenched foundations will be allowed only in those areas where the character of the soil is such that the trench walls will, in the opinion of the building official, remain stable and in place during the placement of the foundations, footings and walls.

Sections R402.1, R402.1.1 and R402.1.2 are hereby deleted in their entirety.

Section R403.1 shall be and is hereby amended to read as follows:

R403.1 General. All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, or other approved structural systems which shall be of sufficient design to accommodate all loads according to section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill.

Section R405.1 shall be and is hereby amended to read as follows:

Section R405.1 Concrete Or Masonry Foundations. Drains shall be provided around all concrete or masonry foundations that retain earth and enclose habitable or usable spaces located below grade. Drainage tiles, gravel or crushed stone drains, perforated pipe or other approved systems or materials shall be installed at or below the area to be protected and shall discharge by mechanical means into an approved drainage system. Gravel or crushed stone drains shall extend at least 1 foot (305 mm) beyond the outside edge of the footing and 6 inches (153 mm) above the top of the footing and be covered with an approved filter membrane material. The top of open joints of drain tiles shall be protected with strips of building paper, and the drainage tiles or perforated pipe shall be placed on a minimum of 2 inches (51 mm) of washed gravel or crushed rock at least one sieve size larger than the tile joint opening or perforation and covered with not less than 6 inches (153 mm) of the same material.

The following appendices of the IRC are adopted:

Appendix A Sizing and Capacities of Gas Piping
Appendix B Sizing of Venting Systems
Appendix C Exit Terminal s of Mechanical Draft and Direct vent Systems
Appendix F Passive Radon Gas Controls
Appendix K, Sound Transmission
Appendix O Automatic Vehicle Gates

CHAPTER 4 INVERNESS PLUMBING CODE

4-4-1: PLUMBING INSPECTOR:

- A. Position Created, Appointment: There is hereby created the position of plumbing inspector, an administrative position of employment in the village. Said inspector shall be appointed by the village president.
- B. Building Officer Ex Officio Plumbing Inspector: Unless and until a plumbing inspector is appointed by the village president, the building officer shall be ex officio plumbing inspector and shall have all the powers and perform all the duties connected with that office.

C. General Duties Of Inspector: It shall be the duty of the plumbing inspector to see to the enforcement of all provisions of the ordinances of the village relating to plumbing and plumbing equipment, and to make such inspections and perform such tests as may be necessary in the enforcement of such ordinances.

4-4-2: STOP ORDERS AUTHORIZED; OBEDIENCE; PENALTY:

A. The plumbing inspector shall have the power to order work stopped on the construction, alteration or repair of plumbing equipment when such work is being done without a permit or otherwise being done in violation of any ordinance of the village.

B. Work shall not be resumed after the issuance of such a stop order except on written permission of the plumbing inspector; provided, that if the stop order is an oral one, it shall be followed by a written stop order within twenty four (24) hours.

C. Any person who shall continue work in violation of a stop order of the plumbing inspector shall be guilty of a violation of this code, and a separate offense shall be deemed committed each day on which any work in violation of such order is done.

4-4-3: PLUMBING CODE ADOPTED:

That certain printed document entitled "Illinois state plumbing code", May 2014, published by the state of Illinois department of public health, office of health regulation, 535 West Jefferson Street, Springfield, IL 62761, and available from said department plumbing code section, at least three (3) copies of which code were on file in the office of the village clerk for inspection and/or copying by the public for at least thirty (30) days prior to the adoption thereof, is hereby adopted by reference and made a part of this chapter as the rules and regulations governing the construction, installation, alteration or repair of plumbing in the village; and it shall be unlawful for any person to construct, install, alter or repair, or cause to be constructed, installed, altered or repaired any plumbing in the village in violation of or without complying with those rules and regulations, and each and all of the regulations, provisions, penalties, conditions and terms of said code, are hereby referred to, adopted and made a part hereof as if fully set out in this code, with the additions, insertions, deletions and changes, if any, as set forth in section 4-4-4 of this chapter.

4-4-4: AMENDMENTS, DELETIONS, ADDITIONS, MODIFICATIONS TO THE PLUMBING CODE:

The following amendments, deletions, additions and modifications are hereby made to the plumbing code:

A. The state plumbing code "administrative authority" as used in this code means the building officer of the village or the village president.

B. Water lines within buildings shall be constructed of the following materials:

- Below grade - copper type K
- Above grade - copper type L or galvanized steel

C. The use of copper waste and vent lines is prohibited in buildings connected to septic systems.

4-4-5: HARMFUL WASTES PROHIBITED; DAMAGING SEWER OR DRAIN:

A. No garbage, dead animals or obstructions of any kind whatever, including broken glass or any similar articles, or any oil, lubricating grease, gasoline or other flammable liquids shall be placed, thrown or deposited in any receiving basin or sewer or ditch or culvert and any person so offending or causing any such obstruction or substance to be so placed so as to be carried into such basin or sewer or ditch or culvert shall be guilty of a violation of this code.

- B. Any person injuring, breaking or removing any portion of any receiving basin covering flag, manhole, vent or any part of any sewer or drain shall be guilty of a violation of this code.
- C. Proper interceptors shall be installed in any establishment, such as bottling plants, where there is a likelihood of such prohibited material flowing into the sewer, to intercept such material.

4-4-6: INJURY TO DISPOSAL FACILITIES:

- A. Any person who shall, by himself or another person, directly or indirectly, willfully or maliciously damage or obstruct any sewer, house drain, cesspool, septic tanks, seepage field, water closet pipe, catch basin, manhole, ditch, culvert, protection pier or any appurtenances thereto, now or hereafter to be laid or constructed in the village shall be guilty of a violation of this code, and shall be further liable to pay all expenses incurred on account of repairs or damages resulting from such willfull or malicious act.
- B. Any person who shall, by himself or another, destroy or injure the bank of any ditch, gully or open drain or culvert or place any substance therein, tending to obstruct the same or render it obnoxious, or shall, by himself or another, directly or indirectly tap any public ditch or drain in the village or connect any private sewer, drain or ditch therewith, without the written consent of the village had and obtained, shall be guilty of a violation of this code.

4-4-7: OVERHEAD PLUMBING:

All new buildings with basements, floors, rooms or occupancy areas below ground level at the building site and served by a public or private sewer system, shall be served by overhead plumbing. No building permit application will be accepted nor any permits issued for construction of any structure unless plans and specifications therefor provide for overhead plumbing as required by this section.

4-4-8: FOOTING DRAINS:

Footing drains shall be connected to sump pumps for further discharge into a seepage trench or dry well installed and used only for this purpose or, where available, into a storm sewer or a drainage ditch if approved by the village. No footing drain or drainage tile shall be connected to the sanitary sewer system.

4-4-9: POINT OF DISCHARGE TO BE SET BACK; CERTAIN CONNECTIONS TO STORM SEWERS REQUIRED:

- A. The point of discharge (i.e., the release at or above grade) of any sump pump drain, swimming pool drain, downspout drain or any other conduit, pipe, impervious surface, or drain not connected to a septic system or to a sprinkler system which channels, collects or conveys water related to any structure or improvement shall be set back at least twenty feet (20') from any property line of the lot or parcel on which the structure or improvement is located unless such conduit, pipe, impervious surface, or drain is connected directly to a storm sewer within a public right of way (or one offered for dedication) or within a recorded drainage easement and such connection and the manner of such connection shall have been approved in advance in writing by the village engineer.
- B. Every sump drain, swimming pool drain, downspout drain or any other conduit, pipe, impervious surface, or drain not connected to a septic system or to a sprinkler system which temporarily, occasionally, periodically, or permanently channels, collects or conveys unpolluted water related to any structure or improvement shall be connected to a storm sewer which is within a public right of way (or one offered for public dedication) or within a recorded drainage easement if such a storm sewer exists within seventy five feet (75') of the point on the perimeter of such improvement or structure where such conduit, pipe, or drain commences, and such connection shall have been approved in advance in writing by the village engineer.

**CHAPTER 5
INVERNESS ELECTRICAL CODE**

4-5-1: DEFINITION:

The term "electrical equipment", as used in this chapter, means conductors, fittings, devices, fixtures and other equipment installed for the utilization of electricity for light, heat or power. It does not include radio apparatus or equipment for wireless reception of sounds and signals, and it does not include apparatus, conductors or other equipment installed for or by public utilities, including common carriers which are under the jurisdiction of the Illinois commerce commission, for use in their operation as public utilities.

4-5-2: ELECTRICAL INSPECTOR:

- A. Position Created; Appointment: There is hereby created the position of electrical inspector, an administrative position of employment in the village. The electrical inspector shall be appointed by the village president.
- B. Ex Officio Inspector: Unless and until an electrical inspector shall be appointed by the president, the building officer shall act as ex officio electrical inspector and shall have all of the powers and perform all of the duties connected with that office.
- C. General Powers Of Inspector: The electrical inspector shall have the right during reasonable hours to enter any building in the discharge of his official duties, or for the purpose of making an inspection or test of the electrical equipment therein; and he shall have the authority to enforce all provisions of this chapter relating to electrical wiring and equipment. If entry to any occupied residence or apartment is refused, the electrical inspector shall seek a search warrant authorizing such entry. He shall have the power to order or otherwise cause the current in any wire or conduit to be turned off whenever this becomes necessary for the protection of life or limb, or property.

4-5-3: INSPECTIONS REQUIRED; CONCEALING WIRING PROHIBITED:

The electrical inspector shall make all inspections necessary to see to the enforcement of the provisions of this chapter relating to electricity; and no electric wiring shall be covered or concealed until it has been inspected and approved.

4-5-4: APPROVAL OF INSTALLATIONS; USING UNAPPROVED INSTALLATIONS:

- A. Inspection Certificate: The electrical inspector shall issue a certificate after each inspection in which the wiring or apparatus is found to be in compliance with the terms of this chapter and with the rules hereby adopted.
- B. Unlawful Use: It shall be unlawful to use or turn on power into any wires or apparatus hereafter installed for which such certificate has not been issued because the permit was not secured for installation or because the work was not completed in accordance with the provisions of this chapter.
- C. Temporary Use: The building official may, in his discretion, give temporary permission for a reasonable time to supply and use current in part of an electric installation before such installation has been fully completed and the final certification of approval has been issued; provided, that the part covered by the temporary certificate complies with all the requirements specified for temporary lighting, heat or power as specified in the Inverness electrical code as hereinafter adopted.
- D. Final Inspections And Tests: On completion of the work, the building officer shall inspect the work and cause tests to be made of the operation of the entire system to ensure compliance with all requirements.

4-5-5: CODE ADOPTED:

Pursuant to the recommendations of the electrical commission of the village, there is hereby adopted as providing safe and practical standards and specifications for the installation, alteration and use of electrical equipment in the village, the National Electrical Code, 2014 edition, published by the National Fire Protection Association, and adopted by the American National Standards Institute, except for such amendments, deletions, additions and/or modifications as hereinafter provided.

4-5-6: AMENDMENTS TO ELECTRICAL CODE:

The following amendments, deletions, additions and/or modifications are hereby made to the Inverness electrical code as adopted in section 4-5-5 of this chapter:

See Chapter 1 for additional administrative requirements.

A. Section 250.104.(A)(1) of the Inverness electrical code is hereby amended by the addition of a subparagraph (a) thereto, which subparagraph shall provide as follows:

"(a) Grounding shall be bonded to the street side of the water supply with a bonding jumper around the water meter."

B. Article 300 of the Inverness electrical code is hereby amended by the addition of a new section 300.1A which shall read as follows:

"300.1A: WIRING METHODS: Notwithstanding anything contained in this article or code to the contrary, all wiring for services, feeders and branch circuits installed on or within buildings shall be installed in electrical metallic tubing (as defined in article 358), in intermediate metal conduit (as defined in article 342), provided, however, (1) sections of armored cable (as defined in article 3203) not exceeding six feet in length where necessary may be permitted but only with prior express and specific written approval of the electrical inspector; and (2) other approved methods which would provide equal or superior protection to conductors may be permitted but only if such method or methods have received the prior express and specific approval of the electrical inspector."

C. Section 310.1 of the Inverness electrical code is hereby amended by the addition of the following subparagraph at the end of the present text thereof, which subparagraph shall provide as follows:

"Notwithstanding anything contained in this article or elsewhere in this code, any feeder or branch feeder circuit of less than fifty (50) amperes shall use copper rather than aluminum wire."

4-5-7: REGULATIONS GOVERNING PERMITS:

There is hereby adopted as reasonable rules and regulations governing the issuance of permits for electrical installations or alterations, the following:

A. Required: It shall be unlawful to install or alter any electric equipment or wiring without having first obtained a permit therefor.

B. Application Required: Applications for such permits shall be made, in writing, to the building official.

C. Application Contents: Each such application shall contain the name of the owner of the premises to be served, the name of the contractor doing the work, and the nature of the work to be done, and where the work consists of new installation or extensive repairs or alterations, plans and specifications of the work shall accompany the application.

4-5-8: PERMIT AND INSPECTION FEES:

4-5-9: STOP ORDERS:

- A. The electrical inspector shall have the power to order all work stopped on construction or alteration or repair of buildings in the village when such work is being done in violation of any provision of this chapter relating thereto.
- B. Work shall not be resumed after the issuance of such an order except on the written permission of the electrical inspector; provided, however, that if the order is an oral one, it shall be followed by a written stop order within twenty four (24) hours. Such stop order may be served by a police officer.

**CHAPTER 6
TENNIS COURTS**

4-6-1: COMPLIANCE REQUIRED:

It shall be unlawful to construct, maintain, install or enlarge any tennis court in the village except in compliance with the provisions of this chapter.

4-6-2: LOCATION:

No portion of a tennis court shall be located within the setback lines as established by the zoning ordinance of the village. No part of a tennis court shall be located between the front line of any residence located on the same lot as the court and any street abutting said lot. For the purpose of this chapter, the front line of any residence shall be a line drawn parallel to any road abutting the lot and intersecting the point of the residence located closest to the road.

4-6-3: ADDITIONAL REQUIREMENTS:

- A. Any fence which encloses a tennis court shall be entirely of metal and colored dark green or black.
- B. Only a standard sized tennis court shall be constructed. A tennis court shall be constructed only as an accessory use to a residence and the residence must be erected prior to the construction of a tennis court.
- C. Tennis courts may not be lit, nor may they be built over any part of a septic system.

4-6-4: PERMIT REQUIRED:

Prior to the construction, installation, enlargement or alteration of any tennis court or the fence surrounding same, a permit shall be obtained from the village. Drawings and plans shall be presented to the building officer for examination and approval, and each tennis court shall be constructed in conformity with the approved plans.

**CHAPTER 7
SWIMMING POOLS**

4-7-1: INTERNATIONAL SWIMMING POOL AND SPA CODE ADOPTED:

The International Swimming Pool and Spa Code, 2015 edition (ISPSC), of the International Code Council, is hereby adopted, except for such deletions and substitutions of sections as herein provided, as part of the Inverness Swimming Pool Code (hereinafter sometimes referred to as the "ISPSC" and sometimes in this chapter referred to as "this code").

4-7-2: AMENDMENTS TO CODE:

The following amendments, deletions, additions, and modifications are hereby made to the Inverness residential building code as adopted in section 4-7-1 of this chapter:

The following chapters of the IRC are not adopted and are hereby deleted in their entirety:

Section 101.1 shall be and is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the "Inverness Swimming Pool Code", hereinafter sometimes referred to as "this code".

Sections 101.4.3, 103, 104.1, 104.2, 104.3, 104.5, 104.7, 105.1, 105.1.1, 105.1.2, 105.2, 105.2.1, 105.2.2, 105.2.3, 105.3, 105.3.1, 105.3.2, 105.4, 105.5, 107.3.2, 110.1, 110.2, 110.3, 111.2, 113, 113.1, 113.2, and 113.3 of the IBC are hereby deleted and are not adopted as parts of the Inverness building code. See Chapter 1 for additional administrative requirements.

4-7-3: LOCATION:

No portion of an outdoor swimming pool, including appurtenant equipment, enclosing barrier and other structures as required by this chapter, shall be located less than twenty five feet (25') from any property line, or less than one hundred feet (100') from any residence, existing at the time of construction of the pool, on any other property. No portion of any swimming pool shall be located within twenty five feet (25') from any septic tank or any septic field. No part of any swimming pool shall be located between the front line of any residence located on the same lot as the pool and any street abutting said lot. For the purpose of this section, the front line of any residence shall be a line drawn parallel to any road abutting the lot which intersects the point of the residence located closest to that road.

4-7-4: PERMIT REQUIRED:

Prior to the construction, installation, enlargement or alteration of any swimming pool or appurtenances, a permit shall be obtained from the building officer. Drawings and plans first shall be presented to the building officer for examination and approval, and each pool shall be constructed in conformity with the approved plans. Said drawings and plans shall identify the side and rear yards of the property on which the swimming pool is proposed to be located as such yards are established by the village zoning ordinance. A hot tub or spa shall not require a permit unless it has a permanent electrical and/or plumbing connection.

4-7-5: INSPECTION:

The building officer may, in his discretion, from time to time, inspect any swimming pools to determine whether or not all applicable provisions of this code regarding health, sanitation and safety are being complied with.

4-7-6: GENERAL CONSTRUCTION SPECIFICATIONS AND REQUIREMENTS:

- A. Walk Areas: Unobstructed walk areas not less than thirty six inches (36") wide shall be provided immediately adjacent to and extending entirely around the pool. The walk area shall be constructed of impervious material, and the surfaces shall be of such as to be smooth and easily cleaned and of nonslip construction. The slope of the walks shall have a pitch of at least one-fourth inch to one foot (1/4":1'), designed so as to prevent back drainage from entering the pool.
- B. Steps Or Ladders: No less than two (2) or more means of egress in the form of steps or ladders shall be provided for all swimming pools, one of which shall be located at the deep end of the pool and one of which shall be located at the shallow end of the pool. Treads of steps and ladders shall be constructed of nonslip material and at least three inches (3") wide for their full length. Steps and ladders shall have a handrail on both sides.

4-7-8: ELECTRICAL REQUIREMENTS:

- A. Electrical Installations: All electrical installations provided for, installed and used in conjunction with private residential swimming pools shall be in conformance with chapter 5 of this title regulating electrical installations and NFPA 70 (2005) and to the extent the provisions of this chapter, chapter 5 of this title, and/or NFPA 70 (2005) are inconsistent, the more restrictive provisions shall govern and prevail.
- B. Electrical Conductors: No current carrying electrical conductors shall cross private residential swimming pools, either overhead or underground or within fifteen feet (15') of such pools. No type MC cable shall be permitted in conjunction with swimming pools.
- C. Metal Fences, Enclosures Or Railings: All metal fences, enclosures or railings near or adjacent to swimming pools, which might become electrically alive as a result of contact with broken overhead conductors or from any other cause, shall be effectively grounded.
- D. Underwater Lighting Fixtures: Underwater lighting fixtures shall be approved for the service.
- E. Location Of Receptacle: Where a permanently installed pool is installed at a dwelling unit(s), at least one GFCI protected one hundred twenty five (125) volt receptacle shall be located a minimum of ten feet (10') (3.05 m) from and not more than twenty feet (20') (6.10 m) from the inside wall of the pool.
- F. Nuisances: Pools shall be operated with due consideration to the comfort and well being of adjoining property owners. Lighting shall be directed so as not to constitute a nuisance or annoyance to other property owners.

4-7-9: RESCUE DEVICES:

Every swimming pool shall be equipped with one or more throwing ring buoys not less than fifteen inches (15") in diameter and having sixty feet (60') of three-sixteenths inch ($\frac{3}{16}$ ") line attached or other material of such length but of equivalent strength, and one or more light but strong poles with blunted ends and not less than twelve feet (12') in length, for making reach assists or rescue.

CHAPTER 8 EROSION AND SEDIMENTATION CONTROL

4-8-1: PURPOSE AND SCOPE:

The regulations contained in this Chapter governing the clearing, grading, excavating and transporting of or otherwise disturbing land, are established for the purpose of avoiding or lessening the following situations and to provide minimum standards to safeguard persons, to protect property and to prevent the despoliation of the environment and to promote the public welfare by regulating and controlling the design, construction, quality of materials and the construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or otherwise results in the movement of earth on land situated within the corporate limits of the Village:

- A. That the washing, blowing and falling of eroded soil across and upon roadways endangers the health and safety of users thereof by decreasing vision and reducing traction of road vehicles;
- B. That said soil erosion necessitates the costly repairing of gullies, washed out fills and embankments;
- C. That the sediment from said soil erosion tends to clog sewers and ditches and to pollute and silt rivers, streams, lakes and reservoirs;

- D. That said sediment limits the use of water and waterways for most beneficial purposes, destroying fish and other aquatic life and that said sediment is costly and difficult to remove;
- E. That said sediment reduces the channel capacity of waterways, resulting in greatly increased chances of flooding at grave danger to public health and safety; and
- F. That stripping and disturbing and breaking the topsoil of land tends to destroy the physical characteristics of such land and its natural beauty.

4-8-2: DEFINITIONS:

For the purpose of this Chapter, certain terms used herein are defined as follows:

BORROW: Material not native to the site under development which is hauled or otherwise transported for placement thereon.

BUILDING PERMIT: A permit issued by the Village for the construction, erection or alteration of a structure or building as required by this Code.

CERTIFY or CERTIFICATION: That the specific inspections and tests where required have been performed, and that such tests comply with the applicable requirements of this Chapter.

CUBIC YARDS: The unit of measurements for the amount of material in excavation and/or fill determined by the "average end area method", or other method approved by the Village Engineer.

EXCAVATION: Any act by which organic matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

EXISTING GRADE: The vertical location of the existing ground surface prior to excavation or filling.

FILL: Any act by which earth, sand, gravel, rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported or otherwise artificially moved to a new location and shall include the conditions resulting therefrom.

GRADING: Excavation, fill or borrow, or any combination thereof and shall include the conditions resulting from any excavation or fill.

LAND SURVEYOR: A registered surveyor of the State of Illinois.

PARCEL: All contiguous land in one ownership.

PERMIT OFFICER: Those officers or employees authorized by the Village President to enforce this Chapter.

PERMITTEE: Any person to whom a site development permit is issued.

PERSON: Any person, firm or corporation being a legal entity, public or private, the State of Illinois and its agencies or political subdivisions, and the United States of America, its agencies and instrumentalities, and any agent, servant, officer or employee of any of the foregoing.

REMOVAL: Cutting vegetation to the ground or stumps, complete extraction or killing by spraying.

SITE: A lot resulting from any subdivision approved after January 1, 1974 and any of the following whether approved before or after January 1, 1974:

- A. Any subdivision of property; or

B. Any planned unit development; or

C. Any combination of lots or sites where grading work is performed as a single unified operation.

SITE DEVELOPMENT or ALTERATION: Altering terrain and/or vegetation and constructing driveways.

SITE DEVELOPMENT or ALTERATION PERMIT: The permit provided for and required by this Chapter and in other applicable provisions of this Code.

VACANT: Land on which there are no structures, or, only structures which are secondary to the use or maintenance of the land itself.

VILLAGE: The Village of Inverness.

VILLAGE BOARD: Inverness President and Board of Trustees.

4-8-3: STANDARDS:

The following general principles shall apply to any and all applications and plans for and the granting of a permit provided for herein and the work carried out pursuant to such plans and permit:

- A. The smallest practical area of land shall be exposed at any given time during development.
- B. Such minimum area of exposure shall be kept to as short a duration of time as is practical.
- C. Temporary vegetation or, where appropriate, mulching or other nonviable cover, shall be used to protect areas exposed during development.
- D. Sediment basins, debris basins, desilting basins or silt traps shall be installed and maintained where necessary to remove sediment from run-off waters from land undergoing development
- E. Increased run-off shall be impounded and released in accordance with Title 7 of this Code.
- F. Permanent, final plant covering or structures shall be installed as soon as possible.
- G. The plan of development shall relate to the topography and soils of the site so that the lowest potential for erosion is created.
- H. Natural plant covering, trees, shrubbery and vines shall be retained and protected so far as is consistent with developing the site.

4-8-4: PLANS AND SITE DEVELOPMENT OR ALTERATION PERMIT:

A. When Permit is Required: Before land is cleared, graded, excavated, transported or otherwise disturbed by the movements of earth for purposes including, but not limited to, the construction of buildings, the mining of minerals, including sand and gravel, the development of golf courses, and the construction of roads and streets by any person, or any alterations to the topography of proposed or existing developments, a site development or alteration permit embodying the proposed earth movement shall be obtained from the Permit Officer, where development comes under any one or more of the following provisions, unless such development is exempted therefrom by subsection B of this Section:

1. Excavation, fill, borrow or any combination thereof, which will exceed one hundred (100) cubic yards.

2. Fill will exceed three feet (3') in vertical depth at its deepest point measured from the natural ground surface.
3. Excavation will exceed four feet (4') in vertical depth at its deepest point.
4. Excavation, fill, borrow or a combination thereof will exceed an area of five thousand (5,000) square feet of ground surface.
5. Plant cover is to be removed from an area exceeding five thousand (5,000) square feet on any vacant parcel of land or any parcel of land in excess of ten (10) acres.

B. When a Separate Permit under this Chapter is not Required:

1. Excavations below finished grade for septic tanks and drain fields, tanks, water and sewer and sewer pipes, vaults, tunnels, equipment basements, swimming pools, cellars or footings of buildings or structures for which a building and/or septic permit has been applied for and said permit application contains all the information required by this Chapter.
2. Excavation or removal of vegetation in public utility easements by public utility companies for the purpose of installing underground utilities.
3. Tilling of the soil for fire protection purposes.

4-8-5: APPLICATION FOR PERMIT:

- A. No site development or building permit shall be issued until the developer submits a site development plan, together with other submissions required by this Chapter and any other applicable ordinances of the Village, and certifies that any land clearing, construction or development involving the movement of earth shall be in accordance with such plan and submissions.
- B. Each application for a site development permit shall be made by the owner of the property or his authorized agent to the Permit Officer on a form furnished for that purpose.
- C. When grading or plant cover removal is proposed as a part of a building permit application, the building permit application and the site development permit application may be combined, and one plot plan, in the number of copies required by the Permit Officer, may be submitted showing building plans and site development plans. An Illinois Registered Professional Engineer or Registered Illinois Land Surveyor shall certify as to the accuracy of the existing and proposed topography. The requirements for individual lots may be met by reference to a subdivision or planned unit development for which a site development permit has been issued, subject to the review by the Permit Officer.
- D. With respect to site developments, a vicinity sketch, showing acreage of site, boundary lines, zoning, type of proposed sewer and water facilities, location of existing utilities, buildings and drains on and within one hundred feet (100') of the site; provided, however, that in the event adjacent property owners refuse access to their property so that exact measurements may not be furnished, then the best available information regarding such utilities, buildings and drains on such property shall be acceptable, together with a legend and scale. There shall be included on or with such a vicinity sketch:
 1. A soil map of the subject property showing the predominant soil types on the site based on the soil maps prepared by the United States Department of Agriculture or soil borings for the specific property.

2. Such information on those areas abutting or adjacent to the site showing existing drainage patterns and the drainage course that may affect, or be affected by, the development of the site.
3. The name and address of the developer or owner.
4. The name and address of any consulting firm retained by the applicant, together with the name of applicant's principal contact at such firm.
5. Limits of natural flood plain(s), if any, as defined in Title 7 of this Code.
6. Areas to be sodded, seeded, mulched or paved.
7. Acreage of area to be vegetatively stabilized, if any.
8. Areas to be left undisturbed.

E. With respect to site grading, existing topography of the site and a one hundred foot (100') adjacent peripheral strip, proposed contours and final grades, and street profiles; and indicating what measures will be employed to protect cut and fill slopes from surface runoff. In the event adjacent property owners will not permit access to their property so that accurate measurements of property within one hundred feet (100') cannot be furnished as required by this paragraph, then approximate dimensions of adjacent property shall be acceptable.

F. Storm drainage by means of a plan based upon a storm drainage study with a one hundred (100) year rainfall return frequency (24-hour duration) including a drainage area map and computations, and indicating existing conditions at proposed and natural outlets, including:

1. Whether the drainage course is bare earth or vegetated.
2. Whether the constructed outlet will be in open sun, open shade, or dense shade.
3. Whether the natural or proposed outlet is subject to long term or continuous flow.
4. Whether the existing outlet is actively eroding.
5. Whether there is evidence of a high water table (permanent or seasonal).
6. Whether the area is subject to seepage or spring flow.
7. The elevation of normal water level in all proposed and natural outlets.
8. A profile below outlet for a sufficient distance to indicate the natural gradient of the accepting natural outlet and/or stream channel.
9. A cross section and profile of existing stream channels where applicable.
10. A ditch design and computations of all seeded, sodded, or bare earth outlets, ditches and similar water conduction facilities.

G. Estimate schedule and phasing development of site:

Phase I	Stripping and/or clearing
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Phase II	Rough grading and construction
Phase III	Final grading and vegetative establishment
Phase IV	Maintenance

All erosion and sediment control plans submitted to the Permit Officer for approval shall show all erosion and sediment control measures planned to provide protection throughout all the phases of construction listed above. These plans shall also include any off-site borrow and spoil areas; sewer lines, utility lines, and haul and access roads, and shall further indicate.

1. The start of clearing date.
2. Duration of exposure of disturbed areas.
3. Installation of temporary sediment control measures (vegetative and structural) by phase and date.
4. Installation of storm drainage improvements by phase and date.
5. Paving of streets and parking areas, if any by phase and date.
6. Establishment of permanent vegetative cover (plans will show what will be done to shorten the duration of exposure of disturbed areas as soon after grading as possible), including seeding mixes and rates, type of sod, seedbed preparation, seeding dates, line and fertilizer application, temporary seedings, if needed, mulching, or similar stabilization procedures.
7. Details of all structural sediment control measures.
8. Computations for sediment basins, if any.

H. The "Procedures and Standards for Urban Soil Erosion and Sedimentation Control in Illinois", published October, 1981, or current edition ("said Handbook"), and the Illinois Environmental Protection Agency's "Standards and Specifications for Soil Erosion and Sediment Control, October, 1987", as amended from time to time ("said IEPA Standards"), are both hereby incorporated into this Chapter and made a part hereof by this reference, and said IEPA Standards and said Handbook shall constitute the requirements, criteria and factors which should enter into the preparation of a site development plan. In the event of conflict between provisions of said IEPA Standards and said Handbook, the more restrictive provisions shall control.

4-8-6: LETTER OF CREDIT:

In developments where the aggregate volume of grading will be over one thousand (1,000) cubic yards, the applicant shall be required to file with the Village Administrator a letter of credit in a form satisfactory to the Village Attorney in the amount deemed sufficient by the Permit Officer to cover engineering, inspection fees, incidental expenses and all the costs of improvements, landscaping and maintenance of landscaping for such periods as specified by the Village.

4-8-7: REVIEW PROCEDURES:

To further the specific purposes of this Chapter, the following review procedures are established:

- A. Grading Work Under Five Hundred Cubic Yards: Where the aggregate volume of grading on any site or contiguous group of sites is in excess of one hundred (100) cubic yards but not over five hundred (500) cubic yards, the Permit Officer shall review the application for the proposed site development

permit. If the Permit Officer finds that the application for the proposed grading plan is in conformance with the provisions of this Chapter and that all other ordinances of the Village pertaining to site development permits are complied with, he shall issue a permit with such reasonable conditions as he may deem necessary to secure substantially the objectives of this Chapter and other applicable ordinances of the Village.

B. Grading and/or Removal of Vegetation Work in Excess of One Thousand Cubic Yards: Where the aggregate volume of grading on any site or contiguous group of sites is in excess of one thousand (1,000) cubic yards, or the proposed cuts and fills exceed at their maximum point, three feet (3') for cuts and four feet (4') for fills, or where approval to remove plant cover is required by this Chapter.

1. The Permit Officer shall refer the application and his recommendations to the Village Engineer for review and recommendation to the Village Board, together with recommendations on other applicable subdivision regulation.
2. Upon receipt of the recommendations of the Village Engineer by the Village Board, and upon approval by the Village Board, the Village President shall sign the plat of subdivision or other development documents.
3. The Permit Officer shall issue a site development permit upon compliance with the conditions established by the Village Board and with other applicable ordinances of the Village.

C. Prohibition of Earth Removal: No site development permit shall be issued for an intended building site unless such permit is accompanied by or combined with a valid building permit issued by the Village.

4-8-8: APPEALS:

The applicant, as well as any person who has received notice of filing of the application for site development permit may appeal the decision of the Permit Officer to the Village Board. Upon receipt of a notice of appeal, the Board shall schedule and hold a public hearing. The Board shall render a decision within thirty (30) days of the completion of the hearing. Factors to be considered on review and findings to be made may include, but shall not be limited to, possible saturation of fill and unsupported cuts by water, both natural and domestic; surface water run-off that produces erosion and silting of drainage ways; the nature and type of soil or rock that, when disturbed by the proposed grading, may create earth movement and produce slopes that cannot be landscaped through grading or removal of vegetation.

4-8-9: RESPONSIBILITY:

Failure of the Village officials to observe or recognize hazardous or unsightly conditions or to recommend denial of the site development permit, or of the Village Board to deny said permit, shall not relieve the permittee from responsibility for the condition or damage resulting therefrom, and shall not result in any liability on the part of the Village, its officers or agents, for any condition or damage resulting therefrom.

4-8-10: RETENTION OF PLANS:

Plans, specifications and reports for all site development permits shall be retained in original form or on microfilm by the Permit Officer.

4-8-11: INSPECTIONS:

A. The Permit Officer shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the same fails to comply with the site development permit. Where it is found by inspection that conditions are not substantially as stated or shown in the said plan, the Permit Officer may stop further work until approval of a revised grading plan conforming to the existing conditions is obtained by the permittee. Plans for grading work, bearing the stamp of approval of the Permit Officer, shall be maintained at the site during the progress of the grading. Until the final inspection is made, a copy of the site development permit or

the building permit indicating permission to grade has been granted by the Village shall be prominently displayed on the property involved so as to be visible from the street on which the property fronts. In order to obtain inspections in accordance with the following schedule, the permittee shall notify the Permit Officer at least two (2) full working days before the said inspection is to be made:

1. Preconstruction site inspection.
 2. Rough Grading: When all rough grading has been completed.
 3. Final Inspection: When all work, including installation of all drainage improvements and other structures and required planting, has been completed.
- B. The permittee shall also submit current photographic evidence of condition of the site and the existence of all erosion and sedimentation control measures on the site at the time of each of the inspections as specified in subsection A of this section and at such time or times as directed by the permit officer.

4-8-12: OPERATION STANDARDS AND REQUIREMENTS:

- A. Applicability: All earth moving and grading operations not specifically exempted by the provisions of this chapter shall comply with the applicable standards and requirements set forth in this section in addition to the other requirements of this chapter.
- B. The Illinois environmental protection agency's "Standards And Specifications For Soil Erosion And Sediment Control, October, 1987", as amended from time to time ("IEPA standards") and "Procedures And Standards For Urban Soil Erosion And Sedimentation Control In Illinois, published in October, 1981", or current edition ("the handbook") are hereby respectively incorporated into this section and made a part hereof by this reference, for the purpose of delineating procedures and methods of operation under development plans approved in this section. In the event of conflict between provisions of said IEPA standards and said handbook, the more restrictive provisions shall control. In the event of a conflict between the said IEPA standards and the other provisions of this chapter, said IEPA standards shall govern. In the event of a conflict between the provision of said handbook and the other provisions of this chapter, the other provisions of this chapter shall control.
- C. Special Precautions:
1. If, at any stage of the grading, the permit officer determines by inspection that the nature of the formation is such that further work as authorized by an existing permit is likely to imperil any property, public way, watercourse or drainage structure, the permit officer may require, as a condition to allowing the work to be done, that such reasonable safety precautions be taken as he considers advisable to avoid the likelihood of such peril. "Special precautions" may include, but shall not be limited to, specifying a less steep exposed slope, construction of additional drainage facilities, berms, terracing, compaction or cribbing and installation of plant materials for erosion control.
 2. Where it appears that storm damage may result because the grading is not complete, work may be stopped and the permittee required to install temporary planting to control erosion, install temporary structures or take such other measures as may be required to protect adjoining property or the public safety. On large operations or where unusual site conditions prevail, the permit officer may specify the time of starting grading and time of completion or may require that the operations be conducted in specific stages so as to ensure completion of protective measures or devices prior to the advent of seasonal rains.

D. Expiration Of Permit: Every site development permit shall expire by limitation and become null and void if the work authorized by such permit has not been commenced within one hundred eighty (180) days, or is not completed within one year from the date of issue; except that the permit officer may, if the permit holder presents satisfactory evidence that unusual difficulties have prevented work being started or completed within the specified time limits, grant a reasonable extension of time if written application is made before the expiration date of the permit.

4-8-13: EXCEPTIONS, FEES AND VIOLATIONS:

A. Exceptions: The village board may authorize exceptions to any of the requirements and regulations set forth in this chapter.

1. Application For Exception: Application for any exception shall be made by a verified petition of applicant stating fully the grounds of the application and the facts relied upon by the petitioner. Such petition shall be filed with the site development permit application. In order for the land referred to in the petition to come within the provisions of this section, it shall be necessary that the village board make findings of facts with respect thereto:

a. That the land is of such shape or size or is affected by such physical conditions or is subject to such title limitations of record that it is impossible or impractical for the applicant to comply with the specified regulations of this chapter.

b. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

c. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity of the subject property.

2. Referral Of Proposed Exception: Each proposed exception may be referred by the village board to qualified persons for investigation and such persons shall transmit to the village board their recommendations, which recommendations shall be reviewed along with all other matters submitted prior to the granting of any exception.

3. Village Board: After consideration thereon, the village board, by resolution, may approve of the site development permit application with the exceptions and conditions it deems necessary or it may disapprove of such site development permit application and exception application or it may take such other action as is appropriate.

B. Revocation Of Permit: In the event any person holding a site development permit pursuant to this chapter violates the terms of the permit, or conducts or carries on said site development in such a manner as to materially have an adverse effect on the health, welfare or safety of persons residing or working in the neighborhood of the property of the said permittee, or conducts or carries on said site development so that it is materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the permit officer shall temporarily revoke or suspend the permit.

C. Fees: Permit fees and bonds shall be as respectively required in sections 4-1-4 and 4-1-5 of this title.

D. Violations: This chapter shall not be construed as authorizing any person to maintain a private or public nuisance upon their property, or to perform any act which the statute or case law of the state of Illinois would not permit regarding drainage and waterways and compliance with the provisions of this chapter shall not be a defense in any action to abate such nuisance or involving water rights. No person shall construct, enlarge, alter, repair or maintain any grading, excavation or fill, or cause the same to be done, contrary to or in violation of any provisions of this chapter, and no person shall fail to do any act required by this chapter. Any person violating any of the provisions of this chapter shall

be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued or permitted.

CHAPTER 9 INVERNESS MECHANICAL CODE

4-9-1: INTERNATIONAL MECHANICAL CODE ADOPTED:

The International Mechanical Code, 2015 edition (IBC), of the International Code Council, is hereby adopted, except for such deletions and substitutions of sections as herein provided, as part of the Inverness Building Code (hereinafter sometimes referred to as "IMC" and sometimes referred to in this chapter as "this code").

4-7-2: AMENDMENTS, DELETIONS, ADDITIONS AND MODIFICATIONS:

The following amendments, deletions, additions and modifications are hereby made to the Inverness Building Code as adopted in section 4-2-1 of this chapter:

Sections 101.4.3, 103, 104.1, 104.2, 104.3, 104.5, 104.7, 105.1, 105.1.1, 105.1.2, 105.2, 105.2.1, 105.2.2, 105.2.3, 105.3, 105.3.1, 105.3.2, 105.4, 105.5, 107.3.2, 110.1, 110.2, 110.3, 111.2, 113, 113.1, 113.2, and 113.3 of the IBC are hereby deleted and are not adopted as parts of the Inverness building code. See Chapter 1 for additional administrative requirements.

Section 101.1 shall be and is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the "Inverness mechanical code", hereinafter sometimes referred to as "this code".

Section 101.2 shall be and is hereby amended to read as follows:

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, 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.

CHAPTER 10 VILLAGE ARCHITECT

4-10-1: INTENT AND PURPOSE:

- A. To promote the public health, safety, morals, comfort and general welfare of the citizens of the Village.
- B. To preserve and enhance the values of property throughout the Village.
- C. To protect and to stabilize the general appearance of buildings, structures, landscaping and open areas lying within the Village along the lines presently existing.
- D. To ensure adequate light, air and privacy for property lying within the Village.
- E. To encourage and promote acceptability, attractiveness, cohesiveness and compatibility of new buildings, development, remodeling and additions so as to maintain and improve the established standards of values of property and to continue the present architectural characteristics of buildings lying within the Village.

4-10-2: CREATION AND TERM OF OFFICE:

There is hereby created the office of Village Architect to be appointed by the Village President with the advice and consent of the Board of Trustees. Such appointment shall be for a term of three (3) years. The Village Architect may be removed from office at any time by the Village President with approval of the Board of Trustees.

4-10-3: QUALIFICATIONS:

The Village Architect shall be a resident of the Village and shall serve without compensation. He shall be a registered architect holding a certificate of registration issued by the Department of Registration and Education of the State, or a person who is recognized as expert in matters of aesthetic judgment by virtue of training, education and experience (such as registered architects, landscape architects, real estate appraisers and land planners) and possessing qualities of impartiality and broad judgment. The Village Architect, before entering his official duties, shall take the oath of office prescribed by law for Village officials.

4-10-4: VACANCIES:

A vacancy in the office of Village Architect shall be filled for the unexpired term in the same manner in which original appointments are required to be made.

4-10-5: POWERS AND DUTIES:

The Village Architect shall have the following powers and duties:

- A. To consult with and cooperate with the Plan Commissioner or other Village officials on matters affecting the appearance of the Village.
- B. To study exterior design drawings, landscape and site plans and materials and to make recommendations to the Board of Trustees as to the architectural or aesthetic aspects thereof.
- C. To consider the effects of building or reconstruction plans on property values in the Village.
- D. To hold hearings, when required, on the issuance of certificates of appropriateness as provided by this Chapter, in connection with questions pertaining to applications for building permits and to issue or deny such certificates pursuant to the provisions of this Chapter.

4-10-6: CERTIFICATE REQUIRED:

No building or other permit, otherwise required under ordinances of the Village for the erection, construction, alteration or repair of any building or structure shall be issued except upon the granting of a certificate of appropriateness by the Village Architect. This requirement shall not preclude the issuance of a building permit without such certificate if the enforcing officer, who is authorized to deny or issue such permit, shall determine that no "external architectural feature" as hereinafter defined is involved in the work for which the building permit is sought.

The term "external architectural feature" as used in this Chapter shall mean the architectural style and general arrangement of such portion of a building or structure as is designed to be open to view from a public street, place, or way, including the kind, color and texture of the building material and the types of windows, doors, lights, attached or ground signs, and other fixtures appurtenant to such building or structure.

4-10-7: CERTIFICATE OF APPROPRIATENESS, PRELIMINARY CONSIDERATION:

The Village Architect shall, at the written request of a prospective applicant for a certificate of appropriateness, give consideration to preliminary exterior drawings, sketches, landscape and site plans and materials on a specific project before a formal application is filed, and shall provide such advice,

counsel, suggestions and recommendations on matters pertaining to aesthetics or otherwise as he may deem necessary to guide said prospective applicant in the development of a plan. The Village Architect shall act in an advisory capacity only, with regard to preliminary plans, and shall provide consultation only on projects for which preliminary drawings and materials are furnished by prospective applicants, and shall not participate in the development of basic concepts, plans or drawings. All hearings held by the Village Architect to consider preliminary plans shall be public. Upon finding the preliminary exterior drawings, sketches, landscape and site plans and materials are appropriate to or compatible with the character of the immediate neighborhood and the Village, the Village Architect will issue preliminary approval. Such approval will be irrevocable, and makes the issuance of the certificate of appropriateness mandatory upon application, unless the final presentation does not substantially comply with the preliminary presentation upon which the preliminary approval was based.

4-10-8: CERTIFICATE OF APPROPRIATENESS, FINAL HEARINGS:

Upon the filing of an application for building permit for which a certificate of appropriateness is or may be required under the provisions of this Chapter, the permit enforcing officer shall immediately transmit said application to the Village Architect. The fact that an application for a certificate of appropriateness has been filed shall not be cause for the permit enforcing officer to delay the review of plans relating to the building and zoning aspects of the project, while said application is pending. The Village Architect shall consider the application for a building permit and other necessary evidence such as exterior elevation renderings submitted by the applicant or his agent or attorney and from Village officials or other persons as to whether the external architectural features of the proposed building or structure complies with the requirements of this Chapter.

4-10-9: APPROVAL OF VILLAGE ARCHITECT:

If preliminary approval has not been requested under the terms and provisions of this Chapter, prior to making his decision, the Village Architect may make recommendations to the applicant as to changes in the exterior drawings, sketches, landscaping, site plans and materials which in the judgment of the Village Architect would tend to effect the general purposes of this Chapter. The Village Architect shall make his decision within fifteen (15) days after the hearing is closed and shall issue to the Building Officer a certificate of appropriateness, unless the Village Architect finds that the plans submitted do not conform to this Chapter and that the proposed building or structure will be inappropriate to or incompatible with, the character of the immediate neighborhood and of the Village and cause substantial depreciation in property values. If preliminary approval was previously granted by the Village Architect as provided in this Chapter, the Village Architect shall issue a certificate of appropriateness immediately; provided, that the final drawings, plans and materials as presented comply in all respects with the preliminary presentation upon which the preliminary approval was based.

4-10-10: APPEAL:

All final decisions of the Village Architect under this Chapter may be appealed by the applicant to the Board of Trustees. Notice of such appeal shall be filed within ten (10) days after such final decision with the Village President, or his or her designee, who, upon receipt thereof, shall notify the Board of Trustees, which shall consider the appeal at the next regular meeting of the Board which occurs more than seven (7) days after the filing of the appeal. The decision of the Board of Trustees shall be final.

4-10-11: FOLLOW-UP BY BUILDING OFFICER:

Upon the granting of a certificate of appropriateness, the exterior drawings, sketches, landscape and site plans, renderings and materials upon which said certificate was granted shall be turned over to the Building Officer whose responsibility shall be to determine from time to time as the project is in progress and finally upon its completion that there have been no unauthorized substantial deviations from the evidence upon which the granting of the certificate of appropriateness was originally based.

**CHAPTER 11
PAYMENTS OF AND DEPOSITS FOR OUT OF POCKET EXPENSES**

4-11-1: OUT OF POCKET EXPENSES:

Petitions to appeal from a decision of the zoning enforcement officer and/or to appeal from a decision of the building official, petitions for a variation or a special use, petitions for a change in or amendment to the zoning ordinance or zoning map, or applications or petitions for plat approval, requests for building site assessments and any petitions or applications for any permit or approval or variation required under any provision of this code must be accompanied by the specified application fee required by this code or as established by resolution (which is intended to cover the costs of the review and processing of such petition or application which are difficult to identify) and such deposits for reimbursable out of pocket expenses as required by the applicable ordinances or resolutions of the president and board of trustees. No action shall be taken on any such petition, request or application until the specified fee has been paid and all required deposits made unless the board of trustees specifically waives the requirement of the payment of same. All petitioners or applicants shall be required to pay to the village any out of pocket expenses incurred by the village in the village's review and consideration of their petition, request or application, including, but not limited to, engineering fees, court reporter charges including the costs of any necessary transcripts, legal fees and expenses of such other consultants as the village deems appropriate and necessary, and such petitioners or applicants may also be required to execute an agreement to make such reimbursement.

**CHAPTER 12
PREEMPTION OF AFFORDABLE HOUSING, PLANNING AND APPEAL ACT**

4-12-1: FINDINGS:

- A. The village president and board of trustees of the village of Inverness, Cook County, Illinois, find that the village of Inverness, Cook County, Illinois (the "village") is a home rule municipal corporation as provided in article VII, section 6 of the 1970 constitution of the state of Illinois and, pursuant to said constitutional authority, may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare.
- B. The village president and board of trustees further find that the availability of affordable housing in the village is a matter pertaining to the public health, safety and welfare and, therefore, the adoption of plans, ordinances, regulations and other legislative and administrative actions to provide for the development of affordable housing are matters pertaining to the government and affairs of the village and, consequently, are within the constitutional grant of home rule authority to the village.
- C. The village president and board of trustees further find that the few areas where infrastructure for public sanitary sewers and a public water service might be available have already been developed, and the remainder of the village has already fully been developed with single-family homes which are supported by private wells and individual sewage disposal systems, and to support redevelopment of existing single-family homes or single-family lots for this purpose would unfairly impact existing homeowners and their respective neighborhoods and would create an environmental disaster in terms of the health and sanitation regulations of this code which govern the installation and maintenance of individual private sewage disposal systems.
- D. The village president and board of trustees further find that the state of Illinois has enacted the affordable housing, planning and appeal act, public act 93-595, effective January 1, 2004, as amended by public act 93-678, and as now or hereafter amended (collectively, the "act"), which provides for the designation of particular municipalities in the state as either "exempt" or "nonexempt", based on the amount of housing in those municipalities determined under the act to be "affordable", requires nonexempt municipalities to develop and submit to the state on or before April 1, 2005, an "affordable housing plan", and provides that, beginning January 1, 2009, developers who have been

denied land use approvals by a "nonexempt" municipality may appeal such a decision to a "state housing appeals board", in order to seek relief from the decision.

- E. The village president and board of trustees further find that the village has been identified by the Illinois housing development authority as a municipality that will be "nonexempt" under the act and, therefore, would, but for this chapter, be subject to the requirements of the act aforesaid, including possible appeal of local land use decisions to the state housing appeals board.
- F. The village president and board of trustees further find that the act does not preempt home rule authority and that there is considerable uncertainty over provisions of the act governing local land use decisions and possible loss of local control over those decisions, and that the public interest would be best served by the village not ceding its final authority over local land use decisions to a state board or commission.
- G. The village president and board of trustees further find that the act constitutes both an unfunded mandate, the implementation of which would require local expenditures which will result in little, if any, local impact and a "one size fits all" approach that does not consider the unique circumstances of individual communities, including, but not limited to, for example, the fact that the village of Inverness is fully developed, the fact that the village has extremely limited infrastructure, and the fact that a significant number of affordable housing units are available immediately adjacent to or within a short distance of the village of Inverness.
- H. The village president and board of trustees further find that it is extremely unlikely that any reasonable opportunity for the development of affordable housing within the village will be identified in the foreseeable future, given the continually increasing cost of land within the village, which makes it prohibitive to implement.
- I. The village president and board of trustees further find that the village will give due consideration to any viable opportunity to accommodate new affordable housing options within the village in the unlikely event that any such opportunities are ever presented to develop or redevelop significant parcels for residential uses in the village of Inverness for this purpose, and the village pledges to work on a cooperative basis with any such proposed developer(s) to facilitate the development of affordable housing in Inverness consistent with the other well reasoned zoning, planning and environmental policies of the village.
- J. The village president and board of trustees further find that the village, as a home rule municipality, has the authority to adopt ordinances and to promulgate ordinances, rules and regulations that pertain to its government and affairs. Article 7, section 6(a) of the Illinois constitution provides that "[. . .] Except as limited by this section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare". The act does not preempt home rule authority, based on the following:
 - 1. In article 7, section 6(m), the Illinois constitution specifically provides that "powers and functions of home rule units shall be construed liberally".
 - 2. The general powers granted in section 6(a) continue in force even if the general assembly adopts less stringent or conflicting statutes, so long as the general assembly does not preempt the use of home rule powers.
 - 3. The general assembly has not preempted the power of the village to except itself from the coverage of the act. The act does not contain home rule preemption, and the general assembly failed to approve the act by the three-fifths ($\frac{3}{5}$) majority constitutionally required to preempt the powers of a home rule unit.

4. The act does not supersede the powers of home rule units of local government.
 5. In Kalodimos v. Village Of Morton Grove, 103 Ill.2d 483, 502, 470 N.E.2d 266 (1984), the Illinois supreme court found that "Home rule is predicated on the assumption that problems in which local governments have a legitimate and substantial interest should be open to local solution and reasonable experimentation to meet local needs, free from veto by voters and elected representatives of other parts of the state who might disagree with the particular approach advanced by the representatives of the locality involved or fail to appreciate the local perception of the problem".
 6. The act does not supersede the powers of home rule units of local government.
 7. The act does not contain any express statement that affordable housing is purely a matter of statewide interest or give the state exclusive authority over affordable housing. On the contrary, the act provides that each nonexempt unit of local government establish its own plans and policies for achieving levels of affordable housing.
 8. The act's requirement of local based planning is inconsistent with the type of exclusive state control required for home rule preemption. This inconsistency is apparent not only in the language of the act but also in the application of the act. IHDA was charged with the responsibility of determining which communities fell within the ambit of the act. Out of the one thousand two hundred ninety eight (1,298) municipalities in the state, IHDA determined that the act applied only to forty nine (49) municipalities, or municipalities constituting approximately 4.7 percent of the state's population based on the 2000 census. All of the nonexempt communities identified by IHDA are in Cook, Lake, DuPage, Will, McHenry or Kane counties. Not one is downstate. IHDA's determination further validates that affordable housing is not purely a matter of statewide interest or concern.
 9. The act does not specifically limit local governments' concurrent exercise of municipal planning, development and zoning power or specifically declare the state's exercise of those powers under the act to be exclusive. Rather, the opposite is true. The act requires the local exercise of authority and discretion in establishing plans and implementing regulations relating to affordable housing.
 10. There is no indication in the act that the provision of affordable housing and the act's attendant derogation of local land use planning and zoning regulations are not a subject within a home rule unit's government and affairs.
 11. The house floor debate on the act contains numerous statements and representations by the act's sponsor, Representative Sloane, that the act was not intended to apply to home rule units of local government.
- K. The village president and board of trustees further find that compliance by the village of Inverness with the act is impractical and is not in the best interests of the village.
- L. The village president and board of trustees further find that the village of Inverness comprehensively regulates planning, zoning and development within its boundaries.
- M. The village president and board of trustees further find that the village also intends that pursuant to the provisions of this chapter, all decisions about Inverness' housing needs and future development will continue to be made at the local level and not be subject to appeal to a state board or commission.
- N. The village president and board of trustees further find that, based on all the foregoing, the village intends this chapter to constitute the total, comprehensive and exclusive regulation of the subject matter of affordable housing within the village of Inverness generally, by the village in the exercise of the village's home rule authority, notwithstanding any provision of the act, and that this chapter shall

totally displace and preempt the act and all its provisions as permitted under the village's constitutional home rule authority.

4-12-2: PURPOSE AND POLICY:

This chapter codifies the village's abrogation of the act, and any amendments thereto within the corporate limits of the village. The village board of trustees has specifically found since the village is fully developed and that it comprehensively regulates planning, zoning and development within its corporate limits, that the village's compliance with the act and any amendments thereto is impractical and not in the best interests of the health, safety and welfare of the village. The village board of trustees has determined that the act shall not apply within the corporate limits of the village. The village will give due consideration to any viable opportunity to accommodate new affordable housing within the village when opportunities are presented to develop or redevelop significant parcels for residential use within the village, consistent with the other well reasoned zoning, planning, and environmental policies of the village.

4-12-3: EXERCISE OF HOME RULE AUTHORITY:

This chapter is specifically enacted pursuant to the village's home rule authority granted under the Illinois constitution, article VII, section 6. This chapter shall constitute an exercise of the home rule authority of the village of Inverness on the subject matter hereof under the constitution and laws of the state of Illinois.

4-12-4: PREEMPTION, ABROGATION OF AFFORDABLE HOUSING, PLANNING AND APPEAL ACT:

The village board of trustees, pursuant to its home rule authority, abrogates the application of the act and any amendments thereto, within the corporate limits of the village, and the act and any amendments thereto shall not apply within the corporate limits of the village. This chapter shall totally preempt and displace each and every provision of the affordable housing, planning and appeal act, 310 Illinois Compiled Statutes 67/1 et seq. (public act 93-595, effective January 1, 2004, as amended by public act 93-678), and as now or hereafter amended (collectively, the "act"), and said act shall not be applicable to or within the village of Inverness. Without limiting the generality of the foregoing, pursuant to this chapter enacted pursuant to the home rule authority of this village, no land use decision of the village of Inverness shall be subject to appeal to a state housing appeals board described in the act, as now or hereafter amended

4-12-5: AFFORDABLE HOUSING, PLANNING AND APPEAL ACT SUPERSEDED BY VILLAGE ORDINANCES:

This chapter, and this code of which it is part, the village zoning ordinance, and the village's official comprehensive plan, shall entirely supersede the affordable housing, planning and appeal act and any amendments thereto, and shall fully occupy the field in relation to matters of planning, building, zoning and development within the corporate limits of the village.

**CHAPTER 13
INVERNESS FUEL GAS CODE**

4-13-1: INTERNATIONAL FUEL GAS CODE ADOPTED:

The International Fuel Gas Code, 2015 edition (IBC), of the International Code Council, is hereby adopted, except for such deletions and substitutions of sections as herein provided, as part of the Inverness Building Code (hereinafter sometimes referred to as "IFGC" and sometimes referred to in this chapter as "this code").

4-13-2: AMENDMENTS, DELETIONS, ADDITIONS AND MODIFICATIONS:

The following amendments, deletions, additions and modifications are hereby made to the Inverness Building Code as adopted in section 4-2-1 of this chapter:

Sections 101.4.3, 103, 104.1, 104.2, 104.3, 104.5, 104.7, 105.1, 105.1.1, 105.1.2, 105.2, 105.2.1,

105.2.2, 105.2.3, 105.3, 105.3.1, 105.3.2, 105.4, 105.5, 107.3.2, 110.1, 110.2, 110.3, 111.2, 113, 113.1, 113.2, and 113.3 of the IBC are hereby deleted and are not adopted as parts of the Inverness building code. See Chapter 1 for additional administrative requirements.

Section 101.1 shall be and is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the "Inverness fuel gas code", hereinafter sometimes referred to as "this code".

Section 101.2 shall be and is hereby amended to read as follows:

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, relocation, enlargement, replacement, repair, equipment, use and occupancy, location of existing buildings.

CHAPTER 14 INVERNESS PROPERTY MAINTENANCE CODE

4-13-1: INTERNATIONAL PROPERTY MAINTENANCE GAS CODE ADOPTED:

The International Property Maintenance Code, 2015 edition (IPC), of the International Code Council, is hereby adopted, except for such deletions and substitutions of sections as herein provided, as part of the Inverness property maintenance (hereinafter sometimes referred to as "IPMC" and sometimes referred to in this chapter as "this code").

4-13-2: AMENDMENTS, DELETIONS, ADDITIONS AND MODIFICATIONS:

The following amendments, deletions, additions and modifications are hereby made to the Inverness Building Code as adopted in section 4-2-1 of this chapter:

Sections 101.4.3, 103, 104.1, 104.2, 104.3, 104.5, 104.7, 105.1, 105.1.1, 105.1.2, 105.2, 105.2.1, 105.2.2, 105.2.3, 105.3, 105.3.1, 105.3.2, 105.4, 105.5, 107.3.2, 110.1, 110.2, 110.3, 111.2, 113, 113.1, 113.2, and 113.3 of the IBC are hereby deleted and are not adopted as parts of the Inverness building code. See Chapter 1 for additional administrative requirements.

Section 101.1 shall be and is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the "Inverness property maintenance code", hereinafter sometimes referred to as "this code".

Section 302.4 insert 8 inches

Section 304.14 insert April 15 to October 15

Section 602.3 insert September 15 to May 15

Section 602.4 insert September 15 to May 15

Adopt Appendix A Boarding Standards

**CHAPTER 15
INVERNESS EXISTING BUILDING CODE**

4-13-1: INTERNATIONAL EXISTING BUILDING CODE ADOPTED:

The International Existing Building Gas Code, 2015 edition (IBC), of the International Code Council, is hereby adopted, except for such deletions and substitutions of sections as herein provided, as part of the Inverness existing building code (hereinafter sometimes referred to as "IEBC" and sometimes referred to in this chapter as "this code")

4-13-2: AMENDMENTS, DELETIONS, ADDITIONS AND MODIFICATIONS:

The following amendments, deletions, additions and modifications are hereby made to the Inverness Building Code as adopted in section 4-2-1 of this chapter:

Sections 101.4.3, 103, 104.1, 104.2, 104.3, 104.5, 104.7, 105.1, 105.1.1, 105.1.2, 105.2, 105.2.1, 105.2.2, 105.2.3, 105.3, 105.3.1, 105.3.2, 105.4, 105.5, 107.3.2, 110.1, 110.2, 110.3, 111.2, 113, 113.1, 113.2, and 113.3 of the IBC are hereby deleted and are not adopted as parts of the Inverness building code. See Chapter 1 for additional administrative requirements.

Section 101.1 shall be and is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the "Inverness Existing Building gas code", hereinafter sometimes referred to as "this code".

Section 101.2 shall be and is hereby amended to read as follows:

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, relocation, enlargement, replacement, repair, equipment, use and occupancy, location of existing buildings.

**CHAPTER 16
INVERNESS ACCESSIBILITY CODE**

4-13-1: ILLINOIS ACCESSIBILITY CODE ADOPTED:

The Illinois Accessibility Code, 1997 edition (IBC), is hereby adopted, except for such deletions and substitutions of sections as herein provided, as part of the Inverness accessibility code (hereinafter sometimes referred to as "IAC" and sometimes referred to in this chapter as "this code").

4-13-2: AMENDMENTS, DELETIONS, ADDITIONS AND MODIFICATIONS:

The following amendments, deletions, additions and modifications are hereby made to the Inverness Building Code as adopted in section 4-2-1 of this chapter:

All conflicts between this code and the International Building Code shall result in the application of the strictest of the requirements.

**CHAPTER 17
INVERNESS ENERGY CONSERVATION CODE**

4-13-1: ILLINOIS ENERGY CONSERVATION CODE ADOPTED CODE ADOPTED:

The Illinois Energy Conservation Code, is hereby adopted, except for such deletions and substitutions of sections as herein provided, as part of the Inverness conservation code (hereinafter sometimes referred to as "IECC" and sometimes referred to in this chapter as "this code").

4-13-2: AMENDMENTS, DELETIONS, ADDITIONS AND MODIFICATIONS:

The following amendments, deletions, additions and modifications are hereby made to the Inverness Building Code as adopted in section 4-2-1 of this chapter:

There are no amendment, alterations or deletion to the International Conservation Code as adopted by the Illinois Energy Conservation Act.

**CHAPTER 18
INVERNESS URBAN WILDLAND INTERFACE CODE**

4-13-1: INTERNATIONAL URBAN WILDLAND INTERFACE CODE ADOPTED:

The International Urban Wildland Interface Gas Code, 2015 edition (IBC), of the International Code Council, is hereby adopted, except for such deletions and substitutions of sections as herein provided, as part of the Inverness urban wildland interface code (hereinafter sometimes referred to as "IUWIC" and sometimes referred to in this chapter as "this code")

4-13-2: AMENDMENTS, DELETIONS, ADDITIONS AND MODIFICATIONS:

The following amendments, deletions, additions and modifications are hereby made to the Inverness Building Code as adopted in section 4-2-1 of this chapter:

Sections 101.4.3, 103, 104.1, 104.2, 104.3, 104.5, 104.7, 105.1, 105.1.1, 105.1.2, 105.2, 105.2.1, 105.2.2, 105.2.3, 105.3, 105.3.1, 105.3.2, 105.4, 105.5, 107.3.2, 110.1, 110.2, 110.3, 111.2, 113, 113.1, 113.2, and 113.3 of the IBC are hereby deleted and are not adopted as parts of the Inverness building code. See Chapter 1 for additional administrative requirements.

**CHAPTER 19
INVERNESS FIRE CODE**

4-13-1: INTERNATIONAL FIRE CODE ADOPTED:

The International Fire Code, 2015 edition (IBC), of the International Code Council, is hereby adopted, except for such deletions and substitutions of sections as herein provided, as part of the Inverness fire code (hereinafter sometimes referred to as "IFC" and sometimes referred to in this chapter as "this code")

4-13-2: AMENDMENTS, DELETIONS, ADDITIONS AND MODIFICATIONS:

The following amendments, deletions, additions and modifications are hereby made to the Inverness fire code as adopted in section 4-2-1 of this chapter:

Sections 101.4.3, 103, 104.1, 104.2, 104.3, 104.5, 104.7, 105.1, 105.1.1, 105.1.2, 105.2, 105.2.1, 105.2.2, 105.2.3, 105.3, 105.3.1, 105.3.2, 105.4, 105.5, 107.3.2, 110.1, 110.2, 110.3, 111.2, 113, 113.1, 113.2, and 113.3 of the IBC are hereby deleted and are not adopted as parts of the Inverness building code. See Chapter 1 for additional administrative requirements.

Section 101.1 shall be and is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the "Inverness fire code", hereinafter sometimes referred to as "this code".

Section 101.2 shall be and is hereby amended to read as follows:

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, relocation, enlargement, replacement, repair, equipment, use and occupancy, location of existing buildings.

903.2 add the following:

Notwithstanding anything contained in this code to the contrary, all buildings with a "building area", as defined in C. chapter 3 of this title, in excess of four thousand eight hundred (4,800) square feet or required by Chapter 9 of the IBC or IFC shall be equipped with a full functioning operational fire sprinkling system meeting NFPA standard no. 13, 13D, or 13R as applicable.

"903.2.7 Group R. An automatic sprinkler system installed in accordance with section 903.3 shall be provided throughout all buildings with a group R fire area, provided, however, that this requirement shall not be applicable to R-3 residential occupancies as defined in said fire code, except where and in the manner that automatic sprinkler systems are otherwise required by this village code.

5704.2.9.6,1 All flammable liquid installation shall comply with Zoning and require a special use permit.

5706.2.4.4 All flammable liquid installation shall comply with Zoning and require a special use permit.

5806.2 All flammable gas and cryogenic fluid installations shall comply with Zoning and require a special use permit.

6104.2 All propane installations shall comply with Zoning and require a special use permit

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof. The Board of Trustees hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivision, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: This Ordinance shall be in full force and effect on January 1, 2018.

Presented, read and passed by the President and Board of Trustees of the Village of Inverness, Cook County, Illinois, on a roll call vote at a duly called regular meeting of the Board of Trustees on the 12th day of September, 2017, and deposited and filed in the Office of the Clerk of said Village on said date.

ROLL CALL VOTE:

YEAS: Tiedje, Willis, Fritz, Kral

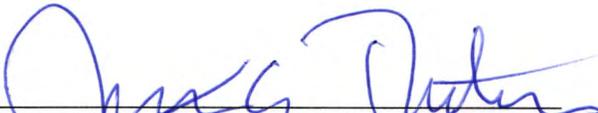
NAYS: None

ABSENT: Patton, Gallagher

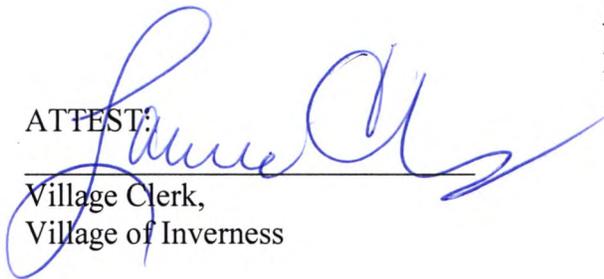
ABSTAIN: None

APPROVED by the President of the Village of Inverness,

Illinois, this 12th day of September, 2017.

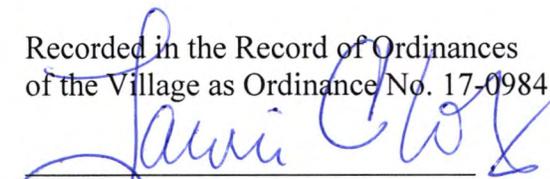


John A. Patooles, Village President
Village of Inverness

ATTEST: 

Village Clerk,
Village of Inverness

Recorded in the Record of Ordinances
of the Village as Ordinance No. 17-0984



Village Clerk,
Village of Inverness

PUBLISHED IN PAMPHLET FORM THE 12TH DAY OF SEPTEMBER, 2017.