

**AGENDA**  
**Board of Trustees Regular Board Meeting**  
**Village of Kirkland**  
**Kirkland, Illinois 60146**  
**Tuesday, September 3, 2019 - 7:00 P.M.**

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Comments from Audience
- V. Approval of Minutes
- VI. Approval of Warrant
- VII. Reports.
  - 1. Financial Report
  - 2. Police Report
  - 3. Public Works
  - 4. Kirkland Community Center
  - 5. Committee Reports
    - a. Police Committee
    - b. Ordinance Committee
    - c. Finance Committee
    - d. Water & Sewer Committee
    - e. Streets, Alley & Parks Committee
    - f. Economic Development Committee
- VIII. Guest Speaker
  - A. Dawn Darling – Tree Committee Discussion
- IX. Unfinished Business
  - A. Update on Water and Sewer Mapping for Village of Kirkland
  - B. Discussion and Approval of the Wastewater SCADA Improvements at Wastewater Treatment Plant and Lift Station #4
  - C. Discussion and Approval of additional TIF Fund Reimbursement for Kirkland Family Restaurant for Window Replacement
- X. New Business
  - A. Approval of Ordinance 2019-11 / Ordinance Amending Chapter 150, Building Codes, of the Village of Kirkland Municipal Code
  - B. Approval of Ordinance 2019-12 / Ordinance Amending Chapter 51, Utility Fees, of the Village of Kirkland Municipal Code
  - C. Approval of Variance for B-1 General Commercial District for following properties:
    - 1. Elaine Mitchell (523 W. Main Street)
    - 2. David Fuller (506 W. Main Street)
    - 3. Barbara Hemme (518 W. Main Street)
  - D. Approval of Chapter 15 of the Village of Kirkland Code of Ordinances (Building Codes)

- E. Approval of Temporary Construction of Salt Barn at end of Brennen Drive within Kirkland Industrial Park
- F. Discussion and Approval of Improved Grading of Village of Kirkland Property on Pearl St./Elizabeth Ct.
- G. Approval of Village President Ryan Block and Trustee Dan Chambers to attend IML Conferences on Thursday, September 19<sup>th</sup> and Friday, September 20<sup>th</sup>
- H. Approval of Kirkland Tree Advisory Panel to report to Village of Kirkland Streets, Alley & Parks Committee
- I. Approval of new members to Village of Kirkland Planning & Zoning Commission for 2019-2020
- J. Approval for advertisement and submittal of bids for demolition and removal of existing building located at 419 W. Main St.
- K. Opening and Approval in awarding of 2019 Village of Kirkland Sidewalk Bids
- L. Approval of Dale Miller and Jim Stark to attend IPWMAN Conference (Bloomington) on September 15<sup>th</sup> and September 16<sup>th</sup>
- M. Approval of Dale Miller, Chris DeMunn, Jim Stark and Kyle Henry to attend IRWA Training and Conference (Rockford) on September 22<sup>nd</sup> and September 23<sup>rd</sup>

XI. Executive Session

XII. Adjournment

**Village of Kirkland  
Kirkland, Illinois 60146  
Board of Trustees Regular Meeting  
Monday, August 5, 2019**

**OFFICIAL MINUTES**

*Due to President Block traveling for his job he is unable to make this meeting. Trustee Chambers made a motion to elect Trustee Ford President Pro Temp with a 2<sup>nd</sup> by Trustee Fruit. On a roll call vote Trustees Ford, Chambers, Fruit and Ziegler. Trustee Wiegartz and Trustee DeVlieger are absent.*

- I. **Call to Order** - President Pro Temp Ford called the meeting to order at 7:00 P.M. and asked for a roll call.
- II. **Roll call** - Members answering present as follows: Trustee Ford, Trustee Chambers, Trustee Fruit and Trustee Ziegler. Trustee Wiegartz and Trustee DeVlieger were absent.
- III. **Pledge of Allegiance** - President Pro Temp Ford leads us in the Pledge of Allegiance.
- IV. **Comments from the Audience** – Sam Ramadini from the Kirkland Family Restaurant explained that he did not have any intension of doing the front door of the restaurant. He got three quotes and only one had the door on it. Sam wanted to know what he would need to do to get the Board to reconsider the payout for the windows. Attorney Brad Stewart asked that he put together a letter to present to the Board at the September 3, 2019 meeting. Attorney Stewart also asked the Village Clerk to place this under Unfinished Business on the September 3, 2019 Board Agenda.
- V. **Approval of Minutes** - President Pro Temp Ford asked for a motion to approve Regular Board Meeting Minutes for Monday, July 8, 2019. Trustee Ziegler made a motion to approve the Regular Board Meetings Minutes for Monday, July 8, 2019 with a 2<sup>nd</sup> by Trustee Fruit. On a roll call vote Trustees Ford, Chambers, Fruit and Ziegler voted yes. Trustees Wiegartz and DeVlieger are absent.  
Motion carried.
- VI. **Approval of Warrant** - President Pro Temp Ford asked for a motion to approve the Warrant in the amount of \$59,790.37. Trustee Fruit made a motion to approve the Warrant in the amount of \$59,790.37 with a 2<sup>nd</sup> by Trustee Ziegler. On a roll call vote Trustees Chambers, Fruit, Ziegler and Ford voted yes, Trustees Wiegartz and DeVlieger are absent. Motion carried.
- VII. **Reports-**
  - a. **Financial Report** – Nothing
  - b. **Police Report** - Chief Davenport reported that the Department had 155 reportable calls for the month of July 2019. Chief Davenport reported that there has been a recent wave of vehicle burglaries in the Village of Kingston, Kirkland and Genoa. This is a reminder to all citizens to lock their cars and homes at night.
  - c. **Public Works** – Public Works Superintendent Dale Miller reported that they were working on getting ready for the Independence Day Festivities, street and right-of- way clean up, trimming low branch obstructions to sidewalks and corners and the trees that obstructed trucks and floats on the parade route. They also fabricated and distributed trash cans throughout the town, helped Franklin Township set up detour routes for the parade and hung the Flags and

Banners throughout town. Water and Sewer Department is working on starting up the Water Meter replacement program. They've had several difficult meter calls this month, including one that required the aid of a plumber.

- d. **Kirkland Community Center** – The committee had their bid opening on July 29, 2019 for the first phase of the construction. The Committee met on July 31 and the purpose of the meeting was to review the bids that came in because of the bid package being sent out. Unfortunately, bids were not in the range they were hoping for to make this a viable project with the funds available and budgeted for the project. We need to review potential grant sources to see what could realistically be available to us.
- e. **Planning & Zoning** – No update
- f. **Committee Report-**
  - 1. **Police Committee** – Nothing
  - 2. **Ordinance Committee** - Nothing
  - 3. **Finance Committee** - Nothing
  - 4. **Water & Sewer** - Nothing
  - 5. **Streets, Alley & Parks Committee** – Nothing
  - 6. **Economic Development Committee** – Trustee Chambers put together a letter to send out to property owners that current have buildings that are empty. Trustee Ziegler is going to contact DeKalb County to get a list of all property owners. Trustee Chambers reached out to NIU's Department of Biological Sciences for landscaping /horticulture research (i.e. dedicate a specified number of feet around the pond for planting, cultivating, maintaining and researching plants specimens). Unfortunately, there is no current interest at this time. Barrie informed Dan that NIU is developing a center called NICCS (Northern Illinois Center for Community Sustainability), which he sent everyone on the list Kirkland's opportunity and will ask if something surfaces that makes sense. More information on NICCS can be found at <https://www.niu.edu/niccs/>
  - 7. **Regional Planning** – Nothing

**VIII. Guest Speaker** – None

**IX. Unfinished Business-**

- A. **Update on Water and Sewer Mapping for the Village of Kirkland** – Dale could not get this to come up on his laptop. This item will be placed on the September 3, 2019 Board Agenda.
- B. **Update on Sewer Manhole Refurbishment** - Dale Miller reported that we have a signed contract with the company to refurbish sewer manholes. Our project is in-between Freeport and another Municipality, so these will be done very soon.

**X. New Business** –

- A. **Discussion of 2019-2020 Village of Kirkland Municipal Electric Aggregation Program: Shawn Ajazi from Progressive Energy Group** - Shawn Ajazi explained what Municipal Electric Aggregation is and does, they go out and get a price on Electricity for the whole Village. This helps so if someone knocks on your door and wants to give you a great price, you can just tell them that you are in the Municipal Electric Aggregation Program. They should walk away. The Village residents will be receiving opt-out letters and the new supplier will start in October and go for one year.
- B. **Approval of Ordinance 2019-10 / Authorizing Aggregation of Electrical Load for the Village of Kirkland** - President Pro Temp Trustee Ford asked for a motion for the approval of Ordinance 2019-10 / Authorizing Aggregation of Electrical Load for the Village of Kirkland. Trustee

Chambers made a motion for the approval of Ordinance 2019-10 / Authorizing Aggregation of Electrical Load for the Village of Kirkland with a 2<sup>nd</sup> by Trustee Ziegler. On a roll call vote Trustees Ford, Chambers, Fruit and Ziegler voted yes. Trustees DeVlieger and Wiegartz are absent. Motion Carried.

- C. Approval of Pay Application #2 for Bull Run Creek for the total of \$207,807.71 through our IEPA Loan #L17-5562 - Jeff from Fehr-Graham stated that the final for the Bull Run Creek project will be the seeding of the wet land mix. He explained that we missed the window for IDOT for the seeding of wet Mesick grass mix, technically the window is May 15 to June 30 and the next window is October 15 to November 1. William Charles will seed in the fall and it will come up in the Spring. President Pro Temp Trustee Ford asked for a motion for the approval of Pay Application #2 for Bull Run Creek in the amount of \$207,807.71 through our IEPA Loan #L17-5562. Trustee Chambers made a motion to approve Pay Application #2 for Bull Run Creek in the amount of \$207,807.71 through our IEPA Loan #L17-5562 with a 2<sup>nd</sup> by Trustee Fruit. On a roll call vote Trustees Chambers, Fruit, Ziegler and Ford voted yes. Trustees DeVlieger and Wiegartz are absent. Motion carried.
- D. Discussion of proposed Ordinances Amending Chapter 150, Building Codes, of the Village of Kirkland Municipal Code and Ordinances Amending Chapter 51, Utility Fees, of the Village of Kirkland Municipal Code - Dale explained what brought this to the board. This is given to the Trustees to review for further discussion at a later meeting.
- E. Approval of Village of Kirkland Codification Services by American Code Services for 2018 Village Ordinances - President Pro Temp Trustee Ford asked for a motion for approval of Village of Kirkland Codification Services by American Code Service for 2018 Village Ordinances. Trustee Ziegler made a motion for approval of Village of Kirkland Codification Services by American Code Service for 2018 Village Ordinances with a 2<sup>nd</sup> by Trustee Ford. On a roll call vote Trustees Fruit, Ziegler, Ford & Chambers voted yes. Trustees DeVlieger and Wiegartz are absent. Motion carried.
- F. Approval of Village of Kirkland Planning & Zoning Commission Meeting Dates for Fiscal Year 2019-2020 - President Pro Temp Trustee Ford asked for a motion to approve the Village of Kirkland Planning & Zoning Commission Meeting Dates for Fiscal Year 2019-2020. Trustee Ziegler made a motion to approve the Village of Kirkland Planning and Zoning Commission Meeting Dates for Fiscal Year 2019-2020 with a 2<sup>nd</sup> by Trustee Ford. On a roll call vote Trustees Ziegler, Ford, Chambers and Fruit voted yes. Trustees DeVlieger and Weigartz are absent. Motion carried.
- G. Approval to sign the contract for SCADA System work at the Wastewater Treatment Plant, Lift Stations and Early Warning System- After some discussion, Trustee Fruit made a motion to move approval to sign the contract for SCADA System work at the Wastewater Treatment Plant, Lift Stations and Early Warning System to the September 3, 2019 meeting with 2<sup>nd</sup> by Trustee Ford. On a roll call vote Trustees Ford, Chambers, Fruit & Ziegler voted yes. Trustees DeVlieger and Wiegartz are absent. Motion carried.
- H. Approval of Public Works Expenditures for August 2019 – President Pro Temp Trustee Ford asked for a motion for the approval of Public Works Expenditures for August 2019 in the amount of \$25,490.67. Trustee Ziegler made a motion to approve Public Works August 2019 Expenditures in the amount of \$25,490.67 with a 2<sup>nd</sup> by Trustee Fruit. On a roll call vote Trustees Ford, Chamber, Fruit and Ziegler voted yes. Trustees DeVlieger and Wiegartz are absent. Motion carried.
- I. Approval for Officer Saladino and Chief Davenport to attend the 2019 Midwest Security and Police Expo for August 12<sup>th</sup> thru August 14<sup>th</sup>.- Chief Davenport asked to amend the agenda to include the IEMA Training on September 3<sup>rd</sup>, 4<sup>th</sup> & 5<sup>th</sup> for just himself. – President Pro Temp

Trustee Ford asked for a motion to approve Officer Saladino and Chief Davenport to attend the 2019 Midwest Security and Police Expo for August 12<sup>th</sup> thru August 14<sup>th</sup> and Chief Davenport to attend the IEMA Training September 3<sup>rd</sup> thru September 5<sup>th</sup>. Trustee Ziegler made a motion to approve Officer Saladino and Chief Davenport to attend the 2019 Midwest Security and Police Expo August 12<sup>th</sup> thru August 14<sup>th</sup> and Chief Davenport to attend the IEMA Conference September 3<sup>rd</sup> thru September 5<sup>th</sup>, not to exceed \$1500.00 with a 2<sup>nd</sup> by Trustee Fruit. On a roll call vote Trustees Trustee Chambers, Fruit, Ziegler and Ford voted yes. Trustees DeVlieger and Wiegartz are absent. Motion carried.

- XIII. **Adjournment** – At 8:35 P.M. President Pro Temp Trustee Ford asked for a motion to adjourn. Trustee Ziegler made a motion to adjourn with a 2<sup>nd</sup> by Trustee Ford. On a voice call vote all in favor. Meeting adjourned.

**Next Board of Trustees Regular Meeting will be Tuesday, September 3, 2019 at 7:00 P.M.**

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**Carol Stiegman**  
Village Clerk

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**Ryan Block**  
Village President

# VILLAGE OF KIRKLAND

Accounts Payable

## Warrant September 3, 2019

The President and Board of Trustees of the Village of Kirkland  
Recommends the following Warrant in the amount of

**Total: \$40,544.15**

To be paid on or before  
September 6, 2019

Village President: \_\_\_\_\_

Attest: \_\_\_\_\_

Village Clerk: \_\_\_\_\_

Date: \_\_\_\_\_

txt\	Nan InvoiceNumber	Date	Text55	Text57	txtAmount	AccountNumber	Text88	Budget	Remain
54	AFLAC, 1932 Wynnton Road, Columbus, GA, 31993-0797	08/23/19	AFLAC --AUGRST	09/04/19	\$ 230.28	01-000-000-2008	AFLAC	\$0.00	\$176.96
98	AIRCELL, PO BOX 833, SAINTCHARLES, IL, 60175	08/22/19	Internet Service	09/04/19	\$ 75.47	50-001-002-5157	Internet Service	\$1,200.00	\$1,049.08
		08/22/19	Internet Service	09/04/19	\$ 75.46	51-001-002-5157	Internet Service	\$1,200.00	\$1,049.08
92	CARDMEMBER SERVICE, PO BOX 790408, ST. LOUIS, MO, 63179-0408	08/28/19	IL Municipal League	09/04/19	\$ 310.00	01-001-002-5147	Training	\$3,000.00	\$3,000.00
		08/28/19	Hotel Essex	09/04/19	\$ 193.04	01-001-002-5147	Training	\$3,000.00	\$3,000.00
		08/28/19	Billing Software - Microsoft Office	09/04/19	\$ 106.24	01-001-003-5335	Billing Software	\$330.00	\$330.00
		08/28/19	IL Emergency MGT AGCY	09/04/19	\$ 51.13	01-002-002-5147	Training	\$10,500.00	\$10,500.00
		08/28/19	Portillos Hot Dogs	09/04/19	\$ 19.90	01-002-002-5147	Training	\$10,500.00	\$10,500.00
		08/28/19	Portillos Hot Dogs	09/04/19	\$ 10.98	01-002-002-5147	Training	\$10,500.00	\$10,500.00
		08/28/19	Country Inn and Suites	09/04/19	\$ 282.73	01-002-002-5147	Training	\$10,500.00	\$10,500.00
		08/28/19	Country Inn and Suites	09/04/19	\$ 282.73	01-002-002-5147	Training	\$10,500.00	\$10,500.00
		08/28/19	Wendy's	09/04/19	\$ 12.25	01-002-002-5147	Training	\$10,500.00	\$10,500.00
		08/28/19	Texas Roadhouse	09/04/19	\$ 55.22	01-002-002-5147	Training	\$10,500.00	\$10,500.00
		08/28/19	Famous Daves	09/04/19	\$ 72.06	01-002-002-5147	Training	\$10,500.00	\$10,500.00
		08/28/19	Culvers	09/04/19	\$ 4.59	01-002-002-5147	Training	\$10,500.00	\$10,500.00
		08/28/19	Galls	09/04/19	\$ 128.12	01-002-003-5341	Tool / Equipments	\$4,500.00	\$4,394.00
		08/28/19	Amazon Prime	09/04/19	\$ 12.99	01-003-003-5341	Tool / Equipments	\$2,750.00	\$2,644.81
		08/28/19	Farm & Fleet of Sycamore	09/04/19	\$ 89.98	01-003-003-5380	Uniforms F/T & P/T	\$3,000.00	\$2,944.03
		08/28/19	Midwest Trading - YDSC	09/04/19	\$ 216.00	01-003-004-5640	Parks	\$1,000.00	\$1,000.00
		08/28/19	Mcafee	09/04/19	\$ 95.61	01-003-004-5998	Misc. Expense	\$500.00	\$460.21
		08/28/19	ZIPTIE	09/04/19	\$ 53.00	51-001-003-5341	Tool / Equipments	\$2,500.00	\$2,500.00
		08/28/19	Dollar General	09/04/19	\$ 22.50	51-001-004-5998	Misc. Expense	\$250.00	\$250.00
		08/28/19	Dollar General	09/04/19	\$ 22.73	51-001-004-5998	Misc. Expense	\$250.00	\$250.00
59	CENTRAL MANAGEMENT SERVICE, SHARED SERVICES CENTER, PO BOX 10255, SPRINGFIELD, IL, 62791-0255	09/04/19	Health Insurance	09/04/19	\$ 373.68	01-001-001-5052	Health Insurance	\$6,000.00	\$4,876.32
		09/04/19	Health Insurance	09/04/19	\$ 1,121.00	01-002-001-5052	Health Insurance	\$14,000.00	\$11,379.00
		09/04/19	Health Insurance	09/04/19	\$ 1,494.68	01-003-001-5052	Health Insurance	\$18,000.00	\$13,571.34
		09/04/19	Health Insurance	09/04/19	\$ 1,357.32	50-001-001-5052	Health Insurance	\$12,000.00	\$9,484.67
		09/04/19	Health Insurance	09/04/19	\$ 1,357.32	51-001-001-5052	Health Insurance	\$12,000.00	\$9,484.67
22	COM ED, PO Box 6112, Carol Stream, IL, 60197-6112	08/23/19	ACCT#285037121	09/04/19	\$ 127.00	01-001-002-5150	Electric - ComEd	\$500.00	\$500.00
		08/23/19	ACCT#2369034052	09/04/19	\$ 83.89	01-003-002-5150	Electric - ComEd	\$8,000.00	\$7,111.38
		08/23/19	ACCT#0063063150	09/04/19	\$ 733.52	01-003-002-5150	Electric - ComEd	\$8,000.00	\$7,111.38
		08/23/19	ACCT#1963671044	09/04/19	\$ 41.41	01-003-002-5150	Electric - ComEd	\$8,000.00	\$7,111.38
		08/23/19	ACCT#0954171003.	09/04/19	\$ 24.65	01-003-002-5150	Electric - ComEd	\$8,000.00	\$7,111.38
		08/23/19	ACCT#6693083015	09/04/19	\$ 214.45	50-001-002-5150	Electric - ComEd	\$19,000.00	\$18,513.16
		08/23/19	ACCT#29333030009	09/04/19	\$ 241.44	50-001-002-5150	Electric - ComEd	\$19,000.00	\$18,513.16
		08/23/19	ACCT#2653080027	09/04/19	\$ 53.97	51-001-002-5150	Electric - ComEd	\$19,000.00	\$16,569.71









Good Morning Ryan,

Here is a list of Appropriations and Board actions I am requesting for the Monday September 2, 2019 General Board Meeting.

**New Business:**

1. Idea of a creation of a playing field in the mid-section of the Village of Kirkland Public Works Lot at Elizabeth Ct.
2. Update and explanation of Waste Water SCADA.
3. Opening of 2019 Village of Kirkland Sidewalk Bids and Approval.
4. Approval of Dale Miller and Jim Stark attending the IPWMAN Conference in Bloomington , Illinois on September 15 and 16, 2019.
5. Approval of Dale Miller , Chris Demunn, Jim Stark, and Kyle Henry to attend the IRWA training and Conference in Rockford on September 22 and 23, 2019.

**Old Business:**

1. Location of temporary Kirkland Salt Storage. Ideas and /or approval.

**Appropriations for the month of September 2019**

1. Approval of IPWMAN conference training .....01-003-002-5147 .....\$ 350.00
2. Approval of attending IRWA training...50-001-002-5147...51-001002-5147...\$ 600.00
3. Approval of WWTP SCADA Improvements....TIF WWTP Funds and 55-001-002-5668 \$ 45,070.00

Thank You Ryan. I am mainly appropriating for the WWTP and training this month. Currently Public Works has been swamped with work between on going projects as well as the new issues facing us in cleaning up and hauling all material out of the current Public Works Facility. We will also begin constructing a temporary salt bin and use a tarp to cover it for this year and begin cleaning and restoring the Public works Lot as well as the Public Works WWTP Facility as time and weather permit. We are also going to be winterizing our equipment and repairing snow equipment as time permits over the next three months. As we finish projects and Public Works returns to daily duties only we will begin mowing weeds and cleaning up along Bull Run Creek again. For these reasons our operating appropriations are low except for the SCADA which is an outside contractor anyway.

The IRWA Training and Conference will provide myself and Chris Demunn with CEUs that the IEPA is currently on the brink of requiring to keep our IEPA issued Wastewater Licenses. It is great training for Jim Stark whom I would like to send to Wastewater school this year. I have been sending Kyle Henry to training throughout the year and with the IRWA Conference he will have enough CEUs to have his water license reinstated with a nominal fee. There are also sign ups at the Conference for Water Short School of which I am eligible for in order to review then take my Water License Test.

The IPWMAN is a great networking and disaster mitigation training event. I have chosen to take Jim Stark since he is new in the department. I think it will be a great opportunity to expose Jim to many other Public Works people as well as training in disaster management. He is the

Public Works representative from Kirkland that hopefully has the longest career ahead of himself and this would provide a great opportunity to begin networking with many Public Works Leaders , Township Officials, and IDOT personnel. I view Jim Stark as a valuable and long term employee of Public Works and as such I would appreciate the opportunity to begin introducing him to many of the officials I know and work with on occasion. At some point in time Chris Demunn, Joe Caveny, and myself will be retiring or passing away and as such I want to pass on knowledge as well as contacts to the men that will follow us. To this end I am still striving to train and certify my men in wastewater, water, machinery, and street projects when ever affordable training becomes available. I want to make sure my department personnel has overlapping skillsets and certifications. I want to make sure that if anyone person leaves that it does not effect the operations of Public Works.

Thank You Ryan and any members of the board of Trustees you may share this with for the continued support of Public Works. May we continue to carry out the maintenance and projects of our home town to your satisfaction and may we exceed your expectations of what a few well trained and equipped personnel can accomplish. Have a great weekend.

Thank You

Dale Miller

A handwritten signature in black ink, appearing to read "Dale Miller", with a long horizontal flourish extending to the right.

## ORDINANCE 2019- 11

### AN ORDINANCE AMENDING CHAPTER 150, BUILDING CODES, OF THE VILLAGE OF KIRKLAND MUNICIPAL CODE

**WHEREAS**, the Village of Kirkland, DeKalb County, Illinois, is a non-home rule municipality as contemplated by the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's powers and functions as granted in the Constitution of the State of Illinois and statutes; and

**WHEREAS**, the Village Board believes it is necessary to determine outstanding building code violations when property is being sold or rented and having a mechanism to provide for correction of such violations; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Kirkland, DeKalb County, Illinois as follows:

**SECTION 1.** The Table of Contents for Chapter 150, Building Codes, of the Village of Kirkland Municipal Code is hereby amended as follows:

#### CHAPTER 150. BUILDING CODES

##### *General Provisions*

- 150.01 Short title
- 150.02 Permits and scope of regulations
- 150.03 Building Officer
- 150.04 Liability of Building ~~Officer~~ Inspector
- 150.05 Regulations for administration of building regulations
- 150.06 Compliance with fee schedule; distribution of fees
- 150.07 Duty to Notify Village Clerk of Property for Sale or Rent
- 150.08 Certificate of Occupancy Required for Sale of Residential Property
- 150.09 Inspection Fee
- 150.10 Making False Statement in Notice of Intent Unlawful
- 150.11 Penalty

##### *Codes Adopted*

- 150.15 Generally
- 150.16 Building Code; amendments
- 150.17 Electrical Codes; amendments
- 150.18 Mechanical Code; amendments
- 150.19 Plumbing Codes; amendments
- 150.20 Fuel Gas Code; amendments
- 150.21 Energy Conservation Code; amendments
- 150.22 Fire Code; amendments
- 150.23 Residential Code; amendments
- 150.24 Property Maintenance Code; amendments

***Fire Prevention Regulations***

150.35 Fire limits established

150.36 Smoke detectors

150.99 Penalty

Appendix A: Building Permit and Plan Review Fees

Appendix B: Developmental Impact Fees

Appendix C: Notice of Intent to Sell Application for Village Inspection

Appendix D: Notice of Intent to Rent Application for Village Inspection

Appendix E: Agreement to Correct Building Code Violations Form

Appendix F: Property Transfer Compliance Form

**SECTION 2.** Section 150.04, Liability of Building Inspector, of the Village of Kirkland Municipal Code is hereby amended as follows:

**150.04 LIABILITY OF BUILDING OFFICER ~~INSPECTOR~~.**

The Building Officer ~~Inspector~~ or any employee charged with the enforcement of this code, acting in good faith and without malice for the municipality in the discharge of his or her duties, shall not thereby render himself or herself liable personally and he or she is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act required or omission in the discharge of his or her duties. Any suit brought against the Building Officer ~~Inspector~~ or employee, because of such act or omission performed by him or her in the enforcement of any provision of this code, shall be defended by the municipality.

**SECTION 3.** Chapter 150, Building Codes, shall be amended to add new Sections 150.07 through 150.11 as follows:

**150.07 DUTY TO NOTIFY VILLAGE CLERK OF PROPERTY FOR SALE OR RENT.**

(A) (1). The term **COMMERCIAL PROPERTY**, as used in this subchapter, is defined to mean real property, buildings and any and all rental units situated therein within the Village and used to conduct, transact or carry on commerce, trade or business with the general public or used in connection with the conducting, transacting or carrying on of commerce, trade or business with the general public.

(2). It shall be unlawful for any person to hereafter occupy, by purchase, rental, lease or otherwise, or for any owner or agent thereof, to permit the occupation of any commercial property, or addition thereto, or part thereof, for any purpose until a certificate of compliance has been issued by the Building Officer.

(3). Said certificate is required for each and every separate occupancy and in the case of rental or lease, said certificate is required for each new tenant.

(4). It shall be unlawful for any person to knowingly make any false statement in the notice of intent to sell or rent commercial property.

(B) (1). All owners, agents, brokers or any individual or legal entity having ownership or control of any residential property or commercial property which is offered for sale or rental within Village must notify the Village Building Department within five days after the first real estate listing agreement is executed or within five days after public notification of an intent to sell or rent is made or published, whichever shall occur first.

(2). The notification shall be in writing on a form made available at the office of the Building Department.

(C) No certificate of compliance for commercial property shall be issued unless each violation of any building code or regulation of the "Building Ordinance of Kirkland, Illinois," as set forth in the inspection report of the Building Officer, is corrected.

(D) A certificate of compliance for commercial property is a condition precedent to receiving Village water or sewer services.

#### **150.08 CERTIFICATE OF OCCUPANCY REQUIRED FOR SALE OF RESIDENTIAL PROPERTY**

(A). No residential property shall be sold unless the owner shall furnish the buyer with a certificate of occupancy based on inspection of the property five days prior to the sale of the property.

(B). No residential property shall be rented unless the lessor shall furnish the tenant with a certificate of occupancy based on an inspection of such property 30 days prior to tenancy.

(C) No certificate of occupancy shall be issued unless each violation of any building code or regulation of the "Building Ordinance of Kirkland, Illinois," as set forth in the inspection report of the Building Officer, is corrected.

(D) A certificate of occupancy is a condition precedent to receiving Village water or sewer services.

#### **150.09 INSPECTION FEES.**

(A) (1). Each applicant for a certificate of occupancy, in conjunction with the sale of a single- family residence, shall pay an inspection fee of \$100 for the inspection.

(2). The inspection fee of \$100 shall be waived to any applicant selling his or her existing residence and then purchasing and relocating his or her residence within the Village corporate boundaries.

(B) Each applicant for a certificate of occupancy, in conjunction with the sale of a multi-family residence containing two or more dwelling units, shall pay an



inspection fee of \$150, plus \$10 for each apartment unit located in the building.

(C) (1). Each applicant for a certificate of occupancy, in conjunction with the rental of a single-family residence, shall pay a fee of \$50 and a fee of \$50 for any re-inspection that may be required.

(2) Each applicant for a certificate of occupancy, in conjunction with the rental of a multi-family residence containing two or more dwelling units, shall pay a fee of \$25 for each unit and a fee of \$25 for any re-inspection that may be required.

(D) All certificates of occupancy issued pursuant to an inspection under this section shall be valid for one year from the date of issuance of the certificate of occupancy.

(E) Each applicant for a certificate of compliance shall pay an inspection fee of \$100.

#### **150.10 MAKING FALSE STATEMENT IN NOTICE OF INTENT UNLAWFUL.**

It shall be unlawful for any person to knowingly make any false statement in the notice of intent to sell or rent residential property or commercial property.

#### **150.11 PENALTY.**

(A) Any person who violates any provision of §§150.07 through 150.11 of this chapter, or any rule or regulation adopted or issued pursuant to that subchapter, shall be subject to the penalties provided herein, in addition to any other penalty specifically provided for.

(B) (1). A complaint setting forth more than one violation of the provisions of §§ 150.07 through 150.11 of this chapter shall result in the imposition of separate fines of not less than \$100, and not more than \$750, for each separate violation.

(2). Any person, firm or corporation who violates any provisions of §§ 150.07 through 150.11 of this chapter, or who refuses to remedy a violation found to exist and reported on the certificate of compliance within the time therein specified, shall be fined not less than \$200, nor more than \$750, for each offense and a separate offense shall be deemed committed on each day during or on which a violation of that subchapter occurs or continues.

(3). Each day a violation shall continue shall constitute a separate offense.

**SECTION 4:** If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 6:** This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Passed this \_\_\_ day of \_\_\_\_\_, 2019, by a roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee Colleen Ford	_____	_____	_____	_____
Trustee Sarah Ziegler	_____	_____	_____	_____
Trustee Steve Devlieger	_____	_____	_____	_____
Trustee Jessica Fruit	_____	_____	_____	_____
Trustee Brandon Wiegartz	_____	_____	_____	_____
Trustee Daniel Chambers	_____	_____	_____	_____
President Ryan Block	_____	_____	_____	_____

APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, 2019

\_\_\_\_\_  
Village President Ryan Block

(SEAL)

ATTEST: \_\_\_\_\_  
Village Clerk Carol Stiegman

Published: \_\_\_\_\_

**CERTIFICATION**

I, CAROL STIEGMAN, do hereby certify that I am the Clerk of the Village of Kirkland, DeKalb County, Illinois, and that as Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Kirkland.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Kirkland, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, the foregoing Ordinance entitled *AN ORDINANCE AMENDING CHAPTER 150, BUILDING CODES, OF THE VILLAGE OF KIRKLAND MUNICIPAL CODE*, was duly passed by the President and Board of Trustees of the Village of Kirkland.

The pamphlet form of Ordinance No. 2019- \_\_\_\_, including the Ordinance was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the \_\_\_\_ day of \_\_\_\_\_, 2019, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Kirkland, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Carol Stiegman, Village Clerk  
Village of Kirkland  
DeKalb County, Illinois

(SEAL)

## ORDINANCE 2019- 12

### AN ORDINANCE AMENDING CHAPTER 51, UTILITY FEES, OF THE VILLAGE OF KIRKLAND MUNICIPAL CODE

**WHEREAS**, the Village of Kirkland, DeKalb County, Illinois, is a non-home rule municipality as contemplated by the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's powers and functions as granted in the Constitution of the State of Illinois and statutes; and

**WHEREAS**, the Village Board believes it is necessary to determine the final rates of water, sewer and other bills and liabilities prior to the sale or transfer of property within the Village to allow it to collect its final utility service and other outstanding fees it may be owed; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Kirkland, DeKalb County, Illinois as follows:

**SECTION 1.** The Table of Contents for Chapter 51 of the Village of Kirkland Municipal Code is hereby amended to include 51.10, as follows:

51.10 Utility Service Payment Prior to Transfer of Real Property

**SECTION 2:** Chapter 51 of the Village of Kirkland Municipal Code is hereby amended to add a new Section 51.10, Utility Service Payment Prior to Transfer of Real Property, as follows:

51.10 UTILITY SERVICE PAYMENT PRIOR TO TRANSFER OF REAL PROPERTY

In the event real property or control over same is sold, transferred or assigned to another (hereinafter referred to as the "transferee") by any person or entity theretofore responsible for payment of charges (hereinafter referred to as the "transferor"), it shall be the responsibility of both the transferor and transferee to notice, in writing, the Village of the intended transfer no less than five working days prior to the date of the intended transfer of the real property for a final meter reading. After the Village has verified the meter reading a final bill will be issued for all charges owed the Village under Section 51.02, Water User Service Charges, Section 51.03, Sewer User Service Charges, and Section 51.05, Bills and Liability for Payment. The Village's certification shall be obtained for all real property or control over same that is sold, transferred or assigned and which is connected to the Village potable water system and/or sewer system. Such certification shall be evidence that all fees owed the Village have been paid in full at the time of issuance of such certification. It is the obligation of both the owner and prospective buyer of the relevant real estate to obtain a Village certification, Upon full payment thereof, the transferor shall thereafter be relieved of any further responsibility for such service. In the event the Village is not so notified of such transfer, the transferee shall be

deemed jointly and severally liable with the transferor for all unpaid charges of the premises incurred up to and including the date of the transfer, as well as thereafter. No existing service shall be deemed transferable without a new application being submitted to the Village and payment in full of all outstanding charges and fees assessed to the existing account for the subject property.

**SECTION 3:** If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

**SECTION 4:** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5:** This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Passed this \_\_\_ day of \_\_\_\_\_, 2019, by a roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee Colleen Ford	_____	_____	_____	_____
Trustee Sarah Ziegler	_____	_____	_____	_____
Trustee Steve Devlieger	_____	_____	_____	_____
Trustee Jessica Fruit	_____	_____	_____	_____
Trustee Brandon Wiegartz	_____	_____	_____	_____
Trustee Daniel Chambers	_____	_____	_____	_____
President Ryan Block	_____	_____	_____	_____

APPROVED THIS \_\_ DAY OF \_\_\_\_\_, 2019

\_\_\_\_\_  
Village President Ryan Block

(SEAL)

ATTEST: \_\_\_\_\_  
Village Clerk Carol Stiegman

Published: \_\_\_\_\_

CERTIFICATION

I, CAROL STIEGMAN, do hereby certify that I am the Clerk of the Village of Kirkland, DeKalb County, Illinois, and that as Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Kirkland.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Kirkland, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, the foregoing Ordinance entitled *AN ORDINANCE AMENDING CHAPTER 51, UTILITY FEES, OF THE VILLAGE OF KIRKLAND MUNICIPAL CODE*, was duly passed by the President and Board of Trustees of the Village of Kirkland.

The pamphlet form of Ordinance No. 2019- \_\_\_\_, including the Ordinance was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the \_\_\_\_ day of \_\_\_\_\_, 2019, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Kirkland, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Carol Stiegman, Village Clerk  
Village of Kirkland  
DeKalb County, Illinois

(SEAL)



Village of Kirkland, Illinois  
511 W. Main Street  
Kirkland, Illinois 60146  
Phone: 815-522-6179  
Fax: 815-522-3501

**Agreement to Correct Building Code Violations Form**

(Please print clearly or type)

Date: \_\_\_\_\_

Property Address: \_\_\_\_\_

I, purchaser, agree to correct all violations listed on the Inspection Report For Sell, as required prior to my "as-is" scheduled closing.

I, purchaser, agree that I have minimum 30 days to comply with all violations (weather permitting).

I, purchaser, agree that if violations are not corrected, I am subject to be sited to appear in Housing Court.

I, purchaser, understand that I will be required to submit a copy of a valid photo i.d.

Purchaser Name(s): \_\_\_\_\_

Current Address: \_\_\_\_\_

Cty / St. / Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Email: \_\_\_\_\_

**Emergency Contact**

Name: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Purchaser  
Signature(s): \_\_\_\_\_

\_\_\_\_\_  
*(Note: Agreement must be submitted to the Department of Building Safety and Zoning prior to scheduled closing date.)*







Village of Kirkland, Illinois  
511 W. Main Street  
Kirkland, Illinois 60146  
Phone: 815-522-6179  
Fax: 815-522-3501

### Property Transfer Compliance Form

The Village of Kirkland requires that the following items be confirmed, prior to transferring ownership of a property:

#### Vacant Property Registration and Code Compliance (if applicable)

All vacant properties are required to be registered for vacancy.

Ordinance # 2019 - \_\_\_\_\_)

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#### Notice of Intent to Sell Inspection Fee Schedule

Single Family / Condo / Townhouse	- \$ 100	Trailer Home	- \$ 75
Multi-Unit Family	2 units - \$ 200	4 units - \$ 250	6 units - \$ 300
	3 units - \$ 225	5 units - \$ 275	
Commercial	\$ 300 – addition \$ 50 per unit		
Industrial	\$ 300	over the phone payment	- \$ 5

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#### Final Water Reading

Final reading on water account is required to be request at least 1 week prior to closing. Final water account payment to be paid in full prior to closing.

Department of Building Safety and Zoning (847) 428-7010

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#### Outstanding Fines / Liens

Any outstanding fines/liens due to the Village of Kirkland are required to be paid in full prior to the closing on the property.

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#### Agreement to Correct Building Code Violations

Agreement to Correct Building Code Violations is required to be signed by the purchaser(s) and submitted to the Department of Building Safety and Zoning prior to the scheduled closing date. A valid photo i.d. is required at time of submitting agreement.

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#### Certificate for Closing

The Village of Kirkland does NOT issue stamps. A certificate will be issued after all is complied with and verified in office. Certificate is required to be issued prior to the closing.



## PUBLIC HEARING NOTICE

Notice is hereby given that the Village of Kirkland's Planning and Zoning Commission will hold a public hearing on Monday, August 12, 2019, at 7:00 p.m., at the Kirkland Municipal Building, 511 West Main Street, Kirkland, Illinois, to consider the petition of Elaine Mitchell ("Petitioner") for a variation from Section 154.076(C)(5) of the Kirkland Zoning Code to allow residential use on the first floor at the property commonly known as 523 W. Main Street (PIN 01-26-206-018) in Kirkland which is currently zoned B-1 General Commercial District. The public may provide testimony or comments or ask questions at the hearing. A copy of the petition is on file at the Village Hall and is available for review during regular business hours.

/s/ Joe Monachello, Chairman  
Village of Kirkland Planning and  
Zoning Commission

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- BUILDING WAS ORIGINALLY BUILT AS-IS  
w/ COMMERCIAL AREA IN FRONT AND RESIDENTIAL  
IN REAR OF BUILDING
- OFFICE IS 300 SF  
APARTMENT IS APPROX 600 SF

6/10/19

To: Kirkland Village Board

I would like to appear in front of the planning and zoning board for a special use permit or exemption regarding a letter received about residential use in property on Main Street. 523 W. Main St.

The property is a 3 unit building with a Commercial office on main street. There are 2 apartments, one on the first floor in rear of building and one on second floor. Both are only accessible from the rear of the building, there is no first floor residence visible or accessible from main street. We have no intent on converting the existing commercial office in the front of the building to a residence.

As this building and layout was approved by the board at the time of its construction I do not feel that it should be required to convert the entire 1<sup>st</sup> floor to commercial space upon a sale of the building. I believe this will lower the value of the building and cause a financial loss.

I do understand why the village is implementing the new plan as other buildings are not in full compliance of commercial space use on main street. However, 523 W. Main St is not in any violations. There is available commercial office space in the front of the building and NO residence access from the front. I am requesting to be exempt from the boards current proposal or be granted a special use permit with no expiration, with the expectations that the existing front office will not be converted to any residential use.

Thank you for your consideration on this issue.



Joe Emerich

815-739-7283

On behalf of Elaine Mitchell, building owner.

## PUBLIC HEARING NOTICE

Notice is hereby given that the Village of Kirkland's Planning and Zoning Commission will hold a public hearing on Monday, August 12, 2019, at 7:00 p.m., at the Kirkland Municipal Building, 511 West Main Street, Kirkland, Illinois, to consider the petition of David Fuller ("Petitioner") for a variation from Section 154.076(C)(5) of the Kirkland Zoning Code to allow residential use on the first floor at the property commonly known as 506 Main Street (PIN 01-26-209-010) in Kirkland which is currently zoned B-1 General Commercial District. The public may provide testimony or comments or ask questions at the hearing. A copy of the petition is on file at the Village Hall and is available for review during regular business hours.

/s/ Joe Monachello, Chairman  
Village of Kirkland Planning and  
Zoning Commission

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BUILDING LAYOUT

OFFICE / COMMERCIAL SPACE IS 600 SF

RESIDENCE IS APPROX. 1800 SF



62 Kirkland Road  
Kirkland, IL 60146  
Phone: 779-400-6501  
Email: fullerremodeling@gmail.com

June 25, 2019

Village of Kirkland  
511 W. Main Street  
Kirkland, IL 60146

Attn: Village President Block

Dear President Block,

I am requesting a variance for my property located at 506 Main Street, Kirkland, Illinois.

When I purchased the property I was under the impression that I would be able to remodel the existing apartment in the rear of the building and use the front of the building for a business. Upon learning that might not be so, all my plans have come to an abrupt halt and I am not sure in which direction, if any, I should proceed.

The entire building is 1500 square feet. I'd like to renovate the front business and back apartment as is which is approximately half for each unit.

Please consider my request. I'd like to get back to making the purchase a profitable venture for myself and help improve Main Street by restoring the property.

Respectfully,

David Fuller  
Proprietor

## PUBLIC HEARING NOTICE

Notice is hereby given that the Village of Kirkland's Planning and Zoning Commission will hold a public hearing on Monday, August 12, 2019, at 7:00 p.m., at the Kirkland Municipal Building, 511 West Main Street, Kirkland, Illinois, to consider the petition of Barbara Hemme ("Petitioner") for a variation from Section 154.076(C)(5) of the Kirkland Zoning Code to allow residential use on the first floor at the property commonly known as 518 W. Main Street (PIN 01-26-209-023) in Kirkland which is currently zoned B-1 General Commercial District. The public may provide testimony or comments or ask questions at the hearing. A copy of the petition is on file at the Village Hall and is available for review during regular business hours.

/s/ Joe Monachello, Chairman  
Village of Kirkland Planning and  
Zoning Commission

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CURRENT SPACE

600 SF COMMERCIAL

900 SF RESIDENTIAL

LAW OFFICES  
**ZUKOWSKI, ROGERS, FLOOD & McARDLE**  
50 VIRGINIA STREET  
CRYSTAL LAKE, ILLINOIS 60014  
www.zrfinlaw.com

BRADFORD S. STEWART  
bstewart@zrfinlaw.com

(815)459-2050  
Fax: (815) 459-9057

June 18, 2019

Mr. Michael Hemme  
518 Main Street  
Kirkland, IL 60146

Re: **Residential Use in Village of Kirkland's B-1 District**  
**Site Address: 518 Main Street, Kirkland, Illinois**

Dear Mr. Hemme:

The Village of Kirkland sent you a letter in April 2019 regarding the Village's zoning code requirement that residential uses are not permitted below the second floor of any buildings in the B-1 District. The Village invited you to sign the acknowledgement for our records or to otherwise approach the Village to request a zoning variation. The Village received a response from you indicating that you believe the residential use on the first floor of your property is "grandfathered."

The Village respectfully disagrees with your position. Pursuant to the zoning ordinance as it was enacted in Sec. 154.076(C)(5): "Residential uses existing on the first floor or below of any structure in this District as of the date of this amendment shall be permitted only until either the transfer of the property to another owner or damage or destruction to the property occurs . . . whichever occurs first, at which time such residential use will not be permitted." Thus, the residential use cannot transfer to a subsequent owner of the property.

The Village will record this notice against the property, to ensure that any subsequent owner is put on notice that any residential use will be prohibited without a proper zoning variation. You also have the option, at any point, to seek a variation through the Village's Planning and Zoning Board;

If you would like to discuss this matter further, you may contact me.

Sincerely



Bradford S. Stewart

BSS:jm

cc: Ryan Block, Village President



Ordinance No. \_\_\_\_\_

AN ORDINANCE OF THE VILLAGE OF KIRKLAND, DEKALB COUNTY, ILLINOIS, ADOPTING BY REFERENCE CERTAIN BUILDING, MECHANICAL, PLUMBING, ENERGY CONSERVATION, FIRE, FUEL GAS, PROPERTY MAINTENANCE, RESIDENTIAL, EXISTING BUILDING, SWIMMING POOL AND ACCESSIBILTY CODES REGULATING AND GOVERNING THE CONSTRUCTION, CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES IN THE VILLAGE

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF KIRKLAND, ILLINOIS, THAT:

Chapter 15 of the Village of Kirkland Code of Ordinances is hereby replaced to read as follows:

## **CHAPTER 150: BUILDING CODES**

Section

### *General Provisions*

- ~~—150.01— Short title~~
- ~~—150.02— Permits and scope of regulations~~
- ~~—150.03— Building Officer~~
- ~~—150.04— Liability of Building Inspector~~
- ~~—150.05— Regulations for administration of building regulations~~
- ~~—150.06— Compliance with fee schedule; distribution of fees~~

### *Codes Adopted*

- ~~—150.15— Generally~~
- ~~—150.16— Building Code; amendments~~
- ~~—150.17— Electrical Codes; amendments~~
- ~~—150.18— Mechanical Code; amendments~~
- ~~—150.19— Plumbing Codes; amendments~~
- ~~—150.20— Fuel Gas Code; amendments~~
- ~~—150.21— Energy Conservation Code; amendments~~
- ~~—150.22— Fire Code; amendments~~
- ~~—150.23— Residential Code; amendments~~
- ~~—150.24— Property Maintenance Code; amendments~~
- ~~—150.25— Illinois Accessibility Code~~
- ~~—150.26— International Existing Building Code~~

### *Fire Prevention Regulations*

- ~~—150.35— Fire limits established~~
- ~~—150.36— Smoke detectors~~
- ~~—150.99— Penalty~~
- ~~—Appendix A:— Building Permit and Plan Review Fees~~

## **GENERAL PROVISIONS**

### **§ 150.01 SHORT TITLE.**

This chapter, including the rules and regulations it adopts by reference, is entitled and may be cited as the “Building Ordinance of Kirkland, Illinois.” The “letters” and “numbers” designations used to set off or identify its various parts refer to articles, sections, subsections, paragraphs, rules, regulations or other division as the text or arrangement may indicate. Reference to any one of these parts may be such a designation alone.

(1983 Code, § 8-1-1)

### **§ 150.02 PERMITS AND SCOPE OF REGULATIONS.**

(A) It is hereby required that a permit be obtained in advance, and all other requirements of this chapter be complied with, whenever a building or structure, or parts or appurtenances thereof, is erected, installed, altered, converted, remodeled, structurally repaired, moved or changed.

(B) All building and structures, and parts and appurtenances thereof, both existing and hereafter erected, or installed, shall be so maintained that the occupants and users thereof, as well as the public, are reasonably safe from the hazards of fire, explosion, collapse, contagion and spread of infectious disease. If found not so maintained, the necessary corrective work, repair, replacement or removal may be ordered by the Building Officer to cause the premises to conform with this chapter.

(1983 Code, § 8-1-5)

### **§ 150.03 BUILDING OFFICER.**

(A) The Office of Building Officer is hereby created in which is vested the power and duty to administer and enforce all the provisions of this chapter and such related regulations as are assigned to that office by the Board of Trustees. Who fills this role

(B) The Board of Trustees shall appoint as Building Officer a person who is qualified by professional or practical, training and experience to conduct the affairs and carry out the duties of that office.

(C) Duties and authority shall include the following:

(1) Issue building permits and administer the building regulations of the village and other applicable ordinances and state laws;

(2) Hire such assistants as authorized by the Board of Trustees;

(3) Keep systematic records, including permit applications, survey plats and building plot plans (which may be destroyed after 60 days after issuance of certificate of occupancy). Those plans for buildings which may be useful for future periodic inspections may be kept;

(4) Collect all fees;

(5) Make inspections, and for that purpose may enter buildings at reasonable hours, structures and premises; and

(6) Issue a written stop work order when he or she finds work being done contrary to a building permit, contrary to this chapter or that a permit was issued based upon a false statement or misrepresentation in the application.

(1983 Code, § 8-1-6)

### **§ 150.04 LIABILITY OF BUILDING INSPECTOR.**

The Building Inspector or any employee charged with the enforcement of this code, acting in good faith and without malice for the municipality in the discharge of his or her duties, shall not thereby render himself or herself liable personally and he or she is hereby relieved from all

personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act required or omission in the discharge of his or her duties. Any suit brought against the Building Inspector or employee, because of such act or omission performed by him or her in the enforcement of any provision of this code, shall be defended by the municipality.

(1983 Code, § 8-1-7)

#### **§ 150.05 REGULATIONS FOR ADMINISTRATION OF BUILDING REGULATIONS.**

The administration of this chapter shall be in accordance with the following regulations:

(A) *Application for a permit.*

(1) Building permit application, signed by owner or authorized agent, shall be on forms provided by Building Officer;

(2) Fee payment shall accompany application in accordance with a separate fee ordinance~~Appendix A to this chapter~~;

(3) Permit may be amended during course of work with written approval of Building Officer; and

(4) Permit shall expire upon the issuance of the certificate of occupancy.

(B) *Information to accompany and be a part of application.*

(1) Legal description of the property;

(2) ~~Three~~ Two copies of a plot plan, in the manner of a spotted survey, showing proposed building location, existing buildings, structures and underground facilities. Survey may be waived by the Building Officer.

(3) ~~Three~~ Two copies of construction plans including wiring and plumbing systems, specifications and tests to show compliance with regulations. Scale of plans not less than one-eighth inch to one foot. Plans may be waived for minor alterations not involving structural changes and for residential accessory buildings not over 500 square feet in area, if sufficiently described in application.

(C) *Action on application and plans.*

(1) Shall be denied, approved or conditionally approved, within ~~ten-ten~~ business days by or under direction of the Building Officer. Failure to approve, or conditionally approve, within ten days, shall be tantamount to denial;

(2) If the application conforms to requirements of the building regulations and other applicable ordinances and state laws, a permit shall be issued in writing to proceed with the work, and one set of plans and specifications, endorsed by Building Officer, returned and kept on the job at all times;

(3) If a permit is denied, reasons shall be given in writing upon request; and

(4) Permit furnished is to remain conspicuously posted on premises near road entrance during the course of work.

(D) *Action after permit is issued.*

(1) Permit expires if project is not commenced within six months of date of issuance. Project must be completed within two years of date of issuance unless extended. A new permit will be required if construction is not completed within 30 months after issuance.

(2) A certificate of occupancy must be secured before a building is permanently occupied. The certificate shall be issued by the Building Officer when an inspection following completion of work shows that all construction is in compliance with these regulations and applicable ordinances and state laws.

(3) Temporary occupancy permit may be issued for a building, or portion thereof, if it is

found that the condition of the building and the lighting, heating, water supply, sewage disposal, life safety systems, the means of egress system and other sanitary facilities available to the occupant provide a reasonable degree of safety. A new temporary occupancy permit shall be required if a certificate of occupancy is not issued within 60 days thereafter.

(E) *Nonconforming building or structures.*

(1) **NONCONFORMING BUILDING OR STRUCTURE** shall be defined as an existing building or structure or part or appurtenance thereof, not in conformance with these building regulations.

(2) Work limited to necessary repairs only, unless building, or part, is made to conform with the requirements of this chapter.

(1983 Code, § 8-1-8)

#### **§ 150.06 COMPLIANCE WITH FEE SCHEDULE; DISTRIBUTION OF FEES.**

(A) (1) In the event that any building is undertaken without compliance with the above referenced fee schedule, then and in that event, the responsible owner or contractor, or both, shall be liable for a fee in double of the fees set forth in Appendix A to this chapter.

(2) In the event that any building is undertaken without compliance with the above referenced fee schedule after 30 days when notified of noncompliance, then and in that event, the responsible owner or contractor, or both, shall be liable for a fine as set forth in Chapter 10, Appendix A of this code. Each day that a violation occurs shall be deemed a separate offense. In addition, a permit fee in double of the fees set forth in Appendix A shall be paid.

(3) In the event that continued noncompliance necessitates litigation, the responsible owner or contractor, or both, shall be liable as set forth in Chapter 10, Appendix A of this code.

(B) The village shall retain a percentage of the permit fees as stated in the agreement between the Village of Kirkland and ICCI Consultant.

(C) As condition of the issuance of a building permit, the owner or developer shall pay the development impact fee in the amounts set forth in Appendix B.

(Ord. 07-10, passed 8-6-2007; Ord. 15-07, passed 10-5-2015)

## **CODES ADOPTED**

### **§ 150.15 GENERALLY.**

(A) Certain documents, one set of each of the codes adopted of the International Code Council (ICC) International Codes and the *National Electrical Code* (NFPA 70) and three copies of the *Illinois Plumbing Code*, shall be maintained on file in the office of the Village Clerk.

(B) Nothing in this subchapter or in the codes hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance repealed by this subchapter, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this subchapter.

(Ord. 07-13, passed 9-4-2007)

### **§ 150.16 BUILDING CODE; AMENDMENTS.**

(A) *International Building Code*. The *International Building Code*, 2006-2018 edition, including Appendix Appendices Chapters C, E, G, H, I, and J and N, published by the International Code Council, Inc., be and is hereby adopted as the Building Code of the Village of Kirkland, DeKalb County, Illinois, for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the

*International Building Code* on file in the office of the Village of Kirkland, are hereby referred to, adopted and made a part hereof as if fully set out in this subchapter, with the specific revisions otherwise noted in division (B) of this section.

(B) *Amendments.* The following sections of the *International Building Code*, 2006~~18~~ edition, are hereby revised ~~and -and-~~ amended ~~or added~~ in words and figures as follows:

a. **Section 101.1 -Title.** These regulations shall be known as the *Building Code* of the Village of Kirkland, DeKalb County, Illinois, hereinafter referred to as “this code.”

~~b. **Section 101.4.18 Electrical.** The provisions of the *ICC Electrical Code* and the *National Electrical Code* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.~~

~~eb. **Section 101.4.34 Plumbing.** The provisions of the *International Plumbing Code* and the *Illinois State Plumbing Code* shall apply to the installation, alterations, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system, except that for the purposes of Chapter 15, the *2018 International Plumbing Code* shall be used.~~

~~c. **Section 101.4.6 Energy.** The provisions of the *Illinois Energy Conservation Code* shall apply to all matters governing the design and construction of buildings for energy efficiency.~~

~~d. **Section 101.4.8 Electrical.** The provisions of *Appendix K* and the *2017 National Electrical Code* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.~~

~~ed. **Section 105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.~~

Permits shall not be required for the following:

**Building:**

- ~~1.~~ Oil derricks.
- ~~2.~~ Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
- ~~3.~~ Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
- ~~4.~~ Sidewalks ~~and driveways~~ not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route and not in the parkway area.
- ~~5.~~ Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
- ~~6.~~ Temporary motion picture, television and theater stage sets and scenery.
- ~~7.~~ Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep or are inflatable of any depth (with or without electrical filters), do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.

~~8.~~ Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

~~9.~~ Swings and other playground equipment accessory to detached one- and two-family dwellings.

~~10.~~ Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.

~~11.~~ Nonfixed and moveable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches (1,753 mm) in height.

~~Rest of section remains the same.~~

**fe. Section 1098.2 Schedule of Permit Fees.** Insert at the end of the paragraph: "This schedule of Building Permit Fees is stated in [REDACTED], as it may be amended from time to time."

**fg. Section 101089.4 Work commencing before permit issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee in addition to the required permit fee.

In the event that any building is undertaken without compliance with the above-referenced fee schedule after 30 days when notified of noncompliance, then and in that event, the responsible owner, contractor, or both, shall be liable for a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) and 100 percent of the usual permit fee in addition to the required permit fee. Each day a violation continues shall be deemed a separate offense.

**hg. Section 1098.6 Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 90 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. No part of the plan review fee paid shall be refunded when the plan review has been completed and the application for permit is withdrawn.

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

**ih. Section 1132.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, the Village Board of Trustees shall be the board of appeals. Therefore, for the purposes of this code, the board of appeals shall be construed to mean the Village Board of Trustees. The Building Official shall be an ex officio member of the board, but shall have no vote on any matter before the board. When a quorum is present, the board shall modify, reverse or uphold the decision of the code official by a concurring vote of the majority of members present at the meeting.

The board of appeals shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official. The Building Official shall take immediate action in accordance with the decision of the board.

**ji. Section 1132.3 Qualifications.** Deleted in its entirety.

~~jk.~~ ~~Section 1143.4~~ ~~Violation penalties.~~ Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues shall be deemed a separate offense.

~~Section 1143.4.1~~ ~~Court costs and legal fees.~~ In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney's fees incurred by the village.

~~kk.~~ ~~Section 1154.3~~ ~~Unlawful continuance.~~ Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues shall be deemed a separate offense.

~~Section 1154.3.1~~ ~~Court costs and legal fees.~~ In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney's fees incurred by the village.

~~ll.~~ ~~Section 903.4~~ ~~Sprinkler system monitoring and alarms.~~ All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised.

~~Exception:~~ Automatic sprinkler systems protecting one- and two-family dwellings. ~~Delete all other exceptions.~~

~~mm.~~ ~~Section 904.3.5~~ ~~Monitoring.~~ All automatic fire-extinguishing systems in every use group shall be monitored with an approved fire alarm system with supervision in accordance with NFPA 72 and Section 907.6.614.

~~o.mm~~ ~~Section 1101.1~~ ~~When there is a conflict between the requirements of this Code and the Illinois Accessibility Code the stricter of the two requirements shall be applied.~~

~~nn.~~ ~~Section 1612.3~~ ~~Establishment of flood hazard areas.~~ To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified ~~by the Federal Emergency Management Agency as the County-Wide Flood Insurance Rate Map of DeKalb County prepared by the Federal Emergency Management Agency and dated January 2, 2009 in an engineering report entitled: "The Flood Insurance Study for Incorporated and Unincorporated DeKalb County," published September 1, 2000,~~ as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

~~o.~~ ~~Section 1801.2.1~~ ~~Foundation design for seismic overturning.~~ ~~Where the foundation is proportioned using the strength design load combinations of Section 1605.2, the seismic overturning moment need not exceed 75 percent of the value computed from Section 9.5.5.6 of ASCE7 for the equivalent lateral force method, or Section 1618 for the modal analysis method.~~

~~p.~~ ~~Section 1805.5~~ ~~Foundation walls.~~ Concrete and masonry foundation walls shall be designed in accordance with Chapter 19 or 21. Foundation walls that are laterally supported at the top and bottom and within the parameters of Tables 1805.5(1) through 1805.5(4) are permitted to be designed and constructed in accordance with Sections 1805.5.1 through 1805.5.5.

—q. ~~Section 1805.5.1 Foundation wall thickness.~~ The minimum thickness of concrete and masonry foundation walls shall comply with Sections 1805.5.1.1 through 1805.5.1.3.

—r. ~~TABLE 1805.5(1)~~ Delete in its entirety and replace with:

<b>TABLE 1805.5(1)</b>				
<b>PLAIN MASONRY AND PLAIN CONCRETE FOUNDATION WALLS<sup>a,b,c</sup></b>				
<b>PLAIN MASONRY</b>				
<b>WALL HEIGHT (feet)</b>	<b>HEIGHT OF UNBALANCED BACKFILL (feet)</b>	<b>MINIMUM NOMINAL WALL THICKNESS (inches)</b>		
		<b>Soil classes and lateral soil loads (psf per foot below natural grade)</b>		
		<b>GW, GP, SW and SP soils<sup>20</sup></b>	<b>GM, GC, SM, SM-SC and ML soils<sup>45</sup></b>	<b>SC, MH, ML-CL and Inorganic CL soils<sup>60</sup></b>
7	4 (or less)	8	8	8
	5	8	10	10
	6	10	12	10 (solid <sup>c</sup> )
	7	12	10 (solid <sup>c</sup> )	10 (solid <sup>c</sup> )
8	4 (or less)	8	8	8
	5	8	10	12
	6	10	12	12 (solid <sup>c</sup> )
	7	12	12 (solid <sup>c</sup> )	Note d
	8	10 (solid <sup>c</sup> )	12 (solid <sup>c</sup> )	Note d
9	4 (or less)	8	8	8
	5	8	10	12
	6	12	12	12 (solid <sup>c</sup> )
	7	12 (solid <sup>c</sup> )	12 (solid <sup>c</sup> )	Note d
	8	12 (solid <sup>c</sup> )	Note d	Note d
	9	Note d	Note d	Note d

<b>PLAIN CONCRETE</b>				
<b>WALL HEIGHT (feet)</b>	<b>HEIGHT OF UNBALANCED BACKFILL (feet)</b>	<b>MINIMUM NOMINAL WALL THICKNESS (inches)</b>		
		<b>Soil classes and lateral soil loads (psf per foot below natural grade)</b>		
		<b>GW, GP, SW and SP soils<sup>20</sup></b>	<b>GM, GC, SM, SM-SC and ML soils<sup>45</sup></b>	<b>SC, MH, ML-CL and Inorganic CL soils<sup>60</sup></b>
7	4 (or less)	7 1/2	7 1/2	7 1/2
	5	7 1/2	7 1/2	7 1/2
	6	7 1/2	7 1/2	8
	7	7 1/2	8	10



8	4 (or less)	7-1/2	7-1/2	7-1/2
	5	7-1/2	7-1/2	7-1/2
	6	7-1/2	7-1/2	10
	7	7-1/2	10	10
	8	10	10	12
9	4 (or less)	7-1/2	7-1/2	7-1/2
	5	7-1/2	7-1/2	7-1/2
	6	7-1/2	7-1/2	10
	7	7-1/2	10	10
	8	10	10	12
	9	10	12	Note e

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square foot per foot = 0.157 kPa/m.

~~a. For design lateral soil loads, see Section 1610. Soil classes are in accordance with the Unified Soil Classification System and design lateral soil loads are for moist soil conditions without hydrostatic pressure.~~

~~b. Provisions for this table are based on construction requirements specified in Section 1805.5.2.~~

~~c. Solid grouted hollow units or solid masonry units.~~

~~d. A design in compliance with Chapter 21 or reinforcement in accordance with Table 1805.5(2) is required.~~

~~e. A design in compliance with Chapter 19 is required.~~

~~s. Section 1805.5.1.1 Thickness based on walls supported. The thickness of foundation walls shall not be less than the thickness of the wall supported, except that foundation walls of at least 8 inch (203 mm) nominal width are permitted to support brick veneered frame walls and 10 inch wide (254 mm) cavity walls provided the requirements of Section 1805.5.1.2 are met. Corbelling of masonry shall be in accordance with Section 2104.2. Where an 8-inch (203 mm) wall is corbelled, the top corbel shall be a full course of headers at least 6 inches (152 mm) in length, extending not higher than the bottom of the floor framing.~~

~~t. 1805.5.2 Foundation wall materials. Foundation walls constructed in accordance with Table 1805.5(1), 1805.5(2), 1805.5(3) or 1805.5(4) shall comply with the following:~~

~~1. Vertical reinforcement shall have a minimum yield strength of 60,000 psi (414 MPA).~~

~~2. The specified location of the reinforcement shall equal or exceed the effective depth distance,  $d$ , noted in Tables 1805.5(2), 1805.5(3) and 1805.5(4) and shall be measured from the face of the soil side of the wall to the center of vertical reinforcement. The reinforcement shall be placed within the tolerances specified in ACI 530.1/ASCE 6/TMS 402, Article 3.4 B7 of the specified location.~~

~~3. Concrete shall have a specified compressive strength of not less than 2,500 psi (17.2 MPA) at 28 days.~~

~~4. Grout shall have a specified compressive strength of not less than 2,000 psi (13.8 MPA) at 28 days.~~

~~5. Hollow masonry units shall comply with ASTM C 90 and be installed with Type M or S mortar.~~

~~u. TABLE 1805.5(2) Delete in its entirety and replace with:~~

<b>TABLE 1805.5(2)</b> <b>8-INCH CONCRETE AND MASONRY FOUNDATION WALLS WITH REINFORCING WHERE <math>d \geq 5</math> INCHES<sup>a,b</sup></b>				
<b>WALL HEIGHT (feet)</b>	<b>HEIGHT OF UNBALANCED BACKFILL (feet)</b>	<b>VERTICAL REINFORCEMENT</b>		
		<b>Soil classes and lateral soil loads<sup>a</sup> (psf per foot below natural grade)</b>		
		<b>GW, GP, SW and SP soils<sup>30</sup></b>	<b>GM, GC, SM, SM-SC and ML soils<sup>46</sup></b>	<b>SC, MH, ML-CL and Inorganic CL soils<sup>60</sup></b>
<b>7</b>	4 (or less)	#4 at 48" o.c.	#4 at 48" o.c.	#4 at 48" o.c.
	5	#4 at 48" o.c.	#4 at 48" o.c.	#4 at 40" o.c.
	6	#4 at 48" o.c.	#5 at 48" o.c.	#5 at 40" o.c.
	7	#4 at 40" o.c.	#5 at 40" o.c.	#6 at 48" o.c.
<b>8</b>	4 (or less)	#4 at 48" o.c.	#4 at 48" o.c.	#4 at 48" o.c.
	5	#4 at 48" o.c.	#4 at 48" o.c.	#4 at 40" o.c.
	6	#4 at 48" o.c.	#5 at 48" o.c.	#5 at 40" o.c.
	7	#5 at 48" o.c.	#6 at 48" o.c.	#6 at 40" o.c.
	8	#5 at 40" o.c.	#6 at 40" o.c.	#7 at 40" o.c.
<b>9</b>	4 (or less)	#4 at 48" o.c.	#4 at 48" o.c.	#4 at 48" o.c.
	5	#4 at 48" o.c.	#4 at 48" o.c.	#5 at 48" o.c.
	6	#4 at 48" o.c.	#5 at 48" o.c.	#6 at 48" o.c.
	7	#5 at 48" o.c.	#6 at 48" o.c.	#7 at 48" o.c.
	8	#5 at 40" o.c.	#7 at 48" o.c.	#8 at 48" o.c.
	9	#6 at 40" o.c.	#8 at 48" o.c.	#8 at 32" o.c.

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square foot per foot = 0.157 kPa/m.

a. For design lateral soil loads, see Section 1610. Soil classes are in accordance with the Unified Soil Classification System and design lateral soil loads are for moist soil conditions without hydrostatic pressure.

b. Provisions for this table are based on construction requirements specified in Section 1805.5.2.

c. For alternative reinforcement, see Section 1805.5.3.

v. **TABLE 1805.5(3)** Delete in its entirety and replace with:

<b>TABLE 1805.5(3)</b> <b>10-INCH CONCRETE AND MASONRY FOUNDATION WALLS WITH REINFORCING WHERE <math>d \geq 6.75</math> INCHES<sup>a,b</sup></b>		
<b>WALL HEIGHT (feet)</b>	<b>HEIGHT OF UNBALANCED BACKFILL (feet)</b>	<b>VERTICAL REINFORCEMENT</b>
		<b>Soil classes and lateral soil loads<sup>a</sup> (psf per foot below natural grade)</b>

		<i>GW, GP, SW and SP soils<sup>20</sup></i>	<i>GM, GC, SM, SM-SC and ML soils<sup>45</sup></i>	<i>SC, MH, ML-CL and inorganic CL soils<sup>60</sup></i>
7	4 (or less)	#4 at 56" o.e.	#4 at 56" o.e.	#4 at 56" o.e.
	5	#4 at 56" o.e.	#4 at 56" o.e.	#4 at 56" o.e.
	6	#4 at 56" o.e.	#4 at 48" o.e.	#4 at 40" o.e.
	7	#4 at 56" o.e.	#5 at 56" o.e.	#5 at 40" o.e.
8	4 (or less)	#4 at 56" o.e.	#4 at 56" o.e.	#4 at 56" o.e.
	5	#4 at 56" o.e.	#4 at 56" o.e.	#4 at 48" o.e.
	6	#4 at 56" o.e.	#4 at 48" o.e.	#5 at 56" o.e.
	7	#4 at 48" o.e.	#4 at 32" o.e.	#6 at 56" o.e.
	8	#5 at 56" o.e.	#5 at 40" o.e.	#7 at 56" o.e.
9	4 (or less)	#4 at 56" o.e.	#4 at 56" o.e.	#4 at 56" o.e.
	5	#4 at 56" o.e.	#4 at 56" o.e.	#4 at 48" o.e.
	6	#4 at 56" o.e.	#4 at 40" o.e.	#4 at 32" o.e.
	7	#4 at 40" o.e.	#5 at 48" o.e.	#6 at 48" o.e.
	8	#4 at 32" o.e.	#6 at 48" o.e.	#4 at 16" o.e.
	9	#5 at 40" o.e.	#6 at 40" o.e.	#7 at 40" o.e.

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square foot per foot = 0.157 kPa/m.

a. For design lateral soil loads, see Section 1610. Soil classes are in accordance with the Unified Soil Classification System and design lateral soil loads are for moist soil conditions without hydrostatic pressure.

b. Provisions for this table are based on construction requirements specified in Section 1805.5.2.

c. For alternative reinforcement, see Section 1805.5.3.

w. **TABLE 1805.5(4)** Delete in its entirety and replace with:

<b>TABLE 1805.5(4)</b>				
<b>12-INCH CONCRETE AND MASONRY FOUNDATION WALLS WITH REINFORCING WHERE <math>d \geq 8.75</math> INCHES<sup>20</sup></b>				
<b>WALL HEIGHT (feet)</b>	<b>HEIGHT OF UNBALANCED BACKFILL (feet)</b>	<b>VERTICAL REINFORCEMENT</b>		
		<b>Soil classes and lateral soil loads (psf per foot below natural grade)</b>		
		<i>GW, GP, SW and SP soils<sup>20</sup></i>	<i>GM, GC, SM, SM-SC and ML soils<sup>45</sup></i>	<i>SC, MH, ML-CL and Inorganic CL soils<sup>60</sup></i>
7	4 (or less)	#4 at 72" o.e.	#4 at 72" o.e.	#4 at 72" o.e.
	5	#4 at 72" o.e.	#4 at 72" o.e.	#4 at 72" o.e.
	6	#4 at 72" o.e.	#4 at 64" o.e.	#4 at 48" o.e.

8	7	#4 at 72" o.c.	#4 at 48" o.c.	#5 at 56" o.c.
	4 (or less)	#4 at 72" o.c.	#4 at 72" o.c.	#4 at 72" o.c.
	5	#4 at 72" o.c.	#4 at 72" o.c.	#4 at 72" o.c.
	6	#4 at 72" o.c.	#4 at 56" o.c.	#5 at 72" o.c.
	7	#4 at 64" o.c.	#5 at 64" o.c.	#4 at 32" o.c.
	8	#4 at 48" o.c.	#4 at 32" o.c.	#5 at 40" o.c.
9	4 (or less)	#4 at 72" o.c.	#4 at 72" o.c.	#4 at 72" o.c.
	5	#4 at 72" o.c.	#4 at 72" o.c.	#4 at 64" o.c.
	6	#4 at 72" o.c.	#4 at 56" o.c.	#5 at 64" o.c.
	7	#4 at 56" o.c.	#4 at 40" o.c.	#6 at 64" o.c.
	8	#4 at 64" o.c.	#6 at 64" o.c.	#6 at 48" o.c.
	9	#5 at 56" o.c.	#7 at 72" o.c.	#6 at 40" o.c.

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square foot per foot = 0.157 kPa/m.

~~a. For design lateral soil loads, see Section 1610. Soil classes are in accordance with the Unified Soil Classification System and design lateral soil loads are for moist soil conditions without hydrostatic pressure.~~

~~b. Provisions for this table are based on construction requirements specified in Section 1805.5.2.~~

~~c. For alternative reinforcement, see Section 1805.5.1.~~

~~x. Table 1805.5(5) Delete in its entirety.~~

~~y. Section 2701.1 Scope. This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. All electrical components, equipment and systems, in addition to those in this chapter, shall be designed and constructed in accordance with the provisions of the ICC Electrical Code Administrative Provisions and the National Electrical Code (NFPA 70).~~

~~z. Section 3410.2 Applicability. Structures existing prior to September 4, 2007, in which there is work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S, and U. These provisions shall not apply to buildings with occupancies in Group H or I.~~

~~This entire chapter was deleted from the building code. The International Existing Building Code was adopted.~~

~~aa. Chapter 35 Referenced Standards, NFPA: Change as follows:~~

- ~~1. 11-02 to 11-05~~
- ~~2. 12-00 to 12-05~~
- ~~3. 12A-00 to 12A-04~~
- ~~4. 13-02 to 13-07~~
- ~~5. 13D-02 to 13D-07~~

6.	<del>13R-02 to 13R-07</del>
7.	<del>14-03 to 14-07</del>
8.	<del>16-03 to 16-07</del>
9.	<del>31-01 to 31-06</del>
10.	<del>32-00 to 32-07</del>
11.	<del>40-01 to 40-07</del>
12.	<del>61-99 to 61-02</del>
13.	<del>72-96 to 72-07</del>
14.	<del>80-99 to 80-07</del>
15.	<del>85-04 to 85-07</del>
16.	<del>101-03 to 101-06</del>
17.	<del>105-03 to 105-07</del>
18.	<del>120-99 to 120-04</del>
19.	<del>211-03 to 211-06</del>
20.	<del>253-00 to 253-06</del>
21.	<del>257-00 to 257-07</del>
22.	<del>259-04 to 259-03</del>
23.	<del>265-02 to 265-07</del>
24.	<del>268-01 to 268-07</del>
25.	<del>285-98 to 285-06</del>
26.	<del>286-00 to 286-06</del>
27.	<del>288-01 to 288-07</del>
28.	<del>303-00 to 303-06</del>
29.	<del>409-01 to 409-04</del>
30.	<del>418-01 to 418-06</del>
31.	<del>654-00 to 654-06</del>
32.	<del>655-01 to 655-07</del>
33.	<del>664-02 to 664-07</del>
34.	<del>701-99 to 701-04</del>
35.	<del>704-01 to 704-07</del>
36.	<del>1124-03 to 1124-06</del>

~~It is recommended to follow the year of the editions listed in the code unless the Fire Department wants the most current edition.~~

(Ord. 07-13, passed 9-4-2007)

**§ 150.17 ELECTRICAL CODES; AMENDMENTS.**

(A) ~~*Electrical Code—The International Code Council Electrical Code—Administrative Provisions, 2006 edition, published by the International Code Council, Inc., and International Building Code, 2018 edition, Appendix K, published by the International Code Council, Inc., and*~~

~~the the~~ National Electrical Code 201705 (NFPA 70), 2017 edition, published by the National Fire Protection Association, are hereby adopted as the Electrical Code<sup>#</sup> of the Village of Kirkland, DeKalb County, Illinois, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the village, and providing for the issuance of permits and collection of fees; and each and all of the regulations, provisions, conditions and terms of such ~~ICC Electrical Code—Administrative Provisions, 2006 edition, and the~~ National Electrical Code 2005 (NFPA 70), 2017 edition, with the specific revisions otherwise noted in division (B) of this section, on file in the office of the village, are hereby referred to, adopted and made a part hereof as if fully set out in this subchapter.

~~(B) Administrative Provisions; amendments. The following sections of the ICC Electrical Code—Administrative Provisions, 2006 edition, are hereby revised, amended, or added in words and figures as follow:~~

~~a. Section 101.1 Title. These regulations shall be known as the Electrical Code—Administrative Provisions of the Village of Kirkland, DeKalb County, Illinois, and shall be cited as such and will be referred to herein as “this code.”~~

~~b. Section 404.2 Schedule of permit fees. Change last sentence to read: “The fees for electrical work shall be as stated in the Kirkland Ordinance No. 07-10, as may be amended from time to time.”~~

~~c. Section 404.3 Work commencing before permit issuance. Any person who commences any work before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee in addition to the required permit fee.~~

~~In the event that any building is undertaken without compliance with the above referenced fee schedule after 30 days when notified of noncompliance, then and in that event, the responsible owner, contractor, or both, shall be liable for a fine of not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) and 100 percent of the usual permit fee in addition to the required permit fee. Each day a violation continues shall be deemed a separate offense.~~

~~d. Section 404.5 Refunds. The code official shall authorize the refunding of fees as follows:~~

~~1. The full amount of any fee paid hereunder which was erroneously paid or collected.~~

~~2. Not more than 90 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.~~

~~3. No part of the plan review fee paid shall be refunded when the plan review has been completed and the application for permit is withdrawn.~~

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

~~e. Section 1003.1 Penalties. Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant of this code or violates any condition attached to a permit, approval or certificate shall be subject to a fine of not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues shall be deemed a separate offense.~~

~~Section 1003.1.1 Court costs and legal fees. In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court~~

~~costs and reasonable attorney's fees incurred by the village.~~

~~—f. Section 1004.3 Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues shall be deemed a separate offense.~~

~~—Section 1004.3.1 Court costs and legal fees. In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney's fees incurred by the village.~~

~~—g. Section 1101.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, the Village Board of Trustees shall be the board of appeals. Therefore, for the purposes of this code, the board of appeals shall be construed to mean the Village Board of Trustees. The code official shall be an ex officio member of the board, but shall have no vote on any matter before the board. The board of appeals shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.~~

~~—h. Section 1102.1 Membership of board. Deleted in its entirety.~~

~~—i. Section 1102.2 Qualifications. Deleted in its entirety.~~

~~—j. Section 1102.3 Alternate members. Deleted in its entirety.~~

~~—k. Section 1102.4 Chairman. Deleted in its entirety.~~

~~—l. Secretary. Deleted in its entirety.~~

~~—m. Section 1102.7 Compensation of members. Deleted in its entirety.~~

~~—n. Section 1103.5 Postponed hearing. When a quorum is not present to hear an appeal, the matter shall be continued to another date convenient to all parties.~~

~~—o. Section 1103.6 Decisions. The board shall uphold, modify, or reverse the decision of the code official by a concurring vote of the majority of members present at the meeting.~~

~~—(C) Electrical Code. The National Electrical Code, 2005 edition shall be known as the Electrical Code of the village.~~

~~(Ord. 07-13, passed 9-4-2007)~~

## **§ 150.18 MECHANICAL CODE; AMENDMENTS.**

(A) *International Mechanical Code.* The *International Mechanical Code*, 201806 edition, including Appendix ~~Chapter~~A, published by the International Code Council, Inc., is hereby adopted as the Mechanical Code of the Village of Kirkland, DeKalb County, Illinois, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the village, and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of the *International Mechanical Code* on file in the office of the village, are hereby referred to, adopted and made a part hereof, as if fully set out in this subchapter, with the specific revisions otherwise noted in division (B) of this section.

(B) *Amendments.* The following sections of the *International Mechanical Code*, 2006 edition, are hereby revised, amended or added in words and figures as follows:

a. **Section 101.1 Title.** These regulations shall be known as the Mechanical Code of the Village of Kirkland, DeKalb County, Illinois, and shall be cited as such and will be referred to hereinafter as "this code."

**b. Section 106.5.2 Fee schedule.** The fees for mechanical work shall be as stated in schedule of Building Permit Fees, as it may be amended from time to time.

**c. Section 106.5.3 Fee refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 90 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. No part of the plan review fee paid shall be refunded when the plan review has been completed and the application for permit is withdrawn.

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

**d. Section 108.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues after due notice has been served shall be deemed a separate offense.

**Section 108.4.1 Court costs and legal fees.** In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney's fees incurred by the village.

**e. Section 108.5 Stop work orders.** Last sentence to read: Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove the violation or unsafe condition, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day unauthorized work continues after due notice has been served shall be deemed a separate offense.

**Section 108.5.1 Court costs and legal fees.** In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney's fees incurred by the village.

**f. Section 109.1 Application for appeal.** A person shall have the right to appeal a decision of the code official to the Village Board of Trustees. Therefore, for the purposes of this code, the board of appeals shall be construed to mean the Village Board of Trustees. An application for appeal shall be based on a claim that the true intent of this code, or the rules legally adopted thereunder, have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**g. Section 109.2 Membership of board.** The board of appeals shall be the Village Board of Trustees.

**h. Section 109.2.1 Qualifications.** Deleted in its entirety.

**i. Section 109.2.2 Alternate members.** Deleted in its entirety.

**j. Section 109.2.3 Chairman.** Deleted in its entirety.

**k. Section 109.2.5 Secretary.** Deleted in its entirety.

**l. Section 109.2.6 Compensation for members.** Deleted in its entirety.

**m. Section 109.5 Postponed hearing.** When a quorum is not present to hear an appeal, the matter shall be continued to another date convenient to all parties.



n. **Section 109.6 Board decision.** The board shall modify, reverse, or uphold the decision of the code official by a concurring vote of the majority of members present at the meeting. (Ord. 07-13, passed 9-4-2007)

**§ 150.19 PLUMBING CODES; AMENDMENTS.**

(A) ~~The International Plumbing Code, 2006 edition, including Appendix Chapters B, D, E, and F, as published by the International Code Council, Inc., and the Illinois State Plumbing Code, latest edition, published by the Illinois Department of Public Health, are hereby adopted as the Plumbing Codes of the Village of Kirkland, DeKalb County, Illinois, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the village, and providing for the issuance of permits and collection of fees; and each and all of the regulations, provisions, conditions and terms of the International Plumbing Code, 2006 edition, and the Illinois State Plumbing Code, latest edition, on file in the office of the village, are hereby referred to, adopted and made a part hereof as if fully set out in this subchapter with the specific revisions otherwise noted in division (B) of this section.~~

~~(B) Amendments. The following sections of the International Plumbing Code, 2006 edition, are hereby revised, amended, or added in words and figures as follow:~~

~~— a. Section 101.1 Title. These regulations shall be known as the Plumbing Code of the Village of Kirkland, DeKalb County, Illinois, and shall be cited as such and will be referred to hereinafter as “this code.”~~

~~— b. Section 106.6.2 Fees. The fees for all plumbing work shall be as stated in the Ordinance 07-10, as may be amended from time to time.~~

~~— c. Section 106.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows:~~

~~— 1. The full amount of any fee paid hereunder which was erroneously paid or collected.~~

~~— 2. Not more than 90 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.~~

~~— 3. No part of the plan review fee paid shall be refunded when the plan review has been completed and the application for permit is withdrawn.~~

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

~~— d. Section 108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be subject to a fine of not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues after due notice has been served shall be deemed a separate offense.~~

~~— Section 108.4.1 Court costs and legal fees. In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney’s fees incurred by the village.~~

~~— e. Section 108.5 Stop work orders. The last sentences shall read as follow: “Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day unauthorized work continues after due~~

notification shall be deemed a separate offense.”

~~—Section 108.5.1 Court costs and legal fees. In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney’s fees incurred by the village.~~

~~—f. Section 109.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the Village Board of Trustees. Therefore, for the purposes of this code, the board of appeals shall be construed to mean the Village Board of Trustees. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.~~

~~—g. Section 109.2 Membership of board. The board of appeals shall be the Village Board of Trustees.~~

~~—h. Section 109.2.1 Qualifications. Deleted in its entirety.~~

~~—i. Section 109.2.2 Alternate members. Deleted in its entirety.~~

~~—j. Section 109.2.3 Chairman. Deleted in its entirety.~~

~~—k. Section 109.2.5 Secretary. Deleted in its entirety.~~

~~—l. Section 109.2.6 Compensation for members. Deleted in its entirety.~~

~~—m. Section 109.5 Postponed hearing. When a quorum is not present to hear an appeal, the matter shall be continued to another date convenient to all parties.~~

~~—n. Section 109.6 Board decision. The board shall reverse, modify, or uphold the decision of the code official by a concurring vote of the majority of members present at the meeting.~~

~~—o. Section 305.6.1. Sewer depth. Building sewers that connect to a private sewage disposal system shall be a minimum of 42 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 42 inches below grade.~~

~~—p. Section 904.1. Roof extension. All open vent pipes that extend through a roof shall be terminated above the roof in accordance with the Illinois State Plumbing Code, latest edition, except where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2,134 mm) above the roof.~~

~~(Ord. 07-13, passed 9-4-2007)~~

## **§ 150.20 FUEL GAS CODE; AMENDMENTS.**

(A) *International Fuel Gas Code.* The *International Fuel Gas Code*, 2006 edition, published by the International Code Council, Inc., is hereby adopted as the Fuel Gas Code of the Village of Kirkland, DeKalb County, Illinois, for providing the minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of fuel gas systems, and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of the *International Fuel Gas Code* on file in the office of the village, are hereby referred to, adopted and made a part hereof as if fully set out in this subchapter, with the specific revisions otherwise noted in division (B) of this section.

(B) *Amendments.* The following sections of the *International Fuel Gas Code*, 2006 edition, are hereby revised, amended, or added in words and figures as follow:

a. **Section 101.1 Title.** These regulations shall be known as the *Fuel Gas Code* of the Village of Kirkland, DeKalb County, Illinois, and shall be cited as such and will be referred to hereinafter as “this code.”

b. **Section 106.5.2 Fee schedule.** The fees for work shall be as stated in the Kirkland

~~Ordinance No. 07-10~~ schedule of building permit fees, as may be amended from time to time.

**c. Section 106.5.3 Fee refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 90 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. No part of the plan review fee paid shall be refunded when the plan review has been completed and the application for permit is withdrawn.

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

**d. Section 108.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues after due notice has been served shall be deemed a separate offense.

**Section 108.4.1 Court costs and legal fees.** In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney's fees incurred by the village.

**e. Section 108.5 Stop work orders.** Change last sentence to read: Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day work continues after due notice has been served shall be deemed a separate offense.

**Section 108.5.1 Court costs and legal fees.** In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney's fees incurred by the village.

**f. Section 109.1 Application for appeal.** A person shall have the right to appeal a decision of the code official to the Village Board of Trustees. Therefore, for the purposes of this code, the board of appeals shall be construed to mean the Village Board of Trustees. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

**g. Section 109.2 Membership of board.** The board of appeals shall be the Village Board of Trustees.

**h. Section 109.2.1 Qualifications.** Deleted in its entirety.

**i. Section 109.2.2 Alternate members.** Deleted in its entirety.

**j. Section 109.2.3 Chairman.** Deleted in its entirety.

**k. Section 109.2.5 Secretary.** Deleted in its entirety.

**l. Section 109.2.6 Compensation for members.** Deleted in its entirety.

**m. Section 109.5 Postponed hearing.** When a quorum is not present to hear an appeal, the matter shall be continued to another date convenient to all parties.

**n. Section 109.6 Board decision.** The board shall reverse, modify, or uphold the decision of the code official by a concurring vote of the majority of members present at the meeting.

(Ord. 07-13, passed 9-4-2007)

**§ 150.21 ENERGY CONSERVATION CODE; AMENDMENTS.**

(A) ~~International-Illinois~~ *Energy Conservation Code*. The ~~edition of -the~~ *International Energy Conservation Code*, referenced in the State of Illinois Energy Conservation Act 2006-edition, published by the International Code Council, Inc., is hereby adopted as the Energy Conservation Code of the village for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting, and power systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of the *International Energy Conservation Code* on file in the office of the village are hereby referred to, adopted and made a part hereof, as if fully set out in this subchapter, with the specific revisions otherwise noted in division (B) of this section.

~~—(B) Amendments. The following section of the International Energy Conservation Code, 201506 edition, is hereby revised and amended in words and figures as follows:~~

~~—a. Section 101.1 Title. This code shall be known as the Energy Conservation Code of the Village of Kirkland, DeKalb County, Illinois, and shall be cited as such and will be referred to hereinafter as “this code.”~~

~~(Ord. 07-13, passed 9-4-2007)~~

**§ 150.22 FIRE CODE; AMENDMENTS.**

(A) *International Fire Code*. The *International Fire Code*, 201806 edition, including Appendix ~~Chapters~~ B, C, D, E, F, ~~and G and H~~, as published by the International Code Council, Inc., is hereby adopted as the Fire Code of the Village of Kirkland, DeKalb County, Illinois, for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of the *International Fire Code* on file in the office of the village, are hereby referred to, adopted, and made a part hereof as if fully set out in this subchapter, with the specific revisions otherwise noted in divisions (B) and (C) of this section.

(B) *Amendments*. The following sections of the *International Fire Code*, 200618 edition, are hereby revised, amended, or added in words and figures as follow:

a. **Section 101.1 Title.** These regulations shall be known as the *Fire Code* of the Village of Kirkland, DeKalb County, Illinois, and shall be cited as such and shall hereinafter be referred to as “this code.”

b. **Section 108.1 Board of appeals established.** In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, the Village Board of Trustees shall be the board of appeals. Therefore, for the purposes of this code, the board of appeals shall be construed to mean the Village Board of Trustees. The code official shall be an ex officio member of the board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.

c. **Section 108.3 Qualifications.** Delete in its entirety.

d. **Section 109.3 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair

or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under provisions of this code, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues after due notice has been served shall be deemed a separate offense.

**Section 109.3.1 Court costs and legal fees.** In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney's fees incurred by the village.

**e. Section 111.4. Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day unauthorized work continues after due notice has been served shall be deemed a separate offense.

**Section 111.4.1 Court costs and legal fees.** In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney's fees incurred by the village.

**f. Section 903.4 Sprinkler system monitoring and alarms.** All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised.

**Exception:** Automatic sprinkler systems protecting one- and two-family dwellings. Delete all other exceptions

**g. Section 904.3.5 Monitoring.** All automatic fire-extinguishing systems in every use groups shall be monitored with an approved fire alarm system with supervision in accordance with NFPA 72 and Section 907.6.614.

~~**h. Chapter 45, Referenced Standards, NFPA. Change as follows:**~~

- |                |                             |
|----------------|-----------------------------|
| <del>1.</del>  | <del>10-02 to 10-07</del>   |
| <del>2.</del>  | <del>11-02 to 11-05</del>   |
| <del>3.</del>  | <del>12-00 to 12-05</del>   |
| <del>4.</del>  | <del>13-02 to 13-07</del>   |
| <del>5.</del>  | <del>13D-02 to 13D-07</del> |
| <del>6.</del>  | <del>13R-02 to 13R-07</del> |
| <del>7.</del>  | <del>14-03 to 14-07</del>   |
| <del>8.</del>  | <del>15-01 to 15-07</del>   |
| <del>9.</del>  | <del>16-03 to 16-07</del>   |
| <del>10.</del> | <del>20-03 to 20-07</del>   |
| <del>11.</del> | <del>24-02 to 24-07</del>   |
| <del>12.</del> | <del>30B-02 to 30B-07</del> |
| <del>13.</del> | <del>31-01 to 31-06</del>   |
| <del>14.</del> | <del>32-00 to 32-07</del>   |
| <del>15.</del> | <del>33-03 to 33-07</del>   |
| <del>16.</del> | <del>34-03 to 34-07</del>   |
| <del>17.</del> | <del>35-99 to 35-05</del>   |
| <del>18.</del> | <del>40-01 to 40-07</del>   |

19.	<del>51-02 to 51-07</del>
20.	<del>51A-02 to 51A-06</del>
21.	<del>52-02 to 52-06</del>
22.	<del>59A-01 to 59A-06</del>
23.	<del>72-96 to 72-07</del>
24.	<del>80-99 to 80-07</del>
25.	<del>85-04 to 85-07</del>
26.	<del>86-03 to 86-07</del>
27.	<del>99-02 to 99-05</del>
28.	<del>101-03 to 101-06</del>
29.	<del>110-02 to 110-05</del>
30.	<del>111-01 to 111-05</del>
31.	<del>120-99 to 120-04</del>
32.	<del>160-01 to 160-06</del>
33.	<del>211-03 to 211-06</del>
34.	<del>241-00 to 241-04</del>
35.	<del>265-02 to 265-07</del>
36.	<del>286-00 to 286-06</del>
37.	<del>303-00 to 303-06</del>
38.	<del>385-00 to 385-07</del>
39.	<del>407-01 to 407-07</del>
40.	<del>409-01 to 409-04</del>
41.	<del>430-00 to 430-04</del>
42.	<del>484-02 to 484-06</del>
43.	<del>495-01 to 495-06</del>
44.	<del>498-01 to 498-06</del>
45.	<del>505-02 to 505-06</del>
46.	<del>654-00 to 654-06</del>
47.	<del>655-01 to 655-07</del>
48.	<del>664-02 to 664-07</del>
49.	<del>701-99 to 701-04</del>
50.	<del>703-00 to 703-06</del>
51.	<del>704-01 to 704-07</del>
52.	<del>750-03 to 750-06</del>
53.	<del>1123-03 to 1123-06</del>
54.	<del>1124-03 to 1124-06</del>
55.	<del>1125-01 to 1125-07</del>
56.	<del>1126-01 to 1126-06</del>

**Note R=The edition of the standard listed in the code should be used unless the Fire Department wants the most current edition.**

(C) *Limits.* The limits referred to in certain sections of the *International Fire Code*, 201806 edition, are hereby established as follows:

a. **Section 5906.2 3204.3.1.1 Location. (Paragraph 2)** Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in all zoning districts except Industrial.

b. **Section 5704.2.9.6.1 3404.2.9.5.1** Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts except Industrial.

~~c. Section 3406.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited within all zoning districts except Industrial.~~

cd. **Section 6104.2-3804.2** Maximum capacity within established limits. Within all zoning districts except Industrial the storage of ~~liquified~~liquefied petroleum gas is restricted for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7,570 L). Exception remains the same.

(Ord. 07-13, passed 9-4-2007)

#### § 150.23 ~~RESIDENTIAL~~ RESIDENTIAL CODE; AMENDMENTS.

(A) *International Residential Code for One- and Two-Family Dwellings.* The *International Residential Code for One- and Two-Family Dwellings*, 201806 edition, including Appendix ~~Chapters~~ A, B, C, D, E, F, G, H, J, K, M, N, ~~P,~~ and Q as published by the International Code Council, Inc., be and is hereby adopted as the Residential Code of the village for regulating and governing the design, construction, quality of materials, erection, installation, alteration, movement, enlargement, replacement, repair, equipment, location, removal, demolition, addition to, use or maintenance of detached one- and two-family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of the *International Residential Code* on file in the office of the village are hereby referred to, adopted and made a part hereof as if fully set out in this subchapter, with the specific revisions otherwise noted in division (B) of this section.

(B) *Amendments.* The following sections of the *International Residential Code for One- and Two-Family Dwellings*, 201806 edition, are hereby revised, amended, or added in words and figures as follow:

a. **Section R101.1 Title.** These provisions shall be known as the *Residential Code* of the Village of Kirkland, DeKalb County, Illinois, and shall be cited as such and will be referred to hereinafter as "this code."

b. **Section R105.2 Work exempt from permit.**

**Building:** Delete numbers 1 and 2, then renumber to read:

1. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
2. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
3. Service sidewalks, patio slabs, and that portion of the driveway on private property.
4. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
5. Prefabricated swimming pools that have a maximum water depth of 24 inches (610

mm) and/or inflatable, temporary swimming pools of any water depth.

6. Swings and other playground equipment.

7. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.

*Rest of section remains the same.*

c. **Section R108.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with [REDACTED] [the schedule of building permit fees](#), as may be amended from time to time.

d. **Section R108.2.1 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee in addition to the required permit fee.

In the event that any building is undertaken without compliance with the above-referenced fee schedule after 30 days when notified of noncompliance, then and in that event, the responsible owner, contractor, or both, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) and 100 percent of the usual permit fee in addition to the required permit fee. Each day a violation continues shall be deemed a separate offense.

e. **Section 108.5 Refunds.** The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 90 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. No part of the plan review fee paid shall be refunded when the plan review has been completed and the application for permit is withdrawn.

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

f. **Section R112.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, the Village Board of Trustees shall be the board of appeals. Therefore, for the purposes of this code, the board of appeals shall be construed to mean the Village Board of Trustees. The Building Official shall be an ex officio member of the board, but shall have no vote on any matter before the Board. The board of appeals shall adopt rules of procedure for conducting its business. When a quorum is present, the board shall uphold, modify, or reverse the decision of the code official by a concurring vote of the majority of members present at the meeting; and, shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

g. **Section R112.3 Qualifications.** Deleted in its entirety.

h. **Section R113.4 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or a permit or certificate issued under the provisions of this code, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues after due notice has been served shall be deemed a separate offense.

**Section R113.4.1 Court costs and legal fees.** In the event noncompliance with this code



necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney's fees incurred by the village.

**i. Section R114.2 Unlawful continuance.** Any person who shall continue any work in or about the structures after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day unauthorized work continues after due notice has been served shall be deemed a separate offense.

**Section R114.2.1 Court costs and legal fees.** In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney's fees incurred by the village.

**j. Table R301.2(1)** Insert the following data into table:

For Ground Snow Load: 30

For Wind Speed: 11590

Topographical effects: Yes

Special wind region: No

For Seismic Design Category: AB

For Weathering: Severe

For Frost Line Depth: 42

For Termite: Moderate to Heavy

For Winter Design Temperature: -4° F

For Ice Barrier Underlayment Required: Yes

For Flood Hazards: See local requirements

Date of the currently effective FIRM and FBFM: Latest published edition.

For Air Freezing Index: 2000

For Mean Annual Temperature: 47° F

Manual J Design

Elevation - 758 Latitude - 42 Winter heating - 1 Summer cooling - 89 Altitude correction .98

Indoor design temp - 72 Design temperature cooling - 75 Heating temperature difference 76

Cooling temperature difference - 14 Wind velocity heating - 15 Wind velocity cooling - 7.5

Coincident wet bulb 74 Daily range - M Winter humidity 40 Summer humidity

**k. Section R3113. is hereby deleted and replaced as follows: 7.8.5 Handrails.** ~~Type I handrails shall be provided on at least one side of each continuous run of treads or flight with three or more risers.~~

**1. TABLE R404.1.1(1) Delete in its entirety and replace with:**

<del>TABLE R404.1.1(1)</del>						
<del>PLAIN CONCRETE AND PLAIN MASONRY FOUNDATION WALLS</del>						
<del>MAXIMUM WALL HEIGHT (feet)</del>	<del>MAXIMUM UNBALANCED BACKFILL HEIGHT (feet)</del>	<del>PLAIN CONCRETE MINIMUM NOMINAL WALL THICKNESS (inches)</del>			<del>PLAIN MASONRY MINIMUM NOMINAL WALL THICKNESS (inches)</del>	
		<del>Soil classes<sup>b</sup></del>				
		<del>GW, GP, SW</del>	<del>GM, GC, SM, SC and ML</del>	<del>SC, MH, ML, CL and Inorganic-CL</del>	<del>GW, GP, SW and SP</del>	<del>GM, GC, SM, SC and ML</del>

		<i>and- SP</i>	<i>ML</i>	<i>CL</i>			
5	4	6	6	6	6 solid <sup>d</sup> or 8	6 solid <sup>d</sup> or 8	6 solid <sup>d</sup> or 8
	5	6	6	6	6 solid <sup>d</sup> or 8	8	10
6	4	6	6	6	6 solid <sup>d</sup> or 8	6 solid <sup>d</sup> or 8	6 solid <sup>d</sup> or 8
	5	6	6	6	6 solid <sup>d</sup> or 8	8	10
	6	6	8 <sup>a</sup>	8 <sup>a</sup>	8	10	12
7	4	6	6	6	6 solid <sup>d</sup> or 8	8	8
	5	6	6	8 <sup>a</sup>	6 solid <sup>d</sup> or 8	10	10
	6	6	8	8	10	12	10 solid <sup>d</sup>
	7	8	8	10	12	10 solid <sup>d</sup>	12 solid <sup>d</sup>
8	4	6	6	6	6 solid <sup>d</sup> or 8	6 solid <sup>d</sup> or 8	8
	5	6	6	8	6 solid <sup>d</sup> or 8	10	12
	6	8 <sup>a</sup>	8	10	10	12	12 solid <sup>d</sup>
	7	8	10	10	12	12 solid <sup>d</sup>	Footnote e
	8	10	10	12	10 solid <sup>d</sup>	12 solid <sup>d</sup>	Footnote e
9	4	6	6	6	6 solid <sup>d</sup> or 8	6 solid <sup>d</sup> or 8	8
	5	6	8 <sup>a</sup>	8	8	10	12
	6	8	8	10	10	12	12 solid <sup>d</sup>
	7	8	10	10	12	12 solid <sup>d</sup>	Footnote e
	8	10	10	12	12 solid <sup>d</sup>	Footnote e	Footnote e
	9	10	12	Footnote f	Footnote e	Footnote e	Footnote e

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square inch = 6.895 Pa.

- a. Mortar shall be Type M or S and masonry shall be laid in running bond. UngROUTED hollow masonry units are permitted except where otherwise indicated.
- b. Soil classes are in accordance with the Unified Soil Classification System. Refer to Table R405.1.
- c. Unbalanced backfill height is the difference in height of the exterior and interior finish ground levels. Where an interior concrete slab is provided, the unbalanced backfill height shall be measured from the exterior finish ground level to the top of the interior concrete slab.
- d. Solid grouted hollow units or solid masonry units.
- e. Wall construction shall be in accordance with Table R404.1.1(2) or a design shall be provided.
- f. A design is required.
- g. Thickness may be 6 inches, provided minimum specified compressive strength of concrete, *f*<sub>c</sub>, is 4,000 psi.
- m. **TABLE R404.1.1(2) Delete in its entirety and replace with:**

<b>TABLE R404.1.1(2)</b>				
<b>REINFORCED CONCRETE AND MASONRY FOUNDATION WALLS</b>				
<b>MAXIMUM WALL HEIGHT (feet)</b>	<b>MAXIMUM UNBALANCED BACKFILL HEIGHT<sup>a</sup> (feet)</b>	<b>MINIMUM VERTICAL REINFORCEMENT SIZE AND SPACING<sup>b,c</sup> FOR 8-INCH NOMINAL WALL THICKNESS</b>		
		<b>Soil classes<sup>d</sup></b>		
		<b>GW, GP, SW and SP soils</b>	<b>GM, GC, SM, SM-SC and ML soils</b>	<b>SC, MH, ML-CL and Inorganic CL soils</b>
6	5	#4 at 48" o.c.	#4 at 48" o.c.	#4 at 48" o.c.
	6	#4 at 48" o.c.	#4 at 40" o.c.	#5 at 48" o.c.
7	4	#4 at 48" o.c.	#4 at 48" o.c.	#4 at 48" o.c.
	5	#4 at 48" o.c.	#4 at 48" o.c.	#4 at 40" o.c.
	6	#4 at 48" o.c.	#5 at 48" o.c.	#5 at 40" o.c.
	7	#4 at 40" o.c.	#5 at 40" o.c.	#6 at 48" o.c.

8	5	#4 at 48" o.e.	#4 at 48" o.e.	#4 at 40" o.e.
	6	#4 at 48" o.e.	#5 at 48" o.e.	#5 at 40" o.e.
	7	#5 at 48" o.e.	#6 at 48" o.e.	#6 at 40" o.e.
	8	#5 at 40" o.e.	#6 at 40" o.e.	#6 at 24" o.e.
9	5	#4 at 48" o.e.	#4 at 48" o.e.	#5 at 48" o.e.
	6	#4 at 48" o.e.	#5 at 48" o.e.	#6 at 48" o.e.
	7	#5 at 48" o.e.	#6 at 48" o.e.	#5 at 32" o.e.
	8	#5 at 40" o.e.	#6 at 32" o.e.	#6 at 24" o.e.
	9	#6 at 413" o.e.	#6 at 24" o.e.	#6 at 16" o.e.

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- a. Mortar shall be Type M or S and masonry shall be laid in running bond.
- b. Alternative reinforcing bar sizes and spacings having an equivalent cross-sectional area of reinforcement per lineal foot of wall shall be permitted provided the spacing of the reinforcement does not exceed 72 inches.
- c. Vertical reinforcement shall be Grade 60 minimum. The distance from the face of the soil side of the wall to the center of vertical reinforcement shall be at least 5 inches.
- d. Soil classes are in accordance with the Unified Soil Classification System. Refer to Table R405.1.
- e. Unbalanced backfill height is the difference in height of the exterior and interior finish ground levels. Where an interior concrete slab is provided, the unbalanced backfill height shall be measured from the exterior finish ground level to the top of the interior concrete slab.
- n. **TABLE R404.1.1(3)** Delete in its entirety and replace with:

<b>TABLE R404.1.1(3)</b>				
<b>REINFORCED CONCRETE AND MASONRY FOUNDATION WALLS</b>				
<b>MAXIMUM WALL HEIGHT (feet)</b>	<b>MAXIMUM UNBALANCED BACKFILL HEIGHT (feet)</b>	<b>VERTICAL REINFORCEMENT SIZE AND SPACING<sup>a</sup> FOR 12-INCH NOMINAL WALL THICKNESS</b>		
		<b>Soil classes</b>		
		<b>GW, GP, SW and SP soils</b>	<b>GM, GC, SM, SM-SC and ML soils</b>	<b>SC, MH, ML-CL and Inorganic-CL soils</b>
7	4	#4 at 72" o.e.	#4 at 72" o.e.	#4 at 72" o.e.
	5	#4 at 72" o.e.	#4 at 72" o.e.	#4 at 72" o.e.
	6	#4 at 72" o.e.	#4 at 64" o.e.	#4 at 48" o.e.
	7	#4 at 72" o.e.	#4 at 48" o.e.	#5 at 56" o.e.
8	5	#4 at 72" o.e.	#4 at 72" o.e.	#4 at 72" o.e.
	6	#4 at 72" o.e.	#4 at 56" o.e.	#5 at 72" o.e.
	7	#4 at 64" o.e.	#5 at 64" o.e.	#4 at 32" o.e.
	8	#4 at 48" o.e.	#4 at 32" o.e.	#5 at 40" o.e.
9	5	#4 at 72" o.e.	#4 at 72" o.e.	#4 at 72" o.e.
	6	#4 at 72" o.e.	#4 at 56" o.e.	#5 at 64" o.e.
	7	#4 at 56" o.e.	#4 at 40" o.e.	#6 at 64" o.e.
	8	#4 at 64" o.e.	#6 at 64" o.e.	#6 at 48" o.e.
	9	#5 at 56" o.e.	#7 at 72" o.e.	#6 at 40" o.e.

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- a. Mortar shall be Type M or S and masonry shall be laid in running bond.
- b. Alternative reinforcing bar sizes and spacing having an equivalent cross-sectional area of reinforcement per lineal foot of wall shall be permitted provided the spacing of the reinforcement does not exceed 72 inches.
- c. Vertical reinforcement shall be Grade 60 minimum. The distance from the face of the soil side of the wall to the center of vertical reinforcement shall be at least 8.75 inches.

- ~~d. Soil classes are in accordance with the Unified Soil Classification System. Refer to Table R405.1.~~
- ~~e. Unbalanced backfill height is the difference in height of the exterior and interior finish ground levels. Where an interior concrete slab is provided, the unbalanced backfill height shall be measured from the exterior finish ground level to the top of the interior concrete slab.~~
- ~~e. TABLE R404.1.1(4) Delete in its entirety and replace with:~~

~~TABLE R404.1.1(4)  
REINFORCED CONCRETE AND MASONRY FOUNDATION WALLS~~

<del>MAXIMUM WALL HEIGHT (feet)</del>	<del>MAXIMUM UNBALANCED BACKFILL HEIGHT (feet)</del>	<del>MINIMUM VERTICAL REINFORCEMENT SIZE AND SPACING<sup>a</sup> FOR 10-INCH NOMINAL WALL THICKNESS</del>		
		<del>Soil Classes<sup>b</sup></del>		
		<del>GW, GP, SW and SP soils</del>	<del>GM, GC, SM, SM-SC and ML soils</del>	<del>SG, MH, ML-CL and Inorganic-CL soils</del>
<del>7</del>	<del>4</del>	<del>#4 at 56" o.c.</del>	<del>#4 at 56" o.c.</del>	<del>#4 at 56" o.c.</del>
	<del>5</del>	<del>#4 at 56" o.c.</del>	<del>#4 at 56" o.c.</del>	<del>#4 at 56" o.c.</del>
	<del>6</del>	<del>#4 at 56" o.c.</del>	<del>#4 at 48" o.c.</del>	<del>#4 at 40" o.c.</del>
	<del>7</del>	<del>#4 at 56" o.c.</del>	<del>#5 at 56" o.c.</del>	<del>#5 at 40" o.c.</del>
<del>8</del>	<del>5</del>	<del>#4 at 56" o.c.</del>	<del>#4 at 56" o.c.</del>	<del>#4 at 48" o.c.</del>
	<del>6</del>	<del>#4 at 56" o.c.</del>	<del>#4 at 48" o.c.</del>	<del>#5 at 56" o.c.</del>
	<del>7</del>	<del>#4 at 48" o.c.</del>	<del>#4 at 32" o.c.</del>	<del>#6 at 56" o.c.</del>
	<del>8</del>	<del>#5 at 56" o.c.</del>	<del>#5 at 40" o.c.</del>	<del>#7 at 56" o.c.</del>
<del>9</del>	<del>5</del>	<del>#4 at 56" o.c.</del>	<del>#4 at 56" o.c.</del>	<del>#4 at 48" o.c.</del>
	<del>6</del>	<del>#4 at 56" o.c.</del>	<del>#4 at 40" o.c.</del>	<del>#4 at 32" o.c.</del>
	<del>7</del>	<del>#4 at 56" o.c.</del>	<del>#5 at 48" o.c.</del>	<del>#6 at 48" o.c.</del>
	<del>8</del>	<del>#4 at 32" o.c.</del>	<del>#5 at 48" o.c.</del>	<del>#4 at 16" o.c.</del>
	<del>9</del>	<del>#5 at 40" o.c.</del>	<del>#6 at 40" o.c.</del>	<del>#7 at 40" o.c.</del>

~~For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.~~

- ~~a. Mortar shall be Type M or S and masonry shall be laid in running bond.~~
- ~~b. Alternative reinforcing bar sizes and spacings having an equivalent cross-sectional area of reinforcement per linear foot of wall shall be permitted provided the spacing of the reinforcement does not exceed 72 inches.~~
- ~~c. Vertical reinforcement shall be Grade 60 minimum. The distance from the face of the soil side of the wall to the center of vertical reinforcement shall be at least 6.75 inches.~~
- ~~d. Soil classes are in accordance with the Unified Soil Classification System. Refer to Table R405.1.~~
- ~~e. Unbalanced backfill height is the difference in height of the exterior and interior finish ground levels. Where an interior concrete slab is provided, the unbalanced backfill height shall be measured from the exterior finish ground level to the top of the interior concrete slab.~~
- ~~p. Section R404.1.2 Concrete foundation walls. Concrete foundation walls shall be constructed as set forth in Tables R404.1.1(1), R404.1.1(2), R404.1.1(3) and R404.1.1(4), and shall also comply with the provisions of this section and the applicable provisions of Section R402.2. In Seismic Design Categories D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>, concrete foundation walls shall comply with Section R404.1.4.~~
- ~~g. TABLE R404.4(3) Delete in its entirety and replace with:~~

~~TABLE R404.4(3)  
9.5-INCH THICK FLAT ICF FOUNDATION WALLS<sup>a,b,c,d</sup>~~

<del>HEIGHT OF BASEMENT WALL (feet)</del>	<del>MAXIMUM UNBALANCED BACKFILL HEIGHT<sup>e</sup> (feet)</del>	<del>MINIMUM VERTICAL REINFORCEMENT SIZE AND SPACING<sup>f</sup></del>		
		<del>Soil I<sup>g</sup></del>	<del>Soil II<sup>g</sup></del>	<del>Soil III<sup>g</sup></del>
<del>8</del>	<del>7</del>	<del>N/R</del>	<del>N/R</del>	<del>N/R</del>
<del>9</del>	<del>6</del>	<del>N/R</del>	<del>N/R</del>	<del>N/R</del>

	7	N/R	N/R	#3@6"; #4@12"; #5@18"; #6@26"
	8	N/R	#3@6"; #4@12"; #5@18"; #6@26"	#3@4"; #4@8"; #5@14"; #6@18"
10	5	N/R	N/R	N/R
	6	N/R	N/R	#3@10"; #4@18"; #5@26"; #6@36"
	7	N/R	N/R	#3@6"; #4@10"; #5@18"; #6@24"
	8	N/R	#3@6"; #4@12"; #5@16"; #6@24"	#3@4"; #4@8"; #5@12"; #6@16"
	9	N/R	#3@4"; #4@8"; #5@12"; #6@18"	#3@4"; #4@6"; #5@10"; #6@12"

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square inch = 6.895 kPa.

~~a. This table is based on concrete with a minimum specified concrete strength of 2500 psi, reinforcing steel with a minimum yield strength of 40,000 psi. When reinforcing steel with a minimum yield strength of 60,000 psi is used, the spacing of the reinforcement shall be increased to 1.5 times the spacing value in the table.~~

~~b. This table is not intended to prohibit the use of an ICF manufacturer's tables based on engineering analysis in accordance with ACI 318.~~

~~c. N/R denotes "not required."~~

~~d. Deflection criteria: L/240.~~

~~e. Interpolation between rebar sizes and spacing is not permitted.~~

~~f. Unbalanced backfill height is the difference in height of the exterior and interior finished ground. Where an interior concrete slab is provided, the unbalanced backfill height shall be measured from the exterior finished ground level to the top of the interior concrete slab.~~

~~g. Soil classes are in accordance with the Unified Soil Classification System. Refer to Table R405.1.~~

~~r. Section R404.4.1 Applicability limits. The provisions of this section shall apply to the construction of insulating concrete form foundation walls for buildings not greater than 60 feet (18,288 mm) in plan dimensions, and floors not greater than 32 feet (9,754 mm) or roofs not greater than 40 feet (12,192 mm) in clear span. Buildings shall not exceed two stories in height above grade with each story not greater than 10 feet (3,048 mm) high. Foundation walls constructed in accordance with the provisions of this section shall be limited to buildings subjected to a maximum ground snow load of 70 psf (3.35 kN/m<sup>2</sup>) and located in Seismic Design Category A, B or C. In Seismic Design Categories D<sub>s</sub>, D<sub>1</sub>, and D<sub>2</sub>, foundation walls shall comply with Section R404.1.4.~~

~~s. Section R404.4.2 Flat insulating concrete form wall systems. Flat ICF wall systems shall comply with Figure R611.3, shall have a minimum concrete thickness of 5.5 inches (140 mm), and shall have reinforcement in accordance with Table R404.4(1), R404.4(2) or R404.4(3).~~

~~t. Section P2603.6.1. Sewer Depth. Building sewers that connect to a private sewage disposal system shall be a minimum of 42 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 42 inches below grade.~~

~~u. Section P3103.1 Roof extension. All open vent pipes that extend through a roof shall be terminated above the roof in accordance with the Illinois State Plumbing Code, latest edition, except where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2,134 mm) above the roof.~~

~~Is it the intent to delete the Chapters on Plumbing and only use the Illinois Plumbing Code~~

~~AP101 Fire sprinklers. An approved automatic residential fire sprinkler system shall be installed in new multiple single (one-) family dwellings (townhomes) and two-family (duplex) dwellings in accordance with NFPA 13D. This is now section R313~~

I. Delete Chapters 25-33. For Plumbing use the Illinois Plumbing Code.

(Ord. 07-13, passed 9-4-2007)

**§ 150.24 PROPERTY MAINTENANCE CODE; AMENDMENTS.**

(A) *International Property Maintenance Code.* The *International Property Maintenance Code*, 201806 edition, as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the Village of Kirkland, DeKalb County, Illinois, for regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of the *International Property Maintenance Code*, on file in the office of the village are hereby referred to, adopted, and made a part hereof, as if fully set out in this subchapter, with the specific revisions otherwise noted in division (B) of this section, is hereby adopted by reference.

(B) *Amendments.* The following sections of the *International Property Maintenance Code*, 201806 edition, are hereby revised, amended, or added in words and figures as follow:

a. **Section 101.1 Title.** These regulations shall be known as the *Property Maintenance Code* of the Village of Kirkland, DeKalb County, Illinois, and shall be cited as such and will be hereinafter referred to as “this code.”

b. **Section 103.5 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be in accordance with [REDACTED] the schedule of building permit fees, as it may be amended from time to time.

c. **Section 106.4 Violation penalties.** Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state and local laws; and, shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day a violation continues after due notice has been served shall be deemed a separate offense.

**Section 106.4.1 Court costs and legal fees.** In the event noncompliance with this code necessitates litigation, any person who violates a provision of this code shall be liable for court costs and reasonable attorney’s fees incurred by the village.

d. **Section 111.2 Membership of board.** The board of appeals shall be the Village Board of Trustees. Therefore, for the purposes of this code, the board of appeals shall be construed to mean the Village Board of Trustees. The code official shall be an ex-officio member but shall have no vote on any matter before the Board.

e. **Section 111.2.1 Alternate members.** Deleted in its entirety.

f. **Section 111.2.2 Chairman.** Deleted in its entirety.

g. **Section 111.2.4 Secretary.** Deleted in its entirety.

h. **Section 111.2.5 Compensation of members.** Deleted in its entirety.

i. **Section 111.5 Postponed hearing.** When a quorum is not present to hear an appeal, the matter shall be continued to another date convenient to all parties.

j. **Section 111.6 Board decision.** The board shall modify, reverse, or uphold the decision of the code official only by a concurring vote of the majority of members present at the meeting.

**k. Section 302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches (8"). *(Rest of section remains the same.)*

**l. Section 304.14 Insect screens.** During the period from March 31 to October 31, every door, window and other opening required for ventilation of habitable rooms, food preparation areas, food service areas where products to be included or utilized for human consumption... *(Rest of paragraph remains the same.)*

**m. Section 602.3 Heat supply.** "...to furnish heat to the occupants thereof shall supply heat during the period from October 1 to April 30 to maintain a temperature of not less than 65°F (18°C) in all habitable rooms, bathrooms, and toilet rooms." *(Rest of section remains the same.)*

**n. Section 602.4 Occupiable spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to April 30 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied. *(No changes to Exceptions.)*  
(Ord. 07-13, passed 9-4-2007)

**§ 150.25 Illinois Accessibility BUILDING CODE ACCESSIBILITY CODE; AMENDMENTS.**

(A) Illinois Accessibility Code. The Illinois Accessibility Code, 1997, published by the State of Illinois, be and is hereby adopted as the Accessibility Code of the Village of Kirkland, DeKalb County, Illinois, for the control of the accessibility provisions for building and structures as herein provided; and each and all of the regulations and provisions and terms of the Illinois Accessibility Code on file in the office of the Village of Kirkland, are hereby referred to, adopted and made a part hereof as if fully set out in this subchapter, with the specific revisions otherwise noted in division (B) of this section.

(B) Amendments. The following sections of the Illinois Accessibility Code, 1997 edition, are hereby revised and amended in words and figures as follows:

a. Any conflict between this code and the International Codes will result in the application of the stricter of the requirements.

**§ 150.26 EXISTING BUILDING CODE; AMENDMENTS.**

(A) International Existing Building Code. The International Existing Building Code, 2018 edition, published by the International Code Council, Inc., be and is hereby adopted as the Existing Building Code of the Village of Kirkland, DeKalb County, Illinois, for the control of existing buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the International Existing Building Code on file in the office of the Village of Kirkland, are hereby referred to, adopted and made a part hereof as if fully set out in this subchapter, with the specific revisions otherwise noted in division (B) of this section.

(B) Amendments. The following sections of the International Existing Building Code, 2018 edition, are hereby revised and amended in words and figures as follows:

a. Section 101.1 Title. These regulations shall be known as the Building Code of the Village of Kirkland, DeKalb County, Illinois, hereinafter referred to as "this code."

b. Section 1301.5.4 The requirements for fire sprinkler system in Chapter 9 of the Building Code will be enforced regardless of the outcome of this evaluation process.

**§ 150.27 SWIMMING POOL AND SPA CODE; AMENDMENTS.**

(A) International Swimming Pool and Spa Code. The International Swimming Pool and Spa

Code, 2018 edition, published by the International Code Council, Inc., be and is hereby adopted as the Existing Building Code of the Village of Kirkland, DeKalb County, Illinois, for the control of existing buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the International Swimming Pool and Spa Code on file in the office of the Village of Kirkland, are hereby referred to, adopted and made a part hereof as if fully set out in this subchapter, with the specific revisions otherwise noted in division (B) of this section.

## FIRE PREVENTION REGULATIONS

### § 150.35 FIRE LIMITS ESTABLISHED.

The fire limits of the village are hereby established as follows:

The fire limits shall include all structures within the General Commercial District as indicated on the Zoning Map and all structures within 200 feet of the boundaries of the General Commercial District.

(1983 Code, § 8-1-3)

### § 150.36 SMOKE DETECTORS.

(A) *Definitions.* For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**APARTMENT.** A building which is divided into two or more residential units, each with its own separate living area.

**OWNERS.** As applied to any building, this term includes but shall not be limited to any part owner, joint owner, tenant in common, joint tenant, or lessee of the whole or part of such building.

**ROOMING HOUSE.** A building which is divided into two or more residential units, consisting of a room or rooms, and with additional common areas for eating and/or bathroom facilities.

(1983 Code, § 8-3-1)

(B) *Requirements for apartments and rooming houses.* The owners of apartments and rooming houses shall do or cause to be done the following:

(1) *Apartments.*

(a) Detector/detectors shall be located according to the manufacturer's specifications, and shall also comply with divisions (B)(1)(b), (c) and (d) as listed below.

(b) Detector/detectors shall be located in each living unit.

(c) Detector/detectors shall be located between the bedroom areas and the rest of the living unit.

(d) 1. Detector/detectors shall be located in all hallways and corridors. In the event a hallway or corridor is divided by a fire door or smoke door, an additional detector shall be located in those confines.

2. Spacing of detector/detectors shall be determined by the manufacturer's specifications.

(e) All detector/detectors shall meet Underwriters Laboratories' Standard Number 217, effective July 5, 1977, as amended.

(f) The requirements of this chapter shall not apply to structures which have a fully automated and sufficient sprinkler or smoke and heat system that has been annually inspected and approved by the Village Fire Department.



(g) The owner/owners or their designated agent/agents shall be responsible for maintaining all equipment required by this chapter and any other applicable chapters of the village code.

(h) Corridors and hallways not defined as interior in this chapter shall not require the installation of detector/detectors.

(2) *Rooming houses.*

(a) Detector/detectors shall be located according to the manufacturer's specifications, and shall also comply with divisions (B)(2)(b), (c) and (d) as listed below.

(b) One smoke detector shall be located in each sleeping room, and in lounges and study rooms if located on the same floor as the sleeping rooms.

(c) A detector shall be located at the top of each stairway.

(d) 1. Detector/detectors shall be located in all hallways and corridors. In the event a hallway or corridor is divided by a fire door or smoke door, an additional detector shall be located in those confines.

2. Spacing of detector/detectors shall be determined by the manufacturer's specifications.

(e) All detector/detectors shall meet Underwriters Laboratories' Standard Number 217, effective July 5, 1977, as amended.

(f) The requirements of this chapter shall not apply to structures which have a fully automated and sufficient sprinkler or smoke and heat system that has been annually inspected and approved by the Village Fire Department.

(g) The owner/owners or their designated agent/agents shall be responsible for maintaining all equipment required by this chapter and any other applicable chapters of the village code.

(C) *Compliance.* It shall be the responsibility of the owner/owners to provide written certification to the Code Enforcement Department that their structure/structures are in compliance with the provisions of this subchapter.

(1983 Code, § 8-3-2) (Ord. 86-3, passed - -)

**§ 150.99 PENALTY.**

(A) Any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of these building regulations, or who refuses to remedy a hazard of fire, explosion, collapse, contagion or spread of infectious disease found to exist and duly ordered eliminated, shall be guilty of a petty offense and subject to a fine of not less than \$10 nor more than \$750. Each day such violation continues shall constitute a separate offense.

(B) A person licensed or registered by the state, or a subdivision thereof, to do work regulated by this chapter or to render professional architectural or engineering service in connection therewith, who violates the law or ordinance under which licensed or registered, or who violated this chapter while carrying out such work or rendering service, in connection therewith shall be reported by the building officer to the licensing authority.

(1983 Code, § 8-1-10) (Ord. 534, passed 5-15-1974; Ord. 12-03, passed 3-5-2012)

**APPENDIX A: BUILDING PERMIT AND PLAN REVIEW FEES**

~~(A) Building permit fees.~~

~~(1) One Family, Two family, and Multiple Single Family (Townhouses) Residential use groups:~~

A.	New construction (per unit for two-family and multiple single-family dwellings)	\$700.00 plus \$0.20 per square foot
B.	Additions (per unit for two-family and multiple single-family dwellings)	\$350.00 plus \$0.15 per square foot
C.	Remodeling (per unit)	\$100.00 plus \$0.10 per square foot
D.	Detached garage up to 750 square feet with electrical	\$150.00
	Detached garages over 750 square feet with electrical	\$300.00
E.	Demolition	\$100.00
F.	In-ground swimming pools	\$350.00
G.	Permanent above-ground swimming pools with electric	\$150.00
H.	Temporary to start construction	10% of full permit fee, not to be applied to the full permit fee
I.	Conditional certificate of occupancy when requested by the builder when circumstances do not warrant	\$200.00 (non-refundable)
J.	Moving of existing one or two-family structure	\$650.00

—(2)— *Multiple Family Residential use groups.*

A.	New construction	\$400.00 per unit plus \$0.20 per square foot for total structure floor area
B.	Additions	\$325.00 per unit plus \$0.20 per square foot for total addition floor area
C.	Remodeling	\$200.00 (per unit or area remodeled) plus \$0.10 per square foot for remodeled floor area
D.	Demolition (of entire structure roof to foundation; not a routine part of remodel)	25% of new construction fee (above); minimum fee of \$100.00
E.	Detached garage up to 750 square feet with electrical	\$150.00
	Detached garages over 750 square feet with electrical	\$300.00
F.	In-ground swimming pool	\$350.00 plus \$0.20 per square foot
G.	Temporary to start construction	25% of full permit fee, not to be applied to the full permit fee
H.	Conditional certificate of occupancy when requested by the builder when circumstances do not warrant	\$50 per unit (non-refundable)
I.	Moving of existing multiple-family structure	\$650.00

—(3)— *All other use groups.*

A.	New construction	\$850.00 plus \$0.25 per square foot
B.	Additions	\$700.00 plus \$0.25 per square foot

C.	Remodeling	\$400.00 plus \$0.15 per square foot
D.	Demolition (of entire or part of structure from roof to foundation; not a routine part of a remodel)	25% of new construction fee (above); Minimum fee: \$100.00
E.	In-ground swimming pools	\$350.00 plus \$0.20 per square foot
F.	Temporary to start construction	25% of full permit fee, not to be applied to full permit fee
G.	Conditional certificate of occupancy when requested by the builder when circumstances do not warrant	\$200.00 (non-refundable)
H.	Moving of existing primary structure	\$650.00

~~— (4) Miscellaneous permits (includes plan review fee.)~~

<del>Miscellaneous permits*</del>	<del>\$100.00</del>
<del>*Examples: Decks, fences, gazebos, reroof of primary structure, residing, sheds, new plumbing, new electrical and/or electrical service upgrades, electrical service to detached accessory structure, porches, moving accessory structures, enlargement of an existing exterior staircase, installation of new powered roof vents/attic fans/whole house fans, sprinkler system for one or two family dwelling, and the like.</del>	

~~— (B) Voided permits. In the event a permit holder requests to have a permit voided after payment and issuance of the permit, the permit holder shall pay 25% of the permit fee and the entirety of any plan review fee assessed when the permit was issued. This amount shall be withheld from the refund. In the event a request for permit is voided prior to payment for the permit, the permit applicant shall pay the entirety of any plan review fee assessed and a \$100.00 administrative fee. (For plans approved under a master set of plans, the plan review fee for the original design model for the relinquished permit shall be paid, regardless of the number of structures built to that design, along with the \$100.00 administrative fee.)~~

~~— (C) Hourly rate.~~

~~— (1) Hourly rate: \$100.00 per hour or any part thereof, per person for any meeting, reinspection, or property maintenance related item.~~

~~— (2) Minimum charge: \$100.00 for meeting; \$200.00 for property maintenance/per day.~~

~~— (D) Plan review fees. Should any permit application be withdrawn after any of the following plan reviews has/have been completed, the applicant shall be responsible for payment of all plan review fees.~~

~~— (1) One and Two Family Residential.~~

~~— (a) New construction or additions:~~

~~1. Ten percent of the building permit fee. For developments utilizing a master set of buildings plans, this fee shall be assessed to the first structure built using an approved master plan and the first structure using each variation of the same approved master plan. Any deviation from the master plan or its approved variation will require a separate plan review.~~

~~2. Minimum plan review fee: \$125.00/dwelling unit.~~

~~— (b) Remodeling:~~

~~1. Ten percent of the building permit fee.~~

~~2. Minimum plan review fee: \$50.00/dwelling unit.~~

- ~~— (c) Demolition: \$50.00.~~
- ~~— (d) In the event a permit application is withdrawn after completion of the plan review, the applicant shall pay the complete plan review fee.~~
- ~~— (2) Multiple Family Residential.~~
- ~~— (a) New construction:-~~
  - ~~— 1. Ten percent of the building permit fee. For developments utilizing a master set of buildings plans, this fee shall be assessed to the first structure built using an approved master plan and the first structure using each variation of the same approved master plan. Any deviation from the master plan or its approved variation will require a separate plan review.~~
  - ~~— 2. Minimum plan review fee: \$375.00.~~
- ~~— (b) Additions:-~~
  - ~~— 1. Twenty percent of the building permit fee:-~~
  - ~~— 2. Minimum plan review fee: \$200.00.~~
- ~~— (c) Remodeling:-~~
  - ~~— 1. Thirty percent of the building permit fee;~~
  - ~~— 2. Minimum plan review fee: \$200.00.~~
- ~~— (d) Electrical, energy, mechanical, and plumbing plan, each:-~~
  - ~~— 1. Ten percent of the building permit fee.~~
  - ~~— 2. Minimum fee \$100.00.~~
- ~~— (e) Demolition (of entire unit/structure):~~
  - ~~— 1. Twenty five percent of new construction fee, above.-~~
  - ~~— 2. Minimum plan review fee: \$75.00.~~
- ~~— (f) In the event a permit application is withdrawn after completion of the plan review, the applicant shall pay the complete plan review fee.~~
- ~~— (3) All other use groups.~~
- ~~— (a) Building code (with accessibility code) plan review fees for new construction. Refer to fire systems for additional fees for fire suppression/alarm systems.~~

<i><b>Building Size</b></i>	<i><b>Fee</b></i>
1 to 60,000 cubic feet	\$375.00
60,001 to 80,000 cubic feet	\$425.00
80,001 to 100,000 cubic feet	\$525.00
100,001 to 150,000 cubic feet	\$575.00
150,001 to 200,000 cubic feet	\$675.00
Over 200,000 cubic feet	\$675.00 + \$6.75 per 10,000 cubic feet over 200,000

- ~~— (b) Electrical, mechanical, and plumbing plan review fees for new construction.—~~
  - ~~— 1. Each of the three plan reviews is 25% of building code plan review fee for new construction.~~
  - ~~— 2. Minimum plan review fee per type: \$95.00.~~
- ~~— (c) Energy conservation plan review fees.—~~
  - ~~— 1. Each review is 25% of building code plan review fee for new construction.~~
  - ~~— 2. Minimum plan review fee: \$95.00.~~

~~— (d) *Building shell.* For any speculative structure with unfinished tenant areas, the plan review fees are calculated as for new construction, above.~~

~~— (e) *Tenant build-out.* Fee calculations are the same as for new construction for a new tenant area designed for placement in a building shell. Fees for tenant areas fully designed and shown with the main building are included in the review fees for the main building. Minimum fees are as stated above.~~

~~— (f) *Tenant remodels.* For reviews for tenant areas in existing areas to be remodeled, the remodeling fee calculations will apply. Minimum fees are as stated below.~~

~~— (g) *Remodeling plan review.* Fifty percent of the new construction plan review fees listed above.~~

~~— 1. Minimum plan review (all codes): \$250.00.~~

~~— 2. Minimum plan review for single code remodel: \$95.00.~~

~~— (h) *Demolition plan review fees.* Fire detection/alarm systems and fire suppression systems are extra fees above the new construction, addition, or remodel plan review fees.~~

~~— 1. Each review is 25% of building code plan review fee for new construction.~~

~~— 2. Minimum plan review fee: \$95.00.~~

~~— (4) *Fire detection/alarm systems.*~~

~~— (a) Fee is \$125.00 per 10,000 square feet of floor area.~~

~~— (b) Minimum fee: \$125.00.~~

~~— (5) *Fire sprinkler system plan review fees.*~~

<del><i>Number of Sprinklers</i></del>	<del><i>Scheduled or Calculated</i></del>
<del>1 to 25</del>	<del>\$75.00</del>
<del>26 to 100</del>	<del>\$250.00</del>
<del>101-200</del>	<del>\$500.00</del>
<del>201-300</del>	<del>\$550.00</del>
<del>301-400</del>	<del>\$600.00</del>
<del>401-500</del>	<del>\$650.00</del>
<del>Over 500</del>	<del>\$700.00</del>
<del>PLUS, for each sprinkler over 500:</del>	<del>\$0.95/each</del>

~~— (6) *Alternate fire suppression systems.*~~

~~— (a) Standpipe (No charge with sprinkler review) \$175.00 per standpipe riser~~

~~— (b) Specialized extinguisher agent (dry or other chemical agent) \$125.00 per 50 pounds agent~~

~~— (c) Hood and duct cooking extinguisher agent \$150.00 flat rate per system~~

~~— (7) *General information.*~~

~~— (a) Turnaround time for all plan reviews is 15 business days; however, normally they are done in five to ten business days, depending upon size of the structure. If special handling is required, such as rush reviews or a preliminary review, they will be charged at the hourly rate plus the applicable fee.~~

~~— (b) Second reviews are included—no extra charge.~~

~~—— (c) Additional third or more reviews, and when hourly rates are applicable, are charged at the hourly rate of \$100.00/hour.~~

~~—— (d) If any plan has to be sent to an outside consultant other than the inspection firm, the outside consultant's fee(s) will be charged and that fee paid directly to the outside consultant. See fee schedule.~~

## **Village of Kirkland**

### ***Planning and Zoning Commission Members***

#### ***2019-2020 Terms***

Each person's successor serves for 7-Year terms, but initial terms are listed under each appointee's name.

Jason Heck  
1008 Kennedy Dr.  
7 Years

Rebecca Lamont  
500 South 4<sup>th</sup> St.  
6 Years

Joe Monachello (CHAIRMAN)  
407 1<sup>st</sup> St.  
5 Years

Wanda McMurray  
515 W Main St.  
4 Years

Paul Dreska  
South Street  
3 Years

Linda Fett  
209 Hickory Lane  
2 Years

John Michener  
211 Hickory Lane  
1 Year