

AN ORDINANCE OF THE VILLAGE OF PEORIA HEIGHTS ADOPTING THE 2006 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL (ICC), THAT REPLACES THE 2003 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, REGULATING AND GOVERNING THE CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, EQUIPMENT, LOCATION, REMOVAL AND DEMOLITION OF DETACHED ONE AND TWO FAMILY DWELLINGS AND MULTIPLE SINGLE FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS; AN ORDINANCE OF THE VILLAGE OF PEORIA HEIGHTS ADOPTING THE 2006 EDITION OF THE INTERNATIONAL BUILDING CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL (ICC), THAT REPLACES THE 2003 EDITION OF THE INTERNATIONAL BUILDING CODE, 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 STRUCTURES; AND AN ORDINANCE OF THE VILLAGE OF PEORIA HEIGHTS ADOPTING THE 2008 EDITION OF THE NATIONAL ELECTRICAL CODE, PREPARED BY THE NATIONAL ELECTRICAL CODE COMMITTEE, THAT REPLACES 2003 NATIONAL ELECTRICAL CODE (NEC), REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF ELECTRICAL SYSTEMS; ALL PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND AN ORDINANCE OF THE VILLAGE OF PEORIA HEIGHTS REPEALING ORDINANCE NO. 2005-1248 OF THE VILLAGE OF PEORIA HEIGHTS AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the Village of Peoria Heights is a home rule municipality; and

WHEREAS, the Village of Peoria Heights wishes to provide for the system of Municipal Code Violations of Ordinances by defining compliance violations and regulations for the minimum standards for maintaining both private and commercial residential properties in a safe and healthful environment.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Peoria Heights, Illinois, that:

SECTION 1: - ADOPTION OF 2006 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, 2006 EDITION OF THE INTERNATIONAL BUILDING CODE AND 2008 EDITION OF NATIONAL ELECTRICAL CODE.

That certain documents, three (3) copies of each of which are on file in the Office of the Village Clerk of the Village of Peoria Heights, Illinois, being marked and designated as the "*International Residential Code, 2006 Edition*," including Appendix A through and including Q, be and is hereby adopted as the "*Residential Code*", the "*International Building Code, 2006 Edition*," be and is hereby adopted as the "*Building Code*", and the "*National Electrical Code, 2008 Edition*," be and is hereby adopted as the "*Electrical Code*", of the Village of Peoria Heights. The *International Residential Code, 2006 Edition* is adopted for the regulation and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one (1) and two (2) family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories in height with separate means of egress as herein provided; provides for the issuance of permits, for the collection of fees, for the making of inspections and for penalties for the violation therefore. Each and all of the regulations, provisions, penalties, conditions and terms of said International Residential Code, 2006 Edition on file in the office of the Village of Peoria Heights are hereby referred to, and adopted as the Residential Code, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Ordinance. The *International Building Code, 2006 Edition* is adopted for the regulation and governing of 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, for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided, for the issuance of permits, collection of fees, making of inspections and for the provision of penalties for the violation therefore. Each and all of the regulations, provisions, penalties, conditions and terms of said International Building Code, 2006 Edition on file in the office of the Village of Peoria Heights are hereby referred to, and adopted as the Building Code, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any,

prescribed in Section 2 of this Ordinance. The *National Electrical Code, 2008 Edition* is adopted 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 of Peoria Heights and providing for the issuance of permits, collection of fees, making of inspections and provision of penalties for the violation therefore. Each and all of the regulations, provisions, penalties, conditions and terms of said National Electrical Code 2008 Edition on file in the office of the Village of Peoria Heights are hereby referred to, and adopted as the Electrical Code, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Ordinance. .

SECTION 2: - ADDITIONS, INSERTIONS, DELETIONS AND REVISIONS

That the following Sections of the *International Residential Code, 2006 Edition*, are hereby revised as follows:

Section R101.1. Insert: Village of Peoria Heights.

Table R301.2(1) Insert: No additional criteria.

Section P2603.6.1 Insert: _____ inches and _____ inches.

Section P3103.1 Insert: No additional criteria.

Section R108.2. Insert: The schedule of Permit Fees as set forth in Ordinance 2005-1249 is adopted as a part of this Ordinance, and is as attached hereto.

Section R113.4. Violation Penalties – Insert: Any person who shall violate the provisions of this Code as adopted by this Ordinance shall, upon conviction thereof, be punished by a fine not less than Sixty (\$60.00) Dollars and not more than Five Hundred (\$500.00) Dollars plus costs. Each day a violation continues to exist shall constitute a separate offense.

Section R114.2. Unlawful Continuance. Insert: 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, upon conviction thereof, be punished by a fine not less than Sixty (\$60.00) Dollars and not more than Five Hundred (\$500.00) Dollars plus costs. Each day a violation continues to exist shall constitute a separate offense.

That the following Sections of the *International Building Code, 2006 Edition*, are hereby revised as follows:

Section 101.1. Insert: Village of Peoria Heights.

Section 108.2. Insert: The schedule of Permit Fees as set forth in Ordinance 2005-1249 is adopted as a part of this Ordinance, and is as attached hereto.

Section 113.4. Violation Penalties – Insert: Any person who shall violate the provisions of said Code adopted by this Ordinance shall, upon conviction thereof, be punished by a fine not less than Sixty (\$60.00) Dollars and not more than Five Hundred (\$500.00) Dollars plus costs. Each day a violation continues to exist shall constitute a separate offense.

Section 114.3. Insert: Sixty (\$60.00) Dollars, Five Hundred (\$500.00) Dollars plus costs.

Section 1612.3. Insert: Village of Peoria Heights.

Section 1612.3. Insert: November 19, 2004.

Section 3410.2. Insert: December 20, 2011.

That the following Sections of the *National Electrical Code, 2005 Edition*, are hereby revised as follows:

Article 100. Insert: The Village of Peoria Heights is the “authority having jurisdiction.” Fees. The Schedule of fees attached hereto is adopted as a part of this Ordinance. Violation Penalties. Any person who shall violate the provisions of the Code adopted by this Ordinance shall, upon conviction thereof, be punished by a fine not less than Sixty (\$60.00) Dollars and not more than Five Hundred (\$500.00) Dollars plus costs. Each day a violation continues to exist shall constitute a separate offense.

Insert: Article 900. Violation Penalties – Insert: Any person who shall violate the provisions of this Code as adopted by this Ordinance shall, upon conviction thereof, be punished by a fine not less than Sixty (\$60.00)

Dollars and not more than Five Hundred (\$500.00) Dollars plus costs. Each day a violation continues to exist shall constitute a separate offense.

**SECTION 3 – ADOPTION OF THE PRE-HEARING SETTLEMENT PROCESS/CITATION
CIRCUIT COURT OF PEORIA COUNTY**

There has been established by the Village of Peoria Heights, Illinois, the Pre-Hearing Settlement Process and Citation of Violation in Circuit Court of Peoria County for the purpose of expeditiously processing Ordinance violations and providing a form for same and the process and procedures for pre-hearings and citations of violations in Circuit Court of Peoria County is hereby adopted for the purpose of expeditiously processing Residential Code, Building Code and Electrical Code violations as set out in this Ordinance.

(A) PENALTY

Chapter 65 ILCS Section 5/11-31.1-4 shall be incorporated to provide that an Ordinance Enforcement Inspector, finding a violation when inspecting a structure, may note the violation on a violation notice and report form, indicating the name and address of the structure owner, the type and nature of the violation, the date and time the violation was observed, the names of witnesses to the violation, and the address of the structure where the violation is observed. The violation report form may be forwarded to the Code Enforcement Inspector. Violation of this Ordinance (including violation of any provision of the Residential Code, Building Code or Electrical Code) shall be enforced by the issuance of a citation of a violation requiring the recipient to appear in the Circuit Court in Peoria County, Illinois, Peoria County Courthouse, Peoria, Illinois, for a hearing at the time, date and place set forth on the citation or notice of violation. Prior to the hearing date, the recipient may pay, no less than fourteen (14) days before the time, date and place of the required appearance in the Circuit Clerk in County, Illinois, a pre-hearing settlement amount, which shall be paid and received at the Peoria Heights Police Department no later than fourteen (14) calendar days prior to the listed appearance date in the Circuit Court of Peoria County, Peoria, Illinois as required by the citation. If the pre-hearing settlement is timely paid, the recipient shall not be required to appear at the Circuit Court at the time, date and place set forth in the citation. If the settlement amount is not timely paid, the recipient shall appear in the Circuit Court of Peoria County, Peoria County Courthouse, Peoria, Illinois on the time, date and place set forth in the citation. Failure to pay or appear may result in a final determination and entry of a judgment of guilty, and a fine and/or costs may be assessed. A copy of the citation or notice of violation must accompany all pre-hearing settlement payments, which must either be paid in the form of cash or a cashier's check or money order payable to the Village of Peoria Heights, 4901 N. Prospect Road, Peoria Heights, Illinois 61616 directly at the Peoria Heights Village Hall.

SECTION 4: - REPEAL OF ORDINANCES

That Ordinance No. 2005-1248 of the Village of Peoria Heights and all other Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 5: - SECTION, SUBSECTION, SENTENCE, CLAUSE OR PHRASE

That if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Village of Peoria Heights declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 6: - SUIT, RIGHTS, LIABILITY OR CAUSE/CAUSES

That nothing in this Ordinance or in the Residential Code, Building Code and National Electrical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 4 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 8: - DATE OF EFFECTIVE


That the Village Clerk shall certify this Ordinance and rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its passages and cause the same to be published in pamphlet form as provided by law.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PEORIA HEIGHTS, ILLINOIS THIS 20 DAY OF December, 2011.


Village President

SEAL

ATTEST:


Village Clerk

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CERTIFICATION OF DOCUMENTS

**STATE OF ILLINOIS
COUNTY OF PEORIA
VILLAGE OF PEORIA HEIGHTS**

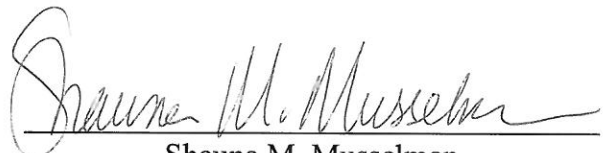
I, Shauna Musselman, certify that I am the duly elected Municipal Clerk of the Village of Peoria Heights, Peoria County, Illinois which is a municipality organized under the laws of the State of Illinois.

By law I have custody of the seal and all of the records, books, ordinances, documents and papers pertaining to the Village of Peoria Heights, Illinois. The Ordinance attached to this Certificate is a true copy of said Ordinance on file and of record in the office of the Village Clerk of the Village of Peoria Heights. I further certify that on December 20th, 2011, the Corporate Authorities of the Village of Peoria Heights, Peoria County, Illinois passed and approved Ordinance Number 2011-1359 entitled "AN ORDINANCE OF THE VILLAGE OF PEORIA HEIGHTS ADOPTING THE 2006 EDITION OF THE INTERNATIONAL CODE COUNCIL (ICC), THAT REPLACES THE 2003 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, REGULATING AND GOVERNING THE CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, EQUIPMENT, LOCATION, REMOVAL AND DEMOLITION OF DETACHED ONE AND TWO FAMILY DWELLINGS AND MULTIPLE SINGLE FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS; AN ORDINANCE OF THE VILLAGE OF PEORIA HEIGHTS ADOPTING THE 2006 EDITION OF THE INTERNATIONAL BUILDING CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL (ICC), THAT REPLACES THE 2003 EDITION OF THE INTERNATIONAL BUILDING CODE, 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 STRUCTURES; AND AN ORDINANCE OF THE VILLAGE OF PEORIA HEIGHTS ADOPTING THE 2008 EDITION OF THE ORDINANCE OF THE NATIONAL ELECTRICAL CODE, PREPARED BY THE

NATIONAL ELECTRICAL CODE COMMITTEE, THAT REPLACES 2003 NATIONAL ELECTRICAL CODE (NEC), REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF ELECTRICAL SYSTEMS; ALL PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND AN ORDINANCE OF THE VILLAGE OF PEORIA HEIGHTS REPEALING ORDINANCE NO. 2005-1248 OF THE VILLAGE OF PEORIA HEIGHTS AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.”, which Ordinance by its terms provided that it was to be published in pamphlet form as provided by law.

I have compared the attached copy of Ordinance 2011-1359 with the original in the office of the Village Clerk and such copy comprises a true full, true and correct copy of the Ordinance and the whole of such Ordinance of which is a copy.

Witness under my hand and seal this 20 day of December, 2011.



Shauna M. Musselman
Village Clerk

[Seal]