

TITLE 9

BUILDING REGULATIONS

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CHAPTER 1
BUILDING PERMITS

SECTION:

- 9-1-1: Permit Required
- 9-1-2: Application For Permit
- 9-1-3: Approval Of Plans
- 9-1-4: Fees For Permits
- 9-1-5: Variations From Plans
- 9-1-6: Enforcement Of Provisions
- 9-1-7: Penalty

9-1-1: **PERMIT REQUIRED:** It shall be unlawful to construct any building or structure in the village, other than a fence, where the cost of such construction exceeds one hundred dollars (\$100.00), or to alter or remodel any building or structure so as to change the bearing walls, beams, supports, or the roof thereof, without having first secured a permit therefor. (Ord. 52, 1-3-1950)

9-1-2: **APPLICATION FOR PERMIT:** Applications for such permits shall be made to the village clerk and shall be accompanied by plans and specifications in duplicate, showing the work to be done. Such plans shall be verified by the signature either of the owner of the premises or by the architect or contractor in charge of the operations. (Ord. 52, 1-3-1950)

9-1-3: **APPROVAL OF PLANS:** Such applications, with plans, shall be referred to the building code/zoning officer, who shall examine the same to determine whether the proposed operation will comply with the provisions of this chapter relating thereto. Upon approval, one set of plans shall be returned by the building code/zoning officer. No permit shall be issued except after approval of the plans and payment of the fee herein provided. (Ord. 52, 1-3-1950)

9-1-4: **FEES FOR PERMITS¹:** The schedule of fees for building permits, in compliance with the zoning ordinance, shall be as follows:

- A. Garage, utility building or an addition to either; yard barn over one hundred fifty (150) square feet or an addition thereto: Fifty dollars (\$50.00).
- B. Swimming pools, fences, sidewalks and yard barns under one hundred fifty (150) square feet: Thirty five dollars (\$35.00).
- C. Single-family dwelling:

2 bedrooms	\$240.00
3 bedrooms	270.00
4 or more bedrooms	300.00
- D. Duplex or multi-family dwelling: Two hundred dollars (\$200.00) per occupancy.
- E. Any commercial building over fifty thousand dollars (\$50,000.00): Fifty dollars (\$50.00) for the first thousand dollars and one dollar (\$1.00) for each additional thousand dollars of estimated cost.
- F. Any other external structural, electrical or dimensional changes not covered in this section: Thirty five dollars (\$35.00). (Ord. 1972-6, 9-13-1972; amd. 2007 Code)

9-1-5: **VARIATIONS FROM PLANS:** It shall be unlawful to vary from the approved plans and specifications deposited with and approved by the building code/zoning officer, unless amended plans and specifications showing such proposed alterations or variations are first filed with the building code/zoning officer and approved by him. If such variations involve an increase the total cost of the work, a statement to that effect shall be made, and the necessary additional fee shall be paid. (Ord. 52, 1-3-1950)

1. See also subsection 12-1-6D of this code.

9-1-6: ENFORCEMENT OF PROVISIONS:

- A. **Enforcement Official:** It shall be the duty of the building code/zoning officer and any lawfully appointed deputies to enforce the regulations of this chapter.
- B. **Inspections, Tests And Examinations:** The building code/zoning officer is hereby empowered to make such inspections as may be necessary to see to the enforcement of these provisions, and to make any tests or examinations of materials or methods to be used, for the purpose of seeing if they comply with the requirements of this chapter.
- C. **Stop Work Order:** The building code/zoning officer, or such other person as may be authorized by the president or the board of trustees, may order work stopped whenever any construction or repair work is being done in violation of any provisions of this chapter. Such stop order, when ordered, shall be followed by a written stop order within twenty four (24) hours. It shall be unlawful to continue with any such work in violation of a stop order until such order has been revoked by the person issuing it or by the president or board of trustees. (Ord. 52, 1-3-1950)

9-1-7: PENALTY: Any person, firm, or corporation violating any provision of this chapter shall be fined not less than one dollar (\$1.00) nor more than two hundred dollars (\$200.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. 52, 1-3-1950)

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CHAPTER 2

MOVING BUILDINGS

SECTION:

- 9-2-1: Permit Requirements**
- 9-2-2: Lights And Warning Devices**
- 9-2-3: Public Utility Wires**
- 9-2-4: Fire Alarm Wires And Poles**
- 9-2-5: Penalty**

9-2-1: PERMIT REQUIREMENTS:

- A. Permit Required:** No person, firm or corporation shall move any building on, through, or over any street, alley, sidewalk or other public place in the village without having first obtained a permit from the village clerk.
- B. Application For Permit:** Applications for such permits shall be made in writing to the village clerk and shall state thereon the proposed route and the number of days it is intended that the building should occupy any portion of any street, alley, sidewalk or other public place.
- C. Bond Required:** Every person, firm or corporation applying for a permit under this chapter shall submit with his application a bond in the sum of three hundred thousand dollars (\$300,000.00) conditioned on his compliance with all the provisions of this chapter, and agreeing to pay, and holding the village harmless from, any claim which may be made against him or it by reason of the occupation of any street, sidewalk, alley or other public place by the building or structure moved. (2007 Code)

9-2-2: LIGHTS AND WARNING DEVICES:

- A. Public Ways:** Whenever a street or alley is blocked by a house or structure which is being moved, warnings to that effect shall be

placed by the public engineer so as to warn vehicles and persons from entering that portion of the street which is so blocked.

- B. **Buildings Being Moved:** The person, firm or corporation moving any building through the streets shall keep warning signs and lanterns or lights at night on the building so as to guard against any person or vehicle from colliding with it. (2007 Code)

9-2-3: **PUBLIC UTILITY WIRES:** Whenever it shall be necessary to interfere with wires or cables of a public utility in moving a building, the terms of any special or franchise ordinance governing shall apply, and the bond therein specified shall be given. If no such terms apply, then the board of trustees shall estimate the expense of fixing the wires and the bond to be given to cover this. (2007 Code)

9-2-4: **FIRE ALARM WIRES AND POLES:** When any moving building shall approach any fire alarm wire or pole which shall be endangered by the moving of the building, it shall be the duty of the mover to notify the chief of the appropriate fire protection district at least twenty four (24) hours before reaching such wire or pole so that they may be removed or cared for by the authorities of the village. (2007 Code)

9-2-5: **PENALTY:** Any person, firm or corporation violating any provision of this chapter shall be subject to penalty as provided in section 1-4-1 of this code for each offense. (2007 Code)

CHAPTER 3

PRIVATE SWIMMING POOLS

SECTION:

- 9-3-1: Definition
- 9-3-2: Compliance With Provisions
- 9-3-3: Permit Requirements
- 9-3-4: Lot And Location Requirements
- 9-3-5: Fence Regulations
- 9-3-6: Electrical Regulations
- 9-3-7: Maintenance Of Pools
- 9-3-8: Nuisance, Dangerous Conditions Prohibited
- 9-3-9: Penalty

9-3-1: **DEFINITION:** A "swimming pool", within the meaning of this chapter, shall be any depression in the ground, either temporary or permanent, or a container of water, either temporary or permanent, and either above or below the ground in which water which is equal to or greater than twenty four inches (24") in depth is contained and which is used primarily for the purpose of bathing or swimming. (Ord. 1991-1992-5; amd. 2007 Code)

9-3-2: **COMPLIANCE WITH PROVISIONS:** It shall be unlawful for any person to construct, install, or enlarge a residential pool not enclosed in a permanent building in the village except in accordance with applicable zoning laws and the regulations of this chapter. (Ord. 1991-1992-5)

9-3-3: **PERMIT REQUIREMENTS:**

- A. Permit Required: It shall be unlawful for any person to construct, install, enlarge, or alter any private swimming pool unless a building permit has first been obtained from the building code/zoning officer.

- B. Application For Permit: Applications shall be on forms provided by the building code/zoning officer, and shall be accompanied by plans drawn to scale showing the following:
1. Pool dimensions and volume of water in gallons.
 2. Location and type of waste disposal system.
 3. Location of pool on lot, distance from lot lines, and distance from structure.
 4. Fencing and landscape plan or a combination thereof.
- C. Fee: The permit fee shall be thirty five dollars (\$35.00)¹. (Ord. 1991-1992-5)

9-3-4: LOT AND LOCATION REQUIREMENTS:

- A. Minimum Lot Size: Swimming pools are permitted only on lots with a minimum area of ten thousand (10,000) square feet².
- B. Location Of Pool On Lot: No pool shall be located, erected, constructed or maintained closer to the main structure than ten feet (10'), or closer to any side or rear lot line than allowed by zoning ordinance for permitted accessory building uses³. (Ord. 1991-1992-5)

9-3-5: FENCE REGULATIONS:

- A. General Requirements:
1. Pools within the scope of this section and not enclosed within a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool and shall not be less than five feet (5') in height, so constructed as not to have voids, holes or openings larger than four inches (4") in any one dimension.

1. See also subsection 12-1-6D8 of this code.
2. See also subsection 10-6-4C of this code.
3. See subsection 10-5-3B of this code.

2. Gates or doors shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use.

3. No fence shall be located, erected, constructed, or maintained closer to a pool than three feet (3').

4. The wall of the house or building facing a pool may be incorporated as a portion of such fence.

B. Aboveground Pools:

1. Aboveground pools with self-provided fencing to prevent unguarded entry will be allowed without separate additional fencing, provided the self-provided fence is of minimum required height and design as heretofore specified.

2. Permanent access from grade to aboveground pools having stationary ladders, stairs or ramps shall not have less than equal safeguard fencing and gates.

C. Completion Of Fencing: All fencing required by this chapter shall be completed within thirty (30) days of the start of the excavation of any belowground pool or within thirty (30) days of completion of any aboveground receptacle for water, as hereinabove described. No pool shall be filled with water prior to the completion of such fencing. (Ord. 1991-1992-5)

9-3-6: ELECTRICAL REGULATIONS: All electrical installations provided for, installed, and used in connection with a private swimming pool shall be in conformance with the state laws and village ordinances regulating electric installations. (Ord. 1991-1992-5)

9-3-7: MAINTENANCE OF POOLS:

A. Swimming pools shall be maintained in a sanitary manner.

B. Gaseous chlorination system shall not be made use of as a disinfection method for pool waters. (Ord. 1991-1992-5)

9-3-8: **NUISANCE, DANGEROUS CONDITIONS PROHIBITED:** No pool shall be so operated or maintained as to create a nuisance, a hazard, an eyesore, or otherwise to result in a substantial adverse effect on neighboring properties, or to be in any other way detrimental to public health, safety and welfare. (Ord. 1991-1992-5)

9-3-9: **PENALTY:** Any person, firm or corporation violating any provision of this chapter shall be fined not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. 1991-1992-5)

CHAPTER 4

SATELLITE DISHES

SECTION:

- 9-4-1: Permit Required; No Fee
9-4-2: Requirements
9-4-3: Temporary Satellite Dishes

9-4-1: **PERMIT REQUIRED; NO FEE:** A nonfee permit will be required for installation of satellite dishes. (Ord. 1986-2, 8-20-1985; amd. 2007 Code)

9-4-2: **REQUIREMENTS:**

- A. Satellite dishes are permitted in the rear and side yards only. They shall not be closer than ten feet (10') to the principal structure, shall not exceed twenty feet (20') in height, shall not occupy more than thirty percent (30%) of the rear and side yard areas, and shall not be closer than five feet (5') to any lot line.
- B. Satellite dishes may not be mounted on a pitched roof, unless the dish is designed for that purpose. (Ord. 1986-2, 8-20-1985)

9-4-3: **TEMPORARY SATELLITE DISHES:** Temporary satellite dishes may only be allowed for a period of thirty (30) days. (Ord. 1986-2, 8-20-1985)

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