

Demolition

ORDINANCE NO. 4801

AN ORDINANCE AMENDING
DEMOLITION/CONSTRUCTION SITE MANAGEMENT

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by shading/underline; deletions by ~~strikeout~~):

Section 1. That Section 7.2. is hereby amended to read as follows:

7.2. Director of Community Development.

For purposes of this Chapter, the term "building official" shall refer to the Director of ~~Code Services~~Community Development of the Village or his designee. (Ord. No. 2544, § 1.)

Section 2. That Section 7.8. is hereby amended to read as follows:

7.8. Definitions.

For the purposes of the Building Code, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Building official. The Director of ~~Code Services~~Community Development of the Village or his designee.

Department of Building Safety and/or Department of ~~Code Services~~Community Development. The Village of Downers Grove ~~Code Services~~Community Development Department.

Legal counsel or legal officer. The Village Attorney for the Village of Downers Grove.

Jurisdiction. The Village of Downers Grove. (Ord. No. 1281, § 8; Ord. No. 1586, § 8; Ord. No. 2143, § 3; Ord. No. 2544, § 2.)

Section 3. That Section 7.11. is hereby amended to read as follows:

7.11. Inspection and permit fees.

No permit as required by the Building Code shall be issued until the fees described in this section shall have been paid to the Village collector, nor shall an amendment to a permit be approved until the additional fees, if any, due to an increase in the estimated size of the building structure shall have been paid.

A. Schedule of Demolition Permit fees:

1. Accessory Buildings for One, Two and Three Family Dwellings:

- a. Basic fee for first 500 square feet \$50.00
- b. Per each 100 square feet or fraction \$35.00
- c. Slabs, if poured separate \$35.00
- d. Plan Review, licenses as applicable \$35.00

2. One, Two and Three Family Dwellings:

- a. Basic fee for first 1,000 square feet \$285.00
- b. Per each 100 square feet or fraction \$20.00
- c. Plan review, \$75.00 or 10% of the total permit fee whichever is greater

3. Four Family and Up (residential), Non-Residential Buildings, and Associated Buildings:

- a. Basic fee for first 1,000 square feet \$352.00
- b. Per each 100 square feet or fraction \$25.00

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- c. Plan review, \$75.00 or 10% of the total permit fee whichever is greater

In addition to any demolition fee, there shall be an administrative fee assessed for required signage which shall be set out pursuant to administrative regulation.

B. Schedule of New Construction, Alteration and Addition Permit Fees:

1. Accessory Buildings

- a. Basic fee for first 500 square feet \$70.00
- b. For each additional 100 square feet or fraction \$15.00
- c. Plan review, \$75.00 or 10% of the total permit fee whichever is greater

2. One, Two and Three Family Dwellings:

- a. Basic fee for first 500 square feet \$140.00
- b. For each 100 square feet or fraction \$35.00
- c. Plan review, \$75.00 or 10% of the total permit fee whichever is greater

3. Four Family and Up, Non-Residential Buildings-New and Additions:

- a. Basic fee for first 500 square feet \$200.00
- b. For each 100 square feet or fraction \$65.00
- c. Plan review, bonds, licenses, construction water as applicable.

4. Four Family and Up, Non-Residential Buildings - Alterations:

- a. Basic fee for first 500 square feet \$200.00
- b. For each 100 square feet or fraction \$ 37.00
- c. Plan review, bonds, licenses, construction water as applicable.

C. Repairs:

1. Accessory Buildings:

- a. Basic fee for first \$2,000 of cost \$ 50.00
- b. For each additional \$1,000 of cost or fraction \$ 15.00
- c. Plan review as applicable

2. One, Two and Three Family Dwellings:

- a. Basic fee for first \$2,500 of cost \$60.00
- b. For each additional \$1,000 of cost \$15.00
- c. Plan review as applicable.

3. Four Family and Up, Non-Residential Buildings:

- a. Basic fee for first \$3,000 of cost \$85.00
- b. For each additional \$1,000 of cost \$25.00
- c. Plan review as applicable.

D. Water for Construction or Demolition:

Temporary construction or demolition water shall be paid for at the rate established in Chapter 25.29 of the Downers Grove Municipal Code.

- E. Sheet Metal Work \$70.00

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F. Miscellaneous permit and inspection fees shall be as follows:

Shoring, Raising, Moving of Any Building:

- a. Basic fee for first 2,000 square feet \$100.00
- (Plus)
- b. Per 100 square feet or fraction \$25.00
- (Plus)

Canopy, fixed Awning or Alteration:

- a. Basic fee \$70.00

Inspection Fees for Elevators, Escalators, Lifts, Hoists, Dumbwaiters, Conveyors:

- a. Basic fee for first five (5) floors \$150.00
- b. Per each floor above five (5) \$ 30.00
- c. Hand-operated, total fee \$110.00
- d. Platform lift \$110.00
- e. Material hoists and man-lifts for construction over three (3) stories \$165.00
- f. All elevators are required to have maintenance inspections conducted twice per year, after the initial inspection. Inspection fees for each inspection required are as follows:
 - i. New elevators - initial inspection \$125.00
 - ii. General elevators \$ 50.00
 - iii. Freight elevators \$ 50.00

Temporary Platforms

- a. For public assembly units \$64.00

Swimming Pools

Permanent Pools (In-ground):

- a. Basic fee for first 500 square feet of surface area \$140.00
- b. Per every 100 square feet or fraction of surface area over 500 square Feet \$ 70.00

Temporary Pools (Above ground):

- a. Basic fee for first 500 square feet \$35.00
- b. Per every 100 square feet or fraction \$15.00

Heating

- 1. Warm air furnaces - no permit required
- 2. High pressure boilers, each - \$140.00
- 3. Low pressure boilers, unfired pressure vessels - \$85.00
- 4. Heat pump - \$85.00
- 5. Fireplaces - \$85.00

Air Conditioning(Central):

No permit required

Ventilating Systems, Mechanical:

- 1. Basic fee (under 2000 CFM) - \$25.00
- 2. Basic fee for first 2000 CFM - \$85.00

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3. Each 1000 CFM additional - \$15.00

**Capacity is calculated as sum of supply and exhaust

Deck permits. For all construction of decks, the fee to be charged by permits authorized and required by the Building Code shall be \$50.00, regardless of size or value.

Plumbing fixtures. Fees for inspection of plumbing fixtures installed shall be governed by the provisions of Chapter 16.

Permits for sewer and drain connections. Fees for inspection of sewer and drain connections shall be governed by the provisions of Chapter 16.

Fees for permit to erect a new sign or to repair an existing sign shall be governed by provisions of Section 28-305 of the Comprehensive Zoning Ordinance of the Village, passed and approved April 19, 1965, as amended. (Ord. No. 1281, § 10; Ord. No. 1586, § 4; Ord. No. 2913, § 2; Ord. No. 3336, § 1.)

Section 4. That Section 7.11.1. is hereby amended to read as follows:

7.11.1. Demolition/Construction Site Management.

An applicant for a demolition and/or building permit (“permit applicant”) shall be responsible for safe construction site management during all phases of demolition and/or construction of permitted improvements. The following minimum requirements standards shall be complied with prior to the commencement of work and throughout the duration of the project. ~~Failure to comply with the following minimum standards will constitute a violation of this Code, subjecting violators to a stop work order and fine of up to \$750.00 per violation pursuant to Section 1-15 of this Code.~~

(a) ~~Notification. Each permit applicant that seeks a demolition permit for an existing house or garage or a building permit for any construction that will add six hundred (600) square feet or more of gross floor area to an existing house or garage shall be required to provide notification to all residents of property located within one hundred (100) feet of the subject property. Such notification shall be made no less than seven (7) days prior to the commencement of any work and shall consist of providing the residents with a copy of an informational brochure provided by the Village, disclosure of a site plan, a general explanation of the work to be done, and the name, address and telephone number of the individual supervising the work. Each permit applicant shall submit written certification, on a form provided by the Village, of personal notification to all adjacent property owners residents of property located within one hundred (100) feet of the subject property of the pending work as a condition precedent to issuance by the Village of a permit for work on the subject property.~~ ~~demolition of an existing structure. Such notification shall be made no less than 7 days prior to the initiation of demolition and shall consist of providing the adjacent property owners with a copy of an informational brochure provided by the Village, disclosure of site plan, a general explanation of the work to be done, and the name, address and telephone number of the individual supervising the work.~~

(b) No structure shall be eligible for demolition unless and until the permit applicant has notified all utilities having service connections within or about the structure such as water, electric, gas, sewer, telephone and any other connections. The Village Public Works Department shall be notified to remove the water meter or the Village may give written permission to allow the permit applicant to remove the water meter. The Sanitary District must be notified regarding the capping of sanitary sewers. A permit to demolish a structure shall not be issued until a release is provided by the relevant utilities stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or capped in a safe manner.

(c) The permit applicant for ~~non-residential~~ demolition and/or construction shall be required to install and

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maintain in good working order a six (6) to eight foot high temporary chain link construction fencing with driven posts around the perimeter of the lot for all residential construction, and an eight (8) foot high temporary chain link construction fence with driven posts around the perimeter of the lot for all commercial construction. For both residential and commercial areas, the fencing must have a gated opening which shall be closed when no construction or demolition activity is being performed on the site. The permit applicant for residential demolition/construction shall be required to install a three to four foot plastic/nylon fencing, around the perimeter of the lot. Stormwater Fencing must be installed prior to the arrival of the demolition crew commencement of any construction or demolition on the site and must remain in place until the final grading of the property commences. Erosion control measures (silt fencing) must be installed on the inside of the perimeter fence. The Director of Community Development shall have the authority to determine the fencing requirements, excluding height requirements, and/or to require a written fencing plan for construction activity conducted as part of a subdivision or planned development on a case by case basis. The Director shall have the discretion to determine the appropriate timing and location of the fencing requirements in order to adequately protect the health, safety and welfare of the public and the adjacent residential and commercial properties.

(d) Each tree on the property, including the parkway, must be protected with fencing, and as provided in Section 24-7 of this Code.

(e) Construction/demolition debris and refuse containment shall be required for all job sites. Containment shall occur on the property that is the subject of the permit, and shall be within a dumpster or container that ~~can~~ shall be fully covered to prevent windblown debris. Such dumpster or container shall be set back on the site as far as possible to within three to four feet from the excavation a minimum of five (5) feet from the front lot line and a minimum of five (5) feet from the side lot line. All such dumpsters or containers shall be covered at all times when no work is being performed on the property that is the subject of the permit. Such dumpster or container shall not be located on public property, including but not limited to, parkways or sidewalks.

(f) Construction sites shall be provided with a portable toilet. The location of the portable toilet shall be set back as far as possible from all property lines to within three to four feet from the excavation but not less than a minimum of five (5) feet from the front lot line and a minimum of five (5) feet from the side lot line, and whenever possible the portable toilet shall be located in the rear yard. Such portable toilet shall not be located on public property, including but not limited to, parkways or sidewalks.

(g) The permit applicant shall maintain all construction/demolition sites free and clear of debris and refuse generated by site preparation, reconstruction or demolition of buildings and structures.

(h) The hours of construction/demolition are as follows:
7:00 a.m. to 7:00 p.m. Monday-Saturday
No Work on Sundays

(i) All construction work shall be limited to the permitted property. No permit issued pursuant to this Section shall authorize any entry onto the property adjoining the permitted property or any work for which entry onto property adjoining the permitted property is or may be necessary, unless a proper right of entry has been secured from the owner of such property.

(j) Posted Notice of Rules and Regulations: The applicant shall post on the permitted property in a prominent place, visible from the public right-of-way, a sign containing notice of the rules and regulations applicable to demolition and construction work. The applicant shall also post notice of the contractor's name and a phone number of the individual supervising the work. Such sign shall be posted not less than four (4)

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nor more than seven (7) days in advance of the commencement of work. Such sign shall be maintained on the permitted property until all work on the permitted property has been completed and approved or until removal is requested by the Director. The size, shape and message of such sign shall be established by the Director of Community Development. The sign containing notice of rules and regulations shall be obtained from the Village wherein an administrative fee shall be assessed by the Village.

(ik) The noise regulations contained in Section 15-5.1 of this Code shall be applicable.

(jl) The applicant shall cause all dirt, mud, gravel and other debris from the subject property or related to the work conducted on the subject property to be cleaned regularly every day from all All streets and sidewalks adjoining or in the area of the subject property. ~~must be kept free and clear of mud and debris and~~

(m) No streets or sidewalks shall may not be blocked so as to prevent pedestrian or vehicular traffic. Permit applicants must comply with Section 19-44(i) of this Code regarding Traffic Control Procedures and must submit a construction site parking plan outlining the proposed location for all parking of contractor and worker vehicles. All vehicles shall comply with all Village ordinances. The Director of Community Development shall review the construction parking plan and shall either approve the plan as submitted, approve the plan with modifications and/or conditions or deny the plan. The applicant shall adhere to the terms and conditions of the approved construction parking plan. Failure to comply with the terms and conditions of the approved construction parking plan shall constitute a violation of this ordinance.

(kn) On all demolition sites and construction sites or in any situation where airborne particles may be disbursed, proper watering is required in that Airborne particles shall be controlled at the property that is the subject of the permit during work hours by thoroughly saturating all portions of the structure with water. Such spraying shall be undertaken at all times necessary to thoroughly control the creation and migration of airborne particles, including without limitation, dust from the property that is the subject of the permit. The water source for control of airborne particles shall be either (i) a water tanker truck with pump capacity of one hundred (100) gallons per minute at the nozzle or (ii) an approved public water hydrant. Water shall be delivered from the water source to the subject property by a hose with a minimum diameter of 2 ½ inches, which may be reduced to 1 ½ inches when on the property that is the subject of the permit. If a public water hydrant is used, a Village water meter and proper hydrant wrench must be used after acquiring a permit from the Public Works Department in accordance with Chapter 25-11 of the Downers Grove Municipal Code. Any hose leading from a public water hydrant and crossing a driveway, street, alley or other vehicular right-of-way or path must be bridged in a manner sufficient to protect the water system.

(lo) No open burning is permitted at the demolition/construction site.

(mp) Permit applicants shall submit written acknowledgment, on a form provided by the Village, of rules for construction/demolition site management.

(nq) Permit fees shall be paid in the amount set forth in Section 7-11 of this Code.

(r) A bona fide certificate of insurance shall be supplied to the Village, showing minimum insurance coverage from an insurance company with at least a B+ rating of five hundred thousand dollars ~~(\$500,000.00)~~ bodily injury, five hundred thousand dollars ~~(\$500,000.00)~~ property damage and statutory coverage for workers compensation. This shall accompany the permit applications. The building official may waive the insurance requirement for minor demolition work.

(es) A site management cash bond in the amount of five thousand dollars ~~(\$500.00)~~ \$5,000.00 shall be deposited with the Village and shall be kept in a separate account. Such cash bond shall be in addition to all

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other application and processing fees, costs, escrows, bonds and performance securities required, and stand as security for the full and complete performance by the permit applicant of the work covered by the permit, insuring the initiation of construction in a timely manner and proper ~~cleanup~~ management of the site, subject to the following provisions:

(i) ~~If any direct cost to the Village of any loss, damage, work, claim or liability arises out of the breach by the permit applicant, or any contractor or representative of the applicant, in the performance of the permit applicant's obligations in connection with the work by the permit, the permit applicant shall forfeit its bond. The Village shall have the right at all times, at its option, to draw on the site management bond for the costs, including, without limitation, legal fees and administrative expenses incurred or to be incurred by the Village in exercising any of its rights under this Chapter in the event: 1) the applicant undertakes work in violation of any provision of this Chapter or of any permit issued or plan approved pursuant to this Chapter; or 2) the applicant fails or refuses to complete any work authorized by any permit issued under this Chapter in accordance with all plans approved in connection with said permit. The Village's determination of such costs shall be based either on costs actually incurred by the Village or on the Village's reasonable estimates of costs to be incurred.~~

~~(ii) If the Village draws on the site management bond, then the applicant shall replenish the bond to the full amount required by this section immediately after demand therefore is made to the applicant in writing by the Village. Any failure of the applicant to replenish the bond shall result in cancellation of the related permit, which permit shall not be reissued thereafter except after the filing of a new application therefore, repayment of the permit fee, and establishment of a new site management bond.~~

~~(iii) Upon certification by the Building Official of the satisfactory completion of the work, the balance of the cash bond shall be refunded to the permit applicant.~~

~~(p1) Within sixty days of the approval of the demolition permit application, a new structure must be started or approved site restoration must be completed.~~ (1) The applicant shall cause the demolition of a structure to be completed with due diligence, in good faith and without delay. The applicant shall notify the Village at least twenty-four (24) hours prior to the commencement of demolition. Once the work commences on the site, the applicant shall continuously pursue completion of the work. If no substantial work is being pursued on the site for thirty (30) consecutive days or more once the work has commenced, then the site shall be deemed abandoned. Once the Village issues a notice of abandonment the applicant shall within ten (10) days from issuance of the abandonment notice either:

- ~~(i) commence work on the site and diligently pursue completion of the demolition; or~~
- ~~(ii) restore the property to a final grade and grass seeded condition or commence construction activities pursuant to a valid building permit.~~

~~For purposes of this Section, completion of demolition shall be defined as removal of all portions of the structure both above ground and below ground level and restoration of the property to a final grade and grass seeded condition.~~

~~(2) Additional fee for late work: If the applicant fails to comply with this Section he/she shall pay a late work fee of two hundred fifty (\$250.00) per day for each day until such work is completed. The Village shall deduct such fee from the site management bond.~~

~~(u) Fees and Fines: Failure to comply with the minimum standards will constitute a violation of this Code, subjecting violators to a stop work order and fine of three hundred dollars (\$300.00) per violation and increasing to five hundred dollars (\$500.00) per day for every day the violation exists. In addition to any other penalties provided in this Section, the Village Attorney shall have the authority to seek injunctive or other relief in the Circuit Court of DuPage County to enforce and compel compliance with the ordinance of the Village. Such injunctive action may be combined with counts seeking monetary fines as provided herein.~~

~~(i) Additional Fee for Street Cleaning. If the applicant shall fail to clean all sidewalks and streets adjoining and in the area of the subject property, then the applicant shall pay a street cleaning fee of three hundred dollars (\$300.00) for each violation. The Village shall deduct such fee from the site management bond provided in Section (s). This fee shall be in addition to any fines assessed pursuant to~~

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Ordinance.

(Ord. No. 1527, § 1; Ord. No. 2918, § 1.)

Section 5. That Section 7.11.3. is hereby amended to read as follows:

7.11.3. Expiration of permits.

a. All permits shall be valid for a period of one (1) year from the date of issuance with the exception of demolition permits. ~~a~~All extensions of permit time shall be calculated at twenty-five (25%) of the original total permit fee and shall extend the life of the permit for a six (6) month period. Demolition permits shall be valid for six (6) months from the date of issuance.

b. One hundred percent (100%) of a permit fee shall be added if work is started without a permit.

c. No fees shall be refunded when a permit has lapsed after work is started. When a permit is revoked at the request of the applicant prior to lapsing due to time limits, and no work has been done, all but a basic fee to cover costs incurred by the building department and the plan review fee may be refunded. (Ord. No. 1791, § 1; Ord. No. 2857, § 5.)

Section 4. That any and all references to "Code Services" throughout the Downers Grove Municipal Code are hereby amended to read "Community Development".

Section 5. That present holders of a valid demolition or construction permit meeting the criteria established in Section 7.11.1, as amended above, shall obtain and post a sign provided by the Village describing the rules and regulations of demolition and construction work within thirty (30) days of adoption of this ordinance. The permit holder/sign user shall return the sign in good, usable condition prior to the issuance of any certificate of occupancy.

Section 6. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 7. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk