



Sen. Pamela J. Althoff

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LRB094 04463 AJ0 44349 a

1 AMENDMENT TO SENATE BILL 837

2 AMENDMENT NO. _____. Amend Senate Bill 837 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Building Commission Act is amended
5 by changing Section 55 as follows:

6 (20 ILCS 3918/55)

7 Sec. 55. Identification of local building codes. Beginning
8 on the effective date of this amendatory Act of the 92nd
9 General Assembly, a municipality with a population of less than
10 1,000,000 or a county adopting a new building code or amending
11 an existing building code ~~may~~ ~~must~~, at least 30 days before
12 adopting the code or amendment, provide an identification of
13 the code, by title and edition, or the amendment to the
14 Commission. The Commission must identify the proposed code, by
15 the title and edition, or the amendment to the public on the
16 Internet through the State of Illinois World Wide Web site.

17 The Commission may adopt any rules necessary to implement
18 this Section.

19 For the purposes of this Section, "building code" means any
20 ordinance, resolution, law, housing or building code, or zoning
21 ordinance that establishes construction related activities
22 applicable to structures in a municipality or county, as the
23 case may be.

24 (Source: P.A. 92-489, eff. 7-1-02.)

1 Section 10. The Counties Code is amended by changing
2 Sections 5-1063 and 5-1064 as follows:

3 (55 ILCS 5/5-1063) (from Ch. 34, par. 5-1063)

4 Sec. 5-1063. Building construction, alteration and
5 maintenance. For the purpose of promoting and safeguarding the
6 public health, safety, comfort and welfare, a county board may
7 prescribe by resolution or ordinance reasonable rules and
8 regulations (a) governing the construction and alteration of
9 all buildings, structures and camps or parks accommodating
10 persons in house trailers, house cars, cabins or tents and
11 parts and appurtenances thereof and governing the maintenance
12 thereof in a condition reasonably safe from hazards of fire,
13 explosion, collapse, electrocution, flooding, asphyxiation,
14 contagion and the spread of infectious disease, where such
15 buildings, structures and camps or parks are located outside
16 the limits of cities, villages and incorporated towns, but
17 excluding those for agricultural purposes on farms including
18 farm residences, but any such resolution or ordinance shall be
19 subject to any rule or regulation heretofore or hereafter
20 adopted by the State Fire Marshal pursuant to "An Act to
21 regulate the storage, transportation, sale and use of gasoline
22 and volatile oils", approved June 28, 1919, as amended; (b) for
23 prohibiting the use for residential purposes of buildings and
24 structures already erected or moved into position which do not
25 comply with such rules and regulations; and (c) for the
26 restraint, correction and abatement of any violations.

27 In addition, the county board may by resolution or
28 ordinance require that each occupant of an industrial or
29 commercial building located outside the limits of cities,
30 villages and incorporated towns obtain an occupancy permit
31 issued by the county. Such permit may be valid for the duration
32 of the occupancy or for a specified period of time, and shall

1 be valid only with respect to the occupant to which it is
2 issued.

3 Within 30 days after its adoption, such resolution or
4 ordinance shall be printed in book or pamphlet form, published
5 by authority of the County Board; or it shall be published at
6 least once in a newspaper published and having general
7 circulation in the county; or if no newspaper is published
8 therein, copies shall be posted in at least 4 conspicuous
9 places in each township or Road District. No such resolution or
10 ordinance shall take effect until 10 days after it is published
11 or posted. Where such building or camp or park rules and
12 regulations have been published previously in book or pamphlet
13 form, the resolution or ordinance may provide for the adoption
14 of such rules and regulations or portions thereof, by reference
15 thereto without further printing, publication or posting,
16 provided that not less than 3 copies of such rules and
17 regulations in book or pamphlet form shall have been filed, in
18 the office of the County Clerk, for use and examination by the
19 public for at least 30 days prior to the adoption thereof by
20 the County Board.

21 Beginning on the effective date of this amendatory Act of
22 the 92nd General Assembly, any county adopting a new building
23 code or amending an existing building code under this Section
24 ~~may must~~, at least 30 days before adopting the building code or
25 amendment, provide an identification of the building code, by
26 title and edition, or the amendment to the Illinois Building
27 Commission for identification on the Internet. For the purposes
28 of this Section, "building code" means any ordinance,
29 resolution, law, housing or building code, or zoning ordinance
30 that establishes construction related activities applicable to
31 structures in the county.

32 The violation of any rule or regulation adopted pursuant to
33 this Section, ~~except for a violation of the provisions of this~~
34 ~~amendatory Act of the 92nd General Assembly and the rules and~~

1 ~~regulations adopted under these provisions,~~ shall be a petty
2 offense.

3 All rules and regulations enacted by resolution or
4 ordinance under the provisions of this Section shall be
5 enforced by such officer of the county as may be designated by
6 resolution of the County Board.

7 No such resolution or ordinance shall be enforced if it is
8 in conflict with any law of this State or with any rule of the
9 Department of Public Health.

10 (Source: P.A. 92-489, eff. 7-1-02.)

11 (55 ILCS 5/5-1064) (from Ch. 34, par. 5-1064)

12 Sec. 5-1064. Buildings in certain counties of less than
13 1,000,000 population. The county board in any county with a
14 population not in excess of 1,000,000 located in the area
15 served by the Northeastern Illinois Metropolitan Area Planning
16 Commission may prescribe by resolution or ordinance reasonable
17 rules and regulations (a) governing the construction and
18 alteration of all buildings and structures and parts and
19 appurtenances thereof and governing the maintenance thereof in
20 a condition reasonably safe from the hazards of fire,
21 explosion, collapse, contagion and the spread of infectious
22 disease, but any such resolution or ordinance shall be subject
23 to any rule or regulation now or hereafter adopted by the State
24 Fire Marshal pursuant to "An Act to regulate the storage,
25 transportation, sale and use of gasoline and volatile oils",
26 approved June 28, 1919, as amended, (b) for prohibiting the use
27 for residential purposes of buildings and structures already
28 erected or moved into position which do not comply with such
29 rules and regulations, and (c) for the restraint, correction
30 and abatement of any violations. However, the county shall
31 exempt all municipalities located wholly or partly within the
32 county where the municipal building code is equal to the county
33 regulation and where the local authorities are enforcing the

1 municipal building code. Such rules and regulations shall be
2 applicable throughout the county but this Section shall not be
3 construed to prevent municipalities from establishing higher
4 standards nor shall such rules and regulations apply to the
5 construction or alteration of buildings and structures used or
6 to be used for agricultural purposes and located upon a tract
7 of land which is zoned and used for agricultural purposes.

8 In the adoption of rules and regulations under this Section
9 the county board shall be governed by the publication and
10 posting requirements set out in Section 5-1063.

11 Beginning on the effective date of this amendatory Act of
12 the 92nd General Assembly, any county adopting a new building
13 code or amending an existing building code under this Section
14 ~~may must~~, at least 30 days before adopting the building code or
15 amendment, provide an identification of the building code, by
16 title and edition, or the amendment to the Illinois Building
17 Commission for identification on the Internet.

18 For the purposes of this Section, "building code" means any
19 ordinance, resolution, law, housing or building code, or zoning
20 ordinance that establishes construction related activities
21 applicable to structures in the county.

22 Violation of any rule or regulation adopted pursuant to
23 this Section, ~~except for a violation of the provisions of this~~
24 ~~amendatory Act of the 92nd General Assembly and the rules and~~
25 ~~regulations adopted under those provisions,~~ shall be deemed a
26 petty offense.

27 All rules and regulations enacted by resolution or
28 ordinance under the provisions of this Section shall be
29 enforced by such officer of the county as may be designated by
30 resolution of the county board.

31 (Source: P.A. 92-489, eff. 7-1-02.)

32 Section 15. The Illinois Municipal Code is amended by
33 changing Section 1-2-3.1 as follows:

1 (65 ILCS 5/1-2-3.1)

2 Sec. 1-2-3.1. Building codes. Beginning on the effective
3 date of this amendatory Act of the 92nd General Assembly, any
4 municipality with a population of less than 1,000,000 adopting
5 a new building code or amending an existing building code may
6 ~~must~~, at least 30 days before adopting the code or amendment,
7 provide an identification of the code, by title and edition, or
8 the amendment to the Illinois Building Commission for
9 identification on the Internet.

10 For the purposes of this Section, "building code" means any
11 ordinance, resolution, law, housing or building code, or zoning
12 ordinance that establishes construction related activities
13 applicable to structures in the municipality.

14 (Source: P.A. 92-489, eff. 7-1-02.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."