



Adopted in House Comm. on May 07, 2009

09600SB1511ham001

LRB096 08144 RLJ 25813 a

1 AMENDMENT TO SENATE BILL 1511

2 AMENDMENT NO. _____. Amend Senate Bill 1511 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Section 5-1063 as follows:

6 (55 ILCS 5/5-1063) (from Ch. 34, par. 5-1063)

7 Sec. 5-1063. Building construction, alteration and
8 maintenance. For the purpose of promoting and safeguarding the
9 public health, safety, comfort and welfare, a county board may
10 prescribe by resolution or ordinance reasonable rules and
11 regulations (a) governing the construction and alteration of
12 all buildings, structures and camps or parks accommodating
13 persons in house trailers, house cars, cabins or tents and
14 parts and appurtenances thereof and governing the maintenance
15 thereof in a condition reasonably safe from hazards of fire,
16 explosion, collapse, electrocution, flooding, asphyxiation,

1 contagion and the spread of infectious disease, where such
2 buildings, structures and camps or parks are located outside
3 the limits of cities, villages and incorporated towns, but
4 excluding those for agricultural purposes on farms including
5 farm residences, but any such resolution or ordinance shall be
6 subject to any rule or regulation heretofore or hereafter
7 adopted by the State Fire Marshal pursuant to "An Act to
8 regulate the storage, transportation, sale and use of gasoline
9 and volatile oils", approved June 28, 1919, as amended; (b) for
10 prohibiting the use for residential purposes of buildings and
11 structures already erected or moved into position which do not
12 comply with such rules and regulations; and (c) for the
13 restraint, correction and abatement of any violations.

14 In addition, the county board may by resolution or
15 ordinance require that each occupant of an industrial or
16 commercial building located outside the limits of cities,
17 villages and incorporated towns obtain an occupancy permit
18 issued by the county. The county board may by resolution or
19 ordinance require that an occupancy permit be obtained for each
20 newly constructed residential dwelling located outside the
21 limits of cities, villages, and incorporated towns, but may not
22 require more than one occupancy permit per newly constructed
23 residential dwelling. Such permit may be valid for the duration
24 of the occupancy or for a specified period of time, and shall
25 be valid only with respect to the occupant to which it is
26 issued. A county board may not impose a fee on an occupancy

1 permit for a newly constructed residential dwelling issued
2 pursuant to this Section. If, before the effective date of this
3 amendatory Act of the 96th General Assembly, a county board
4 imposes a fee on an occupancy permit for a newly constructed
5 residential dwelling, then the county board may continue to
6 impose the occupancy permit fee.

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

25 Beginning on the effective date of this amendatory Act of
26 the 92nd General Assembly, any county adopting a new building

1 code or amending an existing building code under this Section
2 must, at least 30 days before adopting the building code or
3 amendment, provide an identification of the building code, by
4 title and edition, or the amendment to the Illinois Building
5 Commission for identification on the Internet. For the purposes
6 of this Section, "building code" means any ordinance,
7 resolution, law, housing or building code, or zoning ordinance
8 that establishes construction related activities applicable to
9 structures in the county.

10 The violation of any rule or regulation adopted pursuant to
11 this Section, except for a violation of the provisions of this
12 amendatory Act of the 92nd General Assembly and the rules and
13 regulations adopted under those provisions, shall be a petty
14 offense.

15 All rules and regulations enacted by resolution or
16 ordinance under the provisions of this Section shall be
17 enforced by such officer of the county as may be designated by
18 resolution of the County Board.

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

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