



Sen. David Koehler

**Filed: 3/25/2009**

09600SB1511sam002

LRB096 08144 RLJ 24304 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 permit per newly constructed residential  
23 dwelling. Such permit may be valid for the duration of the  
24 occupancy or for a specified period of time, and shall be valid  
25 only with respect to the occupant to which it is issued. A  
26 county board may not impose a fee on a permit for a newly

1 constructed residential dwelling issued pursuant to this  
2 Section.

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 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

1 Commission for identification on the Internet. For the purposes  
2 of this Section, "building code" means any ordinance,  
3 resolution, law, housing or building code, or zoning ordinance  
4 that establishes construction related activities applicable to  
5 structures in the county.

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

11 All rules and regulations enacted by resolution or  
12 ordinance under the provisions of this Section shall be  
13 enforced by such officer of the county as may be designated by  
14 resolution of the County Board.

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

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