

1 AMENDMENT TO SENATE BILL 754

2 AMENDMENT NO. _____. Amend Senate Bill 754, AS AMENDED,
3 by replacing the title with the following:

4 "AN ACT in relation to building codes."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Illinois Building Commission Act is
8 amended by adding Section 55 as follows:

9 (20 ILCS 3918/55 new)

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

21 The Commission may adopt any rules necessary to implement

1 this Section.

2 For the purposes of this Section, "building code" means
3 any ordinance, resolution, law, housing or building code, or
4 zoning ordinance that establishes construction related
5 activities applicable to structures in a municipality or
6 county, as the case may be.

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

9 (55 ILCS 5/5-1063) (from Ch. 34, par. 5-1063)

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

1 correction and abatement of any violations.

2 In addition, the county board may by resolution or
3 ordinance require that each occupant of an industrial or
4 commercial building located outside the limits of cities,
5 villages and incorporated towns obtain an occupancy permit
6 issued by the county. Such permit may be valid for the
7 duration of the occupancy or for a specified period of time,
8 and shall be valid only with respect to the occupant to which
9 it is issued.

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

28 Beginning on the effective date of this amendatory Act of
29 the 92nd General Assembly, any county adopting a new
30 building code or amending an existing building code under
31 this Section must, at least 30 days before adopting the
32 building code or amendment, provide an identification of the
33 building code, by title and edition, or the amendment to the
34 Illinois Building Commission for identification on the

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

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

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

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

17 (Source: P.A. 86-962.)

18 (55 ILCS 5/5-1064) (from Ch. 34, par. 5-1064)

19 Sec. 5-1064. Buildings in certain counties of less than
20 1,000,000 population. The county board in any county with a
21 population not in excess of 1,000,000 located in the area
22 served by the Northeastern Illinois Metropolitan Area
23 Planning Commission may prescribe by resolution or ordinance
24 reasonable rules and regulations (a) governing the
25 construction and alteration of all buildings and structures
26 and parts and appurtenances thereof and governing the
27 maintenance thereof in a condition reasonably safe from the
28 hazards of fire, explosion, collapse, contagion and the
29 spread of infectious disease, but any such resolution or
30 ordinance shall be subject to any rule or regulation now or
31 hereafter adopted by the State Fire Marshal pursuant to "An
32 Act to regulate the storage, transportation, sale and use of
33 gasoline and volatile oils", approved June 28, 1919, as

1 amended, (b) for prohibiting the use for residential purposes
2 of buildings and structures already erected or moved into
3 position which do not comply with such rules and regulations,
4 and (c) for the restraint, correction and abatement of any
5 violations. However, the county shall exempt all
6 municipalities located wholly or partly within the county
7 where the municipal building code is equal to the county
8 regulation and where the local authorities are enforcing the
9 municipal building code. Such rules and regulations shall be
10 applicable throughout the county but this Section shall not
11 be construed to prevent municipalities from establishing
12 higher standards nor shall such rules and regulations apply
13 to the construction or alteration of buildings and structures
14 used or to be used for agricultural purposes and located upon
15 a tract of land which is zoned and used for agricultural
16 purposes.

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

20 Beginning on the effective date of this amendatory Act of
21 the 92nd General Assembly, any county adopting a new
22 building code or amending an existing building code under
23 this Section must, at least 30 days before adopting the
24 building code or amendment, provide an identification of the
25 building code, by title and edition, or the amendment to the
26 Illinois Building Commission for identification on the
27 Internet.

28 For the purposes of this Section, "building code" means
29 any ordinance, resolution, law, housing or building code, or
30 zoning ordinance that establishes construction related
31 activities applicable to structures in the county.

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

1 rules and regulations adopted under those provisions, shall
2 be deemed a petty 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
6 by resolution of the county board.

7 (Source: P.A. 86-962.)

8 Section 15. The Illinois Municipal Code is amended by
9 adding Section 1-2-3.1 as follows:

10 (65 ILCS 5/1-2-3.1 new)

11 Sec. 1-2-3.1. Building codes. Beginning on the
12 effective date of this amendatory Act of the 92nd General
13 Assembly, any municipality with a population of less than
14 1,000,000 adopting a new building code or amending an
15 existing building code must, at least 30 days before adopting
16 the code or amendment, provide an identification of the
17 code, by title and edition, or the amendment to the Illinois
18 Building Commission for identification on the Internet.

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

23 Section 99. Effective date. This Act takes effect on
24 July 1, 2002."