

ORDINANCE NO. 7475-67

CITY OF URBANA

BUILDING CODE

ARTICLE I OF CHAPTER 8

URBANA CITY CODE

ADOPTED MARCH 3, 1975

Published by the Authority of
The City Council of Urbana, Illinois

A R T I C L E I

ORDINANCE NO. 7475-67

AN ORDINANCE ADOPTING THE BOCA BASIC BUILDING CODE AND
SUPPLEMENT THERETO WITH CERTAIN DELEGATIONS, MODIFI-
CATIONS AND EXCEPTIONS

WHEREAS, Section 1-2-4 and 1-3-2- of the Illinois Municipal Code, and
Section 1002 of Chapter 85, Illinois Revised Statutes, 1967, provide that,
where rules and regulations for the construction of buildings or any part
thereof have been printed in book or pamphlet form, such rules and regulations
or portions thereof may be adopted by reference, and

WHEREAS, three (3) copies of the pamphlet containing the rules and regu-
lations hereafter adopted have been filed in the office of the City Clerk
for use and examination by the public for at least thirty (30) days prior to
their adoption, as provided by said Statute;

WHEREAS, the City of Urbana, Illinois, on the date hereof contains a
population in excess of 25,000 persons and is therefore a Home Rule unit under
the provisions of the Illinois Constitution 1970, and this Ordinance is to be
regarded as an exercise in Home Rule Powers of said City.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA,
ILLINOIS that:

Section 8.1.1 ADOPTION OF BUILDING CODE

There is hereby adopted by the City of Urbana, Illinois, for the purpose
of establishing rules and regulations for the construction, alteration,

removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that a certain building code known as the B.O.C.A. BASIC BUILDING CODE, Fifth Edition, 1970, with all amendments and appendices thereto to date, as recommended by the Building Officials and Code Administrators International, Inc., except such portions thereof as are hereinafter in this Ordinance deleted, modified or amended, and the same are hereby adopted and incorporated as fully as if set out at length in the City Code, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling for all buildings and structures within the corporate limits of the City of Urbana, Illinois.

Section 8.1.2 ENFORCEMENT AND PENALTIES

Any person who violates any provision of this Ordinance or any duly adopted rules or regulation hereunder, or who fails or refuses to perform any duty or obligation imposed upon such person by this Ordinance shall be fined in an amount not to exceed \$200.00. Each day that a violation shall continue shall be deemed a separate offense.

In addition, the City may seek relief by way of injunction or mandamus against any person violating any of the provisions of this Ordinance, to compel observance of the requirements of this Ordinance or to prevent a failure in performance by such person of any of the provisions hereof.

Section 8.1.3 DEFINITIONS

- a. Wherever the word "municipality" or "city" is used in this Ordinance or in the Basic Building Code, it shall be held to mean the City of Urbana, Illinois.
- b. Wherever the term "Building official" is used in this Ordinance or

in the Basic Building Code, it shall be held to mean the Administrator of the Code Enforcement Department.

Section 8.1.4 FIRE LIMITS ESTABLISHED

- a. The primary limits of the City of Urbana, Illinois, to be known as "Fire District No.#1" are hereby established and shall consist of all areas zoned as central business under the city's zoning ordinances.
- b. The secondary fire limits of the City of Urbana to be known as "Fire District No.#2" are hereby established and shall consist of all areas zoned industrial under the city's zoning ordinance.

Section 8.1.5 AMENDMENTS AND DELETIONS

The said Basic Building Code is amended and changed in the following respects.

- a. Section 107 entitled "Department of Building Inspection" is hereby amended to be read as follows:

Section 107.0 BUILDING INSPECTION DEPARTMENT

Section 107.1 BUILDING INSPECTION DEPARTMENT

The Building Inspection Department of the City of Urbana is hereby created and shall be known officially as the Code Enforcement Department; the executive official in charge thereof shall be known as the Administrator, Code Enforcement Department, or "Building Official".

Section 107.2 APPOINTMENT

The Building Official shall be appointed by the Mayor of the

City of Urbana, by and with the advice and consent of the City Council.

Section 107.3 QUALIFICATIONS OF BUILDING OFFICIAL

To be eligible for appointment, the Building Official shall be a graduate from high school or an accredited vocational school, supplemented by 1) two (2) years of college study in the field of construction technology, engineering or architecture or 2) experience of four or more years as building inspector, a contractor or superintendant of building construction for which three (3) years shall have been in responsible charge of work.

The Building Official may designate an employee of the Department of Code Enforcement as his deputy who shall exercise all the powers of the Building Official in accordance with the writing so delegating the said powers. Wherever in this or any other Ordinance of the City of Urbana a duty or responsibility is placed upon the Building Official, such duty or responsibility may be executed by the Building Official or his duly authorized representative.

Section 107.5 ORGANIZATION

The City Council shall authorize such number of inspectors, technical assistance, officers and other civil service positions as shall be needed for the proper administration of the Basic Building Code and all other related City ordinances administered by the Code Enforcement Department.

Section 107.6 QUALIFICATIONS OF ASSISTANT

Qualifications for inspectors, officers and other Code Enforcement employees shall be determined by the Urbana Civil Service Commission in accordance with state statutes and as set forth in the Civil Service approved job descriptions.

Section 107.7 RESTRICTION ON EMPLOYEES

No official or employee employed with the Code Enforcement Department, except one whose only connection is that of the Board of Appeals established under the provisions of sections 126.0 and 127.0, shall be engaged in or directly or indirectly connected with the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of plans or of specifications therefore, except as the owner of the building; nor shall such officer or employee engage in any work which conflicts with his official duties or with the interest of the department.

Section 107.8 RELIEF FROM PERSONAL RESPONSIBILITY

The building official, officer, members of building code board of appeals or employee charged with the enforcement of the Basic Code, while acting for the municipality, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his official duties. Any suit instituted against any officer or employee because of an act performed by him in the lawful discharge of his duties and under the provisions of this ordinance or any amendments thereto shall be defended by the legal representative of the municipality until the final termination of the proceedings. In no case shall the suit or proceeding that may be instituted in pursuance of the provisions of this ordinance, and any officer of the department of building inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of his official duties in connection therewith.

Section 107.9 OFFICIAL RECORDS

An official record shall be kept of all business and activities of the department specified in the provisions of the Basic Code, and all such records shall be open to public inspection on the basis of a valid need to know. A "valid need to know" shall be set out by administrative policy.

- b. Section 109.0 entitled "Rules and Regulations" is hereby amended to be read as follows.

Section 109.0 RULES AND REGULATIONS

Section 109.1 RULE MAKING AUTHORITY

The Building Official with the approval of the Building Code Board of Appeals may adopt and promulgate rules and regulations to interpret and implement the provisions of the ordinance, to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions; but no such rules shall have the effect of waiving working stresses or fire restrictive requirements specifically provided in this Ordinance or violating accepted engineering practices involving public health and safety.

Section 109.2 ACCEPTED ENGINEERING PRACTICE

In the absence of rules duly approved by the Building Code Board of Appeals, which have been adopted and promulgated in accordance with this Ordinance, the regulations, specifications and standards listed in appendix A-Accredited Authoritative Agencies, appendix B-Accepted Engineering Practice, appendix C-Accredited Material Standards, appendix D-Structural Unit Test Standards, appendix E-

Structural Assembly Test Standards; appendix F-Durability Standards, appendix G-Fire Test and Flame Spread Test Standards, appendix I-Fire Protection Standards, appendix K-Unit Working Stresses for Ordinary Materials, and appendix L-Nailing Schedule shall be deemed to represent accepted engineering practice in respect to the material, equipment, system or method of construction therein specified.

Section 109.3 PROMULGATION OF RULES

No rule or regulation shall become effective until ten days following the publication of such rule or regulation in a newspaper of general circulation in the City of Urbana. No rule or regulation shall be adopted or promulgated unless and until first the Building Code Board of Appeals, after publication in the newspaper of general circulation in the City of Urbana of a notice setting forth the time, the date and the place of such hearing, and the general subject thereof, shall hold such public meeting concerning such rule or regulation.

Section 109.4 AMENDMENT OF RULES

All rules or regulations adopted by the procedure herein established shall have the same effect as provisions of this Ordinance; but such rules may be amended or repealed at any time by the same procedure herein prescribed for the adoption.

- c. Section 110.0 entitled "Modifications" is hereby deleted.
- d. Section 118.0 entitled "Fees" is hereby amended to read as follows.

Section 118.0 FEES

No permit to begin work for new construction, alteration, removal,

demolition or other building operation shall be issued until the fees prescribed in this section shall have been paid to the City of Urbana, nor shall an amendment to a permit necessitating an additional fee because of an increase in the estimated cost of the work involved be approved until the additional fee shall have been paid.

Section 118.1 SPECIAL FEES

The payment of the fee for the construction, alteration, removal or demolition and for all work done in connection with or concurrently with the work contemplated by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that may be prescribed by law or ordinance for water taps, sewer connections, electrical permits, erection of signs and display structures, marquees or other appurtenant structures, or fees for inspections, certificates of use and occupancy or other privileges or requirements, both within and without the jurisdiction of the department of building inspection.

Section 118.2 NEW CONSTRUCTION AND ALTERATIONS

The fee for a building permit shall be two (\$2.00) dollars per one thousand (\$1,000.00) dollars of estimated cost as determined by the building official with a minimum fee of ten (\$10.00) dollars.

Section 118.3 DEMOLITION

The fee for a permit for the demolition of a building or structure shall be at the rate of ten(\$10.00) dollars per structure; except no additional fee is required for accessory buildings on the same lot when the principal building is being demolished.

Section 118.4 MOVING OF BUILDINGS

The procedures and fees for a permit for the removal of a building or structure from one lot to another or to a new location on the

same lot is set forth in the Urbana City Code.

Section 118.5 SIGNS

The fee for signs and other visual display structures for which permits are required under the provisions of this Ordinance and zoning ordinance sign regulations shall be in accordance with the fees established in the zoning ordinance.

Section 118.6 PLAN REVIEW SCHEDULE

118.61	Structure Volume (Cubic Feet)	Building Code Review
	0 to 10,000	\$ 30.00*
	10,001 to 25,000	\$ 50.00*
	25,001 to 50,000	\$ 60.00*
	50,001 to 100,000	\$ 70.00
	100,001 to 175,000	\$ 85.00
	175,001 to 250,000	\$ 90.00
	250,001 to 350,000	\$ 100.00
	For each 10,000 cubic feet in excess of 350,000	\$ 1.00*

118.62 *Structures under 50,000 cubic feet are not required to have a plan review unless in the opinion of the building official, because of unusual construction and /or occupancy it is deemed necessary to protect the public health, safety and welfare.

118.63 **The fee for use group b (Storage) and d (Industrial) is \$0.75 for each 10,000 cubic feet in excess of 350,000 cubic feet.

Section 118.7 ACCOUNTING

The city collector's office shall keep an accurate account of all fees collected for permits issued by the building official; and such collected fees shall be deposited in the municipal treasury, or otherwise disposed of as required by law.

Section 118.8 REFUNDS

In the case of a revocation of a permit or abandonment or discontinuance of a building project, the volume of the work actually completed shall be computed and any excess fee for the incomplete work shall be returned to the permit holder; except that all plan review fees incurred by the permit holder and any penalties that may have been imposed on the permit holder shall first be collected.

- d. Subsection 122.3 entitled "Violation Penalties" is hereby deleted.
- f. Section 124.0 entitled "Unsafe Buildings" is hereby amended to read as follows.

Section 124.0 UNSAFE BUILDINGS

Section 124.1 UNSAFE BUILDING DEFINED

The term unsafe building as used in this Ordinance is hereby defined to mean and include all buildings or structures that are or hereafter become:

Section 124.11

unsafe, because of faulty construction, age and deterioration and lacking maintenance or proper repair, or any other cause which is liable to collapsing or by a collapse or fall of any part of a structure cause injury or damage.

Section 124.12

unsafe, because of accumulation of junk and debris, age and deterioration, hazardous electrical wires, structures or equipment lacking maintenance or any other cause which is likely to cause fire, and constitutes or creates a fire hazard.

Section 124.13

unsafe, because of an accumulation of junk and debris, harboring rodents, age and deterioration and lacking maintenance or proper repairs to plumbing fixtures or any other cause which may cause or aid in the spread of disease or may cause injury to the health of the occupants or public.

Section 124.14

unsafe, because structure lacks adequate exitway facilities or is lacking in the proper exit sign marking or illumination or maintenance to insure the safe egress in the case of fire or other emergency situation.

Section 124.15

unsafe, because of being vacant and open, unguarded or lacking doors or windows glazing which is able to and liable to attract persons who are not lawful occupants.

Section 124.2 NUISANCE DECLARED

Any such unsafe building in the City is hereby declared to be a nuisance.

Section 124.3 UNLAWFUL TO MAINTAIN NUISANCE

It shall be unlawful to maintain or permit existence of any unsafe structure in the City; and it shall be unlawful for the owner or person in custody of any unsafe structure to permit the structure to remain in an unsafe condition; or the owner or person in custody of any unsafe structure to permit the structure to remain in an unsafe condition, or to occupy such structure or permit it to be occupied while it is or remains in an unsafe condition.

Section 124.4 NOTICE OF UNSAFE BUILDING

Whenever any officer or employee of the city charged with the duty of investigating fires, health conditions, or building construction, shall find that any structure in the city is an unsafe building, he shall file a written statement to this effect with the building official. The Building Official may thereupon issue written notice to be served upon the record owner thereof and any person whom the building official has reason to believe has a legal interest in the said premises, except the building official in his sole discretion may omit sending such notice to tenants. Any notice other than the notice directed to the record owner of the subject premises or notices under Section 124.6 hereof, shall be regarded merely as a courtesy notice and shall not be construed by any court or other legal authority to be a legal requirement or jurisdictional step in this Ordinance. Such notice may be insubstantially the following form:

TO: _____
Owner

AT: _____
Address of Owner

OWNER OF THE PREMISES KNOWN AND DESCRIBED AS _____
(Common Address)

(Legal Description)

YOU ARE HEREBY NOTIFIED THAT _____

(Description of Building)

ON THE PREMISES ABOVE DESCRIBED HAS BEEN DECLARED A NUISANCE AND AN UNSAFE
STRUCTURE AFTER INSPECTION BY: _____
Inspectors Name and Title

THE CAUSES FOR THIS DECISION ARE:

(Here insert the facts as to unsafe condition)

YOU MUST REMEDY THIS SITUATION OR DEMOLISH THE BUILDING IMMEDIATELY OR THE
CITY WILL PROCEED TO DO SO AND CHARGE THE COST THEREOF TO YOU.

Copies of this Notice were also mailed to the following:

Section 124.6 POSTING UNSAFE NOTICE

Where, upon diligent search, the identity or whereabouts of the record owner of any such building is not ascertainable, the aforesaid notice shall be mailed to the person or persons who last paid the taxes upon such premises or the subject premises, in which event, however, a notice provided for in Section 125 above shall be posted in a conspicuous place on the premises, and the building official shall, within ten days of mailing of such notice to the person who last paid the general taxes on the subject premises cause a copy of the aforesaid notice to be published one time in a newspaper of general circulation in the city of Urbana.

Section 124.7 RESTORATION OF UNSAFE STRUCTURE

A building or structure condemned by the building official may be restored to safe condition provided no change of use or occupancy is contemplated or compelled by reason of such reconstruction or restoration; except that if the damage or cost of reconstruction or restoration is in excess of fifty (50) per cent of its current assessed evaluation, such building shall be made to comply in all respects with the requirements for materials and methods of construction of buildings hereafter erected.

Section 124.8 DISREGARD OF UNSAFE NOTICE

Should the person receiving notice as set out in subsection (4) fail to comply, then the building official shall notify the city attorney, who shall take any and all steps appropriate under law or city ordinances.

- g. Section 126.0 entitled "Board of Survey" is hereby deleted.
- h. Section 127 entitled "Board of Appeals" is hereby amended to read as follows.

Section 127.0 BOARD OF APPEALS

Section 127.1 Appeals of decision of building official.

Section 127.11 APPEALS

The owner, or any person having a legal interest in a building or structure pertaining to which the building official has made any determination under this Ordinance may appeal such decision to the Building Code Board of Appeals or the Minimum Housing Code Board of Appeals as appropriate under section 127.7.

Section 127.2 Modification of Basic Building Code.

Section 127.21 VARIATIONS

When there are practical difficulties involved in carrying out structural or mechanical provisions of the Basic Code or of an approved rule, the board of appeals may vary or modify such provision upon written application of the owner or his representative, provided that the spirit and intent of the law shall be observed and public welfare and safety be assured.

Section 127.22 WRITTEN DECISION

The final decision of the board of appeals shall be in writing and shall be officially recorded with the application for the permit in the permanent records of the department of building inspection.

A copy of the final decision of the board of appeals shall be promptly mailed to the person or persons who appealed to such board.

Section 127.3 Constitution of Board of appeals.

Section 127.31 MEMBERSHIP OF BOARD

There is hereby established in the City a citizen board to be called the Building Code Board of Appeals. Such board shall consist of five members to be appointed by the Mayor, with the approval of

the City Council. The term of one of the members to expire on May 1st, 1975, one on May 1st, 1976, one on May 1st, 1977, one on May 1st, 1978 and one on May 1st, 1979. Thereafter the terms of the members shall be for five years. The Mayor shall designate one of the members to serve as chairman.

Section 127.33 ALTERNATE MEMBERS

In addition to the members herein above referred to, the Mayor, with the approval of the City Council, may appoint three (3) alternate members who shall serve on said board only in the event of one or more of the regular members being absent. The term of one alternate member to expire on May 1st, 1975, one on May 1st, 1976 and one on May 1st, 1977. The terms of members thereafter shall be for three years. The alternate members shall be numbered 1, 2, and 3 to show their priority and shall be called on to serve in order of their priority and in no event shall the Building Code Board of Appeals consist of more than five (5) members.

Section 127.34 SECRETARY

The building official may designate a clerk from the Code Enforcement department to serve as secretary to the board, who shall keep a detailed record of all proceedings on file in the department of building inspector.

Section 127.35 DISQUALIFIED MEMBERS

No member of the board shall pass on any question in which he or she is engaged as a contractor or material dealer, or in the preparation of plans or specifications, or in which he or she has any personal interest.

Section 127.4 PROCEDURES

The Building Code Board of Appeals shall have the authority to adopt rules of procedure not inconsistent with this Ordinance. The board shall further have the authority to amend such rules of procedure from time to time as in the discretion of the board is deemed appropriate.

Section 127.41 NOTICE OF REQUEST FOR HEARING

The building official shall notify the chairman of the board within seven working days of a request for a hearing before the board.

Section 127.42 NOTICE BY CHAIRMAN

The board shall meet upon notice of the chairman within ten (10) days.

Section 127.43 REGULAR MEETINGS

If warranted by the volume of work the board may schedule regular meetings.

Section 127.44 PUBLIC MEETINGS

All hearings shall be public and the appellant, his representative, the building official or member of the building inspection department and any other person whose interest may be affected by the matter before the board, shall be given an opportunity to be heard.

Section 127.45 QUORUM

Four members of the board shall constitute a quorum.

Section 127.5 DECISIONS OF BOARD OF APPEALS

Section 127.51 RESOLUTION OF THE BOARD

Every action of the board shall be by resolution and certified copies shall be furnished to the appellant and to the building official.

Section 127.52 ACTION OF BOARD OF APPEALS

The board shall affirm, modify or reverse the decision of the building official by a concurring vote of three (3) members.

Section 127.53 ACTION OF BOARD - MODIFICATION

The board shall only vary or modify a provision of the basic code by a concurring vote of four (4) of its members.

Section 127.54 DECISION ENFORCED

The building official shall take immediate action in accordance with the decision of the board.

Section 127.6 COURT REVIEW

Any person who is a party to an appeal to the Board of Appeals may appeal the decision of the said board under the provisions of the Administrative Review Act as such now exists or may be hereinafter amended.

Section 127.7 MODIFICATION OF AUTHORITY OF BUILDING CODE

BOARD OF APPEALS

All request for variation because of hardship from the provisions of the basic building code or appeals from any determination made by the building official or his authorized agent involving or concerning minimum requirements for existing residential units shall be heard by the Minimum Housing Code Board of Appeals. The decisions of the Minimum Housing Code Board of Appeals when concerning minimum building code requirements for existing residential units shall be final, and not subject to being reviewed by the building code board of appeals

- i. Section 128.0 entitled "Controlled Materials Procedure" is hereby deleted.
- j. Section 424.0 "Parking Lots" is hereby amended to read as follows.

Section 424.0 PARKING LOTS

Section 424.1 CURB CUTS

Parking lots shall be arranged to afford ready means of entrance and exit at sidewalk level; and special permits shall be secured for curb cuts from the administrative authorities.

Section 424.2 LANES AND PARKING SPACE ACCESS

Lanes not less than twelve (12) feet in width shall be provided for each row of cars;

Section 424.3 PARKING LOT OFFICES

The construction of parking lot offices shall comply with the fire district limitations of section 303.

Section 424.4 PROTECTION OF ADJOINING PROPERTY

A substantial bumper of masonry, steel or heavy timber shall be placed near all property lot lines to protect structures and property abutting the parking lot.

Section 424.5 SURFACE DRAINAGE

Parking lot shall be paved with an all weather dust free surface and shall be graded and maintained to prevent drainage onto adjoining property or on the sidewalk.

Section 424.6 ELECTRIC ILLUMINATION

Electric light wiring shall be provided on approved standards to furnish adequate illumination of driveways and lanes as required by the municipal authorities for street lighting, but in no case shall such illumination be less than onetenth (1 1/10) of one (1) watt per square foot of parking area.

- k. Subsection 429.81 entitled "Electrical Safety" is amended to read as follows.

Section 429.81 ELECTRICAL SAFETY

No overhead electrical conductors shall be installed within fifteen (15) feet, measured horizontally, of any swimming pool, nor shall any swimming pool be installed within fifteen (15) feet, measured horizontally, of any overhead conductors. The construction and installation of electrical wiring for equipment in or adjacent to swimming pools, to metallic appurtenances in or within five (5) feet of the pool, and to auxiliary equipment such as pumps, filters, and similar equipment shall conform to article 680 of the National Electrical Code as listed in appendix B.

1. Subsection 429.83 entitled "Swimming Pool Safety Devices" is amended to read as follows.

Section 429.83 SWIMMING POOL SAFETY DEVICES

Every person owning land on which there is situated a swimming pool, fish pond or other body of water which contains twenty-four (24) inches or more of water in depth at any point, shall erect and maintain thereon an adequate enclosure either surrounding the property or pool area sufficient to make such body of water inaccessible to small children. Such enclosure, including gates therein, must be not less than five (5) feet above the underlying ground; all gates must be self-latching with latches placed five (5) feet above the underlying ground or otherwise made inaccessible from the outside to small children.

A natural barrier, hedge, pool cover or other protective device approved by the governing body may be used so long as the degree of protection afforded by the substituted devices or structures is not less than the protection afforded by the enclosure, gate and latch described herein.

m. In section 513.0 entitled "Bath and Toilet Rooms", the first sentence is amended to read as follows:

"Every bath and toilet room shall be lighted and ventilated by one of the methods prescribed in this section, and shall be totally enclosed and separate from other habitable area."

n. Section 519.0 entitled "Rear Yard" is deleted.

o. Section 614.45 entitled "Hardware Height" is inserted immediately following section 614.44 entitled "Mechanical Operations" and reads as follows.

Section 614.45 HARDWARE HEIGHT

Panic proof or mechanically operated door opening hardware shall be installed at a height from the floor within reach of the average height of persons normally occupying the premises.

p. Section 1105.0 entitled "Maintenance and Operation" is deleted.

q. Subsection 1308.21 entitled "Deep Excavations" is hereby amended to read as follows.

Section 1308.21 DEEP EXCAVATIONS

Whenever an excavation is made to a depth of more than three feet below the established curb height or below the surface of the ground where there is no such curb, the person who causes such excavation to be made, if afforded the necessary license to enter the adjoining premises, shall preserve and protect from injury at all times and at his own expense such adjoining structure or premises which may be affected by the excavation. If the necessary license is not afforded by the adjoining property owner, it shall then be the duty of the

owner of the adjoining premises to make his building or structure safe by installing proper underpinning or foundations or otherwise; and such owner, if it be necessary for the prosecution of his work shall be granted the necessary license to enter the premises where the excavation or demolition is contemplated.

- r. Section 1308.22 entitled "Shallow Excavation" is hereby amended to read as follows.

Section 1308.22 SHALLOW EXCAVATIONS

Wherever an excavation is made to a depth less than three feet below the curb height or below the surface of the ground where there is no such curb level, the owner of a neighboring building or structure the safety of which may be affected by the proposed excavation, shall preserve and protect from injury and shall support his building or structure by the necessary underpinning or foundations. If necessary for that purpose, he shall be afforded a license to enter the premises where the excavation is contemplated.

- s. Section 1408.0 entitled "Bonds and Liability insurance" is hereby deleted.

Section 8.1.6 REFERENCES TO ELECTRICAL CODE

Wherever in the Basic Building Code reference is made to Article 15 entitled "Electric Wiring and Equipment" such reference shall be to the Electrical Code of the City of Urbana.

Section 8.1.7 REFERENCES TO PLUMBING, DRAINAGE AND GASPIPING CODES

Wherever in the Basic Building Code reference is made to Article 17 entitled "Plumbing, Drainage and Gaspipling", such reference shall be to the applicable Code of the City of Urbana.

Section 8.1.8 CONFLICTS WITH ZONING ORDINANCE

Wherever in the Basic Building Code there is a conflict with the zoning ordinance of the City of Urbana, the provisions of the zoning ordinance shall prevail.

Section 8.1.9 SAVING CLAUSE

Nothing in this Ordinance or in the Basic Building Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any right acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be continued, impaired or affected by this Ordinance.

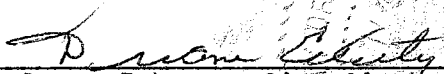
Section 8.1.10 INCONSISTENT ORDINANCE REPEALED

Ordinances or parts thereof in force at the time that this Ordinance shall take effect and inconsistent herewith, are hereby repealed.


This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 3 day of March, 1975.

PASSED by the City Council this 3 day of March, 1975.


Duane Eckerty, City Clerk

APPROVED by the Mayor this 13 day of March, 1975.


Hiram Paley, Mayor

I, DUANE ECKERTY, City Clerk, City of Urbana, Illinois, do herewith certify, that I caused the above Ordinance to be duly published in pamphlet form on the 25 day of April, 1975.



Duane Eckerty, City Clerk

