

ARTICLE I

ORDINANCE NO. 7778-72

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

WHEREAS, Sections 1-2-4 and 1-3-2 of the Illinois Municipal Code, and Section 1002 of Chapter 85, Illinois Revised Statutes, 1975, 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 regulations 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 statutes; and

WHEREAS, the City of Urbana, Illinois, is 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 CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

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, a certain building code known as "The BOCA Basic Building Code, Sixth Edition, 1975", with all amendments and appendices thereto to date of this Ordinance, as recommended by the Building Officials and Code Administration International, Inc., (sometimes hereinafter called simply "BOCA"), 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. DEFINITIONS

A. Wherever the words "municipality" or "city" are 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 Department of Community Development Services.

C. Wherever the term "assistant building official" is used in this Ordinance or in the Basic Building Code, it shall be held to mean the Director of Code Enforcement of the Department of Community Development Services.

D. Wherever the term "Department of Building Inspection" is used in this Ordinance or in the Basic Building Code, it shall be held to mean the Department of Community Development Services as established by this Ordinance.

Section 8.1.3. AMENDMENTS AND DELETIONS

The said Basic Building Code (BOCA) is amended and changed in the following respects:

A. Section 100.1, entitled "Title", is hereby amended to read as follows:

Section 100.1 TITLE

These regulations shall be known as the Building Code of Urbana, hereinafter referred to as "this code".

B. Section 100.2, entitled "Scope", is hereby amended to read as follows:

Section 100.2 SCOPE

These regulations shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures and their service equipment as herein defined, and shall apply to existing or proposed buildings and structures in the City of Urbana; except as such matters are otherwise provided for in other ordinances or statutes, or in the rules and regulations authorized for promulgation under the provisions of this code.

C. Section 105.1, entitled "Continuation of Existing Use", is hereby amended to read as follows:

Section 105.1 CONTINUATION OF EXISTING USE

The legal use and occupancy of any structure existing on the date on which this Ordinance shall take effect or for which a building permit had been heretofore approved, may be continued without change, except as may be specifically covered in this code and the property maintenance codes or as may be deemed necessary by the building official for the general safety and welfare of the occupants and the public.

D. All of Section 107.0, entitled "Department of Building Inspection", is hereby deleted and in its place is enacted the following:

Section 107.0 BUILDING INSPECTION DEPARTMENT

Section 107.1 BUILDING OFFICIAL

The Division of Code Enforcement is hereby created within the Department of Community Development Services as the Building Inspection Department; the executive official of the Department of Community Development Services shall hereinafter be specifically known and referred to in this Ordinance and Code as the Building Official, and the Director of Code Enforcement Division shall hereinafter be specifically known and referred to in this Ordinance and Code as the Assistant Building Official.

Section 107.2 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, architecture or a related field, or 2) experience of four or more years as building inspector, a contractor or superintendent of building construction for which three (3) years shall have been in responsible charge of work.

Section 107.3 QUALIFICATIONS OF ASSISTANT BUILDING OFFICIAL

To be eligible for appointment, the Assistant Building Official shall be a graduate from high school or an accredited vocational school, supplemented by two (2) years of college

level courses in construction technology or architecture, or experience of two (2) or more years in a management position in a Code Enforcement or Building Inspection Agency. In addition, individuals who hold a Bachelors Degree or better in Civil Engineering, Architecture, or related fields are eligible.

Section 107.4 APPOINTMENT

The Building Official and Assistant Building Official shall be appointed by the Mayor of the City of Urbana, by and with the advice of the City Council.

Section 107.5 ORGANIZATION

The City Council shall authorize such number of inspectors, technical assistants, officers and other positions as shall be needed for the proper administration of this Ordinance and all other related city ordinances administered by the Department of Community Development Services.

Section 107.6 DEPUTIES

The Building Official may designate employees of the Department of Code Enforcement as deputies who shall exercise all the powers of the Building Official and Assistant Building Official in accordance with the written delegation of said powers. Wherever in this or any other Ordinance of the City of Urbana a duty or responsibility is placed upon the Building Official or Assistant Building Official, such duty or responsibility may be executed by the Building Official, or the duly authorized representative thereof.

Section 107.7 QUALIFICATIONS OF DEPUTIES

Qualifications for inspectors, officers and other code enforcement employees, who are within the Civil Service classification, shall be determined by the Urbana Civil Service Commission in accordance with applicable state statutes and as set forth in the Civil Service approved job description.

Section 107.8 RESTRICTIONS ON EMPLOYEES

No official or employee employed with the 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, maintenance of a building, or the preparation of plans or of specifications therefor, 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 107.9 RELIEF FROM PERSONAL RESPONSIBILITY

The Building Official and Assistant Building Official, officers, members of the Building Code Board of Appeals or employees 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 amendment thereto shall be defended by a legal representative of the City of Urbana until the final termination of the proceedings. The Building Official or any of his subordinates shall not be liable for cost in any action, suit or proceeding that may be instituted in pursuance of the provisions of the 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 107.10 OFFICIAL RECORDS

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

E. Section 110.0, entitled "Modification", is hereby deleted.

F. Section 118.0, entitled "Fees", is hereby deleted and in its place is enacted the following:

Section 118.1 FEES, GENERAL

A permit to begin work for new construction, alteration, removal, demolition or other building operation shall not 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 be issued until the additional fee has been paid.

Section 118.2 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 plumbing permits, 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 Community Development Services.

Section 118.3 NEW CONSTRUCTION AND ALTERATIONS

The fee for a building permit shall be based on three dollars (\$3.00) per one thousand dollars (\$1,000.00) of estimated construction cost, as calculated by the Building Official, based on the rates available report, called Building Valuation Data, as published by Building Officials and Code Administration International, Inc., with a minimum fee of ten dollars (\$10.00) per structure.

Section 118.4 MOVING OF BUILDINGS

The fees for a permit for the moving of a building or structure from one lot to another or to a new location on the same lot is as set forth separately in the Urbana City Code.

Section 118.5 DEMOLITION

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

## Section 118.6 SIGNS

The fee for signs and other visual display structures for which permits are required under the provisions of both this Ordinance and Code as well as the Zoning Ordinance Sign Regulations shall be in accordance with the fees established in the Urbana Zoning Ordinance.

## Section 118.7 PLAN REVIEW FEE SCHEDULE

STRUCTURE VOLUME (Cubic Feet)			BUILDING CODE REVIEW
0	To	10,000	\$ 40.00
10,001	To	20,000	65.00
20,001	To	40,000	85.00
40,001	To	60,000	115.00
60,001	To	80,000	140.00
80,001	To	100,000	165.00
100,001	To	150,000	195.00
150,001	To	200,000	230.00
	Over	200,000	230.00

Plus \$2.30 per  
every 10,000 ft.  
over 200,000 ft.

## Subsection 118.7.1

The Building Official may waive the plan review fee for structures under 5,000 cubic feet in cases involving accessory structures and minor structural repairs to or remodeling of existing buildings not involving a change of use (occupancy). (The above section does not waive the plan review fee for a change of use (occupancy) of an existing building).

## Subsection 118.7.2

Plan review fees for assembly and institutional and mercantile covered malls (over 40,000 ft.) shall be 1.5 times the indicated base fee.

## Subsection 118.7.3

Plan review fees shall be multiplied by 1.5 when mechanical and plumbing plans are required to be reviewed (0.25 for electrical and mechanical, and 0.25 for plumbing review).

## Section 118.8 ACCOUNTING

The Municipal 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 City Treasury, or otherwise disposed of as required by law.

Section 118.9 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 by the Building Official 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.

G. Section 122.3, entitled "Violation Penalties", is hereby deleted.

H. Section 123.2, entitled "Unlawful Continuance", is hereby deleted and in its place is enacted the following:

Section 123.2 UNLAWFUL CONTINUANCE

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as he is directed to perform to remove a violation or unsafe conditions, shall be liable to the penalties described in Section 8.1.10 of this Ordinance.

I. Section 124.0, entitled "Unsafe Structures", is hereby deleted and in its place is enacted the following:

Section 124.0 UNSAFE STRUCTURES

Section 124.1 UNSAFE STRUCTURES DEFINED

Unsafe structures are hereby defined to mean and include all buildings and structures that are described in Subsections 124.1.1 through 124.1.5.

Subsection 124.1.1

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 which would cause injury or damage.

Subsection 124.1.2

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

Subsection 124.1.3

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.

Subsection 124.1.4

Unsafe, because structure lacks adequate exitway facilities or fire alarms 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.

Subsection 124.1.5

Unsafe, because of being vacant and open, unguarded or lacking doors or window 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 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

Subsection 124.4.1

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.

Subsection 124.4.2

The Building Official shall, upon receipt of the written statement set forth in 124.4.1 above, thereupon give written notice in substantially the form set forth in Subsection 124.4.3 below, to each of the record owners of the parcel upon which such

unsafe building is located. Such notice shall be served upon the said record owner(s) either by personal service, or by certified mail return receipt requested.

Subsection 124.4.3

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:

\_\_\_\_\_  
(Inspector's 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 ON OR BEFORE THE \_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_, 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Subsection 124.4.4

If any of the record owners is not personally served or fails or refuses to receipt for the certified mail

containing the said notice, then the Building Official shall do each of the following:

A. Send an exact copy of the notice which was addressed to each of the record owners to the person who last paid the general taxes on the parcel upon which the unsafe building is located at such person's address as shown by the records of the County Collector of Champaign County, and

B. Post in a conspicuous place on the premises where the unsafe building is located a notice substantially in the form set forth in 124.4.5 below, and

C. Shall cause to be published one time in a newspaper of general daily circulation in the City of Urbana, a copy of the notice so posted.

Subsection 124.4.5

The notice to be posted shall be in substantially the following form:

NOTICE of unsafe building located at \_\_\_\_\_, Urbana, Illinois.

To all who may have any legal interest in the above described premises:

The Building Official of the City of Urbana has declared the structure on the above said premises to be an unsafe building, to wit: (describe deficiencies of structure in general terms).

The reasons for declaring the above structure an unsafe building must be remedied or the structure demolished under a proper permit issued by the City of Urbana, Illinois, on or before the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, or the City of Urbana shall initiate legal steps to do so.

Dated at Urbana, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Building Official

Subsection 124.4.6

Nothing in this Ordinance shall be considered to bar or prevent the Building Official from sending copies of the notices, which were sent to the record owner(s), to any person whom he believes may have a lien or other legal interest in the subject premises but such courtesy notice shall not be deemed to be jurisdictional.

Subsection 124.4.7

If the unsafe condition is not remedied or the unsafe building demolished within the time set forth in the notice sent to the record owner(s), or the notice published pursuant to the Ordinance, if such notice shall be required under this Ordinance, the City shall be authorized to seek an appropriate order to remedy the unsafe condition as prescribed by state law in a court of competent jurisdiction.

J. Section 126.3, entitled "Compensation of Board of Survey", is hereby amended as follows:

Section 126.3 COMPENSATION OF BOARD OF SURVEY

The third member of the board shall receive for his services a fee of fifty dollars (\$50.00) to be paid by the appellant.

K. Section 127.0, 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

Subsection 127.1.1 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

Subsection 127.2.1 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 under public welfare and safety be assured.

Subsection 127.2.2 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.

Subsection 127.2.3 MODIFICATION OF AUTHORITY OF BUILDING CODE BOARD OF APPEALS

All requests for variation 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. All requests for variation 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 all existing non-residential structures, and all new construction shall be heard by the Building Code Board of Appeals.

Section 127.3 CONSTITUTION OF BOARD OF APPEALS

Subsection 127.3.1 MEMBERSHIP OF BOARD

The members of the Building Code Board of Appeals serving on the effective date of this Ordinance are hereby appointed to the board in the same capacity at the time the Ordinance becomes effective for the term each respectively held. The successor to each member so appointed shall serve for a term of five years.

Subsection 127.3.2 ALTERNATE MEMBERS

In addition to the members hereinabove 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 alternate members of the Building Code Board of Appeals serving on the effective date of this Ordinance are hereby appointed to the board in the same capacity at the time the Ordinance becomes effective for the term each respectively held. The successor to

each member so appointed shall serve for a term of three (3) years.

Subsection 127.3.3 SECRETARY

The Building Official may designate a clerk from the Community Development Services to serve as secretary to the board, who shall keep a detailed record of all proceedings on file in the Department of Building Inspection.

Subsection 127.3.4 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 Official shall notify the chairman within fifteen (15) working days of a request for hearing before the board.

Subsection 127.4.3 REGULAR MEETINGS

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

Subsection 127.4.4 PUBLIC MEETINGS

All hearings shall be public and the appellant, his representative, the Building Official or member of the Department of Building Inspection and any other person whose interest may be affected by the matter before the board, shall be given an opportunity to be heard.

Subsection 127.4.5 QUORUM

Four (4) members of the board shall constitute a quorum.

Section 127.5 DECISIONS OF BOARD OF APPEALS

Subsection 127.5.1 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.

Subsection 127.5.2 ACTION OF BOARD OF APPEALS

The board shall affirm, modify or reverse the decision of the Building Official by a concurring vote of four (4) members.

Subsection 127.5.3 ACTION OF BOARD - MODIFICATION

The board shall only vary or modify a provision of the Basic Code by a concurring vote of three (3) of its members.

Subsection 127.5.4 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 hereafter amended.

L. Section 316.0, entitled "Physically Handicapped and Aged", is hereby deleted. (See separate City Ordinance).

M. Section 423.0, entitled "Parking Lots", is hereby deleted and in its place is enacted the following:

Section 423.0 PARKING LOTS

Section 423.1 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 Department of Public Works.

Section 423.2 LANES AND PARKING SPACE ACCESS

Lanes not less than twelve (12) feet in width shall be provided for each row of cars. (See Urbana Zoning Ordinance for additional requirements).

Section 423.4 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 423.5 SURFACE DRAINAGE

Parking lots shall be paved with an all weather dust free surface and shall be graded and maintained to prevent drainage onto adjoining property and to prevent drainage across public right-of-way.

Section 423.6 ELECTRICAL 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.

N. Subsection 428.8.1, entitled "Electrical Safety", is deleted and in its place is enacted the following:

Subsection 428.8.1 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 auxillary equipment such as pumps, filters, and similar equipment shall conform to Article 680 of the National Electrical Code as listed in Appendix B.

Subsection 428.8.3, entitled "Swimming Pool Safety Devices", is deleted and in its place is enacted the following:

Subsection 428.8.3 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 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 Building Code Board of Appeals 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 as described herein.

O. Section 512.0, entitled "Bath and Toilet Rooms", the first sentence is amended to read as follows:

Section 512.1 GENERAL

Every bath and toilet room shall be lighted and ventilated by one of the methods prescribed in Sections 512.2 through 512.6 and shall be totally enclosed and separate from other habitable areas.

P. Section 517.0, entitled "Rear Yard", is deleted.

Q. Subsection 612.5.5, entitled "Hardware Height", is inserted immediately following Section 612.5.4 and reads as follows:

Subsection 612.5.5 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.

R. Subsection 1307.2.1, entitled "Deep Excavations", is hereby deleted and in its place is enacted the following:

Subsection 1307.2.1 DEEP EXCAVATIONS

Whenever an excavation is made to a depth of more than three (3) 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 premise where the excavation or demolition is contemplated.

Subsection 1307.2.2, entitled "Shallow Excavations", is hereby deleted and the following enacted:

Subsection 1307.2.2 SHALLOW EXCAVATIONS

Where an excavation is made to a depth less than three (3) 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.

Section 8.1.4. BOND PREREQUISITE TO ISSUANCE OF PERMIT

A. All contractors or other persons doing or proposing to do work requiring a building permit from the city shall, before such permit may be issued, post a bond with the City Clerk of the City of Urbana, in the principal sum of ten thousand dollars (\$10,000.00). The bond shall be in a form that is commonly used in this area by commercial bonding companies and shall have good and adequate securities thereon. The City of Urbana may withhold approval of such bond if the city has an unsatisfied judgement against the principal on such tendered bond. The building permit may be issued upon approval of such bond by the Administrator of the Department of Community Development Services. The condition of the bond shall be that a person to whom such permit is issued shall restore the city streets, all sidewalks and parkways to as good condition as the same were before any such work may have been done, and further, that the person to whom such permit is issued shall indemnify and save harmless the city from all liability of damages to persons or property caused or asserted to have been caused on account of anything growing out of the doing of any work for which the permit was issued.

B. However, any property owner who plans to do his/her own work on such owner's own property, or on city property adjacent to such owner's own property, between his/her property and the paved portion of the street shall not be required to furnish such a bond. Any work on the public right-of-way will require approval and a permit from the Department of Public Works.

C. Contractors posting surety bonds on city contracts shall not be required to post any bond required by subsection (A) of this Section. (Urbana City Code, Chapter 8, Section 8.5).

Section 8.1.5. FIRE LIMITS ESTABLISHED

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 and industrial under the City's Zoning Ordinance.

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 HEATING, VENTILATING, AND AIR CONDITIONING

Wherever in the Basic Building Code reference is made to Article 11, entitled "Heating Equipment and Appliances - Mounting Clearances and Connections", such reference shall be to the Mechanical Code of the City of Urbana.

Section 8.1.8. REFERENCES TO PLUMBING, DRAINAGE AND GAS PIPING CODES

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

Section 8.1.9. 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 8.1.10. PENALTIES

Any person who violates the provisions of this Ordinance shall upon conviction thereof be fined not more than Two Hundred Dollars (\$200.00) and in addition shall pay all costs and expenses involved in litigation. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 8.1.11. SAVINGS 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.

Section 8.1.12. 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 15th day of May, 1978.

PASSED by the City Council this 15<sup>TH</sup> day of MAY,  
1978.

Duane Eckerty  
Duane Eckerty, City Clerk

APPROVED by the Mayor this 6<sup>TH</sup> day of June,

1978.

Jeffrey T. Markland  
Jeffrey T. Markland, 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 9<sup>TH</sup> day of June

1978.

Duane Eckerty  
Duane Eckerty, City Clerk