

ORDINANCE NO. 8-2014

**AN ORDINANCE AMENDING VARIOUS PROVISIONS OF
CHAPTER 5, BUILDING AND BUILDING REGULATIONS,
OF THE EVERGREEN PARK MUNICIPAL CODE**

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Evergreen Park, Cook County, Illinois, as follows:

Section 1

That Section 5-353, Registration fee, of Chapter 5, Building and Building Regulations, of the Evergreen Park Municipal Code be amended to read as follows:

Sec. 5-353. Rental housing registration fee.

The annual registration fee for rental housing shall be \$25.00 for each dwelling unit in a multi-family structure and \$35.00 for each single-family residential dwelling owned and shall be paid at the time of filing the registration statement (or amendment thereto), provided that the registration statement is timely filed. The annual registration fee shall be due for any additional dwelling units purchased or converted to rental subsequent to March 1, which additional registration fee shall be due within 30 days after the dwelling unit was purchased or converted to rental. The registration fee for a late registration statement filed after March 1 of each year or after 30 days after the dwelling unit was purchased or converted to rental shall be double the normal registration fee. Registration fees shall not be prorated. Violations not corrected will be subject to citation and fine.

Section 2

That Section 5-110, Bond Required, of Chapter 5, Building and Building Regulations, of the Evergreen Park Municipal Code be amended to read as follows:

Sec. 5-110. Bond Required.

(a) *Cash Bond.* A cash bond for permits; cash meaning currency, money order, business check or cashier's check shall be deposited with the Village before a building permit, electrical permit, or plumbing permit is issued. A cash bond shall be refunded to the person making the deposit within 30 days after the certificate of occupancy is issued unless a portion of the cash bond is retained to insure that the public sidewalk or public street is properly repaired where there has been a street cut or augering. The cash bond shall not be refunded if work remains to be completed to meet the requirements of this chapter. If work is not completed, the Village shall send written notice to the permittee that work remains to be completed, and that such work must be completed within 30 days. If the work is not satisfactorily completed within 30 days after notice, the Village may cause the work to be completed, with payment for said

work (including a 25 percent Village administrative fee) to be deducted from the cash bond and any remainder refunded. If a cash bond is not sufficient to cover the payment, the full amount of the cash bond shall be forfeited and the permittee shall be billed for the difference. Any cash bond remaining after 4 years of deposit shall be forfeited to the Village to cover administrative costs.

(b) *Single-Family Residences - New Construction.* The amount of the cash bond shall be \$500 except in the following cases:

(1) Where a street is to be augered for sewer; or

(2) Where a street is to be open cut,

in which cases the bond shall be \$1,500. An additional plumbing cash bond of \$500 and an additional electrical bond of \$500 shall be required.

(c) *Multiple-Family Buildings - New Construction.* The amount of cash bond shall be \$500 per dwelling unit but not less than \$1,500. An additional plumbing cash bond of \$500 and an additional electrical cash bond of \$500 shall be required.

(d) *Commercial Buildings - New Construction.* The amount of cash bond shall be \$20,000 for all commercial buildings which includes the plumbing cash bond and electrical cash bond except where the cost of construction exceeds \$1,000,000 then a separate \$5,000 plumbing cash bond and a \$5,000 electrical cash bond shall be required.

(e) *Existing Commercial Buildings.* The amount of the cash bond shall be \$10,000 which includes the plumbing cash bond and electrical cash bond.

(f) *Existing Residential Buildings.*

(1) Residential building is to be owner occupied. The amount of the cash bond shall be \$500 where the amount of construction work being permitted is \$5,000 or more. For work less than \$5,000, the amount of the cash bond shall be \$250. An additional plumbing cash bond of \$500 and an additional electrical cash bond of \$500 shall be required.

(2) Vacant residential building is to be non-owner occupied. The amount of the cash bond shall be \$10,000 and must be paid by the property owner for any residential building which is being rehabilitated where the building has been vacant just prior to acquisition thereof and the building will be non-owner occupied after rehabilitation. An additional plumbing cash bond of \$500 and an additional electrical cash bond of \$500 shall be required. This category covers building which are being substantially rehabilitated for sale or for rent. A structure is "non-owner occupied" if the person or entity which purchased the property and is making or contracting for the improvements does not occupy the same as their principal residence for at least 12 months after the certificate of occupancy is issued. Such structure must be entitled to a

homeowner's exemption from the Cook County Assessor for that entire 12-month period in order to be owner-occupied.

(g) *Building Demolitions.* The amount of the cash bond shall be \$1,000 for single family residential buildings, \$500 for residential garages and \$5,000 for all other buildings.

(h) *Refund.* Any fees owed to the Village, including building permit fees, inspection fees, professional fees and unpaid fines for violations incurred during construction shall be deducted from the cash bond on deposit with the Village before any refund is made.

(i) *Payment.* All cash bonds shall be paid by the property owner, except that a cash bond required for electrical or plumbing work shall be paid by the applicable contractor.

Section 3

That Section 5-112, Building Inspection Fees, of Chapter 5, Building and Building Regulations, of the Evergreen Park Municipal Code be amended to read as follows:

Sec. 5-112. Building Inspection Fees.

A residential inspection fee of \$50.00 shall be paid for each separate inspection (including building, plumbing, electrical, and HVAC) required by the Village at the construction site. A commercial/industrial inspection fee of \$60.00 shall be paid for each separate inspection (including building, plumbing, electrical, and HVAC) required by the Village at the construction site. Inspection fees are in addition to permit fees.

Section 4

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 5

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 6

This ordinance shall be in full force and effect after passage and approval.

This ordinance was passed and deposited in the office of the Village Clerk of the Village of Evergreen Park this 7th day of April, 2014.

CATHERINE T. APARO, Village Clerk

APPROVED by me this 7th
day of April, 2014.

JAMES J. SEXTON, Mayor