

BUILDING CODE AND REGULATIONS**§ 150.01 PERMIT REQUIRED.**

It shall be unlawful to construct any building or structure in the village where the cost of such construction exceeds \$100 or to alter or remodel any building or structure so as to change any walls, beams, supports or the roof thereof, without having first secured a permit therefor, or in violation of the terms of such permit, or in violation of the terms of this subchapter.

(Ord. 002, passed 4-1-1975; Ord. 435/A1, passed 6-7-2017) Penalty, see § 150.99

§ 150.02 AGRICULTURAL EXEMPTION.

(A) Exempt from the provisions of this subchapter, as provided by the state statute, are farm residences and other buildings and structures used for agricultural purposes on farms.

(B) To be considered exempt, such residence, building or structure shall be located on a farm that is such in fact and not in name only and be accessory to the cultivation of crop acreage or animal husbandry operations of such extent and character as generally prevail on farms.

(Ord. 002, passed 4-1-1975)

§ 150.03 APPLICATION.

Application for such permits shall be made to the Building Department and shall be accompanied by plans and specifications in duplicate showing the work to be done; such plans shall be verified by the signature of either the owner of the premises or by the architect or contractor in charge of the operations.

(Ord. 002, passed 4-1-1975; Ord. 002/A4, passed 4-1-1978)

§ 150.04 APPROVAL OF PLANS.

(A) Such applications with plans shall be referred to the Building Department, who shall examine the same to determine whether the proposed construction or alteration will comply with the subchapter provisions relative thereto.

(B) Upon approval, one set of plans shall be returned to the applicant with a permit and the other shall be retained by the Building Department. No permit shall be issued until after approval of plans.

(Ord. 002, passed 4-1-1975; Ord. 002/A4, passed 4-1-1978)

§ 150.05 VARIATIONS.

(A) *Variations from approved submitted plans.* It shall be unlawful to vary from submitted plans and specifications unless such variations are submitted in an amended plan to the Department of Building and Zoning and approved by same.

(B) *Variations from the Building Code standards.* When there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of the Building Code, the regulations may be altered (to a limited extent), in order to make the regulations practical, however, the variation shall remain in harmony with the general purpose and intent of the Code. If the Department of Building and Zoning considers that a variation is in order, the same shall advise the petitioner to petition the Zoning Board of Appeals (ZBA) for a hearing.

(C) *Application to ZBA for a hearing on a variation.* To obtain a variation, the petitioner must submit an application in triplicate to the Department of Building and Zoning which said Department shall then forward a copy of same to the Board of Trustees and the ZBA requesting a ZBA hearing so that the request for said variation can be heard before the ZBA and a recommendation by the ZBA thereby be forwarded to the Board of Trustees for a final decision.

(1) The application shall contain the following minimum data and such additional information as the Department of Building and Zoning shall deem necessary.

(2) Application for variation; ZBA hearing:

- (a) Name;
- (b) Address;
- (c) Phone number;
- (d) Lot number and block number;
- (e) Structure, existing or new;
- (f) To what section of the code does request apply;
- (g) Reasons for variance; and
- (h) Miscellaneous data.

(Ord. 002, passed 4-1-1975; Ord. 002/A6, passed 5-26-1978; Ord. 002/A9, passed 3-25-1989)

§ 150.06 ENFORCEMENT.

The Building Inspector shall make or cause to be made such inspections as are necessary to see to the enforcement of the provisions of this section, and to make any tests or examinations of materials or methods to be used for the purpose of seeing that they comply with the provisions of this section. No percolation test shall be performed or the results thereof accepted unless 24-hours' prior notice has been given to the Department of Building and Zoning of the time and date thereof.

(Ord. 002, passed 4-1-1975; Ord. 002/A6, passed 5-26-1978)

§ 150.07 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 be as set by the village.

(Ord. 002, passed 4-1-1975; Ord. 002/A2, passed 9-22-1977; Ord. 002/A5, passed 4-1-1978; Ord. 002/A7, passed 3-22-1979; Ord. 002/A8, passed 7-26-1979; Ord. 002/A9, passed 3-25-1989; Ord. 002/A12, passed 5-22-1991)

§ 150.08 MINIMUM SPECIFICATIONS.

(A) *Minimum floor areas.* No building permit shall be issued for a single-family residential dwelling unit unless it shall contain the following minimum principal floor areas, excluding garages and basements:

- (1) Single-level building (one story): 1,400 square feet;
- (2) Two-story building: 1,600 square feet; and
- (3) Tri-level building: 1,600 square feet.

(B) *Provisions for a garage.* No permit shall be issued for any new residential dwelling unit construction unless a minimum of a one-car garage is included constructed prior to occupancy. Siding and design consistent with residential dwelling.

(C) *Driveway.*

(1) No access from any road to any lot shall be permitted over and across any street right-of-way ditch until a metal culvert not less than 15 inches in diameter and not less than 26 feet long for a double driveway, but not longer than 29-1/2 feet for a single driveway, two feet on either side of driveway, but no less than a minimum of 14 feet, except where this does not apply to the standard normal.

(2) No further construction shall be permitted on the premises of any new residential building after the basement foundation footing and walls are made and back-filled unless and until a gravel driveway is installed from the street to the garage site. Said driveway shall be at least ten feet wide and shall consist of a base having a minimum of eight inches of gravel. Said driveway shall not be less than 20% of the width of the lot from a street side lot line, or 10% from the nearest interior side lot line, unless there is a utility easement, then setback shall not be less than 9.84 feet or whichever is the greater.

(3) Said driveway shall be paved blacktop or concrete within six months, weather permitting, after receiving a temporary occupancy permit.

(D) *Grade.*

(1) Every application for a building permit shall show and note the foundation finish grade for each elevation of the building or structure.

(2) All elevations shall be based on a bench mark of the established grade, which is the road centerline at a point opposite the middle of the principle building wall facing the front lot line.

(3) The grade alteration, if any, shall be such that the natural flow of surface water will not be diverted from its normal destination and will not be increased to the abutting property.

(4) The foundation finished grade shall not exceed (whichever is highest) the established grade or any other natural high point of the lot by 13 inches or 33 centimeters.

(5) Every application for a new construction building permit shall show foundation grade, finished grade, surface water run-on/run-off design plan as to negate/minimize additional impact of run-off onto adjacent lots, such plan to be approved by the Village Engineer prior to issuance of building permit with approval of the completed, final grade by the Village Engineer before an occupancy permit will be issued.

(E) *Electrical; minimum specifications for residence dwelling.*

(1) All electrical work, unless otherwise specifically stated herein, shall be installed in full compliance with the latest edition of the National Electrical Code, 2002 Edition ("NEC") and with the rules and regulations regarding the installation, alteration and use of electrical equipment adopted by the Commonwealth Edison Company.

(2) The regulations of the National Electrical Code, latest edition, published by the National Board Office Underwriters, are hereby adopted by reference except for the following exceptions and modifications.

(a) *Conduits.* All new electric wiring in new buildings and in basements of existing buildings shall be installed in rigid conduit, thin wall conduit or B.X.

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(b) *Service.*

1. Services shall be in rigid thick wall metal conduit on the outside of the building and firmly fastened to the building. Entrance service cable may be used where practical or necessary.

2. A 100-ampere three-wire service with switch and protective device is required. Wires shall not be smaller than #2.

(c) *Circuits.*

1. In all dwellings, the minimum service shall be 100 amperes with a 20-circuit cabinet.

2. Wiring for kitchens, laundries or utility rooms and for high duty appliance outlets where 20 ampere or larger fuses or circuit breakers are to be used shall be on separate circuits using conductors no small than #12 wire, with a minimum of two circuits for each room.

3. All underground conductors shall be installed in metal or fiber conduit placed at least 12 inches below grade, or if approved by the Building and Zoning Department, in special cases, the type of cable specified in § 93391 of the National Electrical Code may be used.

4. In all applications, a single main disconnecting means shall be installed.

5. Any heating plant shall be on a separate circuit.

6. A separate disconnect switch shall be installed for all heating and air conditioning units located on the wall or at the unit.

7. Each motor load of three-fourths horsepower or more shall be on a separate circuit.

8. Twin, tandem, duplex or split circuit breakers shall not be approved on new installations.

9. Low voltage wiring for lighting circuits, control or signaling circuits or communicating systems may be run exposed in accessible areas only when not subject to mechanical injury.

10. In all dwellings, all rooms shall be wired. This is to include accessible attics, stair halls, walk-in closets, basement storerooms, utility rooms, family rooms, recreation rooms, pantries, garages and similar locations.

11. Built-in ovens and surface sections (ranges) shall each be supplied by a separate circuit unless they are directly a single unit.

12. In all family residences, there shall be at least one outlet on each wall except in bathrooms, closets, garages and basements.

13. There shall be no more than ten power consuming openings per circuit.

(d) *Receptacles.*

1. Only three-wire grounded receptacles shall be acceptable.

2. A duplex wall receptacle shall be installed in each bath or powder room with G.F.I. (Ground fault interceptor).

3. A duplex wall receptacle shall be installed in each hallway or foyer.

4. Two duplex weatherproof receptacles shall be installed on the outside of the building with G.F.I.

5. Any receptacle within three feet of a laundry tub shall be G.F.I.

(e) *Fixtures.*

1. A light shall be installed in every accessible storage area, including attic and crawl space.

2. Walk-in closet shall have a closet light controlled by a pull chain (minimum requirement).

3. Crawl spaces with heating plants shall have one light at the access to the crawl space and one light at the heating plant, both being controlled by a wall switch at the access with G.F.I. This also includes remote sump pumps.

4. A light shall be installed over every kitchen sink, bathroom lavatory and laundry tub, in addition to the general lights in the room with G.F.I.

5. An outside light controlled by a wall switch shall be installed at each entry and exit, including garages and balconies with G.F.I.

6. Stairways, halls, passageways and corridors accessible by more than one entry or exit shall have a ceiling light or lights controlled by three-way or four-way switches.

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1. *Front yard.* The front yard setback line shall not be less than 10% of the depth of the lot (front lot line to rear lot line), except for corner lots where in no case shall the setback line be less than 19.68 feet.

2. *Side yard interior.* The side yard interior setback line shall not be less than 10% of the width of the lot or combined developed lot, unless there is a side easement, then said line shall not be less than 9.84 feet.

3. *Side yard abutting a street.* The street side yard setback line shall not be less than 20% of the width of the lot.

(g) General regulations.**1. Repair of buildings.**

a. Any construction work on existing buildings that requires replacing the following: roofing, flashing, siding, window and door frames shall be classified as repair work and a permit fee shall be required.

b. The Building and Zoning Department must be notified of the intended repairs.

2. *Noise control.* No construction work requiring the use of power tools or power machinery of any kind shall be undertaken before 7:00 a.m. or after 8:00 p.m., Monday through Friday, and before 8:00 a.m. or after 8:00 p.m., Saturday and Sunday.

3. *Emergency escapeway.* All basements shall have at least one direct escape means to the outside through the basement wall. The escapeway shall have a minimum clear opening of 33 inches or 84 cm wide by 48 inches or 122 cm high and the sill of the opening shall be at least a maximum height from the floor of 37 inches or 94 cm, and the access wall shall be a minimum of 37 inches or 94 cm from the foundation wall.

(h) Insulation specifications.

1. All new construction shall be thermal insulated with a suitable insulating material that will not mold, rot, burn or support vermin.

2. Minimum amounts for residential principal buildings:

a. Exterior wall shall have a minimum of an "R" factor of ten for frame construction and an "R" factor of four for masonry construction;

b. Ceilings or roofs shall have a minimum of an "R" factor of 12; and

c. Where the roof serves also as the finished ceiling a vent space of two inches shall be required between insulation and roof with venting at eaves and ridge, and a minimum of an "R" factor of ten for insulation.

(i) *Plumbing regulations.* In full compliance with the provisions of the County Building Ordinance, as amended.

(j) *Exterior of residence regulations.*

1. Exterior of residence must be fully completed six months from the date of the temporary occupancy permit.

2. Lawn must be final-craved and seeded six months from the date of the temporary occupancy permit.

(Ord. 002, passed 4-1-1975; Ord. 002/A1, passed 10-21-1975; Ord. 002/A3, passed 9-22-1977; Ord. 002/A4, passed 4-1-1978; Ord. 002/A10, passed 7-22-1980; Ord. 022/A11, passed 10-24-1990; Ord. 002/A13, passed 12-3-1993; Ord. 02/14, passed 9-7-1994; Ord. 002/A15, passed 6-15-2005; Ord. 002/A16, passed 3-15-2006; Ord. 435/A1, passed 6-7-2017)

§ 150.09 BUILDING CODE.

(A) The village hereby adopts the following building codes to be known as the "Village of Wonder Lake Building Code":

- (1) 2003 International Building Code ("IBC"), including appendices;
- (2) 2003 International Property Maintenance Code ("IPMC");
- (3) 2003 International Mechanical Code ("IMC");
- (4) 2003 International Fire Code ("IFC");
- (5) 2003 International Residential Code ("IRC") including: Appendices A, B, C, G, H, J, K and L;
- (6) National Electric Code, 2002 Edition ("NEC"); and
- (7) State of Illinois Plumbing Code, current edition.

(B) The additions, changes and deletions to these codes are hereby adopted by reference and incorporated herein as if set out in full.

(Ord. 002, passed 4-1-1975; Ord. 002/A9, passed 3-25-1989; Ord. 02/93A, passed 2-3-1993; Ord. 002A/17, passed 4-4-2007; Ord.002A/18, passed 9-3-2008)

§ 150.10 CERTIFICATE OF OCCUPANCY.

(A) No certificate of occupancy for any building or structure erected, altered or repaired after adoption of this subchapter shall be issued unless such building or structure was erected, altered or repaired in compliance with the provisions of this subchapter.

(B) (1) Prior to the issuance of a certificate of occupancy pursuant to the ordinances of the village, the Building Inspector shall file an unexecuted certificate of occupancy with the County Supervisor of Assessments; and that the owner of the property for which said occupancy permit is requested, shall obtain from the County Supervisor of Assessments, in the form prescribed by said official, a receipt showing that the unexecuted certificate of occupancy has been duly filed and that the property is subject to increased assessment from the date of issue of the certificate on a proportionate basis for the year in which improvement was completed.

(2) The owner of said property shall file said receipt with the Building Department of the village and the Building Inspector shall file a certified copy of the certificate of occupancy, when issued, with the County Supervisor of Assessments.

(Ord. 002, passed 4-1-1975; Ord. 003, passed 4-1-1975)

§ 150.11 INTERPRETATION.

Wherever in the building regulations it is provided that anything must be done to the approval of or subject to the direction of, the Building Inspector or any other officer of the village, this shall be construed to give such officer only the discretion of determining whether the rules and standards established by ordinance have been complied with; and no such provision shall be construed as giving any officer discretionary powers as to what regulations or standards shall be, or power to require conditions not prescribed by ordinance or to enforce ordinance provisions in an arbitrary or discriminatory manner.

(Ord. 002, passed 4-1-1975)

MONOTONY CODE

§ 150.25 PURPOSE.

The purpose of this subchapter is to: preserve the aesthetically pleasing character of the village's residential districts by promoting a diversity of architectural design; protect and enhance property values; and promote the easy identification of houses by encouraging new dwelling unit construction of distinctive design and discouraging excessive similarity among adjacent dwellings.

(Ord. 236, passed 3-15-2006)

§ 150.26 RESIDENTIAL CONSTRUCTION; DESIGN VARIETY.

(A) No building permit shall be issued for any new single-family detached dwelling unit which is similar in appearance to any dwelling on the same street which is within three lots distance of it. However, those single-family dwellings with a signed sales contract or approved application for building permit bearing a date prior to the date of this subchapter shall be exempt from the provisions of this subchapter.

(B) A new single-family detached dwelling unit on a corner lot may be considered dissimilar to another if the two dwellings face different streets. On cul-de-sac turnarounds, no dwelling shall be similar in appearance to another dwelling on the turnaround.

(Ord. 236, passed 3-15-2006)

§ 150.27 EXCESSIVE SIMILARITY; STANDARDS.

(A) *General.* For the purpose of this subchapter, ***SIMILAR IN APPEARANCE*** shall mean a single-family detached dwelling which is identical, or nearly identical, to another in any three of the following characteristics:

- (1) Roof type (gable, hip, mansard, gambrel, flat, combination);
- (2) Roof height;
- (3) Approximate dimensions (height and length) of the front wall closest to the front lot line;
- (4) Shape of the front elevation silhouette;
- (5) Relative locations and sizes of windows in the front elevation;
- (6) Relative location and dimensions of garage door(s), if included on the front elevation;

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(7) Type(s) of siding (e.g., brick veneer, lapped horizontal siding, half-timber, board and batten, shakes and the like) on the front elevation; and

(8) Exterior color.

(B) *Housing styles.* If adjacent lots contain different single-family detached housing styles as herein described, the previously delineated similarity standards to not apply. Housing style is in and of itself a significant enough characteristic to constitute dissimilarity. Housing styles shall consist of the following:

(1) Ranch;

(2) Bi-level;

(3) Tri-level;

(4) One and one-half story;

(5) Two-story; and

(6) Three story.

(Ord. 236, passed 3-15-2006)

§ 150.28 ADMINISTRATION.

(A) If the Building and Zoning Administrator, or person acting in that capacity, finds that the single-family detached dwelling for which a building permit is requested is similar in appearance to a dwelling for which a building permit has been issued within three lots distance and facing the same street, the Building and Zoning Administrator shall deny the permit request for non-compliance with this subchapter.

(B) An applicant for a building permit that has been denied based on the provisions of this subchapter may:

(1) Alter the dwelling plans so that the proposed dwelling is no longer similar to another adjacent dwelling, according to the criteria specified herein; or

(2) Appeal the decision of the Building and Zoning Administrator to the Village Board of Trustees.

(C) In appealing the interpretation of this subchapter to the Village Board of Trustees, an applicant for a building permit shall present evidence sufficient to demonstrate conformity with this subchapter, such as architectural drawings.
(Ord. 236, passed 3-15-2006)

§ 150.29 EXCEPTIONS.

(A) These regulations shall not apply to dwellings for which building permits have been approved before the effective date of this subchapter, including dwellings that are being remodeled, reconstructed or replaced after fire, windstorm or other catastrophe.

(B) These regulations may be waived in cases where the applicant for a building permit could not be expected to anticipate the design of a neighboring dwelling for which a building permit has already been issued, but is not yet built. In such instances, the builder shall request, and the Village Board of Trustees may grant, an exception from this subchapter.
(Ord. 236, passed 3-15-2006)

§ 150.30 PLANNING AND ZONING COMMISSION REVIEW FOR DUPLEX AND MULTIPLE-FAMILY DWELLINGS.

(A) Any applicant for a building permit for a duplex or multiple-family dwelling shall appear before the Planning and Zoning Commission for its review and approval of the architectural plans depicting the exterior elevations of the building or buildings for which the permit is sought.

(B) If the Planning and Zoning Commission denies approval of the architectural plans, the applicant may appeal the decision to the Village Board of Trustees.
(Ord. 236, passed 3-15-2006)

FENCES

§ 150.45 PERMIT REQUIRED.

No fence may be erected in the village unless a permit is obtained in advance and unless such fence is erected in compliance with the provisions of this subchapter.
(Ord. 031, passed 2-17-1976) Penalty, see § 150.99

§ 150.46 RESIDENTIAL FENCES.

The following standards shall be followed in connection with fences constructed on premises used for residential purposes.

(A) Fences and shrubs up to three feet in height from ground level may be erected or planted and grown in the front yard or the street side yard. Such fence must be constructed so as not to obstruct vision.

(B) Fences up to six feet in height from ground level may be erected in the interior side yards or the rear yard.

(C) (1) Fences of a privacy nature up to six feet in height from ground level may be erected between the property setback line and the lot line.

(2) Such fence must be constructed on a corner lot so as not to obstruct the clear view of motor vehicular traffic using the abutting streets.

(D) (1) Fences may be erected in the "buildable area" not exceeding six feet in height from ground level. The fence must not extend beyond the building wall lines (facing the street) and must not, at any time, encroach into the setback areas.

(2) The total area of enclosure is the area inside of the fence and shall not exceed 25% of the area of the lot.

(3) All areas outside of said fence must be maintained similarly to the area in said enclosure.

(E) A non-residential purpose fence up to 25 decimeters or 8.20 feet in height from ground level may be erected where residential premises abut onto premises used for business, industrial or non-residential purposes.

(F) The use of barbed wire in residential fencing is prohibited.
(Ord. 031, passed 2-17-1976; Ord. 031/A2, passed 8-24-1976; Ord. 031/A4, passed 8-4-1993; Ord. 435/A1, passed 6-7-2017) Penalty, see § 150.99

§ 150.47 INDUSTRIAL, COMMERCIAL AND NON-RESIDENTIAL FENCES.

The following standards shall be followed in connection with fences constructed upon premises used for industrial, commercial or non-residential purposes.

(A) No fence shall exceed eight feet in height from ground level.

(B) The use of barbed wire is permitted only at heights in excess of six feet above ground level; and, provided that, all barbed wire supporting arms shall slope inward toward the premises for which the fence permit is issued.

(Ord. 031, passed 2-17-1976; Ord. 031/A-1, passed 1-27-1977) Penalty, see § 150.99

§ 150.48 STANDARDS.

The following additional standards shall also be followed in connection with all fences.

(A) All fence posts and supporting fence members shall be erected so that, after the fence is constructed, they will face to the interior of the premises for which the fence permit is issued.

(B) All chain link fencing must be installed knuckle-side up; the use of spikes, broken glass or other sharp or pointed instruments or materials intended or likely to cause injury to any person coming into contact therewith is prohibited.

(C) Electrified fences, snow fences, chicken wire, Keg and farm type fences, used as primary property enclosure fence, are prohibited in non-buildable areas (as defined in the Zoning Ordinance).

(D) No stone, masonry or concrete fence shall be constructed unless it is supported by a foundation and footing which shall extend at least 42 inches below the finished grade of the ground on both sides of the fence.

(E) A fence requiring a foundation shall not be erected (directly and parallel) over a utility line such as water, gas, sewer and electricity.

(F) No private fence of any design or type shall be erected on any part, section or place of the public street right-of-way.

(G) No fence shall be centered, or directly located over a lot line, and no part shall extend or project over said lot line.

(Ord. 031, passed 2-17-1976; Ord. 031/A2, passed 8-24-1976; Ord. 031/A3, passed 7-26-1980) Penalty, see § 150.99

§ 150.49 TENNIS COURTS.

Nothing contained in this subchapter shall be construed to restrict or limit the height of chain link fencing for the enclosure of any tennis court.

(Ord. 031, passed 2-17-1976)

§ 150.50 DANGEROUS OR ENCROACHING FENCES.

It shall be unlawful for the owner, occupant or person in custody of any premises in the village having a fence thereon, to permit such fence to exist in a state or condition which is liable to cause injury to any person or to property, or which is liable to collapse, or which encroaches upon or leans upon the premises of another.

(Ord. 031, passed 2-17-1976) Penalty, see § 150.99

§ 150.51 PERMIT FEES.

Fees shall be charged for a fence permit as so stated in § 150.07 of this chapter.

(Ord. 031, passed 2-17-1976)

§ 150.52 SKETCH FOR PERMIT.

An accurate sketch showing the proposed location of the fence on the premises shall be furnished to the Building Department at the time application is made for the permit.

(Ord. 031, passed 2-17-1976)

§ 150.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any person, firm or corporation violating any provision of §§ 150.01 through 150.11 of this chapter shall be fined not less than \$10, nor more than \$500. Violation of different provisions of §§ 150.01 through 150.11 of this chapter shall be deemed separate violations for the purpose of the assessment of the penalty hereunder.

(C) Any person violating any of the provisions of §§ 150.45 through 150.52 of this chapter shall be subject to a fine of not less than \$25, nor more than \$500.

(Ord. 002, passed 4-1-1975; Ord. 031, passed 2-17-1976; Ord. 031/A2, passed 8-24-1976; Ord. 031/A4, passed 8-4-1993)