

**101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted by the village.

3. That Section 101.4 shall read as follows

**101.4 Referenced Codes:** Title 5 of The Village Code, (Ordinance 2989 as amended) as shown in Chapter 35, shall be used to reference other building related codes regulating Permit Fees, Electrical, Plumbing, Fire Prevention, Mechanical, Property Maintenance, Hotels, Motels and Apartments where referenced in "this code". Adoption of the 2009/ICC International Energy Conservation Code (IECC) is referenced in Chapter 13 of these amendments. (Ord. 4614, 1-17-11)

- ④ That Section 102.0 shall read as follows:

**SECTION 102.0 APPLICABILITY**

**102.1 GENERAL:** The provisions of this code shall apply to all matters affecting or relating to structures, as set forth in Section 101.0. The construction, alteration, repair, addition and removal of all structures shall comply with this code. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**102.2 OTHER LAWS:** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal laws. (Ord. 4614, 1-17-11)

**102.3 MATTERS NOT PROVIDED FOR:** Any requirements that are essential for the structural, fire or sanitary safety of an existing or proposed building or structure, or for the safety of the occupants thereof, which are not specifically provided for by the code, shall be determined by the code official.

**102.4 REFERENCED STANDARDS:** The standards and ordinances referenced in this code and listed in Chapter 35, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where differences occur between provisions of this code and the referenced ordinances of the Village of Orland Park, the more restrictive or specific provisions shall apply.

**102.6 EXISTING STRUCTURES:** The legal occupancy of any structure existing on the date of adoption of this code, or for which it has been heretofore approved, shall be permitted to continue without change, except as is specifically covered in this code, the property maintenance and Fire Codes listed in Chapter 35, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

**102.6.1 CHANGE OF USE, OWNER, NAME OF BUSINESS OR OCCUPANCY:** A change of use, owner, name of business or occupancy shall not be made to any structure or space which will subject the structure or space to any special provisions of this code without approval of the code official. The code official shall certify that such structure or space meets the intent of the provisions of law governing building construction for the proposed new use, owner, name of business or occupancy, and that such change does not result in any greater hazard to the public health, safety or welfare.

- ④ → **102.6.2 ADDITIONS, ALTERATIONS OR REPAIRS:** Additions, alterations or repairs to any structure shall conform to that required of a new structure without requiring the existing structure to comply with all of the requirements of this code.

Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building. Any building plus new additions shall not exceed the height, number of stories and area specified for new buildings. Alterations or repairs to an existing structure

which are structural or adversely affect any structural member of any part of the structure having a required fire-resistance rating shall be made with materials required for a new structure.

Entire structures shall be made to conform to the requirements of this code for new buildings under the following conditions:

- When remodeling or alterations take place in more than 50% of its original building area.
- When remodeling increases the original market value by more than 50%.
- When increased in floor area by more than 10% of the original area.
- When a structure is increased in the number of stories.
- When a structure or building is changed to a more hazardous use classification.

Any building or structure which is destroyed or damaged by wind, fire or other casualty or act of God, to an extent which reduces its market value by less than 50% may be repaired or restored to its prior condition, if a building permit for the repair or restoration is issued and construction is begun within six months of the date of the damage. If a permit is not so obtained and construction is not begun (2/03) within six months for such repair or restoration OR if a building or structure is damaged or destroyed to an extent which reduces its market value by more than 50%, it may be repaired or restored only if the repaired or restored building or structure conforms to the standards of these regulations. Market value shall be determined by reference to the most recent official property tax assessment rolls available in the year the structure is destroyed or damaged. The extent of damage or destruction shall be determined by the code official by comparing the estimated cost of repairs or restoration with the market value as shown on the tax assessment rolls of the appropriate county collector. (Ord. 3910, 7-19-04)

5. That Sections 104.1 and 104.1.1 shall read as follows:

**104.1 GENERAL Duties and Powers of the Building Code official:** The code official shall enforce all of the provisions of this code and shall act on any question relative to the mode or manner of construction and materials to be used in the erection, addition to, alteration, repair, removal, demolition or installation of service equipment and the location, occupancy and maintenance of all buildings and structures.

**104.1.1 RULE-MAKING AUTHORITY:** The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or of violating accepted engineering practice involving public safety.

6. That Section 105.1 shall read as follows:

**105.1 PERMIT REQUIRED:** It shall be unlawful to construct, erect, alter, install, add to, enlarge, repair, convert, remove, demolish, locate, or maintain any building or structure or any part of appurtenance thereof; or change the occupancy of a building or structure requiring greater strength, exit or sanitary provisions; or to change to another use of change of occupancy or change in tenants or owners; or to install or alter any equipment for which provision is made or the installation of which is regulated by this code; or to move or add a lot line which affects an existing structure without first filing an application with the code official in writing and obtaining the required permit therefore; except that repairs, as defined in Section 105.2.2 and which do not involved any violation of this code, shall be exempted from this provision. Notice shall also be given to the appropriate Fire Protection District (Orland Fire Protection District, Mokena Fire District or the Palos Fire Protection District).

### 501.3 WALLS, VENEERS AND FLOORS



**501.3.1 SINGLE FAMILY EXTERIOR VENEERS:** All single family attached and detached residences shall contain a face brick or stone anchored veneer, with a minimum 2.625" thickness on a minimum of 90% of their first floor and walk out area/ground level elevations. Any other material exceeding the 10% for the remaining ground level wall surfaces shall be approved by the code official.

**501.3.2 EXTERIOR WALLS ALL OTHER USES:** All exterior walls shall be of non-combustible construction using solid masonry, or steel column and beam construction using metal studs with a veneer of decorative masonry, decorative architectural concrete panels or similar materials. The same material shall be used for all of the exterior walls of a building. See Section 503.2.1 items #7 for wood framing & item #8 for metal wall studs. (Ord. 4499 – 8-3-09). *The minimum concrete or masonry veneer is 2.625" in depth for anchored veneer applications as noted in Table 1405.2 as amended.* (Ord. 4643, 5/2/11)

**a. EXCEPTION:**

Use Group R-1 buildings equipped throughout with an automatic fire sprinkler system per 903.3.1.1, may use a structurally engineered noncombustible exterior wall system when special inspections are performed by a State of Illinois Licensed Architect or Structural Engineer per Sections 104.4, 1704.1, 1704.2 and 1704.3 of this code. (Ord. 3994, 3-7-05)

b. Buildings of masonry and anchored veneer construction more than 3-stories in height may use an exterior wall finish/veneer of other exterior permitted materials for its top (uppermost) story only, with the following conditions:

1. The finish material shall be of an approved durable product.
2. The highest/upper story when of metal stud wall construction and not using a masonry veneer, must be designed of a 1-hour fire rated minimum assembly using cement board on the exterior side of stud walls, however not less than the hourly rating required in table 601 for exterior walls or fire separation based on distance.

(Ord. 4643, 5/2/11)

c. Agricultural Canopies as allowed in Section 312.1 for an Agricultural Use and are not classified as a Tent may use a roll up type side wall material. Pliable material may only be lowered for protecting plant material during frost conditions when the canopy is not open to the public or occupied. Permanent Canopy construction and materials shall also comply with the Village Fire Code (VC 5-5). (Ord. 4342, 3-3-08)

Construction and maintenance approval of permanent canopies using fabric or pliable materials shall comply with all of the following conditions: (Ord. 4342, 3-3-08)

- a. Special inspection reports must be submitted to the Village by a qualified inspection agency, a State of Illinois licensed architect or engineer or the manufacturer's representative stating the canopy was installed per installation requirements. (Ord. 4342, 3-3-08)
- b. Special Inspection reports shall review the canopy for: (Ord. 4342, 3-3-08)
  1. Structural integrity conformance to the design engineer's plan and Building Code.
  2. Design materials used in compliance to the Building and Fire Codes.
  3. All matters regulated by the Fire Code for a permanent canopy. (3/08)

Citations will be issued to the land owner and a court appearance is required for violations of this ordinance without preliminary warnings. (Ord. 4342, 3-3-08)

See Sections 202, 312, 907.2 and Chapter 35 Appendix C of this ordinance for additional Code references (Ord. 4342, 3-3-08)