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Date: June 24, 2024

To: George Koczwar, Village Manager
Jim Culotta, Assistant Village Manager

From: Steve Marciani, Director of Development Services

Re: Residential Permit Needs: Single Family Attached and Detached

Purpose

Consider the need for permits and/or inspections for various single family residential projects and activities to assist with staffing higher priority permits and inspections. The following pages contain the original permit classifications and activities. Many will require a zoning permit for land use and lot coverage considerations. The potential for combining permit categories, both for the Tyler/Enterprise Permitting and Licensing (EPL) and Lean Enterprise Institute (LEI) processes, is noted in the Recommendations section.

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State-Regulated

Purpose

State permit and inspection requirements cannot be altered by another entity, including home rule municipalities. Drain and waste systems require permits. Faucets, toilets, and other fixtures do not require permits.

1. *Plumbing Permit Residential*. When the homeowner is the applicant, a homeowner affidavit is required.
2. *Sewer & Sump*. Part of plumbing permit.
3. *Sewer & Water*. Part of plumbing permit.
4. *Water Heater Residential*. Water heaters need proper gas venting, electric, connections, and materials. Anything involving gas requires an inspection per State Plumbing Code. Electrical wiring must be properly installed.

Village-Regulated

Purpose

Village permit and inspection requirements may be altered, even when the regulations are based on the International Building Code (IBC), International Residential Code (IRC), etc.

Permits: No Longer Require

Staff supports the consideration of no longer requiring the following projects and activities; however, all items should be installed by a professional and/or knowledgeable homeowner per manufacturer's instructions. Please note this is not possible to regulate without a permit. The Village Code and/or Land Development Code (LDC) regulations need to be updated to allow these to be constructed and installed without permits:

1. *Alarm System (Security, Wired)*. Includes low-voltage systems, less than 50 volts, direct current, or alternating current, such as TV/security, alarm, card reader, surveillance, telecommunication, and sound systems.
2. *Awnings and Sunshades*. See "Permits: Clarifications of Certain Types of Permits".
3. *Electrical Low Voltage*. See Alarm System.
4. *Insulation*. Consider a "voluntary" or "miscellaneous" permit when government grants are involved, as they require a permit so depth of blown-in insulation can be verified.

Note: Building codes require insulation. When a house is first constructed, an inspection occurs before wallboard installation.

Permits: Reviewed and to be Kept

Staff recommends retaining the following permits to ensure safe design and construction practices:

1. *Deck Repair (Decking, Rails)*. Repairs must meet code requirements. Guardrails and handrails must meet load requirements to ensure safety of the users of the deck. Deck area and height above grade are factors to require permits. Simple decking and rail replacements could uncover larger issues that would need to be repaired. "Deck Installation Rules & Requirements" available on the Village's website.
2. *Demolition-Interior Only*. This is to enable demolition prior to building permit issuance for a larger project. Need to inspect to determine if utilities were terminated properly and load-bearing structures are identified correctly.
3. *Environmental Technology*. Mostly solar but may include geothermal, wind, etc. An Appearance Review is no longer required for flush-mount solar panels on sloped residential roofs. Building and electrical reviews and inspections are necessary. ComEd will not allow the solar panel be tied to the grid without a prior inspection approval by the municipality.
4. *Furnace-Air Conditioner Replacements*. Furnaces need proper gas venting. Furnace and AC need proper electric, connections, and materials. Anything involving gas requires an inspection. Electrical wiring must be properly installed.

Note: Heating, Ventilation, and Air Conditioning (HVAC) is considered “equipment” with a hard connection, requiring permits. An “appliance” is considered a plug-and-play item and wouldn’t typically require a permit.

5. *Mech – Gasline/Duct.* Anything involving gas requires an inspection to ensure proper/approved materials are installed correctly. Example: Verify burial depth and ensure material can be found by J.U.L.I.E.
6. *Miscellaneous – Residential.* A catch-all permit category for projects that don’t fit into one of the other permit classifications/activities, such as CEDA weatherization, a chimney rebuild, repair damaged corner of a garage, etc.
7. *Residential Minor Work.* See Miscellaneous – Residential.
8. *Residential Outdoor Kitchen.* May involve mechanical, electrical, and plumbing (MEP). Consider combining with another permit classification/activity.
9. *Sheds.* Need concrete slabs for sheds 200 SF and greater in floor area. Zoning Permit required. Proper slab installation must be confirmed, cumulative lot coverage must be tracked, and project “creep”¹ must be avoided.
10. *Siding, Gutters and Fascia.* Certificates of Appropriateness are required for all buildings in Old Orland.
 - a. *Siding.* Permits are needed for siding, as assurances must be provided to ensure siding doesn’t cover brick and that it is of a code-complying material.
 - b. *Gutters and Fascia.* See *Permits: Clarifications of Certain Types of Permits.*
11. *Waterproofing/Damp proofing.* Need permits for exterior work and interior drain tiles.
 - a. See also *Plumbing/Drain Tile.*
 - b. See also *Permits: Clarifications of Certain Types of Permits.*

Permits: Clarifications of Certain Types of Permits

Staff may support no longer requiring permits for the following projects and activities; however, it will make it difficult to determine potential violations by Code Enforcement:

1. *Awnings and Sunshades.* Awnings and sunshades with an overhang of 30” or less in depth do not require a permit; however, an overhang greater than 30” requires an inspection of the support structure.
2. *Demolition Accessory Structure.* Sheds without utilities and less than 200 SF in area might not need a permit; however, sheds with utilities and/or a floor area 200 SF or greater should continue to require a demolition permit. Need to consider clear and concise outgoing messaging.

Note: New sheds require permits. New sheds 200 SF and greater in area require a concrete pad.

¹ Project creep is the project scope going beyond the limits of the approved design, including moving the edging and/or expanding the base after a pre-pour inspection.

3. *Flatwork*. Not combined with any other project or permit. Lot coverage needs to be considered. Project “creep” in work scope occurs even after a permit for a project is issued (typically in this case, no final inspection is requested by the permit recipient). See “Flatwork Requirements”.²
4. *Sidewalk, Private*. See “Flatwork”.
5. *Hot Tub or Spa*. May include saunas. If “plug-and-play”, does not need a permit; however, anything with water of a depth of 24” or greater is considered a swimming pool and a potential safety hazard. Like pools, drowning can occur without fencing or other barrier. An electrical permit will be required if new electrical is necessary.
6. *Plumbing/Drain Tile No Connections*.³ If connecting to an existing connection, see Plumbing Inspector. Must be a minimum 10’ from property lines and sidewalks. No State permit is required.
7. *Plumbing/Drain Tile with Connections*.³ If connecting to a sump pump or storm sewer, see Plumbing Inspector. No State permit is required.
8. *Residential Remodel/Repair Permits*. A 1:1 replacement of cabinets and sinks OK without a permit. Once a sink waste pipe is being altered, for instance, a permit will be required. Kitchen, bath, whole house remodels require a permit, as mechanical, electrical, and plumbing (MEP) systems are impacted. Project creep can occur, affecting items that need to be inspected.
9. *Retaining Wall 3 FT and Under*. In general, a permit is not required; however, its installation could change drainage patterns and site grading, which could divert stormwater onto neighboring properties. Location of walls in drainage easements are also a concern.
10. *Siding, Gutters and Fascia*. Certificates of Appropriateness are required for all buildings in Old Orland.
 - a. *Siding*. See *Permits: Keep*.
 - b. *Gutters and Fascia*. All roofs, and therefore gutters, must shed water away from the house, including downspouts, and not drain onto neighbors’ yards. Should inspect for material compliance.
11. *Tree Removal*. Most trees on single family properties do not require a tree removal permit; however, a tree removal permit is required for:
 - a. Heritage trees (≥24” in diameter a 4’ above the ground)
 - b. Parkway trees
 - c. Trees in conservation and tree preservation easements
 - d. Trees on a property owned by a utility (or in a non-residential utility easement)
 - e. Any tree on a site with an approved landscape plan.

² <https://www.orlandpark.org/home/showpublisheddocument/5652/638101758552870000>

³ The Village Plumbing Inspector has requested a text amendment to Section 4-7-3-1 to clarify regulations to require permits for drain tile projects.

- f. Section 6-305.G. List of Recommended Plant Species, Canopy (Shade) Trees, for trees in which an extra effort should be made to retain, regardless of size.
12. *Waterproofing/Damp proofing*. Interior sealant does not require a permit.
- See also *Permits: Keep*.
13. *Windows, Doors*. Must meet Energy Code requirements. Window and door companies should know this. Old Orland will require a Certificate of Appropriateness. If the windows are filling the entire existing opening, (“like for like”), a permit should not be required. If structural changes are being made for a window, and might impact light and vent requirements for a room, a permit should be required so we can ensure structural integrity of the building is maintained.

Recommendations

The transition from Innoprise to Tyler permit processing systems and the LEI process recommendations affords staff to refine existing processes and consider opportunities for efficiencies in day-to-day operations. Development Services recommends the following:

- Continue to require permits for all State-regulated projects.
- Continue to require permits for most Village-regulated projects:
 - All “Reviewed and to be Kept”
 - Most “Clarifications of Certain Types of Permits”
- Merge permits, such as:
 - Alarm System (Security, Wired) with Electrical Low Voltage
 - Miscellaneous – Residential with Residential Minor Work
 - Flatwork with Sidewalk, Private
- Set criteria for projects that may or may not require permits, such as:
 - Sheds <200 SF without utilities vs. sheds >200 SF vs. sheds with utilities
 - Hot Tub or Spa – in-ground construction vs. “plug and play” models <24” deep
- No longer require permits for residential buildings of less than 4 units for:
 - Alarm System (Security, Wired)
 - Awnings and Sunshades (overhang of 30” or less)
 - Electrical Low Voltage
 - Insulation (only)
- Begin Village Code amendments with the Committee of the Whole
- Begin Land Development Code amendments with the Plan Commission

Attachment: Residential Permit Efficiencies Categories