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AN ORDINANCE AMENDING TITLE 5, CHAPTER 1 (OF THE VILLAGE OF ORLAND PARK, AS AMENDED)

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WHEREAS, the Illinois Energy Conservation Code is a model code that regulates minimum energy conservation requirements for new and existing buildings of both commercial and residential types; and

WHEREAS, the Illinois Energy Conservation Code is comprised of the International Energy Conservation Code (IECC) with certain State Amendments, and is updated from time to time as updates to the IECC are published; and

WHEREAS, the Village of Orland Park, an Illinois home-rule municipality, is required to adopt the updated Illinois Energy Conservation Code by Illinois state law; and

WHEREAS, the President and Board of Trustees have considered the updates to the Illinois Energy Conservation Code and the IECC (2021 version), including the local amendments thereto, and have determined them to be in the best interests of the Village and its residents;

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1: This Board finds and determines that the adoption of the following amendments to Title 5, Chapter 1 of the Village Code of the Village of Orland Park is in the best interests of the Village and its residents, and is in the public interest.

SECTION 2: Title 5, Chapter 1, Subsection 5-1-15 of the Village Code of the Village of Orland Park is hereby amended by deleting it in its entirety and replacing it with the following:

“5-1-15: ILLINOIS ENERGY CONSERVATION CODE 2021 ADOPTED (MODEL CODE)

Adopted and applicable to all buildings and structures or parts thereof and appurtenances thereof, are those rules and regulations set forth with particularity in the "Illinois Energy Conservation Code 2021" implemented and authorized by the Capital Development Board Act [20 ILC 3105] and the Energy Efficient Building Act [20ILCS 3125].”

SECTION 3: Title 5, Chapter 1, Subsection 5-1-16 of the Village Code of the Village of Orland Park is hereby created and shall read as follows:

5-1-16: VIOLATIONS AND PENALTIES:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or a permit or certificate issued under the provisions of this code, shall be subject to penalties and fines as described in the Village Code, Title 1, Chapter 4 or penalties as identified by more specific ordinances.

Work Begun Without a Proper Permit: When work has begun or is completed without a proper permit having been obtained, the fee for required inspections and plan reviews shall be as set forth in the Village Code, Title 5, Chapter 2, Section 14 ("WORK BEGUN WITHOUT A PERMIT").

Unlawful Continuance and Stop Work Order: 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 that person is directed to perform to remove a violation or unsafe conditions, shall be liable and subject to the maximum penalty as described in the Village Code, Title 1, Chapter 4, in addition to penalties specified in other code sections or as specified by other adopted ordinances.

Work Continued Beyond a Foundation Permit: When a permit has been issued for the foundation portion of a building only and construction has proceeded above the foundation (or ground level of the building) prior to the full building permit being issued, a penalty shall be charged for each day work has continued before the permit has been approved and issued by the building official as listed below:

1st offense: "Stop Work" order and a fee of \$500.00 with the allowance to remove any hazardous work conditions for that workday.

Additional offenses: "Stop Work" order and a fee of \$1,000.00 with the allowance to remove any hazardous work conditions for that workday.

Building or Tenant Spaces Occupied Without Approval: As referenced in Title 5, Chapter 1, Section 4 of this code (5-1-4) any building owner or tenant who violates and/or occupies a building, structure or a part thereof prior to an approval by the building official shall pay a fine according to the fine schedule located in Appendix B for each offense. Each day of non-conforming occupancy without an approval by the building official shall constitute a separate violation. (See VC 1-4 and 5-2-14 referencing other fines and penalties.)

Severability: In the event that any court of competent jurisdiction may declare that any provision or part of a provision of this Ordinance is void or unconstitutional, the remaining provisions and parts of provisions not ruled void or unconstitutional shall continue in full force and effect.

Construction Not Completed: Inspection requests submitted to the Village prior to stages of work being completed by the owner, agent, builder, or contractor are subject to re-inspection fees (5-2-7-5). Construction field management is not performed by Village Staff.

Execution: The provisions of this ordinance shall at all times be the duty of the building's owner, agent and/or contractors to regularly request inspections of the construction activities for code conformance and to see the same are being conducted and operated in accordance with the requirements of all Village laws and ordinances applicable thereto.

Penalty: Any person who violates any provision of this Ordinance or fails to comply with any of the requirements thereof shall be guilty of an offense punishable by a fine according to the fine schedule located in Appendix B for each offense. Each day that a violation continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

SECTION 4: To the extent necessary, all tables of contents, indexes, headings, and internal references or cross-references to Sections that need to be amended or deleted within the Orland Park Village Code, as amended, as a consequence of the above Code Amendments, shall be amended by the Village's codifier so as to be consistent with the terms of this Ordinance.

SECTION 5: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 6: Each section, paragraph, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 7: Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the Orland Park Village Code, as amended, shall remain in full force and effect.

SECTION 8: This Ordinance shall be in full force and effect from and after its adoption and publication in pamphlet form as provided by law.

SECTION 9: The Village Clerk be and hereby is authorized and directed to publish this Ordinance in pamphlet form.