

..Title

**AN ORDINANCE AMENDING TITLE 5 (BUILDING) CHAPTER 1 (BUILDING CODE) SECTION 5-1-4**

..Body

**WHEREAS**, the Illinois Compiled Statutes, including the Illinois Municipal Code, regulate purchases and contracts entered into by the Village of Orland Park, a home-rule municipality; and

**WHEREAS**, the Village has recently undertaken a comprehensive review of its fine and penalty structure to ensure the existing ordinance provisions are still applicable to the Village operations and regulatory needs; and

**WHEREAS**, the portion of the ordinance proposed for removal has become obsolete due to changes in law, policy, or practice, and retaining such language would no longer serve a valid public purpose; and

**WHEREAS**, the Village finds that eliminating this outdated section will improve clarity, accuracy, and effectiveness of the Village's Municipal Code; and

**WHEREAS**, it is in the best interests of the Village and its residents to amend the existing ordinance to ensure the Code accurately reflects its current standards and requirements.

**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:** Title 5 (Building) Chapter 1 (Building Code) Section 5-1-4 shall hereby be amended in part (additional language marked by underlining and deletions marked with strikethrough) as reflected and attached hereto as EXHIBIT "A".

**SECTION 2:** This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

**SECTION 3:** The Village Clerk be and hereby is authorized and directed to publish this Ordinance in pamphlet form.

## EXHIBIT A

### 5-1-4: CERTIFICATE OF OCCUPANCY:

No building or structure or any part thereof shall be used or occupied until a Certificate of Occupancy or Conditional Certificate of Occupancy has been issued by the building code official. No permit holder shall allow any person or entity to use or occupy a building or structure or any part thereof which is the subject of his or its building permit until a Certificate of Occupancy or Conditional Certificate of Occupancy has been issued by the building code official.

The code official shall issue such certificate only if, after inspection, he finds that such building or structure complies with the provisions of this title and all other laws of the Village of Orland Park and the State of Illinois, and that said building or structure has been completed in accordance with the approved plans and documents filed in support of the Application for Building Permit relating to said building or structure. Such certificate shall show the permitted use for the building or structure. A conditional certificate may be issued for the temporary use of a building or structure or portion thereof under the conditions set forth above, or the conditions set forth in Section 5-1-13, Paragraph 111.3 of this Code.

Violation. It shall be a violation of this Section for any person (which includes for purposes of this Section any individual, partnership, corporation, firm or entity which conducts, engages in, maintains, operates, carries on or manages a business or occupation within the Village) to conduct, engage in, maintain, operate, carry on, or manage a business or occupation without a Certificate of Occupancy first having been procured from the Village for the premises of such business or occupation. The fee for processing and issuing a Certificate of Occupancy (see Section 5-2-9 of this Chapter) shall be doubled for any person not having procured a Certificate of Occupancy for the premises as required by this Section prior to maintaining, operating, carrying on or managing a business.

Penalty. In addition, any person, as lessor or landlord, leasing or renting out the business premises to a business owner or operator ("tenant") who has not procured a Certificate of Occupancy as required by this Section, prior to maintaining, operating, carrying on or managing the business shall be subject to a fine of up to ~~\$5,000~~ in accordance with the fine schedule located in Appendix B, for each offense of which such person shall be convicted. Each tenant found to be maintaining, operating, carrying on or managing a business without having first procured a Certificate of Occupancy shall constitute a separate offense.