

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by changing Section
5 5-1063 as follows:

6 (55 ILCS 5/5-1063) (from Ch. 34, par. 5-1063)

7 Sec. 5-1063. Building construction, alteration and
8 maintenance. For the purpose of promoting and safeguarding the
9 public health, safety, comfort and welfare, a county board may
10 prescribe by resolution or ordinance reasonable rules and
11 regulations (a) governing the construction and alteration of
12 all buildings, structures and camps or parks accommodating
13 persons in house trailers, house cars, cabins or tents and
14 parts and appurtenances thereof and governing the maintenance
15 thereof in a condition reasonably safe from hazards of fire,
16 explosion, collapse, electrocution, flooding, asphyxiation,
17 contagion and the spread of infectious disease, where such
18 buildings, structures and camps or parks are located outside
19 the limits of cities, villages and incorporated towns, but
20 excluding those for agricultural purposes on farms including
21 farm residences, but any such resolution or ordinance shall be
22 subject to any rule or regulation heretofore or hereafter
23 adopted by the State Fire Marshal pursuant to "An Act to

1 regulate the storage, transportation, sale and use of gasoline
2 and volatile oils", approved June 28, 1919, as amended; (b) for
3 prohibiting the use for residential purposes of buildings and
4 structures already erected or moved into position which do not
5 comply with such rules and regulations; and (c) for the
6 restraint, correction and abatement of any violations.

7 In addition, the county board may by resolution or
8 ordinance require that each occupant of an industrial or
9 commercial building located outside the limits of cities,
10 villages and incorporated towns obtain an occupancy permit
11 issued by the county. The county board may by resolution or
12 ordinance require that an occupancy permit be obtained for each
13 newly constructed residential dwelling located outside the
14 limits of cities, villages, and incorporated towns, but may not
15 require more than one occupancy permit per newly constructed
16 residential dwelling. Such permit may be valid for the duration
17 of the occupancy or for a specified period of time, and shall
18 be valid only with respect to the occupant to which it is
19 issued. A county board may not impose a fee on an occupancy
20 permit for a newly constructed residential dwelling issued
21 pursuant to this Section. If, before the effective date of this
22 amendatory Act of the 96th General Assembly, a county board
23 imposes a fee on an occupancy permit for a newly constructed
24 residential dwelling, then the county board may continue to
25 impose the occupancy permit fee.

26 Within 30 days after its adoption, such resolution or

1 ordinance shall be printed in book or pamphlet form, published
2 by authority of the County Board; or it shall be published at
3 least once in a newspaper published and having general
4 circulation in the county; or if no newspaper is published
5 therein, copies shall be posted in at least 4 conspicuous
6 places in each township or Road District. No such resolution or
7 ordinance shall take effect until 10 days after it is published
8 or posted. Where such building or camp or park rules and
9 regulations have been published previously in book or pamphlet
10 form, the resolution or ordinance may provide for the adoption
11 of such rules and regulations or portions thereof, by reference
12 thereto without further printing, publication or posting,
13 provided that not less than 3 copies of such rules and
14 regulations in book or pamphlet form shall have been filed, in
15 the office of the County Clerk, for use and examination by the
16 public for at least 30 days prior to the adoption thereof by
17 the County Board.

18 Beginning on the effective date of this amendatory Act of
19 the 92nd General Assembly, any county adopting a new building
20 code or amending an existing building code under this Section
21 must, at least 30 days before adopting the building code or
22 amendment, provide an identification of the building code, by
23 title and edition, or the amendment to the Illinois Building
24 Commission for identification on the Internet. For the purposes
25 of this Section, "building code" means any ordinance,
26 resolution, law, housing or building code, or zoning ordinance

1 that establishes construction related activities applicable to
2 structures in the county.

3 The violation of any rule or regulation adopted pursuant to
4 this Section, except for a violation of the provisions of this
5 amendatory Act of the 92nd General Assembly and the rules and
6 regulations adopted under those provisions, shall be a petty
7 offense.

8 All rules and regulations enacted by resolution or
9 ordinance under the provisions of this Section shall be
10 enforced by such officer of the county as may be designated by
11 resolution of the County Board.

12 No such resolution or ordinance shall be enforced if it is
13 in conflict with any law of this State or with any rule of the
14 Department of Public Health.

15 (Source: P.A. 92-489, eff. 7-1-02.)