

1 AN ACT in relation to building codes.

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

4 Section 5. The Illinois Building Commission Act is  
5 amended by adding Section 55 as follows:

6 (20 ILCS 3918/55 new)

7 Sec. 55. Identification of local building codes.  
8 Beginning on the effective date of this amendatory Act of the  
9 92nd General Assembly, a municipality with a population of  
10 less than 1,000,000 or a county adopting a new building code  
11 or amending an existing building code must, at least 30 days  
12 before adopting the code or amendment, provide an  
13 identification of the code, by title and edition, or the  
14 amendment to the Commission. The Commission must identify  
15 the proposed code, by the title and edition, or the amendment  
16 to the public on the Internet through the State of Illinois  
17 World Wide Web site.

18 The Commission may adopt any rules necessary to implement  
19 this Section.

20 For the purposes of this Section, "building code" means  
21 any ordinance, resolution, law, housing or building code, or  
22 zoning ordinance that establishes construction related  
23 activities applicable to structures in a municipality or  
24 county, as the case may be.

25 Section 10. The Counties Code is amended by changing  
26 Sections 5-1063 and 5-1064 as follows:

27 (55 ILCS 5/5-1063) (from Ch. 34, par. 5-1063)

28 Sec. 5-1063. Building construction, alteration and  
29 maintenance. For the purpose of promoting and safeguarding

1 the public health, safety, comfort and welfare, a county  
2 board may prescribe by resolution or ordinance reasonable  
3 rules and regulations (a) governing the construction and  
4 alteration of all buildings, structures and camps or parks  
5 accommodating persons in house trailers, house cars, cabins  
6 or tents and parts and appurtenances thereof and governing  
7 the maintenance thereof in a condition reasonably safe from  
8 hazards of fire, explosion, collapse, electrocution,  
9 flooding, asphyxiation, contagion and the spread of  
10 infectious disease, where such buildings, structures and  
11 camps or parks are located outside the limits of cities,  
12 villages and incorporated towns, but excluding those for  
13 agricultural purposes on farms including farm residences, but  
14 any such resolution or ordinance shall be subject to any rule  
15 or regulation heretofore or hereafter adopted by the State  
16 Fire Marshal pursuant to "An Act to regulate the storage,  
17 transportation, sale and use of gasoline and volatile oils",  
18 approved June 28, 1919, as amended; (b) for prohibiting the  
19 use for residential purposes of buildings and structures  
20 already erected or moved into position which do not comply  
21 with such rules and regulations; and (c) for the restraint,  
22 correction and abatement of any violations.

23 In addition, the county board may by resolution or  
24 ordinance require that each occupant of an industrial or  
25 commercial building located outside the limits of cities,  
26 villages and incorporated towns obtain an occupancy permit  
27 issued by the county. Such permit may be valid for the  
28 duration of the occupancy or for a specified period of time,  
29 and shall be valid only with respect to the occupant to which  
30 it is issued.

31 Within 30 days after its adoption, such resolution or  
32 ordinance shall be printed in book or pamphlet form,  
33 published by authority of the County Board; or it shall be  
34 published at least once in a newspaper published and having

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

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

26 The violation of any rule or regulation adopted pursuant  
 27 to this Section, except for a violation of the provisions of  
 28 this amendatory Act of the 92nd General Assembly and the  
 29 rules and regulations adopted under those provisions, shall  
 30 be a petty offense.

31 All rules and regulations enacted by resolution or  
 32 ordinance under the provisions of this Section shall be  
 33 enforced by such officer of the county as may be designated  
 34 by resolution of the County Board.

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

4           (Source: P.A. 86-962.)

5           (55 ILCS 5/5-1064) (from Ch. 34, par. 5-1064)

6           Sec. 5-1064. Buildings in certain counties of less than  
7 1,000,000 population. The county board in any county with a  
8 population not in excess of 1,000,000 located in the area  
9 served by the Northeastern Illinois Metropolitan Area  
10 Planning Commission may prescribe by resolution or ordinance  
11 reasonable rules and regulations (a) governing the  
12 construction and alteration of all buildings and structures  
13 and parts and appurtenances thereof and governing the  
14 maintenance thereof in a condition reasonably safe from the  
15 hazards of fire, explosion, collapse, contagion and the  
16 spread of infectious disease, but any such resolution or  
17 ordinance shall be subject to any rule or regulation now or  
18 hereafter adopted by the State Fire Marshal pursuant to "An  
19 Act to regulate the storage, transportation, sale and use of  
20 gasoline and volatile oils", approved June 28, 1919, as  
21 amended, (b) for prohibiting the use for residential purposes  
22 of buildings and structures already erected or moved into  
23 position which do not comply with such rules and regulations,  
24 and (c) for the restraint, correction and abatement of any  
25 violations. However, the county shall exempt all  
26 municipalities located wholly or partly within the county  
27 where the municipal building code is equal to the county  
28 regulation and where the local authorities are enforcing the  
29 municipal building code. Such rules and regulations shall be  
30 applicable throughout the county but this Section shall not  
31 be construed to prevent municipalities from establishing  
32 higher standards nor shall such rules and regulations apply  
33 to the construction or alteration of buildings and structures

1 used or to be used for agricultural purposes and located upon  
2 a tract of land which is zoned and used for agricultural  
3 purposes.

4 In the adoption of rules and regulations under this  
5 Section the county board shall be governed by the publication  
6 and posting requirements set out in Section 5-1063.

7 Beginning on the effective date of this amendatory Act of  
8 the 92nd General Assembly, any county adopting a new building  
9 code or amending an existing building code under this Section  
10 must, at least 30 days before adopting the building code or  
11 amendment, provide an identification of the building code, by  
12 title and edition, or the amendment to the Illinois Building  
13 Commission for identification on the Internet.

14 For the purposes of this Section, "building code" means  
15 any ordinance, resolution, law, housing or building code, or  
16 zoning ordinance that establishes construction related  
17 activities applicable to structures in the county.

18 Violation of any rule or regulation adopted pursuant to  
19 this Section, except for a violation of the provisions of  
20 this amendatory Act of the 92nd General Assembly and the  
21 rules and regulations adopted under those provisions, shall  
22 be deemed a petty offense.

23 All rules and regulations enacted by resolution or  
24 ordinance under the provisions of this Section shall be  
25 enforced by such officer of the county as may be designated  
26 by resolution of the county board.

27 (Source: P.A. 86-962.)

28 Section 15. The Illinois Municipal Code is amended by  
29 adding Section 1-2-3.1 as follows:

30 (65 ILCS 5/1-2-3.1 new)

31 Sec. 1-2-3.1. Building codes. Beginning on the  
32 effective date of this amendatory Act of the 92nd General

1 Assembly, any municipality with a population of less than  
2 1,000,000 adopting a new building code or amending an  
3 existing building code must, at least 30 days before adopting  
4 the code or amendment, provide an identification of the code,  
5 by title and edition, or the amendment to the Illinois  
6 Building Commission for identification on the Internet.

7 For the purposes of this Section, "building code" means  
8 any ordinance, resolution, law, housing or building code, or  
9 zoning ordinance that establishes construction related  
10 activities applicable to structures in the municipality.

11 Section 99. Effective date. This Act takes effect on  
12 July 1, 2002.