

TITLE IV – BUILDING REGULATIONS

CHAPTER 1 BUILDING CODE

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Section 1. ADOPTION.

- 1.1 The International Code Council's 2018 International Building Code, 2018 International Residential Code, 2018 International Property Maintenance Code, 2018 International Mechanical Code, 2017 National Electrical Code and the State of Illinois 2014 Plumbing Code are adopted by the Village as the Building Codes for the Village of Coal Valley except as may be amended and modified.
- 1.2 The Village adopts the following exceptions:
 - a. R313.2 One and two-family dwellings automatic fire systems.
An automatic fire sprinkler system shall not be required when the requirements of Section R501.3 are met and the under-stair surface and soffits are protected with ½ inch gypsum board.
 - b. R302.13 Fire protection of floors. Floor assemblies that are not required elsewhere in this code to be fire-resistance rated, shall be provided with a 1/2-inch (12.7 mm) gypsum wall-board membrane, 5/8-inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member.
Compliance with ICC Evaluation Report ERS-1405 shall be recognized as equivalent.

Section 2. FILING.

Two (2) copies of each of the adopted International Building and Residential Code Council Code books will be maintained at Village Hall for public inspection and reference.

Section 3. BUILDING INSPECTOR.

- 3.1 Creation. The positions of Village Building Inspector and Deputy Village Building Inspector are hereby created. When the term Building Inspector is used in this Ordinance it will mean both positions. The Building Inspector shall be knowledgeable on current building codes and standards.
- 3.2 Qualifications. The Building Inspector shall have training and experience with the methods of building construction for safety to life and property as approved by the laws and regulations of the State of Illinois and by Ordinances of the Village.
- 3.3 Duties. It shall be the duty of the Building Inspector to see to the enforcement of all ordinance provisions relating to buildings or zoning and to inspect all buildings or structures being erected or altered, as frequently as may be necessary to ensure compliance with Village Ordinances.

Entry Powers For the purpose of making an inspection, the Building Inspector shall have the power to make or cause to be made an entry at any reasonable hour into any building or premises where the work of altering, repairing or constructing any building or structure is going on.

Section 4. FOOTINGS FOR BUILDING IN EXCESS OF 720 SQUARE FEET.

Any building in excess of seven hundred twenty (720) square feet shall be required to have continuous frost footings.

Section 5. RATIO OF BUILDING TO LENGTH TO WIDTH

No accessory building shall be constructed in residential districts where the length exceeds the width by more than 75% of the width, per the Village of Coal Valley Zoning Ordinance. Fractional measurements can be rounded to the next higher footage.

Section 6. PERMITS.

- a. All work done under the Chapters in this Ordinance, for commercial and residential building, electrical, plumbing and mechanical, requires the issuance of a permit by the Village. The request for permit must be accompanied by drawings showing the work to be accomplished and an estimate of the total cost of the project. All general commercial and residential building contractors to include siding, window and gutter contractors must register with the Village each fiscal year. All electrical, plumbing, and mechanical contractors must present a current license issued by the States of Illinois and/or Iowa. Roofing contractors, however, must present a current Roofer's License issued by the State of Illinois. All contractors must also present current proof of General Liability and Worker's Compensation insurance, and a current bond of \$10,000 made out to the Village of Coal Valley. No permit will be issued until a current license, proof of insurance and bond are on file with the Village.
- b. Residents who acquire a permit under their signature, and will do the work themselves, assume all responsibility that the work to be performed meets all Village adopted Codes and Ordinances, and accept all liability for any issues with the work. Professional sub contractors hired by a resident must meet the permitting, licensing, insurance, and bonding requirements set forth above.
- c. No permits will be issued to anyone owing money to the Village of Coal Valley.
- d. Permit fees shall be paid in advance at the Village Hall before work has started. Any work started without a permit shall be charged twice the normal permit fee.
- e. Work Exempt from permits:

One-Story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.

Decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling and do not serve the exit door required by section R311.4 of the International Residential Code.

Section 7. INSPECTIONS.

- a. All work requiring a permit under the Chapters or adopted Codes in this Ordinance will require an inspection by a Village Inspector. At the time various inspections (stake out, footings, rough-in, framing, dry wall, ice barrier, cover, final, etc.) are required, the permit holder will only call Village Hall requesting the inspection. Calls requesting an inspection directly to an Inspector will not be accepted. The Village will endeavor to make inspections as quickly as possible (i.e., ice barrier on roofs), but the Village has two (2) business days once the call is received to make the requested inspection. Work that is done without inspection can be pulled out, uncovered or undone at the direction of the Inspector to ensure conformance with Village Ordinances and/or adopted Codes. All Inspectors will contact Village Hall with results of their inspection as soon as possible. All Inspectors will attach a sticker on the electrical panel board, when installed, to indicate the date of, and the results of the inspection.

- b. Stop Order. All Village Inspectors or their designated representatives have the authority to issue a verbal or written stop order on any work (new construction, remodel, renovation, alteration, repair, etc.) being performed in the Village when Village Ordinances or adopted Codes are being violated or not properly followed. Work will not restart until the appropriate Village Inspector or his designated representative has given a verbal or written order to do so.
- c. Entry Powers. For the purpose of making an inspection, Village Inspectors shall have the power to make or cause to be made entry at any reasonable hour onto any property, building, residence or premises where the work of constructing, altering, remodeling, and repairing any building or structure is going on or to determine if any such work is being performed.

Section 8. ENFORCEMENT.

The Building Inspector of the Village or his designated representative shall be responsible for the proper administration and enforcement of the Building and Residential Codes.

Section 9. ORDER TO REPAIR.

The owner, occupant or leasee served with an order to repair or change under the Chapters or adopted Codes in this Ordinance shall have ten (10) days to make such repairs or changes as required.

Section 10. REFUSAL TO ISSUE PERMITS.

The willful failure, neglect or refusal of any person or company to conform to the adopted International/National Building, Residential, Electrical, Mechanical Codes, or State of Illinois Plumbing Code and/or associated Village Ordinances shall be grounds for refusal to issue them further permits in the Village.

Section 11. FEES FOR GENERAL CONTRACTOR REGISTRATION AND BUILDING PERMITS.

a. GENERAL CONTRACTOR REGISTRATION FEES.

General contractors, doing business in the Village of Coal Valley must register each calendar year at Village Hall. Registration will include current insurance, bond and any licenses (plumbing, mechanical, electrical, roofing) as the general contractor might have issued to them. There is an annual \$35.00 registration fee.

b. PERMIT FEES.

Permit fees shall be charged based upon the value of construction to be accomplished under a building permit (new building construction, siding, room additions, remodels, out buildings, sheds, decks, windows, swimming pools, and spas, etc.) in accordance with the following schedule

BUILDING PERMIT FEES

VALUATION	FEE	VALUATION	FEE	VALUATION	FEE
1 - 500	\$ 25.00	30,001 - 31,000	\$ 312.00	74,001 - 75,000	\$ 620.00
501 - 600	\$ 29.00	31,001 - 32,000	\$ 319.00	75,001 - 76,000	\$ 627.00
601 - 700	\$ 33.00	32,001 - 33,000	\$ 326.00	76,001 - 77,000	\$ 634.00
701 - 800	\$ 37.00	33,001 - 34,000	\$ 333.00	77,001 - 78,000	\$ 641.00
801 - 900	\$ 41.00	34,001 - 35,000	\$ 340.00	78,001 - 79,000	\$ 648.00
901 - 1000	\$ 45.00	35,001 - 36,000	\$ 347.00	79,001 - 80,000	\$ 655.00
1001 - 1100	\$ 49.00	36,001 - 37,000	\$ 354.00	80,001 - 81,000	\$ 662.00
1101 - 1200	\$ 53.00	37,001 - 38,000	\$ 361.00	81,001 - 82,000	\$ 669.00
1201 - 1300	\$ 57.00	38,001 - 39,000	\$ 368.00	82,001 - 83,000	\$ 676.00
1301 - 1400	\$ 61.00	39,001 - 40,000	\$ 375.00	83,001 - 84,000	\$ 683.00
1401 - 1500	\$ 65.00	40,001 - 41,000	\$ 382.00	84,001 - 85,000	\$ 690.00
1501 - 1600	\$ 69.00	41,001 - 42,000	\$ 389.00	85,001 - 86,000	\$ 697.00
1601 - 1700	\$ 73.00	42,001 - 43,000	\$ 396.00	86,001 - 87,000	\$ 704.00
1701 - 1800	\$ 77.00	43,001 - 44,000	\$ 403.00	87,001 - 88,000	\$ 711.00
1801 - 1900	\$ 81.00	44,001 - 45,000	\$ 410.00	88,001 - 89,000	\$ 718.00
1901 - 2000	\$ 85.00	45,001 - 46,000	\$ 417.00	89,001 - 90,000	\$ 725.00
2001 - 3000	\$ 95.00	46,001 - 47,000	\$ 424.00	90,001 - 91,000	\$ 732.00
3001 - 4000	\$ 105.00	47,001 - 48,000	\$ 431.00	91,001 - 92,000	\$ 739.00
4001 - 5000	\$ 115.00	48,001 - 49,000	\$ 438.00	92,001 - 93,000	\$ 746.00
5001 - 6000	\$ 125.00	49,001 - 50,000	\$ 445.00	93,001 - 94,000	\$ 753.00
6001 - 7000	\$ 135.00	50,001 - 51,000	\$ 452.00	94,001 - 95,000	\$ 760.00
7001 - 8000	\$ 145.00	51,001 - 52,000	\$ 459.00	95,001 - 96,000	\$ 767.00
8001 - 9000	\$ 155.00	52,001 - 53,000	\$ 466.00	96,001 - 97,000	\$ 774.00
9001 - 10,000	\$ 165.00	53,001 - 54,000	\$ 473.00	97,001 - 98,000	\$ 781.00
10,001 - 11,000	\$ 172.00	54,001 - 55,000	\$ 480.00	98,001 - 99,000	\$ 788.00
11,001 - 12,000	\$ 179.00	55,001 - 56,000	\$ 487.00	99,001 - 100,000	\$ 795.00
12,001 - 13,000	\$ 186.00	56,001 - 57,000	\$ 494.00		
13,001 - 14,000	\$ 193.00	57,001 - 58,000	\$ 501.00		
14,001 - 15,000	\$ 200.00	58,001 - 59,000	\$ 508.00		
15,001 - 16,000	\$ 207.00	59,001 - 60,000	\$ 515.00		
16,001 - 17,000	\$ 214.00	60,001 - 61,000	\$ 522.00		
17,001 - 18,000	\$ 221.00	61,001 - 62,000	\$ 529.00		
18,001 - 19,000	\$ 228.00	62,001 - 63,000	\$ 536.00		
19,001 - 20,000	\$ 235.00	63,001 - 64,000	\$ 543.00		
20,001 - 21,000	\$ 242.00	64,001 - 65,000	\$ 550.00		
21,001 - 22,000	\$ 249.00	65,001 - 66,000	\$ 557.00		
22,001 - 23,000	\$ 256.00	66,001 - 67,000	\$ 564.00		
23,001 - 24,000	\$ 263.00	67,001 - 68,000	\$ 571.00		
24,001 - 25,000	\$ 270.00	68,001 - 69,000	\$ 578.00		
25,001 - 26,000	\$ 277.00	69,001 - 70,000	\$ 585.00		
26,001 - 27,000	\$ 284.00	70,001 - 71,000	\$ 592.00		
27,001 - 28,000	\$ 291.00	71,001 - 72,000	\$ 599.00		
28,001 - 29,000	\$ 298.00	72,001 - 73,000	\$ 606.00		
29,001 - 30,000	\$ 305.00	73,001 - 74,000	\$ 613.00		
				100,001 - 500,000	\$795.00 for the first \$100,000 plus \$7.00 for each additional \$1,000 or fraction thereof
				500,001 - 1,000,000	\$3,595.00 for the first \$500,000 plus \$5.00 for each additional \$1,000 or fraction thereof
				1,000,001 and up	= \$6,095.00 plus \$3.00 for each add \$1,000 or fraction thereof

OTHER BUILDING PERMIT/INSPECTION FEES
WHEN SEPARATE FROM NEW HOME/BUILDING CONSTRUCTION
PERMITS

Driveway approaches (must be concrete)	\$30.00
Sidewalks that become Village responsibility for repair	\$30.00
Inspection of a gas reconnection.	\$30.00
Swimming Pool Permit	\$20.00

Section 12. RE-INSPECTION.

There will be a charge of \$30.00 for every inspection required after a second inspection.

Section 13. PENALTY.

Any person violating the Chapters and adopted Codes in this Ordinance shall be fined not less than \$45.00 or more than \$750.00 per individual violation. In the event of the continuation of such willful failure, neglect or refusal to comply with such order, each day's continuance is a separate offense. Ordinance citations issued for violations that are not paid within 14 days of the date of the citation will be taken to the Municipal Code Enforcement System (MUNICES) for adjudication.

CHAPTER 2 ELECTRICAL CODE

Section 1. ADOPTION.

The National Fire Protection Association, 2018 National Electrical Code, is adopted as the Electrical Code for the Village of Coal Valley except as may be amended and modified by this Ordinance.

Section 2. CREATION.

The position of Village Electrical Inspector is hereby created. The Electrical Inspector will be an individual who holds a current Electrician's License.

Section 3. PERMIT FEES.

- a. All new single family residences, zero lot line duplexes, and bungalows (complete except for electric heat) \$35.00 plus \$.07 per square foot of gross square footage.
- b. New multi-family residences or apartments, greater than two units, (complete except for electric heat)
 - First apartment complete with incidental units..... \$60.00
 - Each additional apartment..... \$40.00
- c. Electric heat – per single unit..... \$30.00
 - Multi-family residence:
 - First apartment..... \$30.00
 - Each additional apartment..... \$25.00
- d. Each incidental units; air-conditioner units (furnace or window, water heater, electric range, electric oven if separate from range, dishwashers, garbage disposal units, basic furnace (does not include Air Conditioning but includes humidifiers), trash compacters, home generators (gas line installation is covered by Chapter 8), de-icing cable, motor, etc. Each \$30.00
- e. Signs, neon transformer, fluorescent, ballast type or incandescent light fixtures \$30.00 plus building permit
- f. Entrance services, residential \$30.00
- g. Temporary entrance services, residential \$30.00
- h. Room addition, rewire, basement/lower-level remodel, attic room, garage room, out building \$45.00
- i. Commercial or industrial wiring \$70.00 plus 1% of total cost of parts and labor
- j. There will be a charge of \$30.00 for each additional inspection required after a second inspection.
- k. There will be a \$30.00 charge for electrical inspections of electrical services that have been shut off, and where the electric utility informs the business owner, homeowner or leasee to ask the Village for an inspection prior to turn on.

Section 4. FILING

Two (2) copies of the National Electrical Code 2017 edition and this Ordinance shall be available in the Village Hall for public inspection and reference.

Section 5. ENFORCEMENT.

The Electrical Inspector of the Village or his designated representative shall be responsible for the proper administration and enforcement of the Electrical Code.

CHAPTER 3 PLUMBING CODE

Section 1. ADOPTION.

- 1.1 The Illinois Plumbing Code, 2014 Edition, of the State of Illinois, Department of Public Health is adopted as the Plumbing Code for the Village of Coal Valley with the exception that the Village requires the use of steel piping for gas lines within the interior of all buildings. Other exceptions are addressed or can be amended and modified by this Ordinance.
- 1.2 All new construction will require a Radon remediation system, and a permit to install. All Radon remediation systems added to current buildings/structures will require a permit.

Section 2. CREATION

The position of Village Plumbing Inspector is hereby created. The Plumbing Inspector will be a currently licensed Plumber.

Section 3. FILING

Two (2) copies of the State of Illinois Plumbing Code, 2014 Edition shall be available in Village Hall for public inspection and reference.

Section 4. PERMIT FEES

The fee for a plumbing permit shall be \$20.00 per opening.

The permit fee for the installation of a Radon remediation system shall be \$20.00.

Gas Pressure Test	.....	\$20.00
Sprinkler System Installation	.....	\$20.00
RPZ/Cross Connect	.....	\$20.00

Section 5. ADDITIONAL INSPECTIONS

There will be a charge of \$30.00 for each additional inspection required after a second inspection.

Section 6. ENFORCEMENT.

The Plumbing Inspector of the Village or his designated representative shall be responsible for the proper administration and enforcement of the Plumbing Code.

CHAPTER 4 MECHANICAL CODE

Section 1. ADOPTION.

The International Code Council's 2018 International Mechanical Code, is adopted as the Mechanical Code for the Village of Coal Valley. The Village requires the use of steel gas piping in the interior of all buildings. Exceptions can be amended and modified by this Ordinance. The installation of gas lines for gas fired home generators is covered by this Chapter 4. The electrical connection for home generators and the required permit are covered by Chapter 2 Section 3 (d) of this Ordinance.

Section 2. FILING.

Two (2) copies of the International Mechanical Code, 2018 edition and this Ordinance shall be available in Village Hall for public inspection and reference.

Section 3. ENFORCEMENT.

The Building Inspector of the Village shall be responsible for the proper administration and enforcement of the Mechanical Code.

Section 4 MECHANICAL PERMIT FEES

TOTAL VALUATION	FEE	TOTAL VALUATION	FEE
1 - 500	\$ 25.00	7001 - 8000	\$ 145.00
501 - 600	\$ 29.00	8001 - 9000	\$ 155.00
601 - 700	\$ 33.00	9001 - 10,000	\$ 165.00
701 - 800	\$ 37.00	10,001 - 11,000	\$ 172.00
801 - 900	\$ 41.00	11,001 - 12,000	\$ 179.00
901 - 1000	\$ 45.00	13,001 - 14,000	\$ 186.00
1001 - 1100	\$ 49.00	14,001 - 15,000	\$ 193.00
1101 - 1200	\$ 53.00	15,001 - 16,000	\$ 200.00
1201 - 1300	\$ 57.00	16,001 - 17,000	\$ 207.00
1301 - 1400	\$ 61.00	17,001 - 18,000	\$ 214.00
1401 - 1500	\$ 65.00	18,001 - 19,000	\$ 221.00
1501 - 1600	\$ 69.00	19,001 - 20,000	\$ 228.00
1601 - 1700	\$ 73.00		
1701 - 1800	\$ 77.00	20,001 and up	\$250.00 plus \$7.00 for each additional \$1,000 or fraction thereof
1801 - 1900	\$ 81.00		
1901 - 2000	\$ 85.00		
2001 - 3000	\$ 95.00		
3001 - 4000	\$ 105.00		
4001 - 5000	\$ 115.00		
5001 - 6000	\$ 125.00		
6001 - 7000	\$ 135.00		

Section 5. ADDITIONAL FEES

There will be a \$30.00 charge for the inspection of gas lines for any gas fired home generator.

Section 6. REINSPECTION FEES

There will be a charge of \$30.00 for each additional inspection required after a second inspection.

CHAPTER 5 DANGEROUS AND ABANDONED BUILDINGS

Section 1. POWERS OF THE VILLAGE.

The corporate authorities of the Village shall have the powers to demolish, repair or enclose, or cause the demolition, repair or enclosure of dangerous and unsafe buildings or structures, or uncompleted and abandoned buildings or structures, which they determine to be hazardous to the health, safety and public welfare of the Village.

- 1.1 Action. Such action to demolish, repair or enclose, shall be by majority vote by resolution of the Board of Trustees at a regular or special meeting.

Section 2. JUDICIAL PROCEEDINGS.

The corporate authorities shall apply to the Circuit Court of the Fourteenth Judicial Circuit in Rock Island County, Illinois for an order authorizing the action to be taken with respect to the building, if the owner or owners after at least 30 days' written notice have failed to put the building in a safe condition or to demolish it in accordance with the written notice of order.

Section 3. COSTS AND LIENS.

The costs of the demolitions, repair or enclosure shall be recoverable from the owner or owners of such real estate. A lien shall be placed against the property within 60 days after the cost and expense is incurred. The municipality or person performing the service, by authority of the municipality, in his or its own name, shall file notice of lien in the Office of the Recorder of Deeds of Rock Island County. The notice shall consist of a sworn statement setting out a description of the real estate, the amount of money representing the cost and expense incurred or payable for the service, and the date or dates when the cost and expense was incurred by the municipality.

Section 4. ENFORCEMENT OF LIEN.

The lien provided for may be enforced by proceedings to foreclose as in case of mortgages or mechanic's liens. A suit to foreclose this lien shall be commenced within three (3) years after the date of filing notice of lien.

Section 5. INSPECTION, INJUNCTION.

The corporate authorities of the Village shall also have the power to determine upon due investigation that any building or structure within the Village fails to conform to the minimum standards of health and safety, as set forth in the applicable ordinances of the Village of Coal Valley, Illinois. If the owner or owners of the building or structure fail after 30 days' notice to cause the property to conform to the appropriate ordinances of the Village of Coal Valley, Illinois, the corporate authorities shall have power to make application to the Circuit Court for an injunction requiring compliance with the ordinances or for another order as the court may deem necessary or appropriate to secure such compliance.

CHAPTER 6 SUBDIVISION AND OFFICIAL MAP

Section 1. ADOPTION.

The Subdivision and Official Map and all revisions is hereby adopted by the Village of Coal Valley.

Section 2. FILING.

Three copies of the Subdivision and Official Map, shall be available in the Office of the Village Clerk for public inspection and reference.

Section 3. NEW STREETS.

This Section sets forth the design and construction specifications for new streets in the Village as referenced in Sections 12 of the Subdivision Ordinance of the Village of Coal Valley, Illinois and as may otherwise be required when a new street is designed and constructed when not part of a new subdivision.

3.1 Definitions.

- a. A "new street" shall hereinafter be defined as either an existing street to be reconstructed that has not been previously designed and constructed in accordance with this Section, or a proposed paved thoroughfare whose proposed alignment represents the initial use of a corridor for vehicular traffic.
- b. The "Design Manual" of the Village shall be the Design Manual of the State of Illinois, Department of Transportation, Bureau of Design, or the latest revisions thereof, and shall be used for designing new streets in the Village.
- c. The "Standard Specifications" of the Village shall be the Standard Specifications for Road and Bridge Construction, of the Illinois Department of Transportation, or the latest revisions thereof, and shall be used for constructing and, when appropriate, for specifying materials for new streets in the Village.
- d. The "Standard Drawings" required by the Village shall be the Highway Standards of the Illinois Department of Transportation, Bureau of Design, or the latest revisions thereof, and shall be used in detailing items of construction for new streets in the Village.

3.2 Only two types of pavements will be approved for new streets in the Village, as follows:

- a. Reinforced jointed portland cement concrete pavement (rigid) with a minimum thickness of six (6) inches or non-Reinforced jointed portland cement concrete pavement (rigid) with a minimum thickness of seven (7) inches.
- b. Bituminous pavement (flexible) consisting of a two-layer structure (surface course and base course) or a three-layer structure (surface course, base course, and subbase course).

- c. Minimum surface course thickness shall be three (3) inches.
- 3.3 Certain minimum design criteria shall be used as a basis for design of new streets determined by the Village Board upon recommendation by the Village Engineer, to be "local" streets, as follows:
- a. The design period shall be twenty (20) years.
 - b. The average daily traffic (ADT) estimated for the year representing one-half the design period shall be at least four hundred (400) vehicles per day (Class IV).
 - c. The CBR value shall not exceed 3.0.
 - d. The average daily passenger car traffic (PC) shall be 71% of the ADT established in Part B above.
 - e. The average daily single unit traffic (SU) shall be 24% of the ADT established in Part B above.
 - f. The average daily multiple unit traffic (MU) shall be 5% of the ADT established in Part B above.

The percentage of passenger, single, and multiple units in the design lane shall each be 50% for "local" streets.

- 3.4 The minimum design criteria stated in Section 3.3 above for "local" streets may be modified by the Village Board on case-by-case basis based upon recommendation of the Village Engineer for conditions unique to the proposed new street location or due to adjoining influences on the proposed new street.
- 3.5 The party responsible for the design of a new street, or the party's representative, shall present satisfactory evidence to the Village Engineer as to the type of road bed soils to be used in the subgrade so that the Village Engineer can assign the actual CBR value to be used in the design.
- 3.6 If the roadbed soils are determined by the Village Engineer to be unsatisfactory, suitable remedial measures as set forth in the Design Manual shall be specified and implemented by the party responsible for the design and construction of new streets.
- 3.7 For new streets classified as "collector" or "major" streets, appropriate values for the design criteria categories as set forth in Section 3.3 above shall be assigned by the Village Engineer on a case-by-case basis for the particular new street location.
- 3.8 The party responsible for the design and construction of new streets shall employ the services of and bear the costs of a testing laboratory, approved by the Village Engineer, to perform the appropriate tests set forth in the Standard Specifications and any other appropriate tests the Village Engineer may reasonably request.
- 3.9 Prior to the start of construction of new streets, the party responsible for design and construction shall submit a schedule of the type of tests and frequency of testing to be performed for embankment compaction and materials to the Village Engineer for review and acceptance.
- 3.10 The schedule of the type and frequency of tests will be reviewed by the Village Engineer based on the nature of the project.

- 3.11 The party responsible for the design and construction of new streets shall not proceed with a given phase of construction until the test results indicating the status of the previous phase has been reviewed and accepted by the Village Engineer.
- 3.12 The party responsible for the design and construction of new streets shall give reasonable notice to the Village Engineer as to the test results and the construction progress so that the Village Engineer may have sufficient time to perform the review and field observations.
- 3.13 Existing Village streets not to be reconstructed but to receive resurfacing treatment shall be excluded from the requirements of this Section 3. All asphalt overlay or resurfacing on Village streets, however, are still subject to all appropriate tests to ensure compaction, density, strength, adhesion, etc.

Section 4. SIDEWALKS.

This Section sets forth the design and construction specifications for new and replacement sidewalks in the Village as referenced in Sections 15 of the Subdivision Ordinance of the Village of Coal Valley, Illinois and as may otherwise be required when new or replacement sidewalks are constructed when not a part of a new subdivision.

- 4.1 The subgrade shall be well compacted.
- 4.2 No concrete may be placed unless the temperature is 35 degrees and rising and must be discontinued when the temperature is 40 degrees and falling. Concrete temperature should be above 50 degrees. If the forecast overnight is for 32 degrees or lower than normal curing compound cannot be used. Instead the concrete should be cured and protected for 3 days using insulated methods. Insulating requirements can be met by following Illinois Department of Transportation Standard Specifications for Road and Bridge Construction, 2012 Edition, Article 1020.13. No concrete will be placed on frozen sub-grade.
- 4.3 Concrete shall have minimum compression strength of not less than 3500 psi after 14 days.
- 4.4 For all sidewalks along; commercial or industrial properties, a plat or drawing showing the location and dimensions of the proposed construction shall be presented at the time of application for a permit.
- 4.5 All construction shall be in accordance with State of Illinois Standard Specifications when not in conflict with the foregoing Section 5. This Section sets forth the design and construction specifications for new and replacement driveways in the Village.

Section 5. DRIVEWAYS.

This Section sets forth the design and construction specifications for new and replacement driveways in the Village

- 5.1 The subgrade shall be well compacted.
- 5.2 Concrete shall have a minimum. Compression strength of not less than 3500 psi after 14 days.

- 5.3 No concrete may be placed unless the temperature is 35 degrees and rising and must be discontinued when the temperature is 40 degrees and falling. Concrete temperature should be above 50 degrees. If the forecast overnight is for 32 degrees or lower than normal curing compound cannot be used. Instead the concrete should be cured and protected for 3 days using insulated methods. Insulating requirements can be met by following Illinois Department of Transportation Standard Specifications for Road and Bridge Construction, 2012 Edition, Article 1020.13. No concrete will be placed on frozen sub-grade.
- 5.4 Expansion joint at the back of the curb and at the property line shall be 3/4 inch thick and extend to 1 inch below the driveway pavement.
- 5.5 Approach pavement shall be 6 inches reinforced or 7 inches unreinforced.
- 5.6 Reinforcing; shall be mesh weighing at least 42 lbs. per 100 square feet.
- 5.7 If the street pavement has a curb higher than 3 inches: the curb shall be removed and replaced or the curb shall be removed by saw cutting (at an approximate 45 degree angle) at the required width and along the base the curb approximately 2 inches above the pavement surface creating a smooth opening and retaining a paved gutter for storm water drainage.
- 5.8 Where the street pavement has a 3 inch drive over, curb, the curb may remain intact, but no material shall be allowed to be placed in the gutter.
- 5.9 All joints at the back of curb shall be sealed with approved poured joint sealer.
- 5.10 There shall be no more than one driveway per 100 feet of lot frontage.
- 5.11 For all driveways serving commercial or industrial uses, a plat or drawing showing the location and dimensions of the proposed construction shall be presented at the time of application for a permit.
- 5.12 All construction shall be in accordance with State of Illinois Standard specifications when not in conflict with the foregoing.
- 5.13 Whenever a driveway is constructed or replaced for access to or from any street, that portion thereof between the curb and the property line shall be paved with Portland cement concrete. No other materials will be allowed. Existing sidewalk, if any, shall be removed and pave as part of the driveway. The surface of the driveway at the point of crossing the sidewalk area shall be level in conformity to the existing walk.

Section 6. APPROACHES

This Section sets forth the construction and responsibility for new and replacement driveways in the Village.

- 6.1 A permit is required.
- 6.2 The driveway approach must be concrete and meet the design and construction specifications as outlined in Section 5.5 and 5.6.
- 6.3 The homeowner will be financially responsible for the cost of the approach.

Section 7. CULVERTS

This Section sets forth the responsibility for new and replacement culverts in the Village.

- 7.1 No permit required.
- 7.2 An inspection is required.
- 7.3 Size/material is decided by the Village.
- 7.4 For new construction, the Homeowner will bear the financial responsibility for the first culvert up to the first thirty feet (30').
- 7.5 For any replacements thereafter, the Village will bear the financial responsibility for replacement.
- 7.6 No decorative landscaping will be replaced by the Village.

CHAPTER 7 RESIDENTIAL SWIMMING POOLS

Section 1. COMPLIANCE REQUIRED.

It shall be unlawful to construct, maintain, install or enlarge any swimming pool within the Village limits, except in compliance with all provisions of this chapter.

Section 2. DEFINITIONS.

For the purpose of this Chapter, the following definitions shall apply:

SWIMMING POOL

Defined as a receptacle for water, or an artificial pool of water having a depth at any point of more than two feet, intended for the purpose of immersion or partial immersion therein of human beings, and including all appurtenant equipment.

Section 3. LOCATION.

No portion of a swimming pool outside a building shall be located at a distance of less than 8 feet from any side or rear property line, or building line. Pumps, filters and pool water disinfection equipment installations shall be located at a distance not less than 8 feet from any side property line.

Section 4. PERMIT REQUIRED.

It shall be unlawful to proceed with the construction, installation, enlargement or alteration of any private residential swimming pool or of appurtenances within the Village limits unless permits shall be first obtained from the Building Inspector.

Section 5. DRAWINGS, PLANS AND PERMITS.

All drawings and plans for the construction, installation, enlargement or alteration of any swimming pool and appurtenances shall first be presented to the Building Inspector for examination and approval as to proper location, construction and compliance with this ordinance. All private residential swimming pools,

appurtenances, water supply and drainage systems shall be construed in conformity with the approved Plans and the existing ordinance of the Village.

Section 6. RECIRCULATION POOLS.

All permanent swimming pools shall be of the recirculation type in which circulation of the water is maintained through the pool by pumps; the water drawn from the pool being clarified and disinfected before being returned to the pool.

Section 7. FENCES.

All outdoor swimming pools shall be completely enclosed by a fence. All fence openings or points of entry into the pool or enclosure shall be equipped with gates. The fence and gates shall be at least five (5) feet in height above the grade level. All gates shall be equipped with self-closing and self-latching devices at the top of the gate. Fence posts shall be made of decay and corrosion resistant material and shall be set in concrete bases.

Section 8. STEPS OR LADDERS.

Two or more means of egress in the form of steps or ladders shall be provided for all swimming pools. At least one such means of egress shall be located on the side of the pool at both the deep end and the shallow end of the pool. Steps and ladders shall have handrails on both sides.

Section 9. ELECTRICAL REQUIREMENTS.

The following requirements must be met:

- a. All electrical installations provided for, installed, and used in conjunction with private residential swimming pools, shall be in conformity with the ordinances and the regulations of the Village and the 2017 Electrical code, as to electrical installations.
- b. No current carrying electrical conductor shall cross private residential swimming pools either overhead or underground within 10 feet of such pools.
- c. All fences, enclosures or railings near or adjacent to swimming pools, which might become electrically alive as a result of contact with broken overhead conductors, or from any other cause, shall be effectively grounded.

Section 10. INSPECTION.

The Building Inspector periodically shall inspect all swimming pools to determine whether or not the provisions of the ordinances regarding health, sanitation, safety and welfare are being complied with. Swimming pools shall not be filled until all inspections have been made and approval granted by the Building Inspector.

CHAPTER 8 DEVELOPMENT IN SPECIAL FLOOD HAZARD AREAS

Section 1. PURPOSE

This ordinance is enacted pursuant to the police powers granted to this Village by the Illinois Municipal Code (65 ILCS 5/1-2-1, 5/11-12-12, 5/11-30-2, 5/11-30-8 and 5/11-31-2) in order to accomplish the following purposes:

- a. To prevent unwise developments from increasing flood or drainage hazards to others; protect new buildings and major improvements to buildings from flood damage;
- b. to promote and protect the public health, safety, and general welfare of the citizens from the hazards of flooding;
- c. to lessen the burden on the taxpayer for flood control, repairs to public facilities and utilities, and flood rescue and relief operations;
- d. to lessen the burden on the taxpayer for flood control, repairs to public facilities and utilities, and flood rescue and relief operations;
- e. maintain property values and a stable tax base by minimizing the potential for creating blight areas;
- f. make federally subsidized flood insurance available, and
- g. to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and storm water impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

Section 2. DEFINITIONS

For the purposes of this ordinance, the following definitions are adopted:

Base Flood- The flood having a one percent (1%) probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year flood. The base flood elevation at any location is as defined in Section 3 of this ordinance.

Base Flood Elevation (BFE). The elevation in relation to mean sea level of the crest of the base flood.

Basement. That portion of a building having its floor sub-grade (below ground level) on all sides.

Building- A walled and roofed structure, including gas or liquid storage tank, that is principally above ground, including manufactured homes, prefabricated buildings and gas or liquid storage tanks. The term also includes recreational vehicles and travel trailers installed on a site for more than one hundred eighty (180) days per year.

Critical Facility. Any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these critical facilities can impact the delivery of vital services, can cause greater damage to other sectors of the community, or can put special populations at risk.

Examples of critical facilities where flood protection should be required include: emergency services facilities (such as fire and police stations), schools, hospitals retirement homes and senior care facilities, major roads and bridges, critical utility sites (telephone switching stations or electrical transformers, and hazardous material storage facilities (chemicals, petrochemicals, hazardous or toxic substances).

Development. Any man-made change to real estate including, but not necessarily limited to:

1. Demolition, construction, reconstruction, repair, placement of a building, or any structural alteration to a building;
2. substantial improvement of an existing building;
3. installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than one hundred eighty (180) days per year; installation of utilities, construction of roads, bridges, culverts or similar projects; construction or erection of levees, dams walls or fences;
4. drilling, mining, filling, dredging, grading, excavating, paving, or other alterations of the ground surface;
5. storage of materials including the placement of gas and liquid storage tanks, and channel modifications or any other activity that might change the direction, height, or velocity of flood or surface waters.

“Development” does not include routine maintenance of existing buildings and facilities, resurfacing roads, or gardening, plowing, and similar practices that do not involve filing, grading, or construction of levees.

Existing Manufactured Home Park or Subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an Existing Manufactured Home Park or Subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA. Federal Emergency Management Agency

Flood. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

Flood Fringe. That portion of the floodplain outside of the regulatory floodway.

Flood Insurance Rate Map. A map prepared by the Federal Emergency Management Agency that depicts the floodplain or special flood hazard area (SFHA) within a community. This map includes insurance rate zones and may or may not depict floodways and show base flood elevations.

Flood Insurance Study. An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Floodplain and Special Flood Hazard Area (SFHA). These two terms are synonymous. Those lands within the jurisdiction of the Village of Coal Valley, the extraterritorial jurisdiction of the Village of Coal Valley, or that may be annexed into the Village of Coal Valley, that are subject to inundation by the base flood. The floodplains of the Village are generally identified as such on panels 328, 329, 337, and 340 of the countywide Flood Insurance Rate Map of Rock Island County prepared by the Federal Emergency Management Agency and dated April 5, 2010 and on panel 135 of the countywide Flood Insurance Rate Map of Henry County prepared by the Federal Emergency Management Agency and dated June 2, 2011. Floodplain also includes those areas of known flooding as identified by the community.

Those floodplains of those parts of unincorporated Rock Island County and Henry County that are within the extraterritorial jurisdiction of the Village of Coal Valley or that may be annexed into the Village of Coal Valley are generally identified as such on the Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency for Rock Island County dated April 5, 2010 and Henry County dated June, 2 2011.

The floodplains of those parts of unincorporated Rock Island County that are within the extraterritorial jurisdiction of the Village of Coal Valley, or that may be annexed into the Village of Coal Valley, are generally identified as such on the Flood Insurance Rate map prepared for Rock Island County by the Federal Emergency Management Agency and dated April 5, 2010.

Floodproofing. Any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate, property and their contents.

Floodproofing Certificate. A form published by the Federal Emergency management agency that is used to certify that a building has been designed and constructed to be structurally dry flood proofed to the flood protection elevation.

Flood Protection Elevation (FPE). The elevation of the base flood plus one foot of freeboard at any given location in the floodplain.

Floodway. That portion of the floodplain required to store and convey the base flood. The floodway for the floodplains of the Rock River, Coal Creek, Coal Creek Tributary, and Shaffer Creek shall be as delineated on the countywide Flood Insurance Rate Maps of Rock Island County, prepared by FEMA, and dated April 5, 2010 and Henry County, prepared by FEMA, and dated June, 2, 2011. The floodways of the remaining floodplains of the Village of Coal Valley shall be according to the best data available from the Federal, State, or other sources.

Freeboard. An increment of elevation added to the base flood elevation to provide a factor of safety for uncertainties in calculations, future watershed development, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

Historic Structure. Any structure that is:

1. Listed individually in the National Register of Historic Places or preliminarily

determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
3. Individually listed on the state inventory of historic places by the Illinois Historic Preservation Agency.
4. Individually listed on a local inventory of historic places that has been certified by the Illinois Historic Preservation Agency.

IDNR/OWR. Illinois Department of Natural Resources/Office of Water Resources.

Lowest Floor. the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor. Provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 7 of this ordinance.

Manufactured Home. A structure transportable in one or more sections, that is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities.

Manufactured Home Park or Subdivision. A parcel (or contiguous parcels) of land divided into two or more lots for rent or sale.

New Construction- Structures for which the start of construction commenced or after the effective date of floodplain management regulations adopted by a community and includes any subsequent improvements of such structures.

New Manufactured Home Park or Subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

NFIP. National Flood Insurance Program.

Recreational Vehicle or Travel Trailer. A vehicle which is:

1. built on a single chassis;
2. four hundred (400) square feet or less in size;
3. designed to be self-propelled or permanently towable by a light duty truck and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Repetitive Loss. Flood related damages sustained by a structure on two separate occasions during a ten year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred.

SFHA. See definition of floodplain.

Start of Construction- Includes substantial improvement and means the date the building permit was issued. This, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement, was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation or placement of a manufactured home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building whether or not that alteration affects the external dimensions of the building.

Structure (see "Building")

Substantial Damage. Damage of any origin sustained by a structure whereby the cumulative percentage of damage during the life of the building, subsequent to the adoption of this ordinance, equals or exceeds fifty percent (50%) of the market value of the structure before the damage occurred regardless of actual repair work performed. Volunteer labor and materials must be included in this determination. The term includes "Repetitive Loss Buildings" (see definition).

Substantial Improvement. Any reconstruction, rehabilitation, addition or improvement of a structure taking place during the life of the building, subsequent to the adoption of this ordinance, in which the cumulative percentage of improvements:
Equals or exceeds fifty (50%) of the market value of the structure before the improvements or repair is started, or, increases the floor area by more than twenty percent (20%).

"Substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred repetitive loss or substantial damage, regardless of the actual repair work done.

The term does not include:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
2. Any alteration of a structure listed on the National Register of Historic Places or the Illinois Register of Historic Places.

Violation. The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the required federal, state, and/or local permits and elevation certification is presumed to be in violation until such time as the documentation is provided.

Section 3. BASE FLOOD ELEVATION.

This ordinance's protection standard is the base flood. The best available flood data are listed below. Whenever a party disagrees with the best available data, the party shall finance the detailed engineering study needed to replace the existing data with better data and submit it to the FEMA and IDNR/OWR for approval prior to any development of the site.

- a. The base flood elevation for the floodplains of the Rock River, Coal Creek, Coal Creek Tributary, and Shaffer Creek shall be delineated on the 100-year flood profiles in the countywide Flood Insurance Studies of Rock Island County, prepared by the Federal Emergency Management Agency, dated April 5, 2010 and Henry County, prepared by the Federal Emergency Management Agency, dated June 2, 2011.
- b. The Base flood elevation for each floodplain delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the countywide Flood Insurance Rate Maps for Rock Island and Henry Counties.
- c. The base flood elevation for each of the remaining floodplains delineated as an "A Zone" on the countywide Flood Insurance Rate Maps of Rock Island and Henry Counties shall be according to the best data available from Federal, State or other sources. Should no other data exist, an engineering study must be financed by the applicant to determine base flood elevations.
- d. The base flood elevation for the floodplains of those parts of unincorporated Rock Island and Henry Counties that are within the extraterritorial jurisdiction of the Village of Coal Valley or that may be annexed into the Village of Coal Valley, shall be delineated on the 100-year flood profiles in the Flood Insurance Studies of Rock Island County, prepared by the Federal Emergency Management Agency, dated April 5, 2010 and Henry County, prepared by the Federal Emergency Management Agency, dated June 2, 2011.

Section 4. DUTIES OF THE BUILDING INSPECTOR.

Building Inspector shall be responsible for the general administration of this ordinance and ensure that all development activities within the floodplains under the jurisdiction of the Village of Coal Valley meet the requirements of this ordinance. Specifically, the Building Inspector shall:

- a. Process development permits in accordance with Section 5;
- b. ensure that all development in a floodway (or a floodplain with no delineated floodway) meets the damage prevention requirements of Section 6;
- c. ensure that the building protection requirements for all buildings subject to Section 7 are met and maintain a record of the "as-built" elevation of the lowest floor (including basement) or floodproof certificate;
- d. assure that all subdivisions and annexations meet the requirements of Section 8;
- e. ensure that water supply and waste disposal systems meet the Public Health standards of Section 9;
- f. if a variance is requested, ensure that the requirements of Section 11 are met and maintain documentation of any variances granted;
- g. inspect all development projects and take any and all penalty actions outlined in Section 13 as a necessary to ensure compliance with this ordinance;
- h. assure that applicants are aware of and obtain any and all other required local, state, and federal permits;
- i. notify IDNR/OWR and any neighboring communities prior to any alteration or relocation of a watercourse;
- j. provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques;
- k. cooperate with state and federal floodplain management agencies to coordinate base flood data and to improve the administration of this ordinance;
- l. maintain for public inspection base flood data, floodplain maps, copies of state and federal permits, and documentation of compliance for development activities subject to this ordinance;
- m. perform site inspections to ensure compliance with this ordinance and make substantial

damage determinations for structures within the floodplain, and

- n. maintain the accuracy of floodplain maps including notifying IDNR/OWR and/or submitting information to FEMA within six months whenever a modification of the floodplain may change the base flood elevation or result in a change to the floodplain map.

Section 5. DEVELOPMENT PERMIT.

No person, firm, corporation, or governmental body not exempted by law shall commence any development in the floodplain without first obtaining a development permit from the Public Works Inspector / Building Inspector. The Public Works Inspector / Building Inspector shall not issue a development permit if the proposed development does not meet the requirements of this ordinance.

- a. The application for development permit shall be accompanied by:
 1. drawings of the site, drawn to scale showing property line dimensions;
 2. existing grade elevations and all changes in grade resulting from excavation or filling;
 3. the location and dimensions of all buildings and additions to buildings;
 4. the elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 7 of this ordinance, and
 5. cost of project or improvements as estimated by a licensed engineer or architect. A signed estimate by a contractor may also meet this requirement.
- b. Upon receipt of an application for a development permit, the Building Inspector shall compare the elevation of the site to the base flood elevation. Any development located on land that can be shown by the base flood elevation. Any development located on land that can be shown by survey data to be higher than the current base flood elevation and which has not been filled after the date of the site's first Flood Insurance Rate Map is not in the floodplain and therefore not subject to the requirements of this ordinance. Conversely, any development located on land shown to be below the base flood elevation and hydraulically connected, but not shown on the current Flood Insurance Rate Map, is subject to the provisions of this ordinance.

The Building Inspector shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first Flood Insurance Rate Map identification. The Building Inspector shall be responsible for obtaining from the applicant copies of all other federal, state, and local permits, approvals or permit-not-required letters that may be required for this type of activity.

The Building Inspector shall not issue a permit unless all other federal, state, and local permits have been obtained.

Section 6. PREVENTING INCREASED FLOOD HEIGHTS AND RESULTING DAMAGES.

Within any floodway identified on the countywide Flood Insurance Rate Map, and within all other floodplains where a floodway has not been delineated, the following standards shall apply:

- a. Except as provided in Section 6(B) of this ordinance, no development shall be allowed which, acting in combination with existing and anticipated development will cause any increase in flood heights or velocities or threat to public health and safety. The following specific development activities shall be considered as

meeting this requirement:

1. Bridge and culvert crossings of streams in rural areas meeting the following conditions of the Illinois Department of Natural Resources, Office of Water Resources Statewide Permit Number 2:
 - a. the crossing will not result in an increase in water surface profile elevation in excess of 1.0 feet, and
 - b. the crossing will not result in an increase in water surface profile elevation in excess of one half (0.5) feet at a point one thousand (1,000) feet upstream of the proposed structure.
 - c. There are no buildings in the area impacted by the increases in water surface profile.
 - d. The proposed bridge or culvert crossing will not involve straightening, enlarging, or relocating the existing channel.
 - e. The design must be certified by a licensed professional engineer in the State of Illinois and the designs must meet the conditions of an IDNR/OWR permit.
 - f. The design must be certified by a second licensed professional engineer.

2. Barge fleeting facilities meeting the following conditions of IDNR/OWR Statewide Permit Number 3:
 - a. The permit is only applicable when deadmen, pier cells, or other similar anchorage devices have been permitted by the U.S. Army Corps of Engineers.

3. Aerial utility crossings meeting the following conditions of IDNR/OWR Statewide Permit Number 4:
 - a. The utility line must be constructed above the existing 100-year flood elevation or attached to an existing bridge.
 - b. A utility line attached to an existing bridge shall be constructed above the low cord elevation of the bridge.
 - c. No supporting towers or poles shall be located in a river, lake or stream.
 - d. Supporting towers including foundation and poles shall be designed and located so as to not cause an obstruction of flood flows by trapping debris.
 - e. All disturbed areas shall be returned to pre-construction grades and re-vegetated.
 - f. All Illinois Commerce Commission, National Electrical Safety Code, and federal requirements must be met.

4. Minor boat docks meeting the following conditions of IDNR/OWR Statewide Permit Number 5:
 - a. The boat dock must not extend more than fifty (50) feet into a waterway and no more than one quarter (1/4) of the width of the waterway and shall not extend beyond the navigational limited established by the IDNR and Corps of Engineers.
 - b. The width of the boat dock shall not be more than ten (10) feet.
 - c. For L-Shaped or T-shaped docks, the length of that portion parallel to

the shoreline must not exceed fifty percent (50%) of the landowner's shoreline frontage nor fifty (50) feet.

- d. Docks must be aligned so as not to cross the projection of property lines into the waterway or come within ten (10) feet of the projected property line.
- e. Dock posts must be marked by reflective devices.
- f. The boat dock must be securely anchored to prevent detachment during times of high wind or water.
- g. Metal drums or containers may not be used as buoyancy units unless they are filled with floatation foam. Containers which previously stored pesticides, herbicides, or any other toxic chemicals are not permissible.
- h. This permit does not authorize any other related construction activity such as shore protection or fill.
- i. Non-floating boat docks must be constructed in a manner which will minimize obstruction to flow.
- j. At any future date, the permittee must agree to make necessary modifications to the dock as determined by the IDNR or Corp of Engineers

5. Minor, non-obstructive activities meeting the following conditions of IDNR/OWR Statewide Permit Number 6:

1. The following activities (not involving fill or positive change in grade) are covered by this permit:

- a. The construction of underground utility lines, wells, or septic tanks not crossing a lake or stream.
- b. The construction of light poles, sign posts, and similar structures.
- c. The construction of sidewalks, driveways, athletic fields (excluding fences), patios, and similar structures.
- d. The construction of properly anchored, unwallled, open structures such as playground equipment, pavilions, and carports.
- e. The placement of properly anchored buildings not exceeding seventy (70) square feet in size, nor ten (10) square feet in any dimension. Only one such building on a property is authorized by this statewide permit.
- f. The raising of existing buildings, provided no changes are made to the outside dimensions of the building and the placement of fill is not involved.

6. Outfall Structures and drainage ditch outlets meeting the following conditions of IDNR/OWR Statewide Permit Number 7:

1. Any outfall structure, including any headwall or end-section, shall not extend riverward or lakeward of the existing adjacent natural bank slope or adjacent bank protection.
2. The velocity of the discharge shall not exceed the scour velocity of the channel soil, unless channel erosion would be prevented by the use of riprap or other design measures.
3. Outlets from drainage ditches shall not be opened to a stream until the ditch is vegetated or otherwise stabilized to minimize stream sedimentation.
4. Disturbance of streamside vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed floodway areas, including the stream banks, shall be restored to their original contours and seeded or otherwise stabilized upon completion of construction.

7. Underground pipeline and utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 8:
 - a. In all cases, the crossing shall be placed beneath the bed of the river, lake or stream and, unless the crossing is encased in concrete or entrenched in bedrock, a minimum of three (3) feet of cover shall be provided. The river, lake or stream bed shall be returned to its original condition.
 - b. Disturbance of streamside vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed floodway areas, including stream banks, shall be restored to their original contours and seeded or otherwise stabilized upon completion of construction.
 - c. Any utility crossing carrying material which may cause water pollution, as defined by the Environmental Protection Act (415 ILCS 5), shall be provided with shut-off valves on each side of the body of water to be crossed.
 - d. If blasting is to be utilized in the construction of the crossing, the permittee shall notify the IDNR/OWR at least ten (10) days prior to the blasting date to allow monitoring of any related fish kills.

8. Bank stabilization projects meeting the conditions of IDNR/OWR Statewide Permit Number 9:
 - a. Only the following materials may be utilized in urban areas: stone and concrete riprap, steel sheet piling, cellular blocks, fabric-formed concrete, gabion baskets, rock and wire mattresses, sand/cement filled bags, geotechnical fabric materials, natural vegetation and treated timber. Urban areas are defined as: areas of the State where residential, commercial, or industrial development currently exists or, based on land use plans or controls, is expected to occur within ten (10) years. (The Department should be consulted if there is a question of whether or not an area is considered urban).
 - b. In addition to the materials listed in Section 6 (A)(8)(a), other materials (e.g., tire revetments) may be utilized in rural areas provided all other conditions of this permit are met.
 - c. The following materials shall not be used in any case: auto bodies, garbage or debris, scrap lumber, metal refuse, roofing materials, asphalt or other bituminous materials, or any material which would cause water pollution as defined by the Environmental Protections Act (415 ILCS 5).
 - d. The affected length of shoreline, stream bank, or channel to be protected shall not exceed, either singularly or cumulatively, one thousand (1000) feet.
 - e. All material utilized shall be properly sized or anchored to resist anticipated forces of current and wave action.
 - f. Materials shall be placed in a way which would not cause erosion or the accumulation of debris on properties adjacent to or opposite the project.
 - g. Materials shall not be placed higher than the existing top of the bank.

- h. Materials shall be placed so that the modified bank full-width and cross-sectional area of the channel will conform to or be no more restrictive than that of the natural channel upstream and downstream of the site. For projects involving continuous placement of riprap along the bank, toe of the bank or other similar applications, in no case shall the cross-sectional area of the natural channel be reduced by more than ten percent (10%) nor the volume of material placed exceed two (2) cubic yards per lineal foot of the stream bank or shoreline. The bank may be graded to obtain a flatter slope and to lessen the quantity of material required.
- i. If broken concrete is used, all protruding materials such as reinforcing rods shall be cut flush with the surface of the concrete and removed from the construction area.
- j. Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed areas shall be seeded or otherwise stabilized upon completion of construction.
- k. In the case of seawalls and gabion structures on lakes, the structure shall be constructed at or landward of the water line as determined by the normal pool elevation, unless:

- 1. It is constructed in alignment with an existing seawall(s) or gabion structure(s), and
- 2. The volume of material placed, including the structure, would not exceed two (2) cubic yards per lineal foot.
- 3. Excess material excavated during the construction of the bank or shoreline protection shall be placed in accordance with local, state, and federal laws and rules, shall not be placed in a floodway.

9. Accessory structures and additions to existing residential buildings meeting the conditions of IDNR/OWR Statewide Permit Number 10:

- a. The accessory structure or building addition must comply with the requirements of the local floodplain ordinance.
- b. The principal structure to which the project is being added must have been in existence on the effective date of this permit (July 25, 1988).
- c. The accessory structure or addition must not exceed five hundred (500) square feet in size and must not deflect floodwaters onto another property, and
- d. must not involve the placement of any fill material.
- e. No construction shall be undertaken in, or within fifty (50) feet of the bank of the stream channel.
- f. The accessory structure or addition must be properly anchored to prevent its movement during flood conditions.
- g. Only one accessory structure or addition to an existing structure shall be authorized by this permit; plans for any subsequent addition must be submitted to IDNR/OWR for review.
- h. Disturbances of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed floodway areas shall be seeded or otherwise stabilized upon completion of construction.

10. Minor maintenance dredging activities meeting the following conditions of IDNR/OWR Statewide Permit Number 11:

- a. The affected length of the stream shall not either singularly or cumulatively exceed one thousand (1000) feet.
- b. The project shall not include the construction of any new channel; all work must be confined to the existing channel or to reestablishing flows in the natural stream channel, and
- c. the cross-sectional area of the dredged channel shall conform to that of the natural channel upstream and downstream of the site.
- d. Dredged or spoil material shall not be disposed of in a wetland and shall be either:
 1. removed from the floodway;
 2. used to stabilize an existing bank provided no materials would be placed higher than the existing top of bank and provided the cross-sectional area of the natural channel would not be reduced by more than ten percent (10%), nor the volume of material placed exceed two (2) cubic yards per lineal foot of streambank;
 3. used to fill an existing washed out or scoured floodplain area such that the average natural floodplain elevation is not increased;
 4. used to stabilize an existing levee provided the height of the levee would not be increased nor its alignment changed;
 5. placed in a disposal site previously approved by the Department in accordance with the conditions of the approval, or
 6. used for beach nourishment, provided the material meets all applicable water quality standards.
- e. Disturbance of streamside vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed floodway areas, including the stream banks, shall be seeded or otherwise stabilized upon completion of construction.

11. Bridge and culvert replacement structures and bridge widening meeting the following conditions of IDNR/OWR statewide Permit Number 12:

- a. A licensed professional engineer shall determine and document that the existing structure has not been the cause of demonstrable flood damage. Such documentation shall include, at a minimum, confirmation that:
 1. No buildings or structures have been impacted by the backwater induced by the existing structure, and
 2. there is no record of complaints of flood damages associated with the existing structure.

- b. A licensed professional engineer shall determine that the new structure will provide the same or greater effective waterway opening as the existing structure. For bridge widening projects the existing piers and the proposed pier extensions must be in line with the direction of the approaching flow upstream of the bridge.
- c. The project shall not include any appreciable raising of the approach roads. (This condition does not apply if all points on the approaches exist at an elevation equal to or higher than the 100-year frequency flood headwater elevation as determined by a FEMA flood insurance study completed or approved by IDNR/OWR).
- d. The project shall not involve the straightening, enlargement or relocation of the existing channel of the river or stream except as permitted by the Department's Statewide Permit Number 9 (Minor Shoreline, channel and Streambank Protection Activities) or Statewide Permit Number 11 (Minor Maintenance Dredging Activities).
- e. The permittee shall maintain records of projects authorized by this permit necessary to document compliance with the above conditions.

12. Temporary construction activities meeting the following conditions of IDNR/OWR statewide Permit Number 13:

- a. No temporary construction activity shall be commenced until the individual permittee determines that the permanent structure (if any) for which the work is being performed has received all required federal, state and local authorizations.
- b. The term "temporary" shall mean not more than one construction season. All temporary construction materials must be removed from the stream and floodway within one year of their placement and the area returned to the conditions existing prior to the beginning of construction. Any desired subsequent or repetitive material placement shall not occur without the review and approval of the IDNR/OWR.
- c. The temporary project shall be constructed such that it will not cause erosion or damage due to increases in water surface profiles to adjacent properties. For locations where there are structures in the upstream floodplain, the temporary project shall be constructed such that all water surface profile increases, due to the temporary project, are contained within the channel banks.
- d. This permit does not authorize the placement or construction of any solid embankment or wall such as a dam, roadway, levee, or dike across any channel or floodway.
- e. No temporary structure shall be placed within any river or stream channel until a licensed professional engineer determines and documents that the temporary structure will meet the requirements of Special Condition Number 3 of this statewide permit. Such documentation shall include, at a minimum, confirmation that no buildings or structures will be impacted by the backwater induced by the temporary structure.
- f. The permittee shall maintain records of projects authorized by this permit necessary to document compliance with the above condition.
- g. Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and

sedimentation. All disturbed areas shall be seeded or otherwise stabilized upon completion of the removal of the temporary construction.

h. Materials used for the project shall not cause water pollution as defined by the Environmental Protection Act (415 ILCS 5).

B. Any Development determined by IDNR/OWR to be located entirely within a flood fringe area shall be exempt from State Floodway permit requirements.

a. Other development activities not listed in 6(A) may be permitted only if:

1. permit has been issued for the work by IDNR/OWR (or written documentation is provided that an IDNR/OWR permit is not required), or sufficient data has been provided to FEMA when necessary, and approval obtained from FEMA for a revision of the regulatory map and base flood elevation.

Section 7. PROTECTING BUILDINGS

A. Manufactured homes or travel trailers to be permanently installed on site shall be:

1. Elevated to or above the flood protection elevation in accordance with Section 7(B), and
2. anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the rules and regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 77 Ill. Adm. Code § 870.
3. Manufactured homes that are to be placed or substantially improved on sites in an existing manufactured home park or subdivision within the SFHA that are not subject to the provisions of Paragraph C.1 of this Section, shall be elevated so that either (a) the lowest floor of the manufactured home is at or above the base flood elevation, or (b) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
4. Conform to 2018 I.R.C. Appendix E (Manufactured Housing used as Dwellings).
5. Installing a travel trailer or recreational vehicle on a site for more than one hundred eighty (180) days per year.
6. Repetitive loss to an existing building as defined in Section 2.

B. Residential or non-residential buildings can meet the building protection requirements by one of the following methods:

1. The building may be constructed on permanent land fill in accordance with the following:
 - a. The lowest floor (including basement) shall be at or above the flood protection elevation.
 - b. The fill shall be placed in layers no greater than six inches before compaction and should extend at least ten (10) feet beyond the foundation before sloping below the flood protection elevation.
 - c. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or other structural measure.
 - d. The fill shall be composed of rock or soil and not incorporated debris or refuse material, and
 - e. shall not adversely affect the flow of surface drainage from or onto neighboring properties and when necessary stormwater management

techniques such as swales or basins shall be incorporated.

2. The building may be elevated on solid walls in accordance with the following:
 - a. The building or improvements shall be elevated on stilts, piles, walls, crawlspace, or other foundation that is permanently open to flood waters.
 - b. The lowest floor and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the flood protection elevation.
 - c. If walls are used, all enclosed areas below the flood protection elevation shall address hydrostatic pressures by allowing the automatic entry and exit of flood waters. Designs must either be certified by a licensed professional engineer or by having a minimum of one (1) permanent opening on each wall no more than one (1) foot above grade with a minimum of two (2) openings. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the base flood elevation, and
 - d. the foundation and supporting members shall be anchored, designed, and certified so as to minimize exposure to hydrodynamic forces such as current, waves, ice, and floating debris.
 - i. All structural components below the flood protection elevation shall be constructed of materials resistant to flood damage.
 - ii. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the flood protection elevation provided they are waterproofed.
 - iii. The area below the flood protection elevation shall be used solely for parking or building access and not later modified or occupied as habitable space, or
 - iv. in lieu of the above criteria, the design methods to comply with these requirements may be certified by a licensed professional engineer or architect.
3. The building may be constructed with a crawlspace located below the flood protection elevation provided that the following conditions are met:
4. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
5. Any enclosed area below the flood protection elevation shall have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. A minimum of one opening on each wall having a total net area of not less than one (1) square inch per one (1) square foot of enclosed area. The openings shall be no more than one (1) foot above grade.
6. The interior grade of the crawlspace below the flood protection elevation must not be more than two (2) feet below the lowest adjacent exterior grade.
7. The interior height of the crawlspace measured from the interior grade of the crawl to the top of the foundations wall must not exceed four (4) feet at any point.
8. An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event.

9. Portions of the building below the flood protection elevation must be constructed with materials resistant to flood damage, and
 10. Utility systems within the crawlspace must be elevated above the flood protection elevation.
- C. Non-residential buildings may be structurally dry floodproofed (in lieu of elevation) provided a licensed professional engineer or architect certifies that:
1. Below the flood protection elevation, the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood.
 2. The building design accounts for flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and the impact from debris and ice.
 3. Floodproofing measures will be incorporated into the building design and operable without human intervention and without an outside source of electricity.
 4. Levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this subsection.
- D. Manufactured homes or travel trailers to be permanently installed on site shall be:
1. Elevated to or above the flood protection elevation in accordance with Section 7(B), and
 2. anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the rules and regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 77 Ill. Adm. Code § 870.
 3. Manufactured homes that are to be placed or substantially improved on sites in an existing manufactured home park or subdivision within the SFHA that are not subject to the provisions of Paragraph C.1 of this Section, shall be elevated so that either (a) the lowest floor of the manufactured home is at or above the base flood elevation, or (b) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
 4. Conform to 2018 I.R.C. Appendix E (Manufactured Housing used as Dwellings).
- E. Travel trailers and recreational vehicles on site for more than one hundred eighty (180) days per year shall meet the elevation requirements of section 7(D) unless the following conditions are met:
1. The vehicle must be either self-propelled or towable by a light duty truck.
 2. The hitch must remain on the vehicle at all times.
 3. The vehicle must not be attached to external structures such as decks and porches
 4. The vehicle must be designed solely for recreation, camping, travel, or seasonal use rather than as a permanent dwelling.
 5. The vehicles largest horizontal projections must be no larger than four hundred (400) square feet.
 6. The vehicle's wheels must remain on axles and inflated.
 7. Air conditioning units must be attached to the frame so as to be safe for movement of the floodplain.
 8. Propane tanks as well as electrical and sewage connections must be quick-disconnect and above the 100-year flood elevation.
 9. The vehicle must be licensed and titled as a recreational vehicle or park model, and must either:
 - a. entirely be supported by jacks, or
 - b. have a hitch jack permanently mounted, have the tires touching the

ground and be supported by block in a manner that will allow the block to be easily removed by used of the hitch jack.

F. Garages, sheds or other minor accessory structures constructed ancillary to an existing residential use may be permitted provided the following conditions are met:

1. The garage of shed must be non-habitable.
2. The garage or shed must be used only for the storage of vehicles and tools and cannot be modified later into another use.
3. The garage or shed must be located outside of the floodway or have the appropriate state and/or federal permits.
4. The garage or shed must be on a single family lot and be accessory to an existing principal structure on the same lot.
5. Below the base flood elevation, the garage or shed must be built of materials not susceptible to flood damage.
6. All utilities, plumbing, heating, air conditioning and electrical must be elevated above the flood protection elevation.
7. The garage or shed must have at least one permanent opening on each wall not more than one (1) foot above grade with one (1) square inch of opening for every one (1) square foot of floor area.
8. The garage may exceed 500 square feet, but must be less than \$10,000.00 in market value or replacement cost, whichever is greater.
9. The structure shall be anchored to resist floatation and overturning.
10. All flammable or toxic materials (gasoline, paint, insecticides, fertilizers, etc.) shall be stored above the flood protection elevation.
11. The lowest floor elevation should be documented and the owner advised of the flood insurance implications.

Section 8. SUBDIVISION REQUIREMENTS

The Coal Valley Village Board shall take into account hazards, to the extent that they are known, in all official actions related to land management use and development.

A. New subdivisions, manufactured home parks, annexation agreements, planned unit developments, and additions to manufactured home parks and subdivisions shall meet the damage prevention and building protections standards of Sections 6 and 7 of this ordinance. Any proposal for such development shall include the following data:

1. The base flood elevation and the boundary of the floodplain, where the base flood elevation is not available from an existing study, the applicant shall be responsible for calculating the base flood elevation;
 1. the boundary of the floodway when applicable, and
 2. a signed statement by a Registered Professional Engineer that the proposed plat or plan accounts for changes in the drainage of surface waters in accordance with the Plat Act (765 ILCS 205/2).

Streets, blocks lots, parks and other public grounds shall be located and laid out in such a manner as to preserve and utilize natural streams and channels. Wherever possible the floodplains shall be included within parks or other public grounds.

Section 9. PUBLIC HEALTH AND OTHER STANDARDS

- a. Public health standards must be met for all floodplain development. In addition to the requirements of Sections 6 and 7 of this ordinance the following standards apply:
 1. No development in the floodplain shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the flood protection elevation unless such materials are stored in a floodproofed and anchored storage tank and certified by a professional engineer or floodproofed building constructed according to the requirements of Section 7 of this ordinance.
 2. Public utilities and facilities such as sewer, gas and electric shall be located and constructed to minimize or eliminate flood damage.
 3. Public sanitary sewer systems and water supply systems shall be located and constructed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
 4. New and replacement on-site sanitary sewer lines or waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. Manholes or other above ground openings located below the flood protection elevation shall be watertight.
 5. Construction of new or substantially improved critical facilities shall be located outside the limits of the floodplain. Construction of new critical facilities shall be permissible within the floodplain if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor (including basement) elevated or structurally dry floodproofed to the 500-year flood frequency elevation or three feet above the level of the 100-year flood frequency elevation whichever is greater. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities.
- b. All other activities defined as development shall be designed so as not to alter flood flows or increase potential flood damages.

Section 10. CARRYING CAPACITY AND NOTIFICATION

For all projects involving channel modification, fill, or stream maintenance (including levees), the flood carrying capacity of the watercourse shall be maintained. In addition, the Village of Coal Valley shall notify adjacent communities in writing thirty (30) days prior to the issuance of a permit for the alteration or relocation of the watercourse.

Section 11. VARIANCE.

Whenever the standards of this ordinance place undue hardship on a specific development proposal, the applicant may apply to the Coal Valley Zoning Board of Appeals for a variance. The Coal Valley Zoning Board of Appeals shall review the applicant's request for a variance and shall submit its recommendation to the Coal Valley Village Board. The Coal Valley Village Board may attach such conditions to granting of a variance as it deems necessary to further the intent of this ordinance.

- A. No variance shall be granted unless the applicant demonstrates that all of the following conditions are met:
1. The development activity cannot be located outside the floodplain.
 2. An exceptional hardship would result if the variance were not granted.
 3. The relief requested is the minimum necessary.
 4. There will be no additional threat to public health, safety or creation of a nuisance.
 5. There will be no additional public expense for flood protection, rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities.
 6. The applicant's circumstances are unique and do not establish a pattern inconsistent with the intent of the NFIP, and
 7. all other state and federal permits have been obtained.
- B. The Chairman of the Coal Valley Planning & Zoning Board of Appeals shall notify an applicant in writing that a variance from the requirements of the building protections standards of Section 7 that would lessen the degree of protection to a building will:
1. Result in increased premium rates for flood insurance up to twenty-five dollars (\$25) per one hundred dollars (\$100) of insurance coverage;
 2. increase the risk to life and property, and
 3. require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.
- C. Variances to the building protection requirements of Section 7 of this ordinance which are requested in connection with reconstruction, repair, or alteration of a historic site or historic structure as defined in "Historic Structures", may be granted using criteria more permissive than the requirements of Sections 6 and 7 of this ordinance subject to the conditions that:
1. The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the structure.
 2. The repair or rehabilitation will not result in the structure being removed as a certified historic structure.

Section 12. DISCLAIMER OF LIABILITY.

The degree of protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This ordinance does not imply that development either inside or outside of the floodplain will be free from flooding or damage. This ordinance does not create liability on the part of the Village of Coal Valley or any officer or employee thereof for any flood damage that results from proper reliance on this ordinance or any administrative decision made lawfully thereunder.

Section 13. PENALTY.

Failure to obtain a permit for development in the floodplain or failure to comply with the conditions of a permit or a variance shall be deemed to be a violation of this ordinance. Upon due investigation, the Public Works Inspector / Building Inspector may determine that a violation of the minimum standards of this ordinance exists. The Public Works Inspector / Building Inspector shall notify the owner in writing of such violation.

- A. If such owner fails after ten (10) day notice to correct the violation:

1. The Village of Coal Valley shall make application to the circuit court for an injunction requiring conformance with this ordinance or make such other order as the court deems necessary to secure compliance with the ordinance.

Any person who violates this ordinance shall upon conviction thereof be fined in accordance with Title I Division V Chapter 1 Section 3 of the Code of Ordinance for the Village of Coal Valley for each offense.

2. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues, and the Village of Coal Valley shall record a notice of violation on the title of the property.
- B. The Building Inspector shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

The Building Inspector is authorized to issue an order requiring the suspension of the subject development.

The stop-work order shall be in writing, indicate the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the stop-work order. The stop-work order constitutes a suspension of the permit. No site development permit shall be permanently suspended or revoked until a hearing is held by the Coal Valley Zoning Board of Appeals. Written notice of such hearing shall be served on the permittee and shall state:

1. The grounds for the complaint, reasons for suspension or revocation, and
2. The time and place of the hearing.

At such hearing the permittee shall be given an opportunity to present evidence on their behalf. At the conclusion of the hearing, the Coal Valley Zoning Board of Appeals shall determine whether the permit shall be suspended or revoked.

- C. Nothing herein shall prevent the Village of Coal Valley from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Section 14. ABROGATION AND GREATER RESTRICTIONS.

This ordinance repeals and replaces other ordinances adopted by the Village Board to fulfill the requirements of the National Flood Insurance Program including: Ordinance No. 90-0-10 dated November 21, 1990. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section 15. SEVERABILITY.

The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

CHAPTER 9 PROPERTY MAINTENANCE CODE

Section 1. ADOPTION.

The International Code Council's 2018 International Property Maintenance Code is adopted as the Property Maintenance Code for the Village of Coal Valley except as may be amended and modified by this Ordinance.

Section 2. SCREENS

2018 International Property Maintenance Code Section 304.14 Insect Screens. During the period April 1 to November 1, every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition. Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Section 3. FILING.

Two (2) copies of the International Property Maintenance Code, 2018 edition shall be available in Village Hall for public inspection and reference.

Section 4. ENFORCEMENT.

The Building Inspector of the Village or his designated representative shall be responsible for the proper administration and enforcement of the Property Maintenance Code.

CHAPTER 10 DEMOLITION

Section 1. PERMIT

It shall be unlawful to wreck or demolish any building or structure that is larger than two hundred (200) square feet in floor area or that is connected to electric, gas, water or sewer service without first obtaining a permit from the building inspector. The applicant must prove that all utilities have been disconnected before a permit shall be issued.

Section 2. FEE SCHEDULE

In-ground Swimming Pool	.....	\$25.00
Frame Garage or Accessory Building	.....	\$30.00
Masonry, Stone or Brick Garage or Accessory Building	.....	\$50.00
Residential One Story House	.....	\$100.00
Residential Two Story House	.....	\$125.00
Commercial Building – One Story	.....	\$150.00
Commercial Building – Greater than One Story	.....	\$200.00
Industrial Building – One Story	.....	\$250.00
Industrial Building – Greater than One Story	.....	\$300.00

Section 3. COMPLIANCE BOND

Before said demolition permit is granted by the building inspector, the party applying thereof shall file with the village a compliance bond in the amount of ten thousand dollars (\$10,000.00) conditioned upon the faithful performance of the provisions of this building code.

Section 4. DISPOSITION OF MATERIALS

The applicant shall certify to the building inspector that all materials removed from the site shall either be salvaged, destroyed or deposited in a landfill site approved by the Illinois Environmental Protection Agency.

Section 5. WATER AND SEWER CONNECTION

The water must be disconnected at the water main and the sewer lateral must be cut off and plugged at the sewer main. Village of Coal Valley personnel must be present and inspect the shutting off of the water and plugging of the sewer lateral.

Section 6. SAFETY PRECAUTIONS

All parts of the building or structure shall be wrecked and removed from the site so that neither unsafe conditions nor hazardous materials remain. All cellars, basements, cisterns, septic tanks or other below-grade cavities shall be completely removed and filled with sand or solid fill within one (1') foot of finished grade.

Section 7. SITE RESTORATION

The site shall be restored to original grade with suitable topsoil material, graded to match existing terrain and drainage and seeded with grass.

Exception: In the event a structure is to be constructed upon the site within sixty (60) days after the date the demolition permit is used, then the requirements for site restoration need not apply.

Section 8. HOURS OF OPERATION

It shall be unlawful for any person to engage in construction or demolition activities in any residential zoning district at any time other than between the hours of seven o'clock (7:00) A.M. and eight o'clock (8:00) P.M.

Section 9. OBSTRUCTION OF RIGHTS OF WAY

No street, alley, nor sidewalk shall be obstructed to vehicle or pedestrian traffic during the time of building demolition without a permit from the building inspector.

Section 10. SAFEGUARDS

It shall be the duty of the persons engaged in the demolition to take precautions to assure the safety of pedestrians and property. Warnings, barricades, lights, temporary roofs over sidewalks, and flagmen shall be used and maintained whenever necessary to assure public safety.

CHAPTER 11 WIND TURBINES

Section 1. DEFINITION.

A wind turbine is any device that relies on the wind for the purpose of generating electricity.

Section 2. PROHIBITION.

Within the Village limits of Coal Valley no wind turbines may be erected for the purpose of commercial and residential generation of electricity.”

CHAPTER 12 SEVERABILITY

In the absence of specific language to the contrary, each section and each provision or requirement of any section of this ordinance shall be considered separable, and the invalidity of any portion of this ordinance shall not affect the validity or enforceability of any other portion.