

PREPARED BY:

**CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170**

RETURN TO:

**CITY OF NAPERVILLE
CITY CLERK'S OFFICE
P.O. BOX 3020
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60566-7020**

ORDINANCE NO. 18 -

**AMENDING SECTION 109.4 (WORK COMMENCING BEFORE PERMIT ISSUANCE)
OF SECTION 5-1a-3 (BUILDING CODE: AMENDMENTS) OF THE NAPERVILLE
MUNICIPAL CODE PERTAINING TO
FINES FOR WORK WITHOUT A PERMIT**

WHEREAS, the City of Naperville, in its authority as a Home Rule community, has enacted Municipal Code Regulations for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, on July 17, 2018, the City Council directed staff to amend Title 5 (Building Code) of the Naperville Municipal Code to assess appropriate fees for work completed without a permit in an effort to recover City resources needed to address these violations and deter these incidents from occurring; and

WHEREAS, the City Council concurs that the ordinance should be amended as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority, as follows:

SECTION 1: The recitals set forth above are incorporated herein.

SECTION 2: Section 109.4 (Work Commencing Before Permit Issuance) of Section 5-1A-3 (Building Code Amendments) of the Naperville Municipal Code is hereby amended by adding the underlined language and deleting the stricken language, as follows:

Section 109.4 Work Commencing Before Permit Issuance:

Any person who commences any work on a building structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to penalties as prescribed by law and/or subject to permit fees, including double the cost for inspections and administrative fees as outlined in Title 1, Chapter 9, Article H, Fees for Construction, in the Naperville Municipal Code, or a fee of \$500, whichever is greater. ~~Said work~~ shall be subject to a stop work order until such time that the required permits, inspections for the work, and any other necessary approvals, such as zoning variances and/or easement encroachment agreements, have been obtained. ~~If said permits, inspections, or other necessary approvals cannot be obtained, the City may require the applicant to remove the subject improvement.~~

For work that has been completed without a permit and for which required inspections cannot be completed, the City may require the permit applicant to submit verification from a third-party contractor that said work has been completed per Naperville Code requirements.

SECTION 3: This Ordinance shall be in full force and effect upon its passage and approval as required by law.

PASSED this ____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____, 2018.

Steve Chirico

Mayor

ATTEST:

Pam Gallahue, Ph.D.

City Clerk