

**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. 19 -**

**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; said fee increases were adopted through Ordinance 18-096; and

**WHEREAS**, on November 5, 2019, the City Council again directed staff to amend Title 5 (Building Code) of the Naperville Municipal Code following several incidents of

work being completed without a permit in an effort to deter these incidents from continuing to occur; 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~~ triple 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 \$2500, whichever is greater, and shall be subject to a stop work order until such time that the required permits, inspections, 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 \_\_\_\_\_, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Steve Chirico

Mayor

ATTEST:

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Pam Gallahue, Ph.D.

City Clerk