

Whiteside County Planning and Zoning

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EFFECTIVE: July 1, 2011

TO ALL BUILDERS OF NEW COMMERCIAL STRUCTURES

This is to inform you that under 20 ILCS 3105/10.09-1, you will be required to have an occupancy permit before occupying a new commercial structure. To obtain an occupancy permit, you will now be subject to the enforcement of building codes. The new law states that in any municipality that has not adopted a building code or in the unincorporated area of a county that has not adopted a building code, the following shall apply to commercial structures, not including single or two-family structures or farm buildings:

(20 ILCS 3105/10.09-1 new)

Sec. 10.09-1. Adoption of building code; enforcement.

(a) After July 1, 2011, no person may occupy a newly constructed commercial building in a non-building code jurisdiction until:

(1) The property owner or his or her agent has first contracted for the inspection of the building by an inspector who meets the qualifications established by the (Capital Development) Board; and

(2) The qualified inspector files a certification of inspection with the municipality or county having such jurisdiction over the property indicating that the building meets compliance with the building codes adopted by the (Capital Development) Board for non-building code jurisdictions based on the following:

(A) The 2006 or later editions of the following codes developed by the International Code Council:

- (i) International Building Code;
- (ii) International Existing Building Code; and
- (iii) International Property Maintenance Code.

(B) The 2008 or later edition of the National Electrical Code NFPA 70.

(b) This Section does not apply to any area in a municipality or county having jurisdiction that has registered its adopted building code with the (Capital Development) Board as required by Section 55 of the Illinois Building Commission Act.

(c) The qualification requirements of this Section do not apply to building enforcement personnel employed by jurisdictions as defined in subsection (b).

(d) For purposes of this Section:

"Commercial building" means any building other than a single-family home or a dwelling containing 2 or fewer apartments, condominiums, or townhomes or a farm building as exempted from Section 3 of the Illinois Architecture Practice Act.

"Newly constructed commercial building" means any commercial building for which original construction has commenced on or after July 1, 2011.

"Non-building code jurisdiction" means any area of the State not subject to a building code imposed by either a county or municipality.

"Qualified inspector" means an individual qualified by the State of Illinois, certified by a nationally recognized building official certification organization, qualified by an apprentice program certified by the Bureau of Apprentice Training, or who has filed verification of inspection experience according to rules adopted by the Board for the purposes of conducting inspections in non-building code jurisdictions.

(e) New residential construction is exempt from this Section and is defined as any original construction of a single-family home or a dwelling containing 2 or fewer apartments, condominiums, or townhomes in accordance with the Illinois Residential Building Code Act.

(f) Local governments may establish agreements with other governmental entities within the State to issue permits and enforce building codes and may hire third-party providers that are qualified in accordance with this Section to provide inspection services.

(g) This Section does not regulate any other statutorily authorized code or regulation administered by State agencies. These include without limitation the Illinois Plumbing Code, the Illinois Environmental Barriers Act, the International Energy Conservation Code, and administrative rules adopted by the Office of the State Fire Marshal.

(h) This Section applies beginning July 1, 2011.

PLAIN ENGLISH:

After July 1, 2011, in order to occupy a newly constructed commercial structure in unincorporated Whiteside County, the owner must have an "Occupancy Permit" issued by this office. In order to obtain an occupancy permit, the owner will have to present this office with a certificate of inspection, signed by an inspector who is qualified under the terms of this act. Once a certificate of inspection is presented to this office, the occupancy permit will be issued. This requirement will not apply to structures begun prior to July 1, 2011, the remodeling of an existing commercial structure or conversion of a structure, existing before July 1, 2011, to a commercial use. Any structure built after July 1, 2011, in an R-3, B-1, B-2, B-3, B-4, I-1 or I-2 zone, or a structure built after July 1, 2011, and subsequently converted to a commercial use, will be required to follow 20 ILCS 3105/10.09-1.

E. Stuart Richter, CFM
Planning and Zoning Administrator

Whiteside County Planning and Zoning



Certificate of Inspection for Commercial Structures

Permit Applicant:	_____
Permit Request:	_____
P.I.N.:	____ - ____ - ____
Permit Location Address:	_____ _____

20 ILCS 3105/10.09-1 COMPLIANCE

This is to certify that the commercial structure identified above has been inspected and found to comply with the building codes adopted by the State of Illinois in 20 ILCS 3105/10.09-1 for non-building code jurisdictions.

I furthermore state that I, _____, am a qualified inspector as defined in 20 ILCS 3105/10.09-1 (d). I hereby declare that the statements made herein are true and accurate to the best of my knowledge and belief.

Inspector's Signature

Date

ILLINOIS ACCESSIBILITY CODE

The occupancy permit will also require a sign off by the building's architect/engineer indicating that the building, as constructed or modified, meets all the requirements of the Illinois Accessibility Code as found at <http://www.cdb.state.il.us/IAC.shtml>.

Prequalified architects/engineers: <http://www.cdb.state.il.us/forms/download/arch.pdf>

I certify that this building meets all Illinois Accessibility Code requirements:

Name of Arch./Eng. (Print)

Signature of Arch./Eng.

Date