

CHAPTER 8

BUILDINGS AND OTHER CONSTRUCTION AND BUILDING SERVICES

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ARTICLE I. DIVISION OF INSPECTIONS

DIVISION 1. IN GENERAL

SEC. 8-1100. CREATED; PURPOSE.

There is hereby created the building division. The purpose of the building division shall be to administer and enforce the building, plumbing, electrical, mechanical, and housing codes of the City of Moline and such other codes and ordinances of the City as may be provided from time to time by ordinance and to administer and enforce public health ordinances of the City of Moline, and to assist in the enforcement of zoning, subdivision and fire codes.

SEC. 8-1101. POSITION OF BUILDING OFFICIAL CREATED; APPOINTMENT; RESPONSIBILITY; QUALIFICATIONS.

There is hereby created the position of building official which position shall be the head of the building division. The building official shall be appointed by the city administrator or designee thereof with the advice and consent of the City Council and may be dismissed by the city administrator at any time in accordance with the provisions of this Code for the removal of officers set forth in Sec. 2-3202(c)(9). The building official shall be responsible for the administration, direction, and supervision of the building division and its personnel; actively participate in actual field inspection work; and carry out such other functions as may be assigned from time to time by the city administrator, City Council, or by ordinance. The individual appointed to the position of building official shall be a person skilled in the field of building construction by education, training, and experience including a minimum of ten (10) years experience in building construction or an equivalent combination of education, training and experience.

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Any references to the building official throughout this chapter shall also be construed to mean code manager, and references to code manager shall also be construed to mean building official. (Ord. No. 3028-2008; Sec. 8-1101 amended by adding one additional sentence to the end of Sec. 81-1101; 03/25/08)

SEC. 8-1102. PERSONNEL; QUALIFICATIONS.

(a) The building division shall consist of the building official; the building, plumbing, electrical, mechanical, health and housing inspectors; and such clerical help and assistants as the City Council shall authorize from time to time. Position titles of personnel at the time of creation of the division or at the time a function was transferred to the division shall remain unchanged until such positions are vacated by such personnel; and thereafter such position titles and grade classifications may be changed in accordance with the applicable provisions of the City Code.

(b) When vacant positions occur in the building division, the city administrator or designee thereof shall employ personnel to fill such positions in the manner provided by the City Code. When filling vacant positions, the city administrator shall employ individuals with sufficient skill and knowledge by education, training, and experience to adequately carry out the responsibilities of the division. As guidance in filling vacant positions, the city administrator shall use the qualifications set forth in the job description then current for said positions.

(c) Nothing in this section shall prevent the city administrator or the City Council from combining any of the positions listed hereinabove provided the appropriate licensure and experience are still obtained.

SEC. 8-1103. VIOLATION PENALTY.

Violation of any provision of this chapter shall be punishable as provided in Section 1-1107 of the Moline Code of Ordinances. (Ord. No. 2003-03-01; new Sec. 8-1103 enacted; 03/04/03)

SEC. 8-1104. INJUNCTION; CITY ATTORNEY.

The city attorney is hereby authorized to seek, in addition to any penalty or punishment provided for by Sec. 8-1103, injunctive relief to abate violations of this chapter as authorized by 65 ILCS 5/11-13-15 and 65 ILCS 5/11-31-1 to 5/11-31-2, or any other pertinent authorization. (Ord. No. 2003-03-01; new Sec. 8-1104 enacted; 03/04/03)

SEC. 8-1105. SAVINGS CLAUSE.

If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this chapter. The City Council hereby declares that it would have passed this irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional. (Ord. No. 2003-03-01; new Sec. 8-1105 enacted; 03/04/03)

DIVISION 2. INSPECTOR POSITIONS CREATED; EMPLOYMENT; RESPONSIBILITY; QUALIFICATIONS

SEC. 8-1200. EMPLOYMENT OF ENVIRONMENTAL HEALTH SPECIALIST.

(a) The environmental health specialist shall be under the direct supervision of the building official, who shall have authority to designate other persons in the building division to assist in the performance of or to perform some of the duties listed below. Said building official shall employ the person to fill such position after the applicant is interviewed in accordance with the City of Moline Recruitment and Selection Policy and applicable collective bargaining agreements, if any so apply.

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(b) **Duties:** The environmental health specialist shall have the following duties and responsibilities, and shall also be known as the health inspector, the health authority, and sanitarian if such terms appear elsewhere in this Code:

- (1) the enforcement of food service sanitation and food handling regulations contained in Chapter 14;
- (2) the review of state and federal laws dealing with public health and recommendations to the city administrator or designee thereof regarding same;
- (3) the coordination of public health programs of the City with those of neighboring cities and with the State of Illinois and the County of Rock Island Departments of Public Health;
- (4) other duties as assigned by the city administrator or designee thereof, the City Council, or ordinance.

(c) **Inspection; Right of Entry; Enforcement Powers.**

- (1) The environmental health specialist, in the performance of the duties of the position, shall be required to inspect private and public property and business records when called for by this Code or when the environmental health specialist or one with authority has reasonable cause to believe that there exists in any building or upon any premises any condition constituting a danger to the public health or a violation of this Code.
- (2) Therefore, the environmental health specialist or one with authority shall have the right to enter any building or premises at all reasonable times to perform such inspections; provided, if such building or premises be occupied, said officer shall first present proper credentials and request entry; and provided, if such building or premises be unoccupied, said officer shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the environmental health specialist or one with authority shall have recourse to every remedy provided by law to secure entry. When the environmental health specialist or one with authority has obtained an administrative search warrant or other remedy provided by law to secure entry, no person shall fail or neglect to permit prompt entry after identification of the environmental health specialist and presentation of such warrant or remedy for the purpose of making such inspection.
- (3) Nothing in subsection (b) above shall be construed to require a warrant where the common law would not require one (i.e., search incident to lawful arrest, hot pursuit, recognized emergencies where destruction of contraband or evidence is imminent, search without entry, etc.).
- (4) The environmental health specialist or one with authority shall have the power to issue any order, notice of violation, or notice to abate public nuisance or revoke a permit or to seize any contraband where expressly provided elsewhere in this Code.

(d) **Police Powers.** The environmental health specialist, or one acting with authority, shall be vested with powers of a police officer in the performance of the powers set forth in this article and shall cause all buildings and premises or their contents to be kept in a sanitary condition or to be closed or the occupant quarantined or removed.

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SEC. 8-1201. EMPLOYMENT OF PLUMBING INSPECTOR.

The plumbing inspector shall be under the direct supervision of the building official. Said building official shall employ the person to fill such position after the applicant is interviewed in accordance with the City of Moline Recruitment and Selection Policy and applicable collective bargaining agreements, if any so apply.

SEC. 8-1202. POSITION CREATED; COMBINATION INSPECTOR – PLUMBING I.

There is hereby created within the building division the position of combination inspector – plumbing I, who shall be under the direct supervision of the building official. Said building official shall employ the person to fill such position after the applicant is interviewed in accordance with the City of Moline Recruitment and Selection Policy and applicable collective bargaining agreements, if any so apply.

SEC. 8-1203. EMPLOYMENT OF ELECTRICAL INSPECTOR.

The electrical inspector shall be under the direct supervision of the building official. Said building official shall employ the person to fill such position after the applicant is interviewed in accordance with the City of Moline Recruitment and Selection Policy and applicable collective bargaining agreements, if any so apply.

SEC. 8-1204. POSITION CREATED; COMBINATION INSPECTOR – ELECTRICAL II.

There is hereby created within the building division the position of combination inspector – electrical II, who shall be under the direct supervision of the building official. Said building official shall employ the person to fill such position after the applicant is interviewed in accordance with the City of Moline Recruitment and Selection Policy and applicable collective bargaining agreements, if any so apply.

SEC. 8-1205. EMPLOYMENT OF MECHANICAL INSPECTOR.

The mechanical inspector shall be under the direct supervision of the building official. Said building official shall employ the person to fill such position after the applicant is interviewed in accordance with the City of Moline Recruitment and Selection Policy and applicable collective bargaining agreements, if any so apply.

SEC. 8-1206. EMPLOYMENT OF BUILDING INSPECTOR.

The building inspector shall be under the direct supervision of the building official. Said building official shall employ the person to fill such position after the applicant is interviewed in accordance with the City of Moline Recruitment and Selection Policy and applicable collective bargaining agreements, if any so apply.

SEC. 8-1207. POSITION CREATED; COMBINATION INSPECTOR – BUILDING I.

There is hereby created within the building division the position of combination inspector – building I, who shall be under the direct supervision of the building official. Said building official shall employ the person to fill such position after the applicant is interviewed in accordance with the City of Moline Recruitment and Selection Policy and applicable collective bargaining agreements, if any so apply.

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SEC. 8-1208. INSPECTOR QUALIFICATIONS.

The inspector of a specific trade shall possess the training, experience, education and license(s) called for by the job description for said position.

SEC. 8-1209. INSPECTOR DUTIES IN GENERAL.

It shall be the duty of the inspector to perform skilled field work in securing compliance with ordinances and regulations governing existing and new buildings and other construction regulated by the adopted codes for the appropriate trades and related work as required.

SEC. 8-1210. NEIGHBORHOOD IMPROVEMENT OFFICER.

(a) The neighborhood improvement officer shall be employed by the deputy city administrator/law director and/or building official after the applicant for said position is interviewed in accordance with the City of Moline Recruitment and Selection Policy and applicable collective bargaining agreements, if any so apply.

(b) **Qualifications of Neighborhood Improvement Officer.** The neighborhood improvement officer shall possess the training, experience, and education called for by the job description for said position.

(c) **Inspection; Right of Entry.** The neighborhood improvement officer, under the authority of the building official, is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the neighborhood improvement officer is authorized to pursue recourse as provided by law.

(d) **Duties.** The neighborhood improvement officer shall have the following duties and responsibilities:

- (1) prevent, enforce and abate violations of the housing, nuisance, vegetation, zoning and sign codes;
- (2) serve as the City's liaison to neighborhood groups and residents in identification of housing, nuisance, vegetation, zoning and sign code issues and resolution of said issues;
- (3) administer the weed and noxious vegetation program of the City;
- (4) perform skilled field work in securing compliance with ordinances and regulations governing property maintenance codes and related work as required;
- (5) schedule and coordinate cases involving violations of this Chapter as well as violations of the zoning and sign codes brought before the code hearing officer and the circuit court and prosecute cases before the code hearing officer.

DIVISION 3. APPEALS BOARDS

SEC. 8-1300. BUILDING BOARD OF APPEALS.

(a) **Jurisdiction.** In order to determine the suitability of alternate materials and methods of construction that still meet the intent and requirements of the building codes and to provide for reasonable interpretations of the building codes, there shall be and is hereby created a building board of appeals.

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(b) **Membership.** Said board shall consist of seven (7) members appointed by the mayor with the advice and consent of the City Council. One (1) member shall be a licensed architect; one (1) member shall be a structural, metallurgical, or hydraulic engineer; one (1) member shall be a heavy construction contractor licensed as a general contractor; and two (2) members shall be construction contractors licensed as general contractors. In addition, the code manager shall be an ex officio member and shall act as secretary of the board. The ex officio member shall not be entitled to vote on matters before the board. Each appointed member shall serve a staggered term of four (4) years and they shall hold office until their successors are appointed and qualify. Said board is a continuation of the current building commission, and the staggering of terms shall follow the current practice.

(c) **Rules and decisions.** The board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the code manager with a duplicate copy to the appellant.

(d) **Appeals.** Any owner or agent thereof not in accord with a decision of the code manager shall have the right to appeal from such order or ruling to the board of appeals within five (5) days after written notice of such order or ruling shall have been served upon the person or persons required to be served. Such appeal shall be in writing and shall set forth the order of ruling from which the appeal is taken and shall set forth the remedy sought and reasons justifying the granting of said remedy. Said appeal shall be filed with the code manager; and, upon its filing, the application for permit, plans and specifications submitted therewith, inspection records, and any other material contained in the permit file shall be considered part of the official record. No appeal shall be considered unless timely filed. (Ord. No. 3028-2008; Sec. 8-1300 repealed; new Sec. 8-1300 enacted; 03/25/08)

SEC. 8-1301. PROPERTY MAINTENANCE APPEALS BOARD.

(a) In order to provide for reasonable interpretation of the provisions of the International Property Maintenance Code, to mitigate specific provisions of the International Property Maintenance Code that create practical difficulties in their enforcement, and to hear appeals provided for hereunder, there is hereby created a property maintenance appeals board consisting of five (5) members, who are qualified by experience and training to pass upon matters pertaining to construction and who are not employees of the City. The board shall consist of one (1) practicing attorney, one (1) licensed architect or engineer, one (1) organized neighborhood association board member, one (1) multiple property owner, and one (1) Illinois realtor. The code manager shall be an ex officio member of and shall act as secretary to said board, but shall have no vote on any matter before the board. The board shall be appointed by the mayor and shall hold office at said mayor's pleasure. The board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the code manager. Appeals to the board shall be processed in accordance with the provisions contained in this Code. Copies of all rules or regulations adopted by the board shall be delivered to the code manager, who shall make them freely accessible to the public.

(b) Each appointed member shall serve a staggered term of three (3) years, and they shall hold office until their successors are appointed and qualify. Said board is a continuation of the housing advisory and appeals board, and the staggering of terms shall follow the current practice. (Ord. No. 3028-2008; Sec. 18-1301 repealed; new Sec. 8-1301 enacted; 03/25/08)

SEC. 8-1302. MECHANICAL APPEALS BOARD.

(a) In order to determine the suitability of alternate materials and methods of construction and to provide reasonable interpretations of this Code, there shall be and hereby is created the mechanical board of appeals consisting of five (5) members who are qualified by experience and training to pass upon matters pertaining to mechanical design, construction and maintenance and the public health aspects of mechanical systems and who are not employees of the City. The building official shall be an ex officio member of and shall act as secretary to said board. The mechanical board of appeals shall be appointed by the mayor. The board shall adopt reasonable rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

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(b) The term of office for members of the mechanical board of appeals shall be two (2) years, and they shall hold office until their successors are appointed and qualify. Said board is a continuation of the current heating and air conditioning board, and the staggering of terms shall follow the current practice.

SEC. 8-1303. PLUMBING APPEALS BOARD.

(a) In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the plumbing code, there shall be and hereby is created a plumbing appeals board consisting of five (5) members who are qualified by experience and training to pass upon plumbing matters and who are not employees of the City. The building official shall be an ex officio member of and shall act as secretary to said board. The members of said board shall be appointed by the mayor. The board shall adopt reasonable rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

(b) The term of office for members of the plumbing appeals board shall be two (2) years, and they shall hold office until their successors are appointed and qualify. Said board is a continuation of the current plumbing board and the staggering of terms shall follow the current practice.

SEC. 8-1304. ELECTRICAL APPEALS BOARD.

(a) In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the electrical code, there shall be and hereby is created an electrical appeals board consisting of five (5) members who are qualified by experience and training to pass upon electrical matters and who are not employees of the City. The building official shall be an ex officio member of and shall act as secretary to said board. The members of said board shall be appointed by the mayor. The board shall adopt reasonable rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

(b) The term of office for members of the electrical appeals board shall be three (3) years, and they shall hold office until their successors are appointed and qualify. Said board is a continuation of the current electrical commission, and the staggering of terms shall follow the current practice.

SEC. 8-1305. COMPENSATION OF MEMBERS.

The members of the various appeals boards provided for in Sections 8-1300 through 8-1304 shall serve without compensation but may receive reimbursement for reasonable expenditures made in the performance of their duties, if such reimbursement is provided for in the annual budget of the City.

DIVISION 4. LICENSING

SEC. 8-1400. GENERAL CONTRACTOR LICENSE.

(a) Any person, firm or corporation desiring to engage in the business of general contracting in the City of Moline shall file with the building inspector, to be approved by the building official, a license/permit bond in the penal sum of five thousand dollars (\$5,000.00) conditioned on the faithful performance of all of the provisions of this Code and for all work performed under the license sought. Such surety is to be a company authorized to transact business in the State of Illinois. This shall be a continuing bond until canceled by notice. The surety shall have the right to cancel this bond for future liability upon sixty (60) days written notice to the City of Moline building official.

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(b) Said person, firm or corporation engaging in the business of general contracting in the City of Moline also shall register annually with the building official and no such person, firm or corporation shall engage in such business unless and until so registered. Registration shall consist of providing the business name of the person, firm or corporation; the legal name; the address of the business; the telephone number, if any; and the names and addresses of representatives, officers, or employees authorized to obtain permits in the business name.

- (1) Proof of liability insurance acceptable to the office of the building official in the type and amount listed below:

Each applicant wishing registration as a contractor in the City of Moline shall obtain and maintain for the duration of such registration, public liability and property damage insurance in the minimum amount and form as hereby specified: \$100,000.00 for each occurrence of property damage; and \$300,000.00 for each occurrence of personal injury or bodily harm. Such policy shall provide that it cannot be cancelled except upon written notification to the office of the building official at least thirty (30) days prior to the date of cancellation. Proof shall be a certificate of insurance; and

- (2) Proof that the applicant has obtained workers' compensation insurance or that the applicant is an approved self-insurer of workers' compensation. Proof shall be either the Certificate of Insurance from the insurance provider or the Certificate of Approval as a self-insurer issued by the Illinois Industrial Commission.

If an applicant is a sole proprietorship or partnership and the applicant has no employees, the applicant shall not be required to provide proof of workers' compensation insurance. Such applicant's application shall include a sworn statement that said applicant has no employees.

(c) The annual fee for registering shall be seventy-five dollars (\$75.00) and registration shall be valid for a one-year period commencing on May 1. (Ord. No. 2002-06-13; Sec. 8-1800 (c) repealed; new Sec. 8-1800 (c) enacted; 06/25/02)

(d) A "general contractor" shall be taken to be any person, firm, partnership or corporation employed directly by any firm, person, partnership or corporation, who erects or reconstructs any building or parts thereof. A person engaged in any branch of building construction for which a license/permit bond is not required by ordinance shall be exempted from giving such bond under this section.

SEC. 8-1401. ELECTRICAL CONTRACTOR LICENSE.

(a) As used in this chapter, the term "electrical contractor" shall mean and include any person engaged in the business of installing, erecting or repairing, or contracting to install, erect or repair electrical equipment.

(b) Except as provided in subsection (c), before any person shall engage in the business of electrical contracting in the City, and before any person now engaged in that business or any class thereof shall continue in the business of electrical contracting, such person shall be required to register with the City.

(c) The following persons shall not be required to register as an electrical contractor pursuant to subsection (b) nor shall they be required to pay a registration fee:

- (1) Electricians employed by an electrical contractor to perform or to supervise electrical work;
- (2) Persons performing electrical work in their own domiciles; however, the code manager shall require a sufficient display of electrical experience of a practical and elementary character so as to test their knowledge and qualifications of the electrical work to be done in the interest of safeguarding life and property.

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(d) An electrical contractor who has registered as same in any city or village in the State of Illinois shall be required to register and pay a fifty dollar (\$50.00) administrative filing fee to engage in electrical contracting in the City of Moline. The annual fee shall be valid for a period commencing on May 1 to April 30 of the following year, and shall remain in force and effect for that period of time, unless revoked for cause. An individual who presents an electrical license from another city in Illinois will not be required to provide proof of the Master Block Test, but will be required to submit an affidavit verifying a minimum of five years as an electrical contractor.

(e) Any person who first shall have filed proper application and later shall have satisfactorily passed an examination, as required by this division, shall be entitled to receive a license to do electrical work and to register as an electrical contractor and engage in the business of electrical contracting.

(f) The registration of an electrical contractor, as required by this division, shall be made in writing to the code manager stating the name and place of business of the applicant and the name of the representative of the applicant who will act as supervisor of the work to be done under the registration. The application shall be accompanied by a satisfactory affidavit that the applicant or representative thereof passed the master's examination through Thomson Prometric, 1260 Energy Lane, St. Paul, MN 55108, 1-(800)-280-3926 or the International Code Council National Contractor Trades Examination Program, Standard Master Electrician exam only, 900 Montclair Road, Birmingham, AL 35213, 1-888-422-7233, www.iccsafe.org/contractor. Applicant must have tested and passed the master's examination and provided proof of passing grade. The passing test results are not subject to expiration as long as the individual is active in the electrical trade and submits an affidavit verifying a minimum of five years electrical experience.

(g) Before any license required by this chapter is issued, the applicant therefor shall furnish a license/permit bond in the penal sum of five thousand dollars (\$5,000.00). The bond shall be conditioned upon the faithful performance of the applicant's work in accordance with the provisions of this Code and for all work performed under the license sought. Such surety is to be a company authorized to do business in the State of Illinois. This shall be a continuing bond until canceled by notice. The surety shall have the right to cancel this bond for future liability upon sixty (60) days written notice to the code manager.

(h) The annual fee for registering an electrical contractor pursuant to this division shall be fifty dollars (\$50.00) and shall be valid for an annual period commencing on May 1 to April 30 of the following year, and shall remain in force and effect for that period of time, unless revoked for cause.

(i) Said person, firm or corporation engaging in the business of electrical contracting in the City of Moline shall provide proof of insurance to the code manager in the type and amounts listed below:

- (1) Proof shall be a certificate of insurance for public liability and property damage insurance in the minimum amount and form as hereby specified: \$100,000.00 for each occurrence of property damage; and \$300,000.00 for each occurrence of personal injury or bodily harm. Such policy shall provide that it cannot be cancelled except upon written notification to the code manager at least thirty (30) days prior to the date of cancellation.
- (2) Proof that the applicant has obtained workers' compensation insurance or that the applicant is an approved self-insurer of workers' compensation shall be either the certificate of insurance from the insurance provider or the certificate of approval as a self-insurer issued the Illinois Industrial Commission.

If an applicant is a sole proprietorship or partnership and the applicant has no employees, the applicant shall not be required to provide proof of workers' compensation insurance. Such applicant's application shall include a sworn statement that said applicant has no employees.

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(j) No person permitted to register under the provisions of this division shall install or repair electrical equipment for electric light, heat, or power purposes after the expiration of the registration or after the registration shall have been revoked pursuant to this division, unless the registration or renewal thereof shall have been received.

(k) A license required by this division is prohibited from being loaned, rented, assigned, or transferred. (Ord. No. 97-6-1; Sec. 8-1801 repealed; new Sec. 8-1801 enacted; 6/10/97; Ord. No. 2001-02-03; Sec. 8-1401 repealed; new Sec. 8-1401, "ELECTRICAL CONTRACTOR LICENSE," enacted; 02/20/01; Ord. No. 3028-2008; Sec. 8-1401 repealed; new Sec. 8-1401 enacted; 03/25/08)

SEC. 8-1402. MECHANICAL CONTRACTOR LICENSE.

(a) It shall be unlawful for any person to install, erect, alter, repair, service, reset or replace any system or parts or appurtenances thereto, regulated by the mechanical code unless such person or some member of the firm or corporation shall first have obtained a mechanical license pursuant to this division, or unless such person or the firm or corporation has regularly and steadily in said person, firm or corporation's employ a holder of a mechanical license, who shall be the authorized representative of the person, firm or corporation in all matters pertaining to this chapter.

(b) The owner-occupant of a single dwelling house may, with the assistance of any member of said owner-occupant's family and household, personally carry on in said house, any work governed by this chapter without the license required by subsection (a); however, the owner-occupant shall obtain a permit for any such work and shall call for an inspection as provided in this chapter.

(c) The eligibility of an applicant for a mechanical contractor license shall be of legal age to conduct business in the State of Illinois, and shall have a minimum of five (5) years experience in mechanical work under the supervision of a licensed mechanical contractor, or shall be a graduate mechanical engineer having not less than one (1) year experience in mechanical construction. Five (5) years experience may be reduced to one (1) year providing the applicant has satisfactorily completed a course of study, such as four (4) years apprenticeship or its equal, as determined and recognized by the mechanical board, pertaining to his/her mechanical license.

(d) The license required by this article shall be issued only to an individual, and not to a corporation or firm.

(e) A mechanical contractor who has registered as same in any city or village in the State of Illinois shall be required to register and pay a fifty dollar (\$50.00) administrative filing fee to engage in mechanical contracting in the City of Moline. The annual fee shall be valid for a period commencing on May 1 to April 30 of the following year, and shall remain in force and effect for that period of time, unless revoked for cause. An individual who presents a mechanical license from another city in Illinois will not be required to provide proof of testing, but will be required to submit an affidavit verifying a minimum of five years as a mechanical contractor.

(f) Any person who first shall have filed proper application and later shall have satisfactorily passed an examination, as required by this division, shall be entitled to receive a license to do mechanical work and to register as a mechanical contractor and engage in the business of mechanical contracting.

(g) The registration of a mechanical contractor, as required by this division, shall be made in writing to the code manager stating the name and place of business of the applicant and the name of the representative of the applicant who will act as supervisor of the work to be done under the registration. The application shall be accompanied by a satisfactory affidavit that the applicant or representative thereof passed the master's mechanical examination through Thomson Prometric, 1260 Energy Lane, St. Paul, MN 55108, 1-(800)-280-3926 or the International Code Council National Contractor Trades Examination Program, Standard Master Mechanical exam only, 900 Montclair Road, Birmingham, AL 35213, 1-888-422-7233, www.iccsafe.org/contractor. Applicant must have tested and passed the master's mechanical examination and provided proof of passing grade. The passing test results are not subject to expiration as long as the individual is active in the mechanical trade and submits an affidavit verifying a minimum of five years mechanical experience.

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(h) Before any license required by this chapter is issued, the applicant therefor shall furnish a license/permit bond in the penal sum of five thousand dollars (\$5,000.00). The bond shall be conditioned upon the faithful performance of the applicant's work in accordance with the provisions of this Code and for all work performed under the license sought. Such surety is to be a company authorized to do business in the State of Illinois. This shall be a continuing bond until canceled by notice. The surety shall have the right to cancel this bond for future liability upon sixty (60) days written notice to the code manager.

(i) The annual fee for registering a mechanical contractor pursuant to this division shall be fifty dollars (\$50.00) and shall be valid for an annual period commencing on May 1 to April 30 of the following year, and shall remain in force and effect for that period of time, unless revoked for cause.

(j) Said person, firm or corporation engaging in the business of mechanical contracting in the City of Moline shall provide proof of insurance to the code manager in the type and amounts listed below:

- (1) Proof shall be a certificate of insurance for public liability and property damage insurance in the minimum amount and form as hereby specified: \$100,000.00 for each occurrence of property damage; and \$300,000.00 for each occurrence of personal injury or bodily harm. Such policy shall provide that it cannot be cancelled except upon written notification to the code manager at least thirty (30) days prior to the date of cancellation.
- (2) Proof that the applicant has obtained workers' compensation insurance or that the applicant is an approved self-insurer of workers' compensation shall be either the certificate of insurance from the insurance provider or the certificate of approval as a self-insurer issued the Illinois Industrial Commission.

If an applicant is a sole proprietorship or partnership and the applicant has no employees, the applicant shall not be required to provide proof of workers' compensation insurance. Such applicant's application shall include a sworn statement that said applicant has no employees.

(k) No person permitted to register under the provisions of this division shall install or repair mechanical equipment after the expiration of the registration or after the registration shall have been revoked pursuant to this division, unless the registration or renewal thereof shall have been received.

(l) A license required by this division is prohibited from being loaned, rented, assigned, or transferred. (Ord. No. 3028-2008; Sec. 8-1402 repealed; new Sec. 8-1402 enacted; 03/25/08)

SEC. 8-1403. PLUMBING LICENSE.

No person shall be allowed to do plumbing or receive a permit therefor within the City of Moline unless and until licensed as a plumber under the Plumbing License Law (225 ILCS 320/1 *et seq.*), or unless exempted from the licensing requirements of said law. In order to obtain a plumbing permit, the person applying therefor shall post a State of Illinois plumbing license for the business or corporation and a State of Illinois plumbing license for the individual holding a plumbing license who shall be an officer of the business or corporation, and shall be required to register and pay a fifty dollar (\$50.00) administrative filing fee to engage in plumbing contracting in the City of Moline. The annual fee shall be valid for a period commencing on May 1 to April 30 of the following year, and shall remain in force and effect for that period of time, unless revoked for cause.

SEC. 8-1404. ROOFING CONTRACTOR LICENSE.

No person shall be allowed to engage in the business of roofing contractor or receive a permit to perform such work within the City of Moline unless and until licensed or certified as a roofing contractor under the Roofing

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Industry Licensing Act (225 ILCS 335/1 *et seq.*), or unless exempted from the licensing requirements of said Act, and shall follow the registration and licensing requirements for a general contractor.

SEC. 8-1405. SEWER SERVICE AND MAINTENANCE BUSINESS LICENSE.

(a) "Service and maintenance business" for purposes of this chapter shall mean the trade, practice, performance for valuable consideration, or occupation of cleaning sewer laterals and mains and septic systems by mechanical, hydraulic, or other means.

(b) No person shall engage in the service and maintenance business unless and until such person or the firm by whom such person is employed is registered with the building official, and no permit will be issued for such work unless so registered.

(c) A person registering as a service and maintenance business shall provide the business name, the legal name, the address, and telephone number, if any, of the person, firm, or corporation registering hereunder. In addition, such person shall provide the names and addresses of representatives, officers, or employees authorized to obtain permits in the business name.

(d) The annual fee for registration pursuant to this division shall be fifty dollars (\$50.00). Such registration shall be valid for one (1) year commencing on May 1 of each year.

(e) In order to obtain a license, the person applying therefor must post a license/permit bond in the penal sum of five thousand dollars (\$5,000.00) conditioned upon the faithful performance of the applicant's work in accordance with all laws of the state and the City relating to plumbing or service and maintenance work and for all work performed under the license sought. Such surety is to be a company authorized to do business in the State of Illinois. This shall be a continuing bond until canceled by notice. The surety shall have the right to cancel this bond for future liability upon sixty (60) days written notice to the building official.

(f) Said person, firm or corporation engaging in the business of sewer cleaning in the City of Moline shall provide proof of insurance to the building official in the type and amounts listed below:

- (1) Proof shall be a certificate of insurance for public liability and property damage insurance in the minimum amount and form as hereby specified: \$100,000.00 for each occurrence of property damage; and \$300,000.00 for each occurrence of personal injury or bodily harm. Such policy shall provide that it cannot be cancelled except upon written notification to the building official at least thirty (30) days prior to the date of cancellation.
- (2) Proof that the applicant has obtained workers' compensation insurance or that the applicant is an approved self-insurer of workers' compensation shall be either the certificate of insurance from the insurance provider or the certificate of approval as a self-insurer issued the Illinois Industrial Commission.

If an applicant is a sole proprietorship or partnership and the applicant has no employees, the applicant shall not be required to provide proof of workers' compensation insurance. Such applicant's application shall include a sworn statement that said applicant has no employees.

SEC. 8-1406. LICENSE AND REGISTRATION NOT TRANSFERABLE.

No license or registration required by this division is transferable or assignable, and no license or registration may be loaned or rented to any person, and a license or registration must be in the possession of the person to whom said license or registration was issued or be surrendered to the City.

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SEC. 8-1407. CHANGE OF STATUS.

Whenever a designated representative of an electrical, mechanical or plumbing contractor severs a relationship with an electrical, mechanical or plumbing contractor, or a general contractor revokes an agency agreement to allow persons to take out permits in the licensee's name, or an electrical, mechanical or plumbing licensee severs a relationship with a firm engaging in such work, the electrical contractor, mechanical contractor, plumbing contractor, or general contractor, engaging in such work shall immediately notify the building official in writing and designate new representatives, if any, if required to engage in work within the City.

SEC. 8-1408. SUSPENSION OR REVOCATION.

The respective board having authority to examine applicants or the building official, if no board has such authority, shall have the authority to suspend or revoke for cause, any license or registration granted under this division for a violation of this chapter, after due hearing and upon notice to the party charged. The notice shall be in writing and served by registered mail to the party charged, and shall be not less than five (5) days prior to the hearing.

DIVISION 5. CERTIFICATES OF OCCUPANCY

SEC. 8-1500. CERTIFICATES OF OCCUPANCY.

(a) **Definitions.** As used in this section, the following terms shall have the meanings ascribed to them:

- (1) **International Residential Code:** Means a building code that has provisions that apply to all one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress and any accessory structures.
- (2) **International Building Code:** Means a building code that has provisions that apply to all structures with three or more dwellings, non-habitable structures and all commercial buildings.
- (3) **Permit:** Means an official document issued by the authority having jurisdiction which authorizes performance of a specified activity.
- (4) **Required Inspections:** Means mandatory inspections as outlined (in the building and residential codes) on the permit card and based on the scope of the project.
- (5) **Temporary Certificate of Occupancy:** Means that temporary occupancy may be permitted while non-life safety issues are being completed within a specified amount of time.
- (6) **Certificate of Occupancy:** Means a certificate that states that all the permitted work was done in compliance with the approved construction documents, current code and that the building/structure may be occupied.
- (7) **Certificate of Occupancy Deposit:** Means a refundable security deposit that is required for all new commercial and residential buildings, additions, remodels, changes of "occupancy" use or other structures that are intended to be occupied for either private or public use.
- (8) **Permit Extension:** Means an extension of time, not to exceed 180 days, to complete the permitted project.

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- (9) **Inspection Request.** Means notification building permit holder to the code manager or his designee that the work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by the building code.
- (b) **Certificate of Occupancy.**
- (1) No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the code manager has issued a Certificate of Occupancy therefore as provided in the International Residential Code and International Building Code unless exempted as set forth in subsection (e) below.
- (2) A Certificate of Occupancy shall be requested by the building permit holder prior to the expiration of the building permit and prior to occupancy for all new commercial and residential buildings, including additions and remodels of such buildings or structures.
- (c) **Certificate of Occupancy Deposit.**
- (1) All building permit applications that involve any new commercial and residential buildings, additions, remodels or other structures that are intended to be occupied for either private or public use shall be required to submit a Certificate of Occupancy deposit to the City prior to the issuance of a building permit. The permit holder is responsible for the Certificate of Occupancy deposit. All projects within the above scope of work are required to submit a deposit unless exempt by this code.
- (2) The Certificate of Occupancy deposit amount shall be equal to 1% of the total valuation of the construction cost of the project or two hundred fifty dollars (\$250.00), whichever is greater. A performance bond of equal or greater value may be posted in lieu of a cash deposit.
- (3) The Certificate of Occupancy deposit shall be returned in full if all required final inspections have been completed and approved, including building, sidewalk, approaches, storm water compliance and landscaping requirements, and a request for a Certificate of Occupancy has been received prior to the building permit's expiration date.
- (4) Once the Certificate of Occupancy has been issued prior to expiration of the building permit, the full deposit will be sent by form of a check to the building permit holder.
- (5) If the permit holder fails to obtain a Certificate of Occupancy prior to the building permit's expiration date, the deposit shall be forfeited, unless a building permit renewal has been requested and granted prior to the expiration date.
- (d) **Violation.**
- (1) Violators of this ordinance requirement are subject to legal action by the City, including fines up to \$750 per day, per violation.
- (e) **Exemptions.** The following building permits are exempt from the Certificate of Occupancy requirement:
- (1) Detached accessory structures
- (2) Retaining walls
- (3) Swimming pools, hot tubs, spas

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- (4) Fences
- (5) Decks
- (6) Staircases
- (7) Open porches
- (8) Signs
- (9) Windows
- (10) Doors
- (11) Roofs
- (12) Siding
- (13) Demolition.

(Ord. No. 3028-2008; new Art. I, Div. 5 enacted, "CERTIFICATES OF OCCUPANCY"; 03/25/08)

ARTICLE II. BUILDING AND RESIDENTIAL CODES

DIVISION 1. MOLINE BUILDING CODE.

SEC. 8-2100. INTERNATIONAL BUILDING CODE ADOPTED.

The International Building Code, 2003 Edition, and all appendices, unless deleted, published therewith, as published by the International Code Council, is hereby adopted by reference as the "Moline Building Code," and is incorporated herein by reference thereto as if it were set out in haec verba. Three (3) copies of such Code shall be kept on file in the city clerk's office for inspection and shall remain on file therein for such purposes.

SEC. 8-2101. AMENDMENTS TO THE BUILDING CODE.

The Moline Building Code adopted in this article by reference is hereby specifically amended as follows:

(a) **Section 101.1 Title.**

Insert "the City of Moline" for [NAME OF JURISDICTION].

(b) **Section 101.2 Scope.**

Replace Exception 2 with the following: "2. Existing buildings undergoing repair, alterations, or additions and change of occupancy shall be permitted to comply with the *International Existing Building Code* except Sections 604.2.2(3), the last clause of 604.2.3 that reads, "and the building has a sufficient municipal water supply available to the floor without installation of a new fire pump," 604.2.4(2), and the last clause of 704.1.1 that reads, "sprinklers shall be provided in the specified areas where sufficient municipal water supply for design and installation of a fire sprinkler system is available at the site" of the *International Existing Building Code* shall not apply. (Ord. No. 3028-2008; new subsection (b) enacted to Sec. 3028-2008; 03/25/08)

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(c) **Section 101.2.1 Appendices.**

Add: “The following appendices are hereby adopted: C - Agricultural Buildings; E- Supplementary Accessibility Requirements; F - Rodent Proofing; G - Flood Resistant Construction; H - Signs; I - Patio Covers; J – Grading; K - Climatic and Geographic Design Criteria.”

(d) **Section 101.2.2 Appendix K - Climatic and Geographic Design Criteria**

Add new Appendix K as follows:

Unless otherwise approved by the building official, the following minimum basic design criteria shall be used:

Roof Snow Load (p _s) pounds per square foot	Wind Speed (mph)	Seismic Design Category	Subject to damage from					Flood Hazards
			Weathering	Frost Line Depth	Termite	Decay	Winter Design Temp	
(p _s) = 30 psf, except that calculations for add'l drift loads shall use a ground snow load p _g = 25 psf	90	0(A)	Severe	42 in.	Moderate to Heavy	Slight to Heavy	-4° F	FIRM

(e) **Section 101.4.4 Plumbing.**

- (1) Delete the words “*International Plumbing Code*” and replace with “*Moline Plumbing Code, as amended.*”
- (2) Delete the sentence reading: “The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal systems.”
- (3) Add the sentence: “All references to the *International Plumbing Code* in this and all other adopted supporting codes are to be interpreted as meaning the *Moline Plumbing Code, as amended, unless explicitly stated otherwise by this jurisdiction.*”

(f) **Section 101.4.6 Fire prevention.**

- (1) Add “and the *Fire Code adopted by reference in Chapter 11 of the Moline Code of Ordinance.*” after “The provisions of the *International Fire Code . . .*”
- (2) Add the sentence: “All references to the *International Fire Code* in this and all adopted supporting codes are to be interpreted as meaning the *Fire Code adopted by reference in Chapter 11 of the Moline Code of Ordinances* unless explicitly stated otherwise by this jurisdiction.”

(g) **Section 101.4.7 Energy.**

Delete entire section.

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(h) **Section 102.6 Existing structures.**

Change:

“...except as is specifically covered in this code, the *International Property Maintenance Code*, or the *International Fire Code*, or as is...”

to read:

“...except as is specifically covered in this code, the *International Property Maintenance Code*, the *International Fire Code*, or the *fire code adopted by reference in Chapter 11 of the Moline Code of Ordinances*, or as is...”

(i) **Section 103 Department of Building Safety.**

Change:

“Department of Building Safety”

To read:

“Building Division.”

(j) **Section 103.1 Creation of enforcement agency.**

Replace entire section with:

“103.1 Creation of enforcement agency. The building division is responsible for enforcing the provisions of this code. The official in charge of the building division shall be known as the building official.”

(k) **Section 104.8 Liability.**

Add to the beginning of the paragraph:

“Subject to Section 2-1109 of the Moline Code of Ordinances, . . .”

(l) **Section 108.2 Schedule of permit fees.**

Replace entire section with:

“Section 108.2 Schedule of permit fees.

The fee for each building permit shall be as set forth in Table 108.2(1). All fees will be rounded to the nearest increment. Where a technical code has been adopted by the City of Moline for which no fee schedule is shown in this Code, the fee required shall be in accordance with the schedule established by the City Council.

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TABLE 108.2 (1)

<u>ESTIMATED VALUATION</u>		<u>FEE</u>
1	- 500	24.00
500	- 600	27.00
601	- 700	31.00
701	- 800	35.00
801	- 900	38.00
901	- 1000	41.00
1,001	- 1100	45.00
1,101	- 1200	48.00
1,201	- 1300	52.00
1,301	- 1400	55.00
1,401	- 1500	58.00
1,501	- 1600	62.00
1,601	- 1700	65.00
1,701	- 1800	69.00
1,801	- 1900	72.00
1,901	- 2000	75.00
2,001	- 3000	89.00
3,001	- 4000	103.00
4,001	- 5000	117.00
5,001	- 6000	131.00
6,001	- 7000	144.00
7,001	- 8000	158.00
8,001	- 9000	172.00
9,001	- 10,000	186.00
10,001	- 11,000	200.00
11,001	- 12,000	214.00
12,001	- 13,000	227.00
13,001	- 14,000	241.00
14,001	- 15,000	255.00
15,001	- 16,000	270.00
16,001	- 17,000	285.00
17,001	- 18,000	300.00
18,001	- 19,000	315.00
19,001	- 20,000	330.00
20,001	- 21,000	345.00
21,001	- 22,000	359.00
22,001	- 23,000	374.00
23,001	- 24,000	389.00
24,001	- 25,000	404.00
25,001	- 26,000	415.00
26,001	- 27,000	425.00
27,001	- 28,000	435.00
28,001	- 29,000	446.00
29,001	- 30,000	456.00
30,001	- 31,000	466.00
31,001	- 32,000	477.00
32,001	- 33,000	487.00
33,001	- 34,000	497.00
34,001	- 35,000	508.00

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35,001	-	36,000	518.00
36,001	-	37,000	529.00
37,001	-	38,000	539.00
38,001	-	39,000	549.00
39,001	-	40,000	560.00
40,001	-	41,000	.....	570.00
41,001	-	42,000	.....	580.00
42,001	-	43,000	.....	591.00
43,001	-	44,000	.....	601.00
44,001	-	45,000	.....	611.00
45,001	-	46,000	.....	622.00
46,001	-	47,000	.....	632.00
47,001	-	48,000	.....	642.00
48,001	-	49,000	.....	653.00
49,001	-	50,000	.....	663.00
50,001	-	51,000	.....	670.00
51,001	-	52,000	.....	677.00
52,001	-	53,000	.....	684.00
53,001	-	54,000	.....	691.00
54,001	-	55,000	.....	698.00
55,001	-	56,000	.....	704.00
56,001	-	57,000	.....	711.00
57,001	-	58,000	.....	718.00
58,001	-	59,000	.....	725.00
59,001	-	60,000	.....	732.00
60,001	-	61,000	.....	740.00
61,001	-	62,000	.....	748.00
62,001	-	63,000	.....	756.00
63,001	-	64,000	.....	764.00
64,001	-	65,000	.....	772.00
65,001	-	66,000	.....	780.00
66,001	-	67,000	.....	788.00
67,001	-	68,000	.....	796.00
68,001	-	69,000	.....	805.00
69,001	-	70,000	.....	813.00

Continue with \$8.00 for each add'l \$1,000 or fraction thereof including \$100,000.

\$100,001 to \$500,000 = \$1054.00 for first \$100,000, plus \$5.00 for each add'l \$1,000 or fraction thereof including \$500,000.

\$500,001 to \$1,000,000 = \$3354.00 for first \$500,000, plus \$4.50 for each add'l \$1,000 or fraction thereof including \$1,000,000.

\$1,000,001 and up = \$5942.00 for first \$1,000,000 plus \$3.00 for each add'l \$1,000 or fraction thereof.

MOVING any building \$115.00

WRECKING

Frame garage or accessory bldg/shed..... \$28.00

House \$86.00

Commercial bldg, one story \$143.00

Plus \$28.00 for each add'l story over one story for commercial

Inground swimming pools \$28.00

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GRADING/FILLING PERMIT FEES

<u>ESTIMATED CUBIC YARDS</u>	<u>FEE</u>
1 - 50	28.00
51 - 100	49.00
101 - 200	70.00
201 - 300	90.00
301 - 400	111.00
401 - 500	132.00
501 - 600	152.00
601 - 700	173.00
701 - 800	194.00
801 - 900	215.00
901 - 1,000	235.00
1,001 - 2,000	253.00
2,001 - 3,000	270.00
3,001 - 4,000	287.00
4,001 - 5,000	304.00
5,001 - 6,000	322.00
6,001 - 7,000	339.00
7,001 - 8,000	356.00
8,001 - 9,000	373.00
9,001 - 10,000	391.00
10,001 - 20,000	466.00
20,001 - 30,000	542.00
30,001 - 40,000	618.00
40,001 - 50,000	694.00
50,001 - 60,000	770.00
60,001 - 70,000	846.00
70,001 - 80,000	922.00
80,001 - 90,000	998.00
90,001 - 100,000	1074.00
100,001 - 110,000	1116.00
110,001 - 120,000	1159.00
120,001 - 130,000	1201.00
130,001 - 140,000	1244.00
140,001 - 150,000	1286.00
150,001 - 160,000	1329.00
160,001 - 170,000	1371.00
170,001 - 180,000	1414.00
180,001 - 190,000	1457.00
190,001 - 200,000	1499.00

Continue with \$42.00 for each add'l \$10,000 or fraction thereof.

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SIGN PERMIT FEES

<u>ESTIMATED VALUATION</u>	<u>FEE</u>
1 - 500	19.00
501 - 600	21.00
601 - 700	24.00
701 - 800	26.00
801 - 900	28.00
901 - 1000	31.00
1001 or more	31.00 plus
\$2.00 for each add'l \$100 or fraction thereof	

STORAGE TANK PERMIT FEES

Installation, per tank	100.00
Removal, per tank.....	50.00

SIDEWALKS & APPROACHES

CITY SIDEWALKS.....\$20.00

APPROACHES & CURB CUTS.....\$86.00 for first 15 feet
..... \$6.00 for each add'l foot

REINSPECTION FEES

Inspections outside normal business hours (minimum charge - 2 hours).....	\$47.00*
Re-inspection fees assessed under provisions of Section 108.8	\$47.00*
Inspections for which no fee is specifically indicated (minimum charge - ½ hour).....	\$47.00*
Additional plan review required by changes, additions, or revisions to plans.....	\$47.00*
For use of outside consultants for plan checking and inspections, or both.....	Actual costs**

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.

(Ord. No. 3039-2011; Sec. 8-2101(l) repealed; new Sec. 8-2101(l) enacted; 11/01/11)

(m) **Section 108.7 Plan review fees.**

Add new Section 108.7 as follows:

“**Section 108.7 Plan review fees.** When submittal documents are required by Section 106, a plan review fee shall be paid at the time said submittal documents are submitted for plan review. Said plan review shall be sixty-five percent (65%) of the permit fee as shown in Table 108.2(1) calculated on the total value of all construction work. Total value of construction includes all finish work, painting, roofing, electrical, plumbing, heating and air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

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The plan review fees specified in this section are separate fees from the permit fees specified in Section 108.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review, or when the project involves deferred submittal items as defined in Section 106.3.4.2, an additional plan review fee shall be charged at the rate shown in Table 108.2(1).

The following are exceptions and shall not be charged a plan review fee:

- (a) One (1) and two (2) family dwellings;
 - (b) Commercial remodeling less than \$20,000.00;
 - (c) New commercial buildings which do not exceed five thousand (5000) square feet (including basement) and not over one (1) story in height;
 - (d) "U" occupancies."
- (n) **Section 112 Board of Appeals.**

Delete all sub-sections and replace with:

"Refer to the Code of Ordinances of the City of Moline, Chapter 8, Article I, Division 3, Appeals Boards, Section 8-1300, Building Board of Appeals."

- (o) **Section 1008.1.9 Panic and fire exit hardware.**

Delete and replace with:

"Where panic and fire exit hardware is installed, it shall comply with the following:

1. The actuating portion of the releasing device shall extend at least one-half of the door leaf width.
2. The maximum unlatching force shall not exceed 15 pounds (67 N).

Each door in a means of egress from a Group A or E occupancy having an occupant load of 50 or more and any Group H occupancy shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware.

Exception: A main exit of a Group A occupancy in compliance with Section 1008.1.8.3, Item 2.

Electrical rooms with equipment rated 1,200 amperes or more and over 6 feet (1829 mm) wide that contain overcurrent devices, switching devices or control devices with exit access doors must be equipped with panic hardware and doors must swing in the direction of egress.

If balanced doors are used and panic hardware is required, the panic hardware shall be the push-pad type and the pad shall not extend more than one-half the width of the door measured from the latch side. (Ord. No. 3028-2008; new subsection (o) enacted to Sec. 3028-2008; 03/25/08)

- (p) **Section 202 Definitions.**

Amend as follows: "**Person**" is an individual or such individual's heirs, executors, administrators or assigns; and includes and extends to associations, clubs, societies, firms, partnerships, and bodies politic and corporate or its or their successors or assigns; or the agent of any of the aforesaid."

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(q) **Section 1101.2 Design.**

Change: “Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC A117.1.”

to read: “Buildings and facilities shall be designed and constructed to be accessible in accordance with this code, the *Illinois Accessibility Code*, and ICC/ANSI A117.1.”

(r) **Section 1208.2 Minimum ceiling heights.**

Add exception:

“4. Conversions of attics and basements of a group R-3 occupancy utilized as a single family dwelling unit shall have a ceiling height of not less than 6 feet and 8 inches. Ductwork projections may be lower than this if located against partition walls. Doorway heights must be at least 6 feet 4 inches.”

(s) **Chapter 13 Energy Efficiency.**

Delete all contents of chapter and replace with:

“Designers and builders are encouraged to design and construct buildings in accordance with the *International Energy Conservation Code*.”

(t) **Section 1608.1 General.**

Add:

“Note: All snow loads shall be based on a minimum roof snow load (p_s) of 30 pounds per square foot, except that calculations for additional snowdrift loads shall be based on a ground snow load $p_g = 25$ pounds per square foot.”

(u) **Section 1805.2.1 Frost protection.**

(1). Change:

“1. Extending below the frost line of the locality;”

To read:

“1. Extending below the 42-inch frost line;”

(2). Add new section:

“1805.2.1.1 Floating slabs. For group U occupancies 720 square feet or less, with no side dimension longer than 30 feet, and no wall height taller than 10 feet, and no more than 3 courses of masonry block, located on undisturbed soil, may be constructed with a floating slab. This slab shall be a minimum of 4 inches thick, air-entrained concrete having a minimum compressive strength at 28 days of not less than 3,000 pounds per square inch, reinforced with a 21-pound wire mesh, and having a 12-inch thick by 12-inch wide perimeter reinforced with no less than two number 4 reinforcement bars. This slab shall be continuously poured with no cold joints.”

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(v) **Table 1805.4.2 Footings Supporting Walls of Light-Frame Construction.**

Delete Table 1805.4.2 and replace with:

TABLE 1805.4.2

FOOTINGS SUPPORTING WALLS OF LIGHT-FRAME CONSTRUCTION^{a, b, c, d}

Number of Floors Supported by the Foundation	Minimum Thickness of Foundation Wall		Minimum Width of Footing (inches)	Minimum Thickness of Footing (inches)	Footings subject to frost Min. Depth below undisturbed ground (inches)	Footings not subject to frost Min. Depth below undisturbed ground (inches)
	Concrete (inches)	Unit Masonry (inches)				
1	8	8	16	8	42	12
2	8	8	16	8	42	18
3	10	12	18	12	42	24

(Application note: Only the table proper is replaced. Existing title and notes remain.)

(w) **Table 1805.5(1), Plain Masonry and Plain Concrete Foundation Walls.**

Delete table in its entirety.

(x) **Chapter 29 – Plumbing Systems.**

Delete all contents of chapter and replace with:

“Refer to *the Moline Plumbing Code* as amended.”

(y) **Section 3303. Demolition** is hereby amended by deleting said section in its entirety and in lieu thereof inserting a new section which shall read as follows:

**“SECTION 3303
DEMOLITION**

3303.1 Construction documents. Construction documents and a schedule for demolition must be submitted when required by the building official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved.

3303.1.1 Permit and fees. When plans and specifications are filed with the building official and there are existing buildings or parts of buildings to be wrecked, it shall also be so stated in the application for permit. A permit shall be issued for all wrecking. There shall be no fee required for buildings condemned by order of the City Council or by the housing code enforcement authority, but a permit shall be necessary.

3303.1.2 Contractor Registration. Unless already registered as a general contractor with the City, before said permit is granted by the building official, the party applying therefore shall file with the building official on a Moline bond form, a license/permit bond in the penal sum of five thousand dollars (\$5,000.00) conditioned on the faithful performance of all the provisions of this code and for all work performed under the

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permit sought. The surety shall be a company authorized to transact business in the State of Illinois. Further, any person, firm or corporation engaged in wrecking a building shall provide the building official with a certificate of insurance naming said city co-insured of said insurance for public liability insurance in the sum of fifty thousand dollars

(\$50,000.00) per occurrence for damage to property and three hundred thousand dollars (\$300,000.00) per person and five hundred thousand dollars (\$500,000.00) per occurrence for injury to persons. Further, any person, firm or corporation engaged in wrecking a building shall pay a contractor registration fee of seventy-five dollars (\$75.00) to the building official. The annual fee shall be for a period commencing on May 1 to April 30 of the following year, and shall remain in force and effect for that period of time, unless revoked for cause.

3303.2 Protection of pedestrians.

3303.2.1 Lights on sidewalks. The walkways shall be kept well lighted between sunset and sunrise and the outer edge of the occupied space of the street or sidewalk shall have red lights placed thereon, which shall be kept burning continuously between sunset and sunrise. Any or all of the required lights shall be electric lights if required by the building official or municipal services general manager.

3303.2.2 Right to stop wrecking. The building official shall have the right to stop the wrecking or tearing down of any building or structure within the City when same is being done in a reckless or careless manner, or in violation of any ordinance or in such a manner as to endanger life and property, and to order any and all persons engaged in said work to stop and desist therefrom. When such work has been stopped by the order of said building official, it shall not be resumed until said building official shall be satisfied that adequate precautions have been or will be taken for the protection of life and property, and that said work will be proceeded with carefully and in conformity with the ordinances of the City.

3303.3 Means of egress. A party wall balcony or horizontal exit shall not be destroyed unless and until a substitute means of egress has been provided and approved.

3303.4 Vacant Lot. Where a structure has been demolished or removed, the vacant lot shall be filled and maintained to the existing grade or in accordance with the ordinances of the City of Moline.

3303.5 Water accumulation. Provision shall be made to prevent the accumulation of water or damage to any foundations on the premises or the adjoining property.

3303.6 Utility connections. Service utility connections shall be discontinued and capped in accordance with the approved rules and the requirements of the City of Moline.

3303.7 Method of procedure. In wrecking any building, story after story, commencing with the top story, each story shall be completely removed. No material shall be placed upon the floor of any such building in the course of demolition, but the bricks, timbers and other structural parts of each story shall be lowered to the ground immediately upon displacement.

3303.8 Cleaning up of premises. Every part of a building or structure shall be wrecked, including the foundation walls, and all accumulated rubbish and material shall be removed from the site, or if the person wrecking the structure desires to leave solid wreckage material such as brick, plaster, etc., said person may do so, provided that the excavation is filled with at least one

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(1) foot of solid dirt fill. In all cases, the excavation walls shall so slope as to make same safe to the public.

(z) **Section 3408. Moved Structures**

Add the following sections:

3408.2 Permit and fees. No person or persons shall hereafter remove any building within the City limits of the City of Moline, where the same shall be moved in, through or upon any streets, alleys, avenues, or public grounds, unless said persons shall, before engaging in removing said house or building, secure a permit to do so from the building official. The building official may or may not in said official's discretion grant any application for a permit to remove any building and may, in the event it is deemed advisable to permit the removal of a building, impose any conditions which in said official's discretion will ensure due observance of the public safety, welfare or convenience. The fee for said permit shall be one hundred dollars (\$100.00) for each building to be moved.

3408.3 Contractor Registration. Before said permit is granted by the building official, the party applying therefor shall give a license/permit bond in the sum of twenty-five thousand dollars (\$25,000.00) with good and sufficient sureties, conditioned among other things that said party will save and indemnify and keep harmless the City of Moline, against all liabilities, judgment, costs and expenses which may in any way accrue against said City in consequence of the granting of said permit, and upon the expiration of the time named in the permit, or sooner, if the use of the streets, avenues, alleys or public grounds is no longer necessary, shall clear the streets, avenues, alleys or public grounds of all obstruction. The applicant shall give evidence to the City of public liability insurance in the amounts of three hundred thousand dollars (\$300,000.00) per person and five hundred thousand dollars (\$500,000.00) per occurrence insuring said applicant and City for accidents to any person or property while moving said building, and file a certified check with the Finance Director, payable to the City in an amount determined by the Finance Director to cover the estimate of costs listed hereinbelow, and which shall be cashed and retained by the City to cover and offset all costs expended by the City and City personnel in assisting with said applicant in the moving operation, for police, electricians, street maintenance, and other City personnel labor and expense. Any trees required to be trimmed or removed due to said building moving shall first be approved by the Director of Parks and the work performed in connection therewith shall be performed by reliable, bonded and insured tree trimmers, approved by the Director of Parks and as by ordinances of the City of Moline, Illinois.

3408.4 Consent of public utilities. No permit shall be issued until said party applying therefor shall have secured the written consent for the proposed routing from any public utility maintaining telephone, telegraph, electric light, power lines, cable television, or data lines which will have to be disturbed, removed or interfered within consequence of any such removal.

3408.5 Routing approved by municipal services general manager. The municipal services general manager shall designate the route to be followed and limit the time for moving on the streets and shall issue these instructions in writing to mover, who shall present same to building official.

3408.6 Continuous moving if necessary. The moving of a building under a permit, when commenced, shall be continuous during all hours of the day and day by day, and at night if the municipal services general manager so orders until completed, with the least possible obstruction to the thoroughfare occupied.

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3408.7 Buildings prohibited to remain at street intersections. No buildings shall be allowed to remain overnight upon any street intersection or crossing, or so near thereto as to prevent easy access to any fire hydrant.

3408.8 Lighted lanterns at night. Lighted lanterns shall be kept in conspicuous places at each end of said building during the night.

3408.9 Structural condition of buildings to be moved. No building shall be moved until same has been inspected by the building official, and any building that has depreciated fifty percent (50%) or more, shall not be moved but shall be torn down, and comply with requirements for "Demolition," Section 3303.

3408.10 Report to the fire department. Every house mover shall report to the fire chief or assistants at the central station each night, the exact location where the house is to stand on streets for the night, if permission has been obtained from the municipal services general manager for leaving the building on the street. Failure to report shall be an ordinance violation and shall hold parties liable to fine.

3408.11 Careful procedure on streets. All house movers shall proceed in a careful manner in the removal of a building over the public streets, alleys, avenues, and public grounds and shall not in any manner injure or destroy trees, grass plot, curbing or sidewalk, nor in any manner interfere with the private property of individuals. The building official shall have the power to revoke any permit whenever in said official's judgment any house mover is proceeding in a reckless and careless manner in the removal of a building.

3408.12 Report to Building Official and Municipal Services General Manager. Every person or persons receiving a permit from the building official to move a building shall, within one (1) day after said building reaches its destination, report that fact to the building official who shall report same to the municipal services general manager. The municipal services general manager shall thereupon inspect the streets, alleys, avenues or public grounds over which said house or building has been moved and ascertain the condition of same. If the removal of said house or building has caused any damages to the streets, alleys, avenues, or public grounds, the said house mover shall forthwith place the same in good repair as they were before the permit was granted. Upon failure of the house mover to do so within ten (10) days thereafter, to the satisfaction of the municipal services general manager, the City shall repair the damage done to the streets, alleys, avenues or public grounds and hold sureties of bond given by house mover or house movers responsible for payment of same. (Ord. No. 3028-2008; new subsections (b) and (c) enacted to Sec. 8-2101 and the remaining subsections consecutively renamed; 03/25/08)

DIVISION 2. MOLINE RESIDENTIAL CODE.

SEC. 8-2200. INTERNATIONAL RESIDENTIAL CODE ADOPTED.

The International Residential Code, 2003 Edition, and all appendices, unless deleted, published therewith, as published by the International Code Council, is hereby adopted by reference as the "Moline Residential Code," and is incorporated herein by reference thereto as if it were set out in haec verba. Three (3) copies of such Code shall be kept on file in the city clerk's office for inspection and shall remain on file therein for such purposes.

SEC. 8-2201. AMENDMENTS TO RESIDENTIAL CODE.

The Moline Residential Code adopted in this article by reference is hereby specifically amended as follows:

- (a) **Section R101.1 Title.**

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Insert “the City of Moline” for [NAME OF JURISDICTION].

(b) **Section R102.5 Appendices.**

Add:

“The following appendices are hereby adopted: A, B, C, D, E, F, G, H, I, J, K and L.”

(c) **Section R103 Department of Building Safety.**

Change:

“Department of Building Safety”

To read:

“Building Division”

(d) **Section R103.1 Creation of enforcement agency.**

Replace entire section with:

“**R103.1 Enforcement agency.** The Building Division is responsible for enforcing the provisions of this code. The official in charge of the Building Division shall be known as the code manager.”

(e) **Section R104.8 Liability.**

Add to the beginning of the paragraph:

“Subject to Section 2-1109 of the Moline Code of Ordinances,”

(f) **Section 105.2 Work exempt from permit.**

Amend Exemption 1 by deleting “200 square feet (18.58 m2)” and replacing with “120 square feet.”

(g) **Section R108.2 Schedule of permit fees.**

Replace entire section with:

“**Section R108.2 Schedule of permit fees.** The fee for each building permit shall be as set forth in the Moline Code of Ordinances, Sec. 8-3101(m) Table 108.2(1). All fees will be rounded to the nearest increment. Where a technical code has been adopted by the City of Moline for which no fee schedule is shown in this Code, the fee required shall be in accordance with the schedule established by the City Council.”

(h) **Section R112 Board of Appeals.**

Delete all sub-sections and replace with:

“Refer to the Code of Ordinances of the City of Moline, Chapter 8, Article I, Division 3, Appeals Boards, Section 8-1300, Building Board of Appeals.”

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(i) **Section R202 Definitions.**

Add in alphabetical order:

“SLEEPING ROOM. Any room with a closet.”

(j) **Table R301.2(1) Climatic and Geographic Design Criteria.**

Delete table and replace with:

Roof Snow Load (p _s) pounds per square foot	Wind Speed (mph)	Seismic Design Category	Subject to damage from					Flood Hazards
			Weathering	Frost Line Depth	Termite	Decay	Winter Design Temp	
(p _s) = 30 psf, except that calculations for add'l drift loads shall use a ground snow load p _g = 25 psf	90	0(A)	Severe	42 in.	Moderate to Heavy	Slight to Heavy	-4° F	FIRM

(k) **Section R305.1 Minimum height.**

Add exception:

“5. Conversions of attics and basements of a group R-3 occupancy utilized as a single family dwelling unit shall have a ceiling height of not less than 6 feet and 8 inches. Ductwork projections may be lower than this if located against partition walls. Doorway heights must be at least 6 feet 4 inches.”

(l) **Section R309.1 Opening Protection.**

Amend second sentence to read as follows:

“Other openings between the garage and residence shall be equipped with self-closing, tight-fitting solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb steel doors not less than 1 3/8 inches (35mm) in thickness, or 20 minute fire-rated doors.”

(m) **R311.4.3 Landings at doors.**

Delete contents and replace with:

“At least one exterior door shall provide a 36”x36” landing with a maximum step down distance from the top of the threshold of 7 ¾”. Other exterior doors including all side hinged and sliding doors with more than 2 risers must have a 36”x36” landing, no more than 7 ¾” below the top of the threshold.

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Exception: Doors to and from garages and similar accessory spaces are not considered exterior doors and are exempt from the exterior landing requirements. Interior doors shall meet applicable code requirements.”

(n) **[EB] R313.1.1 Alterations, repairs and additions.**

Delete Exception 1 and replace with:

“1. Smoke alarms in existing areas shall not be required to be interconnected and hard wired where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure.”

(o) **Sections R403 Footings. and R404 Foundation Walls.**

Delete Tables R403.1, R404.1.1(1), R404.1.1(2), R404.1.1(3), and R404.1.1(4) and all references to them and replace with the following table R403.1 and notes:

Number of Floors Supported by the Foundation	Minimum Thickness of Foundation Wall		Minimum Width of Footing (inches)	Minimum Thickness of Footing (inches)	Footings subject to frost Min. Depth below undisturbed ground (inches)	Footings not subject to frost Min. Depth below undisturbed ground (inches)
	Concrete (inches)	Unit Masonry (inches)				
1	8	8	16	8	42	12
2	8	8	16	8	42	18
3	10	12	18	12	42	24

Notes:

- (1) Foundations may support a roof in addition to the stipulated number of floors. Foundations supporting roofs only shall be as required for supporting one floor. Footings shall contain a minimum of two number 4 reinforcement bars.
- (2) A one-story detached wood frame building used for a private garage and accessory to a single family residential use and not exceeding 720 square feet in floor area, with no side dimension longer than 30 feet, and no wall height taller than 10 feet, and no more than 3 courses of masonry block, located on undisturbed soil, may be constructed with a floating slab. This slab shall be a minimum of 4 inches thick, air-entrained concrete having a minimum compressive strength at 28 days of not less than 3,000 pounds per square inch, reinforced with a 21-pound wire mesh, and having a 12-inch thick by 12-inch wide perimeter reinforced with no less than two number 4 reinforcement bars. This slab shall be continuously poured with no cold joints.
- (3) Buildings and portions of buildings containing mechanical installations and connected to underground utilities shall be supported on a continuous, frost-free foundation capable of resisting the movement of the slab-on-grade.
- (4) Cast-in-place concrete foundation walls shall be air-entrained concrete having a minimum compressive strength at 28 days of not less than 3,000 pounds per square inch.

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- (5) Foundation walls shall be a minimum of 7 ½ inches thick with no less than three number 4 reinforcement bars placed horizontally at the center of the wall, with one bar located near the top, one bar located near the mid-height, and one bar located near the bottom.”

- (p) **Chapter 11 – Energy Efficiency.**

Near the top of the part between “**ENERGY EFFICIENCY**” and “**SECTION N1101**”, add:

“**For Information only. Compliance with provisions of this chapter is not required by the City of Moline.**”

- (q) **Part VII – Plumbing.**

Delete all contents of Part VII and replace with:

“Refer to the Moline Plumbing Code as amended.”

(Ord. No. 2003-03-01; Article II “**BUILDING CODE**” repealed; new Article II “**BUILDING CODE**” enacted; 03/04/03; Ord. No. 3028-2008; Sec. 8-2201 repealed; new Sec. 8-2201 enacted; 03/25/08)

ARTICLE III. MECHANICAL CODE

DIVISION 1. MOLINE MECHANICAL CODE.

SEC. 8-3100. INTERNATIONAL MECHANICAL CODE ADOPTED.

The International Mechanical Code, 2003 Edition, as published by the International Code Council, is hereby adopted as the “Moline Mechanical Code,” and is incorporated herein by reference thereto as if it were set out in haec verba. Three (3) copies of such Code shall be kept on file in the city clerk’s office for inspection and shall remain on file therein for such purposes.

SEC. 8-3101. AMENDMENTS TO MOLINE MECHANICAL CODE.

The Moline Mechanical Code adopted in this article by reference is specifically amended as follows:

- (a) **Section 101.1 Title.**

Insert “the City of Moline” for [NAME OF JURISDICTION].

- (b) **Section 101.2.1 Appendices.**

Add:

“Appendix A — ‘Combustion Air Openings and Chimney Connector Pass-throughs’ is hereby adopted.”

- (c) **Section 103 Department of Mechanical Inspection.**

Change:

“Department of Mechanical Inspection”

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To read:

“Building Division”

(d) **Section 103.1 General.**

Replace entire section with:

“**103.1 General.** The building division is responsible for enforcing the provisions of this code. The official in charge of the building division shall be known as the building official. References to ‘code official’ throughout this code shall be construed to mean ‘building official or building official’s designee.’”

(e) **Section 103.4 Liability.**

Add to the beginning of the paragraph:

“Subject to Section 2-1109 of the Moline Code of Ordinances, . . .”

(f) **Section 106.5.2 Fee Schedule.**

Insert the following in place of “[Jurisdiction to insert appropriate schedule]”.

“Table 106.5.2(1)

MECHANICAL PERMIT FEES

<u>ESTIMATED VALUATION</u>	<u>FEE</u>
0 to 700.....	\$25.00
701 to 1,000.....	27.00
1,001 to 2,000.....	35.00
2,001 to 3,000.....	44.00
3,001 to 4,000.....	52.00
4,001 to 5,000.....	61.00
5,001 to 6,000.....	69.00
6,001 to 7,000.....	78.00
7,001 to 8,000.....	86.00
8,001 to 9,000.....	95.00
9,001 to 10,000.....	104.00
10,001 to 11,000.....	113.00
11,001 to 12,000.....	121.00
12,001 to 13,000.....	130.00
13,001 to 14,000.....	138.00
14,001 to 15,000.....	147.00
Continue with \$2.00 for each additional \$1000.00 or fraction thereof	
OTHER INSPECTIONS & FEES	
Gas Piping	\$25.00
PSI test to reconnect gas for services abandoned six month or longer	\$50.00 per test
Inspections outside of normal business hours (2 hours minimum charge)	\$50.00 per hour*
Re-inspection fees assessed under provisions of Section 108.8	\$50.00 per hour*

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Inspections for which no fee is specifically indicated (minimum charge - ½ hour)\$50.00 per hour*

Additional plan review required by changes, additions, or revisions to plans.....\$50.00 per hour*

For use of outside consultants for plan checking and inspections, or both.....Actual costs**

* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.”
(Ord. No. 3039-2011; Sec. 8-3101 repealed; new Sec. 8-3101 enacted; 11/01/11)

(g) **Section 106.5.3 Fee refunds.**

1. Insert “80%” for “[SPECIFY PERCENTAGE]”; two instances.
2. Change “The Code Official shall authorize the refunding . . .” to “The Code Official may authorize the refunding . . .”

(h) **Section 109 Means of appeal.**

Delete all sub-sections and replace with:

“Refer to the Code of Ordinances of the City of Moline, Chapter 8, Article I, Division 3, Appeals Boards, Section 8-1302, Mechanical Appeals Board.”

(i) **Section 901 General.**

Add new subsection to read as follows:

“901.5 Ventilation.

All gas and/or wood burning appliances must be vented.”

(j) **Section 910 Floor Furnaces.**

Delete section in its entirety and replace with:

“Floor furnaces are prohibited.”

DIVISION 2. MOLINE FUEL GAS CODE.

SEC. 8-3200. INTERNATIONAL FUEL GAS CODE ADOPTED.

The International Fuel Gas Code, 2003 Edition, as published by the International Code Council, and the International Code Council 2002 Accumulative Supplement to the International Fuel Gas Code are hereby adopted as the “Moline Fuel Gas Code,” and are incorporated herein by reference thereto as if they were set out in haec verba. Three (3) copies of such Code shall be kept on file in the city clerk’s office for inspection and shall remain on file therein for such purposes.

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SEC. 8-3201. AMENDMENTS TO MOLINE FUEL GAS CODE.

The Moline Fuel Gas Code adopted in this article by reference is specifically amended as follows:

(a) **Section 101.1 Title.**

Insert “the City of Moline” for [NAME OF JURISDICTION].

(b) **Section 101.3 Appendices.**

Add: “Appendices A, B, C, and D are hereby adopted.”

(c) **Section 103 (IFGC) Department of Inspection.**

Change:

“Department of Inspection”

To read:

“Building Division”

(d) **Section 103.1 General.**

Replace entire section with:

“**103.1 General.** The building division is responsible for enforcing the provisions of this code. The official in charge of the building division shall be known as the building official. References to ‘code official’ throughout this code shall be construed to mean ‘building official or building official’s designee’.”

(e) **Section 103.4 Liability.**

Add to the beginning of the paragraph:

“Subject to Section 2-1109 of the Moline Code of Ordinances, . . .”

(f) **Section 106.5.2 Fee schedule**

Insert the following in place of “(Jurisdiction to insert appropriate schedule).”

“The fee for each mechanical permit shall be as set forth in the Moline Code of Ordinances, Sec. 8-4101 (f), Table 106.5.2(1).”

(g) **Section 106.5.3 Fee refunds.**

1. Insert “80%” for “[SPECIFY PERCENTAGE]”; two instances.

2. Change “The Code Official shall authorize the refunding . . .” to “The Code Official may authorize the refunding . . .”

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(h) **Section 109 (IFGC) Means of appeal.**

Delete all sub-sections and replace with:

“Refer to the Code of Ordinances of the City of Moline, Chapter 8, Article I, Division 7, Appeals Boards, Section 8-1703, Mechanical Appeals Board.”

(i) **Section 301 (IFGC) General.**

Add new section:

301.1.2 L-P Gas Systems.

“Liquefied Petroleum Gas systems shall not be used unless jointly approved by the Fire Marshal and the building official.”

(j) **Section 403.4.3 Copper and brass.**

Delete all text and replace with:

“Copper and brass pipe shall not be used.”

(k) **Section 403.5.2 Copper tubing.**

Delete all text and replace with:

“Copper and brass tubing shall not be used.”

(l) **Section 403.10 Metallic piping joints and fittings.**

Delete contents and replace with:

“a. The type of piping joint used shall be suitable for the pressure-temperature conditions and shall be selected giving consideration to joint tightness and mechanical strength under the service conditions. The joint shall be able to sustain the maximum end force caused by the internal pressure and any

additional forces caused by temperature expansion or contraction, vibration, fatigue or the weight of the pipe and its contents.

b. All gas piping between the union at the meter and main burner shut off valve shall be welded when pipe size is over two (2) inches regardless of gas pressure. All gas piping supplying pressure in excess of one (1) pound per square inch shall be welded.”

(m) **Section 406 (IFGS) Inspection, Testing and Purging.**

Delete all text and replace with:

“All pipe systems shall be tested in the following manner:

1. High Pressure Systems (one pound pressure or higher): sixty pounds of air pressure is to be placed in the system for a period of one hour.

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- 2. Low Pressure Systems (less than one pound pressure): sixty pound of air pressure is to be placed in the system for a period of one hour.
- 3. All tests are to be witnessed by the Building Official or his designee. A pressure gauge and bleeder valve must be on the system during this test in a location readily available to the person conducting the inspection.”

(n) **Section 608 Floor Furnaces.**

Delete all text and replace with:

“Floor furnaces shall not be installed.”

(Ord. No. 2003-03-01; Article IV “MECHANICAL CODE” repealed; new Article IV “MECHANICAL CODE” enacted; 03/04/03)

ARTICLE IV. PROPERTY MAINTENANCE CODE

SEC. 8-4100. INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.

The International Property Maintenance Code, 2003 Edition, and all appendices, unless deleted, published therewith, as published by the International Code Council is hereby adopted by reference as the "Moline Property Maintenance Code." Three copies of such Code shall be kept on file in the city clerk's office for inspection and shall remain on file therein for such purpose.

SEC. 8-4101. AMENDMENTS TO MOLINE PROPERTY MAINTENANCE CODE.

The Moline Property Maintenance Code adopted in this article by reference is hereby specifically amended as follows:

(a) **101.1 Title.**

Insert “the City of Moline” for [NAME OF JURISDICTION].

(b) **102.3 Application of other codes.**

Delete *International Zoning Code* and replace with “Moline Code of Ordinances.”

(c) **102.7 Referenced codes and standards.**

Delete in its entirety and replace with the following:

“The codes and standards referenced in this code shall be those that are listed in the Moline Code of Ordinances. Where differences occur between provisions of this code and the referenced code or standards, the most restrictive provisions shall apply.”

(d) **102.8 Requirements not covered by code.**

Change “code official” to “code manager” where applicable throughout this chapter.

(e) **103.1 General.**

Delete section in its entirety.

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(f) **103.2 Appointment.**

Delete section in its entirety.

(g) **103.3 Deputies.**

Delete section in its entirety.

(h) **103.5 Fees.**

Delete section in its entirety.

(i) **104.3 Inspections.**

Amend the first sentence by deleting “code official” and replacing with:

“The code manager or his designee shall make all of the required inspections...”

(j) **104.5 Identification.**

Amend the first sentence by deleting “code official” and replacing with:

“The code manager and or his designee shall carry proper identification...”

(k) **104.6 Notice and Orders.**

Delete contents and replace with:

“The code manager or his designee shall issue all necessary notices and orders to ensure compliance with all applicable codes.”

(l) **104.7 Department records.**

Delete contents and replace with:

“Records and copies of inspections shall be retained per State of Illinois record retention minimum standards.”

(m) **106.3 Prosecution of violation.**

Delete contents and replace with:

“Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of an ordinance violation, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code manager shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on said property shall be in accordance with the Municipal Code Enforcement System (MUNICES).”

(n) **106.4 Violation penalties.**

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Delete contents and replace with:

“Any person, firm or corporation deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provisions of this code is committed, continued or permitted, and upon conviction of any such violation, such person shall be punished by a fine of not more than \$750.00 per day per violation.”

(o) **107.2 Form.**

Amend Item 4 to read as follows:

“4. Include a correction order allowing a reasonable time as determined by the code manager to make repairs and improvements required to bring the dwelling unit or structure into compliance with applicable adopted codes and industry standards.”

(p) **108.1.2 Unsafe equipment.**

Delete the words “elevator, moving stairway.”

(q) **108.3 Notice.**

Delete the following sentence:

“If the notice pertains to equipment, it shall also be placed on the condemned equipment.”

(r) **109.1 Imminent danger.**

Amend by adding a second paragraph to read as follows:

“*Emergency action.* Whenever a condition exists in a principal or accessory building that places occupants, property or the public in imminent peril, the code manager or his designee along with the concurrence of the city attorney and the city administrator or their designees may take such necessary action to abate any such condition forthwith, without prior notification to the person or persons responsible, when reasonable notice cannot be achieved or would necessarily perpetuate a dangerous condition. Further, the City shall at all times have the right to enter upon property to remove any condition that is a danger to the property and/or the surrounding neighborhood.

(s) **109.2 Temporary safeguards.**

Add (a) and (b) to existing text:

“(a) Securing: All windows and doors which are accessible from the grade, porches, decks or exterior stairways and which allow the elements and weather to enter shall be secured. At the option of the owner, an abandoned building or structure may be secured through the repair and/or replacement of the conventional equipment used for such purposes in the design of the building. Other methods of securing a building or structure will be subject to the approval of the code manager or his designee and will be in accordance with standards on file in the Building Division. Once a building or structure is secured following a notice and order directing such action, the building or structure shall not be reoccupied without a certificate of compliance/occupancy. The owner or tenant may obtain access with presentation of proper identification to the code manager or his designee. The owner or tenant must be accompanied by the code manager or his designee and the structure re-secured upon their departure.

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- (b) Utilities to be discontinued: Whenever any building or structure is abandoned or boarded, the active utilities of gas and electricity shall be discontinued, the water meter shall be removed and pipes drained and protected from freezing. Should a city-authorized contractor or department be requested to perform any required action because of failure to comply with any required action on the part of the owner, such action will be completed at the owner's expense and risk. The City will do no more toward the winterization of a building in which it boards than to remove the water meter and open interior plumbing shut-off valves to allow natural draining of pipes. The City shall not be held liable for any damages that occur from freezing."

- (t) **109.6 Hearing.**

Change "appeals board" to "property maintenance appeals board" where applicable throughout this chapter.

- (u) **110.3 Failure to comply.**

Delete contents and replace with:

"If the owner of a premises fails to comply with a demolition order within the time prescribed, the code manager shall take all appropriate procedural steps to cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate."

- (v) **110.4 Salvage materials.**

Delete section in its entirety.

- (w) **111.1 Application for Appeal.**

Delete the first sentence and replace with:

"Any person directly affected by a decision of the code manager or a notice or order issued under this code shall have the right to appeal to the property maintenance appeals board, provided that a written application for appeal is filed within fourteen (14) calendar days after the day the decision, notice or order was served."

- (x) **111.2 Membership of board.**

Delete contents and replace with:

"Refer to Sec. 8-1301 of this Code."

- (y) **111.2.1. Alternate members.**

Delete in its entirety.

- (z) **111.2.4 Secretary.**

Delete in its entirety.

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(aa) **111.2.5 Compensation of members.**

Delete section in its entirety.

(bb) **111.3 Notice of meeting.**

Delete contents and replace with:

“The board shall meet upon notice from the secretary, within fourteen (14) calendar days of the filing of an appeal, or at stated periodic meetings.”

(cc) **201.3 Terms defined in other codes.**

Delete “*International Zoning Code, International Plumbing Code, and ICC Electrical Code*” and replace with:

“Appendix A of the *International Zoning Code*, the revised 2004 Illinois Plumbing Code, National Electrical Code and the Moline Code of Ordinances.”

(dd) **201.4 Terms not defined.**

Add the following sentence to the end of the paragraph:

“*Webster’s Encyclopedic Unabridged Dictionary of the English Language, copyright 1989*, shall be considered as providing ordinarily accepted meanings. Words in the singular shall refer to both plural and singular. Words in the masculine gender shall refer to both masculine and feminine.”

(ee) **202 GENERAL DEFINITIONS.**

1. **INOPERABLE MOTOR VEHICLE.**

Delete the definition in its entirety.

2. Add the following definitions:

“**BUILDING CODE.** The *International Building Code* and *International Residential Code* as adopted by the City of Moline.

DANGEROUS. An unfit building where conditions or defects exist within the structure to the extent that the life, health, property or safety of the public or its occupants are imminently endangered and immediate corrective action is necessary.

HOT WATER. Water supplied to plumbing fixtures at 115°F (45°C).

SUBSTANDARD. A structure that fails in any respect to comply with the Moline Code of Ordinances. Failure to correct such non-compliance may result in such building becoming an unfit building.

UNFIT. A substandard building where conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants may be endangered and action within a certain time period is required. Failure to correct such conditions or defects within the time period may cause an unfit building to become a dangerous building.”

3. **IMMINENT DANGER.**

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Add the following sentence to the end of the definition:

“A severe condition(s) that could endanger the life, limb, health, property, safety or welfare of the public or the occupants.”

(ff) **302.3 Sidewalks and driveways.**

Delete in its entirety and replace with:

“Refer to the Moline Code of Ordinances, Chapter 28, Streets and Sidewalks.”

(gg) **302.4 Weeds.**

Delete in its entirety and replace with:

“Refer to the Moline Code of Ordinances, Chapter 32, Vegetation.”

(hh) **302.7 Accessory Structures.**

Delete in its entirety and replace with:

“All accessory structures, including detached garages, fences, walls and temporary structures, shall be maintained structurally sound and in good repair.

302.7.1 Minor Temporary Accessory Structures. Temporary canopies, carports and similar portable and premanufactured structures made of a support structure and enclosed or covered by fabric, canvas, nylon, vinyl, plastic, or other non-rigid material and equal to or less than 120 square feet may be placed, maintained, and installed in the City as long as said structure is securely anchored, free of tears, rips and other defects, and meets all setback requirements of a major accessory structure as set forth in Table 35-3201.2 of the Moline Code of Ordinances.

302.7.1 Major Temporary Accessory Structures. Temporary canopies, carports and similar portable and premanufactured structures made of a support structure and enclosed or covered by fabric, canvas, nylon, vinyl, plastic, or other non-rigid material and greater than 120 square feet may be placed, maintained, and installed in the City as long as said structure complies with all building and zoning codes that would apply as if it were a permanent accessory structure.

(ii) **302.10 Furniture.**

Add a new subsection to read as follows:

“Only furniture and equipment designed and intended for outdoor use and able to withstand outdoor elements and weather conditions shall be permitted to be kept in exterior property areas, including unenclosed porches, patios and decks.”

(jj) **SECTION 303. SWIMMING POOLS, SPAS AND HOT TUBS.**

Delete section in its entirety and replace with:

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“Refer to Chapter 41, Appendix G, of the International Residential Code and Article VII, Division 1 of this chapter of the Moline Code of Ordinances.”

(kk) **304.14 Insect Screens.**

Delete contents and replace with:

“During the period from April 15 to November 15, every door, window and other outside opening required for ventilation of habitable rooms, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every required swinging door shall have a self-closing device in good working order. The property owner shall be responsible for installation thereof.”

(ll) **305.3 Interior surfaces.**

Add a new subsection to read as follows:

305.3.1 Lead bearing surfaces. The Illinois Lead Poisoning Act, 410 ILCS 45/1 *et seq.*, shall be considered incorporated by reference into this code.

(mm) **306.1 General.**

Delete contents of “Exception” and replace with:

“Exception: Every interior and exterior handrail and guard shall be firmly fastened and capable of resisting an imposed load of 50 lbs. in any one direction. Replacement of either shall be in compliance with the current adopted building code. The code manager shall have the authority to allow non-compliance replacement based upon historical or other integral considerations.”

(nn) **403.3 Cooking facilities.**

Delete section in its entirety.

(oo) **503.4 Floor surface.**

Delete contents and replace with:

“Every bathroom and kitchen floor surface shall be constructed and maintained so as to be impervious to water. All floor surfaces shall be easily cleanable.”

(pp) **505.1 General.**

Change *International Plumbing Code* to “Moline Plumbing Code.”

(qq) **505.4 Water Heating facilities.**

Delete contents and replace with:

“Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 115°F (45°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and

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pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

- (a) All single-family dwellings shall be supplied with a water heater having a minimum capacity of 30 gallons.
- (b) A duplex with shared hot water service shall have a minimum of one (1) 40-gallon water heater.
- (c) A triplex with shared hot water service shall have a minimum of one (1) 50-gallon water heater.”

(rr) **602.3 Heat supply.**

Insert “October 1 to May 15” for [DATE] to [DATE].

(ss) **602.4 Occupiable work spaces.**

Delete section in its entirety.

(tt) **603.1 Mechanical appliances.**

Amend by adding a second paragraph to read as follows:

“When a safety test of a furnace for carbon monoxide emissions is required, the owner shall pay for the test. Smoke tests or other approved testing methods are required on furnaces over ten (10) years of age. At the discretion of the mechanical inspector, tests may be required for furnaces shut off in excess of one (1) year or more or if conditions warrant. Tests are to be performed by a licensed mechanical contractor in the presence of the mechanical inspector and the results shall be sent to the Moline Building Division.”

(uu) **603.2 Removal of combustion products.**

Delete “Exception” in its entirety.

(vv) **605.2 Receptacles.**

Delete contents and replace with:

“Every habitable space in a dwelling unit shall contain at least two (2) separate and remote receptacles. Every laundry area shall contain at least one (1) grounded-type receptacle or a receptacle with a ground fault circuit interrupter. At least one (1) ground fault circuit interrupter (GFCI) shall be installed in every bathroom adjacent to the basin location. All residential bathroom receptacles are to be GFCI protected.”

(ww) **605.3 Lighting fixtures.**

Delete contents and replace with:

“Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one switched lighting fixture or switched controlled receptacle.”

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(xx) SECTION 606. ELEVATORS, ESCALATORS AND DUMBWAITERS.

Delete contents and replace with:

“Refer to applicable State of Illinois laws.”

(yy) 703.2 Opening protectives.

Amend by adding a second paragraph to read as follows:

“All apartments, rooming houses or rooming units exiting into a common hallway shall have a minimum 1-3/8” solid core or equivalent self-closing doors equipped with latches and having a minimum fire resistance rating of twenty (20) minutes.”

(Ord. No. 3028-2008; Sec. 8-4101 repealed; new Sec. 8-4101 enacted; 03/25/08)

SEC. 8-4102. CARBON MONOXIDE ALARM DETECTORS.

(a) **Definitions.** As used in this section, the following terms shall have the meanings ascribed to them:

(1) **Approved Carbon Monoxide Alarm or Alarm:** Means a carbon monoxide alarm that complies with all the requirements of the rules and regulations of the Illinois State Fire Marshal, bears the label of a nationally recognized testing laboratory, and complies with the most recent standards of the Underwriters Laboratories or the Canadian Standard Association.

(2) **Dwelling Unit:** Means a room or suite of rooms used for human habitation, and includes a single family residence as well as each living unit of a multi-family residence and each living unit in a mixed use building.

(b) **Carbon Monoxide Detector.**

(1) Every dwelling unit shall be equipped with at least one approved carbon monoxide alarm in an operating condition within fifteen (15) feet of every room used for sleeping purposes. The carbon monoxide alarm may be combined with smoke detecting devices provided that the combined unit complies with the respective provisions of state rules and regulations relating to both smoke detecting devices and carbon monoxide alarms and provided that the combined unit emits an alarm in a manner that clearly differentiates the hazard.

(2) Every structure that contains more than one (1) dwelling unit shall contain at least one (1) approved carbon monoxide alarm in operating condition within fifteen (15) feet of every room used for sleeping purposes.

(3) It is the responsibility of the owner of a structure to supply and install all required alarms. It is the responsibility of a tenant to test and to provide general maintenance for the alarms within the tenant's dwelling unit or rooming unit, and to notify the owner or the authorized agent of the owner in writing of any deficiencies that the tenant cannot correct. The owner is responsible for providing one (1) tenant per dwelling unit with written information regarding alarm testing and maintenance.

The tenant is responsible for replacement of any required batteries in the carbon monoxide alarms in the tenant's dwelling unit, except that the owner shall ensure that the batteries are in operating condition at the time the tenant takes possession of the dwelling unit. The tenant shall provide the owner or the authorized agent of the owner with access to the dwelling unit to correct any deficiencies in the carbon monoxide alarm that have been reported in writing to the owner or the authorized agent of the owner.

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- (4) The carbon monoxide alarms required under this Act may be either battery powered, plug-in with battery back-up, or wired into the structure's AC power line with secondary battery back-up.
- (c) **Violation.**
 - (1) Willful failure to install or maintain in operating condition any carbon monoxide alarm required by this section is considered a violation.
 - (2) Tampering with, removing, destroying, disconnecting, or removing the batteries from any installed carbon monoxide alarm, except in the course of inspection, maintenance, or replacement of the alarm, is considered a violation.
 - (3) Any person violating any of the provisions of this section shall be subject to a fine in accordance with the general penalty provisions of the City of Moline Code of Ordinances as set forth in Section 1-1107 of said Code.
- (d) **Exemptions.** The following residential units shall not require carbon monoxide detectors:
 - (1) A residential unit in a building that: (i) does not rely on combustion of fossil fuel for heat, ventilation, or hot water; (ii) is not connected in any way to a garage; and (iii) is not sufficiently close to any ventilated source of carbon monoxide, as determined by the City's building official, to receive carbon monoxide from that source.
 - (2) A residential unit that is not sufficiently close to any source of carbon monoxide from that source, as determined by the City's building official. (Ord. No. 3061-2006; Sec. 8-4102 enacted; 12/19/06)

ARTICLE V. PLUMBING CODE

SEC. 8-5100. ILLINOIS STATE PLUMBING CODE ADOPTED.

The Illinois State Plumbing Code, 2004 Edition as promulgated and adopted by the Director of Department of Public Health of the State of Illinois, at 77 Illinois Administrative Code, Part 890, Chapter I, Subchapter r, is hereby adopted by reference as the "Moline Plumbing Code." Copies of such Code shall be kept on file for public inspection and shall remain on file therein for such purpose.

SEC. 8-5101. AMENDMENTS TO MOLINE PLUMBING CODE.

The Moline Plumbing Code adopted by reference to this article is specifically amended as follows:

- (a) **Section 890.110(b), "Applicability"** is hereby amended by adding one new subsection (3) to read as follows:

“3) Nothing herein should be construed to require the employees of the City or a privately owned municipal water or sewage utility who owns, operates, maintains, or repairs water or sewer facilities (other than plumbing fixtures and attendant piping) owned by the City or utility to be licensed plumbers. Nothing herein should be construed to require the employees of the City or a publicly/privately owned municipal water supplier who installs, repairs, or maintains water service lines from water mains in the street, alley, or other right-of-way to private property lines and who installs, repairs, or maintains water meters to be licensed plumbers if such work was customarily performed prior to September 26, 1983, by such employees who were not licensed plumbers.”

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(b) **Subpart B: Plumbing Materials** is hereby amended by adding one new section thereto to be known as "Section 890.240" and which shall read as follows:

“Section 890.240 Plumbing Material Restrictions

- a) Notwithstanding anything to the contrary contained herein, any plastic pipe and fittings for drainage and vent piping used within a building shall be Schedule 40 PVC-DWV in accordance with Commercial Standards CS 272-65 or CS 270-65 or ASTM Standards D2665-58 or D2661-67. Any such pipe and fittings shall bear the NSF seal of approval.
- b) Notwithstanding anything to the contrary contained herein, any plastic pipe and fittings for drainage piping used in a building sewer connected to an individual sewage disposal system rather than a public sewer or in a building storm drain or storm sewer shall be Schedule 40 or heavier PVC in accordance with Commercial Standards CS 272-65 or CS 270-65 or ASTM Standards D2665-68 or D2661-67. Any additional piping materials shall be submitted for and shall have specific written approval either by developed standards or by the manufacturer's certification of the product, and shall bear the NSF seal of approval.
- c) Drain lines and fittings within buildings when underground shall be cast iron soil pipe or PVC Schedule 40 pipe or better. No cell core pipe shall be allowed underground. The building drain shall extend to no less than five (5) feet outside the footings and or bearing walls to undisturbed earth. All underground piping shall be installed in a manner so that the manufacturer's information is facing up so as to be legible at the time of inspection. Piping outside the building shall be installed as per Standard Specifications for Water & Sewer Main Construction in Illinois. Piping inside the building shall be installed as per manufacturer's installation instructions.
- d) Underground: Vent piping placed underground inside building shall be cast iron or Schedule 40 PVC or better. No cell core pipe will be allowed underground.
- e) Building Sewer: The building sewer from a point five (5) feet outside the building wall or otherwise as specified shall be of cast iron or SDR 26 Class 160 PVC pipe or better. Installation of piping shall be in accordance with the Standard Specifications for Water & Sewer Main Construction in Illinois.
- f) Installation of Underground Piping: All PVC pipe shall be installed as per manufacture installation instructions and shall be installed so that the manufacturer's information is facing up so as to be legible at the time of inspection.
- g) Purple primer shall be applied to underground solvent weld joints.”

(c) **Subsection 890.330(c)** is hereby amended to read as follows:

“Section 890.330 Special Joints

- c) Slip Joints. In drainage and water piping, slip joints may be used on the inlet side of the trap or in the trap seal, and on the exposed fixture supply. Slip joints shall not be used in any inaccessible piping. Push-on angle stop valves are permitted, provided they meet the following specifications: they are installed by being pushed onto copper; they are mechanically secured by metal tabs which grip the piping; they are sealed with o-rings; and they are capable of withstanding a water pressure of 150 pounds per square inch and a temperature of 210 degrees Fahrenheit. (No rubber slip joint connections in cast iron pipe shall be allowed above the floor.)”

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- (d) **Section 890.510** is hereby amended by enacting one new subsection thereto to be known as "subsection a) 7)" and which shall read as follows:

“Section 890.510 Grease Interceptor Requirements

- a) 7) All grease interceptors in new construction must be installed outside of the building. All wastes in kitchens of food establishments, except garbage disposals and dishwashers must go to an interceptor.”

- (e) **Section 890.800** is hereby amended by enacting one new subsection thereto to be known as “subsection e)” and which shall read as follows:

“Section 890.800 Special Fixtures and/or Items Designed for a Particular Purpose

- e) All chemical dispensing units, (water softening or water purification devices), shall have an independent water connection and backflow preventer installed exterior to the unit and shall have no connection other than to the chemical dispenser or dispensers or softening equipment beyond the backflow preventer. The foregoing shall not apply to water softening or water purification systems installed in single family dwellings, or in multiple family dwellings where the water softening or water purification unit services a single dwelling unit.”

- (f) **Section 890.1150** is hereby amended by enacting one new subsection to be known as “subsection a) 5)” which shall read as follows:

“Section 890.1150 Water Service Pipe Installation

- a) 5) That portion of the water service pipe from the stop box located in the public right-of-way to the ultimate point of consumption shall be of one of the following approved materials: Copper Type “K” underground and Type “L” above ground or ductile iron. Incompatible metals in the line pipe and fittings will not be permitted.”

- (g) **Subsection 890.1230(a)** is hereby amended to read as follows:

“Section 890.1230 Safety Devices

- a) All equipment used for heating water or storing hot water shall be provided, at the time of installation of such equipment, with an appropriate relief valve or valves to protect against excessive or unsafe temperature and/or pressure. This shall be achieved by installing either a pressure relief valve and a temperature relief valve or by installing a combination pressure-temperature relief valve. If the plumbing system of any structure is altered, improved, or remodeled, the relief valve on all heaters must be replaced with a new relief valve if the existing relief valve is more than one (1) year old.”

- (h) **Section 890.1370** is hereby amended by enacting three new subsections to be known as “subsections a) 6), 7) and 8),” and which shall read as follows:

“Section 890.1370 Floordrains

- a) 6) A proper safe pan with drain shall be installed under all water heaters when such fixtures are located above any habitable areas including offices and any restrooms.

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- 7) In any new structure, there shall be a minimum of one (1) properly sized floor drain in every basement within five (5) feet of any water heater, furnace, or boiler.
- 8) In any non-residential structure where an RPZ is required by Code, there shall be one properly sized floor drain as determined by the administrative authority.”

(i) **Subsection 890.1420(d)** is hereby amended to read as follows:

“Section 890.1420 Stack Vents, Vent Stack, Main Vents

d) Main Stack. Each building in which plumbing is installed shall have at least one main vent stack no smaller than three (3) inches for each building drain installed. A minimum of a four (4) inch test tee shall be installed at the base of the main stack. (See Appendix A: Table K, and Appendix K: Illustration C.)”

(j) **Subsection 890.1430 b)** is hereby amended to read as follows:

“Section 890.1430 Vent Terminals

b) Flashings. Each vent terminal shall be made water-tight with the roof by proper flashing. Roof flashing on vents through the roof shall be made of lead or other approved, proper materials.”

(k) **Section 890.1440** is hereby amended by deleting subsection a) and replacing it with a new subsection a) to read as follows:

“Section 890.1440 Vent Terminal Size

a) Vents. All vents penetrating the roof shall be a minimum of four (4) inches.”

(l) **Subpart K: “Vents and Venting”** is hereby amended by adding one new section thereto to be known as “Section 890.1610” and which shall read as follows:

“Section 890.1610 Basement Re-vents

In new single-family construction with basements, there shall be a two-inch diameter re-vent installed for the purpose of providing a proper vent for future installation of plumbing in basement.”

(Ord. No. 2003-03-01; Sec. 8-7101, subsections(g), (h), (i), (j) and (k) repealed; new subsections (g), (h), (i), (j), (k), (l) and (m) enacted; 03/04/03-jlb; Ord. No. 3028-2008; Sec. 8-5101 repealed; new Sec. 8-5101 enacted; 03/25/08; Ord. No. 3009-2009-vlf; Sec. 8-5101 repealed; new Sec. 8-5101 enacted; 04/14/09)

SEC. 8-5102. PERMIT FEE SCHEDULE.

PLUMBING PERMIT FEES

Minimum \$25.00 plumbing permit fee. This includes up to two fixture openings. There will be an additional fee of \$12.00 for each opening over the original two.

Drainage and inspection permits for every opening or fixture, whether for immediate or future use, in dwelling structures or portions of structures used exclusively for dwelling purposes..... \$12.00

Installation, replacement, or moving of all domestic water heaters, domestic hot water storage tanks, range boilers, and all domestic water heating appliances pertaining to plumbing \$25.00

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All repair or remodeling jobs, changing, or replacing of each individual plumbing fixtures \$12.00

Sewer cleaning and/or performance of service and maintenance work \$5.00

In commercial, industrial, and institutional structures, the permit fee shall be based on the valuation of the entire plumbing installation, which is to be declared on the permit application. Following is the fee schedule:

\$ 0 - 1,000	\$25.00
\$ 1,001 - 2,000	\$29.00
\$ 2,001 - 3,000	\$40.00
\$ 3,001 - 4,000	\$52.00
\$ 4,001 - 5,000	\$63.00
\$ 5,001 - 6,000	\$75.00
\$ 6,001 - 7,000	\$86.00
\$ 7,001 - 8,000	\$98.00
\$ 8,001 - 9,000	\$104.00
\$ 9,001 - 10,000	\$120.00
\$10,001 - 11,000	\$132.00
\$11,001 - 12,000	\$144.00
\$12,001 - 13,000	\$155.00
\$13,001 - 14,000	\$167.00
\$14,001 - 15,000	\$178.00
\$15,001 & over, add \$10/100 or fraction thereof	

PLUS, sewer & water at \$25.00 for each connection and/or tap.

SANITARY SEWER CONNECTIONS

(all structures at time of extension to building)

Each tap-in to the City sanitary sewer mains, or for each connection to an existing stub extension from the main, to serve the building sewer \$25.00

CONNECTIONS TO CITY WATER MAINS

(all structures, building lots, subdivisions, etc.)

Each individual tap in the city water mains, whether for immediate or future use..... \$25.00

Gas piping..... \$25.00

PSI test to reconnect to gas for services abandoned six months or greater..... \$50.00

NOTE: When taps for water extension to serve individual lots at the time of installation of the water main system, such taps shall be made by Illinois licensed plumbers who are bonded to act as contractors by the City of Moline, Illinois, and proper permits shall be procured and paid for at that time.

Residential RPZ, commercial RPZ, additional meter, cross-connection repairea \$25.00

OTHER INSPECTIONS & FEES

Inspections outside of normal business hours (2 hours minimum charge)\$50.00 per hour*

Re-inspection fees assessed under provisions of Section 108.8\$50.00 per hour*

Inspections for which no fee is specifically indicated (minimum charge - ½ hour)\$50.00 per hour*

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Additional plan review required by changes, additions, or revisions to plans.....\$50.00 per hour*

For use of outside consultants for plan checking and inspections, or both.....Actual costs**

* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.”

(Ord. No. 2003-03-01; new Sec. 8-7102 “PERMIT FEE SCHEDULE” enacted; 03/04/03; Ord. No. 3039-2011; Sec. 8-7102 repealed; new Sec. 8-7101 enacted; 11/01/11)

ARTICLE VI. ELECTRICAL CODE

SEC. 8-6100. ELECTRICAL CODE ADOPTED.

The National Electrical Code, 2002 Edition, as published by the National Fire Protection Association and the International Code Council Electrical Code Administrative Provisions, 2003 Edition, as published by the International Code Council, are hereby adopted as the Moline Electrical Code and each is incorporated herein by this reference thereto as if each were set out in haec verba. Three (3) copies of such Code shall be kept on file in the city clerk’s office for inspection and shall remain on file therein for such purposes.

SEC. 8-6101. AMENDMENTS TO MOLINE ELECTRICAL CODE - GENERAL.

The National Electrical Code portion of the Moline Electrical Code adopted in this article by reference is specifically amended as follows:

(a) **Section 210.8 Ground-Fault Circuit-Interruptor Protection for Personnel.**

1. **(B) Other Than Dwelling Units.**

(1). Change “*Exception . . .*” to read “*Exception No. 1 . . .*”

(2). Add:

“Exception No. 2: Commercial (non-residential) refrigerators and freezers will not be required to have ground-fault-circuit-interrupter protection if the outlet is not accessible to be used for a general purpose outlet.”

2. Add new subsection (C) as follows:

“(C) GFCI Outlets. All 120-volt, single phase, 15- and 20- ampere convenience receptacles within six (6) feet of any plumbing fixture must be GFCI protected in both residential, commercial, and industrial applications.”

(b) **Section 210.12 Arc-Fault Circuit-Interrupter Protection.**

Delete in its entirety Section 210.12 (B) Dwelling Unit Bedrooms.

(c) **Section 220.3 Computation of Branch Circuit Loads.**

Add:

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“(D) Maximum number of outlets per circuit.

Except as otherwise provided, the maximum number of outlets per circuit shall be:

- (1) Lighting outlets.....8
- (2) Convenience outlets (general).....8 duplex receptacles
Convenience outlets (kitchen).....2 duplex receptacles”

(d) **Article 230 - Services.**

Add:

“230.45 Service-Entrance Conductors Inside Structures.

When located inside a structure, non-fused service entrance conductors shall not extend more than ten (10) feet inside the structure unless the code official permits the ten (10) feet to be increased.”

(e) **Section 310.5 Minimum Size of Conductors.**

Delete **Table 310.5 Minimum Size of Conductors** and replace with the following new Table 310.5 as follows:

“Table 310.5 Minimum Size of Conductors

Voltage Rating of Conductor - Volts	Minimum Conductor Size – AWG	
	Copper	Aluminum or Copper-clad Aluminum
Up to 2000.....	12.....	10
2001 to 8000	8.....	8
8001 to 15000	2.....	2
15001 to 28000	1.....	1
28001 to 35000	1/0.....	1/0”

(f) **Section 334.10 Uses Permitted.**

Delete in its entirety and replace with the following:

“Section 334.10 Uses Permitted. Type NM and Type NMC cable, minimum size #12 copper or equivalent shall be permitted to be used in one-family, two-family, and multi-family. All service and sub-feeds shall be installed in raceway.

For the purpose of this article, the first floor of a building shall be that floor which is designed for human habitation and which has fifty (50) percent or more of its perimeter with or above finished grade of the exterior wall line.

Exception: One-family and two-family dwellings not exceeding three (3) stories in height may utilize #12 NM or NMC cable or larger without race-ways for sub-feeds.”

(g) **Section 334.12 Uses Not Permitted.**

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Section 334.12 (A) is hereby amended by enacting thereto two new subsections to be designated (11) and (12) which subsections shall read as follows:

“**Section 334.12(A). Types NM, NMC, and NMS.**

(11) Type NM and NMC cable shall not be used as a fixture whip for any electrical installation in residential, commercial, or industrial applications.

(12) Type NM and NMC cable shall not be used in any commercial or industrial applications.”

(h) **Section 404.4. Wet Locations.** is hereby amended to read as follows:

“**Section 404.4 Wet Locations.** A switch or circuit breaker in a wet location or outside of a building shall be enclosed in a weatherproof enclosure or cabinet that shall comply with Section 312.2(A). Switches shall not be installed within wet locations in tub or shower spaces unless installed as part of a listed tub or shower assembly. In no case shall any outlet, switch, or unapproved fixture be installed within reach of tub or shower and four (4) feet shall be considered minimum distance from said tub or shower.”

i. **Section 410.14. Connection of Electric-Discharge Luminaries (Lighting Fixtures).**

Delete subsection (A) in its entirety and replace with:

“**(A) Independent of the Outlet Box.** Electric discharge lighting fixtures supported independent of the outlet box shall be connected to the branch circuit through metal raceway, non-metallic raceway, Type MC cable, Type AC cable, Type MI cable, or by flexible cord as permitted in Section 410.30 (B) or (C).”

SEC. 8-6102. AMENDMENTS TO MOLINE ELECTRICAL CODE - ADMINISTRATIVE.

The 2003 International Code Council Electrical Code Administrative Provisions portion of the Moline Electrical Code adopted in this article by reference is specifically amended as follows:

(a) **Section 101.1 Title.**

Insert “the City of Moline” for [NAME OF JURISDICTION].

(b) **Section 301 Department of Electrical Inspection.**

Change:

“Department of Electrical Inspection”

To read:

“Building Division”

(c) **Section 301.1 Creation of enforcement agency.**

Replace entire section with:

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“**301.1 General.** The building division is responsible for enforcing the provisions of this code. The official in charge of the building division shall be known as the building official. References to ‘code official’ throughout this code shall be construed to mean ‘building official or building official’s designee.’”

(d) **Section 301.2. Appointment.**

Delete in its entirety and replace with:

“**301.2 Appointment.** The building official shall be appointed by the city administrator, or designee thereof. References to ‘the jurisdiction’ throughout this code shall be construed to mean the ‘City of Moline.’”

(e) **Section 302.5 Inspections.**

Delete in its entirety and replace with:

“**302.5 Inspections.** The building official shall make, or cause to be made, all of the inspections necessary to determine compliance with the provisions of this code in accordance with Chapter 7.”

(f) **Section 302.9 Liability.**

Delete in its entirety and replace with:

“**302.9 Liability.** Subject to Section 2-1109 of the Moline Code of Ordinances, the code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings.

The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any official, officer or employee, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.”

(g) **Section 401.1 Permits required.**

Delete in its entirety and replace with:

“**401.1 Permits required.** Permits are required for all electrical work unless specifically exempted in section 401.3. Permit fees shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the code official.”

(h) **Section 401.3 Work exempt from permit.**

Add two new subsections:

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“6. The installation, alteration or repair of electrical wiring, apparatus or equipment, or the generation, transmission, distribution or metering of electrical energy; or in the operation of signals or transmission of intelligence by a public or private utility in the exercise of its function as a service utility.

7. Replacement of flush or snap switches, fuses, lamp sockets, receptacles and other minor maintenance and repair work, such as replacing worn cords and tightening connections on a wiring device.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of this code or other laws or ordinances of the City of Moline.”

(i) **Section 404.2 Schedule of permit fees.**

Insert the following in place of “[JURISDICTION TO INSERT APPROPRIATE SCHEDULE]”:

**“TABLE 404.2(1)
ELECTRICAL PERMIT FEES**

New single-family residences.....	Application Fee \$25.00 per unit.....plus \$0.05 per square foot of gross habitable floor area per unit
New multi-family residences or apartments (for rental purposes only).....	\$50.00 for the first unit.....plus \$25.00 for each add'l unit
Incidental units (wiring, air conditioner units, furnaces, single outlets, etc.)	\$17.00
Entrance services and temporary services	\$17.00
Rewire multi-family residences or apartments.....	\$30.00 for the first unit.....plus \$10.00 for each add'l unit
Wiring of additions, rewires, finishing basements, garages (attached or detached)	\$25.00
Commercial or industrial wiring.....	Application Fee \$50.00.....plus 1% of total cost of material & labor
Wiring of electrical signs.....	\$25.00 per sign .....(plus applicable building permit fee)

OTHER INSPECTIONS & FEES

Meter set for services abandoned six months or longer.....	\$50.00 per set
Inspections outside of normal business hours..... (2 hours minimum charge)	\$50.00 per hour*
Re-inspection fees assessed under provisions of Section 108.8.....	\$50.00 per hour*
Inspections for which no fee is specifically indicated (minimum charge - 1/2 hour).....	\$50.00 per hour*
Additional plan review required by changes, additions, or revisions to plans.....	\$50.00 per hour*
For use of outside consultants for plan checking and inspections, or both.....	Actual costs**

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* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.”

(Ord. No. 3039-2011; Sec. 8-6102 repealed; new Sec. 8-6102 enacted; 11/01/11)

(j) **Chapter 11 Means of Appeal.**

Delete all text and replace with:

“Refer to the Code of Ordinances of the City of Moline, Chapter 8, Article I, Division 3, Appeals Boards, Section 8-1304, Electrical Appeals Board.”

(Ord. No. 2003-03-01; Article VIII “ELECTRICAL CODE” repealed, new Article VIII “ELECTRICAL CODE” enacted; 03/04/03)

(k) **Section 1202.2 Nonmetallic-sheathed cable.**

Delete in its entirety and replace with:

“**1202.2 Nonmetallic-sheathed cable.** The use of Type NM, NMC and NMS (nonmetallic sheathed) cable wiring methods shall not be limited based on height, number of stories or construction type of the building or structure. Type NM, NMC and NMS (nonmetallic sheathed) cable wiring methods are not permitted in commercial and industrial applications.”

(l) **Section 1203.1.3 Installation.**

Delete in its entirety and replace with:

“**[PM] 1203.1.3 Installation.** All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner. Any rewiring or additions to existing electrical system must be installed in accordance with the current electrical code.”

DIVISION 4. FILLING AND GRADING REQUIREMENTS

SEC. 8-7400. APPLICATION REQUIREMENTS.

(a) For all filling and grading to be done within the City, a fill permit must be obtained and a permit fee must be paid. The permit fee is based on cubic yards as set forth in Table 108.2 of Section 8-2101 of this Code. The permit application shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plan shall give the location of the work, the name of the owner, and the name of the person who prepared the plan. The plan shall include the following information: the general vicinity of the proposed fill site, limiting dimensions and depth of fill, amount of fill to be placed, the location of any buildings or structures where filling is to be performed, the location of any buildings or structures within 15 feet of the proposed filling, the location of silt fence and erosion control measures, and the location of all right-of-way or easements in the general vicinity. The permit is valid for 180 days unless an extension is granted by the code manager.

(b) For all filling and grading affecting an area greater than or equal to 500 square feet, a drainage permit must be obtained from the City’s Engineering Division as set forth in Section 34-4201 of this Code.

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SEC. 8-7401. EROSION CONTROL AND DRAINAGE.

(a) Erosion control must be implemented in accordance with Section 34-4200 of this Code. The faces of cut and fill slopes shall be prepared and maintained to control against erosion, which may consist of effective planting. The protection for the slopes shall be installed as soon as practical. Where necessary, check dams, cribbing, riprap, or other devices or methods shall be employed to control erosion and provide safety. Silt fences will be required. Ground cover must be established promptly.

(b) Fill shall be placed in such a way as to not impede flow/drainage patterns and shall be done in accordance with the City's stormwater utility ordinance, Section 34-4100 through 34-4503, and all other applicable laws, regulations, and ordinances.

SEC. 8-7402. TYPE AND SIZE OF FILL.

Only dirt, sand, gravel, stone, rock, broken concrete without any reinforcement and clean brick and concrete may be used for fill material. Detrimental amounts of organic material shall not be permitted in fills. No rock, broken concrete or similar irreducible material with a maximum dimension greater than 12 inches shall be buried or placed in fills.

SEC. 8-7403. OTHER REQUIREMENTS.

- (a) Fill site shall be fenced to discourage dumping.
- (b) Fill should extend completely across a ravine and intersect each side at approximately equal elevations.
- (c) City right of way shall be cleaned of all mud and debris by owner of fill site.
- (d) Filling of sites which adjoin unimproved streets will not be permitted from March 1 to June 1.
- (e) Fill slopes shall be no steeper than two (2) horizontal to one (1) vertical.

Fill sites are subject to inspection by the Building or Engineering Divisions at any time to ensure continuing compliance. (Ord. No. 3028-2008; new Art. III, Division 4, "Filling and Grading Requirements" enacted; 03/25/08)

ARTICLE VII. MISCELLANEOUS

DIVISION 1. PRIVATELY OWNED SWIMMING POOLS

SEC. 8-7100. DEFINED.

As used in this article, a "privately owned swimming pool" is defined as a swimming pool maintained primarily for use of the owner or tenant of the premises upon which the pool is situated, and of said owner's or tenant's family and friends, no charge being made for the use thereof.

SEC. 8-7101. LEGISLATIVE INTENT.

The intent and purpose of this article is to protect the health and safety of persons constructing, using or maintaining privately-owned swimming pools within the City, by the establishment of minimum standards of construction and maintenance for such pools.

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SEC. 8-7102. SCOPE OF ARTICLE.

All provisions of this article pertaining to maintenance and sanitation shall apply to all swimming pools in the City, whether heretofore or hereafter constructed. Provisions pertaining to construction shall apply to pools constructed after May 21, 1957.

SEC. 8-7103. SAFETY REQUIREMENTS.

(a) Pools subject to this article shall be equipped with grab rails and approved metal ladders firmly fastened to the construction.

(b) Diving boards will not be permitted in depths less than seven (7) feet of water.

(c) Pools shall be equipped with at least one (1) standard lifesaver, ring floats, hung easily demountable on four (4) sides of the pool where they are readily accessible.

(d) The pool area shall be entirely enclosed with a fence which shall meet the requirements of other applicable provisions of this Code and other City ordinances, and shall be not less than five (5) feet high with positive locking gates.

(e) Gates must be kept closed and locked at all times, except when the pool is in use and under the direct supervision of an adult.

SEC. 8-7104. INSPECTION OF POOLS.

The City Council may from time to time instruct the environmental health specialist or other qualified representative of the City to inspect privately-owned swimming pools and to make reports and recommendations with respect to the operation and maintenance thereof for the purpose of keeping the same sanitary and protecting the health of persons using the pool.

**SEC. 8-7105. PERSONS WITH CONTAGIOUS DISEASES
NOT TO USE POOLS.**

It shall be unlawful for any person having an infectious or contagious disease to use any privately-owned swimming pool, and no person in charge of any pool shall knowingly permit such use.

SEC. 8-7106. PERMIT REQUIRED; APPLICATION.

No person shall construct or install any privately owned swimming pool in the City without first obtaining a permit therefore from the building inspector. Each application for a permit shall be accompanied by plans and specifications.

SEC. 8-7107. CONTRACTOR REGISTRATION.

Every person who, as contractor, manufacturer, distributor, or dealer in swimming pools, shall construct or install any privately-owned swimming pool in the City, shall register as a general contractor as required in Sec. 8-1400.

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SEC. 8-7108. CONCRETE CONSTRUCTION.

Privately owned swimming pools may be of watertight, reinforced concrete, with walls and bottom designed to withstand earth and water pressures and resist upheaval by frost. Certification of the plans and specifications by a licensed architect or a professional or structural engineer shall be sufficient evidence of compliance with the requirements of this section.

SEC. 8-7109. APPROVAL OF OTHER TYPES OF CONSTRUCTION.

Approval of any other type of construction or of any manufactured or prefabricated privately-owned swimming pool may be obtained from the building official and building board of appeals upon proof that the type of construction is durable; will withstand earth, water and frost pressure; is not deleterious to health or safety; that impervious materials are used; and that the design is such as to maintain sanitary conditions and meets the general requirements of this article. All applications for such approval shall first be submitted to the building inspector for investigation and recommendation.

SEC. 8-7110. APRONS; SCUM DISPOSAL.

An apron of impervious material at least four (4) feet wide shall encircle a privately-owned swimming pool and shall slope away from the pool to drain surface water. Scum gutters or other effective methods of removing scum shall be provided for all pools.

SEC. 8-7111. PLUMBING.

Swimming pools subject to this article shall not be drained into City sanitary sewers, but may be connected to storm drains or gutters, or pumped or siphoned into ravines or natural watercourses. Any permanent water supply to pool shall be equipped with a vacuum breaker to prevent back-siphonage to the water supply system.

SEC. 8-7112. WATER SUPPLY.

All pools subject to this article shall be equipped to provide constant recirculation and filtration of water.

DIVISION 2. RENTAL HOUSING INSPECTION PROGRAM

SEC. 8-7200. PURPOSE.

The purpose of this division is to promote and protect the health, safety and welfare of the City's residents by providing for the registration of rental units, buildings, and properties and the periodic inspection of such properties to ensure such properties meet the minimum standards established by the City's housing, electric, mechanical, plumbing and other property maintenance-related codes.

SEC. 8-7201. DEFINITIONS.

For the purpose of this division, the following terms, phrases, words and their derivations shall have the meaning ascribed thereto:

- (a) **Building Division** means the building division of the City of Moline.
- (b) **City Administrator** means the City Administrator for the City of Moline, or his or her designee.

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- (c) **City Council** means the City Council of the City of Moline.
- (d) **Code** means any code or ordinance adopted, enacted and/or in effect, or any code or ordinance hereinafter adopted, in and for the City, concerning fitness of premises for habitation or the construction, maintenance, operation, occupancy, use or appearance of any premises or any dwelling unit, including, without limitation, Chapter 8 of this Code of Ordinances, existing Administrative Codes, Building Codes, Mechanical Codes, Property Maintenance Codes, Illinois State Plumbing Code, and Chapters 21 and 35 of this Code of Ordinances.
- (e) **Code Manager** means the duly appointed and acting building official for the City of Moline, or his or her designee.
- (f) **Common Area** means any space, place or location within or on the exterior of a multi-family building, which is not a part of a dwelling unit rented or leased to a person or persons for exclusive use.
- (g) **Community Development Division** means the community development division of the City of Moline, a division of the City's department of planning and development.
- (h) **DwellingUnit** means one (1) or more rooms which are arranged, designed, or used as living quarters for a family or a community residence as a single housekeeping unit. A dwelling unit includes bathroom and kitchen facilities in addition to sleeping and living areas.
- (i) **Fire Department** means the fire department of the City of Moline.
- (j) **Law Department** means the law department of the City of Moline.
- (k) **Local Agent** means a person who is a natural resident of Rock Island County, Illinois, who is appointed by a property owner to accept service of notice on behalf of the property owner when said owner is not a natural resident of Rock Island County, Illinois.
- (l) **Owner** means any person holding legal title to a property, a contract purchaser of same, including the guardian of the estate of any person, power of attorney, or executor or administrator of the estate of such person if ordered to take possession of real property by a court of competent jurisdiction.
- (m) **Premises or Property** means a lot, plot, tract or parcel of land containing a building(s), including all improvements and structures erected, constructed or contained therein or thereon.
- (n) **Rent** means consideration, including any deposit, bonus, benefit or gratuity, demanded or received for or in connection with the use or occupancy of a residential rental unit.
- (o) **Residential Rental Property** means property containing any dwelling unit that is rented or available for rent to be used for residential purposes located in the City of Moline. Property is considered rental property if occupied by someone other than the legal owner of record or the owner's immediate family. For purposes of this division, immediate family shall mean spouse or direct lineal relative which shall include great grandparents, parents, children and grandchildren but which excludes cousins, aunts, and uncles.

SEC. 8-7202. REGISTRATION OF RESIDENTIAL RENTAL PROPERTY

- (a) **Program participation required.** Beginning six (6) months after the effective date of this ordinance, no owner shall allow any person to occupy any residential rental unit in the City unless the owner has registered with the City by submitting a Rental Housing Inspection Program Application. The owner of two (2) or more buildings containing rental dwelling units located on contiguous lots or parcels need obtain only one (1)

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license covering all such buildings. Once registered, every rental property will be inspected by the City to ensure that the property meets the minimum standards set pursuant to the Moline Code of Ordinances.

(b) **Program application and fee.** Application for the Rental Housing Inspection Program must be made on a form provided by the City. The original application must be accompanied by an application fee of twenty-five dollars (\$25.00) for those properties with less than five (5) units or \$50.00 for those properties with five (5) or more units. Willfully providing false information on the registration statement will result in assessment of a \$250.00 fee. The owner shall supply the following information:

- (1) The owner's full legal name, residence address, and telephone number. If owner is a corporation, provide full legal name, address, and telephone number of registered agent;
- (2) The building manager/property agent's full legal name, residence address, and telephone number(s);
- (3) The name of any person or persons holding any other legal or equitable interest in the property;
- (4) If the owner resides outside of Rock Island County, Illinois, the full name, residence address and telephone number of the owner's local agent for service of process, as required in this division;
- (5) The street address of the property to be licensed, type of building and number of dwelling units, and addresses for each unit; and
- (6) Name of any buyer on contract for deed. A copy of the contract shall be provided to the City.

The property owner shall verify by oath or affidavit the veracity of all information provided on the application. Pursuant to this division, if at any time after the submission of the application information provided on the application changes, the owner shall notify the City of such change within fifteen (15) days of the date of such change by way of a verified written affidavit. It shall be unlawful for an owner to provide false information, or otherwise make any misrepresentation, on a license application or subsequent document notifying the City of a change in information.

- (c) **Exemptions.** The following property is exempt from the registration requirement of this division:
- (1) Property declared as condominium property under the Illinois Condominium Property Act, 765 ILCS 605/1 *et seq.*, and amendments thereto;
 - (2) Property owned and managed by the Moline Housing Authority, a municipal corporation;
 - (3) Property containing facilities licensed under state or local law for operation as an assisted or shared living, nursing home or long-term care facility, a convalescent home, or any other facility providing residential care to persons with mental health and/or developmental disabilities;
 - (4) Hotels and motels, bed and breakfast establishments, community reception establishments;
 - (5) Property containing only one (1) dwelling unit;
 - (6) Property containing only two (2) dwelling units, one (1) of which is occupied by the owner of the property.

(d) **Term.** Applications submitted in 2006 or 2007 for the 2007 calendar year shall be valid through December 31, 2008. Thereafter, registration shall be valid for a term of one (1) year commencing on January 1 of the year following the year of submission and terminating on December 31 of that same year. Applications

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submitted after January 1 of any year shall be valid, for a term commencing on the date of submission and terminating on December 31 of that same year.

(e) **Renewal.** The registration must be renewed annually by submitting the renewed application and renewal fee to the City in the amount of twenty five dollars (\$25.00) for those properties with less than five (5) units or \$50.00 for those properties with five (5) or more units no less than fifteen (15) days prior to the license expiration, or December 15 of each year. Annual renewal notices will be mailed to the owner at his or her address provided on the application. Any fees due and owing shall be added to the yearly registration fee and must be paid in full at the time of the renewal.

(f) **Transferability of Application.** Property registration pursuant to this division is nontransferable. If the property ownership changes during a registration term, the owner shall notify the City in writing of the property transfer and provide the City with the name and address of the transferee. The new property owner, shall, within fifteen (15) days of the transfer, submit an application to the City along with the applicable application fee required herein.

(g) **Vacant Rental Units.** Vacant and unoccupied rental dwelling units shall be inspected during all safety inspections. If the power is off for more than six (6) months, it is required that mechanical and electrical equipment be inspected before the gas and electricity are turned on.

SEC. 8-7203. LOCAL AGENT REQUIRED.

Whenever the owner of property required to be licensed under this division is not a natural person residing within Rock Island County, Illinois, the owner shall appoint a natural person who resides within Rock Island County, Illinois, or shall appoint the Moline city clerk to serve as his or her local agent for the service of such notices that may be required under this division or other provisions of this Code of Ordinances. Should the owner appoint a person other than the city clerk to act as his or her local agent, notices shall be served upon the local agent personally or by certified or regular mail and such service shall be sufficient to satisfy any requirement of notice to the owner. Should the owner appoint the city clerk to act as his or her local agent, notices shall be personally served upon the city clerk at said clerk's office in City Hall in Moline, and the city clerk shall send the notices to the owner, via certified mail, return receipt requested, at his or her address provided on the licensing application. Such service by the city clerk shall be sufficient to satisfy any requirement of notice to the owner. If the owner designates a new local agent, the owner shall notify the City's Rental Housing Inspections office no later than fifteen (15) days after the change.

SEC. 8-7204. SAFETY INSPECTION OF RESIDENTIAL RENTAL BUILDINGS AND PROPERTY.

(a) **Safety inspection.** All rental property subject to this division shall be subject to a periodic safety inspection by the City as set forth herein and to the extent determined by the city administrator or his designee.

(1) All rental property covered by this ordinance shall be inspected. After inspection, the property will be classified as follows:

a. CLASS A – The property is in excellent condition and has minor or no violations of applicable City Codes requiring re-inspection. The property shall be re-inspected in four (4) years. If violations are found, it is the owner's responsibility to notify the City when repairs have been completed and request a re-inspection to verify compliance. The City shall presume that repairs have not been completed if an owner does not notify the City, and the City shall issue a Notice to Appear for a hearing either in the Municipal Code Enforcement System or Circuit Court.

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- b. CLASS B – The property is in good condition and has minor violations of applicable City Codes requiring re-inspection and the violations do not pose an immediate threat of danger to the life, health and safety of the occupants of the property. The property shall be re-inspected in two (2) years. It is the owner’s responsibility to notify the City when repairs have been completed and request a re-inspection to verify compliance. The City shall presume that repairs have not been completed if an owner does not notify the City, and the City shall issue a Notice to Appear for a hearing either in the Municipal Code Enforcement System or Circuit Court.
- c. CLASS C – The property is in sound condition but has violations of applicable City Codes requiring re-inspection but that do not pose an immediate threat of danger to the life, health or safety of the occupants of the building. The property shall be re-inspected in one (1) year. It is the owner’s responsibility to notify the City when repairs have been completed and request a re-inspection to verify compliance. The City shall presume that repairs have not been completed if an owner does not notify the City, and the City shall issue a Notice to Appear for a hearing either in the Municipal Code Enforcement System or Circuit Court.
- d. CLASS N – New construction. First inspection four years from date of the occupancy permit.

(b) **Owner or local agent to provide access to property.**

- (1) If the owner appoints a person other than the city clerk to act as his or her local agent, the owner or the owner’s local agent shall, upon reasonable notice, provide the City access to inspection areas and may be present during any such safety inspection. If the owner or owner’s local agent fails to provide access to all areas subject to inspection herein on a date and time agreed to between the City and owner or owner’s local agent, the City may impose an additional fee in the amount of fifty dollars (\$50.00). If the owner or owner’s local agent refuses access to conduct a safety inspection, the City may apply to a court of competent jurisdiction for an administrative search warrant to search the premises as provided by this Code and the common law of the State of Illinois.
- (2) If the owner appoints the city clerk to act as his or her local agent, upon reasonable notice to the owner, it shall be the owner’s exclusive responsibility to provide the City access to inspection areas or to arrange for such access. The owner may be present during any such safety inspection. If the owner fails to provide access to all areas subject to inspection herein on a date and time agreed to between the City and owner, the City may impose an additional fee in the amount of fifty dollars (\$50.00). If the owner refuses access to conduct a safety inspection, the City may apply to a court of competent jurisdiction for an administrative search warrant to search the premises as provided by this Code and the common law of the State of Illinois.
- (3) Owners/Agents shall contact the City at least seven (7) business days prior to the scheduled inspection if they are unable to obtain their tenants’ consent to the inspection, if a planned inspection includes the interior space under that tenant’s exclusive possession. Failure to do so will be considered a missed inspection and subject to penalties.

(c) **Property failing a safety inspection.** Any and all code violations identified during a City safety inspection will be brought to the owner’s attention by means of serving a copy of a safety inspection checklist to the owner or the owner’s local agent, and the owner will be given a reasonable time to correct such code violations. If the property fails to pass re-inspection, and more than one (1) re-inspection is required, the owner shall pay the City a flat re-inspection fee of one hundred dollars (\$100.00). If the code violations remain uncorrected, the code violations will be referred to the building division or community development division, as the case may be, which division will pursue compliance with applicable code provisions. Upon receipt of a notice and order to correct any

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and all code violations, the owner may appeal the notice. Any person having record title or legal interest in the building may appeal from the notice and order or any action of the code manager, provided the appeal is made in writing as provided in the current housing code, and filed with the code manager within fourteen (14) days from the date of service of such notice and order. Failure to appeal will constitute a waiver of all rights including without limitation the right to an administrative hearing and determination of the matter. (Ord. No. 3028-2008; Sec. 8-7204(c) repealed; new Sec. 8-7204(c) enacted; 03/25/08)

(d) **Property passing a safety inspection.** If, following any City initial or follow up safety inspection, a property is found to have passed such inspection with an approval of Class A, Class B, or Class C, and the appropriate registration and inspection fees have been paid to the City, then this classification rating will remain valid until such time as any subsequent City inspection determines otherwise. Upon receipt of such rating, the owner will be required to conduct and certify an annual self-safety review until the next assigned inspection. The self-safety review will be mailed to the owner with the owner's renewal notice. Property owners are still responsible for correcting code violations that are not part of the annual inspection program and will be subject to penalties as provided by the City codes for failure to do so. The City may randomly conduct safety inspections of residential rental property subject to self-safety reviews in order to determine if the property meets City Codes. Should any property fail such a City inspection, then the classification rating may be revoked or reassigned. In the interim, the City shall proceed according to this division and nothing herein shall prevent or otherwise limit the City from enforcing this division or any other City Code.

(e) **Inspection Fees.** After the initial inspection has been completed, the property owner will be notified of any code violations. If a compliance inspection is not needed, a classification rating will be assigned. If a compliance inspection is needed, the compliance inspection will be scheduled. There is not a fee for the first compliance inspection. However, if additional compliance inspections are needed, they will be billed at \$50 per visit. Missed inspection fees of \$50.00 will also be assessed. A refusal by the owner or owner's local agent to conduct a self-safety review will be deemed a missed inspection.

(f) **Probable cause to inspect dwelling units.** If the City encounters any condition, fact, evidence or other indicia establishing probable cause that a code violation has occurred or exists upon the premises in a dwelling unit or in any location, the City may apply to a court of competent jurisdiction for an administrative search warrant to inspect the premises as provided by this Code and the common law of the State of Illinois.

(g) **Failure to Consent to Inspection.** If, upon being given reasonable notice, the occupant or tenant of a rental dwelling unit refuses to consent to an inspection of the premises under that person's exclusive possession, the City may order the unit to be vacated for failing to comply with this division. Said unit may not be further leased or occupied until the City has inspected the unit.

**SEC. 8-7205. SALE OR LEASE OF RESIDENTIAL RENTAL PROPERTY;
DISCLOSURE REQUIREMENT.**

An owner entering into any contract for the sale, transfer or lease of a residential rental property subject to this division shall provide the prospective purchaser, purchasers, lessee or lessees with copies of any and all City safety inspection checklists and/or self-safety review checklists generated during the previous two (2) years on or before entering into the contract. In issuing a City safety inspection checklist, the City does not represent, insure, warrant, or guarantee to any owner, purchaser, lessor, agent, attorney, lender, title or property insurer or to any of their respective heirs, successors or assigns, that such safety inspection checklist includes all of the code violations existing at the property at the time of the safety inspection. The City's failure to list a code violation on an inspection report is not a warranty or guarantee that the violation does not or did not exist in the property. At an owner or local agent's request, the City may issue a letter or other written document stating that the code violations listed on a City safety inspection checklist have been corrected to the City's satisfaction, when, in fact, such violations have been corrected.

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SEC. 8-7206. AUTHORITY TO ENFORCE DIVISION.

The city administrator shall have the authority to enforce the provisions of this division, and shall assign responsibility for administration and enforcement of this division to such department or departments of the City as may be appropriate, including, without limitation, the law department, the building division, the community development division, and the fire department. The city administrator is authorized to recommend reasonable and necessary policies, rules and regulations to carry out the provisions of this division, which shall be approved by resolution of the City Council. This division is not intended to, nor shall its effect be, to limit any other enforcement remedies which may be available to the City under any other code, law, rule or regulation.

SEC. 8-7207. PENALTIES.

In addition to any other remedies provided for herein, any person who commits an offense, violates, neglects, refuses to comply with, or assists or participates in any way in the violation of any of the provisions or the requirements of this division shall be fined not less than one hundred dollars (\$100.00) and not more than seven hundred fifty dollars (\$750.00) for each such violation. Each day such a violation continues shall constitute a separate offense.

SEC. 8-7208. SEVERABILITY.

Should any part of this Ordinance be determined to be illegal, invalid, or otherwise unenforceable, then all such remaining parts not so affected by such illegality, invalidity, or unenforceability shall continue in full force and effect.

(Ord. No. 2002-12-04; new Division 2 "MULTI-FAMILY RENTAL PROPERTY" enacted to Article IX; 12/17/02; Ord. No. 3019-2007; Division 2 repealed; new Division 2 enacted; 05/08/07)

DIVISION 3. EMERGENCY RADIO SYSTEM COVERAGE

SEC. 8-7300. PURPOSE.

The stated purpose and intent of this ordinance is to benefit and protect the health, safety and welfare of the City's residents and the City's police and fire personnel by ensuring the uninterrupted operation of the City's public safety, law enforcement, and other emergency-related and operational or planned wireless communications networks. The City's wireless communications networks are essential to the health, safety, and welfare of the citizens of the City of Moline by providing communications for law enforcement activities, for emergency medical treatment, for fire suppression, for carrying on the business of government, and for providing communications in time of disasters. The construction or erection of tall, high-density structures in other areas of the United States have in the past resulted in the need for agencies to relocate their communications facilities or to provide additional facilities at a substantial cost to the public. This ordinance is intended to require that persons or entities constructing or erecting structures in the City of Moline do so in a manner that does not interfere with the City's communication networks or to alternatively provide the appropriate facilities necessary to eliminate that interference.

SEC. 8-7301. REQUIREMENTS FOR COMPLIANCE.

(a) Except as otherwise provided in this division, no person shall erect, construct, change the use of, remodel or provide an addition in area greater than twenty percent (20%) of the footprint of the original building to, any building or structure or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for the city's 911 centre communications system. Additionally, new or modified buildings or structures exceeding five stories in height may not interrupt the microwave paths connecting the facilities that make up the 911 centre communications infrastructure. Prior to obtaining a building permit for such construction or modifications, the property owner must provide proof by a registered engineer's certification that the structure will not interfere

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with the present or planned microwave path. This certification must be provided to both the city's building official as well as to the city's chief of police and fire chief.

(b) For purposes of this section, adequate radio coverage shall mean that the radio coverage is sufficient to pass the testing procedures set forth in this division.

SEC. 8-7302. AMPLIFICATION SYSTEMS ALLOWED.

(a) Buildings and structures that do not support adequate radio coverage as identified herein shall be equipped with either a radiating cable system or an internal multiple antenna system with or without FCC type accepted bi-directional 800 MHz amplifiers as needed.

(b) If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operating on an independent battery and/or generator system for a period of at least twelve (12) hours without external power input. The battery system shall automatically charge in the presence of an external AC power input.

(c) The 911 Centre System may require that bi-directional amplifiers include filters to reduce adjacent frequency interference at least 35 dB below the NPSPEC band. Consultation with City staff is required to determine if the specific installation requires this additional filtering. If required by the system design, these filters shall be tuned to 825 MHz and to 870 MHz so that they will be 35 dB below the NPSPEC frequencies of 824 MHz and 869 MHz respectively. Other settings may be used provided that they do not attenuate the NPSPEC frequencies and further provided that they are not more than one MHz from the NPSPEC frequencies.

SEC. 8-7303. ALTERNATIVE METHODS.

Another acceptable method of providing coverage is to construct low-power 'filler' trunked radio sites that are integrated into the 911 Centre System. This alternative approach may be considered where the use of bi-directional amplifiers proves impractical.

SEC. 8-7304. CABLE RACEWAYS REQUIRED.

Any person who constructs or develops a commercial or industrial building or structure of any size shall install two (2) inch non-metallic raceways in the walls into which radiating cable or coaxial cable may be laid. Such raceways shall include an easily accessible opening to the structure's roof surface that allows for placement of an exterior antenna and access to each floor within the structure.

SEC. 8-7305. TESTING PROCEDURES.

(a) Whenever a building is required to comply with this division, the building owner must contact the City's chief of police who shall cause personnel from the police department to test the radio system to ensure that two-way coverage on each floor of the building, including underground floors, meets a minimum of ninety percent (90%) coverage. Whenever a building without a radio system fails to pass such test, then a radio system must be installed, and the building re-tested upon completion of installation. For purposes of testing, each floor of the building shall be divided into a grid of approximately twenty (20) equal areas. A maximum of two (2) nonadjacent areas may fail the test. In the event that three (3) of the areas fail the test, in order to be more statistically accurate, the floor may be divided into forty (40) equal areas. In such event, a maximum of four (4) nonadjacent areas may fail the test. If the system fails to pass the forty (40) area test, the building owner shall have the system altered to meet the ninety percent (90%) coverage requirement.

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(b) The test required by this section shall be conducted using a portable radio of the type the City and the 911 Centre System then currently utilize. A spot located approximately in the center of a grid area will be selected for the test, then the radio will be keyed to verify two-way communications to and from the outside of the building through the 911 Centre System. Once the center spot has been selected, prospecting for a better spot within the grid area will not be permitted.

(c) The gain values of all amplifiers shall be measured and the test measurement results shall be provided to the building owner, and shall be kept on file with the building owner in the building. The measurements can be compared and verified each year during the owner's annual tests, as provided herein. In the event that the measurement results became lost, the building owner shall notify the chief of police, who will cause police department personnel to rerun the acceptance test to re-establish the gain values.

(d) When a radio system is required, the building owner shall cause a technician in possession of a current FCC license, or a technician certified by the Associated Public-Safety Communications Officials International (APCO) or the Personal Communications Industry Association (PCIA), to test all active components of the system, including but not limited to amplifiers, power supplies and backup batteries, a minimum of once every twelve (12) months. Amplifiers shall be tested to ensure that the gain remains the same as that found upon initial upon initial installation and acceptance. Backup batteries and power supplies shall be tested under load for a period of one (1) hour to verify that they will properly operate during an actual power outage. If within the one (1) hour test period, in the opinion of the testing technician, the battery exhibits symptoms of failure, the test shall be extended for additional one (1) hour periods until the testing technician confirms the integrity of the battery. All other active components shall be checked to determine that they are operating within the manufacturer's specifications for the intended purpose. The technician shall prepare a written report documenting the test findings, and the building owner shall provide the chief of police with a copy within ten (10) days of the completing of testing.

(e) In addition to the annual test, the building owner shall contact the chief of police to arrange for police department personnel to perform a radio coverage test a minimum of once every five (5) years to ensure that the radio system continues to meet the requirements of the original acceptance test. The procedures set forth above shall apply to such tests.

(f) Police and fire personnel, at any time after providing reasonable notice to the building owner or his or her representative, shall have the right to enter onto the property to conduct field testing to be certain that the required level of radio coverage is present. Upon completion of each inspection in which the building does not meet the testing requirements set forth herein, the building owner shall pay the City an inspection fee of fifty dollars (\$50.00).

SEC. 8-7306. EXEMPTIONS.

(a) This ordinance shall not apply to the following buildings provided they do not make use of any metal construction or any underground storage or parking areas:

- (1) Buildings less than five thousand (5,000) gross area square feet;
- (2) Any building constructed of wood frame;
- (3) Any building thirty-five (35) feet high or less.

(b) For purposes of this section, parking structures and stairwells are included in the definition of "building" and stair shafts and elevators are included in the definition of "all parts of a building."

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SEC. 8-7307. PENALTIES.

Any person violating any of the provisions of this ordinance shall be subject to a fine in accordance with the general penalty provisions of the City of Moline Code of Ordinances as set forth in Section 1-1107 of said Code. In addition, any building or structure which does not meet the requirements set forth in this ordinance is hereby declared to be a public nuisance, and the City may, in addition to seeking any other appropriate legal remedy, pursue equitable remedies to abate said nuisance in accordance with the provisions of Chapter 21 of the City of Moline Code of Ordinances.

SEC. 8-7308. SEVERABILITY.

If any section, subsection, sentence, clause, phase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SEC. 8-7309. CONFLICT.

This ordinance supersedes all articles or parts of articles adopted prior hereto which are in conflict herewith, to the extent of such conflict. (Ord. No. 2002-11-04; new Division 3 "IN-BUILDING EMERGENCY RADIO SYSTEM COVERAGE" to Article IX enacted; 11/19/02)

(Ord. No. 3051-2005, repealed Chapter 8 in its entirety; new Chapter 8 enacted; 09/13/05)