



VILLAGE OF MONTGOMERY

ORDINANCE NO. 1844

**AN ORDINANCE ADOPTING CERTAIN NATIONAL CODES AND AMENDING SECTION 6-4 OF THE
VILLAGE OF MONTGOMERY CODE OF ORDINANCES
(2015 INTERNATIONAL EXISTING BUILDING CODE)
VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS**

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS
THIS 25TH DAY OF FEBRUARY, 2019.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES,
ILLINOIS, THIS 25TH DAY OF FEBRUARY, 2019.

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BE IT ORDAINED by the Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois as follows:

WHEREAS; the Village of Montgomery (“Village”) is not a home rule municipality within Article VII, Section 6A of the 1970 Constitution of the State of Illinois, and accordingly, acts pursuant to those powers granted to it under 65 ILCS 5/1-1 *et seq.*, and,

WHEREAS; the Board of Trustees of the Village of Montgomery (“Village Board”) finds that the best interest of the Village and the health and welfare of its residents are best served by regulating the construction and maintenance of existing buildings and structures within the Village; and,

NOW THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

SECTION ONE: TEXT AMENDMENT

That Section 6-4 of the Village Code shall be amended to read as follows:

Sec. 6-4 – Existing Building Code – Adopted.

Those certain documents, one copy of which is on file in the Village Clerk's office, being marked and designated as the 2015 International Existing Building Code, and all future editions thereof, be and are hereby adopted as the existing building code of the village, subject to the local amendments set forth herein.

The 2015 International Existing Building Code is hereby amended as follows:

Section 101.1 Title is hereby amended by replacing “[NAME OF JURISDICTION]” with “the Village of Montgomery.”

Section 102.6 Conflicts with Stormwater Management shall be added to read as follows: “Where any conflict between provisions of this code and the Kane County Stormwater Ordinance occur, the provisions of the Kane County Stormwater ordinance shall be applied.”

Section 105.2 Work exempt from permit is hereby amended by deleting numbers 1, 5, and 6 in their entirety.

Section 105.7 Placement of permit is hereby amended by deleting the section in its entirety and replacing with the following: “The building permit placard shall be posted on the site of the work and be visible from the street until such time as a certificate of occupancy permit has been issued, or a final inspection has been performed and approved.”

Section 112.1 General is hereby amended by deleting the section in its entirety and replacing with the following: “In order to hear and decide appeals of orders, decisions or determinations made by the Chief Code Official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The Village of Montgomery Village Board shall be the board of appeals. The building official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure.”

Section 112.3 Qualifications shall be deleted in its entirety.

Section 302.2 Additional Codes is hereby amended by replacing “International Plumbing Code” with “the provisions of the Illinois Plumbing Code shall govern the erection, installation, alteration, repairs, relocations, replacement, addition to, use or maintenance of plumbing equipment and systems.” “International Private Sewage Disposal Code” shall be deleted in its entirety.

Section 609.1 Materials is hereby amended by replacing “International Plumbing Code” with “State of Illinois Plumbing Code.”

Section 810.1 Minimum Fixtures is hereby amended by replacing all references to “International Plumbing Code” with “State of Illinois Plumbing Code.”

Section 1010 Plumbing is hereby amended by replacing “*International Plumbing Code*” with “*State of Illinois Plumbing Code*.”

Section 1401.2 Applicability is hereby amended by replacing “[DATE TO BE INSERTED BY JURISDICTION. Note: it is recommended that this date coincide with the effective dates of building codes within the jurisdiction]” with “February 25, 2019.”


SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.


SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois this 25th day of February, 2019.



Matthew Brolley
President of the Board of Trustees of the Village of Montgomery

ATTEST:


Penny FitzPatrick
Village Clerk of the Village of Montgomery



	Aye	Nay	Absent	Abstain
Trustee Stan Bond	—	<i>vacant</i>		—
Trustee Pete Heinz	—	—	✓	—
Trustee Steve Jungermann	✓	—	—	—
Trustee Denny Lee	✓	—	—	—
Trustee Doug Marecek	✓	—	—	—
Trustee Theresa Sperling	✓	—	—	—
Village President Matthew Brolley	<i>No vote cast</i>			