

ORDINANCE 2005-CD-BC-DE-G-799

AN ORDINANCE AMENDING CHAPTER 1 (BUILDING CODE)
OF TITLE 10 (BUILDING REGULATIONS) OF THE VILLAGE
CODE OF THE VILLAGE OF OAK BROOK, ILLINOIS RELATIVE
TO DEMOLITION AND CONSTRUCTION SITE MANAGEMENT

WHEREAS, Title 10 (Building Regulations) of the Village of Oak Brook Code sets forth the authority and standards for Building Regulations within the Village of Oak Brook; and

WHEREAS, the Planning Commission has recommended an additional section in Chapter 1 (Building Code) of Title 10 (Building Regulations) pertaining to demolition and construction site management; and

WHEREAS, the additional section described below has been reviewed and approved by the Village of Oak Brook Planning Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAK BROOK, DUPAGE AND COOK COUNTIES, ILLINOIS AS FOLLOWS:

Section 1: That Chapter 1 (Building Code) of Title 10 (Building Regulations) is hereby amended by the addition of a new Section 10-1-6, entitled "Demolition and Construction Site Management", and shall read as follows:

10-1-6: Demolition and Construction Site Management: An applicant for a building permit shall be responsible for safe and orderly construction site management during all phases of permitted work. The following minimum requirements shall be met prior to the commencement of work and throughout the duration of the project. In addition, all applicable sections of the Village Code shall be met.

A. Fencing. The permit applicant for the demolition and/or construction of a principal structure shall install the following fencing and said fencing must be maintained:

- (1) For non-residential projects, a minimum six (6) foot high temporary construction fence shall be erected around the perimeter of the construction activity. The specific type of fence and its location will be determined by the Department of Community Development;
- (2) For residential projects, four (4) foot high plastic/nylon fencing shall be erected around the perimeter of the construction activity. In addition, all required silt fencing properly affixed to the ground for erosion control must be installed and maintained in accordance to Titles 8 and 9 of the Village Code.

B. Debris Control and Site Clean Up. Debris and refuse containment shall be required for all job sites. Containment shall occur on the property that is the subject of the permit (and not on public property) and shall be within either a covered dumpster or container of sufficient size to prevent windblown debris. The dumpster or container shall be set back on the site as far as possible and be no closer than ten (10) feet from any side lot line. All such dumpsters or containers shall be maintained to prevent windblown debris when work is not being performed on the property. At the end of each work day, all windblown material, debris and litter shall be picked up and placed in the dumpster or container.

C. Construction Traffic Management. Prior to the issuance of a permit for demolition or construction of a new principal structure, the applicant shall submit a plan to the Department of Community Development showing the location that the construction and worker vehicles will park. Parking of vehicles must not obstruct or limit the use of any adjacent roadway, private driveway, mailbox, fire hydrant or create a site distance problem with an adjacent intersection. The parking plan shall be subject to approval by the Department of Community Development, shall be a part of the permit, and a copy shall be posted on the construction site. The permittee shall be responsible for compliance with the approved parking plan. Failure to post a copy of the plan on the site will be cause for possible issuance of a stop work order.

D. Sanitation Facilities. A portable toilet shall be placed on site prior to any work commencing on the property. The portable toilet shall not be located on public property, including any street, parkway or sidewalk. Such facility shall not be located within ten (10) feet of any property line and shall be serviced on a regular basis.

E. Dust Abatement. The application for a demolition permit shall include a dust abatement plan. Said plan may include periodically applying water to the structure during the demolition process. The dust abatement plan shall be subject to approval by the Chief Building Inspector and made part of the approved permit. Construction permits for all new principal structures shall also include dust abatement measures as determined by the Chief Building Inspector.

F. Wet Saw. A wet saw shall be required for cutting all types of masonry, stone, brick pavers, concrete and pavement.

G. Written Notice of Applicant. Notice of the filing of an application for a demolition permit of a single-family dwelling shall be given to all residents of property within 250 feet of any part of the subject property and applicable homeowner association by the applicant. Such notice shall be on a form provided by the Village and shall be given by first class mail. The applicant shall provide the names and addresses of all notified property owners to the Village along with a certificate of mailing. The notices shall be sent at least ten (10) days prior to the permit being approved and said permit will not be approved without said ten (10) days notice.

H. Schedule and Cash Bond. The permit application for demolition and/or construction of a new principal structure shall include a schedule of all planned activities including:

- (1) installation of fencing
- (2) installation of temporary erosion control measures
- (3) building demolition
- (4) excavation
- (5) backfilling of the building excavation
- (6) building under roof
- (7) completion of exterior finishes
- (8) rough and final grading
- (9) six inch (6") top soil placement
- (10) seeding or sodding of all disturbed areas

Such schedule shall be subject to approval by the Department of Community Development. The applicant shall provide the estimated area of disturbance and provide an estimate of the cost for the planned activities (excluding the cost of demolition and steps 6-7 from above) which shall be reviewed and approved by the Village Engineer. The Village Engineer shall approve said estimated area and costs or require them to be corrected. The applicant shall post with the Village a cash bond in an amount equal to not less than 110% of the approved estimated cost. Said cash bond shall meet the requirements of

Section 9-9-2A of the Village Code. Upon completion of the required work listed in Section 10-1-6.H above, said cash bond, or any unused balance shall be refunded.

I. Expiration of Permit and Penalty. If the demolition of a building or structure, or the construction of a new principal structure is not completed within the approved work schedule, the permit therefore shall expire unless a written request is submitted and approved by the Department of Community Development. One six (6) month extension may be requested. If work is not completed after the expiration of the six (6) month extension and the revised completion date, the applicant shall pay an additional permit fee of one-half (1/2) of the original permit fee and provide the Village with a new schedule for completion of demolition and/or new construction which shall be for no longer than sixty (60) days from the revised completion date. If the project is not completed within that sixty (60) day period, an additional permit fee of \$100.00 per day shall be paid by the Permittee for every day after sixty (60) days until the required permit work is completed. This provision is in addition to and does not negate the provisions of Section 9-9-2A of this Code.

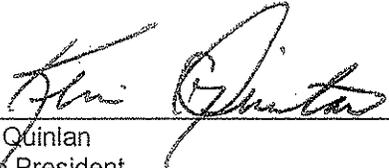
J. Tree Preservation and Protection. For all demolition permits, the applicant shall submit a detailed tree survey which shows the location of all trees with a minimum diameter of eight (8) inches as measured 12 inches above ground. The plan shall be subject to approval by the Department of Community Development and shall be a part of the permit and include a statement of anticipated damage to or removal of trees on the subject property and measures to be taken to protect the trees such as pruning, root pruning, use of retaining walls or protective fencing, auguring of utility lines to improve the survivability of the trees and any other protective measures to be taken by the Permittee.

K. Hours of Construction. In addition to Section 6-1-2 of the Village Code, no person or entity may work on any permit subject to these regulations (Demolition and Construction Site Management) in any residential area within the Village except between seven o'clock (7:00) A.M. and six o'clock (6:00) P.M. Monday through Friday and between eight o'clock (8:00) A.M. and five o'clock (5:00) P.M. on Saturdays; and in commercial areas except between six o'clock (6:00) A.M. and six o'clock (6:00) P.M. Monday through Friday and between six o'clock (6:00) A.M. and six o'clock (6:00) P.M. on Saturdays and Sundays.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

APPROVED THIS 24th day of January, 2006.



Kevin Quinlan
Village President

PASSED THIS 24th day of January, 2006.

Ayes: Trustees Aktipis, Craig, Kennedy, Manofsky, Sanford and Yusuf

Nays: None

Absent: None



ATTEST:

A handwritten signature in cursive script, reading "Linda K. Gonnella".

Linda K. Gonnella, CMC
Village Clerk