

RESIDENTIAL

BUILDING PERMIT APPLICATION

Date: _____

Owner's Name: _____ Phone # _____

Address: _____

Applicant's Name: _____

Address: _____

Property Interest of Application: _____

Application is hereby made for a BUILDING PERMIT AS REQUIRED UNDER THE ZONING ORDINANCE of the City of Red Bud for the demolition, erection, moving or alterations, and use of buildings and premises. In making this application the applicant represents all the following statements and any attached maps and drawings as a true description of the proposed new or altered uses and/or buildings. The applicant agrees that the permit applied for is issued based upon the representations made herein and that any permit may be revoked without notice if any of the representations are not correct.

1. Location of property:
 - a) Street Address: _____
2. Proposed Construction: _____
3. Use of Proposed Construction: _____
Plans: A Sketch or construction plan which is drawn to scale is attached and shows the following:
 - 1) Actual shape and size of lot of property with North indicated.
 - 2) Location, ground area dimensions, and identification of use of all of all (existing & proposed) buildings, structures, driveways, parking areas, etc.
 - 3) Dimensions of front, side and rear yards

Proposed construction will be marked in the yard and read for inspection after this date: _____

A Subdivision Plat of the property is attached: _____

Square Feet of structure area _____ (not including the basement)

One story _____ Two story _____

Basement _____ Crawl Space _____ Slab _____

Carport _____ Garage _____ Square Feet _____

Estimated cost \$ _____

PRINCIPAL STRUCTURES: Homes, Attached Garages, Carports, Additional Rooms, etc.

_____ Cost of Permit = \$0.15 per square foot of space measured from outside of foundation
(includes attached garage, basement and additional stories.) Minimum \$45.00, payable at time of application.

ACCESSORY STRUCTURES: Detached Garages/Sheds/Porches/Decks, Pools, Fences, etc.

_____ Cost of Permit = \$0.10 per square foot of the structure. Minimum \$45.00, payable at
time of application. Fences are \$45.00 regardless of length.

ISSURANCE OF SUBSEQUENT BUILDING PERMIT IF CONSTRUCTION IS NOT COMPLETE AT THE TIME THE
PREVIOUS PERMIT EXPIRED WILL BE THE SAME AS THE ORIGINAL PERMIT.

USE VARIANCE _____ (Cost \$300.00 for hearing + list of property owners adjacent to the
BULK VARIANCE _____ premises) (Cost \$300.00 for hearing + list of property owners adjacent to
AMENDMENT _____ the premises) (Cost \$300.00 for hearing + list of property owners adjacent
to the premises)

It is understood that any permit issued on this application will not grant any right of privilege to demolish, erect any structures or to use any premises described for any purpose or in any manner prohibited by the Zoning Ordinance or by other ordinances, codes or regulations of the City of Red Bud. The applicant further agrees to notify the Enforcing Office at the states of construction stated on the Permit, if granted. The Enforcing Office shall upon completion of construction, inspect the premises and issue or refuse a Certificate of Occupancy. **It is further understood that unless a substantial start on construction is made within six (6) months, and unless construction is completed within eighteen (18) months from the date of issuance of this permit, this permit shall be null and void.**

Applicant's Signature _____

For office use only

Applicant's Initials

_____ Date of Permit: _____
_____ Date Construction must begin (+6 Months): _____
_____ Date Construction must be completed (+18 Months): _____
_____ Date New Permit is required: _____

Permit Granted: _____ Permit Rejected: _____
If rejected, reason is because _____

Code Administrator's Signature: _____



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ZONING ADMINISTRATION AND ENFORCEMENT

173-96: CODE OFFICIAL. The office of Code Official of this Municipality is hereby established. The Code Official shall be the executive head of this office and shall be appointed by the Mayor with the advice and consent of the City Council.

173-97: DUTIES. The Code Official is hereby authorized and directed to diligently administer and enforce the provisions of this Code. This broad responsibility encompasses, but is not limited to, the following specific duties:

(A) To review applications pertaining to land, structures and the uses of land and/or structures;

(B) To supervise inspections of land, structures, and the uses of land and/or structures to determine compliance with this Code, and where there are violations, to initiate appropriate action to secure compliance;

(C) To receive and file all applications for amendments and special use permits;

(D) To maintain up-to-date records of this Code including, but not limited to, district maps, special-use permits, variances, interpretative decisions of the Planning Commission, amendments, and all applications related to any of these matters;

(E) To periodically review the provisions of this Code to determine whether revisions are needed, and to make recommendations on these matters to the Planning Commission at least once each year;

(F) To cause copies of this Code (including the district map) and any amendments thereto to be printed from time to time, as necessary; and

(G) To provide information to the general public on topics related to this Code.

173-98: PERMITS: OCCUPANCY, BUILDING, SPECIAL USE AND DEMOLITION.

(A) **Occupancy Permit.** No lot or structure that has been created, developed, erected, enlarged, altered, relocated or reconstructed after the effective date of this Code shall be used or occupied until an occupancy permit has been issued by the Code Official. The Code Official shall issue no occupancy permit unless he determines, by inspection, that the lot or structure as completed, and the proposed use thereof, conforms to all applicable provisions of this Code.

Notwithstanding the foregoing, the Code Official shall issue a partial occupancy permit if:

- (1) The requirements set forth hereinbelow are met;
- (2) The owner has applied for and received a new building permit as required by subsection (B) of this Section; and
- (3) The entire structure cannot be completed due to strikes, accidents, acts of God, weather conditions, shortages of labor and materials, or other delays beyond the owner's control.

The partial occupancy permit shall be issued only for that portion of the structure that has:

- (1) A complete and functioning restroom;
- (2) All life safety improvements, including but not limited to smoke detectors, sprinklers, fire doors, emergency lighting, emergency egress, and security system, complete and functioning;
- (3) All utilities, complete and functioning; and
- (4) All remaining items required by the International Building Code, 2003 edition, including Appendix Chapters A through G as published by the International Code Council, complete and functioning.

A partial occupancy permit shall be valid for a period of six (6) months from the date of issuance, and shall cause the existing building permit to be null and void without further action of the City.

Before issuance of a partial occupancy permit, the owner shall file with the Code Official a performance bond payable to the City and for the use of the City, in a sum deemed sufficient by the Code Official to cover the costs of completion of the unfinished items required by the Building Permit. The bond shall be executed by the owner and shall be approved by the City Attorney. The condition of the bond shall be that if the owner shall comply with the building permit and complete the unfinished items, and shall fully indemnify and save the City harmless from all costs and damage which it may suffer by reason of failure of owner to do so, and shall fully reimburse and repay the City all outlay and expense which it may incur in making good any default of the owner, and shall

pay all persons who have contracts directly with the owner for labor, equipment or materials, and shall indemnify and hold harmless the City from any and all costs, damage, and expense incurred by or arising directly or indirectly out of supplying all labor, equipment or materials necessary for compliance and provisions of the unfinished items, and from all costs that may accrue through the enforcing of the terms of the bond if action is brought on the bond, including reasonable attorney's fees in the case where such action is successfully maintained, and will appear in and defend and pay and satisfy any final judgment, if any is obtained, in any suits or actions arising out of supply of all labor, equipment or materials necessary or compliance and provision of the unfinished items, or on occasion by any act or omission on the part of the owner, the owner's subcontractors, agents, employees and servants, then the obligation shall be null and void. Further condition of the bond shall be that the penalty shall attach and the surety shall be liable if the owner shall not have complied with the conditions of the bond within six (6) months after the date of its execution.

In lieu of the performance bond referred to hereinabove, the owner may provide alternative forms of security satisfactory to the City Council. Said alternative form of security may include one of the following:

(1) A letter of credit issued by a financial institution payable to the City in the event that the work is not completed by the owner;

(2) A deposit of non-interest bearing cash with the City refundable once the work is completed or to be used by the City to complete the work in the event the owner fails to do it;

(3) A restricted account in a financial institution in which account there is sufficient funds to complete the project. The restrictions on the account shall require the City's prior concurrence that each disbursement of funds from the account is for the purpose of completing the site plan, or the event the owner fails to perform the work that the financial institution will disburse the funds to the City for the purpose of completing the work.

(B) Building and Special Use Permits.

(1) No development or construction shall begin until the owner has applied for and received a building permit.

(2) Building and Special Use Permits shall be valid for a period of six (6) months from the date of issuance or approval by the City for the purpose of commencing construction. Failure to commence construction or begin the Special Use within this time period shall cause the permit to be null and void without any action by the City.

(3) The structure shall be completed so as to qualify for an occupancy permit within eighteen (18) months of issuance of the building permit. Failure to obtain an occupancy permit within the time period shall cause the building permit to be null and void without any action by the City.

(4) If any building permit becomes null and void as provided either in this Subsection (B) or Subsection (A) of this Section, the owner must apply for and receive a new building permit before continuing construction. The structure shall be completed so as to qualify for an occupancy permit within six (6) months of issuance

of the new building permit. Failure to obtain an occupancy permit within the time period shall cause the new building permit to become null and void without any action by the City. The owner may apply for additional building permits, each of which shall become null and void six (6) months after issuance without any action of the City if the structure is not completed within the period so as to qualify for an occupancy permit. If the new building permit is not applied for and obtained within fourteen (14) days of the date it becomes null and void, the City may seek any and all remedies provided in Section 173-102 of this Code.

(5) The fee for each application for a building permit for a structure is Fifteen Cents (\$0.15) per square foot of space measured from the outside of the foundation, including attached garage, basement, and additional stories, with a minimum fee of Forty-Five Dollars (\$45.00). Notwithstanding the foregoing, the fee for an application for a building permit when a partial occupancy permit has been granted shall be calculated as follows: Fifteen Cents (\$0.15) per square foot of space measured from the outside of the foundation, including attached garage, basement, and additional stories, multiplied by a fraction, the numerator of which is the square foot of space of the entire structure less the square foot of space for which the partial occupancy permit has been granted and the denominator of which is the square foot of space of the entire structure.

(C) Demolition permits are required in accordance with this Code. No demolition permit shall be issued by the Code Official until the City Utility and the City Street Departments have reviewed the demolition permit application and have inspected the site to determine that adequate safeguards are to be maintained with respect to utility hookups and traffic control. Upon receipt of written approval of the Utility and Street Departments, the Code Official Inspector may issue the demolition permit. Demolition must be completed within twelve (12) months of issuance of the demolition permit.

(D) The Code Official shall be responsible for compliance with this Section.

173-99: PROCEDURES UPON VIOLATION. Whenever the Code Official determines, by inspection or by other means, that reasonable grounds exist for believing that any lot, structure, or use is in violation of this Code, he shall so notify the responsible party in writing, and shall institute appropriate measures to secure compliance.

(A) **Corrective Action Order.** To secure compliance with this Code, the Code Official may issue a corrective action order. Such order shall be deemed properly served upon the owner, occupant, or operator of the offending lot, structure, or use if it is served upon such party personally, sent by registered mail to his last known address, or posted in a conspicuous place on or about the affected premises. Corrective action orders shall include:

- (1) A description of the premises sufficient for identification;
- (2) A statement of what constitutes the violation with reference to the applicable provision(s) of this Code which is/are violated;
- (3) An outline of the remedial action necessary to effect compliance;
- (4) The date by which the violation must be corrected;

(5) The date, thirty (30) days from the date of the order, by which any appeal of the correction action order must be filed with the Planning Commission, a statement of the procedure for so filing, and a statement that the failure to file an appeal shall be considered as a determination that the violation and correction action are admitted and accepted and that the offense will either timely terminate or the corrective action will be timely taken;

(6) A statement that failure to abide by a correction action order constitutes a separate violation of this Code; and

(7) A statement of the penalties attached to any violation of this Code.

(8) A statement that all rights to appeal terminate if no timely appeal to the Planning Commission is filed.

(B) Stop-Work Orders. Whenever a Corrective Action Order is issued the Code Official may also issue a Stop-Work Order. The Code Official may order that such work be stopped immediately. The Code Official's Stop-Work Order may be served on any person engaged in or responsible for such work or use, or may be posted in a conspicuous place on or about the premises. Failure to abide by a Stop-Work Order shall be unlawful and deemed a separate violation of this Code. Any person served with a Stop-Work Order may appeal such Stop-Work Order to the Planning Commission. No work shall commence until the appeal is decided and if no appeal is made, the work shall cease permanently.

173-100: EMERGENCY MEASURES. Notwithstanding any other provisions of this Code, whenever the Code Official determines that any violation of this Code poses an imminent peril to life or property, he may institute, without notice or hearing, any necessary proceedings to alleviate the perilous condition. The Code Official shall take no such action until he has consulted with the City Attorney.

173-101: COMPLAINTS. Whenever any violation of this Code occurs, or is alleged to have occurred, any person may file a written complaint on forms provided by the Code Official. The Code Official shall record such complaints, immediately investigate, and, if necessary, institute appropriate corrective action.

173-102: PENALTIES AND REMEDIES FOR VIOLATIONS. The penalties and remedies for violating this Code are as follows:

(A) Failure to comply with any provisions of this Code shall constitute a misdemeanor, and each day that such violation continues shall be considered a separate offense.

(B) Any person who is convicted of a violation of this Code shall be fined not more than Seven Hundred Fifty Dollars (\$750.00).

(C) Nothing contained in this Section shall prevent this Municipality from taking any other lawful action that may be necessary to secure compliance with this Code.

(D) In addition to any other remedy or penalty, the City may institute any appropriate action or proceeding:

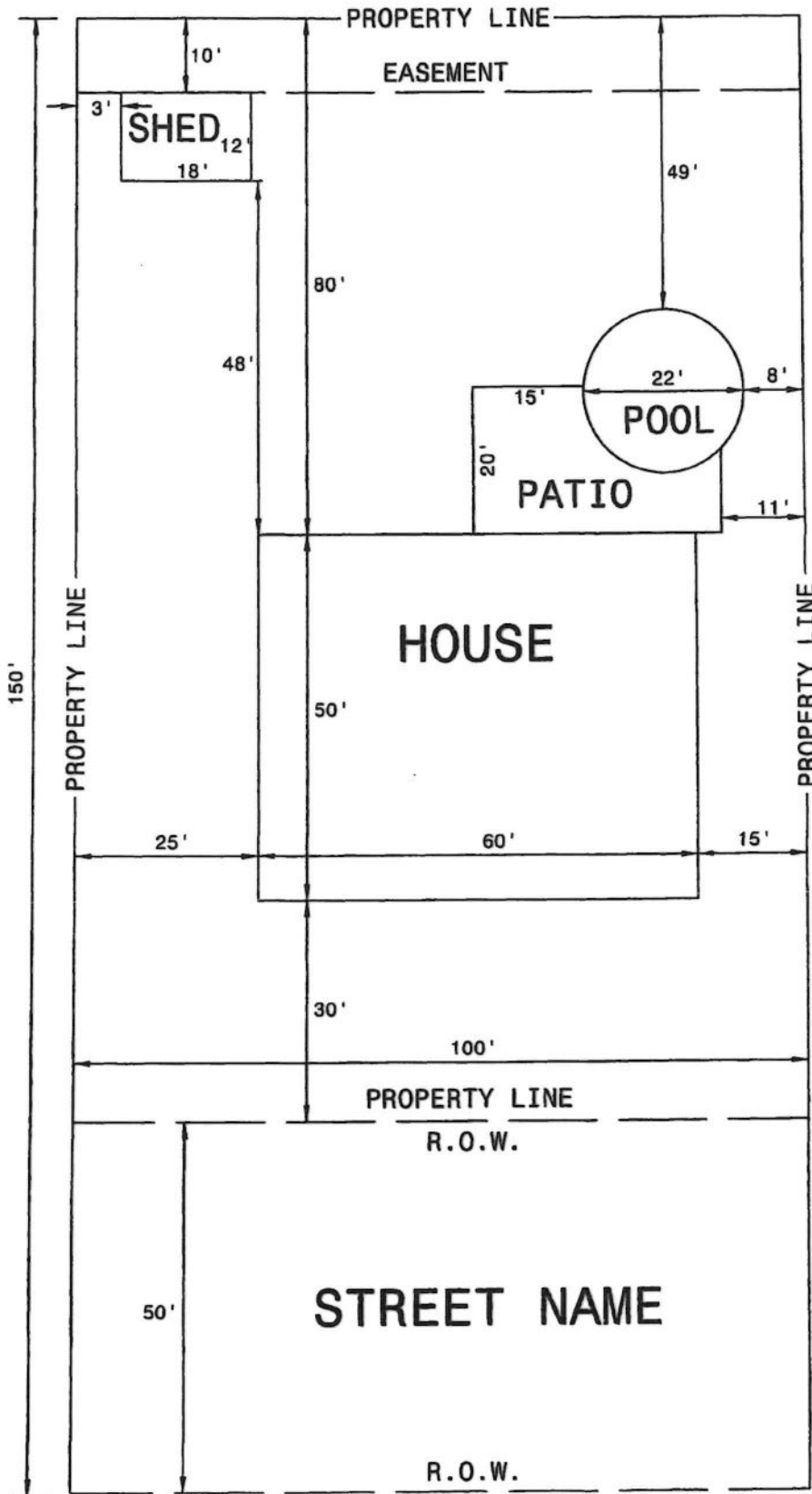
- (1) To stop or prevent the unlawful development, construction, reconstruction, alteration, repair, conversion, maintenance or use;
- (2) To stop or prevent the occupancy of the building, structure or land;
- (3) To stop or prevent any illegal act, conduct, business or use in or about the premises; or
- (4) To restrain, correct or abate the violation; or
- (5) To take such action available at law or equity to enforce the terms, purposes and intent of this Code.

173-103: APPEALS PROCESS. The appeal process shall follow the procedures stated in Section 173-113(A) through (D).

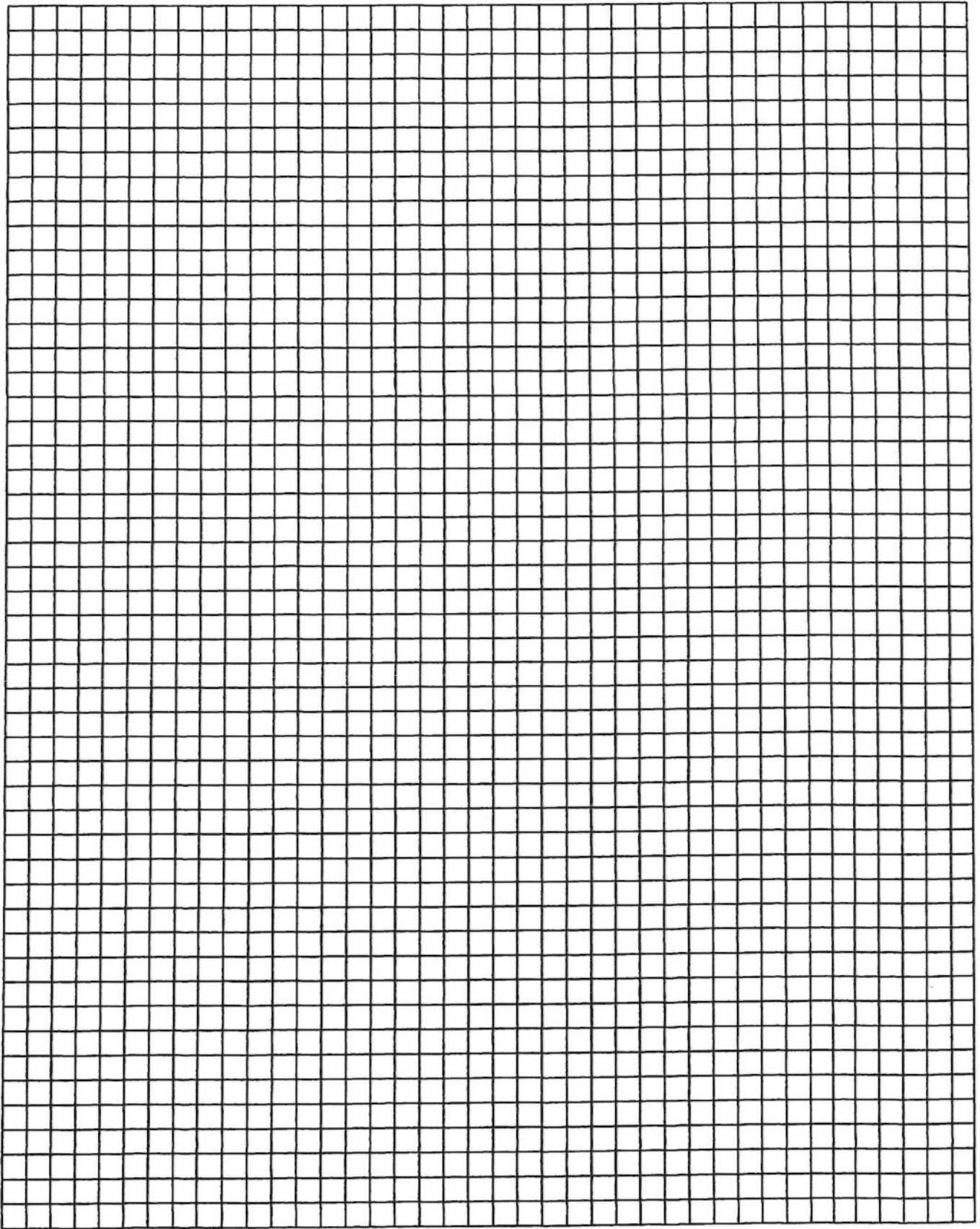
173-104: REVIEW UNDER ADMINISTRATIVE REVIEW LAW. All final decisions of the Planning Commission under this Section shall be subject to judicial review pursuant to the provisions of the Administrative Review Law, and all amendments and modifications thereto and the rules adopted pursuant thereto. The Planning Commission shall not issue a final decision until it has provided a report of its findings and recommendations to the City Council who shall first approve the recommendations of the Planning Commission before the Planning Commission shall issue a final decision. The Planning Commission's report shall be provided to the City Council within ten (10) days following its hearing with the appellant. The City Council shall express its approval or disapproval to the Planning Commission at its next regularly scheduled meeting (or special meeting of the City Council if one is held). The City Council's approval or disapproval shall be reported to the Planning Commission before its next regularly scheduled meeting. After reviewing the City Council's opinion, the Planning Commission shall issue its final decision.

173-105 to 173-106: RESERVED.

(THIS SPACE RESERVED)



EXAMPLE SKETCH & REQUIRED MEASUREMENTS



173-42: SWIMMING POOLS. Every swimming pool **two (2) feet** or greater in depth, whether public or private, shall be enclosed by a wall or fence at least **four (4) feet** in height above the finished grade and must have a gate that shall be locked when the pool is not in use. An above-the-ground pool, **four (4) feet** or higher, need not have a fence with a gate, so long as the ladder is removed when not in use or is folded and locked.

**CITY OF RED BUD, ILLINOIS
SCHEDULE 173-29(A): AREA AND BULK REGULATIONS**

Zoning District	Minimum Lot Size				Minimum Yard Dimensions						Accessory Buildings and Uses If Detached, Minimum Distance to:					
	Area in Sq. Ft. or Acres	Min. Wid. at Bldg. Line Linear Ft.	Mean Dep Linear Ft.	Depth of Front Yd in Linear Ft.	Depth of Side Abutting St. in Linear Ft.	Depth of Side Yard Abutting A Lot in Linear Feet		Depth of Rear Yd. in Linear Ft.	Maximum Coverage in Percentage of Lot	Maximum Height of Princ. Bldg. in Linear Ft.	Max. Hgt. in Linear Ft.	Princ. Bldg. in Linear Ft.	Front Lot Line in Linear Ft.	Side Lot Line Adjacent to St. in Linear Ft.	Other Lot Line in Linear Ft.	Rear Lot Line in Linear Ft.
						Total for both	Min. for Either									
A-1 Agricultural	5 Acres	300 Ft.	300 Ft.	80 Ft. along State and Fed. Hwys. 60 Ft. along St., Aid Hwy.												
R-1 One Family	15,000 Sq. Ft.	100 Ft.	100 Ft.	35 Ft. (50 Ft. along St. & Fed. Hwys.)	35 Ft. (50 Ft. along St. & Fed. Hwys.)	40 Feet	20 Feet	20% of the depth of the lot	30 Percent	30 Feet	20 Feet	35 Ft. (50 Ft. along St. & Fed. Hwys.)	35 Ft. (50 Ft. along St. & Fed. Hwys.)	3 Feet	3 Feet	
R-2 One Family	10,000 Sq. Ft.	80 Ft.	100 Ft.	30 Ft. (50 Ft. along St. & Fed. Hwys.)	30 Ft. (50 Ft. along St. & Fed. Hwys.)	20 Feet	10 Feet	20% of the depth of the lot	30 Percent	30 Feet	20 Feet	30 Ft. (50 Ft. along St. & Fed. Hwys.)	30 Ft. (50 Ft. along St. & Fed. Hwys.)	3 Feet	3 Feet	
R-4 Multi-Family	Sing. Fam. 10,000 Sq. Ft. Multi-Fam. 7,500 Sq. Ft. Min. per unit whichever is greater	50 Ft.	100 Ft.	30 Ft. (50 Ft. along St. & Fed. Hwys.)	30 Ft. (50 Ft. along St. & Fed. Hwys.)	20 Feet	10 Feet	25 Feet	40 Percent	35 Feet	20 Feet	30 Ft. (50 Ft. along St. & Fed. Hwys.)	30 Ft. (50 Ft. along St. & Fed. Hwys.)	3 Feet	3 Feet	
R-5 Mobile Home	6,000 Sq. Ft.	50 Ft.	100 Ft.	35 Ft. (50 Ft. along St. & Fed. Hwys.)	20 Ft. (50 Ft. along St. & Fed. Hwys.)	Mobile Home - Total of 15 Ft. otherwise R-4 requirement		20 Feet	30 Percent	35 Feet	20 Feet	25 Feet	25 Feet	3 Feet	3 Feet	
D-1 Central Business	None	None	None	None	None required but when abutting an "R" Dist. a Side Yd of 10 Ft. is required	None Required	None Required	20 Ft.	75 Percent	30 Feet	None Required	None Required	None Required	3 Feet	3 Feet	
B-2 Highway Business	10,000 Sq. Ft.	80 Ft.	100 Ft.	35 Ft. (75 Ft. along St. & Fed. Hwys.)	35 Ft. (75 Ft. along St. & Fed. Hwys.)	None required but when abutting an "R" Dist. a Side Yd of 20 Ft. is required		20 Feet	50 Percent	30 Feet	30 Feet	35 Ft. (75 Ft. along St. & Fed. Hwys.)	35 Ft. (75 Ft. along St. & Fed. Hwys.)	5 Feet	5 Feet	
I-1 Industrial				50 Feet	50 Feet	100 Feet	50 Feet	50 Feet	50 Percent	35 Feet	None Required	None Required	50 Ft.	50 Ft.	30 Feet	
"MAXD" Mixed Use	See Zoning Ordinance	See Zoning Ordinance		10 Feet	See Zoning Ordinance	Min. 20 feet between buildings	Min. 50 feet between buildings	3 Feet		35 Feet	10 Feet		20 Ft.	20 Ft.	3 Feet	
S-1 Flood Plain and Drainage																

SEE ZONING ORDINANCE

