

ORDINANCE NO. 513

NOKOMIS BUILDING CODE

BE IT ORDAINED by the City Council of the City of Nokomis, Montgomery County, Illinois that:

ARTICLE I GENERAL PROVISIONS

1. Permit Required. It shall be unlawful to construct any building or structure, other than a fence, in the city where the cost of such construction exceeds five hundred dollars or to alter or remodel any building or structure so as to change the bearing walls, beams, supports or the roof thereof, without having first secured a permit therefor.

2. Applications. Applications for such permits shall be made to the clerk and shall be accompanied by plans and specifications in duplicate showing the work to be done; such plans shall be verified by the signature either of the owner of the premises or by the architect or contractor in charge of operations.

3. Approval of plans. Such applications with plans shall be referred to an authorized person who shall be appointed by the City Council, who shall examine the same to determine whether the proposed operations will comply with the ordinance provisions relating thereto. Upon approval, one set of plans shall be returned by the City of Nokomis. No permit shall be issued except after approval of the plans and payment of the fee herein provided for.

4. Fee. The fee for such permits shall be one dollar for the first thousand dollars or fraction thereof of the cost of the proposed building or alterations, and one dollar for each additional thousand dollars or fraction thereof of such cost. Each application for a permit shall state the estimated cost of such alteration, construction or remodeling.

5. Variations. It shall be unlawful to vary from the approved plans and specifications deposited with, and approved by the City of Nokomis unless amended plans and specifications showing such proposed alteration or variation are first filed with the City of Nokomis and approved by it; if such variation involves an increase in the total cost of the work a statement to that effect shall be made and the necessary addition fee shall be paid.

6. Enforcement of provisions. It shall be the duty of the City of Nokomis and any lawfully appointed deputies to enforce the regulations of this ordinance. The City of Nokomis is hereby empowered to make such inspections as may be necessary to see to the enforcement of these provisions, and to make any tests or examinations of materials of

to be used, for the purpose of seeing if they comply with the requirements of this ordinance.

7. Stop Order. The building inspector, or such other person as may be authorized by the mayor or council, may order work stopped whenever any construction, alterations or repair work is being done in violation of any provisions of this ordinance; such stop order, when oral, shall be followed by a written stop order within twenty-four hours. It shall be unlawful to continue with any such work in violation of a stop order until such order has been revoked by the person issuing it or by the mayor and council.

8. Penalty. Any person, firm or corporation violating any provisions of this article shall be fined not less than one dollar nor more than two hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

#### ARTICLE II INDUSTRIAL AREA

1. Boundaries. The industrial limits of said City of Nokomis shall be defined as follows:

All that part of the City of Nokomis, Illinois lying within the following boundary lines: Beginning at the center of the intersection of State Route #16 and Kinney Street in said City, running thence South along the center line of Kinney Street to the center line of West Central Street in said City, thence running East along the center line of West Central Street and East Central Street to the center line of Capps Avenue, thence North along the center line of Capps Avenue to a point parallel to the center line of Franklin Street in said City [of Nokomis, thence West along the center line of Franklin Street in said City] to the West City Limits of said City, thence South along the West line of the City Limits of said City to the point of beginning.

2. Fire Limits. All that part of the City of Nokomis, Montgomery County, Illinois, embraced within the following lines shall hereafter be known as the fire limits of said City, to wit:

Beginning at the Northwest corner of Lot 12 in Block 33 in the original town, now City of Nokomis, as shown on the recorded plat thereof; running thence in a southerly direction along the east line of Cedar Street, a distance of one hundred fifty feet; thence in an easterly direction parallel with the south line of the alley which runs in a northerly and southerly direction parallel to the east line of Cedar Street, a distance of one hundred fifty feet, to the north line of Central Street; thence in an easterly direction along the north line of said Central Street to the middle line of the alley which runs in a northerly and southerly direction in Block Thirty-one; thence along the middle line of said alley in a northerly direction parallel to the west line of Maple Street, a distance of one hundred fifty feet; thence parallel to the east line of Central Street in an easterly direction to the east line of Oak Street; thence in a northerly direction along the said east line of Oak Street to the right-of-way of the Cleveland, Cincinnati, Chicago

and St. Louis Railway; thence in a westerly direction along the south line of the right-of-way of said Cleveland, Cincinnati, Chicago and St. Louis Railway to the west line of Maple Street; thence in a northerly direction along the west line of said Maple Street to the alley in Block seventeen of the original town, now city of Nokomis, as shown on the recorded plat thereof; thence in a westerly direction along the middle line of said alley parallel to Front Street to the east line of Cedar Street; thence in a southerly direction along the east line of Cedar Street to the place of beginning.

3. Exterior Walls and Roofs. It shall be unlawful to construct or erect any building or structure or portion thereof or addition thereto, in the fire limits unless the exterior walls are constructed of brick, concrete, cinder or concrete blocks, or other noncombustible material, and the roof is covered with or constructed of nonflammable material; provided, that this shall not operate to prohibit the construction of temporary one-story buildings for the use of builders during construction of the fire-proof structure; wooden fences not over five feet high; piazzas or balconies not exceeding ten feet in width or extending more than three feet above second story floor beams; bay windows when covered with incombustible material; or during construction for workmen engaged thereon small out-houses not exceeding one hundred and fifty feet in area nor eight feet in height.

4. Penalty. Any person, firm or corporation violating any provision of this article shall be fined not less than one dollar nor more than one hundred dollars for each offense; and a separate offense shall be deemed committed on each day during which or on which a violation occurs or continues.

#### ARTICLE III. DANGEROUS BUILDINGS.

1. Definitions. The term "dangerous building" as used in this ordinance, is hereby defined to mean and include (a) any building, shed, fence, or other man-made structure which is dangerous to the public health because of its condition, and which may cause or aid in the spread of disease, or injury to the health of the occupants of its or neighboring structures; (b) any building, shed, fence, or other man-made structure which, because of faulty construction, age, lack of proper repair or any other cause, is especially liable to fire and constitutes or creates a fire hazard; (c) any building, shed, fence, or other man-made structure which, by reason of faulty construction or any other cause, is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure; (d) any building, shed, fence, or other man-made structure which, because of its conditions or because of lack of doors or windows is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure. Any such dangerous building in the city is hereby declared

to be a nuisance.

2. Prohibition. It shall be unlawful to maintain or permit the existence of any dangerous building in the City; and it shall be unlawful for the owner, occupant or person in custody of any dangerous building to permit the same to remain in a dangerous condition, or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition.

3. Abatement. Whenever the City of Nokomis, the Fire Marshal or the Health Officer shall be of the opinion that any building or structure in the City is a dangerous building, he shall file a written statement to this effect with the city clerk. The clerk shall thereupon cause written notice to be served upon the owner thereof, and upon the occupant thereof, if any, by registered mail or by personal service. Such notices shall state the building has been declared to be in dangerous condition and that such dangerous condition must be removed or remedied by repairing or altering the building or by demolishing it; and that the condition must be remedied at once. Such notice may be in the following terms:

"To . . . . (owner-occupant of premises) . . . of the premises known and described as . . . . ."

*If* You are hereby notified that (describe building) on the premises above mentioned has been condemned as a nuisance and a dangerous building after inspection by . . . . .

The causes for this decision are (here insert the facts as to the dangerous condition).

You must remedy this condition or demolish the building immediately or the city will proceed to do so."

If the person receiving such notice has not complied therewith or taken an appeal from the determination of the officer or employee finding that a dangerous building exists, within ten days from the time when this notice is served upon such person by personal service or by registered mail, the City of Nokomis may, upon orders of the Council, proceed to remedy the condition or demolish the dangerous building.

4. Penalty. Any person, firm or corporation violating any provisions of this article, or permitting any dangerous building, or any building or structure to remain in a dangerous condition shall be fined not less than one dollar nor more than one hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

ARTICLE IV. CONSTRUCTION REGULATIONS

1. Regulations to be obeyed. It shall be unlawful to construct or alter any building or structure, other than fences, <sup>within fire limits</sup> in the city, except upon compliance with the provisions of this article.

2. Hazardous uses. Any building or structure intended to be used wholly or in part as a theater, auditorium, a public garage or school shall be constructed according to the specifications for fireproof construction hereinafter set forth. Any building intended to be used as a hospital and which is more than one story in height shall be of fireproof construction; and any building to be used for the storage of explosives or flammable liquids or for a dry cleaning establishment, foundry or coffee roaster shall be of fireproof construction.

3. Fireproof construction. The term "fireproof" construction as used in this ordinance shall mean a building in which all the parts that carry loads or resist strains, and all exterior walls and all interior walls or partitions and all stairways and elevator enclosures, are made of incombustible material, and in which all metallic structural members are protected against the effects of fire by being completely embedded in a material which shall <sup>be</sup> entirely incombustible and a slow heat conductor. If the metal framework of a roof is not less than twenty-five feet above any floor or balcony, ~~fireproofing of members of~~ the roof framework may be omitted. If the metal balcony, the roof framework may be protected by a suspended ceiling of metal lath and Portland Cement plaster not less than one inch thick.

The fireproof covering on columns shall be not less than two inches thick if of concrete or gunite, or three inches thick if of other approved material; on girders, not less than two inches thick; on other structural parts not less than one and one-half inches thick. The thickness shall be outside of the extreme edges of the metal structural members.

The following building materials, systems, units and forms of construction assembled and constructed as hereinafter required, shall be accepted as fireproof

construction:

Hollow or solid concrete masonry units  
Plain or re-inforced concrete  
Re-inforced gunite  
Precast re-inforced concrete units  
Brick (clay, sand-line or concrete)  
Plain or re-inforced gypsum block  
Hollow clay tile  
Metal lath and Portland cement plaster  
Precast re-inforced gypsum units  
Any other materials which shall be accepted in the future as fireproof or fire resistant material.

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NOKOMIS, ILLINOIS

The order in which the foregoing materials are placed in the list is not to be construed as indicating their relative fireproof qualities.

All fire resistive construction laid in units or blocks, such as brick and hollow concrete or clay tile, shall be solidly bedded and laid in Portland cement or cementlime mortar as defined herein on mortar, and shall be thoroughly bonded together by means of broken joints in alternate courses, or by sufficient metal ties or bands. Provided, however, that gypsum products shall be laid in gypsum mortar.

4. Wooden structures. No wooden building hereafter erected or altered outside the fire limits shall exceed two and one-half storeys or thirty feet in height, in no case shall a wooden frame building be erected within five feet of rear lot line, nor within twenty feet of front line and ten feet of side street.

Buildings with wooden framework clad with sheet metal, covered with stucco or veneered with brick, shall be classes as wood frame buildings.

5. Masonry walls. Masonry is that form of construction in which non-combustible masonry units such as stone, brick, concrete block, or tile, hollow clay tile, gypsum block, or other similar building units or materials or a combination of these materials, are laid up unit by unit and set in mortar.

Masonry bearing walls, party walls, fire division walls, exterior panel walls, inclosure walls or curtain walls, eight inches or less in thickness must be laid in Portland Cement or cement-lime mortar as defined in this ordinance.

6. Means of egress. All buildings, except single family dwellings, more than one story high hereafter erected shall be provided with at least two means of egress from the building, as far from each other as the plan of the building will permit or by a doorway in a fire wall leading to another floor area which is provided with adequate stairs or other independent means of exit. No part of a floor shall be more than one hundred (100) feet from an exit.

7. Fire Escapes. In addition to the exits otherwise provided for and require every building of more than three stories which is used for residence purposes of more than one family, or is used as a store, office or factory, and every building of more than one story which is used in whole or in part, above the first story as a theater, school, or auditorium, shall be equipped with at least two metallic fire escape stairway leading from the roof to the ground; provided that an enclosed fire-proof stairway of at least five feet in width, which is equipped with fire-proof doors and the structure and shaft of which are so constructed as to be independent of support from the rest of the building, may be substituted for such outside fire-proof

stairways.

The ground exit of such stairways, whether enclosed or outside shall be in such position as to afford ready and immediate escape from the immediate vicinity of the building.

It shall be unlawful to obstruct, or permit the obstruction of, any such fire escape or stairway, or the entrance thereto, or the exit therefrom.

8. Penalty. Any person, firm or corporation violating any provision of this article shall be fined not less than one dollar nor more than one hundred dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

#### ARTICLE V. BUILDING OPERATIONS

1. Use of streets. The use of streets for the storage of materials in the process of construction or alteration of a building or structure may be granted where the same will not unduly interfere with traffic and will not reduce the usable width of the roadway to less than eighteen feet, no portion of the street other than that directly abutting on the premises on which work is being done shall be used excepting with the consent of the owner or occupant of the premises abutting on such portion. Any person seeking to make such use of the street shall file an application for a permit therefor with the clerk, together with a bond with sureties to be approved by the clerk to indemnify the city for any loss or damage which may be incurred by such occupation.

2. Night operations. No construction or altering operations shall be carried on in the night time if the same are accompanied by loud noises.

3. Sidewalks. No sidewalk shall be obstructed in the course of building construction or alteration without a special permit from the clerk; and whenever removal of a sidewalk is required, in such work, a special permit from the clerk shall be obtained.

4. Safeguards. It shall be the duty of the person or corporation doing any construction altering or wrecking work in this city to do the same with proper care for the safety of persons and property. Warnings, barricades and lights shall be maintained when ever necessary for the protection of pedestrians or traffic; and temporary roofs over sidewalks shall be constructed whenever there is danger from falling articles or materials, to pedestrians.

5. Penalty. Any person, firm or corporation violating any provision of this article shall be fined not less than one dollar nor more than one hundred dollars for each offense; and a separate offense shall be deemed committed on each day during which

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## ARTICLE VI. MOVING BUILDINGS

1. Permit required. No person, firm or corporation shall move any building, on, through, or over any street, alley, sidewalk or other public place in the city without having obtained a permit therefor from the Council. Applications for such permits shall be made in writing to the City Clerk and shall state thereon the proposed route and the number of days it is intended that the building shall occupy any portion of any street, alley, sidewalk or other public place.

2. Approval fee. Upon approval of the intended route by the City Council a fee of five dollars for each day or fraction thereof that it is intended that the building shall occupy any such portion of any such public place shall be paid to the City Clerk and the permit issued. An additional payment of ten dollars for each day or fraction thereof over and above the time stated on the permit during which any building shall occupy any such public place shall be paid.

3. Bond. Every person, firm or corporation applying for a permit under this article shall submit with his application a cash bond with a lawful corporate surety to be approved by the Council, conditioned on his compliance with all the provisions of this article, and agreeing to pay and holding the city harmless from any claim which may be made against it by reason of the occupation of any street, alley, sidewalk or other public place by the building or structure moved.

4. Lights and warnings. Whenever a street or alley is blocked by a house or structure which is being moved, warnings to that effect shall be placed by the police department so as to warn vehicles and persons from entering that portion of the street so blocked.

The person, firm or corporation moving a building through the streets shall keep warning signs and lanterns or lights at night on the building so as to guard against any person or vehicle from colliding with it.

5. Wires - cutting. Whenever it shall be necessary to interfere with wires or cables of a public utility in moving a building the terms of any special or franchise ordinance governing shall apply and the bond therein specified shall be given. If no such terms apply then the Mayor shall estimate the expense of fixing the wires and the bond to be given to cover such expense.

6. Penalty. Any person, firm or corporation violating any provision of this article shall be fined not less than one dollar nor more than one hundred dollars for each offense; and a separate offense shall be deemed committed on each day during

or on which a violation occurs or continues.



ARTICLE VI<sup>n</sup> PUBLIC BUILDINGS

1. Responsibility. The owner, agent, occupant, or person charged with the custody of any public building, auditorium, hotel, theater, lodge hall, or church and in the case of schools the president of the board of education or the person in charge thereof and owning the same, shall be held liable for the equipment and maintenance of such apparatus as is required in this article for the maintenance and safety of all exits, stairs, doors, windows or passageways.

2. Enforcement. It shall be the duty of the Fire Marshall or his assistants to inspect all apparatus to be installed, and their location, and to make or cause to be made periodic inspections concerning the operation and accessibility of regular and emergency exits in all such public places.

3. Doors. All public buildings which may be or are used for church, school, opera performance, theater, lecture room, hotel, public meeting place or similar purposes, or which may be or are used for the collection of people for worship, amusement or instruction, shall be so built that all doors leading from the main hall or place of assembly shall open outward; and all means of egress for persons within such buildings shall be by means of doors which shall open outward from the main hall and from the building.

4. EXIT LIGHTS. In all theaters and public meeting halls, a red light illuminating the word "EXIT" shall be kept burning over each regular and emergency exit while the theater or hall is occupied by an audience or by patrons.

5. Penalty. Any person, firm or corporation violating any provisions of this article shall be fined not less than one nor more than one hundred dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

ARTICLE VIII

Any Ordinance or Ordinances of the said City of Nokomis now in full force and effect and in conflict with this Ordinance is hereby expressly repealed.

This ordinance shall be in full force and effect thirty (30) days after its passage as provided by law.

PASSED at a regular meeting of the City Council of the City of Nokomis, Illinois, held at the City Hall in said City on January 9, 1963.

APPROVED:  Mayor

ATTEST:  (SEAL)  
City Clerk

KENNETH E. MOSS  
ATTORNEY AT LAW  
NOKOMIS, ILLINOIS