

ARTICLE 5 BUILDINGS

SECTION 5.1 ADOPTION OF BUILDING CODE

There is hereby adopted by reference by the City of Mt. Vernon, Illinois for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location, and maintenance of buildings and structures, including permits and penalties, that certain Building Code known as International Building Code, 2006 Edition, International Existing Building Code, 2006 Edition, International Residential Code for One- and Two-Family Dwellings, 2006 Edition, International Mechanical Code, 2006 Edition, International Fuel Gas Code 2006 Edition and International Energy Conservation Code, 2006 Edition, each of which are issued by the International Code Council, Inc.; except which portions of such Codes as are hereinafter deleted, modified, or amended, of which not less than one copy of each has been and is now filed in the office of the City Clerk of the City of Mt. Vernon, and the same are hereby adopted and incorporated as fully as if set out at length herein; and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling in construction of all buildings and structures therein contained within the corporate limits of the City of Mt. Vernon.

SECTION 5.2 ESTABLISHMENT OF OFFICE OF BUILDING OFFICIAL

(a) The office of Building Official is hereby created and the executive official in charge shall be known as the Building Official.

(b) The Chief Building Inspector shall be appointed by the City Manager and shall receive a salary within ranges determined by the City Council from time to time and fixed by the City Manager based upon performance and merit.

(c) During the temporary absence or disability of the Building Official, the appointment authority shall designate an Acting Building Official.

SECTION 5.3 QUALIFICATIONS OF BUILDING OFFICIAL

To be eligible to appointment as Building Official, the candidate for the position shall have had experience as an Architect, Structural Engineer, Building Inspector, or Superintendent of Building Construction or have such other qualifications as determined by the City Council. The candidate shall be physically capable of making the necessary examinations and inspections.

SECTION 5.3A CONFLICTS OF INTEREST

Neither the Building Official nor any other inspector or person making inspections or issuing permits under any Code enacted herein shall have any interest whatsoever, directly or indirectly, in the sale or manufacture of any material, process, or device entering into or used in

or in connection with building construction, alterations, removal and demolition. Nor shall the Building Official, any inspector nor any person making inspections nor issuing permits engage in the occupation or business of electrical work or contracting or be interested directly or indirectly in any firm or corporation engaged in such business during his or her term of office.

SECTION 5.4 DUTIES OF BUILDING OFFICIAL

(a) The Building Official shall devote such time as may be necessary to the performance of his duties. The City Clerk shall receive applications required by this Code, issue permits and furnish required certificates, but no permit or certificate shall be issued without the written approval of the Building Official. He shall examine premises for which permits have been issued and shall make necessary inspections to see that provisions of law are complied with and that construction is prosecuted safely.

He shall enforce all provisions of the Building Code. He shall, when requested by proper authority, or when the public interest so requires, make investigations in connection with matters referred to in the Building Code, and render written reports on the same. To enforce compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction, or to require adequate exit facilities in buildings and structures, he shall issue such notices or orders as may be necessary.

(b) Inspections required under the provisions of the building code shall be made by the Building Official or his duly appointed assistant. The Building Official may accept reports of inspectors of recognized inspection services, after investigation of their qualifications and reliability. No certificates called by any provisions of the building code shall be issued on such reports unless the same are in writing and certified to by a responsible office of such service.

(c) The Building Official shall keep comprehensive records of applications, of permits issued, of certificates issued, of inspections made, of reports rendered, and of notices or orders issued. He shall retain on file copies of required plans and all documents relating to building work so long as any part of the building or structure to which they relate may be in existence.

(d) All such records shall be open to public inspection for good and sufficient reasons at the stated office hours, but shall not be removed from the office of the Building Official without his written consent.

(e) The Building Official shall make written reports to his immediate superior once each month, or more often if requested, including statements of permits and certificates issued and orders promulgated.

(f) No permit as required by the Building Code shall be issued until the applicant shall have complied with the Illinois Architectural Act and shall have presented proof of such compliance to such Building Official.

(g) No permit shall be issued as required by the Building Code until the applicant shall have complied with the Private Sewage Disposal Licensing Act and Code of the Department of Public Health of the State of Illinois. Proof thereof shall be provided to the Building Official, together with certified results of percolation tests and a sketch showing the size and type of septic tank and distribution box, and field tile system as required by such Act.

(h) The Building Official shall enforce all laws relating to the installation, alteration, and use of electrical equipment, and shall perform all duties of the Electrical Inspector defined within Article 7 of the Revised Code of Ordinances of the City of Mt. Vernon and exercise all authority granted thereunder.

SECTION 5.5 COOPERATION OF OTHER OFFICIALS

The Building Official may request and shall receive, so far as may be necessary, in the discharge of his duties, the assistance and cooperation of other officials of the municipality.

SECTION 5.6 RIGHT OF ENTRY - VIOLATION

The Building Official, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour. The Building Official shall have the power to order all work stopped on the construction, alteration, or repair of buildings in the City when such work is being done in violation of any provision of this Code. Such work shall not be resumed after the issuance of such order without the written permission of the Building Official.

SECTION 5.7 DEFINITIONS

(a) Wherever the word “municipality” is used in the Building Code, it shall be held to mean the City of Mt. Vernon. (b) Wherever the term “Corporate Counsel” is used in the Building Code, it shall be held to mean the Attorney for the City of Mt. Vernon.

SECTION 5.8 RIGHT OF ENTRY-ADMINISTRATIVE INSPECTION WARRANT

Whenever necessary to make an inspection to enforce or to determine compliance with any provision of this Article or of any building, electrical, fire, housing, plumbing, or other health and safety provision of the Revised Code of Ordinances or of any Code adopted thereby, or whenever the Building Official, any Building Code Inspector, or other designated Inspector has reasonable cause to believe there exists in or upon any building, structure, or premises a condition or violation which makes such building, structure, premises, or any part thereof (which are also collectively referred to herein as “premises”) a nuisance, unsafe, dangerous, or hazardous, the Building Official or Inspector shall have the right, as hereinafter defined, to enter any such building, structure, premises, or any part thereof at all reasonable times to inspect the same and to perform any duty imposed

upon said Building Official or Inspector. However, except as hereinafter stated or as otherwise permitted by law, if such building, structure, or premises is occupied by a person with apparent authority to allow entry, the Official or Inspector shall first identify himself and request entry, and upon request present proper credentials; or if such building, structure, or premises is not occupied by a person with apparent authority to allow entry, the Official or Inspector shall first make a reasonable effort to locate an owner, occupant, or other such person having apparent authority to allow entry of such building, structure, or premises and shall request entry. If entry is refused or if no owner, occupant, or such other person with apparent authority can be found, the Building Official or Inspector shall have recourse to every remedy as provided by law to secure entry. "A Person With Apparent Authority" means a person who reasonably appears to be 18 years or older and who reasonably appears to be either the owner or any other person to whom the owner has granted care, possession, custody, or control over the property, such as (but not limited to) a lessee, manager, caretaker, or lawful occupant.

In the event any person shall fail to give consent or shall interfere with the right of entry of any Building Official or Inspector, the City may apply for an Administrative Inspection Warrant. An application for an Administrative Inspection Warrant shall be based upon a reasonable belief by an Inspector that an inspection is required to enforce a health, safety, or public welfare Ordinance, Code, or Regulation: (a) said inspection may be justified as to a specific building, structure, or premises on the belief that there is located within or upon the particular building, structure, or premises to be inspected one or more violations of statutes, ordinances, codes, or regulations that the Inspector is authorized to enforce, or (b) said inspection may be justified as part of a general inspection program authorized by the Revised Code of Ordinances, such as fire, building, or housing inspections to enforce or to determine compliance.

An application for an Administrative Inspection Warrant shall identify the office and authority of the Inspector designated to make the inspection, shall identify the premises to be inspected, shall set forth the purpose and justification of the inspection, and shall state that the owner or other person with apparent authority to allow entry of the place to be searched has refused entrance after request for entry was made or shall state that the consent of an owner or other person with apparent authority of the area to be searched cannot reasonably be obtained or that consent is not required by law. The application for an Administrative Inspection Warrant shall also identify the applicable health, safety, or public welfare Ordinance, Code, or Regulation subject of the inspection or enforcement. An application for an Administrative Inspection Warrant shall be under oath. The application for Administrative Inspection Warrant shall be submitted to a Judge of the Second Judicial Circuit, but need not be filed with the Clerk of said Court until a warrant has been executed or has been returned "non executed." Notice of the submission of an Application for Administrative Inspection Warrant is not required to be given to any person. The Judge shall issue the Warrant if the requirements of this

Section have been met, including specifically that the justification as required by law has been found. An Administrative Inspection Warrant shall constitute authority to inspect, which authority to inspect shall include the authority to use any reasonable force necessary to enter upon the premises and shall include the authority to photograph the premises subject of the Warrant. The Inspector shall also have the authority to remove any item that presents an immediate and obvious threat to health or safety if such removal (i.e. abatement action) is otherwise permitted by law.

Upon issuance of an Administrative Inspection Warrant, said warrant shall state the date and time of issuance, the justification and purpose of the inspection, the date or dates on which the inspection may occur, the identification of the premises to be inspected, and shall bear the signature of the Judge of the Second Judicial Circuit issuing the warrant. Upon presentation of an Administrative Inspection Warrant to any owner or occupant or other person with apparent authority of a structure or premises authorized to be inspected pursuant to said Administrative Inspection Warrant, said owner or occupant or other person with apparent authority shall permit immediate entry into said structure or onto said premises. In the event no owner or occupant or other person with apparent authority is present upon the premises to be inspected at the time of execution of the Warrant, the Inspector may enter upon the premises, and no person shall interfere with the inspection, and the premises may be inspected and a copy of the Warrant shall be left upon the premises in a conspicuous place and thereafter a copy of the Warrant shall, within a reasonable time as determined by the circumstances, be served personally or be served by regular mail to the last known address of the owner or other person with apparent authority and to the known adult occupants of the premises, unless same shall be excused by the Court.

A police officer may be requested to assist in the execution of the Administrative Inspection Warrant; such police officer shall assist the Inspector authorized to execute the Warrant, which assistance may include using any reasonable force necessary to enter upon the premises or enter within any building or structure or necessary to protect the Inspector from harm or threat of harm.

Not later than ten days after execution of an Inspection Warrant, the Inspector or his designee shall file a Return with the Clerk of the Court setting forth the date and time of the inspection and the Inspector or his designee shall (unless excused by the Court) serve the Return upon the owner or other person with apparent authority and upon the known adult occupants of the premises subject of the inspection by personal service or by regular mail to the last known address. If any item is seized or removed from any premises, the Return shall identify the item seized or removed, shall state the reason for the removal and shall include a photograph of the item seized or removed.

No Administrative Inspection Warrant shall be required to enter upon and inspect

areas of any premises, structure, or building as follows:

- 1) Areas of commercial space (i.e. non-residential) where the public is invited into.
- 2) Areas where the owner, occupant, or possessor has no reasonable expectation of privacy within the area and as to the items to be inspected.
- 3) Areas of a business subject to extensive regulation (e.g. alcohol, weapons) where the inspection will impose only a minimal threat to justifiable expectations of privacy and the inspection is a necessary part of a regulatory scheme designed to further an urgent governmental interest.
- 4) Areas for which an emergency situation reasonably appears present requiring immediate entry to determine, prevent, or address an immediate threat to health or safety.
- 5) Areas that are not occupied and that are open (unsecured and accessible) requiring entry to determine if any immediately hazardous condition exists.
- 6) Areas for which consent to inspect has been given by a person who appears to have apparent authority to consent.

Inspections without a Warrant shall be limited as to time, place, and scope as determined by the justification for the inspection without a Warrant.

SECTION 5.9 **FEES**

(a) No permit as required by the Building Code shall be issued until the fee described in this ordinance shall have been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in estimated cost of the building or structure, shall have been paid.

(b) For a permit for the erection, alteration, or repair of any building or the construction of a parking lot, the fee shall be at the rate of \$7.50 for the first \$1,000.00 of estimated construction cost, \$2.50 per \$1,000.00 for all amounts up to \$500,000.00, and \$1.50 per \$1,000.00 for all amounts above \$500,000.00, in each case based upon the estimated cost as estimated by the Building Inspector, not to exceed the actual cost of the applicant.

(c) For a permit for wrecking or demolishing any building, the sum of \$5.00 for a one story building and \$10.00 for any other building or structure. For a permit for moving a structure, the sum of \$10.00 if the building or structure is to be removed from the City, and in the event of

moving from one point to another point within the City, the combined building and moving fee shall be charged at the rate of two-thirds of the amount which the building fee would be, based upon the estimated cost to construct a similar building. There shall also be a \$50.00 license fee for the moving of the building or structure.

(d) In case of abandonment or discontinuance, the cost of work performed under a permit may be estimated and adjustment of the fee made and the portion of the fee for uncompleted work returned to the permit holder, provided that no refund of a prescribed minimum fee shall be made. If such discontinuance is due to revocation of a permit, a similar adjustment and return may be made; provided that no refund shall be made until all penalties incurred or imposed by due authority have been collected. After such a refund has been made no work shall be resumed until a new application has been made and a new permit has been issued.

(e) The term "estimated cost" as used in this section, means the reasonable value of all services, labor, materials, and use of scaffolding and other appliance devices entering into and necessary to the prosecution and completion of the work ready for occupancy; provided that the cost of excavation or grading, and of painting, decorating or other work that is merely for embellishment or not necessary for the safe and lawful use of the building or structure, is not deemed a part of such estimated cost.

(f) The fees for the permit above described shall not be charged to or collected from an applicant under the following circumstances:

(1) The work is being done for the use of a government entity, or for the use of a not-for-profit organization whose purposes are religious, educational, or charitable; or for the qualified improvements or qualified property within the Mt. Vernon Enterprise Zone;

(2) The applicant shall file a written declaration with the City that said fees have not been and will not be included in any payment to any contractor or other person.

(3) Such organization shall apply for and obtain all necessary permits and otherwise fully comply with the ordinances of the City, unless exempted therefrom by any law of the State of Illinois or of the United States.

SECTION 5.10 DANGEROUS AND DILAPIDATED BUILDINGS.

(a) Any dangerous building in the City is hereby declared to be a nuisance. 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.

(b) The term "dangerous building" as used in this Ordinance is hereby defined to mean and include:

- (1) Any building, shed, fence, or other man-made structure that is dangerous to the public health because of its construction or condition, or which may cause or aid in the spread of disease or cause injury to the health of the occupants of it or of neighboring structures;
- (2) 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;
- (3) Any building, shed, fence, or other man-made structure, which, by reason of faulty construction, age, lack of proper repair, or any other cause is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such a structure;
- (4) Any building, shed, fence, or other man-made structure, which, because of its condition or because of lack of doors, windows, walls, or other defects is available to and frequented by minors, trespassers, malefactors, disorderly persons, or other persons who are not lawful occupants of such structure;
- (5) Any building, shed, fence, or other man-made structure, which, by reason of faulty construction, age, lack of proper repair, or any other cause does not meet State or Local Building Codes, Electrical Codes, Plumbing Codes, Fire Codes, or other health and safety codes.

(c) Whenever the Building Official or any person designated by him, upon inspection of any building or structure in the City shall determine that such building or structure in the City is a dangerous building, he shall thereupon post a Notice upon the building condemning the building and shall cause written Notice to be served upon the owner thereof and upon the occupant thereof, if any, by registered or certified mail to the last-known address or by personal service. The date of service of Notice by mail shall be the date on which the Notice is mailed. The Notice shall indicate that the building has been declared to be in a 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 immediately and without delay.

No person shall remove, alter, or deface any Notice required to be posted pursuant to this Ordinance. If the Notice given hereunder has not complied with within ten (10) days from the date when the Notice is served, the City may proceed to remedy the condition or demolish the dangerous building; except specifically otherwise provided herein, the City may demolish, repair, or cause the demolition or repair of a dangerous and dilapidated building as provided within 65 ILCS 5/11-31-1

(d) Notwithstanding any other provision herein, the City Manager may declare a specific structure to be a nuisance constituting an eminent danger to health, safety, and life and authorize by summary action demolition of such structure. The City shall recover its expenses arising from such summary demolition as provided herein.

(e) If a structure constitutes a dangerous and dilapidated building as defined within

Paragraph (b)(4) above, the Building Official may upon the written request of the owner permit the temporary boarding up of said structure subject to the following provisions:

- (1) No structure shall be boarded up for a period in excess of ninety (90) days from date of service of the Notice. Within said 90-day period, the owner shall repair the structure and bring said structure into full compliance with City Ordinances and Building Codes or the owner shall demolish the structure.
- (2) All exterior openings in a building structure larger than one square inch in size must be covered with a minimum of one-half inch thick exterior grade plywood, masonite, or equivalent strength sheet-like material that is rated and labeled for use in direct contact with weather. Fastening devices may be nails or screws not less than one and one-half inch in length and shall not be spaced more than six inches apart around the perimeter of each sheet of material.
- (3) The boarding up of a building shall not be a defense to a demolition proceeding, nor may the Court order a dangerous or dilapidated building boarded up. The boarding up of a building shall be an admission by the owner or occupant that the building or structure is a dangerous or dilapidated building.

Upon the Building Official determining that it is necessary to immediately remedy a dangerous condition arising from a dangerous and dilapidated building as defined in Paragraph (b)(4) above, the Building Official with or without notice may cause a structure to be boarded up through any available public agency or by contract or arrangement with private persons; and all associated direct costs thereof shall be assessed against the owner of the structure and shall be charged against the real estate upon which the structure is situated and shall be a lien upon such real estate.

(f) Any building or structure which has or may be damaged by fire, decay, or other cause to the extent of fifty percent (50%) of its value, shall be torn down and removed. Upon determination by the Fire Chief or Building Official that a building or structure has been damaged to the extent of fifty percent (50%) of its value, a Notice shall be served upon the owner of the premises by personal service or by registered or certified mail to his last-known address. Such Notice shall notify the owner that the building has been damaged by fire, decay, or other cause to the extent of fifty percent (50%) of its value and that the building must be demolished within 10 days from date of this Notice and that the building must be immediately vacated and not occupied. It shall be unlawful for any person to occupy or to permit such building to be occupied after service of Notice. This Subsection shall not be a limitation upon any other provision of Section 5.10 herein.

If the Notice given herein has not been complied with within 10 days from the date when the Notice is served, the City may proceed to demolish the building in the same manner as provided for the demolition of a dangerous building.

(g) In addition to the actions authorized by other sections of this Ordinance, the Chief of the Fire Department, or any other municipal officer whose duty it is to investigate fires, may make the investigation authorized by statute found the Fire Investigation Act, 425 ILCS 10.01 et seq. If such officer shall find that any building or structure is so occupied or situated as to endanger persons or property, or by reason of faulty construction, age, lack of repair, or for any cause is especially liable to fire, or is liable to cause injury by collapsing or otherwise, he shall order the dangerous situation removed or remedied, and shall so notify the owner or occupant of the premises. Service of such notice may be in person or by registered or certified mail to the last-known address, and any person so notified may appeal from the decision of such officer in the manner provided by law.

(h) Any person, firm, or corporation violating any provision of this Ordinance, or permitting any dangerous building, or any building or structure, to remain in a dangerous condition, or to remain after it has been damaged to the extent of fifty percent (50%) of its value, shall be fined as provided in this Ordinance for each offense; and a separate offense shall be deemed committed on each day during or on which the violation occurs or continues.

SECTION 5.11 UNSAFE EQUIPMENT.

(a) The term "unsafe equipment" as used in this Ordinance is hereby defined to mean any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers, or other equipment which is in such disrepair or condition that it is a hazard to the life, health, property, or safety of the public or the occupants of any premises or structure.

(b) Any unsafe equipment in the City is hereby declared to be a nuisance. It shall be unlawful to maintain and permit the existence of any unsafe equipment in the City; and it shall be unlawful for the owner, occupant, or person in custody of any unsafe equipment on the premises upon which it is situated to permit the same to remain in an unsafe condition.

(c) Whenever the Building Official, or any person designated by him, upon inspection of any equipment in the City shall be determined that such equipment constitutes unsafe equipment, he shall thereupon cause written Notice to be served upon the owner and the occupant thereof by registered or certified mail to the last-known address or by personal service. Such Notice shall state that the equipment has been declared to be unsafe equipment and that such unsafe equipment must be removed or repaired and that the removal or repair must be completed immediately and without delay. In addition, the unsafe equipment shall be placarded and designated as unsafe equipment.

If a person receiving such Notice of unsafe equipment has not complied therewith within ten (10) days from the time that the Notice is served upon such person, then the City Manager, or someone designated by him, may proceed to remedy the condition or remove the unsafe equipment or repair the unsafe equipment. The owner or possessor of the equipment or other responsible person shall be jointly and severally liable for all costs, including a reasonable attorney's fee, incurred by the City in removing or repairing the unsafe equipment or remedying the unsafe condition. In addition, any person, firm, or corporation violating any provision of this Ordinance by permitting any unsafe equipment to remain in an unsafe condition shall be fined as provided in this Ordinance for each offense; and a separate offense shall be deemed committed on

each date during or on which the violation occurs or continues.

SECTION 5.12 ACCESSIBILITY OF BUILDINGS TO PHYSICALLY HANDICAPPED AND ELDERLY PERSONS.

A. Definitions.

A physically handicapped person is hereby defined to be a person who:

- (1) has non-ambulatory disabilities or impairments that, regardless of cause or manifestation, for all practical purposes confine the individual to a wheelchair; or
- (2) has semi-ambulatory disabilities or impairments that cause the individual to walk with difficulty or insecurity, including those persons using braces or crutches, amputees, arthritics, spastics, and those with pulmonary and cardiac ills; or
- (3) has sight disabilities of total blindness or impairments affecting sight to an extent that the individual functioning in public areas is insecure or exposed to danger; or
- (4) has hearing disabilities or deafness or hearing handicaps that might make a person insecure in public areas because that person is unable to communicate or hear warning signals; or
- (5) has disabilities of in coordination or peripheral nerve injury; or
- (6) has aging or those manifestations of the aging process that significantly reduce mobility, flexibility, coordination, and perceptiveness, but are not otherwise accounted for in subparagraphs (1)-(5) hereof. rev.10/85.

B. The provisions of this Section 5.12 shall apply to all buildings hereafter erected for any of the following uses or occupancies:

- (a) Buildings for amusement devices providing shelter.
- (b) Armories
- (c) Art Centers
- (d) Auditoriums
- (e) Churches
- (f) Administrative buildings of the City

- (g) Club Houses
- (h) Court Houses
- (i) Dance Halls
- (j) Department Stores
- (k) Gymnasiums which normally admit spectators
- (l) Financial institutions
- (m) Public areas within funeral homes
- (n) Lodge Halls
- (o) Manufacturing buildings
- (p) Markets
- (q) Museums
- (r) Office buildings
- (s) Oil Company service stations
- (t) Public convenience stations or toilets
- (u) Recreation Buildings
- (v) Restaurants
- (w) Retail and Service Stores
- (x) Schools
- (y) Seminaries
- (z) Service Clubs
- (aa) Skating Rinks
- (bb) Sports Arenas
- (cc) Transportation Passenger Terminals
- (dd) Theaters

(ee) All other buildings with facilities that purport to serve the public.

C. The provisions of this Section 5.12 shall further be applicable to all buildings undergoing major remodeling where substantial repairs or substantial alterations are made in the appearance, design or layout of an existing structure.

D. All buildings to which this ordinance shall apply and for which the first floor is not on ground level shall be required to construct a ramp thereto, making that building accessible to the physically handicapped, which ramp shall comply with the following regulations:

- (a) The ramp shall not have a slope greater than 1 foot rise in 12 feet, or 8.33%.
- (b) The ramp shall have smooth surfaced handrails that are 32 inches in height, measured from the surface of the ramp, and that extend 12 inches beyond the top and bottom of the ramp. The ramp shall be at least 42 inches wide and when two handrails are provided, the distance between the handrails shall be not less than 36 inches.
- (c) The ramp shall have a non-slip surface.
- (d) All ramps shall have a level platform at the top, with the following minimum dimensions:
 - 1. If a door swings out onto the platform or toward the ramp, the platform shall be a minimum of 5 feet deep and 5 feet wide.
 - 2. All ramps shall have level platform at not less than 30 foot intervals for, the purposes of rest and safety, and shall have level platforms whenever the ramp turns.
- (e) Whenever parking shall be provided for a building or structure which is subject to the terms of this Section, automobile parking areas shall have spaces set aside that are accessible to and as near the building entrance as possible, and identified for use for the handicapped, which spaces shall allow a net and clear 12 feet for parking, ingress and egress, and shall further be subject to the following regulations:
 - 1. A parking space open on one side shall allow room for persons in wheel chairs or individuals on braces or crutches to get in and out of a automobile on a level surface suitable for wheeling or walking.
 - 2. Such parking spaces shall be provided so that individuals in wheel chairs or using crutches and braces are not, whenever reasonably possible, compelled to wheel or walk behind parked cars.
 - 3. Such parking space shall be reserved for use by the handicapped by

the posting of an official sign. The City Manager is hereby authorized to reserve spaces for handicapped parking on public streets and public property and to post official signs indicating such reserved handicapped parking; and private property owners are hereby authorized to reserve spaces for handicapped parking on private lots and private property and to post official signs indicating such reserved handicapped parking.

4. Such parking spaces shall be reserved for use by vehicles bearing registration plates or a special decal or device issued to a handicapped person pursuant to Section 3-616 or Section 11-1301.2 or to a disabled Veteran pursuant to Section 3-609 of "The Illinois Vehicle Code" or bearing a handicapped parking visor clip issued by the City of Mt. Vernon pursuant to Section 18.16(i).

E. Entrances, Doors and Doorways.

1. At least one primary entrance to each building shall be usable by individuals in wheel chairs.
2. Doors shall have clear opening of not less than 32 inches when open and shall be constructed in such a manner as to be operable by an individual in a wheel chair.
3. The floor on the inside and outside of each doorway shall be level for a distance of 5 feet from the door in the direction that the door swing and shall extend one foot beyond each side of the door.
4. Sharp inclines and abrupt changes in level at doorsills are prohibited.
5. If there are two consecutive doors to a single entrance, the distance between doors should be a minimum of 54 inches plus the width of the door.
6. Revolving doors may be used, but shall not be considered to provide any exit width. Where installed, each revolving door in a building shall be accompanied by at least one adjacent conforming exit door. Such conforming doors shall remain unlocked from both sides at all times when building is in normal use.

F. Walks and Floors.

1. Walks shall have a level platform at any entrance or exit, which is at least five feet by five feet, if a door swings out onto the platform or toward the walk.
2. Walks shall have a level platform at least three feet deep and five feet wide,

if the door does not swing out to the platform or toward the walk.

3. Blending of all crosswalks and drives — whenever sidewalks cross other sidewalks, driveways, or parking lots, they shall blend to a common level.
4. Curb cut-outs shall be provided for major streets and thoroughfares to blend sidewalk level to street level at corners and other intersections of streets and alleyways. (Curb cut-outs or level grading at alleyways or similar traffic intersections.)
5. In the interest of mobility and safety, extra effort and consideration shall be given to procurement and installation of non-slippery floor surfaces and/or floor finishes.

G. Toilet Rooms.

Where toilet facilities are required for public use or for use by employees, at least one toilet room for men and one for women shall be constructed as follows:

1. Toilet rooms shall have sufficient space to allow traffic of individuals in wheel chairs.
2. Toilet stalls shall have a minimum of five feet by four feet unobstructive space extending from the front edge of the water closet (or, if necessary due to limited space or consideration to weight, walls to dimension of four feet wide by five feet, minimum).
3. Doors to the toilet room or stall shall be considered an obstruction when they open into the area outlined in subparagraph 2 hereof. The doors must be 32 inches wide when open.
4. A handrail shall be provided to assist in transfer to and from the water closet.
5. Toilet rooms shall have at least one lavatory facility, including a mirror and shelf usable by individuals in wheel chairs.
6. Toilet rooms shall have at least one towel facility or dispenser mounted no higher than 40 inches from the floor.
7. Water closets shall have seats 20 inches from the floor.
8. Toilet rooms having multiple stalls shall have one stall with water closet which is at least five feet by four feet.

H. Public Telephones.

1. An appropriate number of public telephones shall be made accessible to

and usable by handicapped persons.

2. Such telephones shall be placed so that the dial and the headset can be reached by individuals in wheelchairs.
3. An appropriate number of public telephones shall be equipped for those with hearing disabilities and so identified with instructions for use.

I. Water Fountains.

Where water fountains are required or otherwise installed, they shall be accessible to and usable by the physically disabled, located approximately 30 to 40 inches from the floor.

J. Elevators.

Where elevators are installed into a multiple-store building, they shall conform to the following requirements:

1. Elevators shall be accessible to and usable by the physically handicapped in the level that they use to enter the building, and at all levels normally used by the general public.
2. Elevators shall allow for traffic by wheel chairs.
3. Elevators shall be provided in all new public buildings over two stories in height.

K. Identification of Public Buildings.

All facilities within a building used by the public shall be identified in the following manner:

1. Raised letters or numbers shall be used to identify rooms or offices.
2. Identification should be placed on the wall to the right or left of the door, at a height between 4'6" and 5' 6".
3. Doors that are not intended for normal use and that might prove dangerous if a blind person were to exit or enter by them shall be made quickly identifiable to the touch by knurling the door handle or knob.

L. Seating.

1. Places of assembly with fixed seating arrangements in the aforementioned buildings shall provide performance viewing positions ("parking spaces") for wheelchairs.
2. Viewing positions for wheelchairs shall be provided in a reasonable and

convenient section or sections of the facility by either or both of the following methods:

- a. Providing portable seats which can be easily removed.
- b. Providing clear space devoid of any portable or fixed seating arrangement.

These positions shall be located so as not to interfere with egress from any row or seats, shall be reachable by means of ramps and/or elevators, and shall not infringe upon aisle requirements.

3. There shall be no steps in the aisles or in the access route to the performance viewing positions, but the aisles may be inclined.

SECTION 5.13 PARKING LOTS - STORM WATER DETENTION

No premises within the City of Mt. Vernon shall be improved for parking or parking lot purposes, whether for surface parking or by a parking structure, unless and until an excavation permit or a building permit shall have been issued therefor and the requisite fee paid therefor.

No building permit or excavation permit shall be issued for any structure or for any parking lot, other than a single family structure, unless there shall have been attached to the application therefor a storm water detention plan describing the method for handling storm water in a manner so that storm water runoff shall not be increased as a result of such structure without detention and other storm water handling facilities, and until such structure without detention and other storm water handling facilities, and until such storm water detention plan shall have been approved by the City Engineer.