

**City of St. Charles, IL**  
**Ordinance No. 2023-M-\_\_\_\_\_**

**An Ordinance Amending Title 15, “Buildings and Construction”, Section 15.101.010 “Administration provisions adopted”, Subsections 107 through 111 of the St. Charles Municipal Code (Engineering Requirements for Building Permit projects)**

BE IT ORDAINED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois as follows:

1. That Sections 15.101.010 of Title 18, “Stormwater Management”, Subsections 107 through 111, be deleted in its entirety and replaced by the following:

See Exhibit A

2. That after the adoption and approval hereof this Ordinance shall be (i) printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of December 2023.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of December 2023.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 28th day of December 2023.

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Lora Vitek, Mayor

Attest:

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City Clerk/Recording Secretary

COUNCIL VOTE:

Ayes:

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Nays:

Absent:

Abstain:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

DATE: \_\_\_\_\_

**Exhibit A**

**Add Sections 107.2.5.2 and 107.2.5.3 as follows:**

**Section 107.2.5.2 Engineering Plan.**

For building permit applications that include Land Improvements as defined in Title 16 “Subdivisions and Land Improvement”, an Engineering Plan shall be submitted with the Site Plan. The Engineering Plan shall be in substantial conformance to and show the necessary items identified in Title 16, “Appendix E - Drawing Requirements Checklist – Final Engineering Plans.” of the St. Charles Municipal Code.

For all other building permit applications that involve any grading or site improvements, an engineering plan shall be submitted showing information necessary to review the proposed project, as determined by the Building Official. The minimum required information shall be listed in the building permit application.

**Section 107.2.5.3 Guarantee for Completion of Land Improvements.** For building permit applications that include public Land Improvements, a Guarantee for Completion of the Land Improvements shall be provided in accordance with the procedures and requirements of Title 16, “Subdivisions and Land Improvements”, Chapter 16.04 “Procedures”.

**Section 110: Delete Section 110.3.5 “Lath and gypsum board inspections” (including the Exception paragraph), and amend Section 110.5 “Inspection Requests” to read as follows:**

**110.5 Inspection Requests.** It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. At least twenty-four hours' notice shall be given to the Building and Code Enforcement Division by the permit holder for each required inspection.

**Section 111: Add Section 111.5, as follows:**

**111.5 Grading Survey and As-Built Elevation Certification.**

1. Requirement: This section applies to single- and multi-family dwelling units and commercial structures. A topographical survey of the construction site, as finally graded, prepared, and certified by a professional land surveyor or a registered professional engineer, shall be submitted to demonstrate compliance with approved plans, and that adequate provisions for drainage have been constructed. Required information on the survey shall be as determined by the Building Official, and shall be listed within the building permit application.
2. Submittal: The survey document shall be submitted as follows:
  - a. Foundation Spot Survey: To be submitted after construction of a foundation to verify foundation location and elevations. Construction shall not continue beyond the backfill of the foundation until the spot survey is approved to be in compliance with approved site grading/engineering plans.
  - b. Final As-Built Survey: To be submitted, reviewed and approved by the Development Engineer, along with a satisfactory site inspection, prior to final occupancy approval.

3. Deviation from Approved Plans: If there are deviations from approved plans, the site shall be revised to comply with the approved plans, and the survey shall be updated and resubmitted. Alternately, the Development Engineer may approve revisions to the approved plans, subject to the builder or developer having a Licensed Professional Engineer render an opinion and certify the as-built is in compliance with all applicable code requirements.
4. Temporary Occupancy prior to completion of Final Grading or Site Improvements: When weather or other conditions prohibit or delay the final grading of the site in accordance with the approved plans, and/or prevents an as-built survey from certifying the same, the Building Official may allow Temporary Occupancy provided the following conditions are met:
  - a. The site/building has been inspected and the Inspector or Building Official has determined that the building may be occupied safely without endangering life or public welfare.
  - b. A cash deposit or other suitable guarantee as determined by the Building Official is posted for each lot where grading or other site improvements cannot be completed or verified.
    1. Single Family Dwelling Units: \$5,000 or the cost of the remaining grading work and site improvements.
    2. Multi-family Dwelling Units and Commercial structures: \$50,000, or as determined by the Building Official or Development Engineer, based upon the cost of remaining grading work and site improvements.
  - c. Occupancies allowed prior to completion of grading and site improvements, and verification of the same, shall have a strict completion date as established by the Building Official at the time of occupancy. The City shall return the guarantee for the full amount (no interest) after completion of the lot grading or improvements, submittal of a final survey, and acceptance by the Development Engineer.
  - d. In the event that the final grading and site improvements are not completed prior to the expiration of the Temporary Occupancy, the cash deposit may be utilized to complete the remaining grading and site improvements. The builder or developer will receive the remainder of the deposit with an itemized invoice of work completed within thirty days (30) of completion of work activities. A 10% administrative fee will be added to the direct services provided.