

Village of East Alton Application Guide For Occupancy Permits

This guide is intended to give the reader a quick reference to the requirements for obtaining a residential Occupancy Permit from the village. The first portion of this guide is NOT the legal language of the adopting Ordinance, which is available for review in the Office of the Village Clerk during normal business hours or may be obtained at such rates charged for copies in the Office of the Village Clerk.

Beginning January 1, 2006, an application for Occupancy Permit must be filed in the Building and Zoning Office and an inspection scheduled, completed and the dwelling unit approved **PRIOR TO ANY PERSON(S) OCCUPYING THE DWELLING UNIT.**

The following information illustrates the requirements and fees in general:

- The OWNER or his/her AGENT (designated in writing by the owner) is responsible for making application for an inspection and Occupancy permit. An owner's authorized agent shall not be any current tenant or any tenant being considered for the property being inspected.
- You should make sure you are ready for the inspection prior to making application and paying the required fees. An Inspection Guide handout is available for you to use to check your premises prior to applying for the inspection.
- Once you are ready, fill out and submit your application in the Building and Zoning Office, pay the \$50.00 application and inspection fee and schedule the inspection.
- Address of property to be inspected, current property owner, and applicant information must be filled in or the application will not be processed and no appointment will be scheduled.
- The initial fee of \$50.00 includes the original inspection and 1 re-inspection for corrections that have been ordered. A fee of \$35.00 will be charged for each subsequent re-inspection resulting from failure to make corrections ordered.
- A missed appointment fee of \$35.00 will be charged when the owner or his agent is more than 10 minutes late for the appointment. There will be no fee imposed if for any reason the inspector must cancel or be late.
- We will make every possible reasonable attempt to schedule your inspection at a time convenient for both you and the inspector. All inspections will be conducted during normal business hours of the Village of East Alton Building and Zoning Department.

- The OWNER or his AGENT must provide access to the structure for entry and inspection. ALL areas of the structure and premises relevant to the dwelling unit applied for will be inspected. All utilities must be on for the inspection to take place. Water, electric systems and equipment and gas systems and equipment will be inspected and must operate properly during the inspection.
- Though not typical, inspectors may need access to crawl spaces or attic spaces.
- Utilities, including water, sewer, electric and gas will not be switched to new occupants until an Occupancy Permit has been obtained and the Permit number and location is verified by the utility.
- When violations are found, they must be immediately corrected. No Occupancy Permit will be issued until all repairs are completed.
- The occupant (tenant) is required to provide reasonable access to the owner or his agent or repair or service company for repairs to be completed.
- The very first inspection you schedule for each property or dwelling unit you own or act as agent for the owner will take more time than subsequent inspections. This is due to the fact that we will be measuring bedrooms, windows, etc. for an accurate record of the premises and to determine allowable occupancy (number of persons allowed to occupy the dwelling unit). Once this initial process is finished, the permanent record of that property or dwelling unit will allow a simple office transfer of the information, unless physical changes are made that affect the bedrooms, windows, etc.
- If an owner has his/her property ready for inspection but no prospective tenant or buyer, an application will be taken and inspection scheduled – no Occupancy Permit will be given until we receive the tenant or buyer information to complete the application. This should be helpful to those who ready their properties before they advertise or select new tenants from their waiting lists.

If you have additional questions, please stop by the Building and Zoning Office or call at (618)259-1185.

The following text is an excerpt from the Ordinance. This portion of the Ordinance is the bulk of the regulations and requirements comprising the Occupancy Inspection and Permit Program.

“11-7-3: ADDITIONAL REGULATIONS. The following additional regulations are hereby adopted as supplementary and in addition to the requirements of the International Property Maintenance Code, 2015 edition and are hereby incorporated as if fully set forth therein.

- A. **PERMIT REQUIRED.** It shall be unlawful for any person, firm or corporation to occupy, or permit to be occupied or to collect the rent of

any existing residential structure without first obtaining an Occupancy Permit issued by the code official. No person, firm or corporation shall occupy, or allow the occupancy of any existing residential structure if the Occupancy Permit issued therefore has been revoked.

A Certificate of Occupancy issued for new or renovated structures by the code official in accordance with the International Building Code or International Residential Code, as adopted, shall be considered and is expressly distinguished from the Occupancy Permit required pursuant to this section. However, such certificate of occupancy may be honored as an alternative to the Occupancy Permit required by Section 11-7-3(A) and this code, provided the subject structure otherwise complies with the standards and requirements of this code. In the absence of such compliance, any building permit fees paid to the Village shall be counted toward the fee required for the Occupancy Permit under the Property Maintenance Code, for the first inspection and permit only.

B. APPLICATION; ACTION ON APPLICATION; INSPECTION REQUIRED.

Whenever a change in occupancy occurs in any structure containing a dwelling unit, an application for Occupancy Permit shall be made by the owner thereof or by his agent and filed with the code official. For purposes of this section, the term “change in occupancy” shall mean a change in possession of a residential structure by way of rental, leasehold, ownership or other manner of tenancy.

Application for the Occupancy Permit required by the Property Maintenance Code shall be made by the owner of the structure or by his authorized agent. Any application submitted by a person other than the fee owner shall be accompanied by a signed statement of authorization from the fee owner. The application shall contain the full name and address of the owner; or the names and addresses of the responsible officers if the owner is other than a natural person, the name and address of the applicant, and such other information as the code official shall deem appropriate for the implementation of this code.

The application for such Occupancy Permit shall be submitted in such form as the code official prescribes and shall be filed with the Building and Zoning Department:

- 1) In the case of a change of ownership, irrespective of tenancy, within seven (7) business days from the date of recording the deed or other instrument of real estate transfer with the office of the Recorder of Madison County, Illinois; or
- 2) In the case of a change of renter or lessee prior to occupancy of the structure.

The code official shall examine or cause to be examined all applications for an Occupancy Permit and shall inspect or cause to be inspected the structure which is the subject of the application within a reasonable time after filing. If the application and structure conform to the requirements of all laws of the Village, the code official shall issue the Occupancy Permit within one business day of the inspection.

Exceptions: The inspection provisions of this Section shall not be applicable in the following instances:

- i. To the change of ownership of a structure containing a dwelling unit when the change in ownership is between immediate family members provided there is no change in occupancy;
- ii. To a change in ownership when the new purchaser/tenant provides a notarized statement to the code official stating that the purchaser/tenant will cause the structure to be demolished within six (6) months from the date of purchase.

C. SCHEDULING OF REGULAR INSPECTIONS; UTILITY SERVICES. Regular inspections and re-inspections shall be scheduled for normal works days of the Village. Appointments for inspection and/or re-inspection shall be made for time(s) of mutual convenience of the applicant and the code official whenever possible and within the time frames specified in Section 11-7-3(B) above. It shall be the responsibility of the owner or the owner's agent to provide access to the structure for gain of entry and free access. No inspection shall be made without the owner or the owner's agent present.

Water, electric and gas services (if applicable) shall be on at the time scheduled for inspection and/or re-inspection. Water service through the Village of East Alton or other water service provider, and electric and gas services through their respective providers will not be authorized for change to new occupant(s)/tenant(s) until the structure is approved for occupancy and an Occupancy Permit has been issued.

D. PERMIT CONTENTS. The Occupancy Permit shall certify that the structure complies with the provisions of this code and shall additionally set forth the use, street address or other means of identification, date of issuance, and such other information as the code official shall deem appropriate for the implementation of this code. Occupancy Permits for residential structures shall additionally state the maximum number of occupants permitted.

- E. **EXISTING BUILDINGS.** Any structures inspected under this Property Maintenance Code will not be subject to the requirements of the Building Code or Residential Code, *except the specific requirements included as part of this code*, unless the building is also subject to new construction, alteration, repair, or relocation requirements, and then only the portion that is affected by that work. The legal occupancy of any structure existing on the date of adoption of this code, or for which it has been heretofore approved shall be permitted to continue without change, except as otherwise covered in this property maintenance code, building code, zoning code, fire prevention code or if the building presents a threat to the life, safety or health of the occupants or public.
- F. **FEES.** Fee(s) for an Occupancy Permit, inspection or re-inspection, or missed appointment shall be as prescribed in Table 11-10-3, as amended, in Village Code Title 11, Building Codes. There shall be a fee paid for missed appointments when the owner or his authorized agent fails to be present for any scheduled appointment for inspection or re-inspection. A missed appointment shall be defined as arriving more than ten minutes after the scheduled appointment time. No fee shall be imposed if for any reason the building official or other inspector must cancel or be late. All fees shall be paid in the office of the Building and Zoning Department upon application for the Occupancy Permit.
- G. **APPLICATION OR INSPECTION DENIAL.** No application for Occupancy Permit shall be examined or inspection or re-inspection conducted on any property for which an application has been submitted if a Notice of Lien has been recorded against the property in the office of the Recorder of Madison County on behalf of the Village of East Alton for any Code Enforcement action or other liability owed to the Village of East Alton.