

BUILDINGS DAMAGED BY FIRE OR OTHER

When a building is damaged by fire, storm or other act, some degree of building restoration will be required. After the initial efforts to secure the building such as board-up a building permit is required prior to any reconstruction of building components. One of the first questions that arise is what building code is applicable and what specific components are required to be up-graded; this handout provides some of these answers. We highly recommend that you share this information with your insurance company and general contractor as some of these items may not be covered by your insurance provider.

SIGNIFICANT CODES

All new building that are constructed within the City of Rock Island are subject to all of the codes and ordinances adopted by the city as well as any State laws that have been implemented by the State of Illinois General Assembly. Similarly, any new construction that occurs to a (fire or other) damaged building is also subject to the same and some time additional code requirements. We recommend that you enlist a design professional to provide you with the necessary design documents for any new construction/repair work to ensure that your repair work is in compliance to current codes and zoning ordinances. Listed below are some of the codes that may require you to upgrade specific components of your damaged building.

For a complete list of current municipal, county, state and federal codes see the [Building Codes and Ordinances](#) section of the City's Web site:

ZONING

Appendix A, Article VIII: General Provisions, Section 8.3c: Any nonconforming building or structure which has been or may be damaged by fire, flood, explosion, earthquake, war, riot or other act of God, may be reconstructed and used as before if it be done within twelve (12) months of such calamity unless damaged more than fifty percent (50%) of its fair market value, as determined by the board of appeals, at the time of such damage, in which case, reconstruction shall be in accordance with the provisions of this appendix except as modified for single-family uses as specified below:

(1) *Continuance On Nonconforming Single-Family Uses, Dwellings And Lots* : Notwithstanding any other provisions of this section, a single-family use, a single-family dwelling and accessory structures or a lot on which a single-family dwelling is located, that was conforming prior to the effective date hereof, shall generally be treated as conforming for as long as the dwelling is used for a single-family use. Accordingly, the following rights shall be granted under this section:

- a. Structures for a nonconforming single-family use may be restored for a single-family use if destroyed or damaged by fire, explosion, act of God or by public enemy, reconstructed or repaired provided all other requirements of this section are met.
- b. Nonconforming single-family dwellings or nonconforming accessory structures to a single-family use may be restored to the same degree of nonconformity or less if destroyed or damaged by fire, explosion, act of God, or by public enemy, repaired and structurally altered, provided such construction does not increase or extend the degree of nonconformity. Nonconforming structures shall not be reconstructed except in compliance with the provisions of this section.
- c. A nonconforming single-family use and a nonconforming single-family dwelling and accessory structures on a nonconforming lot shall be granted the same rights as above and any other rights as if the lot were conforming.
- d. A nonconforming single-family use and a nonconforming single-family dwelling and accessory structures shall also be granted the same rights as for other nonconforming uses and structures.

BUILDING

All building components and building systems, that are damaged and will be replaced with new construction, are required to be designed and constructed per the current code that has been adopted by the City of Rock Island and the State of Illinois. This is often a good time to meet with your designer to determine if any existing building components and systems, that have not been damaged, should also be updated to current codes. Building components and systems in older buildings that may not meet current codes include but are not limited to:

General: See the International Residential Code, Appendix J Existing Building and Structures that promote the continued use of existing structures as it relates to rehabilitation including: repair, renovation, alterations and reconstruction.

Structural members: Per current code.

Fire separation assemblies: Per current code.

Fire blocking: Per current code. Homes constructed by balloon framing will require fire blocking at various locations.

Insulation: Per current code or complying with ResCheck for residential or ComCheck for commercial.

Smoke detector: Per current code operable smoke detectors are required in each bedroom of single family residence and one on each level of the residence including the basement, excluding the attic unless it is an occupied space.

Carbon Monoxide Detector (CO2): Per current code all dwellings are required to have an operable carbon monoxide detector within 15 feet of any bed room.

Bath and Dryer Vents: Bathroom and clothes dryer vents are required to vent to the outside.

Electrical: Outside disconnect is required if original electrical meter has been damaged.

A [Utility Turn on Permit Application](#) and Inspection is required in order to turn on utility services if they have been disconnected by MidAmerican. A list of requirements can be found the City's [Web site](#).

GFCI outlets are required within 6 feet of any water source.

Windows: Energy efficiency and minimum size for emergency egress in bedrooms and basements.

Plumbing: Any plumbing exposed that is not in conformance to the current State of Illinois Plumbing Code is required to be updated.

Overhead sewer: An overhead sewer is required for any existing plumbing in basement if basement is being remodeled due to damage.

Water service line: If plumbing fixtures are being added as part of the restoration the water service line from city main to building may need to be increased in size.

REQUIRED SUBMITTALS

1. **Tax and Demo Check:** State statute 215 ILCS 5/397.1 provides “It shall be unlawful for any company transacting insurance business in this State to pay a claim of an insured property owner for loss by fire or explosion to a structure located in this State where the amount recoverable for loss to the structure under a policy exceeds \$25,000, until the insurance company receives the certificate required by this Section”.

For any claim to which this Section is applicable, the City of Rock Island will require the insured property owner to acquire a tax and demo check for a reasonable cost of demolition by filing a Tax and Demo form available from the Inspection Division with the insurance company. The tax and demo check must be issued to the insured and to the City of Rock Island. The City of Rock Island will retain this check until the Building Official certifies that the property has been satisfactorily repaired or demolished in accordance with all applicable building codes and ordinances. The check will be countersigned by the City and turned over to the insured at the time the Building Official certifies that the property is in compliance.

2. **Permit Application:** [Remodel Permit](#) and all subsequent trade permits as applicable ([Electrical](#), [Mechanical](#), [Plumbing](#)).

*All commercial and non-owner occupied, (rental), residences must have trade work done by a Licensed and [Registered Contractor](#).

3. **Plans:** Provide plans that depict all new work as well as any changes to existing.

If plans are available for the existing building an Illinois registered architect or engineer needs to provide letter that they have reviewed original building plans for conformance to current code and have identified what building components and or building systems will be upgraded to comply with current codes. Architects letter needs to reference former plans by sheet numbers and letter shall be stamped and signed by an Illinois registered architect or engineer.

4. **Permit fees:** Remodel permit fees are based on the cost of the work. This fee schedule as well as all trade permit fee schedules are available on the City's [Web site](#).

PLAN REVIEW

It is the Building Departments policy that any fire or storm damage permit applications be reviewed and processed as soon as possible, please notify the Inspector present upon submittal and indicate on your permit application the circumstances of building damage. If for any reason you do not hear back from us within 48 hours of submitting your permit application please call us at 309.732.2910 and ask for a plan review status.

INSPECTIONS

All required permit inspections must be completed by the Building Inspector. Once all permitted work has passed inspection, an Occupancy inspection must be conducted by a Housing and Property Maintenance Inspector.