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MEMORANDUM

Date: October 6, 2022
To: Bryan Healy
From: Daniel O'Connor
Subject: Building Permit Extensions

Building permits are issued by the Village Engineer/Building Inspector for a variety of construction projects on residential and commercial properties. The permits are issued for a two-year period as per section 86-11B of the Village Code. The great majority of construction projects are completed within the two-year period or prior to the expiration of the permit. However, some construction projects extend past the two-year period where the permit is valid. This may be due to financing issues, contractor issues, homeowners performing the work themselves, etc. When this occurs the permit holder applies for an extension of the permit.

Chapter 86 of the Village Code requires that the permit be extended by the Board of Trustees. Currently a fee is charged for an extension of the building permit however this was not always the case and the extension by the Village Board was in essence a waiver of the permit fee for a new building permit which was the only other solution to an expired permit. The permit extension process was changed to require a fee and that the permit would be extended in 6-month increments. Both were implemented as an incentive for the applicant to complete the work and apply for a certificate of occupancy to close out the building permit.

I would recommend that section 86-11B of the Village Code be amended to allow the Village Engineer to extend the building permit instead of the Board of Trustees. The original permit is issued by the Village Engineer so it logically follows that an extension of the permit would be issued by the Village Engineer. The Board of Trustees has established a fee of \$100 for a permit extension of 6 months. Almost all permits are extended with the hope that the construction will be completed as soon as possible. A permit may not be extended if for example the contractor of record removed themselves from the permit. If the applicant amended the permit prior to expiration to switch to a different contractor (insurance documents and county license for new contractor would be submitted) the amended permit could be extended.

This change would simplify and streamline the permit extension process for the applicant and the Building Department. The proposed change is shown below.

Please let me know if any additional information is needed.

86-11 Expiration of permits; inspections.

A.

A building permit shall be effective to authorize the commencing of work in accordance with the application, plans and specifications on which it is based for a period of six months after the date of its issuance. For good cause shown, and provided that there shall have been no material change in applicable laws, ordinances or regulations or in conditions immediately affecting the vicinity in which the property to which the permit relates is located, the Village Engineer may allow one extension of time for an additional period of two months.

B.

All permits issued under this article shall be void and of no effect after six months from the date of issue thereof (or eight months from the date of issue thereof if the permit has been extended), unless the work for which the permit was issued has been actually commenced and not been abandoned during that period. If any permit becomes void as herein provided, 1/2 of the fee paid for such permit, not including any special fee covering examination of plans of a structure of complex design, may be refunded to the person who obtained the permit, provided that no work has been commenced and an application for refund is made within the six- or eight-month period, but in no case shall refunds be made on fees based on a construction of less than \$1,000; and provided, further, that, notwithstanding any other provision hereof, all permits shall expire two years from the date of issuance unless the proposed work has been completed and a certificate of occupancy has been issued or unless such permit is extended by the **Board of Trustees Village Engineer**. The permit extension shall require a fee in an amount set by resolution of the Board of Trustees.

[Amended 7-5-2022 by L.L. No. 8-2022]

cc: File