

CHAPTER 16

CONDOMINIUM REGULATIONS

ARTICLE 1.

CONDOMINIUM AND CONDOMINIUM CONVERSIONS

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16-1-1: **APPLICABILITY:** This Article shall apply to all divisions of land or property into residential and commercial condominium units.

16-1-2: **DEFINITIONS:** The terms and words used shall have the definitions set forth on the Condominium Property Act of Illinois.

16-1-3: **SUBDIVISION PLAT OF CONDOMINIUMS:** A subdivision plat of any conversion into or construction of condominium units shall require a public hearing using the procedures set forth in Article 2, Subdivision Regulations, of Chapter 12.

16-1-4: **CONDOMINIUM PLAT APPROVAL; RECORDING:** No condominium plat shall be recorded without the prior approval of the Village, nor permits issued for the construction or conversion of the same without said approval. No plat of condominium shall be recorded without complying with the requirements of this section.

16-1-5: **NEW CONDOMINIUM CONSTRUCTION REQUIREMENTS:** All newly constructed condominiums shall comply with the Condominium Property Act and shall meet the following requirements:

- a. No unit in any condominium may be sold or transferred unless a condominium declaration with a plat has been approved by the Director of Buildings and Inspectional Services and recorded.

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b. All condominium buildings shall comply with the current regulations, including open space and parking requirements for the land use zone in which they are located.

c. A separate gas, electric, and water meter and shut-off valve shall be provided for each unit. In a residential condominium, a common water meter may be provided for each building. Each unit shall have a separate hot water heater, furnace, and if provided, air conditioning system.

d. All wall, ceiling, and floors separating units shall be soundproof.

e. Common garbage and trash disposal containers shall be provided in a location screened from view in an area to avoid a minimum of noise and smell. Pickup shall be at least twice weekly for all structures containing 12 or more units.

16-1-6: **CONDOMINIUM CONVERSION REQUIREMENTS:** All buildings converted into condominiums shall comply with the Condominium Property Act and shall meet the following requirements:

a. Condominium conversions of existing buildings are favored provided that such conversion improves the interior and exterior of the existing building and does not have a deleterious effect on surrounding properties. Factors to be considered by the Village are landscaping improvements, parking lot improvements, floor covering improvements, HVAC facilities, common area provisions, size of units, easements, utility connections, neighboring property uses, and market targeted for purchase.

b. No unit in any condominium may be sold or transferred unless a condominium declaration with a plat has been approved by the Director of Buildings and Inspectional Services and recorded.

c. No building or land previously granted a variation to any zoning, building, or subdivision ordinance shall be converted into condominiums unless the current requirements of the applicable ordinance are met. Buildings which exist as legal nonconforming uses may be allowed to convert to condominiums provided that such conversion improves the interior and exterior of the existing building and does not have a deleterious effect on surrounding properties.

d. Common garbage and trash disposal containers shall be provided in a location screened from view in an area to avoid a minimum of noise and smell. Pickup shall be at least twice weekly for all structures containing 12 or more units.

16-1-7: **COMMON ELEMENTS:** All condominium associations shall be responsible for traffic and parking control, snow removal, signing, sewers, water lines, and lighting. The Village shall have the right of easement to enter such common areas for the purpose of emergency for fire,

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police, and enforcement of its ordinances and the plat shall so provide. Such common area shall remain the property of the condominium and the Village shall not accept a dedication of these elements or the responsibility of maintenance. The association shall maintain the public area and parkway in a clean condition, free of debris, leaves, and trash.

16-1-8: **CERTIFICATE OF INSPECTION:** Once a certificate of inspection has been issued, no new certificate of inspection need be secured for the resale of any unit for which a certificate of inspection has been previously issued, or to the sale or resale of any unit which was originally designed and sold under the Condominium Property Act if a certificate of occupancy has been issued with respect thereto, unless one is requested by an owner or the Village.

16-1-9: **FEES:** The fees for such inspection shall be paid by the applicant or the owner association, or owner, if the Village is compelled to inspect to insure compliance with this section. The fee shall be \$250 plus \$50 for each unit.

16-1-10: **BOND REQUIREMENTS:** All building converted into condominiums shall require that a cash bond in the amount of \$500 per unit be posted to guarantee that the requirements of Section 16-1-6 are met. The cash bond shall be refunded upon completion of an inspection by the Director of Buildings and Inspectional Services finding that all of such requirements have been completed.