

**APPLICATION FOR A ZONING CERTIFICATE
TO DEMOLISH (REMOVE) A BUILDING OR STRUCTURE**

DATE: _____

TO: OGLE COUNTY ZONING ADMINISTRATOR
911 W. PINES RD.
OREGON, IL 61061
PHONE: (815) 732-1190 FAX: (815) 732-3709

FROM: (APPLICANT) _____
(STREET OR RURAL ADDRESS) _____
(CITY, STATE, ZIP) _____
(PHONE) _____
(OWNER IF NOT SAME AS ABOVE) _____

PLEASE PROVIDE THE FOLLOWING:

1) Type of building or structure to be demolished/removed: _____

2) The above building or structure is located on the following described parcel of land:

A) Property Code ____ - ____ - ____ - ____

B) Brief legal description by lot # and subdivision name (if applicable), 1/4 1/4 Section, Township and Range:

3) Physical address of above site: _____

4) The above property is currently zoned: _____

5) Is the building(s) or structure(s) to be demolished/removed located in a "Special Flood Hazard Area"?

____ Yes. ____ No. If yes, what zone? _____ Base flood elevation? _____ Ft.

Ogle County Flood Insurance Rate Map Panel Number: _____

6) Will the demolition of the above building(s) result in an abandoned well and/or sewage disposal system, or is there an existing abandoned well and/or sewage disposal system on the site?

____ Yes. ____ No.

7) Please attach a scaled and fully dimensioned site plan (appropriate standard engineering scale, please; i.e. 1" = 20', 1" = 50', 1" = 100', 1" = 200'). The site plan must show the following:

A) Existing Conditions: Lot lines (property lines) of the subject parcel(s) or zoning lot(s), any existing building(s) and/or structure(s), wells, septic systems (septic tank/seepage field line locations), easements (drainage, utility, etc.), public right-of-way (include street or road names), and any other critical information including graphic scale and north arrow.

B) Building(s)/Structure(s) to be demolished/removed

*If a plat of survey or subdivision plat has been completed for the subject property, please complete site plan on a copy of said plat of survey or subdivision plat. Said plat of survey or subdivision plat may be xerographically enlarged or reduced to a suitable scale for completion of the site plan.

PLEASE SIGN BELOW.

8) I, as an applicant for a Zoning Certificate to demolish/remove a building(s) and/or structure(s), hereby certify that all of the information presented on the foregoing application and any and all other accompanying documents presented herewith are complete and accurate. Furthermore, I hereby certify that the in the demolishing/removal of the building(s) and/or structure(s) describe in the foregoing application and any accompanying documents, any and all applicable County, State and Federal rules, ordinances, regulations and/or laws regarding the demolition of buildings/structures and proper disposal of demolition waste will be complied with, and that I have read, understand and acknowledge the document prepared by the Ogle County Solid Waste Management Department titled "DEMOLITION OF BUILDINGS AND PROPER DISPOSAL OF DEMOLITION WASTE" dated March 2012 or as amended.

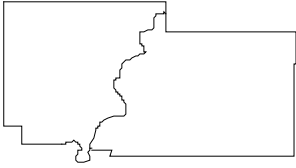
(Signed) _____

.....
(OFFICE USE ONLY)

FEE: NONE COPY TO SWMD COPY TO HEALTH DEPT.

ZONING CERTIFICATE NUMBER: _____

March 16, 2012
Rev. December 18, 2012



**OGLE COUNTY
SOLID WASTE MANAGEMENT DEPARTMENT**

909 W. Pines Road

Oregon, IL 61061

815-732-4020

FAX: 815-732-3709

email: srypkema@oglecounty.org

www.oglecounty.org

**DEMOLITION OF BUILDINGS AND
PROPER DISPOSAL OF DEMOLITION WASTE**

Revised March, 2012

The following is a general outline of the procedures for the proper demolition of buildings and the proper disposal of demolition waste in Ogle County. There are several different regulations that apply to this (i.e., county, state, and federal) which makes the issue more complicated than one would suspect. This is meant to be used as a general guide; however, it is advised that you check the actual state and local regulations and ordinances mentioned below to insure compliance. The use of or reference to this guide does not absolve one from any applicable laws or regulations.

RESIDENTIAL STRUCTURES (four or fewer dwelling units):

1. If the building is a single residential structure, the owner or agent should complete an Application for Zoning Certificate for the demolition. The Planning and Zoning Department will forward a copy to the Supervisor of Assessments Office and the building will be removed from the tax rolls.
2. The demolition of the building may then be initiated, but the waste material must be hauled to a permitted sanitary landfill. *Clean construction or demolition debris* may be used in accordance with the definition (415 ILCS 5/3.160) described later in this document. Precautions should be taken during demolition if lead-based paint or asbestos containing material (such as floor tile, transite siding, roofing material, etc.) is suspected in the house. Wetting of the structure to reduce airborne particulate matter during demolition and sealing of trucks or containers during transport to landfills is recommended for the protection of those involved in these activities. Although not required by law, a licensed lead and/or asbestos abatement company may be hired to safely remove these hazardous materials from the structure.
3. If a local Fire Department is planning to burn the house for firefighter training purposes, the structure is then considered an institutional or commercial building and is subject to the asbestos NESHAP Regulations listed below. This activity requires an IEPA permit (see Open Burning of Demolition Waste below), a certified asbestos inspection, and NESHAP notification to IEPA (Notification of Demolition and Renovation form APC 430) prior to any burning (see #2 below under Commercial, Industrial...) If any asbestos is present, it must be removed by a licensed contractor and disposed of properly prior to the training or burning of the house.

**COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, OR MULTIFAMILY RESIDENCE (4+ dwelling units)
BUILDINGS, OR A GROUP OF RESIDENTIAL BUILDINGS (HOUSES) UNDER THE CONTROL OF ONE
OWNER OR OPERATOR:**

1. The owner or agent should complete an Application for Zoning Certificate for the demolition of the structure. The Planning and Zoning Department will forward a copy to the Supervisor of Assessments Office and the building will be removed from the tax rolls. **NOTE:** Nonresidential farm structures (barns, corn-cribs, etc.) are considered commercial buildings.

2. The building must be inspected for asbestos by a licensed asbestos inspector. The owner or agent must complete a Notification of Demolition and Renovation form (APC-430) and submit it with the \$150 application fee to the Illinois Environmental Protection Agency (IEPA) at least 10 working days before demolition or renovation. This form is required by Federal NESHAP (National Emission Standard for Hazardous Air Pollutants) Regulations (40 CFR 61.140) and used to report whether or not there is asbestos material in the building. If no asbestos is present in the building, the demolition can proceed and the waste must be hauled to a permitted sanitary landfill.

If asbestos containing material is present or suspected in the building, a licensed asbestos abatement company must remove all Regulated Asbestos Containing Material (RACM) and Category II non-friable asbestos containing material in accordance with 40 CFR 61.140, before the demolition can proceed.

3. If Lead-Based Paint (LBP) is present in the structure, the following requirements apply:

- a) If the demolition debris containing LBP is still adhered to the substrate, the waste may be handled as general municipal refuse and hauled to a permitted landfill.
- b) If the LBP is removed from the original substrate to which it was adhered, then the waste is a *special waste* and must be tested and analyzed to determine if it is a *hazardous waste*. The handling and disposal of special or hazardous waste is determined by the test results and must be done in accordance with all state and federal regulations.

OPEN BURNING OF DEMOLITION WASTE

1. Section 9 (c) of the Illinois Environmental Protection Act (**Act**) prohibits the open burning of refuse without a permit from the IEPA. Permits for open burning are issued only in the following instances: "For instruction in methods of fire fighting; or for testing of equipment for extinguishing fires, of flares, and signals, or of experimental incinerators, or for research in control of fires;" (Part 237.201 of the Illinois Pollution Control Board Regulations). **The open burning of construction or demolition waste is prohibited.**

2. An Application for Open Burning Permit (form APC-325) and a Notification of Demolition and Renovation form (APC-430) must be submitted by a local fire department to IEPA and the permit allowing the open burning must be in their possession, before any live-fire training can take place. The Application for Zoning Certificate for the demolition should also be completed and submitted to the Ogle County Zoning Department before the event. IEPA forms are available by calling (217) 782-7187, or at the OCSWMD.

OPEN DUMPING OR BURIAL OF DEMOLITION WASTE

1. Sections 21(a) and 21 (p) of the Act **prohibit the open dumping of any waste**. Section 10-2-1 of the Ogle County Ordinances also prohibits the dumping of refuse on any premises except a permitted sanitary landfill.
2. Most of the material generated from the demolition of a building would be considered "waste", by the definition in the Act, with the exception of materials that fit the definition of "clean construction or demolition debris." Section 3.160 of the Act defines **clean construction or demolition debris** as:

"uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed or other asphalt pavement, or soil generated from construction or demolition activities. Clean construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads provided the uncontaminated soil is not commingled with any clean construction or demolition debris or other waste.

To the extent allowed by federal law, clean construction or demolition debris shall *not* be considered "waste" if it is:

- (i) used as fill material outside of a setback zone if the fill is placed no higher than the highest point of elevation existing prior to the filling immediately adjacent to the fill area, and if covered by sufficient uncontaminated soil to support vegetation within 30 days of the completion of filling or if covered by a road or structure, and, if used as fill material in a current or former quarry, mine, or other excavation, is used in accordance with the requirements of Section 22.51 of this Act and the rules adopted thereunder or
- (ii) separated or processed and returned to the economic mainstream in the form of raw materials or products, if it is not speculatively accumulated and, if used as a fill material, it is used in accordance with item (i), or
- (iii) solely broken concrete without protruding metal bars used for erosion control*, or
- (iv) generated from the construction or demolition of a building, road, or other structure and used to construct, on the site where the construction or demolition has taken place, a manmade functional structure not to exceed 20 feet above the highest point of elevation of the property immediately adjacent to the new manmade functional structure as that elevation existed prior to the creation of that new structure, provided that the structure shall be covered with sufficient soil materials to sustain vegetation or by a road or structure, and further provided that no such structure shall be constructed within a home rule municipality with a population over 500,000 without the consent of the municipality." (Effective 7/11/03)

Reclaimed or other asphalt pavement shall not be considered speculatively accumulated if: (a) it is not commingled with any other clean construction or demolition debris or any waste; (b) it is returned to the economic mainstream in the form of raw materials or products within 4 years after its generation; (c) at least

25% of the total amount present at a site during a calendar year is transported off of the site during the next calendar year; and (d) if used as a fill material, it is used in accordance with item (i) above. (Source: P.A. 95-121, eff. 8-13-07; 96-235, eff. 8-11-09.)

(c) For purposes of this Section, the term "uncontaminated soil" means soil that does not contain contaminants in concentrations that pose a threat to human health and safety and the environment, as required in 415 ILCS 5/3.160(c).

These materials can be used as 'clean-fill', as long as they will not be used to fill in a wetland area, and that the material is covered with soil and graded, to negate the possibility of the area becoming an open dump.

* A Special Flood Hazard Area Development Permit (Statewide Permit No. 9 - Minor Shoreline, Stream Bank, and Channel Protection Activities) is required for the use of concrete or any other materials for erosion control in a mapped Special Flood Hazard Area (Flood Plain). This is required by the Illinois Department of Natural Resources and is administered by the Ogle County Planning & Zoning Department. Contact them at 815-732-1190 for an application and more information.

PENALTIES

Any person that violates any provision of the Act or Pollution Control Board Regulations may be subject to a civil penalty ranging from \$1,500.00 to \$50,000.00 for each violation and an additional civil penalty of up to \$10,000 for each day during which the violation continues.

Citations can also be issued for violations of the Ogle County Health Code. Upon conviction, fines of up to \$500.00 for each offense, can be imposed by the court for such violations. Each day a violation continues can constitute a separate offense.

The increase in illegal dumping and burning incidents in Ogle County has prompted the Ogle County Solid Waste Management Department to highlight these regulations, and to encourage people to avoid problems and do it right the first time.

For questions, further information or to request copies of the application forms or regulations mentioned, please contact:

Ogle County Solid Waste Management Department
815-732-4020, or visit www.oglecountysolidwaste.org , or

Illinois Environmental Protection Agency

815-987-7760 (Rockford Regional Office) or 217-785-2011 (Headquarters) or visit www.epa.state.il.us