

Overview of the Condemnation/Demolition Process

A school building must be condemned anytime the regional superintendent feels that the building is in such a state that occupancy by students and personnel will, without question, jeopardize their lives. The regional superintendent must also request the assistance of the Illinois Department of Public Health and/or State Fire Marshal to confirm the hazardous condition of the school building.

Section 105 ILCS 5/3-14.22 of the School Code states:

Sec. 3-14.22 *Condemnation of school buildings.* To request the Department of Public Health, the State Fire Marshal or the State Superintendent of Education to inspect public school buildings and temporary school facilities which appear to him to be unsafe, unsanitary or unfit for occupancy. These officials shall inspect such buildings and temporary school facilities and if, in their opinion, such buildings or temporary facilities are unsafe, unsanitary or unfit for occupancy, shall state in writing in what particular they are unsafe, unsanitary or unfit for occupancy. Upon the receipt of such statement the regional superintendent shall condemn the building or temporary facility and notify the school board thereof in writing and the reasons for such condemnation. He shall also notify, in writing, the board of school trustees that the school or temporary facility so condemned is not kept as required by law.

The provisions of this Section shall not preclude inspection of school premises and buildings pursuant to Section 9 of the Fire Investigation Act [425 ILCS 25/9], although not requested as herein above provided. (Source P.A. 84-25; 87-984, § 1.)

Some of the reasons for condemnation of a school building are fire, natural disaster and extremely poor maintenance. To condemn a building does not mean that the building will be demolished. There are times when the district will be able to bring the condemned building back into compliance with the Health/Life Safety Code.

ORDER OF CONDEMNATION

DISTRICT NAME AND NUMBER

COUNTY

FACILITY NAME

FACILITY LOCATION

There has been submitted:

A Report by _____ filed on

(Name and Title of Person, i.e., Dept. of Public Health, State Fire Marshal, State Supt. Of Education)

_____ with this office describing conditions of noncompliance with applicable

Date

codes, thus resulting in this facility to be deemed (or declared) unsafe, unsanitary and unfit for occupancy.

As it is my duty to enforce the Health Life/Safety Code for Public Schools (23 Illinois Administrative Code Part 180) pursuant to the provisions of Sections 2-3.12 and 3-14.20 and 3-14.21 and 3-14.22 of the School Code of Illinois;

Therefore, the Board of Education, District # _____ of _____ County, is hereby ordered to make such repairs or alterations as necessary to effect full compliance with the applicable provisions of the Health/Life Safety Code for Public Schools.

Until all conditions of noncompliance are abated and/or corrected and approved by this office, the said facility is hereby condemned.

Signed this ____ day of _____, ____.

Name of Regional Superintendent

Signature of Regional Superintendent

Form 36-32 (09/10) (Prescribed by the Regional Superintendent for the use of the Regional Superintendent)
180.420

Demolition of School Facilities

(Permanent or Temporary)

The procedures in securing a demolition permit are as follows:

- Step 1. The owner/district shall notify all utility companies having service connections within the structure such as water, electric, gas, sewer, etc.; the Illinois Department of Public Health; and the Office of the State Fire Marshal of the existence of hazardous materials and the planned demolition.
- Step 2. All owners of adjoining buildings or lots (not across a street) must be notified in writing regarding the intended demolition. This allows the adjacent property owner the opportunity to bring any special conditions to the attention of the code official prior to demolition.
- Step 3. Apply for a permit for demolition at the Regional Office of Education. (Note: Attach to the application, a copy of the notice to other adjacent owners, and releases from IDPH, OSFM, UST, and the utility companies stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner).

Form Required:

- Form 36-33 – Application for Demolition Permit (Page 6-5)

- Step 4. The Regional Office of Education conducts inspection of the site before permit issuance. (Page 6-6)
- Step 5. The Regional Office of Education issues a demolition permit, if appropriate. Regional Superintendent shall model the demolition permit after the Chapter 1, For 36-14 Building Permit -- page 1-10)
- Step 6. Make inactive in Facility inventory.
- Step 7. If new construction (permanent building) comply with Chapter 1, School Construction Process.

APPLICATION FOR DEMOLITION PERMIT

DISTRICT NAME

COUNTY

FACILITY NAME

FACILITY LOCATION

☐ Property is owned by the district

Project Number: _____

☐ Property **not** owned by district (Attach Authorization by owner)

PROJECT SCOPE

BUILDING TYPE

- ☐ School Building
☐ Bus Barn
☐ Greenhouse
☐ Residential
☐ Maintenance Building
☐ Other _____

COST AND FINANCING

TOTAL ESTIMATED COST \$ _____

ESTIMATED COMPLETION DATE _____

SOURCE OF ALL FUNDS: _____

TOTAL SQUARE FOOTAGE: _____

CONTACTS

- ☐ Contact State Fire Marshal for Hazards ☐
Asbestos removed (contacted IDPH)
☐ Notified owners across school property line
☐ Other: _____

FOR HEALTH/LIFE SAFETY FUNDING (5¢ LEVY OR BONDS) INDICATE

Amendment number: # _____

Item(s): # _____

NOTIFIED UTILITIES AND ADJACENT OWNERS

- | | |
|--|--|
| <input type="checkbox"/> Water* | <input type="checkbox"/> Sprinkler System Terminated |
| <input type="checkbox"/> Gas* | <input type="checkbox"/> Notified Adjacent Owners in Writing |
| <input type="checkbox"/> Sewer* | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Electrical* | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Telephone* | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Cable* | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Hazardous Materials Removal | <input type="checkbox"/> Other _____ |

* Request letter from utility

Illinois Licensed Design Professional

We hereby certify that this application accurately describes the work to be performed, and that, upon approval all work will be completed in accordance with this application and all applicable laws and regulations.

(Seal)

License Number

Expiration Date

Name and Signature of Design Professional

Name of Firm

Phone Number

SCHOOL DISTRICT

Date Signature of President, Board of Education

Date Signature of District Superintendent

The Above Application for Building Permit is hereby accepted as submitted

Date Signature of Regional Superintendent

Regional Superintendent Demolition Inspection Checklist

☐ **1. Site plan:**

Verify that the application for demolition permit be accompanied by a site plan showing to scale the size and location of all existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. The site plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site or plot. Note accuracy of the site plan.

☐ **2. Service connections:**

Verify that before a structure is demolished or removed, the owner or agent shall notify all utilities having service connections within the structure such as water, electric, gas, sewer and other connections. A permit to demolish or remove a structure shall not be issued until a release is obtained from the utilities, stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner. Check all utilities to insure connections are disconnected.

☐ **3. Notice to adjoining owners of intent, demolition and excavation:**

Verify that when a written notice has been given by the applicant to the owners of adjoining each potentially affected lot (not across a street) for notice of building demolition it is at least one week prior to the commencement of work. Then a permit shall be granted for the removal of a building or structure.

☐ **4. Other laws:**

Mention to the demolition contractor that nothing herein contained shall be construed to nullify any rules, regulations or statutes of state or federal agencies governing the protection of the public or workers from health or other hazards. The contractor must follow OSHA, IEPA, IDPH, and other state and federal rules for demolition. The contractor shall contact each agency.

☐ **5. Portable fire extinguishers:**

Verify that all buildings under demolition shall be provided with at least one portable fire extinguisher with a minimum 2-A:20-B:C rating at each exit on all floor levels where combustible materials have accumulated. A portable fire extinguisher with a minimum 2-A:20-B:C rating shall also be provided in every storage and construction shed. Additionally, at least one portable fire extinguisher shall be provided where special hazards, such as flammable or combustible liquid storage, exist.

☐ **6. Buildings under demolition:**

Verify that when the building is being demolished and a standpipe is existing within such a building, such standpipe shall be maintained in an operable condition so as to be available for use by the fire department. Such standpipe shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

☐ **7. Maintenance:**

Verify that in case an existing party wall is intended to be used by the person who causes an excavation to be made, and such party wall is in good condition and sufficient for the use of both the existing and proposed building, such person shall preserve the party wall from injury and shall support the party wall by proper foundations at said person's own expense, so that the wall is and remains as safe and useful as the party wall was before the excavation was commenced. During the demolition, the party wall shall be maintained weatherproof and structurally safe by adequate bracing until such time as the permanent structural supports have been provided.

☐ **8. Adjoining roofs:**

Verify that where the demolition of an existing building is being conducted at a greater height, the roof, roof outlets and roof structures of adjoining buildings shall be protected against damage with adequate safeguards by the person doing the work.

☐ **9. Removal of debris:**

Verify that all waste materials be removed in a manner which prevents injury or damage to persons, adjoining properties and public rights-of-way.

☐ **10. Grading of lot:**

Where a structure has been demolished or removed and a demolition permit has not been approved, the vacant lot shall be filled, graded and maintained in conformity to the established elevation of the street grade at curb level nearest to the point of demolition or excavation. Provision shall be made to prevent the accumulation of water or damage to any foundations on the premises or the adjoining property.

☐ **11. Retaining walls and partition fences:**

Verify that the adjoining grade is not higher than the legal level, the person causing an excavation to be made shall erect, where necessary, a retaining wall at his or her own expense and on his or her own land. Such wall shall be built to a height sufficient to retain the adjoining earth, shall be provided with a guardrail or fence not less than 42 inches (1067 mm) in height.

☐ **12. Removal of waste material:**

Verify that material shall not be dropped by gravity or thrown outside the exterior walls of a building during demolition. Wood or metal chutes shall be provided for the removal of such materials. Where the removal of any material will cause an excessive amount of dust, such material shall be wet down to prevent the creation of a nuisance.

☐ **13. Lighting:**

Verify that all stairways and parts of buildings under demolition shall be adequately lighted while persons are engaged at work.

☐ **14. Fire department access:**

Verify that fire department access shall be provided and maintained to all structures undergoing demolition. Fire department access roadways shall be of an approved surface material capable of providing emergency vehicle access and support at all times, and shall be a minimum of 18 feet (5486 mm) in unobstructed width. The access roadways shall provide a minimum turning radius capable of accommodating the largest fire apparatus of the jurisdiction and a minimum vertical clearance of 13 1/2 feet (4115 mm).

☐ **15. Security:**

Verify that the entirety of the demolition site is secure.