

ORDINANCE

The *International Codes* are designed and promulgated to be adopted by reference by ordinance. Jurisdictions wishing to adopt the 2009 *International Zoning Code* as an enforceable regulation governing structures and premises should ensure that certain factual information is included in the adopting ordinance at the time adoption is being considered by the appropriate governmental body. The following sample adoption ordinance addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

SAMPLE ORDINANCE FOR ADOPTION OF THE INTERNATIONAL ZONING CODE ORDINANCE NO. _____

An ordinance of the [JURISDICTION] adopting the 2009 edition of the *International Zoning Code*, regulating and governing the development, erection, construction, enlargement, alteration, repair, movement, removal, demolition, conversion, occupancy, use, height, area and maintenance of all buildings, structures and lots in the [JURISDICTION]; providing for the issuance of permits, including conditional use permits, and collection of fees therefor; repealing Ordinance No. ____ of the [JURISDICTION] and all other ordinances and parts of the ordinances in conflict therewith.

The [GOVERNING BODY] of the [JURISDICTION] does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the [TITLE OF JURISDICTION'S KEEPER OF RECORDS] of [NAME OF JURISDICTION], being marked and designated as the *International Zoning Code*, 2009 edition, as published by the International Code Council, be and is hereby adopted as the *Zoning Code* of the [JURISDICTION], in the state of [STATE NAME] for regulating and governing the development, erection, construction, enlargement, alteration, repair, movement, removal, demolition, conversion, occupancy, use, height, area and maintenance of all buildings, structures and lots in the [JURISDICTION]; providing for the issuance of permits, including conditional use permits, and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said *Zoning Code* on file in the office of the [JURISDICTION] are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this ordinance.

Section 2. (Incorporate penalties for violations)

Section 3. The following sections are hereby revised:

Section 101.1. Insert [NAME OF JURISDICTION]

Section 109.2.2. Insert [NUMBER OF WORKING DAYS]

Table 302.1. Insert [MINIMUM AREAS]

Section 1008.1.1. Insert [SIGN AREA]

Section 1008.1.3. Insert [SIGN AREAS IN TWO LOCATIONS]

Table 1008.1.1(1). Insert [SIGN AREAS IN THREE LOCATIONS]

Table 1008.1.1(2). Insert [PERCENTAGE OF BUILDING ELEVATION IN THREE LOCATIONS]

Table 1008.1.2. Insert [NO. OF SIGNS, HEIGHT AND AREA IN 10 LOCATIONS]

Section 1008.2.1. Insert [SIGN AREAS IN EIGHT LOCATIONS]

Section 1008.2.2. Insert [SIGN HEIGHTS AND AREA IN 10 LOCATIONS]

Section 1008.2.3. Insert [SIGN AREAS IN THREE LOCATIONS]

Section 1008.2.5. Insert [SIGN HEIGHT AND AREA IN TWO LOCATIONS]

Section 1008.2.6. Insert [SIGN HEIGHT AND AREA IN TWO LOCATIONS]

Section 1008.3.3. Insert [SIGN AREA, HEIGHT, PROJECTION AND VERTICAL DISTANCE IN SIX LOCATIONS]

Section 1008.3.4. Insert [SIGN AREA AND VERTICAL DISTANCE IN TWO LOCATIONS]

Section 1008.3.5. Insert [SIGN HEIGHT IN TWO LOCATIONS]

Section 4. That Ordinance No. ____ of [JURISDICTION] entitled [FILL IN HERE THE COMPLETE TITLE OF THE ORDINANCE OR ORDINANCES IN EFFECT AT THE PRESENT TIME SO THAT THEY WILL BE REPEALED BY DEFINITE MENTION] and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The [GOVERNING BODY] hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. That nothing in this ordinance or in the Zoning Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 7. That the [JURISDICTION'S KEEPER OF RECORDS] is hereby ordered and directed to cause this ordinance to be published. (An additional provision may be required to direct the number of times the ordinance is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

Section 8. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect [TIME PERIOD] from and after the date of its final passage and adoption.

Section 9. That [JURISDICTION] acknowledges and agrees that the International Code Council, Inc. ("ICC") owns registered copyrights in the 2009 edition of the *International Zoning Code*. ICC makes the 2009 edition of the *International Zoning Code* and numerous other International Codes (I-Codes) available to view for free on its website at: codes.iccsafe.org. Without advance written permission from the copyright owner, no part of the 2009 edition of the *International Zoning Code* may be reproduced, distributed or transmitted in any form or by any means, including without limitation, electronic, optical or mechanical means (by way of example, and not limitation, photocopying, or recording by or in an information retrieval system). For information on the use rights and permissions, please contact: Publications, 4051 Flossmoor Road, Country Club Hills, IL 60478. Phone 1-888-ICC-SAFE (422-7233).