

**SUBSTITUTE - PROPOSED ORDINANCE AMENDMENT TO FILE 23-5636
(Cook County Finance Committee 12/13/2023)**

MUNICIPAL FEE EXEMPTION FOR RESIDENTIAL ASBESTOS AND DEMOLITION PERMITS

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 30, the Cook County Environmental Control Ordinance, Article V Asbestos and Related Substances, Division 1 - Asbestos, Section 30-548 “Asbestos removal permit required,” and Division 2 - Demolition, Section 30-561 “Demolition permit required; general” of the Cook County Code is hereby amended as Follows:

Sec. 30-548. Asbestos removal permit required.

(a) An asbestos removal permit shall be required for all activities including, but not limited to, the cutting, trimming, fitting, stripping, demolition or removal of asbestos-containing material in any quantities hereinafter "project") in addition to any demolition permit required by Section 30-961 [et seq.].

(1) An Operations and Maintenance Asbestos Removal Permit is available for large commercial and industrial sites, healthcare facilities, and schools with ongoing asbestos mitigation projects.

(2) A General Asbestos Removal Permit is available for all other projects.

(b) An application for an asbestos removal permit must be submitted by the contractor to the Department in such form and containing such information as required by the Department, prior to the start of the project.

(1) An application for an Operations and Maintenance Asbestos Removal Permit must be submitted no less than 15 business days prior to the start of the project.

(2) An application for a General Asbestos Removal Permit must be submitted no less than ten business days prior to the start of the project.

(c) An asbestos removal permit shall be valid for the dates indicated on the permit.

(1) The duration of a General Asbestos Removal Permit shall not exceed 30 calendar days after the permitted start date of the project, unless a properly submitted revision, as provided for in section 30-542(h)(3) has been approved by the Department.

(d) A General Asbestos Removal Permit may be revised up to six times within one year from the date of issuance, subject to Department approval.

(1) Department approval will be withheld where the activity at issue is a separate and distinct project requiring a new permit.

(2) Department approval will be withheld where the revised start date of the permit would be less than the ten business days prior to the start of the project, or more than one year from the original start date of the permit.

(3) Each time a request for permit revision is submitted, including, but not limited to, requests affecting the permitted start date of the project, payment of a revision fee in the amount set forth in Section 32-1 shall be required.

(e) The contractor shall comply with all conditions set out on the permit.

(1) For a General Asbestos Removal Permit, the contractor may not be off-site for more than ten consecutive calendar days during the dates indicated on the permit.

(2) An Operations and Maintenance Asbestos Removal Permit requires notification to the Department in such form and containing such information as required by the Department, 48 hours prior to starting each removal episode. The notice must include the location within the building where work is to be performed, onsite contact information and the anticipated work hours.

(f) The permit and inspection fees for an asbestos removal permit are due at the time of application and shall be as set out in Section 32-1. The inspection fee shall not be applicable to residential structures. The permit fee shall not be applicable to asbestos removal work prior to a demolition of a residential structure performed by or for any municipality.

Sec. 30-561. Demolition permit required; general

- (a) A demolition permit shall be required for all demolition affecting any structure including, but not limited to, schools, public and private commercial and industrial structures, residential units, garages, sheds, and utilities.
- (b) An application for a demolition permit must be submitted to the Department in such form and containing such information as required by the Department, no less than ten business days prior to the start of the project.
- (c) A demolition permit shall be valid for the dates indicated on the permit, which shall not exceed 30 calendar days after the permitted start date of the project, unless a properly submitted revision has been approved by the Department prior to the permit end date.
- (d) A demolition permit may be revised up to six times within one year from the date of issuance, subject to Department approval.
 - (1) Department approval will be withheld where the activity at issue is a separate and distinct project requiring a new permit.
 - (2) Department approval will be withheld where the revised start date of the permit would be more than one year from the original start date of the permit.
 - (3) Each time a request for permit revision is submitted, including, but not limited to, requests affecting the permitted start date of the project, payment of a revision fee in the amount set forth in Section 32-1 shall be required.
- (e) The permit holder shall comply with all conditions set out on the permit.
 - (1) Demolition operations shall not cause the migration of dust from the permitted site onto adjacent properties not included on the demolition permit.

- (2) A Competent Person capable of identifying any suspect asbestos-containing materials not identified in the inspection report shall remain on site for the duration of the demolition.
- (3) Any suspect asbestos-containing building materials not identified in the inspection report and subsequently identified during the demolition process shall not be disturbed.
- (4) The permit holder shall ensure that any suspect asbestos-containing building material identified during the demolition process and not identified in the inspection report provided under Section 30-548(3)(b) be sampled by an Illinois Department of Public Health certified asbestos building inspector and that the presence of asbestos or lack of asbestos in the sample be identified by a NVLAP accredited laboratory.
- (5) The permit holder shall comply with all applicable Demolition Debris Diversion Requirements of Division 3 of this article.
- (f) The fee for a demolition permit shall be as set out in Section 32-1. However, no fee shall be charged for demolition work on a residential structure performed by or for any municipality.

Effective date: This ordinance shall be in effect March 1, 2024.