VILLAGE OF
LINCOLNSHIRE

BUILDING CODE APPEALS PROCESS

Overview

The Village administers and enforces adopted building codes (Village Code, Title 5, Chapter 4) in a fair, consistent, transparent, and professional manner. All building permit applicants are encouraged to work with Village staff to resolve questions and code-related issues before filing a formal appeal.

The appeals process is limited to disputes involving the interpretation, application, or enforcement of adopted codes and does not authorize the waiver, modification, or variance of any code requirement. This process outlines how to appeal decisions related to permit denials, correction notices, stop work orders, code interpretations, alternative materials or methods requests, inspection determinations, and other code enforcement administrative decisions.

Applicants may submit additional documentation such as engineering analyses, product specifications, or alternative compliance proposals to demonstrate design or materials proposed meet code intent.

The process may consist of three levels of review:

1. Village staff Administrative Review
2. Formal Administrative Appeal
3. Appeal to the Mayor and Board of Trustees

All work associated with the portion of a project under appeal must stop unless the Village authorizes continued work for safety or stabilization. Failure to meet required filing deadlines waives the right to appeal.

The Village encourages participants to engage in the appeals process in good faith and to work collaboratively toward practical, code-compliant solutions that protect public health, safety, and wellness, and support efficient project completion.

Step 1 – Village Staff Administrative Review

Before submitting a formal appeal, the applicant must discuss the issue with the relevant Village staff members (e.g., Building Inspector, Code Enforcement Inspector, Plan Reviewer). If staff cannot resolve the matter, the applicant may request an administrative review meeting with the Assistant Village Manager / Community Development Director and appropriate staff.

Applicants shall provide any relevant materials, including plans, engineering reports, product specifications, technical studies, testing data, photographs, or other documentation needed for review.

Timeline:

- Submit the request for administrative review **within fourteen (14) calendar days** of the initial decision for which the appeal is about.
- The Village will schedule the meeting **within ten (10) calendar days** of receiving the request.
- The Village will issue a written determination **within ten (10) calendar days** after the meeting.

Step 2 – Formal Administrative Appeal

If Step 1 does not resolve the issue, the applicant may file a formal administrative appeal with the Village Manager.

Filing Requirements:
Submit a written appeal petition **within fourteen (14) calendar days** of the Step 1 determination. The petition must include:

- Project address and permit number
- Decision being appealed
- Applicable code section(s), if known
- Explanation of the basis for the appeal
- Requested interpretation, alternative compliance proposal, or other relief authorized by the adopted code.
- Supporting documentation and technical evidence

Incomplete submissions may delay review and related decision until all required materials are provided.

Review and Decision
The Village Manager may:

- Affirm the original determination
- Modify the determination
- Approve an alternative method or material
- Approve the appeal with conditions
- Reverse the determination

The Village Manager generally issues a written decision **within fifteen (15) calendar days** of receiving a complete appeal.

Step 3 – Appeal to the Mayor and Board of Trustees

If the applicant disagrees with the Village Manager's final decision, appeal to the Mayor and Board of Trustees may be made.

Filing Requirements: Submit written notice of appeal **within fourteen (14) calendar days** of the Village Manager's decision. Include the following:

- Decision being appealed
- Basis for the appeal
- Supporting documentation
- Copies of previous determinations and appeal materials

Hearing Process
The Village will schedule the appeal for a regular or special meeting of the Mayor and Board of Trustees and provide reasonable notice to affected parties. The Village Board may:

- Affirm the decision
- Modify the decision
- Reverse the decision
- Remand the matter to staff for further review

Hearings follow a fair process but do not use formal rules of evidence

Final Decision
The determination of the Mayor and Board of Trustees serves as the Village's final administrative decision.