

**Ordinance No. \_\_\_\_\_**

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, ADOPTING BY REFERENCE CERTAIN BUILDING, MECHANICAL, PLUMBING, ENERGY CONSERVATION, FIRE, FUEL GAS, PROPERTY MAINTENANCE, RESIDENTIAL, EXISTING BUILDING, SWIMMING POOL AND ACCESSIBILITY CODES REGULATING AND GOVERNING THE CONSTRUCTION, CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES IN THE CITY**

**WHEREAS**, the United City of Yorkville (the “City”) is a duly organized and validly existing non-home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

**WHEREAS**, pursuant to Section 5/1-3-2 of the Illinois Municipal Code (65 ILCS 5/1-3-2) the City may adopt by reference compilations of rules and regulations for the construction, alteration and maintenance of all property, buildings and structures in the City; and

**WHEREAS**, one copy of each code to be adopted were filed in the office of the City Clerk and kept available for public use, inspection and examination for a period of 30 days before the adoption of this ordinance; and

**WHEREAS**, the Village pursuant to Section 1-2-3.1 of the Illinois Municipal Code (65 ILCS 5/1-2-3.1) has given notice of the intended adoption of these codes to the Division of Building Codes and Regulations of the Capital Development Board more than 30 days before the adoption of this ordinance; and

**WHEREAS**, the Mayor and City Council find and hereby declare that it is in the best interests of the City and its residents to adopt updated codes including 2018 International Building Codes and other building, fire, construction, electrical and property maintenance codes, which establishes minimum standards to regulate the design, construction, alteration, enlargement, repair, demolition, removal, maintenance and use of all buildings and structures as well as to provide for the issuance of permits, collection of fees, and the making of inspections to promote and preserve the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

**Section 1.** That Title 8, Chapter 2, Section 8-2-1 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

**8-2-1 BUILDING CODE**

- A. Adopted. The regulations of the 2018 Edition of the International Building Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the constructions, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances

connected or attached to such buildings or structures with such amendments as are hereafter set forth in this Section.

B. Building Code Amendments.

1. Section 101.1 shall be amended to insert the name of jurisdiction – “United City of Yorkville”

2. Section 105.2 work exempt from permit shall be amended to read, in part, as follows:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 100 square feet (9.29 m<sup>2</sup>).

2. Decorative, temporary, or similar type fences not over 4 feet (1829 mm) high.

3. Section 113.1 Add the following: The Planning and Zoning Commission function as the Building Board of Appeals.

4. Section 901.6.3.1 Records, shall be amended to read as follows:

The most recent records of all system inspections, tests, and maintenance required shall be maintained on premises and a copy shall be forward to the Fire Prevention Bureau via e-mail, mail, or fax within 14 days after completion of inspection.

5. Section 903.7 Commercial multi-tenant occupancies, shall be amended to add the following: All sprinklered multi-tenant occupancies hereafter constructed shall have an isolation control valve and water flow switch installed for each tenant space.

6. Section 907.1.2 Fire alarm shop drawings shall be amended to add the following:

(a) All fire alarm systems shall be of the addressable type.

(b) All multi-tenant occupancies shall be provided with a weather proof amber strobe light at the entrance of the tenant space that activate upon an alarm condition in that tenant space.

7. Section 903.2.1.1 Group A-1, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-1 occupancies when the fire area exceeds 5,000 square feet.

8. Section 903.2.1.3 Group A-3, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-3 occupancies when the fire area exceeds 5,000 square feet.

9. Section 903.2.1.4 Group A-4, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-4 occupancies when the fire area exceeds 5,000 square feet.

10. Section 903.2.2 Group B ambulatory health care facilities, shall be amended to read as follows:

Section 903.2.2 Group B. An automatic sprinkler system shall be provided throughout all Group B occupancies when the fire area exceeds 5,000 square feet.

11. Section 903.2.3 Group E, shall be amended as follows:

An automatic sprinkler system shall be provided throughout all Group E occupancies when the fire area exceeds 5,000 square feet.

12. Section 903.2.7 Group M, shall be amended as follows:

An automatic sprinkler system shall be provided throughout all Group M occupancies when the fire area exceeds 10,000 square feet or the fire area is located more than three stories above the grade plane.

13. Section 903.2.8 Group R, shall be amended as follows:

An automatic sprinkler system shall be required throughout Groups R-1, R-2, and R-4 occupancies. An automatic sprinkler system shall be required throughout Group R-3 occupancies, with the following exceptions:

1. Adult care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.
2. Child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.
3. Single-family detached homes shall be required to follow Section R313 of the 2018 International Residential Code (IRC), as amended.

14. Section 903.3.5 Water Supplies, shall be amended to read as follows:

Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the Illinois Plumbing Code.

15. Section 905.3.1 Height, shall be amended to read as follows:

An approved standpipe system shall be installed in all buildings three (3) stories or more in height in each stairwell at each level. Standpipe systems shall be installed in all buildings where any portion of the building floor area is more than 200 feet travel distance from the nearest point of the fire department vehicle access.

16. Section 907.1.4 Equipment, shall be added.

1. Location of the annunciator panel shall be approved by the Fire Code Official.
2. An annunciator panel or the main fire panel shall be placed near the fire sprinkler main riser.
3. A red strobe light shall be installed by the annunciator panel or above the closest entrance to the fire alarm control panel as approved by the Fire Code Official
4. The annunciator panel shall indicate and have all of the functions of the fire alarm panel.
5. The annunciator shall be properly marked to show each zone.
6. A detailed floor plan illustrating each zone shall be provided on each fire alarm control panel and located adjacent to each annunciator panel.

17. Section 907.2.1 Group A, shall be amended to read, in part, as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of

100 or more. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

18. Section 907.2.2 Group B, shall be amended to read, in part, as follows:

A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 250 or more, or
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge, or
3. The Group B fire area contains a Group B ambulatory health care facility.

19. Section 907.2.4 Group F, shall be amended to read, in part, as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group F occupancies where both of the following conditions exist:

1. The Group F occupancy is two or more stories in height; and
2. The Group F occupancy has a combined occupant load of 250 or more above or below the lowest level of exit discharge.

20. Section 907.2.5 Group H, shall be amended to read as follows:

A complete fire alarm system shall be installed in all group H occupancies. Any listed special detection devices approved for the specific hazard shall be approved by the Fire Code Official, such detection devices shall be connected to the fire alarm.

21. Section 907.2.7 Group M, shall be amended to read as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group M occupancies where one of the following conditions exists:

1. The combined Group M occupant load of all floors is 250 or more persons.
2. The Group M occupant load is more than 100 persons above or below the lowest level of exit discharge.

22. Section 907.2.11.5 Group S, a new section shall be added to read as follows:

A complete fire alarm system shall be installed in all Group S occupancies or as otherwise approved by the Fire Code Official.

23. Section 912.5 Backflow Protection, shall be amended to read as follows:

The potable water supply to automatic sprinkler and standpipe systems shall be protected against backflow as required by the Illinois Plumbing Code.

24. Section 912.1 Installation, shall be amended to read as follows:

Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.6. The fire department connection shall be an approved five-inch (5") connection with a thirty (30) degree down turn. A white strobe light shall be placed above the fire department connection and the white strobe light shall indicate on water flow only. A two and one-

half inch (2 ½”) NST single fire department connection shall be acceptable where piped to a three inch (3”) or smaller riser.

25. Section 1101.1 Add the following: When there is a conflict between this code and the Illinois Accessibility Code, the stricter of the requirements shall apply.

26. Roof drainage Add the following: The roof drainage system ((primary and secondary shall be designed and installed per Chapter 11 Storm Drainage of the International Plumbing Code 2018 Edition.

27. Section 1612.3 Establishment of flood hazard areas, shall be amended by inserting “Kendall County” as the name of jurisdiction and to insert the Flood Insurance Rate Map effective date of “February 4, 2009.”

28. Section 2901.1 Scope, shall be amended to read as follows:

This chapter and the Illinois State Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems.

29. Section 3002.4 Elevator car, is amended to read as follows:

Where elevators are provided in buildings two or more stories above, or two or more stories below grade plane, at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners, in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoist way door frame. The inside hand rail shall be set at the maximum thirty six (36”) inch height allowed under ADA standards to better accommodate the ambulance stretcher. The cab size is to be a minimum five (5’) foot by seven (7’) foot platform and minimum 2500 lb capacity with a 42” side slide door. Exception: Single-family homes.

30. Chapter 35 Referenced Standards – ICC Delete all references to the International Plumbing Code.

31. Appendices – Adopt the following appendices: C, F, G, I, J, K, N

**Section 2.** That Title 8, Chapter 2, Section 8-2-2 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

#### 8-2-2 ELECTRICAL CODE

A. Adopted: The regulations of the 2017 edition of the national electrical code (NEC), as recommended and published by the National Fire Protection Agency (NFPA), published in pamphlet form, are adopted as the regulations for the installation of electrical conductors, equipment, and raceways; signaling and communication conductors, equipment and raceways; and optical fiber cables and raceways in all occupancy types and structures in the city with such amendments as are hereafter set forth in this section.

B. Electrical Code Amendments:

(Reserved)

C. Certificate Of Occupancy: Whenever a certificate of occupancy for a business use is required pursuant to subsection 10-4-12B of this code, it shall be unlawful for a public electric utility service provider in the city to transfer the electrical service to a new or different business customer without receiving notice from the city that the city has issued a certificate of occupancy for the building or portion thereof to be occupied by that business customer's use.

**Section 3.** That Title 8, Chapter 2, Section 8-2-3 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-3 MECHANICAL CODE

- A. Adopted. The regulations of the 2018 edition of the International Mechanical Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the design, construction, quality of materials, erection, installation, alteration, repair, locations, relocation, replacement, additions to, use or maintenance of mechanical systems in the City with such amendments as are hereafter set forth in this Section.
- B. Mechanical Code amendments.

- 1. Section 109.1 Add the following: The Planning and Zoning Commission shall function as the Building Board of Appeals.
- 2. Delete in their entirety 109.2 – 109.7
- 3. Chapter 15 Referenced Standards – ICC Delete all references to the International Plumbing Code.
- 4. The following subsection shall be added to Section 901:
  - 901.5 Any penetration of the firebox area made by a gas pipe shall be sealed by mortar caulk or other method approved by the Building Code Official.
- 5. Appendix A. Chimney Connector Pass-Throughs shall be adopted.

**Section 4.** That Title 8, Chapter 2, Section 8-2-4 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-4 ILLINOIS PLUMBING CODE

- A. Adopted
  - (1) The Illinois Plumbing Code, as amended, published by the Illinois Department of Public Health, is adopted and incorporated by reference as the rules and regulations for the installation, repair and alteration of plumbing, private water supply systems, private storms drainage systems and private sewage disposal systems.

1. The following subsection shall be added Required sump pit discharge piping: All sump pump discharges shall be in conformance with one of the following:
  - 1) Discharge to the public storm sewer may occur at any time in conformance with the United City of Yorkville’s Standard Specifications for Improvements, or
  - 2) Discharge to grade, when not prohibited above, may be permitted provided that the sump pumps do not discharge directly onto any street, sidewalk, bike path, or in any manner that will cause icing, flooding or a nuisance.

Sump pit required: Crawl spaces under buildings used for human habitation shall be provided with a sump pit in accordance the applicable codes. When both a basement and crawl space are provided under a building used for human habitation, only the basement must be provided with a sump pit. When a basement exists without a sump pit and a crawl space is being constructed immediately adjacent thereto, the crawl space shall not require a sump pit.

**Section 5.** That Title 8, Chapter 2, Section 8-2-5 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

#### 8-2-5 ILLINOIS ENERGY CONSERVATION CODE

The Illinois Energy Conservation Code, as amended and published by the Capital Development Board pursuant to the Capital Development Board Act (20 ILCS 3105/10.09-5) in Title 71, Chapter 1, Subchapter d, Part 600 of the Illinois Administrative Code is adopted as the City’s Energy Conservation Code to regulate energy efficient buildings standards for new construction, addition, alteration, renovation or repair.

**Section 6.** That Title 8, Chapter 2, Section 8-2-6 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

#### 8-2-6 FIRE CODE

- A. Adopted. The regulations of the 2018 Edition of the International Fire Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City with such amendments as hereafter set forth in this Section.
- B. Fire Code Amendments
  1. Section 101.1 Title, shall be amended to insert the name of jurisdiction – “United City of Yorkville”
  2. Section 103.1 General, shall be amended to read as follows:

In accordance with the provisions set forth in the current inter-governmental agreement with the Bristol-Kendall Fire Protection District, the department of fire prevention is established within the jurisdiction under the direction of the Fire Code Official. The function of the department shall be the implementation, administration and enforcement of the provisions of this Code.

3. Section 103.2 Appointment, shall be amended to read as follows:

The Fire Marshal of the Bristol-Kendall Fire Protection District shall be the Fire Code Official as appointed by the Fire Chief. The Fire Chief shall appoint personnel of the Bristol-Kendall Fire Protection District to assist in enforcing this Code. Such appointments shall include, but not be limited to a Fire Marshal, and as many inspectors, investigators, and public safety educators as may be needed. For the purposes of this Code, the Fire Marshal is the same as the Fire Code Official.

4. Section 104.8 Modifications, shall be amended to include the following:

A signed copy of the Fire Chief's decision shall be kept in the permit file and furnished to the permit applicant.

5. Section 105.1.1 Permits Required, shall be amended to read as follows:

Permits required by this Code shall be obtained from the Fire Code Official. Permit and plan review fees, if any, shall be paid in accordance with the current inter-governmental agreement prior to issuance of the permit. Permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the Fire Code Official.

6. Section 105.4.1 Submittals, shall be amended to read as follows:

Construction documents and supporting data shall be sealed with a "NICET III" or higher certification and submitted for review and approval by the Fire Code Official. A minimum of two sets of plans and specifications shall be included in the submittal along with two copies of an approved electronic file. Upon approval by the Fire Code Official, one set of approved plans and specifications shall be provided to the United City of Yorkville Community Development Department.

7. Section 105.6 Required operational permits, shall be amended to read as follows:

The Fire Code Official is authorized to issue operational permits for the operations set forth in sections 105.6.1 through 105.6.46. Any fees associated with the issuance of an operational permit shall be paid in accordance with the approved fee schedule in the current inter-governmental agreement with the Bristol-Kendall Fire Protection District. All operational permits shall be kept on file with the Fire Code Official.

8. Section 105.6.2 Amusement buildings, shall be deleted in its entirety and replaced with the following:

**Amusement buildings.** An operational permit it is required to operate a special amusement building.

9. Section 105.6.11 Cutting and welding, shall be deleted in its entirety and replace with the following:

**Cutting and welding.** An operational permit is required to conduct cutting or welding operations within the Jurisdiction.

10. Section 105.6.30 Open burning, shall be amended to read as follows:

All open burning shall comply with Section 4-1-1 of this Code providing for the regulation of open burning.



11. Section 105.6.32 Open flames and candles, shall be deleted in its entirety and replaced with the following:

**Open flames and candles.** An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.

12. Section 105.6.34 Places of assembly, shall be deleted in its entirety and replaced with the following:

**Places of assembly.** An operational permit is required to operate a place of assembly.

13. Section 105.6.47 Laboratory/research facility, shall be added as follows:

An operational permit is required to operate any laboratory or research facility which conducts testing or experimentation.

14. Section 105.6.48 Child Care (home occupation), shall be added as follows:

An operational permit is required to operate a child care facility as a “home occupation” for 6 or more children that are cared for at any one time. The operational permit shall not include provisions for permanent residence or overnight accommodations. All local and state laws shall be adhered to in conjunction with the registration and licensing requirements of the Department of Children and Family Services (DCFS).

15. Section 109.1 Add the following: The Planning and Zoning Commission shall function as the Building Board of Appeals.

16. Section 110.4 Violations, shall be amended to read as follows:

Persons who violate a provision of this Code or fail to comply with any of the requirements thereof or who erects, installs, alters, repairs, or performs work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this Code, shall be subject to a penalty according to this Code. The fine shall be as set forth by City Ordinance 1-4-1. Each day that a violation continues after due notice shall be deemed a separate offense.

17. Section 110.4.2 False Alarm, shall be added to read as follows:

An alarm signal given needlessly, which indicates the existence of any emergency situation; when in fact, no such emergency exists, shall constitute a false alarm and shall be subject to penalty as prescribed in the schedule of fees set forth in the current inter-governmental agreement. A false alarm shall include any alarm signal generated by any fire protection system by whatever means, but shall not include alarms resulting from any of the following causes:

1. A fire causing structural damage to the protected premises - verified by the fire district.
2. A tornado or hurricane winds causing structural damage to the protected premises – verified by the fire district.
3. Flooding to the protected premises due to overflow of natural drainage – verified by the fire district.
4. Telephone line malfunction verified to the fire district by an authorized telephone company supervisor within seven days of the occurrence.

5. Electrical service interruption verified to the fire district by the local power company within seven days of the occurrence.
6. Plumbing or electrical malfunctions unrelated to the fire protection system – verified by the fire district.

18. Section 104.4.3 False Alarm, schedule of fees, shall be added as follows:

Fees assessed for the improper use of a fire alarm system shall be subject to the schedule of fees in accordance with the current inter-governmental agreement with the Bristol-Kendall Fire Protection District. These fees shall be collected by the Bristol-Kendall Fire Protection District and reported to the United City of Yorkville. As new fees are created, or old fees are changed, the schedule of fees associated with the inter-governmental agreement shall be reviewed and approved by the United City of Yorkville.

19. Section 112.4 Failure to comply, shall be amended to read as follows:

Any person, who continues to work after having been served with a “stop work order,” except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a penalty as prescribed by this Code. Each and every day a person continues to work shall constitute a separate offense and shall be subject to fines as set forth by City Ordinance 1-4-1.

20. Section 106.2 Schedule of permit fees, shall be amended to read as follows:

A fee for each permit shall be paid (as required) in accordance with the fee schedule as established by the applicable governing authority and the current inter-governmental agreement with the Bristol-Kendall Fire Protection District. As new fees are created, or old fees are changed, the schedule of fees associated with the inter-governmental agreement shall be reviewed and approved by the United City of Yorkville.

21. Section 202 General Definitions, shall be amended to include the following definition:

*Fire Alarm User* – the owner of the property from which the false alarm originates, including but not limited to, any individual, partnership, corporation, organization or other entity occupying the property with the permission of the owner.

22. Section 505.3 Lightweight construction, shall be added to read as follows:

Buildings erected using lightweight construction systems to include: Wooden I-beams, wood trusses, metal trusses, or any combination thereof, shall provide signage identifying the structural system used on the exterior of the building as approved by the Fire Marshal.

23. Section 505.3.1 Emblem required, shall be added to read as follows:

An all-weather emblem identifying lightweight truss construction shall be provided, located and designed as follows:

- (a) Emblem shall be provided by the property owner.
- (b) Emblem shall be located within 6” inches of the fire department key box or fire department connection or at the discretion of the Fire Marshal.
- (c) The truss emblem shall be a sign consisting of an isosceles triangle not less than 10 inches by 6 inches vertical made of reflective material with a white background and red lettering containing the following: type of construction (type I, II, III, IV, V), the letter(s) “F” to signify a building or structure having a floor with truss construction;

“R” to signify a building or structure having a roof with truss construction: or “FR” to signify a building or structure having both floor and roof with truss construction. Exception: Single family homes.

24. Section 507.5.7 Hydrant spacing, shall be added to read:

A fire hydrant shall not be more than 100 feet travel distance from the fire department connection that serves, unless approved by the Fire Marshall.

25. Section 507.8 Hydrant Marking, shall be added to read as follows:

On all private parking areas of multiple-family residential, commercial and industrial uses, a “No Parking...Fire Hydrant” sign shall be placed in a conspicuous location to identify the restricted parking area. In addition to the required sign, the curb or pavement (only when a curb is not present) directly in front of the fire hydrant, shall be painted yellow with an approved material. The designated area shall be 15 feet (7.5 feet on each side of the fire hydrant) in total length.

26. Section 901.6.3.1 Records, shall be amended to read as follows:

The most recent records of all system inspections, tests, and maintenance required shall be maintained on premises and a copy shall be forward to the Fire Prevention Bureau via e-mail, mail, or fax within 14 days after completion of inspection.

27. Section 903.7 Commercial multi-tenant occupancies, shall be amended to add the following:

All sprinklered multi-tenant occupancies hereafter constructed shall have an isolation control valve and water flow switch installed for each tenant space.

28. Section 907.1.2 Fire alarm shop drawings shall be amended to add the following:

(a) All fire alarm systems shall be of the addressable type.

(b) All multi-tenant occupancies shall be provided with a weather proof amber strobe light at the entrance of the tenant space that activate upon an alarm condition in that tenant space.

29. Section 903.2.1.1 Group A-1, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-1 occupancies when the fire area exceeds 5,000 square feet.

30. Section 903.2.1.3 Group A-3, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-3 occupancies when the fire area exceeds 5,000 square feet.

31. Section 903.2.1.4 Group A-4, shall be amended as follows:

An automatic sprinkler system shall be provided for Group A-4 occupancies when the fire area exceeds 5,000 square feet.

32. Section 903.2.2 Group B ambulatory health care facilities, shall be amended to read as follows:

Section 903.2.2 Group B. An automatic sprinkler system shall be provided throughout all Group B occupancies when the fire area exceeds 5,000 square feet. Section 903.2.3 Group E, shall be amended as follows:

An automatic sprinkler system shall be provided throughout all Group E occupancies when the fire area exceeds 5,000 square feet.

33. Section 903.2.7 Group M, shall be amended as follows:

An automatic sprinkler system shall be provided throughout all Group M occupancies when the fire area exceeds 10,000 square feet or the fire area is located more than three stories above the grade plane.

34. Section 903.2.8 Group R, shall be amended as follows:

An automatic sprinkler system shall be required throughout Groups R-1, R-2, and R-4 occupancies. An automatic sprinkler system shall be required throughout Group R-3 occupancies, with the following exceptions:

1. Adult care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.
2. Child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.
3. Single-family detached homes shall be required to follow Section R313 of the 2018 International Residential Code (IRC), as amended.

35. Section 903.3.5 Water Supplies, shall be amended to read as follows:

Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the Illinois Plumbing Code.

36. Section 905.3.1 Height, shall be amended to read as follows:

An approved standpipe system shall be installed in all buildings three (3) stories or more in height in each stairwell at each level. Standpipe systems shall be installed in all buildings where any portion of the building floor area is more than 200 feet travel distance from the nearest point of the fire department vehicle access.

37. Section 907.1.4 Equipment, shall be added.

1. Location of the annunciator panel shall be approved by the Fire Code Official.
2. An annunciator panel or the main fire panel shall be placed near the fire sprinkler main riser.
3. A red strobe light shall be installed by the annunciator panel or above the closest entrance to the fire alarm control panel as approved by the Fire Code Official
4. The annunciator panel shall indicate and have all of the functions of the fire alarm panel.
5. The annunciator shall be properly marked to show each zone.
6. A detailed floor plan illustrating each zone shall be provided on each fire alarm control panel and located adjacent to each annunciator panel.

38. Section 907.2.1 Group A, shall be amended to read, in part, as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of

100 or more. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

39. Section 907.2.2 Group B, shall be amended to read, in part, as follows:

A manual fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 250 or more, or
2. The Group B occupant load is more than 100 persons above or below the lowest level of exit discharge, or
3. The Group B fire area contains a Group B ambulatory health care facility.

40. Section 907.2.4 Group F, shall be amended to read, in part, as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group F occupancies where both of the following conditions exist:

1. The Group F occupancy is two or more stories in height; and
2. The Group F occupancy has a combined occupant load of 250 or more above or below the lowest level of exit discharge.

41. Section 907.2.5 Group H, shall be amended to read as follows:

A complete fire alarm system shall be installed in all group H occupancies. Any listed special detection devices approved for the specific hazard shall be approved by the Fire Marshal, such detection devices shall be connected to the fire alarm.

42. Section 907.2.7 Group M, shall be amended to read as follows:

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group M occupancies where one of the following conditions exists:

1. The combined Group M occupant load of all floors is 250 or more persons.
2. The Group M occupant load is more than 100 persons above or below the lowest level of exit discharge.

43. Section 907.2.11.5 Group S, a new section shall be added to read as follows:

A complete fire alarm system shall be installed in all Group S occupancies or as otherwise approved by the Fire Marshal.

44. Section 912.5 Backflow Protection, shall be amended to read as follows:

The potable water supply to automatic sprinkler and standpipe systems shall be protected against backflow as required by the Illinois Plumbing Code.

45. Section 912.1 Installation, shall be amended to read as follows:

Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.6. The fire department connection shall be an approved five-inch (5") connection with a thirty (30) degree down turn. A white strobe light shall be placed above the fire department connection and the white strobe light shall indicate on water flow only. A two and one-

half inch (2 ½”) NST single fire department connection shall be acceptable where piped to a three inch (3”) or smaller riser.

46. Section 5601.1.6 Storage of Fire and Explosive Hazards, shall be added as follows:

The storage of fire and explosive hazards such as: detonable materials, hazardous solids, liquids, and gases shall comply with the Performance Standards established in the City’s Zoning Ordinance, as amended from time to time.

47. Chapter 80 Referenced Standards – ICC Delete all references to the International Plumbing Code

48. Section 5704.2.9.6.1 – See Local Zoning Restrictions

49. Section 5706.2.4.4 – See Local Zoning Restrictions

50. Section 5806.2 – See Local Zoning Restrictions

51. Section 6104.2 – See Local Zoning Restrictions

52. Appendix D – Figure D103.1 Dead-End Fire Apparatus Access Road Turnaround, shall be amended to read as follows:

96’ Diameter Cul-de-sac as illustrated shall be amended to a minimum of 130 ft. ROW diameter and 100 ft. pavement diameter, per the City’s Subdivision Control Ordinance.

53. Adopt the following appendices: B, C, D, E, F, G, H, K, N

**Section 7.** That Title 8, Chapter 2, Section 8-2-7 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

#### 8-2-7 FUEL GAS CODE

- A. Adopted. The regulations of the 2018 Edition of the International Building Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing fuel gas systems and gas-fired appliances in the City with such amendments as are hereafter set forth in this Section.
- B. Fuel Gas Code Amendments
  - 1. Section 109.1 Add the following: The Planning and Zoning Commission shall function as the Building Board of Appeals.
  - 2. Delete in their entirety 109.2 – 109.7
  - 3. Section 502.6 shall be amended by adding the following:

B Vent Support shall be provided at a minimum of every five (5) feet with no screw penetrations unless specifically permitted by the vent manufacturer.
  - 4. Adopt appendices A, B, C
  - 5. Chapter 8 Referenced Standards – ICC Delete all references to the International Plumbing Code.

**Section 8.** That Title 8, Chapter 2, Section 8-2-8 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

8-2-8 RESIDENTIAL CODE

A. Adopted. The regulations of the 2018 Edition of the International Residential Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one-and two-family dwellings and multiple single-family dwellings not more than three stories in height with separate means of egress in the City with such amendments as are hereafter set forth in this Section.

B. Residential Code Amendments

1. Section R101.1 Title, shall be amended to insert the name of jurisdiction – “*United City of Yorkville*”.
2. Section R105.2 Work exempt from permit, shall be amended to read as follows:  
 Building: Delete items 1, 5, and 10 as these items shall require permitting.
3. Table R301.2(1) Climatic and Geographic Design Criteria, shall be completed with the following insertions.

Ground Snow Load.....	25 lbs./sq.ft.
Wind Design (Speed).....	90 mph
Wind Design (Topographic effects).....	NO
Seismic Design Category.....	B
Subject to Damage from (Weathering).....	Severe
Subject to Damage from (Frost line depth).....	42” below grade
Subject to Damage from (Termite).....	Moderate to Heavy
Winter Design Temperature.....	-5 degrees F
Ice Barrier Underlayment Required.....	YES
Flood Hazards.....	Refer to local designations
Air Freezing Index.....	2000
Mean Annual Temperature.....	48 degrees F
Elevation.....	758
Latitude.....	42
Winter heating.....	1
Summer cooling.....	88 degrees
Altitude correction factor .....	.98
Indoor design temperature .....	72° F
Design temperature cooling .....	75° F
Heating temperature differential .....	(72)
Cooling temperature differential .....	15
Wind velocity heating .....	15
Wind velocity cooling .....	7 1/2
Coincident wet bulb .....	74

Daily range .....	M
Winter humidity .....	40
Summer differential .....	2.25

4. Section R310.4 Bars, grilles, covers and screens, shall be amended to require safety covers capable of supporting at least 250 pounds of load.
5. Section R313.1 Townhouse automatic fire sprinkler systems, shall be amended to read as follows:  

Section R313.1 Townhouse and two-family dwellings automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses and two-family dwellings.
6. Section R313.2 One- and two-family dwellings automatic fire sprinkler systems, shall apply only to newly constructed one-family dwellings that are more than 3,500 square feet in area.
7. Chapter 11 Energy Efficiency. Shall be amended to read as follows:  

Compliance shall be determined by the current IECC adopted in 8-2-5.
8. Section P2501.1 Scope, shall be amended adding the following:  

All plumbing work shall conform to the current edition of the State of Illinois Plumbing Code.
9. Appendices to be included with the adoption of this Residential Code shall include:  

Appendix A, B, C, E, F, G, H, J, K, M, O, Q
10. Section R202, Definitions, shall be amended to add the following definition:  

Fence. A permanent enclosure or barrier, such as wooden posts, wire, iron, or any other allowable material erected for the purpose of providing a boundary or as a means of protection, or to prevent uncontrolled access, or for privacy screening or confinement, or for decorative purposes (such as an ornamental gate). Materials used to contain or separate a garden area, an earthen stockpile, a storm water basin, or any other similar temporary use shall not be classified as a fence.
11. Sections E3902.4 and E3902.5 Ground Fault Circuit –interrupter  

Add exception for GFCI protection, It is not required for sump pumps if all the following are met:

  - (1) No other appliance, fixture or device is on the circuit
  - (2) Simplex receptacle
  - (3) A GFCI receptacle shall be located within 6 feet

**Section 9.** That Title 8, Chapter 2, Section 8-2-9 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

**8-2-9 PROPERTY MAINTENANCE CODE**

- A. Adopted. The regulations of the 2018 Edition of the International Property Maintenance Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the conditions and maintenance of all property, buildings and structures; by



providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the City with such amendments as are hereafter set forth in this Section.

B. Property Maintenance Code Amendments

(1) The following subsections shall be added to Section 302.2 Grading and Drainage:

302.2.1 Individual Earthen Stockpiles. Stockpiles of earthen materials in excess of two (2) feet above grade located on a single vacant lot that causes a nuisance, with the exception of City approved landscaped berms, shall be flattened and maintained per City Ordinance.

302.2.2 Developer Community Earthen Stockpiles. Upon substantial completion of mass grading, stockpiles of earthen material in excess of ten (10) feet above grade located on a vacant lot will require a six (6) foot temporary galvanized chain link fence.

(2) Section 302.4 Weeds, shall be amended to add the language as follows:

**Exception:** City approved native prairie planting areas are exempt from the maximum height requirement.

Section 302.10 Nuisance Tree Abatement, shall be added.

302.10.1 Nuisance declared

In the event it is determined by the Building Official, or designee or the municipal arborist, that any part of a tree is dead and any part of the tree imposes an imminent danger to a person or property, and/or any tree is in fact, diseased or infected or infested with a condition creating a substantial risk of spreading such condition that would significantly be injurious to other trees, persons, or animals, including without limitation, the Dutch Elm disease, infested with Emerald Ash Borer, affected with oak wilt, or infected with conifer bark beetles, all as determined by the Building Official, or designee, or municipal arborist, said tree or trees shall forthwith be and hereby declared to be a nuisance

302.10.2 Duty of Owner/occupant to Abate

Ash and Oak Trees: When requested in writing by the Village or its agent, each owner or occupant of private property shall be requested, within 30 days after such request has been delivered or mailed to them by the Building Official, or designee, to have an inspection on any tree(s) located on such private property by a qualified forestry professional in order to determine whether any diseased elm tree(s) and/or tree(s) infested with Emerald Ash Borer, or any tree of the species of oak having the appearance of or suspected of being affected with fungus *Ceratocytis fagacearum*, commonly called "oak wilt" and/or trees infested with conifer bark beetles exist on such parcel of land. Written report(s) of the result of the inspection and report shall include the marking and photographing of any tree(s) found to be diseased with elm tree(s), tree infested with Emerald Ash Borer, and/or any tree affected with the oak wilt and/or trees infested with conifer bark beetles.

302.10.2.1 Tree, parts of trees: The owner or occupant(s) of private property on which tree (or part of a tree) constituting a nuisance exist shall forthwith remove and destroy said tree (or part of a tree or trees) and shall chip the same or cause the same to be removed, destroyed and ground, milled, chipped or otherwise disposed of

consistent with the provisions of the applicable state and federal quarantine within 10 days of notification to such owner, occupant or agent that said dead, diseased, infected and /or infested tree is, in fact, dead, diseased, infected and/or infested. No chips or other particles resulting from such removal operation shall exceed one inch in any dimension, unless allowed pursuant to the provisions of any applicable state or federal quarantine. All stumps of such dead, diseased, infected, and/or infested trees shall be removed to a depth of not less than eight inches below the ground surface and then covered with soil of the same depth. No ash tree material shall be removed from any quarantine zone as imposed from time to time by any state or federal agency, unless such removal is done consistent with the provisions of state and federal quarantine. Notwithstanding any other provision in this section to the contrary, all removal operations for such dead, diseased and/or infected tree(s) or part of a tree shall fully comply with all applicable state and federal statutes and/or regulations as exist from time to time.

#### 302.10.3 Notice to Abate

Whenever the owner or occupant of any property contained a dead, diseased, infected and/or infested tree permits the dead, diseased, infected and/or infested tree to remain on such premises, the municipality shall proceed as follows:

- (A) A notice shall be sent by certified mail, return receipt requested, or delivered to the occupant and to the person to whom was sent the property tax bill for the general taxes for the last year preceding on the subject parcel of land.
- (B) Such notice shall state that there is a tree constituting a nuisance on the premises. The notice shall describe the subject parcel of land by legal description or the street address, and shall state that unless the dead, diseased, infected or infested tree is removed at the property owner's expense. The date stated in the notice shall not be less than the 30 days after the date of delivery or mailing of the notice.
- (C) The notice shall include a copy of this Section 302.10.

#### 302.10.4 Abatement by the Municipality; certain cost constitutes a lien.

In all cases where the owner, occupant or agent of the subject parcel of land on which said dead, diseased, infected, or infested tree is located cannot be found, or if found and notified as aforesaid neglects or refuses to abate said nuisance, it shall be lawful for the municipality to abate the same by removal, destruction, and chipping of said dead, diseased, infected or infested tree, and in that event said owner, occupant, and agent, or any of them shall be charged with those expenses which may be incurred by the municipality in the removal or abatement of the dead, diseased, infected, or infested tree as aforesaid, which expense shall be collected by the municipality by suit or otherwise in addition to a fine or penalty provided. Such expenses incurred for the removal of a tree or trees shall be a lien upon the affected subject parcel of land.

#### 302.10.5 Failure to remove tree prohibited

It shall be unlawful for the owner of any parcel of land in the municipality to permit any tree or portion thereof, determined to be a nuisance, as determined by the Administrator, or designee and/or municipal arborist, to remain on such premises or anywhere within the municipality

Section 302.7, Accessory Structures, is amended by adding:

All repairs shall be made with the same or similar material to the existing structure.

Section 304.1, Exterior Structure, is amended by adding:

The exterior structure shall be kept free from peeling paint, rot, and treated with a protective material to prohibit water infiltration.

Section 304.7, Roof and Drainage, is amended by adding:

All repairs to roofs and drainage components shall be made with materials in compliance with the current adopted version of the International Building Code and International Residential Code, as applicable.

Section 304.15, Doors, is amended by adding:

All exterior doors shall be constructed of wood, metal, or polymer material and shall be capable of locking and securing the structure.

Section 304.18.2, Windows, is amended by adding:

All windows shall comply with Section 8-2-5, Illinois Energy Conservation Code. Replacement windows shall be sized to closely match the size and style of the window being replaced.

(3) Section 602.2 Residential Occupancies, shall be amended to delete the following exception.

**Exception:** In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

C. Downtown Property Maintenance District:

1) District Defined. The Downtown Property Maintenance District shall be that area within the area described in Ordinance No. 2014-74.

2) Property Maintenance Regulations. In addition to the property maintenance regulations in this Section, it shall be unlawful for any person, firm or corporation in the Downtown Property Maintenance District to be in violation of any of the following additions to the City' s property maintenance regulations:

a) Section 304.2 is amended by adding:

All exterior surfaces of buildings and accessory structures, excluding roofs, shall be properly maintained and protected from the elements by paint or other protective coating applied in a workmanlike fashion as required by Section 102. 5. Painted or protective coatings shall be without blemishes throughout the exterior and shall be uniform in color. Trim paint shall also be without blemishes and be uniform in color or have a consistent color palette throughout.

Every foundation, exterior wall, window and all other exterior surfaces shall be free of holes, cracks, breaks, loose or rotted wood and any condition which might allow rain or moisture, vermin, pests or insects to enter the interior portions of the walls or to the occupied spaces of any dwelling, commercial building or structure.

b) Section 304.7 is amended by adding:

Roofs shall be structurally sound, water tight and shall prevent rainwater or moisture from entering the walls, ceiling or any other portion of the dwelling, commercial building or structure. All building roofs and gutters shall be kept free of faded and chipped paint and shall be maintained in good repair and in good condition to prevent deterioration.

Building roofs and gutters must be cleaned (pressure and/ or chemical), repainted or recovered in its entirety with like material(s) when twenty- five percent ( 25%) or more of any exposed roof surface or gutter becomes discolored or is scaling. In the event a roof shingle or tile is replaced, the replacement shingle or tile shall be of the closest possible color and shade to the existing roofing shingles or tiles.

c) Section 304.15 is amended by adding:

Fences, exterior walls, exterior doors, exterior windows, dumpster enclosures, decorative walls and accessory structures shall be maintained in good state of repair.

d) Section 304.6 is amended by adding:

Each exterior wall surface of buildings and structures shall be kept free of fading and chipped paint and must be cleaned (pressure and/or chemical), repainted or recovered in its entirety with like material(s) when twenty- five percent (25%) or more of any exposed surfaces becomes discolored or is peeling.

e) Section 304.9 is amended by adding:

Any awning or marquee and its supporting members shall be maintained in a good state of repair. Awning or marquees made of cloth, plastic or of a similar material shall not show evidence of excessive weathering, discoloration, ripping, tearing or other damage.

Loose or overhanging objects which constitute a danger of falling on a person or property shall be removed.

f) Section 302.4 is amended by adding:

Weeds, grasses, plants or vegetation, other than trees, bushes, cultivated flowers, vegetable garden crops or other ornamental plants, shall not be grown to a height exceeding six (6) inches.

Shrubs shall be kept trimmed to a height not to exceed four (4) feet and provide unrestricted visibility at driveways and street intersections.

Overhanging branches of trees extending into the public right-of-way shall be pruned to a height of at least twelve feet (12') above grade.

Landscaping shall be maintained in a good condition so as to present a healthy, neat and orderly appearance at least equal to the original installation and shall be mowed or trimmed in a manner and at a frequency so as not to detract from the appearance of the general area including disease free plants, weed- free mulch, turf trimming and removal of root systems which shows evidence of destroying public or private property.

g) Section 302.1 is amended by adding:

All trash containers and trash enclosures shall be maintained in a manner which prevents the accumulation of trash, debris, rubbish and litter by providing sufficient containers. All trash containers and dumpsters shall be located and maintained in such a manner so as to provide screening from public view.

h) Section 304.18 is amended by adding:

Any means of securing a property including crime prevention devices shall be subject to review by the Building Code Official for safety and compliance with the building code. In no instance shall safety bars, grating, or other similar apparatus be allowed over any window, door, or other opening of any building. Any boards, panels or other means of securing structural openings shall be uniform in color and painted to match the exterior color of the building."

**Section 10.** That Title 8, Chapter 2, Section 8-2-10, of the Yorkville City Code, as amended, be and is hereby added to read as follows:

#### 8-2-10 EXISTING BUILDING CODE

- A. Adopted. The regulations of the 2018 Edition of the International Existing Building Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, in the City with such amendments as are hereafter set forth in this Section.
- B. Existing Building Code Amendments  
(Reserved)

**Section 11.** That Title 8, Chapter 2, Section 8-2-11 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

#### 8-2-11 SWIMMING POOL AND SPA CODE

- A. Adopted. The regulations of the 2018 Edition of the International Swimming Pool and Spa Code, as recommended and published by the International Code Council, Inc., published in pamphlet form, are adopted as the regulations of the design, construction, alteration, renovation, replacement, repair and maintenance of swimming pools, spas, hot tubs, aquatic facilities and related equipment in the City with such amendments as are hereafter set forth in this Section.
- B. Swimming Pool and Spa Code Amendments
  - (1) Section 108.1 Add the following: The Planning and Zoning Commission function as the Building Board of Appeals.
  - (2) Delete in their entirety 108.2 – 108.7
  - (3) Chapter 11 Referenced Standards – ICC delete all references to the International Plumbing Code.

**Section 12.** That Title 8, Chapter 2, Section 8-2-12 of the Yorkville City Code, as amended, be and is hereby amended to read as follows:

#### 8-2-12 ILLINOIS ACCESSIBILITY CODE

- A. Adopted. The regulations of the Illinois Accessibility Code, as published enforced by the State of Illinois, published in pamphlet form, are adopted as the regulations

governing accessibility in the City with such amendments as are hereafter set forth in this Section.

B. Accessibility Code Amendments

- (1) Any conflicts between this code and Chapter 11 of the IBC shall require the enforcement of the strictest requirement.

**Section 13.** This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CITY CLERK

CARLO COLOSIMO _____	KEN KOCH _____
JACKIE MILSCHEWSKI _____	ARDEN JOE PLOCHER _____
CHRIS FUNKHOUSER _____	JOEL FRIEDERS _____
SEAVER TARULIS _____	JASON PETERSON _____

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
MAYOR