



AGENDA

REGULAR MEETING OF THE LAWS AND ORDINANCES COMMITTEE TO BE
HELD ON MONDAY, FEBRUARY 10, 2020, AT 5:30 P.M. AT THE VILLAGE
HALL, 835 MIDWAY DRIVE, IN THE VILLAGE OF WILLOWBROOK, DUPAGE
COUNTY, ILLINOIS

Mayor

Frank A. Trilla

Village Clerk

Leroy R. Hansen

Village Trustees

Sue Berglund

Umberto Davi

Terrence Kelly

Michael Mistele

Gayle Neal

Paul Oggerino

Village Administrator

Brian Pabst

Chief of Police

Robert Schaller

Director of Finance

Carrie Dittman

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES – January 13, 2020 (Approve)
4. DISCUSSION – An Ordinance Amending Section 4-2-21 Entitled “Building Code Adopted” and Section 4-2-28 Entitled “Fire Code Adopted” of Chapter 2 Entitled “Building Code” of Title 4 Entitled “Municipal Services” of the Village Code of Ordinances of the Village of Willowbrook, DuPage County, Illinois
(Code Amendment Regarding Commercial Building Material Standards - Recommend to the Village Board for Consideration on February 24, 2020)
5. DISCUSS - Extension and Expiration of Building Permits
(Provide Feedback to Staff)
6. COMMITTEE REPORTS
7. VISITOR’S BUSINESS
(Public comment is limited to three minutes per person)
8. ADJOURNMENT



MINUTES OF THE REGULAR MEETING OF THE LAW AND ORDINANCES COMMITTEE OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, JANUARY 13, 2020 AT 5:30 PM AT THE WILLOWBROOK POLICE DEPARTMENT, 7760 QUINCY STREET, VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

Trustee Kelly called the meeting to order at the hour of 5:30 pm.

2. ROLL CALL

Those present at roll call were Trustee Kelly, Trustee Neal, and Trustee Davi.

Absent: None.

Also present were Assistant Village Administrator Mertens and Building Official Giuntoli.

A QUORUM WAS DECLARED

3. APPROVAL OF MINUTES

Minutes – Regular Meeting December 3, 2019.

MOTION: Made by Trustee Neal to approve the minutes from the December 3, 2019 meeting second by Trustee Kelly and all in favor.

MOTION DECLARED CARRIED

4. UPDATES

NONE

5. DISCUSSION -Code Amendment Regarding Commercial Building Material Standards.

Assistant Administrator Mertens gave an overview of the proposed building/fire code amendments for the utilization of combustible Type V materials for commercial buildings. He highlighted a comparable community survey as it pertains to current commercial building standards for our surrounding communities.

Building Official Giuntoli informed the committee that staff researched where Type V combustible construction is allowed. Staff has met with Tri-State Fire Protection District to discuss their views on the subject, as well as reached out to other local Building Officials. Tri-State Fire Protection District has requested the Village add an amendment to require vehicle access around the perimeter of the commercial buildings. Staff is recommending eight to nine amendments that would allow Type V construction with some code enhancements for life safety related aspects. Building Official Giuntoli explained how Type V construction is protected as it relates to some form of separation in building elements. "Protected "in this term does not mean a Sprinkler System and he explains the difference as it relates to the code.

Trustee Neal inquired about separation and asked if an alarm goes off how does Tri-State know where the fire is located within the building? Building Official Giuntoli stated the alarm panel should be referring the approximate location to the responder.

Building Official Giuntoli then reviewed the proposed staff amendments to the codes as well as the Tri-State suggested item. Appendix D (Fire Apparatus Access Roads) was adopted at the request of Tri-State Fire Protection District.

Trustee Davi questioned the background on the subject and asked for clarifications on some of the technical details of the proposed amendments. Building Official Giuntoli provided further details and examples of how the proposed amendments would be applied.

Trustee Davi asked, "regarding the proposed allowance of Type V (5) construction, will the amendments add cost to the construction?" Building Official Giuntoli responded "yes". Trustee Davi also asked if any of our other codes have amendments? Building Official Giuntoli responded "yes, all our current codes have amendments."

MOTION: Made by Trustee Neal to recommend the proposed Type V enhancements to the building / fire code and second by Trustee Davi. All in favor.

MOTION DECLARED CARRIED

6. DISCUSSION-Code Amendment Regarding ComEd Residential Utility Easement Requirements (Provide Feedback to Staff).

Building Official Giuntoli informed the Committee that the Village received a letter from ComEd regarding new requirements for easements and front yard service standards with new residential developments. The new requirements have arisen due to old ComEd infrastructure that is failing in the backyards of residential property due to age and conflicts with accessory structures built over the years. This proposed requirement would apply for residential developments of five (5) units or more.

ComEd plan is to not allow future infrastructure in residential backyards and require future infrastructure in the front yard. Building Official Giuntoli advised that this is a problem for the Village because of all the other utilities already buried in the front yard. ComEd would allow the Village residential developers an option for back yard infrastructure as long as the lines are installed in conduit.

Staff wanted to advise the Committee about the proposed requirement. Details of how ComEd will apply the requirement are still being finalized. Staff would propose a code amendment on this subject once the details of the ComEd proposal are finalized.

7. COMMITTEE REPORTS

NONE.

8. COMMUNICATIONS

Assistant Administrator Mertens discussed changing the location for future Committee Meetings to the Village Hall.

9. VISTOR'S BUSINESS

NONE.

10. ADJOURNMENT

Trustee Davi made motion to adjourn, seconded by Trustee Neal. All in favor. The meeting adjourned at 6:20 pm.

PRESENTED, READ and APPROVED

February 10, 2020

CHAIRMAN

Minutes transcribed by Building and Zoning Secretary
Lisa J Shemroske

LAW AND ORDINANCES COMMITTEE MEETING
AGENDA ITEM SUMMARY SHEET

AGENDA ITEM DESCRIPTION

DISCUSSION – AN ORDINANCE AMENDING SECTION 4-2-21 ENTITLED “BUILDING CODE ADOPTED” AND SECTION 4-2-28 ENTITLED “FIRE CODE ADOPTED” OF CHAPTER 2 ENTITLED “BUILDING CODE” OF TITLE 4 ENTITLED “MUNICIPAL SERVICES” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

COMMITTEE REVIEW

- ☐ Finance/Administration
☐ Municipal Services
☐ Public Safety
☒ Law & Ordinances

Meeting Date:

February 10, 2020

- | | |
|---|---|
| <input type="checkbox"/> Discussion Only | <input checked="" type="checkbox"/> Approval of Staff Recommendation (for consideration by Village Board at a later date) |
| <input type="checkbox"/> Seeking Feedback | <input type="checkbox"/> Approval of Staff Recommendation (for <u>immediate</u> consideration by Village Board) |
| <input type="checkbox"/> Regular Report | <input type="checkbox"/> Report/documents requested by Committee |

BACKGROUND:

At the January 13, 2019 Law and Ordinances Committee meeting, staff provided an overview of the current Village of Willowbrook Building Code as it relates to commercial developments. Currently, the Village of Willowbrook does not allow Type V construction for any “Commercial” (or Non-Residential or Multi-Family Residential) construction based on the ICC Building Code (IBC), as opposed to the Residential Building Code (IRC). Anything built under the IBC Code essentially consists of everything built, other than ‘one & two family’ dwelling residences. Research found that this Type V construction restriction was adopted by Willowbrook around 1995.

Recently, the Village has been approached by the developers of an Extended Stay Hotel requesting that the hotel be allowed to be built in Type V construction. Initially the Building Department stated that this was not allowed.

The Village of Willowbrook currently restricts Type V construction for commercial developments. The Village allows all other ‘non-combustible construction types to be used for our single / multi-story commercial, mixed use and hotel developments. The restriction of Type V construction classification puts the Village at a competitive disadvantage for commercial and multifamily residential developments.

A survey by our Building Official finds that many of our surrounding DuPage County municipal neighbors have evolved to allow Type V construction with certain fire protection systems incorporated into the design to provide an enhanced level of fire protection. The Type V criteria meets the International Building Code design requirements.

- Hinsdale: Allows Type V (No amendments)
- Burr Ridge: Allows Type V (No amendments)
- Darien: Allows Type V (No amendments)
- Westmont: Allows Type V, w/ conditions or amendments
- Lombard: Allows Type V, w/ conditions or amendments
- Downers Grove: Does Not allow Type V

Upon discussion of this subject at the January 13, 2020 Law and Ordinances Committee meeting, staff was directed to provide a draft amendment of the proposed changes to allow for Type V construction with certain life safety amendments.

STAFF RECOMMENDATION:

Please find attached a Draft Ordinance with the proposed amendments to the Building and Fire Code. Staff recommends the Law and Ordinances Committee refer this Draft Ordinance to the Village Board for formal consideration at their February 24, 2020 meeting.

DRAFT – FOR DISCUSSION PURPOSES ONLY

ORDINANCE NO. 20-0-_____

AN ORDINANCE AMENDING SECTION 4-2-21 ENTITLED “BUILDING CODE ADOPTED” AND SECTION 4-2-28 ENTITLED “FIRE CODE ADOPTED” OF CHAPTER 2 ENTITLED “BUILDING CODE” OF TITLE 4 ENTITLED “MUNICIPAL SERVICES” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

WHEREAS, the Village of Willowbrook (the “Village”) previously adopted the 2018 International Building Code, and the 2018 International Fire Code, one (1) copy of each Code is on display at the Village Clerk’s office; and

WHEREAS, upon review of the 2018 International Building Code and 2018 International Fire Code by the Building Official for the Village, it has been determined that it is in the best interest of the health, safety and welfare of the residents of the Village to amend certain adopted sections of the 2018 International Building Code and 2018 International Fire Code hereinafter set forth.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Willowbrook, DuPage County, Illinois, that the Village Code of the Village of Willowbrook be amended as follows:

SECTION ONE. That Section 4-2-21 entitled “Building Code Adopted” of Chapter 2 entitled “Building Code” of Title 4 entitled “Municipal Services” of the Village Code of the Village of Willowbrook, as amended, is hereby further amended as follows:

Section 503 General Building Heights and Area Limitations is hereby amended by adding the following new subsections to read as follows:

- “21. Section 503.1.5.1 Type VB Construction. Buildings of Type VB construction shall be limited to Townhouse and One-and Two-Family Dwellings as regulated by the International Residential Code.

Section 503.1.5.2 Type VA Construction. Buildings of Type VA construction shall be prohibited in all Occupancy and Use classifications of Group I, Institutional and Group R-4.”

Section 22 508.4.4 Separation is amended by adding the following exceptions:

Exception 1. Buildings of Type VA construction shall be separated from other occupancies by a fire barrier complying with Section 707 or horizontal assemblies constructed in accordance with Section 711 or both so as to separate adjacent occupancies.

Exception 2. Group H-1, H-2, H-3, H-4 and H-5 shall be separated from all other occupancies in accordance with Table 508.4

23. Table 508.4. Add the footnotes to the respective tables:

1. g. The 1-hour substitution for fire resistance rating in occupancies protected with an automatic fire sprinkler system shall not be permitted for buildings of Type VA construction.

24. Table 601. Delete footnote b in its entirety and in lieu thereof substitute with the following footnote b:

b. Except in Group F-1, H, M, S-1 occupancies and all occupancies within buildings of Type VA construction, fire protection of structural members in roof construction shall not be required, including protection of primary structural frame members, roof framing and decking where every part of the roof construction is 20 feet or more above any floor immediately below. Fire-retardant-treated wood members shall be allowed to be used for such unprotected members.

30. Section 704 FIRE-RESISTANCE RATING OF STRUCTURAL MEMBERS is amended by adding the following new subsections:

704.1.1 All lightweight and engineered wood floor/ceiling assemblies in Type VA construction will require a UL fire resistance design or equivalent to achieve a one-hour fire resistance rating.

704.1.2 All lightweight and engineered wood roof ceiling assemblies in Type VA construction will require a UL fire resistance design or equivalent to achieve a one-hour fire resistance rating.

35. 718.3 Draftstopping in floors is hereby amended by adding the following exception:

Exception 2. Draftstopping materials shall be installed to subdivide floor/ceiling assemblies in all occupancies and buildings of Type VA construction.

36. 718.4 Draftstopping in Attics is hereby amended by deleting the exception and inserting the following exception in lieu thereof:

Exception: Draftstopping materials shall be installed to subdivide attic spaces in all occupancies and buildings of Type VA construction.

60. 903.3.1.1.1 Exempt locations. Add the following sentence to end of the paragraph:

Exempt locations shall be not applicable to buildings of Type VA construction.

61. 903.3.1.1.2 Bathrooms. The following shall be added as a new subsection:

903.1.1.2.1. In Group R occupancies in buildings of Type VA construction sprinklers shall be required in all bathrooms regardless of dimensional size or area.

72. TABLE 1020.1 CORRIDOR FIRE-RESISTANCE RATING: is amended by amending row number four ("R") of the table therein to read as follows:

"R, Greater than 10, Not Permitted, 1c, d"

82. SECTION 2303 MINIMUM STANDARDS AND QUALITY is amended by adding the following subsection 2303.4.6.1:

2303.4.6.1. Metal plate connected wood trusses specified for use in Type VA construction shall be designed and manufactured with additional reinforcement at each metal plate connection point consisting of a minimum 3/8-inch wood structural panel applied and fastened across all connected truss members. Field modifications are not permitted.

Exception: Field modifications, based on the written concurrence and approval of an Illinois Licensed and *registered design professional*, are permitted only with *prior* written approval from the Building official or his/her designee.

SECTION ONE. That Section 4-2-28 entitled "FIRE CODE ADOPTED:" of Chapter 2 entitled "Building Code Adopted" of Title 4 entitled "Municipal Services" of the Village Code of the Village of Willowbrook, as amended, is hereby further amended as follows:

By amending Section 4-2-28(A) and 4-2-28(B) to read as follows:

“(A) Code Adopted: There is hereby adopted by reference as if fully set out herein, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the 2018 International Fire Code, second printing, including Appendix “D”, as prepared and published by the International Code Council, Inc., together with the additions, insertions, deletions and changes hereinafter set forth, one copy of which has been on file for a period of more than thirty (30) days prior to the adoption of this section and now is on file in the Office of the Village Clerk.

(B) Amendments: The following additions, insertions, deletions and changes are hereby made to the 2018 International Fire Code, second printing, including Appendix “D”.”

12. Section 503 FIRE APPARATUS ACCESS ROADS is hereby amended by adding the following new subsection 503.4 Fire Department Access Roads.

503.4 Fire Department Access Roads. Property. Devoted to Public Use:

- a. Public or private access for motorized fire apparatus shall be provided around the building in order that there may be proper operation of ladders and mechanically elevated mechanisms. Minimum width of the fire lanes shall be twenty feet (20') with greater widths or accommodate vehicles when turning or laddering buildings.
- b. Fire lanes on private property shall be approved by the Tri-State Fire Protection District. Parking of motor vehicles otherwise obstructing such fire lanes or access routes shall be prohibited at all times.
- c. Permanent all-weather signs identifying fire lanes and access routes shall be posted as per section D103.5 of Appendix D of the 2018 International Fire Code and per Tri-State Fire Protection District ordinances.
- d. Public or private fire department access roads and ways shall be constructed of all-weather material, properly maintained and accessible at all times. All fire lanes shall be approved by the Tri-State Fire Protection District and shall meet the engineering and construction specifications for public improvements as enumerated in the Village of Willowbrook Specifications Manual.
- e. Access roads shall be not less than fifteen feet (15') from the building and further if the height of the building requires greater set back to ladder the building.
- f. Access routes shall be continuous around the building.
- g. These requirements of this subsection may be modified by the Tri-State Fire Protection District where adequate building access

openings and complete and operational fire sprinkler system are provided.

SECTION THREE. That all other provisions of Section 4-2-21 and Section 4-2-28, including subsections therein, shall remain in full force and effect and unamended by this ordinance.

SECTION FOUR. All ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION FIVE. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publications, in pamphlet form, in the manner provided by law.

PASSED and APPROVED this 24th day of February 2020.

ROLL CALL VOTE:

AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____

APPROVED:

Frank A. Trilla, Mayor

ATTEST:

Leroy R. Hansen,
Village Clerk

**LAW AND ORDINANCES COMMITTEE MEETING
AGENDA ITEM SUMMARY SHEET**

AGENDA ITEM DESCRIPTION

DISCUSSION – Extension and Expiration of Building Permits

COMMITTEE REVIEW

- ☐ Finance/Administration
- ☐ Municipal Services
- ☐ Public Safety
- ☒ Law & Ordinances

Meeting Date:

February 10, 2020

- | | |
|--|---|
| <input type="checkbox"/> Discussion Only | <input type="checkbox"/> Approval of Staff Recommendation (for consideration by Village Board at a later date) |
| <input checked="" type="checkbox"/> Seeking Feedback | <input type="checkbox"/> Approval of Staff Recommendation (for <u>immediate</u> consideration by Village Board) |
| <input type="checkbox"/> Regular Report | <input type="checkbox"/> Report/documents requested by Committee |

BACKGROUND:

The Village has a specific section within our Municipal Code that pertains to the Extension and Expiration of Building Permits, Section 4-2-10 (R). The code section reads as follows:

Extension and Expiration of Building Permit: If after a building permit required by this chapter shall have been granted, if the operation called for by such permit shall not have been started within six (6) months after the date thereof, such permit shall be void and no operation thereunder shall be begun. Where, under authority of a permit, work has begun and has not been prosecuted for a continuous or cumulative period of six (6) months, all rights under such permits shall thereupon terminate and work can be continued only after application for and issuance of a new permit. Where, under authority of a permit, work has not been completed within eighteen (18) months after the issuance of such permit and a Certificate of Occupancy or Certificate of Completion issued, all rights under such permit shall thereupon terminate and work can be continued only after application for and issuance of a new permit. The new permit shall only be issued for a period in which to expediently complete the work originally permitted. The completion period of the extended permit shall be approved by the building official or his/her designee. The fee for said new permit shall be equivalent to the fee applicable to the original building permit obtained. Failure to complete the originally permitted work prior to the expiration date of the extended permit shall be a violation of this code and punishable in accordance with the provisions of title 1, chapter 4 of this Code. (Ord. 19-O-10, 6-24-2019)

The Village Attorney has advised that it is typical for permit fees to be related to cost expenditures incurred by the Village. There have been some court cases that speak to this issue and non-related costs structures could be challenged. It is recommended that this code section be enhanced to better align to the intent of the code.

STAFF RECOMMENDATION:

Seek feedback from Committee.