



## A G E N D A

REGULAR MEETING OF THE LAWS AND ORDINANCES COMMITTEE TO BE HELD ON MONDAY, MARCH 9, 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 – February 10, 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 March 9, 2020)
5. DISCUSS – An Ordinance Amending Title 3 Entitled “Business Regulations” of the Village Code of Ordinances by Adding Chapter 22 Entitled “Retail Sale of Dogs, Cats and Rabbits” (Provide Feed Back to Staff)
6. COMMITTEE REPORTS
  - Extension and Expiration of Building Permits
  - Hotel / Rooming Houses Updates
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, FEBRUARY 10, 2020 AT 5:30 PM AT THE WILLOWBROOK VILLAGE HALL, LOWER LEVEL CONFERENCE ROOM, 835 MIDWAY DRIVE, 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, Building Official Giuntoli, and Village Attorney Bastian.

A QUORUM WAS DECLARED

3. APPROVAL OF MINUTES

Minutes – Regular Meeting January 13, 2020

MOTION: Made by Trustee Neal to approve the minutes from the January 13, 2020, seconded by Trustee Kelly. All in favor.

MOTION DECLARED CARRIED

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)

Assistant Village Administrator Mertens stated that staff assembled a draft of the Type V Amendments. The only areas that needs to be clarified is the Tri-State Fire Protection District (TSFPD) addition to the amendments. There were some questions as to whether or not TSFPD will have the last say/word on approval of a proposed project. It was understood that the Village codes shall supersede TSFPD codes. Building Official Giuntoli stated he would further discuss the code issue with a TSFPD representative. Building Official Giuntoli stated that he has worked with TSFPD representatives in the past and they have always worked with us to obtain consensus and compliance. The consensus of the Committee was to have staff revise the draft ordinance language per the Committee discussion. This item would

then be brought back to the March 9, 2020 Committee for final recommendation to the Village Board that same evening.

5. DISCUSSION – Extension and Expiration of Building Permits

Assistant Village Administrator Mertens stated that sections of our code may need to be reviewed and possibly modified to be current to today's standards. Staff provided a brief description of the Village code for permit extensions and expiration term. The code allows for permits to last eighteen (18) months. The village's permit expiration policy is that if the project is a substantially complete the village has not strictly enforces the expiration policy. The code does not allow for an extension if the project is not substantially complete. The process for an expired permit requires the applicant to re-apply for the full permit. The permit fee is the same as the original permit regardless of how much work has been completed on the project. The new permit timeframe to complete the project is based upon the developer's submittal schedule.

It should be noted that the reason for this discussion is Compass Arena at 625 Joliet Road. Their permit expired and they will now have to re-apply as code requires. They have questioned the re-application process and the permit fees associated with a new permit. The Committee discussed the code and staff advised that there is currently not an appeal process for an expired permit or the renewal fee. Staff advised the Committee that the Plan Commission cannot waive a building code requirement, they can make rulings based on zoning related items.

Attorney Bastian stated that permit fees are generally there to cover department fees. Additionally, there may be some projects that by their design may last longer than 18 months. Trustee Neal asked about the number of times a permit applicant can renew a permit and the timelines that apply. Building Official Giuntoli stated that there is currently no limit to the number of times one can re-apply / renew a permit, however, the timeline is based upon the submittal and approval of a revised construction schedule. Stop work orders can and usually do apply during periods where a permit is not active on a site. Assistant Village Administrator Mertens stated that this code could be investigated to determine how it compares with other communities. The Committee also discussed the appeal process and the lack thereof on building code issues. Some communities appeal items to an Administrator, others to Committees and other to Village Boards. Staff was directed to research nearby communities for their processes, fees, ticketing procedures and policies for permit expirations, extensions and appeals. Trustee Kelly would like to have a much fuller explanation of the possible options available for the Village.

6. COMMITTEE REPORTS

Trustee Neal stated that the Village Code for "Hotel Rooming Houses" should be updated as it was last updated in the 1970's. Trustee Neal stated that she is currently comparing neighboring communities' language. Fee schedules should be also looked at to see if they are current.

Trustee Kelly stated that Buffalo Box were tampered with at a home owners association (HOA). Public Works turned it off, due to a leak, but a HOA person turned it back on without approval and 14-18k gallons were lost. Trustee Kelly wants staff to look at tightening up rules for this matter, violations, charges, etc.

7. VISITOR'S BUSINESS

NONE

8. ADJOURNMENT

Terry Kelly made a motion to adjourn, seconded by Trustee Neal. All in favor. The meeting adjourned at 6:24 pm

PRESENTED, READ and APPROVED

\_\_\_\_\_, 2020

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CHAIRMAN

Minutes transcribed by  
Roy A. Giuntoli, Building Official

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

AGENDA ITEM DESCRIPTION	COMMITTEE REVIEW
<p>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</p>	<input type="checkbox"/> Finance/Administration <input type="checkbox"/> Municipal Services <input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Law & Ordinances
	<u>Meeting Date:</u>
	March 9, 2020
<input type="checkbox"/> Discussion Only <input type="checkbox"/> Approval of Staff Recommendation (for consideration by Village Board at a later date)	
<input type="checkbox"/> Seeking Feedback <input checked="" 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	
<b>BACKGROUND:</b> At the February 10, 2020 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.	
<p>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.</p>	
<p>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.</p>	
<ul style="list-style-type: none"><li>• Hinsdale: Allows Type V (No amendments)</li><li>• Burr Ridge: Allows Type V (No amendments)</li><li>• Darien: Allows Type V (No amendments)</li><li>• Westmont: Allows Type V, w/ conditions or amendments</li><li>• Lombard: Allows Type V, w/ conditions or amendments</li><li>• Downers Grove: Does Not allow Type V</li></ul>	
<p>Upon discussion of this subject at the February 10, 2020 Law and Ordinances Committee meeting, staff was directed to clarify the Fire Code Section with Tri-State Fire Protection District on the Fire Lanes and Access Roads language for an objective standard. Staff has worked with Tri-State Fire Protection District and our Village Attorney to incorporate the changes desired. Please find attached an updated version of the proposed code amendments to the Building and Fire Code to allow for Type V construction with certain life safety amendments.</p>	
<p style="text-align: center;"><b>STAFF RECOMMENDATION:</b></p> <p>Staff recommends the Law and Ordinances Committee refer this Draft Ordinance to the Village Board for formal consideration at the March 9, 2020 Village Board meeting.</p>	

**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  
WILLOWBROOK, DUPAGE COUNTY, ILLINOIS**

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**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 to read as follows:

**4-2-21: BUILDING CODE ADOPTED:**

(A) **Code Adopted:** There is hereby adopted by reference as if fully set out herein governing the construction of all nonresidential and multifamily structures, that certain code known as the 2018 International Building Code, first printing, 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 for a period of more than thirty (30) days prior to the effective date hereof and now is on file in the Office of the Village Clerk.

(B) **Amendments To Code:** The following additions, insertions, deletions and changes are hereby made to the 2018 International Building Code, first printing:

1. Section 101.1 Title: Amend by deleting the words and punctuation marks, "(Name of Jurisdiction)" and insert the words "The Village of Willowbrook".

2. Section 101.4.3 Plumbing. Delete in its entirety and in lieu thereof substitute with the following new Section 101.4.3:

Section 101.4.3 Plumbing. All references within this code to the International Plumbing Code shall be changed to read, "The Illinois Plumbing Code, prepared and published by the State of Illinois Department of Public Health along with Section 405.3, Section 607.2, Chapter 11 and Chapter 12 of the 2018 International Plumbing Code". The provisions of the Illinois Plumbing Code prepared and published by the State of Illinois Department of Public Health, along with Section 405.3, Section 607.2, Chapter 11 and Chapter 12 of the 2018 International Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

3. Section 105.2 Work exempt from permit. Delete in its entirety.

4. Section 105.5 Expirations. Delete in its entirety and in lieu thereof substitute with the following new Section 105.5:

Section 105.5 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 an occupancy certificate 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 the Village Code.

5. Section 109.1 Payment of fees. Delete this section in its entirety and in lieu thereof substitute the following new Section 109.1:

Section 109.1 Payment of fees. A Permit shall not be Issued until the review process has been completed and Approved and the fees prescribed in Title 4, Section 4-2-11 of the Village Municipal Code have been paid and accepted, nor shall an Amendment to a Permit be released until the additional fee, if any, due to an increase of the installation, has been paid and accepted.

6. Section 110.3 Required inspections. Amend by adding the following new Sections 110.3.12 and 110.3.13:

Section 110.3.12 Masonry firebox inspection. Masonry firebox inspections shall be made before flue/chimney installation and after the fireplace firebox and smoke shelf is completed.

Section 110.3.13 Stocking and training inspection. Stocking and training inspection shall be made after the completion of construction and prior to the installation of any

stock, merchandise and non-permanent/movable tenant fixtures and furniture, and prior to the allowance of tenant employee occupancy and/or training.

7. Section 113 BOARD OF APPEALS. Delete this section in its entirety and in lieu thereof substitute the following new Section 113:

**Section 113 BOARD OF APPEALS.**

**Section 113.1 Application for Appeal:** Each owner and occupant who is affected by this section shall have the right to appeal from the decision of the Village made pursuant to this section. All appeals shall be made to the Board of Appeals of the Village of Willowbrook as hereinafter constituted and within ten (10) days after receipt of notice of the decision of the Village.

**Section 113.2 Membership of the Board.** The Board of Appeals shall be the Plan Commission of the Village of Willowbrook. A majority of the members of the Plan Commission then holding office shall constitute a quorum.

**Section 113.3 Board actions.** All actions of the Board must have the concurrence of a majority of those members then holding office. Action on an appeal brought before the Board may be taken by a written vote of a majority of the members upon each voting member certifying that he has read and considered the transcript of the hearing proceedings held by the Board in his absence.

**Section 113.4 Procedure.** The rules of procedure during a hearing on an appeal shall be similar to the procedures for zoning appeals as adopted by the Plan Commission. In any event, all evidence that is relevant and material and of probative value shall be admitted. Hearsay evidence alone shall not support any decision of the Board.

**Section 113.5 Board recommendation.** Recommendation to the corporate authorities from the Board shall be made within such time as may be set by the chairman, but, in any event, not later than thirty (30) days after receipt of the transcript of proceedings.

**Section 113.6 Powers of the Board:** The Board of Appeals shall have the following powers:

- a. To make fact findings and to review fact findings of the Village, provided that fact findings of the Village shall be presumed to be correct until rebutted by a clear preponderance of the evidence to the contrary.
- b. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code.

**Section 113.7 Board review:** Within thirty (30) days of the receipt of the recommendations of the Board of Appeals, the corporate authorities shall grant or deny the time extension or variation, or refer the matter back to the Board of Appeals for further consideration. If the Board of Appeals favorably recommends the granting of a time extension or variation, that time extension or variation may be granted by resolution by a majority vote of the corporate authorities. If the Board of Appeals does not favorably recommend the granting of a time extension or variation, that time extension or variation may be granted only by favorable vote of two-thirds (2/3) of the corporate authorities. The corporate authorities shall not grant a time extension or variation unless they have made findings of fact based upon evidence adduced by the hearing held by the Board of Appeals.

8. Section 114.4 Violation penalties: Delete this section in its entirety and in lieu thereof substitute the following new Section 114.4:

Section 114.4 Violation penalties. Any person who shall violate a provision of this section or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or a directive of the Building Official or his/her designee, or of a permit or certificate issued under the provisions of this section shall be punishable by a fine of not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00). Each day that a violation continues shall be deemed a separate offense.

9. Section 115.3 Unlawful continuance: Delete this section in its entirety and in lieu thereof substitute the following new Section 115.3:

Section 115.3 Unlawful continuance: Any person who shall continue any type of work in or about the structure after having been served with a stop work order, except such work as that person is directed by the Building Official or his/her designee to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than that prescribed by Title 4, Section 4-2-13(B) of the Village Code.

10. Section 202 DEFINITIONS. Amend by adding the following new Definition:

FIRE OFFICIAL/FIRE MARSHAL. The Building Official or his/her designee.

11. Section 306.3 Factory Industrial F-2 Low-Hazard Occupancy. Amend by adding the following new Section 306.3.1:

Section 306.3.1 Classification to F-1 Moderate-Hazard Occupancy. The designation "Group F-2" shall be deleted. All factory industrial uses and occupancies classified as Group F-2 shall be classified as Group F-1. Requirements of this code specified for factory industrial Group F-1 shall apply to all factory industrial use and occupancies.

12. Section 307.1 High-hazard Group H. Amend by adding the following at the end of the section:

"The maximum allowed quantity of Ethylene Oxide in any building and/or structure, regardless of control areas or occupancy classification, shall not exceed 100 lbs. Legal conforming or legal non-conforming uses in effect as of July 10, 2019, which are lawfully permitted to store and/or use Ethylene Oxide in any process, shall not increase the amount of Ethylene Oxide currently utilized and/or stored within the premises. Provided, however, if any such storage and/or use is reduced, after July 10, 2019, then the reduced storage amounts and/or usage amounts shall apply as the then current maximum permissible amount. In the event the storage and/or use of Ethylene Oxide voluntarily ceases for a period in excess of 180 days at any time after July 10, 2019, then the storage and/or use of Ethylene Oxide shall thereafter be prohibited. Outside storage of Ethylene Oxide shall at all times be prohibited."

13. Section 310.1 Residential Group R. Amend by adding the following new Section 310.1.1:

Section 310.1.1 Special Requirements for Use Groups R-1 & R-2: All structures wherein a separate dwelling unit or apartment is located on the second floor or above shall have exterior and load bearing walls constructed of solid masonry. All interior walls thereof separating dwelling units, corridor walls and stairway enclosures, shall be of masonry construction having at least a two (2) hour fire resistance rating. All floors thereof shall be constructed of the precast concrete type, poured concrete type, or similar noncombustible construction having at least a two (2) hour fire resistance rating.

14. Section 311.3 Low-hazard storage, Group S-2. Amend by adding the following new Section 311.3.1:

Section 311.3.1 Classification to Moderate-hazard storage, Group S-1. The designation "Group S-2" shall be deleted. All storage uses and occupancies classified as Group S-2 shall be classified as Group S-1. Requirements of this code for storage Group S-1 shall apply to all storage use and occupancies.

15. Section 406.3.2.1 Dwelling Unit Separation. Delete in its entirety and in lieu thereof substitute with the following new Section 406.3.2.1:

Section 406.3.2.1 Dwelling Unit Separation. The private garage shall be separated from the dwelling unit and its attic area by a minimum 1-hour rated fire barrier, horizontal or vertical, using minimum five-eighths inch ( $\frac{5}{8}$ ) Type X or equivalent gypsum wallboard. Door openings between a private garage and a dwelling unit shall be equipped with a fire door in compliance with Section 715. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

16. Section 406.3.2.2 Ducts. Delete in its entirety and in lieu thereof substitute with the following new Section 406.3.2.2

Section 406.3.2.2 Ducts. Ducts in a private garage and ducts penetrating the walls or ceilings separating the dwelling unit from the garage shall be encapsulated in construction equal to that of those walls and ceilings, and shall have no openings into the garage.

17. Section 415.6.1 Combustible dusts, grain processing and storage: Delete this section in its entirety and in lieu thereof substitute with the following new Section 415.6.1:

Section 415.6.1 Combustible dusts, grain processing and storage: Buildings intended for the purpose of housing combustible dusts or grain are prohibited.

18. Section 503 GENERAL BUILDING HEIGHT AND AREA LIMITATIONS. Amend by adding the following new sections.

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.

19. Section 507.3 Non-sprinklered, one story. Delete in its entirety.

20. Section 508.3 Non-separated occupancies: Delete this section in its entirety. (All mixed occupancies shall be separated in accordance with Table 508.4)

21. 508.4.4 Separation. Revise the Section by adding the following to the end of the first sentence:

... "However, in all cases Group B Occupancies within fully sprinklered buildings shall be separated from Group F-1 and S-1 Occupancies with 1-hour Fire Barriers. Group B Occupancies within non-sprinklered buildings shall be separated from Group F-1 and S-1 Occupancies with 2-hour Fire Barriers.

22. 508.4.4 Separation. Add 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 footnote to the table.

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 new 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.

25. Section 602.1 General. Amend by adding the following new sentence to the end of the paragraph:

... "For use groups R-1 and R-2 construction see Section 310.1.1 as amended."

26. Section 602.3 Type III. Delete in its entirety and in lieu thereof substitute with the following new Section 602.3:

Section 602.3 Type III. Type III construction is that type of construction in which the exterior walls are of noncombustible materials and the interior building elements are of any material permitted by this code. Fire-retardant-treated wood framing complying with Section 2303.2 shall be permitted within exterior wall assemblies with a 2-hour rating or less. Type III construction shall be permitted for Use Group R-3 structures only.

27. Section 603.1 Allowable materials. Amend this section by deleting application number 13 in its entirety. (All blocking and backing shall be non-combustible or pressure impregnated fire retardant treated wood.)

28. Section 703.2 Fire-resistance ratings. Delete the first sentence in its entirety contained therein and in lieu thereof substitute with the following new sentence:

"The fire-resistance rating of building elements shall be determined in accordance with the test procedures set forth in ASTM E 119 and in accordance with Section 703.3."

29. Section 703.3 Alternative methods for determining fire resistance. Delete in its entirety and in lieu thereof substitute with the following new Section 703.3:

Section 703.3 Submittal documents. In addition to the permit submittal requirements specified in Section 106, copies of the system design from Underwriters Laboratories (UL) or other approved, independent testing agency shall be submitted to the Village, or be made a part of the construction plans submitted to the Village, for all required fire-resistance-rated assemblies and firestop systems. Sections 721 and 722 shall only be used to verify compliance of the fire resistance rated assemblies when permitted in writing by the Building Official or his/her designee.

30. Section 704 FIRE-RESISTANCE RATING OF STRUCTURAL MEMBERS. Amend by adding the following new sections.

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

31. Section 706.3 Materials. Delete in its entirety and in lieu thereof substitute with the following new Section 706.3 Materials:

Section 706.3 Materials. Fire walls shall be of any approved noncombustible materials.

Exceptions:

1. Buildings of type V construction.
2. Use Group R-3: Fire walls shall be constructed of minimum eight inch (8") concrete masonry units when separating all multiple single-family attached dwellings in side-by-side construction.
32. Section 708.1 General. Delete Item 2 in its entirety and in lieu thereof substitute the following new Item 2:

2. Walls separating tenant spaces.

33. Section 708.1 General. Add the following exception at the end of the section:

"Exception: Group B tenants located in buildings used primarily for office uses may be separated from each other with walls designed as smoke partitions."

34. Section 708.3 Fire-resistance rating. Delete in its entirety and in lieu thereof substitute with the following new Section 708.3:

Section 708.3 Fire-resistance rating. Fire partitions shall have a fire-resistance rating of not less than 1 hour.

Exception: Walls and floors separating dwelling units or sleeping units in the same building shall be of masonry, poured concrete, precast concrete or similar non-combustible construction having at least a two (2) hour fire resistance rating.

35. 718.3 Draft stopping in floors shall be amended by adding exception 2.

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

36. 718.4 Draft stopping in Attics. Delete current exception and insert the following exception in lieu thereof.

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

37. Section 718.4. Draft stopping in Attics. Amend by adding the following new Section 718.4.2:

Section 718.4.2 Draft stopping of Overhangs and Soffits. Regardless of requirements elsewhere, overhangs, canopies, exterior soffits and similar structures shall be draft stopped in buildings of all use groups and construction types at intervals not exceeding twenty feet (20') horizontal spacing.

38. Section 721 PRESCRIPTIVE FIRE RESISTANCE. Delete in its entirety. Except when permitted in writing by the Building Official or his/her designee.

39. Section 722 CALCULATED FIRE RESISTANCE. Delete in its entirety. Except when permitted in writing by the Building Official or his/her designee.

40. Section 903.2.1 Group A. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.1:

Section 903.2.1 Group A. An automatic sprinkler system shall be provided throughout all buildings containing a Group A occupancy of 2,000 square feet or greater.

Exceptions:

1. Areas used exclusively as participant sport areas where the main floor areas located at the same level as the level of exit discharge of the main entrance and exit.

2. Only concession stands, retail areas, press boxes and other accessory use areas in Group A-5 with an area greater than 1,000 square feet shall be required to be provided with an automatic sprinkler system.
3. Where the Group A fire area is located on a floor other than a level of exit discharge serving such occupancies.
  41. Section 903.2.1.1 Group A-1. Delete in its entirety.
  42. Section 903.2.1.2 Group A-2. Delete in its entirety.
  43. Section 903.2.1.3 Group A-3. Delete in its entirety.
  44. Section 903.2.1.4 Group A-4. Delete in its entirety.
  45. Section 903.2.1.5 Group A-5. Delete in its entirety.
  46. Section 903.2.1.6 Assembly occupancies on roofs. Delete in its entirety.
47. Section 903.2.2 Ambulatory Care facilities. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.2:

Section 903.2.2 Group B. An automatic sprinkler system shall be provided throughout all buildings containing a Group B occupancy of 2,000 square feet or greater.
48. Section 903.2.3 Group E. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.3:

Section 903.2.3 Group E. An automatic sprinkler system shall be provided throughout all buildings containing a Group E occupancy.
49. Section 903.2.4 Group F-1. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.4:

Section 903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy of 2,000 square feet or greater.
50. Section 903.2.4.1 Woodworking operations. Delete in its entirety.
51. Section 903.2.7 Group M. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.7:

Section 903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy of 2,000 square feet or greater or where a Group M occupancy is used for the display and sale of upholstered furniture.
52. Section 903.2.9 Group S-1. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.9:

Section 903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy of 2,000 square feet or greater or in buildings with repair garages servicing vehicles parked in basements.
53. Section 903.2.9.1 Repair garages. Delete in its entirety.
54. Section 903.2.9.2 Bulk storage of tires. Delete in its entirety.
55. Section 903.2.10 Group S-2. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.10:

Section 903.2.10 Group S-2. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-2 occupancy of 2,000 square feet or greater or where enclosed parking garages are located beneath other groups.
56. Section 903.2.10.1 Commercial parking garages. Delete in its entirety.
57. Section 903.3 Installation requirements. Delete in its entirety and in lieu thereof substitute with the following new Section 903.3:

Section 903.3 Installation requirements. Automatic sprinkler systems shall be designed and installed in accordance with Sections 903.3.1 through 903.3.8 and other chapters of this code as applicable, except that flexible sprinkler pipe or tubing shall be prohibited.

58. Section 903.3.1.1.1 Exempt locations. Delete Subsection 3 of Section 903.3.1.1.1 in its entirety and in lieu thereof substitute with the following new Subsection 3:

3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling assemblies or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours when approved in writing by the Building Official or his/her designee.

59. Section 903.3.1.1.1 Exempt locations. Delete Subsection 4 of Section 903.3.1.1.1 in its entirety and in lieu thereof substitute with the following new Subsection 4:

4. In rooms or areas that are of noncombustible construction with wholly non-combustible contents when approved in writing by the Building Official or his/her designee.

60. 903.3.1.1.1 Exempt locations. Add the following sentence to end of the paragraph: Exempt locations shall not be applicable to buildings of Type VA construction.

61. 903.3.1.1.2 Bathrooms is amended by adding the following new subsection:

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

62. Section 907.2 Where required - new buildings and structures. Delete this section in its entirety and in lieu thereof substitute the following new Section 907.2:

Section 907.2 Where required - new buildings and structures. Where required all fire alarm systems shall be installed in accordance with the following:

a) An approved manual, automatic, or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23. In all cases an approved automatic fire alarm system shall be provided in buildings of Use Groups A, B, E, I, R-1, R-2, R-3 (where over and under or side-by-side construction is employed), and all buildings of mixed use, regardless of size, and all other principal buildings and individual uses over one (1) story in height or over two thousand (2,000) square feet in area, except Use Group R-4. Where automatic sprinkler protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

b) An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.

c) Where automatic sprinklers provide protection to an area, approved flow and tamper switches interconnected to the fire alarm system shall be provided.

63. Section 907.2.8.2 Automatic smoke detection system. Amend by adding the following new Sections 907.2.8.2.1 and 907.2.8.2.2:

Section 907.2.8.2.1. Heat detectors. Heat detectors shall be provided on every floor and in all generally unattended areas such as storage rooms, garages, elevator shafts, laundry rooms, furnace rooms, basements, attic spaces, crawl spaces and similar areas. At least one (1) shall be provided in each living unit near the bedrooms. "Rate of Rise" type heat detectors are not permitted in this application.

Section 907.2.8.2.2. Detectors within Means of Egress components. Smoke detectors shall be provided in all stairways, exit access hallways and exit passageways.

64. Section 907.6.4 Zones. Delete in its entirety, (exclusive of Subsections 907.6.4.1 through 907.6.4.2) and in lieu thereof substitute the following new Section 907.6.4:

Section 907.6.4 Zones. Each floor shall be zoned separately, and a zone shall not exceed twenty thousand (20,000) square feet in area. The length of any zone shall not exceed two hundred feet (200') feet in any direction, unless otherwise approved by the fire code official.

65. Section 907.6.6 Monitoring. Delete this section in its entirety and in lieu thereof substitute the following new Section 907.6.6.

Section 907.6.6 Monitoring. All fire protection systems shall transmit all alarm signals to the dispatch center serving Tri-State Fire Protection District, which may be routed through any central receiving station. All required fire alarm systems shall transmit alarm, trouble, and where specially permitted, supervisory signals (specifically where only allowed by the fire official) to a 24-hour monitoring company or Addison Consolidated Dispatch Center. Installation shall be in accordance with NFPA 72.

Exception: Supervisory service is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

66. Section 912.1 Installation. Amend by adding the following new sentences to the end of the paragraph:

... "In all cases a Fire Department Connection with a five inch (5") Storz inlet shall be provided. Where the existing fire department connection is not a 5" Storz type connection, it must be replaced with a 5" inch Storz connection. Any new installation of the Storz connection shall be between 36" and 48" above finished grade. Any installation where the connection is between 36" and 48" or more above grade, a 30 degree elbow shall be required. Where the existing connection is less than 36" above grade, a 30 degree elbow shall not be allowed. Tri-State Fire Protection District reserves the right to grant variances on any fire department connection."

67. Section 912.2.1 Visible location. Amend by adding the following new sentence to the end of the paragraph:

... Access routes shall be so arranged that fire department apparatus may respond from all points of the building to adjacent fire hydrants along routes not to exceed two hundred fifty feet (250') from the most remote point of the building perimeter to the closest fire hydrant.

68. Table 1006.2.1 Spaces with one exit or exit access doorway. The values in Column 2 (Maximum Occupant Load of Space) shall be modified so that Groups A, E, M, B, F and U shall have a value of twenty (20) people of 2,000 Sq. Ft. in gross area.

69. Table 1006.3.3(1) Stories with one exit or access to one exit for R-2 occupancies. Delete in its entirety and in lieu thereof substitute with the following new Table 1006.3.3(1).

**TABLE 1006.3.3(1)**  
**STORIES WITH ONE EXIT OR**  
**ACCESS TO ONE EXIT FOR R-2 OCCUPANCIES**

STORY	OCCUPANCY	MAXIMUM	MAXIMUM
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		NUMBER OF DWELLING UNITS	COMMON PATH OF EGRESSES TRAVEL DISTANCE (FT)
Basement, First, second or third story above grade plane	R-2 <sup>a,b</sup>	4 dwelling units	50
Fourth story above grade plane and higher	NP	NA	NA

For SI: 1 foot = 304.8 mm.

NP = Not Permitted

a. Buildings classified as Group R-2 equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 and provided with emergency escape and rescue openings in accordance with Section 1030

b. This table is used for R-2 occupancies consisting of dwelling units. For R-2 occupancies consisting of sleeping units, use Table 1006.3.3(2)

70. Table 1006.3.3(2) Stories with one exit or access to one exit for other occupancies. Delete in its entirety and in lieu thereof substitute with the following new Table 1006.3.3(2).

**TABLE 1006.3.3(2)**  
**STORIES WITH ONE EXIT OR**  
**ACCESS TO ONE EXIT FOR OTHER OCCUPANCIES**

STORY	OCCUPANCY	MAXIMUM OCCUPANT LOAD PER STORY	MAXIMUM COMMON PATH OF EGRESS

			TRAVEL DISTANCE (FT)
First story above or below grade plane	A, B <sup>b</sup> , E, F <sup>b</sup> , M, U	20	75
	H-2, H-3	3	25
	H-4, H-5, I, R-1, R-2 <sup>a,c</sup>	10	75
	S <sup>b,d</sup>	20	100
Second story above grade plane	B, F, M, S <sup>d</sup>	20	75
Third story above grade plane and higher	NP	NA	NA

For SI: 1 foot = 304.8 mm.

NP = Not Permitted

- a. Buildings classified as Group R-2 equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 and provided with emergency escape and rescue openings in accordance with Section 1030.
- b. Group B, F and S occupancies in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 shall have a maximum exit access travel distance of 100 feet.
- c. This table is used for R-2 occupancies consisting of sleeping units. For R-2 occupancies consisting of dwelling units, use Table 1006.3.3(1).
- d. The length of exit access travel distance in a Group S-2 open parking garage shall not be more than 100 feet.

71. Section 1008.3.1 General. Delete in its entirety and in lieu thereof substitute with the following new Section 1008.3.1:

Section 1008.3.1 General. In the event of power failure, an emergency electrical system shall automatically illuminate the following areas:

1. Exit access corridors, passageways and aisles in rooms and spaces which require two or more means of egress, have an occupant load greater than three (3) occupants or which have an area greater than three hundred (300) square feet.

2. Exit access corridors, passageways and aisles in buildings which require two or more means of egress, have an occupant load greater than three (3) occupants or which have an area greater than three hundred (300) square feet.
3. Exterior egress components at other than the level of exit discharge until exit discharge is accomplished for buildings which require two or more means of egress, have an occupant load greater than three (3) occupants or which have an area greater than three hundred (300) square feet.
4. Interior exit discharge elements, as permitted in Section 1023.1, in buildings which require two or more means of egress, have an occupant load greater than three (3) occupants or which have an area greater than three hundred (300) square feet.
5. The portion of the exterior exit discharge immediately adjacent to exit discharge doorways in buildings which require two or more means of egress, have an occupant load greater than three (3) occupants or which have an area greater than three hundred (300) square feet.
6. All bathrooms.
7. All interior electrical panel boards, switchgear and meter enclosures.
8. Fire sprinkler main assembly.

72. TABLE 1020.1 CORRIDOR FIRE-RESISTANCE RATING is amended by amending row number four ("R") of the table to read as follows:  
"R, Greater than 10, Not Permitted, 1c,d "

73. Section 1030.1 General. Delete Exception 4 in its entirety.

74. Section 1301.1.1 Criteria. Delete in its entirety and in lieu thereof substitute with the following new Section 1301.1.1:  
Section 1301.1.1 Criteria. Buildings shall be designed and constructed in accordance with the Illinois Energy Conservation Code - Current Version. Proof of such compliance shall be shown through the submittal of fully completed "COMcheck" compliance certificates. <<http://energycode.pnl.gov/COMcheckWeb/>>

75. Section 1807.1.3 Rubble stone foundation walls. Delete this section in its entirety.

76. Section 1807.1.4 Permanent wood foundation systems. Delete this section in its entirety.

77. Section 1807.1.6.3 Masonry foundation walls. Delete this section in its entirety, unless otherwise approved in writing by the Building Official or his/her designee.

78. Table 1809.7 PRESCRIPTIVE FOOTINGS SUPPORTING WALLS OF LIGHT-FRAME CONSTRUCTION. Delete all reference to Column Three entitled "THICKNESS OF FOOTING" in its entirety and in lieu thereof the following column shall be substituted:

Thickness of Footing
The minimum thickness of footings shall be ten inches (10").

79. Section 1809.8 Plain concrete footings. Delete this section in its entirety and in lieu thereof substitute the following new Section 1809.8:

Section 1809.8 Plain concrete footings: In plain concrete the minimum footing size shall be twenty inches (20") in width and ten inches (10") in depth. For foundation walls wider than ten inches (10"), footings shall be a minimum ten inches (10") in

depth and shall be no less than ten inches (10") wider than the width of the foundation wall.

80. Section 1809.9 Masonry unit footings. Delete this section in its entirety.
81. Section 1809.12 Timber footings. Delete this section in its entirety.
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 shall not be 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.

83. Chapter 27 ELECTRICAL SYSTEMS. Delete in its entirety. (All electrical systems shall comply with the National Electrical Code as adopted and amended by Title 4 of the Village Code.)
84. Chapter 28 MECHANICAL SYSTEMS. Delete in its entirety. (All mechanical systems shall comply with the International Mechanical Code and the International Fuel Gas Code as adopted and amended by Title 4 of the Village Code.)
85. Chapter 29 PLUMBING SYSTEMS. Delete in its entirety. (All plumbing systems shall comply with the Illinois Plumbing Code and the International Plumbing Code as adopted and amended by Title 4 of the Village Code.)
86. Section 3001.3 Referenced Standards. Delete this section in its entirety and in lieu thereof substitute the following new Section 3001.3:

Section 3001.3 Referenced Standards. Referenced Standards to be as stringent and comply with current Illinois Elevator Safety Act (225 ILCS 312) and its Rules. For private residential conveyance application, the Act does not apply, however, the IBC code shall for new installation, permits, final acceptance. For applications not covered by the Illinois Elevator Safety Act, those conveyance applications shall be covered under the IBC code by the AHJ for new installation, permits, final acceptance, periodic inspections and testing, unsafe conditions, power to seal equipment, put conveyance out of service, and certificate compliance as well as owner/agent responsibility for contractor, maintenance, accident/injury responsibility.

Referenced Standards from (225 ILCS 312): Safety Code for Elevators and Escalators (ASME A17.1), the Standard for the Qualification of Elevator Inspectors (ASME QEI-1), the Automated People Mover Standards (ASCE 21), the Safety Requirements for Personnel Hoists and Employee Elevators (ANSI A10.4), and the Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A18.1).

87. Section 3002.4 Elevator Car to Accommodate Ambulance Stretcher. Delete this section in its entirety and in lieu thereof substitute the following new Section 3002.4:

Section 3002.4 Elevator Car to Accommodate Ambulance Stretcher. In all buildings at least one elevator shall be provided for fire department emergency access to all floors in building. Such elevator car shall be of such size and arrangement to accommodate a minimum twenty-four inch (24") by eighty-four inch (84") ambulance stretcher in the horizontal open position and shall be identified by the International Symbol for emergency medical services (Star of Life). Said symbol shall not be less than three inches (3") high by three inches (3") wide and shall be placed inside on both sides of the main lobby hoistway door frame.

88. [F] Section 3003.2 Fire Fighters' Emergency Operation. Delete this section in its entirety and in lieu thereof substitute the following new [F] Section 3003.2:

[F] Section 3003.2 Fire Fighters' Emergency Operation. Elevators shall be provided with Phase 1 emergency recall operation and Phase 2 emergency in car operation in accordance with ASME A17.1 and NFPA72.

89. Section 3004.1 General. Delete this section in its entirety and in lieu thereof substitute the following new Section 3004.1:

Section 3004.1 General. Escalators, moving walks, conveyors, personnel hoists, material hoists, miscellaneous hoisting and elevating equipment shall comply with the provisions of this section.

90. Section 3004.3 Conveyors. Delete this section in its entirety and in lieu thereof substitute the following new Section 3004.3:

Section 3004.3 Conveyors. Conveyors and related equipment shall comply, be inspected and tested in accordance with ASME B20.1 listed in Chapter 35 and Section 3004.4 regarding personal hoists.

91. Section 3005.1 Access. Delete this section in its entirety and in lieu thereof substitute the following new Section 3005.1:

Section 3005.1 Access. An approved means of access shall be provided to elevator machine rooms and overhead machinery equipment spaces. This means of access is not to be used as a passage way through the machine room to any other areas of the building or roof.

92. CHAPTER 30 ELEVATORS AND CONVEYANCE SYSTEMS. Amend by adding the following new SECTION 3009 CERTIFICATE OF COMPLIANCE:

#### SECTION 3009 CERTIFICATE OF COMPLIANCE

Section 3009.1 Equipment Operation. The operation of all equipment governed by the provisions of this chapter and hereafter installed, relocated or altered shall be unlawful by persons other than the installer until such equipment has been inspected and tested as herein required and a final certificate of compliance has been issued by the Authority having Jurisdiction.

Section 3009.2 Posting Certificates of Compliance. The owner or lessee shall post the current-issued certificate of compliance in a conspicuous place inside the conveyance. A copy of the current issued certificate is acceptable. Please refer to Illinois Elevator Safety Act.

93. Section 3303.1 Construction documents. Delete this section in its entirety and in lieu thereof substitute the following new Section 3303.1:

Section 3303.1 Construction documents. Construction documents and a schedule for demolition must be submitted. A description and location of the building to be demolished, along with the proposed time and date of the demolition, must be submitted to the Building Official or his/her designee as well as to the proper fire protection district and county officials for approval. No work shall be done until such construction documents or schedule, or both, are approved.

94. Section 3303.1 Construction documents. Amend by adding the following new Section 3303.1.1:

Section 3303.1.1 Contractor bonds and insurance. The contractor must supply a twenty thousand-dollar (\$20,000.00) wrecking bond in a form acceptable to the Building Official or his/her designee. Also, a valid certificate of insurance stating the proper types and amounts of insurance and a ten thousand-dollar (\$10,000.00)

license bond from the contractor performing the work must be submitted in a form acceptable to the Building Official or his/her designee.

95. Section 3303.6 Utility connections. Amend by adding the following new Section 3303.6.1:

Section 3303.6.1. Abandonment of wells: If a well exists on the property which is to be abandoned, it must be capped and sealed in accordance with the rules and regulations published by the Illinois department of mines and minerals. In addition, said well shall be sealed under the supervision of the DuPage County health department.

96. Section 3303.6 Utility connections. Amend by adding the following new Section 3303.6.2:

Section 3303.6.2. Underground Storage Facilities: All underground storage facilities that are to be abandoned shall be excavated and removed from the site. A permit issued by the State Fire Marshal must accompany an application for the removal of all underground storage tanks.

(Ord. 19-O-10, 6-24-2019)

**SECTION TWO.** 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:

**4-2-28: FIRE CODE ADOPTED:**

(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":

1. Section 101.1 Title. Amend by deleting the words and punctuation marks, "[Name of Jurisdiction]" and insert the words "The Village of Willowbrook."
2. Section 102.4 Application of building code. Delete in its entirety and in lieu thereof substitute with the following new Section 102.4:

Section 102.4 Application of building code. The design and construction of new structures, as well as repairs, alterations and additions to existing structures, shall comply with the International Building Code as amended by the Village of Willowbrook. Where corresponding sections of the International Fire Code have been modified or amended within the International Building Code, the most strict application shall apply. These sections include, but are not limited to, modifications or

amendments to the requirements for fire suppression systems, fire alarm systems and means of egress.

3. Section 102.10 Conflicting provisions. Delete in its entirety and in lieu thereof substitute with the following new Section 102.10:

Section 102.10 Conflicting provisions. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where there is a conflict between a corresponding requirement in the International Fire Code and the International Building Code, the most strict application shall apply.

4. SECTION 102 APPLICABILITY. Amend by adding the following new Section 102.13:

Section 102.13 Provisions with Respect to Certain Use Group "U" Structures:

Notwithstanding any language contained in the following referenced sections to the contrary, all use group "U" structures which exceed two thousand (2,000) square feet in gross area and which are intended to be used or are used at any time for assembly purposes shall comply with all applicable sections of the adopted Building and Fire Codes.

Additionally, notwithstanding any language contained in the following referenced sections to the contrary, all use group "U" structures which exceed two thousand (2,000) square feet in gross area (whether legal, legal nonconforming or illegal) existing on the effective date hereof and which are used at any time for assembly purposes shall be brought into conformance with all applicable sections of the adopted Building and Fire Codes on or before April 1, 2000. April 1, 2000 shall, for all purposes, be deemed an appropriate amortization period for every such legal, legal nonconforming and illegal use presently existing within the corporate limits of the Village of Willowbrook. Should any such use hereafter be located within the Village of Willowbrook by reason of annexation into the Village of a lot or parcel on which such use is located, then such use shall be brought into conformance with the above referenced Sections within eleven (11) months after the date of annexation. Such eleven (11) month period shall, for all purposes, be deemed an appropriate amortization period for every such legal, legal nonconforming and illegal use so annexed to the Village.

5. Section 103.2 Appointment. Delete in its entirety and in lieu thereof substitute with the following new Section 103.2:

Section 103.2 Appointment. The Fire Code Official shall be the Building Official or his/her designee and shall be appointed by the Chief Appointing Authority of the jurisdiction; and the Fire Code Official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the Appointing Authority.

6. Section 105.1.2 Types of Permits. Operational Permit. Delete in its entirety and in lieu thereof substitute with the following new Section 105.1.2:

Section 105.1.2 Types of Permits. Operational Permit. An operational permit allows an applicant to conduct an operation(s) for which a permit is required by Section 105.6 in accordance with the schedule as outlined in the fee ordinances. A permit fee shall be charged annually for each type of operational permit in accordance with the schedule as outlined in the fee ordinances (see Operational Permit/Product Description and Fee Table below). A permit shall constitute authority to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property.

**Operational Permit/Product Description and Fee Table**

	Description	Permit Required (Yes or No)	Administrative Permit Fee	IFC Code Reference
A	<p><b>Compressed Gases. Section 105.6.8:</b>            An operational permit is required:            Compressed gas. Storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of amounts listed in Table 105.6.8            Exception:            Vehicles equipped for and using compressed gas as a fuel to propel the vehicle.</p>	Yes	\$150.00	105.6.8
B	<p><b>Cryogenic Fluids. Section 105.6.10:</b>            An operational permit is required: To produce, store, transport onsite,</p>	Yes	\$150.00	105.6.10

	Description	Permit Required (Yes or No)	Administrative Permit Fee	IFC Code Reference
	use, handle or dispense cryogenic fluids in excess of the amount listed in Table 105.6.10			
C	<b>Materials. Section 105.6.20:</b> An operational permit is required to: Store, transport onsite, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.20	Yes	\$150.00	105.6.20
D	<b>Flammable and Combustible Liquids.</b> <b>Section 5701.4:</b> An operational permit is required:	-	-	-
D 1	To use or operate a pipeline for the transportation with facilities or flammable or combustible liquids. This requirement shall not apply to the	Yes	\$150.00	5701.4

	Description	Permit Required (Yes or No)	Administrative Permit Fee	IFC Code Reference
	offsite transportation (DOTn) (see section 3501.1.2) nor does it apply to piping systems (see section 3503.6)			
D 2	To store, handle or use of Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:	Yes	\$150.00	5701.4
D 2.1	The storage or use of Class I liquids in the fuel tanks of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant unless such storage, in the opinion of the Fire Official would cause an unsafe condition.	No	-	-

	Description	Permit Required (Yes or No)	Administrative Permit Fee	IFC Code Reference
D 2.2	The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.	No	-	-
D 3	To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.	Yes	\$150.00	5701.4
D 4	To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by means other than the approved, stationary on-site pumps normally	Yes	\$150.00	5701.4

	Description	Permit Required (Yes or No)	Administrative Permit Fee	IFC Code Reference
	used for dispensing purposes.			
D 5	To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.	Yes	\$150.00	5701.4
D 6	To install, alter, remove, abandon, place temporarily out of service (for more than 90 days) or otherwise dispose of an underground, protected above-ground or above-ground flammable or combustible tank.	Yes	\$150.00	5701.4

	Description	Permit Required (Yes or No)	Administrative Permit Fee	IFC Code Reference
D 7	To change the type of contents stored in a flammable or combustible liquid tank to a material which poses a greater hazard than for which the tank was designed and constructed.	Yes	\$150.00	5701.4
D 8	To manufacture, process, blend, or refine flammable or combustible liquids.	Yes	\$150.00	5701.4
E	Inspection Fees:		See <u>4-2-11(G)(5)</u> of the Village Code	

7. Section 109 BOARD OF APPEALS. Delete this section in its entirety and in lieu thereof substitute the following new Section 109:

**Section 109 BOARD OF APPEALS.**

**Section 109.1 Application for appeal:** Each owner and occupant who is affected by this section shall have the right to appeal from the decision of the Village made pursuant to this section. All appeals shall be made to the Board of Appeals of the Village of Willowbrook as hereinafter constituted and within ten (10) days after receipt of notice of the decision of the Village.

**Section 109.2 Membership of the board.** The Board of Appeals shall be the Plan Commission of the Village of Willowbrook. A majority of the members of the Plan Commission then holding office shall constitute a quorum.

**Section 109.3 Board actions.** All actions of the Board must have the concurrence of a majority of those members then holding office. Action on an appeal brought before the Board may be taken by a written vote of a majority of the members upon each voting member certifying that he has read and considered the transcript of the

hearing proceedings held by the Board in his absence.

Section 109.4 Procedure. The rules of procedure during a hearing on an appeal shall be similar to the procedures for zoning appeals as adopted by the Plan Commission. In any event, all evidence that is relevant and material and of probative value shall be admitted. Hearsay evidence alone shall not support any decision of the Board.

Section 109.5 Board recommendation. Recommendation to the corporate authorities from the Board shall be made within such time as may be set by the chairman, but, in any event, not later than thirty (30) days after receipt of the transcript of proceedings.

Section 109.6 Powers of the Board: The Board of Appeals shall have the following powers:

- a. To make fact findings and to review fact findings of the Village, provided that fact findings of the Village shall be presumed to be correct until rebutted by a clear preponderance of the evidence to the contrary.
- b. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code.

Section 109.7 Board Review: Within thirty (30) days of the receipt of the recommendations of the Board of Appeals, the corporate authorities shall grant or deny the time extension or variation, or refer the matter back to the Board of Appeals for further consideration. If the Board of Appeals favorably recommends the granting of a time extension or variation, that time extension or variation may be granted by resolution by a majority vote of the corporate authorities. If the Board of Appeals does not favorably recommend the granting of a time extension or variation, that time extension or variation may be granted only by favorable vote of two-thirds ( $\frac{2}{3}$ ) of the corporate authorities. The corporate authorities shall not grant a time extension or variation unless they have made findings of fact based upon evidence adduced by the hearing held by the Board of Appeals.

8. Section 110.4 Violation Penalties. Delete this section in its entirety and in lieu thereof substitute the following new Section 110.4:

Section 110.4 Violation Penalties. Any person who shall violate any provision of this Code shall, upon conviction thereof, be subject to a fine of an amount as provided in Title 1, Chapter 4, of the Village Code of the Village of Willowbrook. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

9. Section 202 GENERAL DEFINITIONS. Add the following new definitions:

CORPORATION COUNSEL: The Village Attorney for the Village of Willowbrook.

DEPARTMENT OF FIRE PREVENTION: The Department of Municipal Services of the Village of Willowbrook.

FIRE CODE OFFICIAL: The Building Official or his/her designee of the Village of Willowbrook.

FIRE PREVENTION CODE OR FIRE CODE: The Village of Willowbrook Fire Prevention Code.

MUNICIPALITY: The Village of Willowbrook.

VILLAGE: The Village of Willowbrook.

10. Section 503.1.1 Buildings and facilities. Amend by adding the following new sentences to the end of the paragraph:

... Access roads or fire lanes for unlimited area buildings and buildings over thirty feet (30') in height may be not less than fifteen feet (15') from the buildings, unless the adjacent wall has a minimum fire resistive rating of two (2) hours. This optional design must be approved by the Fire Protection District. If the height of the building requires a greater setback to ladder the buildings, the distance from the building shall be as approved by the Fire Protection District. Access routes shall be continuous around the building. This requirement may be modified by the Fire Protection District where adequate building access openings and a complete fire suppression system are provided.

11. Section 503.2.3 Surface. Amend by adding the following new sentence to the end of the paragraph:

... In all cases the fire apparatus access road shall be designed to accommodate vehicles weighing a minimum of 80,000 pounds, or the heaviest fire department vehicle whichever is greater.

12. Section 503.3 Markings. Delete this section in its entirety and in lieu thereof substitute the following new Section 503.3.

Section 503.3 Markings. Approved signs or other approved notices or markings that include the words NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

13. Section 503 FIRE APPARATUS ACCESS ROADS. Amend by adding the following new section 503.7 Fire Department Access Roads.

503.7 Fire Department Access Roads. Property, devoted to Public use, shall be so that:

- a. Public or private access for motor fire apparatus shall be provided around the building so 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 to 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.
- d. Public or private fire department access roads and ways shall be all weather, properly maintained and accessible at all times. All such fire lanes 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 section may be modified where adequate building access openings and a complete fire sprinkler system are provided.

14. Section 506 KEY BOXES. Amend by adding the following new Section 506.3:

Section 506.3 Alarms. At the request of the owner or lessee, the Building Official or his/her designee shall permit them to install a key box tamper switch connected to the building's burglar alarm system only. Key boxes shall be installed in all commercial buildings, where access to or within a building or an area is unduly difficult because of secured openings, buildings with fire detection or suppression equipment are monitored by a 24 hour monitoring company or Addison Consolidated Dispatch Center, and where immediate access is necessary for life saving or firefighting purposes, a fire department key box shall be located and installed on the building as directed by the Fire Official. The key box shall be a type approved by the Fire Official.

15. Section 507.5.1 Where required. Delete this section in its entirety and in lieu thereof substitute the following new Section 507.5.1:

Section 507.5.1 Where required. Fire hydrants shall be installed in accordance with the following:

- a. Fire hydrants shall be located along public streets, fire lanes, or access routes so that no portion of the building perimeter will be over two hundred fifty feet (250') from a public fire hydrant. Where this is not possible, hydrants shall be placed along the access route at such locations as approved by the Fire Protection District and the Building Official or his/her designee.
- b. In apartments, town houses, condominiums, town/row or cluster housing areas where streets or parking lots dead end, hydrants shall be placed along the access route at such locations as approved by the Fire Protection District and the Building Official or his/her designee.
- c. At least two (2) fire hydrants shall be located within two hundred fifty feet (250') of the building.
- d. Hydrants should be so located that:
  - i. Hydrants will be located approximately ten feet (10') from all-weather roadways. If this cannot be done, the closest part of the hydrant shall be set back a minimum of two feet (2') from the back of curb.
  - ii. Hydrants shall not be located closer than twenty-five feet (25') to a building nor more than fifty feet (50') from a fire department connection.
- e. Fire hydrants used in conjunction with water supplies shall meet the standards of the American Water Works Association standard no. C-502, and shall have two (2) two and one-half inch (2 $\frac{1}{2}$ ") outlets and one (1) four and one-half inch (4 $\frac{1}{2}$ ") outlet with auxiliary gate valves on the hydrant branch line. Threads shall be American national standard. Pumper outlets shall face roadways.
- f. Fire hydrants shall be protected from accidental damage by approved methods when located in areas subject to vehicular damage.

16. 507.5.1.1 Hydrant for standpipe systems. Delete this section in its entirety and in lieu thereof substitute the following new Section 507.5.1.1.

507.5.1.1 Hydrant for standpipe systems. Buildings equipped with a standpipe system installed in accordance with Section 905 shall have a fire hydrant within fifty feet (50') feet of the fire department connections.

17. Section 901.7 Systems out of service. Amend by adding the following new sentence to the end of the paragraph:

... In all cases automatic fire suppression and alarm systems shall not be out of service for more than eight (8) hours without express consent of the Fire Code Official.

18. Section 903.2.1 Group A. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.1:

Section 903.2.1 Group A. An automatic sprinkler system shall be provided throughout all buildings containing a Group A occupancy of 2,000 square feet or greater.

Exceptions:

4. Areas used exclusively as participant sport areas where the main floor areas located at the same level as the level of exit discharge of the main entrance and exit.

5. Only concession stands, retail areas, press boxes and other accessory use areas in Group A-5 with an area greater than 1,000 square feet shall be required to be provided with an automatic sprinkler system.

6. Where the Group A fire area is located on a floor other than a level of exit discharge serving such occupancies.

19. Section 903.2.1.1 Group A-1. Delete in its entirety.

20. Section 903.2.1.2 Group A-2. Delete in its entirety.

21. Section 903.2.1.3 Group A-3. Delete in its entirety.

22. Section 903.2.1.4 Group A-4. Delete in its entirety.

23. Section 903.2.1.5 Group A-5. Delete in its entirety.

24. Section 903.2.2 Group B. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.2:

Section 903.2.2 Group B. An automatic sprinkler system shall be provided throughout all buildings containing a Group B occupancy of 2,000 square feet or greater.

25. Section 903.2.3 Group E. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.3:

Section 903.2.3 Group E. An automatic sprinkler system shall be provided throughout all buildings containing a Group E occupancy.

26. Section 903.2.4 Group F-1. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.4:

Section 903.2.4 Group F. An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy of 2,000 square feet or greater.

27. Section 903.2.4.1 Woodworking operations. Delete in its entirety.
28. Section 903.2.5.1 General. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.5.1:

Section 903.2.5.1 General. An automatic sprinkler system shall be provided throughout all buildings containing a Group H occupancy.
29. Section 903.2.7 Group M. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.7:

Section 903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy of 2,000 square feet or greater or where a Group M occupancy is used for the display and sale of upholstered furniture.
30. Section 903.2.9 Group S-1. Delete in its entirety and in lieu thereof substitute with the following new Section 903.2.9:

Section 903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy of 2,000 square feet or greater or in buildings with repair garages servicing vehicles parked in basements. 2-1/2" fire hose valves shall be required in all storage occupancies with maximum travel distance of 150' to reach all areas of storage and located at man doors plus as needed in other locations in the building to achieve the coverage noted above. Calculate based on 150 psi at FDC to yield 100 psi at most remote hose valve with 250 gpm flowing - accumulate flow at 250 gpm for each additional hose valve to a maximum of 1,000 gpm if fully sprinklered building - 1,250 gpm if not. Control valves shall be required on branch lines feeding hose valves when the branch line exceeds forty feet (40'). Hose valve systems in these one-story type storage occupancies shall be on a separate riser with control valve and flow switch.
31. Section 903.2.9.1 Repair garages. Delete in its entirety.
32. Section 903.2.9.2 Bulk storage of tires. Delete in its entirety.
33. Section 903.2.10.1 Commercial parking garages. Delete in its entirety.
34. Section 903.3.6 Hose threads. Amend by adding the following new sentence to the end of the paragraph:

... flexible sprinkler drops shall not be allowed. All piping shall be hard piped.
35. Section 903.4 Sprinkler system supervision and alarms. Amend by adding the following new sentence to the end of the paragraph:

... all valves controlling the water supply for automatic sprinkler systems and water flow switches on all sprinkler systems shall be electrically supervised. No chains & locks will be allowed.
36. Section 905.3 Required installations. Amend by adding the following new sentence to the end of the paragraph:

... Standpipes shall be required in all buildings over two (2) stories. Locate firehose valves at intermediate landings, plus at first floor landing. And when stairwells provide roof access, then a hose valve is required at the floor landing of the highest floor. If roof access is not available from a stairway then extend at least one (1) hose valve through to the roof level unless roof slope exceeds 3 in 12. All standpipes shall be equipped with 2-1/2" hose valves with a 2-1/2" x 1-1/2" reducer and cap.
37. Section 905.3.1 Height: Amend by adding the following new sentence to the end of the paragraph:

Class I standpipe systems shall also be installed throughout buildings where the floor level of the highest story is 2 stories with 25-foot corridors in length and all buildings which are 4 stories in height, including penthouses. All standpipes shall be equipped with 2-1/2" hose valves with a 2-1/2" x 1-1/2" reducer and cap.

38. Section 907.2 Where required - new buildings and structures. Delete this section in its entirety and in lieu thereof substitute the following new Section 907.2:

Section 907.2 Where required - new buildings and structures. Where required all fire alarm systems shall be installed in accordance with the following:

- a) An approved manual, automatic, or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23. In all cases an approved automatic fire alarm system shall be provided in buildings of Use Groups A, B, E, I, R-1, R-2, R-3 (where over and under or side-by-side construction is employed), and all buildings of mixed use, regardless of size, and all other principal buildings and individual uses over one (1) story in height or over two thousand (2,000) square feet in area, except Use Group R-4. Where automatic sprinkler protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.
- b) An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.
- c) Where automatic sprinklers provide protection to an area, approved flow and tamper switches interconnected to the fire alarm system shall be provided.

39. Section 907.2.8.2 Automatic smoke detection system. Amend by adding the following new Sections 907.2.8.2.1 and 907.2.8.2.2:

Section 907.2.8.2.1. Heat detectors. Heat detectors shall be provided on every floor and in all generally unattended areas such as storage rooms, garages, elevator shafts, laundry rooms, furnace rooms, basements, attic spaces, crawl spaces and similar areas. At least one (1) shall be provided in each living unit near the bedrooms. "Rate of Rise" type heat detectors are not permitted in this application.

Section 907.2.8.2.2. Detectors within Mean of Egress components. Smoke detectors shall be provided in all stairways, exit access hallways and exit passageways.

40. Section 907.2: Add the following subsection:

Section 907.2.24: Fire alarm and detection systems for townhouses shall be installed in multiple single-family dwellings (townhouses), if the building or structure contains two (2) or more units. All fire alarm and detection systems shall be listed and installed in accordance with the provisions of NFPA 72, the IBC 2018, the IFC 2018.

41. Section 907.6.1 Wiring. Delete this section in its entirety and in lieu thereof substitute the following new Section 907.6.1:

907.6.1 Wiring. Wiring shall comply with the requirements of NFPA 70 and NFPA 72. Wireless protection systems utilizing radio-frequency transmitting devices shall

comply with the special requirements for supervision of low-power wireless systems in NFPA 72.907.6.2 power supply. The primary and secondary power supply for the fire alarm system shall be provided in accordance with NFPA 72. Add: Battery backup shall be a minimum of 72 hours.

All fire alarm wiring shall be installed in conduit on all construction except in accessible ceiling areas and in open areas more than eight foot (8') above the adjacent finished floor where the threat of physical damage does not exist. The installation methods shall allow for easy removal and replacement of each device.

42. Section 907.6.4 Zones. Delete this section in its entirety and in lieu thereof substitute the following new Section 907.6.4:

Section 907.6.4 Zones. Except as otherwise approved by the fire official and/or the Building Official or his/her designee, each floor shall be zoned separately and a zone shall not exceed 10,000 square feet. The length of any zone shall not exceed 100 feet in any direction.

Each type of system (sprinkler, halon, alarm, etc.) shall be separately zoned. Individual dwelling units and tenant spaces (not including tenant spaces in an office building) shall have an indicator light located in an annunciator panel. The indicator light shall operate upon activation of a detector within the tenant space.

43. Section 907.6.4.1 Zoning indicator panel. Delete this section in its entirety and in lieu thereof substitute the following new Section 907.6.4.1:

Section 907.6.4.1 Zoning indicator/fire alarm control panel. A zoning indicator/fire alarm control panel and the associated controls shall be provided in an approved location. All zoning indicator/fire alarm control panels shall be located within climate-controlled enclosures. It shall be prohibited to install a zoning indicator/fire alarm control panel directly upon the outside exterior walls of a structure. The visual zone indication shall lock in until the system is reset and shall not be canceled by the operation of an audible-alarm silencing switch.

44. Section 907.6.6 Monitoring. Delete this section in its entirety and in lieu thereof substitute the following new Section 907.6.6:

Section 907.6.6 Monitoring. All fire protection systems shall transmit all alarm signals to the dispatch center serving Tri-State Fire Protection District, which may be routed through any central receiving station. All required fire alarm systems shall transmit alarm, trouble, and where specially permitted, supervisory signals (specifically where only allowed by the fire official) to a 24-hour monitoring company or Addison Consolidated Dispatch Center. Installation shall be in accordance with NFPA 72.

Exception: Supervisory service is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

45. Section 907.6.6.1 Automatic telephone-dialing devices. Delete in its entirety and in lieu thereof substitute with the following new Section 907.6.6.1:

Existing automatic telephone dialing devices, used to transmit a fire protection system signal, shall be converted to a wireless signal device, or most current monitoring method required by the Village of Willowbrook, when repair of the system requires new signal equipment or disconnected systems are placed back into service, unless otherwise approved by the Fire Code Official.

46. Section 912.1 Installation. Amend by adding the following new sentences to the end of the paragraph:

... "In all cases a Fire Department Connection with a five inch (5") Storz inlet shall be provided. Where the existing fire department connection is not a 5" Storz type connection, it must be replaced with a 5" inch Storz connection. Any new installation of the Storz connection shall be between 36" and 48" above finished grade. Any installation where the connection is between 36" and 48" or more above grade, a 30 degree elbow shall be required. Where the existing connection is less than 36" above grade, a 30 degree elbow shall not be allowed. Tri-State Fire Protection District reserves the right to grant variances on any fire department connection."

47. Section 912.2.1 Visible location. Amend by adding the following new sentence to the end of the paragraph:

... "Access routes shall be so arranged that fire department apparatus may respond from all points of the building to adjacent fire hydrants along routes not to exceed two hundred fifty feet (250') from the most remote point of the building perimeter to the closest fire hydrant. If the building configuration cannot be obtained the Fire Code Official may make concessions."

(Ord. 19-O-10, 6-24-2019; amd. Ord. 19-O-14, 8-12-2019)

(C) Enforcement And Delegation Of Duties:

1. This Fire Code shall be enforced by the building official or his/her designee of the Village of Willowbrook.
2. The building official or his/her designee may delegate the review of all plans submitted in compliance with the terms of this chapter, as well as the inspection of any required construction or improvement, to fire inspectors employed or appointed by any appropriate Fire Department or Fire Protection District. He may further request that such fire inspector give written approval of any plan required under the terms of this chapter.

(D) Prohibited Or Restricted Storage Or Manufacturing:

1. Notwithstanding any provisions of the International Fire Code or any other code, rule or regulation incorporated herein to the contrary, the storage of explosives and blasting agents and the manufacture and/or storage of fireworks is expressly prohibited.
2. The storage of flammable or combustible liquids in outside, aboveground tanks is also expressly prohibited except that storage of flammable or combustible liquids shall be permitted in outside, aboveground tanks provided such tank has a maximum capacity of two thousand one hundred (2,100) gallons and complies with all of the requirements set forth in chapter 57 of the Fire Code.
3. The bulk storage of liquefied petroleum gas shall be permitted subject to the restrictions contained in chapter 61 of the International Fire Code and shall further not be located near populated areas or congested commercial areas. The bulk storage of liquefied petroleum gas provided for herein shall be permitted only upon written approval of the building official or his/her designee of the Village of Willowbrook.

(E) Regulations Governing Construction Of High Rise Buildings: Notwithstanding any provisions of this Fire Code to the contrary, no construction, modification, alteration or improvement of any building or structure, whether multi-family, office, industrial or commercial, in excess of the lesser of three (3) stories or thirty feet (30') in height, measured from surrounding grade, shall be commenced until the plans and specifications for such construction, modification, alteration or improvement have been approved by the building official or his/her designee as being in compliance with the following requirements:

1. Water: All plans submitted hereunder shall provide for and depict the location, placement and type of fire hydrants, Fire Department connections to the standpipe system and sprinkler system. Each such hydrant shall have one (1) 4 $\frac{1}{2}$ -inch and two (2) 2 $\frac{1}{2}$ -inch Fire Department connections with National Standard threads (NST).
  - (a) Each such building or structure shall have standpipes of a minimum diameter of four inch (4") and maximum of six inch (6") conforming to National Fire Protection Association 14 Standpipe Class 1, with the size and location of said standpipes to be as approved by the building official. Each such standpipe shall have a two and one-half inch (2 $\frac{1}{2}$ ) NST Fire Department connections equipped with shutoff valves, removable two and one-half inch (2 $\frac{1}{2}$ ) to one and one-half inch (1 $\frac{1}{2}$ ) NST caps, at each floor in the stairwell. There shall be a minimum of one such standpipe for each stairwell.
  - (b) Each such building shall be equipped with fire pumps conforming to National Fire Protection Association 20. Said pumps shall be located at the lowest building level or as otherwise designated by the building official or his/her designee.
2. Electrical Systems And Alarm Systems: All plans submitted hereunder shall provide for and depict the location of non-energized conduit wiring and outlets acceptable to the building official or his/her designee for Fire Department or appropriate Fire Protection District use, said wiring and outlets to be located on each and every floor of each such building or structure.
  - (a) There shall be located on each floor of every such building and structure a conduit and outlet for portable telephones for use by the Fire Department or appropriate Fire Protection District. Each building or structure shall contain a fire alarm system covering all public areas therein, which there shall be located on each floor of every such building and structure a conduit and outlet for portable telephones for use by the Fire Department or appropriate Fire Protection District. Each building or structure shall contain a fire alarm system covering all public areas therein, which system shall minimally comply with the requirements of NFPA 72. Said system shall provide for direct supervised connections to the Fire Department or appropriate Fire Protection District and at least one floor lobby in each such building or structure. Notifier alarm equipment shall be installed with the Fire Department or appropriate Fire Protection District where feasible. Each building or structure shall be provided with emergency lighting as specified in the International Building Code. Each elevator in every such building or structure shall be equipped with a key operated override control and the control panel for said elevator located on the ground floor of each building that shall contain recall controls, all acceptable to the Fire Department or appropriate Fire Protection District. The override control in each elevator shall override all elevator call devices. No elevator call device shall be sensitive to heat, water, light or smoke.

(F) Modifications: The building official or his/her designee of the Village of Willowbrook shall have the power to grant relief from or approve substitutions to any of the provisions of this Fire Code, or any rule or regulation incorporated therein, upon written application of any affected owner, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided that the intent of the code shall be observed, public safety secured and substantial justice done. The particulars of such modifications, when granted or allowed, and the decision of the building official or his/her designee thereon shall be entered upon the records of the department and a signed copy furnished to the applicants. If and when questions arise pertaining to the intent of any fire

prevention and/or life safety requirement, the current NFPA standards shall be referred to as accepted engineering practices.

(G) Application Of Provisions: Except as provided elsewhere in this code, any existing building and/or structure shall be brought into compliance with all applicable provisions of this code in the following situations:

1. If the structure or building is increased in floor area or in height, the entire structure or building shall be made to conform with the requirements of this code.
2. If any portion is changed in occupancy, that portion separated by approved fire rated construction shall be made to conform with the requirements of this code.
3. If any portion is altered or remodeled in a dollar amount in excess of thirty five percent (35%) of the fair market value of the building or structure before the alteration or remodeling, the entire building structure shall be made to conform to the requirements of this code.
4. If a building or structure is damaged by fire or other cause in excess of thirty five percent (35%) of the fair market value before the damage occurred, the entire structure or building (exclusive of foundation) shall meet the requirements of this code. (Ord. 19-O-10, 6-24-2019)

**SECTION THREE.** That all other provisions of Section 4-2-21 and Section 4-2-28, including subsections therein not amended by this ordinance, shall remain in full force and effect.

**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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**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 9<sup>th</sup> day of March 2020.

ROLL CALL VOTE:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

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Frank A. Trilla, Mayor

ATTEST:

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Leroy R. Hansen,  
Village Clerk

## LAW AND ORDINANCES COMMITTEE MEETING

### AGENDA ITEM SUMMARY SHEET

AGENDA ITEM DESCRIPTION	COMMITTEE REVIEW
<b>DISCUSSION – AN ORDINANCE AMENDING TITLE 3 ENTITLED “BUSINESS REGULATIONS” OF THE VILLAGE CODE OF ORDINANCES BY ADDING CHAPTER 22 ENTITLED ‘RETAIL SALE OF DOGS, CATS AND RABBITS’</b>	<input type="checkbox"/> Finance/Administration <input type="checkbox"/> Municipal Services <input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Law & Ordinances <u>Meeting Date:</u> March 9, 2020
<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Seeking Feedback <input type="checkbox"/> Regular Report	<input type="checkbox"/> Approval of Staff Recommendation (for consideration by Village Board at a later date) <input type="checkbox"/> Approval of Staff Recommendation (for <u>immediate</u> consideration by Village Board) <input type="checkbox"/> Report/documents requested by Committee

#### BACKGROUND:

A significant number of young dogs, cats and rabbits sold at pet stores come from large-scale commercial breeding facilities where the health and welfare of the animals are not adequately provided for ("puppy mills", "kitten mills" and "rabbit mills", respectively). According to the Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet store dogs and cats, and many pet store rabbits, come from puppy mills, kitten mills and rabbit mills. The documented abuses in puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise. The inhumane conditions in puppy, kitten and rabbit mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet stores due to both a lack of education on the issue and misleading tactics of pet stores in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers.

Current Federal, State and County regulations do not properly address the sale of puppy, kitten and rabbit mill animals in pet stores. Restricting the retail sale of puppies, kittens and rabbits to only those sourced from animal care facilities, rescue organizations or humane societies, is likely to decrease the demand for mill-bred puppies, kittens and rabbits. This Ordinance will not affect a consumer's ability to obtain a dog, cat or rabbit of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs, cats or rabbits are bred, and where the health, temperament and best interests of the animal are placed before profit; and where the breeder is committed to the animal for life.

The proposed ordinance has been crafted to meet the following objectives:

1. To protect dogs, cats and rabbits from improper use, abuse, neglect, inhumane treatment and health hazards.
2. To prevent dogs, cats and rabbits from being bred and housed in overcrowded and unsanitary conditions without adequate care, food, water, shelter, space, exercise and socialization (mill-bred).

3. To reduce health and behavioral issues as well as congenital and hereditary illness and disease seen in mill-bred dogs, cats and rabbits.
4. To reduce the financial and emotional costs on consumers who purchase a mill-bred dog, cat or rabbit which has health or behavioral issues.
5. To fill in gaps in Federal, State and County regulations as they do not properly address the sale of mill-bred dogs, cats and rabbits in pet stores.
6. To promote community awareness of animal welfare.

The proposed ordinance creates new definitions for animal care facility, animal rescue shelters/organizations, humane society, offer for sale, and retail pet stores. The ordinance creates restrictions on the retail sale of dogs, cats and rabbits unless the animals are obtained from an animal care facility, rescue or humane organization. The ordinance provides for paperwork disclose periods and allows for exemptions and penalties for offences.

**STAFF RECOMMENDATION:**

**Staff is seeking feedback on the proposed ordinance.**

**ORDINANCE NO. 20-0-\_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 3 ENTITLED "BUSINESS REGULATIONS" OF  
THE VILLAGE CODE OF ORDINANCES BY ADDING CHAPTER 22 ENTITLED  
"RETAIL SALE OF DOGS, CATS AND RABBITS"**

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**WHEREAS**, The Village of Willowbrook (the "Village") is a home rule unit of government pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois and as such may legislate as to matters which pertain to its local government affairs; and

**WHEREAS**, the corporate authorities of the Village, pursuant to its home rule powers, has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and to protect the public health, safety and welfare of its citizens; and

**WHEREAS**, the corporate authorities find that a significant number of young dogs, cats and rabbits sold at pet stores come from large-scale commercial breeding facilities where the health and welfare of the animals are not adequately provided for ("puppy mills", "kitten mills" and "rabbit mills", respectively). According to the Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet store dogs and cats, and many pet store rabbits, come from puppy mills, kitten mills and rabbit mills; and

**WHEREAS**, the documented abuses in puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise. The inhumane conditions in puppy, kitten and rabbit mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet stores due to both a lack of education on the issue and misleading tactics of pet stores in some cases. These health and behavioral issues, which may not present

themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers; and

**WHEREAS**, current Federal, State and County regulations do not properly address the sale of puppy, kitten and rabbit mill animals in pet stores; and

**WHEREAS**, restricting the retail sale of puppies, kittens and rabbits to only those sourced from animal care facilities, rescue organizations or humane societies, is likely to decrease the demand for millbred puppies, kittens and rabbits; and

**WHEREAS**, this Ordinance will not affect a consumer's ability to obtain a dog, cat or rabbit of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs, cats or rabbits are bred, and where the health, temperament and best interests of the animal are placed before profit; and where the breeder is committed to the animal for life; and

**WHEREAS**, the corporate authorities of the Village have determined it is in the best interests of the Village to adopt reasonable regulations to reduce costs to the Village and its residents, protect the residents of the Village who may be inclined to purchase cats, dogs or rabbits from a pet store or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the Village.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the Village of Willowbrook in DuPage County, Illinois, as follows:

**SECTION ONE.** The foregoing recitals are the findings of the corporate authorities of the Village of Willowbrook and are incorporated herein as if fully restated.

**SECTION TWO.** Title 3 entitled "Business Regulations", as amended, is hereby further amended by adding thereto Chapter 22 entitled "Retail Sale of Dogs, Cats and Rabbits" to read as follows:

**Chapter 22**

**Retail Sale of Dogs, Cats and Rabbits.**

**(A) Definitions.**

*Animal care facility* means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or in significant part, the rescue and placement of animals in permanent homes or rescue organizations.

*Animal rescue organization/animal rescue shelter* means any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes. This term does not include any entity which, is or is housed on the premises of, a breeder or broker, obtains dogs, cats or rabbits from a breeder or broker in exchange for payment or compensation, or resells dogs, cats or rabbits obtained from a breeder or broker and provides payment or compensation to such breeder or broker.

*Humane Society* means any chartered, not-for-profit organization authorized to do business in this State and organized for the purpose of preventing cruelty to animals and promoting humane care and treatment of animals.

*Offer for sale* means to sell, offer for sale or adoption, advertise for sale of, barter, auction, give away or otherwise dispose of a dog, cat or rabbit.

*Retail pet store* means a retail establishment where dogs, cats and rabbits are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization or animal rescue shelter, as defined herein.

**(B) Restrictions on the Retail Sale of Dogs, Cats or Rabbits.**

No retail pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or otherwise dispose of dogs, cats or rabbits unless said animals are obtained from an animal care facility, animal rescue organization or humane society.

**(C) Disclosures Required.**

Any retail pet store who offers for sale a dog, cat or rabbit shall make the following disclosures to the customer about such animal:

1. For each dog or cat: a written disclosure meeting all of the requirements set forth in Sections 3.5 or 3.15, as applicable, of the Animal Welfare Act, 225 ILCS 605, *et seq.*; and
2. For each rabbit: (i) the breed, approximate age, sex and color of the animal; (ii) the date and description of any inoculation or medical treatment that the animal received while under the possession of the retailer, (iii) the name and address of the location where the rabbit was born, rescued, relinquished or impounded; and (iv) if the rabbit was returned by a customer, the date of and reason for the return.

The disclosure required under this Section shall be provided by the retailer to the customer in written form and shall be signed by both the retailer and customer at the time of sale. The retailer shall retain the original copy of such disclosure and acknowledgment for a period of two (2) years from the date of sale. Upon request by an authorized Village official, the original copy of such disclosure and acknowledgment shall be made immediately available for inspection by such authorized Village official.

The retail pet store shall post, in writing, in a conspicuous place on or near the cage of any dog, cat or rabbit offered for sale all of the information about a dog, cat or rabbit required under this Section and other applicable law.

**(D) Exceptions.**

The restrictions on retail pet stores set forth in Section (B) of this Chapter shall not apply to the following entities:

An animal control center, animal care facility, kennel, pound or training facility operated by any subdivision of local, state or federal government; a humane society or rescue organization; or to any veterinary hospital or clinic licensed pursuant to the Veterinary Medicine and Surgery Practice Act of 2004, 225 ILCS 115, *et seq.*.

**(E) Violation/Penalties.**

Any person or entity who shall be found guilty or liable of a violation of any of the provisions of this Chapter shall be subject to a fine of not less than two hundred fifty dollars (\$250.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. A separate offense shall be deemed committed for every dog, cat or rabbit that is sold in violation of this Chapter.

**(F) Severability.**

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

**SECTION THREE.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION FOUR.** That this ordinance shall be in full force and effect ten (10) days from and after its passage and publication in the manner provided by law.

PASSED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

ROLL CALL VOTE:                    AYES: \_\_\_\_\_

    NAYS: \_\_\_\_\_

    ABSTENTIONS: \_\_\_\_\_

    ABSENT: \_\_\_\_\_

APPROVED:

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Frank A. Trilla, Mayor

ATTEST:

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Leroy R. Hansen,  
Village Clerk