

ORDINANCE NO. 2019 - 02

AN ORDINANCE AMENDING THE VILLAGE OF HINCKLEY CODE OF ORDINANCES ADOPTING UPDATED EDITIONS OF VARIOUS BUILDING CODES

WHEREAS, Chapter 18 of the Village of Hinckley Code of Ordinances ("Village Code") adopts and governs various building codes to be applicable within the Village of Hinckley ("Village"); and

WHEREAS, the Village desires to amend various provision of Chapter 18 to adopt updated editions of said building codes; and

WHEREAS, the Village has determined that such amendments, as set forth herein, are in the best interests of the Village and its citizens.

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Hinckley, DeKalb County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made part of this Ordinance as if fully set forth in this Section 1.

Section 2. That Section 18-2 of the Village Code regarding the adoption of a building code is hereby amended to read as follows (deletions shown as strikethroughs and additions as underlines):

"18-2: ADOPTION:

The ~~2006~~2015 edition of the international building code, including appendix chapters, as published by the International Code Council is hereby adopted in its entirety as the building code of the village of Hinckley, Illinois, regulating and governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said building code are hereby referred to, adopted, and made a part hereof as if fully set out in this section with the additions, insertions, deletions and changes, if any, as prescribed in this chapter.

Three (3) copies of the building code, including appendix chapters, are on file with the clerk of the village.

Wherever the word "municipality" is used in the building code, it shall be held to mean the village of Hinckley.

Wherever the term "corporation counsel" is used in the building code, it shall be held to mean the village attorney of Hinckley."

"18-2 AMENDMENTS:

Amendments to the building code shall be as set forth in Chapter 18 of the Village Code.

The building code, the most recent edition, is amended and changed in the following respects:

Additions to the international building code enforced by the village of Hinckley shall be when designated by the local building inspector that wet/damp conditions are presented at a building site; said inspector with the permission of the village board shall require the foundation to be waterproofed with a suitable water-sealing material. (Ord. 572, 7-8-2002)

A. All outer wall foundations to be dampproofed.

B. All residential housing to have one sump pump in the basement.

C. Floor coverings to be complete in all living areas prior to issuing a certificate of occupancy.

Egress Windows: Basements and every sleeping room shall have at least one openable emergency escape with a sill height of not more than 44 inches. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Minimum net clear opening must be 5 square feet for grade floor windows. Minimum net clear opening height shall be 24 inches. Minimum net clear opening width shall be 20 inches. The window must be capable of opening without the use of a key or tool.

Window Wells: The minimum horizontal area of a window well shall be 9 square feet with a minimum horizontal projection and width of 36 inches. Window wells with a depth greater than 44 inches require a ladder. The ladder shall be permitted to encroach a maximum of 6 inches into the required dimensions of the window well. Ladders or rungs shall have an inside width of at least 12 inches, shall project at least 3 inches from the wall, and shall be spaced not more than 18 inches on center vertically for the full height of the window well."

Section 3. That Section 18-2(d) of the Village Code regarding the adoption of a mechanical code is hereby amended to read as follows (deletions shown as strikethroughs and additions as underlines):

“18-2(d): ADOPTION:

The ~~2006~~2015 edition of the international mechanical code, including appendix chapters, as published by the International Code Council is hereby adopted in its entirety as the mechanical code of the village of Hinckley regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said mechanical code are hereby referred to, adopted, and made a part hereof as if fully set out in this section with the additions, insertions, deletions and changes, if any, as prescribed in this chapter.

Three (3) copies of the mechanical code, including appendix chapters, are on file with the clerk of the village.”

Section 4. That Section 18-2(d) of the Village Code regarding amendments to the mechanical code is hereby amended to read as follows (deletions shown as strikethroughs and additions as underlines):

“18-2(d): AMENDMENTS:

Amendments to the mechanical code shall be as set forth in Chapter 18 of the Village Code.

The following sections are hereby revised:

~~—Section 108.4 Violation Penalties: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provision of this code, shall be guilty of a petty offense, punishable by a fine of not more than \$500.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

~~Section 108.5 Stop Work Orders: Upon notice from the code official the mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to~~

~~perform to remove a violation or unsafe condition, shall be liable for a fine of not less than \$50.00 or more than \$500.00."~~

Section 5. That Section 18-2 (i) of the Village Code regarding the adoption of a residential code for one and two-family dwellings is hereby amended to read as follows (deletions shown as strikethroughs and additions as underlines):

"18-2(i) ADOPTION:

The ~~2006~~2015 edition of the international residential code, including appendix chapters, as published by the International Code Council is hereby adopted in its entirety as the residential code of the village of Hinckley, Illinois, regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said residential code are hereby referred to, adopted, and made a part hereof as if fully set out in this section with the additions, insertions, deletions and changes, if any, as prescribed in this chapter.

Three (3) copies of the residential code, including appendix chapters, are on file with the clerk of the village."

Section 6. That Section 18-2(i) of the Village Code regarding amendments to the residential code for one and two-family dwellings is hereby amended to read as follows (deletions shown as strikethroughs and additions as underlines):

"18-2 (i) AMENDMENTS:

Amendments to the residential code shall be as set forth in Chapter 18 of the Village Code.

~~The following sections of the ICC international residential code, 2006 edition, are amended to read as follows: (Ord. 760, 11-9-2009)~~

~~R309.1.1 Duct Penetration. Ducts in the garage and ducts penetrating the walls or ceilings separating the dwelling from the garage shall be constructed of a minimum no. 26 gage (0.48 mm) sheet steel or other approved material and shall have no openings into the garage.~~

~~R309.2 Separation Required. The garage shall be separated from the residence and its attic area by not less than 5/8 inch (15.9 mm) type X fire-rated gypsum board applied to the garage side. Where the separation is a floor-ceiling assembly, the structure supporting~~

the separation shall also be protected by not less than 5/8 inch (15.9 mm) type X fire-rated gypsum board or equivalent.

~~R310.1 Emergency Escape And Rescue Required. Basements and every sleeping room shall have at least one open-able emergency escape and rescue window or exterior door opening for emergency escape and rescue. Said emergency escape and rescue window shall have a sill height of not more than 44 inches (1118 mm) above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the window or door opening from the inside. Escape and rescue window openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with section R310.2.~~

~~Section R311.4.1a is added as follows:~~

~~R311.4.1a All exit doors and patio doors must have temporary or permanently installed steps on the exterior in order to get final occupancy. Only one exception, where patio, or exit door is six (6) foot off final grade, then door or patio door must be securely secured shut.~~

~~R317.1 Residential Dwelling Unit Separation. All residential dwelling units shall be separated from each other by wall and/or floor-ceiling assemblies of not less than two hour fire-resistive rating when tested in accordance with ASTM E-119. Fire-resistive rated floor-ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend to the underside of the roof sheathing.~~

~~R317.1.1 Supporting Construction. When floor assemblies are required to be fire-resistive-rated by section R317.1, the supporting construction of such assemblies shall have an equal or greater fire-resistive rating.~~

~~R317.2 Townhouses. Each townhouse shall be considered a separate building/unit and shall be separated by fire-resistive rated assemblies meeting the requirements of section R317.1.~~

~~R325.1 Premises Identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be arabic numerals or alphabet letters. Numbers shall be a minimum of four (4) inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).~~

~~1. Applicability. This section shall apply to all structures within the village; provided, that the owners or occupants of existing structures shall not be deemed guilty of a violation hereunder unless they shall fail to comply with this section within 30 days after such time as the numbering sign or designation of street address on the property shall be replaced, changed or redesigned. Compliance with this section shall be a condition for the issuance of a certificate of occupancy in addition to all other ordinances pertaining thereto.~~

2.—Effect Of Sign Regulations. In the event of conflict between this section and the village of Hinckley code of ordinances pertaining to building street number signs, the provisions of this section shall control.

—Section R328 is created and approved to read as follows:

—Section R328 Accessory Structures

R328.1 Storage Sheds. All sheds shall be securely anchored either to a foundation or to the ground. Anchoring to the ground shall be accomplished by means of metal ground screws, metal stakes, treated wood stakes, or other approved methods.

—Section R329 is created and approved to read as follows:

—Section R329 Window Well Covers

R329(1) Window Well Covers. All window wells shall have a protective cover capable of supporting a 250 lb. (113.5 kg.) load, to prevent people and animals from falling into the well. Window well covers for emergency escape and rescue openings shall be installed in accordance with section R310.

—Section R703.2 and table R703.4 is amended and approved to read as follows:

Revised to require a water-resistive barrier under all exterior wall finish (siding) materials. To read as follows:

R703.2 Water-Resistive Barrier And Window Flashing. One layer of no. 15 asphalt felt, free from holes and breaks, complying with ASTM D 226 for type I felt or other approved water-resistive barrier shall be applied horizontally, with the upper layer lapped over the lower layer not less than 2 inches (51 mm). Where joints occur, felt shall be lapped not less than 6 inches (152 mm). The felt or other approved material shall be continuous to the top of wall and terminated at penetrations and building appendages in a manner to meet the requirements of the exterior wall envelope as described in section R703.1.

Exception: Omission of the water-resistive barrier is permitted in the following situations:

1. In detached accessory buildings.
2. Under exterior wall finish materials as permitted in table R703.4.
3. Under paperbacked stucco lath when the paper backing is an approved weather-resistive sheathing paper.

Table R703.4 is amended and changed. The new exhibit A is incorporated by reference herein as the new table R703.4.

R801.3 Roof Drainage/Gutters And Downspouts. Roofs of all buildings shall have the means of concentrating storm water. Residential downspouts not connected to the storm sewer shall discharge directly onto splash blocks located no closer to the abutting property line than one-half the overall distance as measured between the building and the abutting property line. The discharged water shall not be allowed to flow across walking

or driving surfaces. When the point of discharge is located within 5 feet (1524 mm) from the abutting property line, the discharge pipe shall be directed to the front or rear of the property. If this cannot be achieved, the downspouts shall be directly connected to a storm sewer. The village, or its authorized designee, may vary the requirements of this section if warranted by site conditions.

Section R1004 of the residential code, governing factory-built fireplaces, is amended to add the following paragraph:

"Local Requirement: All gas or solid-burning fireplace cases shall be fire-stopped on the inside walls with one-half-inch drywall, up to the ceiling fire stop."

Section N1101.2 of the residential code, governing energy conservation, is amended to add the following paragraph:

"Local Insulation Requirement: A minimum of R-38 for ceilings, and a minimum of R-15 for exterior wall cavities. In the event the requirements of the state of Illinois energy code are more restrictive as compared to the requirements of this section, the state of Illinois energy code shall control to the extent such differences exists."

Section 7. That Section 18-1 of the Village Code regarding the adoption of an existing building code is hereby amended to read as follows (deletions shown as strikethroughs and additions as underlines):

"18-1 ADOPTION:

The ~~2006~~2015 edition of the international existing building code, including appendix chapters, as published by the International Code Council is hereby adopted in its entirety as the existing code of the village of Hinckley, Illinois, regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said existing building code are hereby referred to, adopted, and made a part hereof as if fully set out in this section with the additions, insertions, deletions and changes, if any, as prescribed in this chapter.

Three (3) copies of the existing building code, including appendix chapters, are on file in the office of the clerk of the village."

Section 8. That a new Section 18-1 of the Village Code is hereby created to be entitled "Amendments" regarding amendments to the existing building code to read as follows (deletions shown as strikethroughs and additions as underlines):

“18-1: AMENDMENTS:

Amendments to the existing building code shall be as set forth in Chapter 18 of the Village Code.”

Section 9. That Section 18-2(H) of the Village Code regarding the adoption of a fire code is hereby amended to read as follows (deletions shown as strikethroughs and additions as underlines):

“18-2(H): ADOPTION:

The ~~2006~~2015 edition of the international fire code, including appendix chapters, as published by the International Code Council is hereby adopted in its entirety as the fire code of the village of Hinckley, Illinois, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the village and providing for the issuance of permits and the collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said fire code of the village are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this chapter.

Three (3) copies of the fire code, including appendix chapters, are on file with the clerk of the village.”

Section 10. That a new Section 18-2 (H)of the Village Code is hereby created to be entitled “Amendments” regarding amendments to the fire code to read as follows (deletions shown as strikethroughs and additions as underlines):

“18-2(H): AMENDMENTS:

Amendments to the fire code shall be as set forth in Chapter 18 of the Village Code.”

Section 11. That a new Chapter 18 of the Village Code is hereby created to be entitled “Amendments To Codes” and to read as follows (deletions shown as strikethroughs and additions as underlines):

“18-19: Building Codes Adopted:

The Village has adopted the following codes;

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The International Building Code, 2015 Edition (hereinafter the "building code" or "IBC"); the International Residential Code For One And Two Family Dwellings 2015, (the IRC); the 2015 International Fire Code (IFC); 2015 International Mechanical Code (IMC); 2015 International Fuel Gas Code (IFGC) and 2015 International Existing Building Code (IEBC).

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The IBC, IRC, IFC, IMC, IFGC, the 2015 Northwest Illinois Regional Building Code and IEBC may be jointly referred to as the adopted codes.

In the event of any conflict between any of the adopted codes and any other portion of this Chapter 18, then the other more specific provision contained in this Chapter 18 shall control and be enforced.

Appeals of any decision of the building inspector shall be made, in writing, to the Village Board and shall specifically set forth the relief sought and the reason therefor and shall cite specifically any provision of any code or case relied upon.

Section 12. That Section 18-2(c) of the Village Code regarding the adoption of an electrical code is hereby amended to read as follows (deletions shown as strikethroughs and additions as underlines):

"18-19 (c): ADOPTION:

The provisions of the ~~2008~~2014 national electrical code, (NFPA 70), as promulgated by the National Fire Protection Association is hereby adopted in its entirety as the electrical code of the village of Hinckley, Illinois, for any buildings and premises in the village and providing for the issuance of permits and the collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said electrical code of the village are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this chapter.

Three (3) copies of the electrical code are on file with the clerk of the village."

Section 13. That the first sentence of Section 18-2 (c) of the Village Code regarding amendments to the electrical code is hereby amended to read as follows (deletions shown as strikethroughs and additions as underlines):

"The ~~2008~~2014 edition of the national electrical code as previously adopted by the village is amended as follows:"

Section 14. That Section 18-2 (e) of the Village Code regarding adoption of a plumbing code is hereby amended to read as follows (deletions shown as strikethroughs and additions as underlines):

“18-2 (e): ADOPTION:

The provisions of the ~~2004~~2014 Illinois plumbing code as promulgated by the Illinois department of public health, is hereby adopted in its entirety as the plumbing code of the village of Hinckley, Illinois, for any buildings and premises in the village and providing for the issuance of permits and the collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said plumbing code of the village are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this chapter.

Three (3) copies of the plumbing code are on file with the clerk of the village.”

Section 15. That Section 18-2 (f) of the Village Code regarding adoption of an energy conservation code is hereby amended to read as follows:

Section 18-2(f) ADOPTION:

There is hereby adopted by the village a certain code known as the International Energy Conservation Code, latest edition as adopted by the State of Illinois, developed by International Code Council is hereby adopted by reference. The terms and conditions of the latest edition are hereby to be in full force and effect as adopted by the village in its entirety and subject to any amendments made hereto.

Section 16. That Section 18-2 (j) of the Village Code regarding adoption of an energy conservation code is hereby amended to read as follows:

Section 18-2(j) ADOPTION:

The International Property Maintenance Code, 2015 edition, as published by the International Code Council, Inc., be and is hereby adopted as the property maintenance code of the Village of Hinckley, DeKalb County, Illinois, for regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said international property maintenance code, on file in the office of the Village of Hinckley are hereby referred to, adopted, and made a part hereof, as if fully set out in this subsection, with the specific revisions otherwise noted in subsection J2 of this section, is hereby adopted by reference.

Section 17. That Section 18-2 (k) of the Village Code regarding adoption of an energy conservation code is hereby amended to read as follows:

Section 18-2(k) ADOPTION:

The Life Safety Code, 2012 edition, as published by the National Fire Protection Association (NFPA), be and is hereby adopted as the life safety code of the Village of Hinckley, DeKalb County, Illinois, for the purpose of regulating and governing the safeguarding of life and property from fires and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, on file in the office of the Village of Hinckley are hereby referred to, adopted, and made a part hereof, as if fully set out in this subsection, with the specific revisions otherwise noted in subsection K1 of this section; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said life safety code, is hereby adopted by reference.

Where difference occur between the provisions of this Code, the International Fire Code and the referenced standards, the most restrictive shall apply.

Section 18. No Other Amendment. Except as expressly modified or amended in this Ordinance, all other terms, conditions, and provisions of the Village Code of Ordinances not so modified or amended, shall remain in full force and effect; provided, however, that any provision of the Village Code of Ordinances shall be deemed modified as necessary to give practical effect to the provisions of this Ordinance. To the extent that the terms and provisions of this Ordinance conflict the Village Code of Ordinances, the terms and provisions of this Ordinance shall control.

Section 16. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as required by law.

PASSED UPON MOTION BY Trustee Nier

SECONDED BY Trustee Manivong

BY ROLL CALL VOTE THIS 28th DAY OF January, 2019

AS FOLLOWS:

VOTING "AYE":

Manivong, Nier, Sellers, Constant

VOTING "NAY": None

ABSENT, ABSTAIN, OTHER: Riforgiate

APPROVED: January 28, 2019

ATTEST:

Elgabell Khicini
CLERK

Mykel
VILLAGE PRESIDENT