

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 19-O-17

AN ORDINANCE AMENDING CHAPTER 6 - BUILDINGS AND TECHNICAL REGULATIONS OF THE LIBERTYVILLE, ILLINOIS MUNICIPAL CODE

WHEREAS, the Village of Libertyville enacted Chapter 6-Buildings and Technical Regulations of the Village of Libertyville Municipal Code; and

WHEREAS, the President and Board of Trustees of the Village of Libertyville have determined that it is in the best interest of the Village and its residents to update the building and fire prevention requirements of the Village of Libertyville to improve the standards for buildings and technical regulations; and

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village and its residents to adopt the following amendments:

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LIBERTYVILLE, COUNTY OF LAKE, STATE OF ILLINOIS, AS FOLLOWS:

SECTION ONE: Recitals. The foregoing recitals are hereby incorporated herein as if fully set forth.

SECTION TWO: Repeal of Chapter 6-Buildings and Technical Regulations of the Village of Libertyville Municipal Code. Chapter 6-Buildings and Technical Regulations of the Village of Libertyville Municipal Code is hereby repealed, in its entirety.

SECTION THREE: Adoption of Chapter 6-Buildings and Technical Regulations of the Village of Libertyville Municipal Code. Immediately following the repeal of Chapter 6-Buildings and Technical Regulations of the Village of Libertyville Municipal Code, as set forth in the preceding section of this ordinance, Chapter 6-Buildings and Technical Regulations of the Village of Libertyville Municipal Code shall hereby be adopted as follows:

**LIBERTYVILLE, ILLINOIS MUNICIPAL CODE**  
**Chapter 6 BUILDINGS AND TECHNICAL REGULATIONS\***

\*Cross reference(s)--Community appearance, Ch. 7; environmental preservation, Ch. 9; nuisances, Ch. 15; planning and development, Ch. 18; subdivisions, Ch. 22; zoning, Ch. 26.

State law reference(s)--General authority to regulate buildings and construction, 65 ILCS 5/11-30-1--5/11-39-3

**ARTICLE I. IN GENERAL**

**Secs. 6-1--6-25. Reserved.**

**ARTICLE II. BUILDING CODE**

**DIVISION 1. GENERALLY**

**Sec. 6-26. Title.**

This article shall be known as the building code of the village, referred to in this article as "this code," and shall include general provisions, the basic building code, the mechanical code, the plumbing code, energy code, swimming pool code, fuel gas code, existing building code, and the one and two family residential code. Other codes and ordinances of the village which pertain to the construction or alteration of buildings and structures include, without limitation, the electrical code in article III of this chapter, the property maintenance code in article IV of this chapter, and the fire prevention code in article V of this chapter.

(Ord. No. 92-0-52, ' 2(100-1), 10-27-92)

**Sec. 6-27. Scope.**

This article shall control all matters concerning the construction, alteration, addition, repair, movement, equipment, replacement, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, and shall apply to existing or proposed buildings and structures; except as such matters are otherwise provided for in chapter 26, Zoning, or other ordinances or statutes, or in the rules and regulations authorized for promulgation under the provisions of this code.

(Ord. No. 92-0-52, 2(100-2), 10-27-92)

**Sec. 6-28. Intent.**

This code shall be construed to secure its expressed intent, which is to establish the minimum

requirements to safeguard public safety, health and welfare, insofar as they are affected by building or structure construction, through structural strength, stability, adequate means of egress facilities, sanitary equipment and systems, light and ventilation, electrical devices and systems, and fire safety; and, in general, to secure safety to life and property from all hazards incident to the design, erection, repair, replacement, removal, demolition, maintenance, or use and occupancy of buildings, structures or premises.

(Ord. No. 92-0-52, '2(100-4), 10-27-92)

**Sec. 6-29. Applicability.**

- (a) *Generally.* The provisions of this article shall cover all matters affecting or relating to buildings and structures, as set forth in sections 6-26 through 6-28.
- (b) *Exemptions.* This code shall not be construed as requiring alterations to lawfully constructed existing buildings or equipment, unless specific provision is made to the contrary or unless the provision is expressly made retroactive.
- (c) *Matters not provided for.* Any requirement essential for structural, fire, electrical, mechanical or sanitary safety of an existing or proposed building or structure, or essential for the safety of the occupant thereof, and which is not specifically covered by this code or other codes and ordinances of the village as described in section 6-26, shall be determined by the building official based upon the exercise of his best professional judgment in accordance with customary practice in the field.
- (d) *Other regulations.* When the provisions in this article specified for health, safety and welfare are more restrictive than other regulations, this code shall control; but in any case, the most rigid requirements of either this code or such other applicable regulations as may be in force or legally adopted shall apply whenever they may be in conflict.

(Ord. No. 92-0-52, '2(100-5), 10-27-92)

**Sec. 6-30. Existing structures.**

- (a) *Unlawful use.* Any use, building or structure used or constructed unlawfully or that was in violation of any previous codes or regulations, prior to the adoption of this code, shall be deemed a continuing violation and subject to the penalties of this code.
- (b) *Continuation of existing use.* Consistent with chapter 26, Zoning, the legal use and occupancy of any structure existing on the date of adoption of this code or for which building permits have been applied and which meet all provisions of previous regulations may be continued without change, except as may be specifically covered in this code and the property maintenance and fire prevention regulations adopted in articles IV and V of this chapter, or as may be deemed necessary by the building official for the general safety and welfare of the

occupants and the public.

- (c) *Change in use.* It shall be unlawful to make any change in the use or occupancy of any structure or portion thereof which would subject it to any special or general provision of this code without approval of the building official, certifying that such structure meets the intent of the provisions of all codes and ordinances governing the new use or occupancy and that such change does not result in any greater hazard to public safety or welfare. Where a change of use is contemplated in whole or in part of any existing building, the building shall be upgraded to comply with this code for the most hazardous use.
- (d) *Alterations or repairs.* Alterations or repairs may be made to any structure without requiring the existing structure to comply with all the requirements of this code; provided such work conforms to that required of a new structure and that such alterations or repairs shall not cause an existing structure to become unsafe, unsanitary or adversely affect the performance of the building. Alterations or repairs to an existing structure which are nonstructural and do not adversely affect any structural member or any part of the structure having a required fire resistance rating may be made with the same or better materials of which the structure is constructed.

(Ord. No. 92-0-52, '2(100-6), 10-27-92; Ord. No. 94-0-34, '4, 7-26-94)

#### **Sec. 6-31. Repairs and maintenance.**

- (a) *Repairs.* Ordinary repairs to structures (those that are generally routine and/or decorative in nature and are nonstructural) may be made without application or notice to the building official, but such repairs shall not include the cutting or weakening of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit requirements; nor shall ordinary repairs include additions to, alterations of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electrical wiring or mechanical equipment or devices or other work affecting public health or general safety. Ordinary repairs shall include routine replacement/changeout of residential toilets, sinks and their connectors.
- (b) *Maintenance.* All buildings or structures and all parts thereof, both existing and new, shall be maintained in a safe and sanitary condition. All service equipment, means of egress, devices and safeguards which are required by this code in a building or structure, or which were required by a previous code or statute in a building or structure, when erected, altered or repaired, shall be maintained in good working order.
- (c) *Owner responsibility.* The owner or the owner's designated agent shall be responsible for the safe and sanitary maintenance of the building or structure or premises and its means of egress facilities at all times.

(Ord. No. 92-0-52, '2(100-7), 10-27-92)

**Sec. 6-32. Demolition of structures.**

- (a) *Service connections.* No structure may be eligible for demolition unless and until the owner has submitted proof that the structure is vacant. Before a vacant structure can be demolished or removed, the owner or owner's agent shall notify all utilities having service connections within the structure such as water, electric, gas, and sewer. Permit to demolish or remove a vacant structure shall not be issued until a release is obtained from the utilities, stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner.
- (b) *Notice to adjoining owners.* A permit shall not be issued for the removal of a vacant building or structure until proof of notification to the owners of adjoining properties and to the owners of overhead wires or other facilities which may have to be temporarily removed or protected is provided by the applicant.
- (c) *Lot protection and cleanup.* Whenever a structure is demolished or removed, the premises shall be maintained free from all unsafe or hazardous conditions during and after the demolition work. All debris is to be safely removed, dust is to be controlled and the property restored to established grade. Proper drainage will be provided, and the erection of any necessary retaining walls, fences or other safeguards shall be in accordance with Chapter 33 of the International Building Code, as adopted in section 6-161.
- (d) *Tree Preservation.* Permits shall not be issued for the removal of a vacant building or structure until a tree survey of the property, performed by a certified arborist is submitted for review. Any trees removed as part of the demolition of a vacant building or structure shall be required to be replaced in accordance with Chapter 9 of this code.
- (e) *Fees, bonds and insurance.* Permit fees, cash restoration bonds, and proof of insurance shall be paid submitted in the amounts shown in section 6-90 (Fee Schedule), 6-91 (Cash Bonds) and 6-86(k) (Insurance) The building official may waive the insurance requirement for minor demolition work.

(Ord. No. 92-0-52, '2(100-8), 10-27-92; Ord. No. 96-0-38, '2, 6-13-96)

**Sec. 6-33. Moved structures; site plan approval, compliance required.**

Buildings and structures moved into or within the village must receive prior approval of the building plan and the site plan from the president and board of trustees, and the owner must provide evidence that the building or structure shall comply with all provisions of this code for new buildings and structures. The building or structure shall not be used or occupied in whole or in part until the certificate of use and occupancy shall have been issued by the building official.

**Sec. 6-34. Materials and equipment; approval required.**

- (a) *Generally.* All materials, equipment, systems and devices approved for use by the building official shall be constructed and installed in accordance with such approval. No unapproved materials shall be used or installed in any building or structures.
- (b) *Manufacturer's instructions and recommendations.* Where this code does not provide specific installation detail or instructions and/or this code does not specifically address the proper application or prohibitions of use of specific materials, the approved manufacturer's installation instructions and recommendations for the proper installation and use of the specific materials shall govern.
- (c) *Modifications.* Where there are practical difficulties involved in carrying out structural or mechanical provisions of this code or of an approved rule, the building official may vary or modify such provision upon application of the owner or owner's agent, provided that the spirit and intent of the provisions shall be observed and public safety and welfare are ensured. Such modifications shall be properly recorded in the permanent records and files of the department.
- (d) *Used materials and equipment.* No used materials, equipment, systems and devices shall be constructed or used unless proof is provided that all such have been reconditioned, tested and placed in like-new, proper working condition and have been approved for use by the building official.
- (e) *Alternative materials and equipment.* The provisions of this code are not intended to preclude the use of any material and method of construction not specifically prescribed by this code, provided any such alternative has been approved. The building official may approve any such alternatives, provided the building official finds that the proposed alternative is at least equivalent to, or better than, the prescribed material or method of construction in quality, strength, effectiveness, fire resistance, durability and safety, and complies with the intent of this code.
- (f) *Research and investigations.* The building official shall require that sufficient technical reports or test data be submitted to substantiate the proposed use of any alternative material or methods of construction, and if it is determined that the evidence submitted constitutes satisfactory proof of performance for the use intended, the building official may approve its use, subject to the restrictions or limitations placed on the alternative material or method of construction as revealed by the technical data, reports, and test results. The costs of all tests, reports and/or investigations required under this subsection shall be paid by the applicant.
- (g) *Approved report and testing agencies.* All technical reports shall be prepared, sealed and signed by qualified engineers licensed by the state. All tests shall be

conducted under the provisions of the International Building Code, as adopted in section 6-161, and shall use nationally recognized test standards. Approved testing agencies shall be those generally recognized nationally as qualified to responsibly conduct and interpret tests and test results and shall be approved by the building official.

- (h) *Research reports.* The building official may accept duly authenticated research reports from the International Building Code or other approved sources of national standing, as supporting data for acceptance of materials or methods of construction not specifically provided for in this code. The building official may require such research reports by a duly qualified research body before acceptance of new or alternative materials or methods of construction, with all costs to be paid by the applicant.

(Ord. No. 92-0-52, '2(100-10), 10-27-92)

**Sec. 6-35. Professional architectural and engineering services.**

- (a) *Generally.* All plans, specifications, computations, details or other pertinent data required for a building permit application for new construction, additions, alterations, repair, expansion or modification work for any structure or mechanical system involving the practice of professional architecture or engineering, as defined by the statutory requirements of the professional registration laws of the state, shall be prepared by or under the direct supervision of a registered architect or engineer and bear the architect's or engineer's signature and seal in accordance with the state statutes governing professional registration and practice. Overall structural design of buildings and non-building structures shall bear the signature and seal of a registered architect or structural engineer only. Building systems, other than structural design, shall bear the signature and seal of a registered architect or of an engineer of the appropriate registration. All plans for new residential buildings shall bear the signature and seal of an architect as described above except that the building official may waive this requirement for room additions, or other minor additions or alterations to buildings and structures.
- (b) *Special professional services.* Where applications for building permits involve unusual design, complexity or magnitude, or where adopted national standards require special architectural or engineering inspections, the building official may require appointment of a full-time project representative by the architect or engineer. This project representative shall be responsible for the proper construction of the project under the approved plans and specifications, subject to all of the provisions of this code and normal building department inspections. This project representative shall keep daily records and submit reports as required by the building official.
- (c) *Building permit requirements.* The special professional service requirement provided for in this section shall be determined prior to the issuance of the building permit and shall be a prerequisite for the permit issuance.

- (d) *Fees and costs.* All fees and costs related to the performance of special professional services shall be borne by the owner.

(Ord. No. 92-0-52, '2(100-11), 10-27-92)

**Sec. 6-36. Workmanship.**

All work shall be constructed, installed and completed in a workmanlike and acceptable manner, so as to secure the results intended by this code. Where recognized standards of workmanship have been established, they shall be applied to the work being performed. Where standards of workmanship have not been specifically established, the rule of reasonable expectations of a reasonable person shall apply.

(Ord. No. 92-0-52, '2(100-51), 10-27-92)

**Secs. 6-37--6-55. Reserved.**

**DIVISION 2. ADMINISTRATION AND ENFORCEMENT\***

\*Cross reference(s)--Board of building appeals, '2-416 et seq.

*Subdivision I. General Provisions*

**Sec. 6-56. Building Division.**

- (a) **Building Commissioner.** The division head in charge of the building division of the department of Community Development shall be known as Building Commissioner and, for the purposes of this code and the Libertyville Municipal Code Chapter 6, the building official and the Code Official.
- (b) *Appointment.* The Building Commissioner shall be appointed by the village Director of Community Development subject to approval of the village administrator.
- (c) *Organization.* The Building Commissioner shall be assisted by inspectors and other employees as shall be necessary for the administration of this code and as authorized by the appointing authority.
- (d) *Deputy.* The Building Commissioner may designate an inspector as deputy who shall exercise all powers of the building commissioner during the temporary absence or disability of the Building Commissioner.
- (e) *Liability.* The Building Commissioner, inspectors and other employees charged with the enforcement of this code, while acting for the village, shall not thereby be rendered liable personally, and the Building Commissioner, inspectors and other employees are relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the

discharge of official duties. Any suit instituted against the Building Commissioner, inspectors and other employees because of an act performed by that person in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the village until the final termination of the proceedings. The Building Commissioner or any subordinates shall not be liable for any costs in any action, suit or proceedings that may be instituted in pursuance of the provisions of this code; and such persons of the Building Division, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

- (f) *Official records.* An official record shall be kept of all business and activities of the Building Division and all such records shall be open to public inspection during normal business hours in accordance with the Freedom of Information Act (FOIA) except where an inspection or investigation is pending, or where some other FOIA exemption is applicable. Original documents and records shall not leave the premises of the department except by permission of the Building Commissioner after an appropriate cash bond has been posted for the return of same in good condition.

(Ord. No. 92-0-52, '2(100-12), 10-27-92)

#### **Sec. 6-57. Duties and powers of the Building Commissioner.**

- (a) *Generally.* The Building Commissioner shall enforce all the provisions of this code and shall act on any questions relative to the mode or manner of construction, materials or systems to be used in the erection, addition, alteration, repair, replacement, removal, demolition, installation of service or mechanical equipment and the location, use, occupancy and maintenance of all buildings, structures, and premises. The Building Commissioner shall also perform such other duties as may be assigned.
- (b) *Applications and permits.* The Building Commissioner shall receive and review applications and issue permits for the erection and alteration of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code, and all other related ordinances.
- (c) *Building notices and orders.* The Building Commissioner shall issue all necessary notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction, and to ensure compliance with all code and ordinance requirements for the health, safety and general welfare of the public.
- (d) *Inspections.* The Building Commissioner or his duly authorized inspectors shall make all the required inspections and such additional inspections as may be necessary to enforce the provisions of this code and other required ordinances. The Building Commissioner may accept reports of inspections by approved agencies or individuals; and all reports of such inspections shall be in writing and

certified by a responsible officer of such approved agency or by the responsible individual. Subject to approval of the appointing authority, the Building Commissioner may engage such expert opinion as may be deemed necessary to report upon unusual technical issues that may arise.

- (e) *Rule-making authority.* The Building Commissioner shall have powers as may be necessary in the interest of public health, safety and general welfare to adopt and promulgate rules and regulations, to interpret and implement the provisions of this code, to secure the intent thereof, and to designate requirements applicable because of local climatic or other conditions; but such rules shall not have the effect of waiving working stresses or fire resistance requirements specifically provided in this code or violating accepted engineering practices involving public safety.
- (f) *Records.* The Building Commissioner shall keep official records of applications received, permits and certificates issued, reports of inspections, and notices and orders issued. Such records shall be retained in the official records so long as the building or structure to which they relate remains in existence unless otherwise provided by other regulations.
- (g) *Annual report.* At least annually, the Building Commissioner shall submit to the chief authority of the village a written statement of operations, in the form and content as shall be prescribed by the chief authority.

(Ord. No. 92-0-52, '2(100-13), 10-27-92)

#### **Sec. 6-58. Right of entry.**

The building official and all duly authorized inspectors shall have the authority, during reasonable working hours, to lawfully enter upon any premises or into any building or structure, or portion thereof, whether completed or in the process of construction, alteration or repair, when necessary to do so in the performance of any duty imposed upon them by this code, or any other law, ordinance or statute which they are required to enforce. Where such entry is refused by the owner, the owner's agent or the occupant, the building official may apply to the circuit court for an administrative search warrant.

(Ord. No. 92-0-52, '2(100-39), 10-27-92)

#### **Sec. 6-59. Resisting an officer.**

Any person hindering or attempting to hinder, resisting or attempting to resist the building official or any duly authorized inspectors in the performance of their duties shall be guilty of a misdemeanor and be charged with resisting an officer of the village.

(Ord. No. 92-0-52, '2(100-40), 10-27-92)

#### **Sec. 6-60. Jurisdictional cooperation.**

The assistance and cooperation of all departments of the village, all departments of the county and all other officials of all other public agencies shall be rendered to the building officials and all duly authorized inspectors in the performance of their duties.

(Ord. No. 92-0-52, '2(100-41), 10-27-92)

**Sec. 6-61. Violations.**

- (a) *Unlawful acts.* It shall be unlawful for any person to erect, construct, alter, extend, repair, replace, remove, demolish, move, use or occupy any building, structure, equipment, device or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code, or any other applicable ordinance of the village or other agencies of jurisdiction.
- (b) *Notice of violation.* The building official shall serve a written notice of violation, or order to comply, upon the person responsible for the erection, construction, alteration, extension, repair, replacement, removal, demolition, moving, use or occupancy of any building or structure performed in violation of the provisions of this code, or in violation of any approved document or plan filed with the village to secure a building permit, or in violation of any provisions of the issued permit or certificate issued under the provisions of this code or in violation of any applicable ordinance, statute or law of the village or any other agency having legal jurisdiction over the performance of the work being done. Such notice of violation, or order to comply, shall direct the discontinuance of the illegal action or condition and the abatement of the violations, and shall provide a time period for discontinuance or abatement which is appropriate for the condition.
- (c) *Prosecution of violations.* If the notice of violation is not complied with promptly, the building official shall issue a stop work order as provided for in section 6-62. The stop work order shall not be rescinded until all violations complained of have been corrected and the fee as provided for in section 6-90(i) has been paid. If the permittee or his agents refuse or are unable to correct the violations, the building official shall request the village attorney to institute the appropriate proceedings at law or in equity to restrain, correct or abate such violations or to require the removal or termination of the unlawful act complained of in the violation notice.
- (d) *Violation penalties.* Any person who violates any of the provisions of this code or other applicable ordinances of the village, who disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this code, applicable village ordinances, the approved plans and documents of the building permit, or any certificate or other permit issued under the provisions of this code, shall be guilty of a misdemeanor, and upon conviction by a court of jurisdiction shall be punished as provided in section 1-12 for each offense plus the cost of prosecution, and each day upon which such violation continues shall be deemed a separate offense.
- (e) *Abatement of violations.* The imposition of the penalties prescribed in this section shall not preclude the village attorney from instituting appropriate action in a

court of jurisdiction to prevent unlawful construction or to restrain, correct or abate a violation or to prevent illegal occupancy of a building, structure or premises or to stop an illegal act, conduct, business or use of a building or structure on or about any premises. If the Village prevails in such an action the party whom such action is commenced shall, in addition to any fines and penalties imposed by the court, also be responsible for the payment of any attorney's fees and costs incurred by the Village in commencing and pursuing such action.

(Ord. No. 92-0-52, '2(100-52), 10-27-92)

**Sec. 6-62. Stop work order.**

- (a) *Authorization.* The building official is authorized to issue and post stop work orders to stop work on any building, structure or premises under the following violations: when work is being done without a building permit; when false or incomplete information has been given to obtain a permit; when a permit has been issued but the check for payment of the permit fees has been refused by the permittee's bank; when work is being prosecuted contrary to the provisions of this code or other applicable village ordinances.
- (b) *Issuance.* The stop work order shall be in writing and shall be given to the permittee, his agent or the person doing the work, with a copy to the police department, and a stop work order posted on the premises. All work shall stop immediately upon posting the stop work order on the premises in a prominent place facing the principal street.
- (c) *Unlawful continuance.* Any person, other than the building official, who shall unlawfully remove the stop work order or continue any work in or about the building, structure or premises after a stop work order has been served and posted shall be stopped and/or arrested by the police of the village and charged with violation of this section and shall be subject to prosecution and fines as provided in section 6-61(d). As the responsible party in charge of work on the premises, the owner or his agent may also be served with notice of violation and be subject to all stop work orders. The building official, with written notice to the village police department, shall set forth the conditions under which permission will be given to proceed with the remedial actions necessary to correct the safety hazards, code violations or other defects complained of in the stop work order.
- (d) *Removal of stop work order.* The stop work order shall be removed only when the building official is satisfied that the safety hazards have been rectified, that the violations have been corrected, the building permits have been issued, and that such other action has been taken or is forthcoming to resolve the original complaints, and that proper cash bonds or other guarantees have been filed with the village. Upon payment of the required fee, as provided in section 6-90, written release of the stop work order shall be given to all parties who had previously received the original stop work order. The stop work order shall then be removed by the building official and the work may proceed.

**Sec. 6-63. Unsafe structures and premises.**

- (a) *Generally.* All structures and premises that are or shall become unsafe, unsanitary or deficient in adequate exit facilities, or which constitute a fire hazard, or constitute an attractive nuisance, or are otherwise dangerous to human life, safety or the public welfare, shall be deemed unsafe buildings, structures or premises. All unsafe buildings or structures shall be taken down and removed, in whole or in part, or made safe and secure, as the building official may deem necessary and as provided in this code. A vacant building with unguarded or open doors, windows or other openings and accessible to the general public shall be deemed an attractive nuisance and a fire hazard and unsafe within the meaning of this code. Premises with open wells, pits or shafts, shall be filled in and made safe.
- (b) *Examination and record.* The building official shall examine every building, structure and premises reported as dangerous, structurally unsafe, an attractive nuisance, constituting a fire hazard or otherwise dangerous to the safety and welfare of the general public, and prepare a report of his findings.
- (c) *Notice of unsafe conditions.* If an unsafe condition is found in a building, structure or premises, the building official shall serve written notice on the owner, the owner's agent or the person in control of the building, structure or premises, describing the unsafe conditions found and specifying the required repairs, improvements or actions to be taken to render the building, structure or premises safe or secured, or requiring the unsafe building or structure or portion thereof to be demolished or such action as is necessary to remove the hazard within a stipulated time. Such notice shall require the person thus notified to immediately declare to the building official acceptance or rejection of the terms of the order.
- (d) *Restoration.* A building or structure condemned by the building official may be restored to a safe condition provided that if the cost of repair or reconstruction is in excess of fifty (50) percent of the fair market value, the building or structure shall be made to comply in all respects with the provisions of this code, chapter 26, Zoning, and all other applicable laws and ordinances for the construction of a new building or structure.
- (e) *Posting unsafe notice.* If the owner, owner's agent or person in control of the building, structure or premises cannot be found, after diligent search, then the notice of unsafe conditions shall be sent by registered or certified mail to the last known address of such person, and a copy of the unsafe notice shall be posted in a conspicuous place on the premises, and such procedure shall be deemed to be the equivalent of a personal notice.
- (f) *Disregard of unsafe notice.* Upon refusal or neglect of the person served with an unsafe notice to comply with the requirements of the order to abate the unsafe condition, the village attorney shall be advised of all of the facts and shall institute the appropriate legal action to compel compliance with the order.

(Ord. No. 92-0-52, '2(100-55), 10-27-92)

**Sec. 6-64. Emergency measures.**

- (a) *Vacating buildings or structures.* When, in the opinion of the building official, there is an immediate danger of failure or collapse of a building or structure, or any part thereof, which would endanger life, or when any building or structure, in whole or part, has collapsed and life is endangered by the continued occupation of the building or structure, the building official is authorized and empowered to order and require the inmates and occupants thereof to vacate the building or structure forthwith. The building official shall cause to be posted, at each entrance to such building and structure, a notice reading "Danger" and stating that the building or structure is unsafe and its use or occupancy has been prohibited. It shall thereafter be unlawful for any person to enter such building or structure except for the purpose of making the required repairs or of demolishing same.
- (b) *Temporary safeguards.* When, in the opinion of the building official, there is an immediate danger to life, property or the safety of the general public by a collapse or failure of a building or structure, in whole or in part, or by other unsafe conditions on or in the building or structure or the premises, the building official is authorized and empowered to cause the necessary work to be done to render such building, structure or premises or parts thereof temporarily safe and/or inaccessible to the general public, whether or not the legal procedure described in this section has been instituted.
- (c) *Closing of streets and buildings.* When necessary for public safety, the building official shall cause the temporary closing of sidewalks, streets, buildings, structures and places adjacent to such unsafe building or structure, and prohibit the same from being used.
- (d) *Emergency work.* For the purposes of this section, the building official shall employ the necessary labor and materials to perform the required work as expeditiously as possible. Village personnel, materials and equipment are authorized to be used for emergency purposes, whenever practical.
- (e) *Costs of emergency work.* Costs incurred in the performance of emergency work shall be paid by the village on certification of the building official. The village shall bill the owner of the premises for all costs incurred by the village. If the owner of the premises does not, or cannot, promptly pay such bill, the village attorney shall apply to the court for a lien against the property or institute other appropriate legal action against the owner of the premises where the unsafe building, structure or premises is or was located for the recovery of such costs.

(Ord. No. 92-0-52, '2(100-56), 10-27-92)

**Secs. 6-65--6-85. Reserved.**

**Subdivision II. Permits, Inspections and Approvals**

## **Sec. 6-86. Permits--Applications.**

- (a) *When required.* It shall be unlawful to construct, enlarge, alter, install or demolish a building or structure; or change the occupancy of a building or structure to an occupancy requiring greater structural strength, exits, fire resistance or sanitary provisions; or to change to another use; or to install, replace or alter any electrical, plumbing or mechanical equipment or systems for which provision is made or the installation of which is regulated by this code, without first filing an application with the building official in writing and obtaining any required permit as determined therefor; except that repairs which do not involve any violations of this code, as defined in section 6-31, do not require permits.
- (b) *By whom application is made.* Application for a permit shall be made by the owner or lessee of the building or structure, or the agent of either, including but not limited to the contractor or licensed engineer or architect employed by the owner or lessee in connection with the work to be done. If the application is made by a person other than the owner in fee, it shall be accompanied by a duly verified statement of the owner or the qualified person making the application, that the proposed work is authorized by the owner in fee and that the applicant is authorized to make such application. The full names and addresses of the owner, lessee, applicant and of the responsible officers, if the owner or lessee is a corporate body, shall be stated in the application. The owner in fee shall be designated as the Permittee with respect to all permits issued pertaining to any application submitted pursuant to this chapter.
- (c) *Form.* The application for a permit shall be submitted on the building permit application form as supplied by the building division of the village and shall be accompanied by such fees as prescribed in sections 6-89 and 6-90.
- (d) *Description of work.* The application shall contain a general description of the proposed work, its location, the use and occupancy of all parts of the building or structure and of all portions of the site or lot not covered by the building or structure, and such additional information as may be required by the building official.
- (e) *Plans and specifications.* The application for the permit shall be accompanied by not less than four (4) copies of specifications and of plans drawn to scale, with sufficient clarity, detail and dimensions to clearly show the nature and character of the work to be performed. When quality of materials or systems is essential for conformity to this code, specific information shall be given to establish such quality; and this code shall not be cited, or the term "legal" or "its equivalent" be used, as a substitute for specific information. All plans and specifications shall conform to section 6-35, concerning professional architectural and engineering services. The building official may waive the requirement for filing plans when the work involved is of a minor nature. Where application is made for an unusually complex or innovative design or magnitude of construction or where standards referenced in the Model Codes, as adopted in this article, must be

extensively applied to determine code compliance, the building official may require that the plan review be conducted by the ICC plan review service or other approved plan review services. With the developer/owner's concurrence, the building official shall forward the plans and specifications to the plan review service, receive and analyze the plan review reports and proceed with normal permit processing. The cost of the plan review, and of department handling and paperwork, shall be paid to the village by the applicant as prescribed in the annual fee schedule.

- (f) *Certificate of survey.* There shall be a certificate of survey prepared, signed and sealed by a qualified land surveyor licensed by the state, showing all boundaries of the property, setback lines, existing structures, if any, and all easements of record submitted with the application.
  
- (g) *Site plan.*
  - (1) There shall also be submitted a fully dimensioned site plan, drawn to scale in accordance with a plat of survey, showing the size and location of all new construction and all existing buildings, structures, and trees over six-inch caliper (see provisions of chapter 9, pertaining to soil erosion control and tree preservation), if applicable, on the site, distances of the building or structure to all property lines, the existing grades at the corners of the site and at as many other locations as necessary to show the topography of the site. The site plan shall also show the proposed final grades of the top of the building foundation walls and the finished site grades at all corners and at sufficient other points on and off the site to clearly show the intended surface water drainage plan. All parking lots with the required vehicle parking stalls, all outside lighting, landscaping, utility lines and other required elements shall also be shown on the same site plan for ease of understanding and suitable for submission to the plan commission, appearance review commission and the village board.
  - (2) One- and two-family site plans shall show the applicable information with the top of the foundation grade and finished yard grades assigned by the village engineering office where the building is being built in a previously approved subdivision. Scattered building sites shall show the applicable information as required based on the existing buildings and grades as established.
  - (3) For demolition projects, the site plan shall show all buildings and structures to be demolished and the location and size of all existing buildings and structures that are to remain on the site, and shall show all finished grades, stormwater drainage structures and swales to drain the site upon completion of the demolition work.
  - (4) In all cases, a fully developed site plan may be waived by the building official in lieu of a simple plat plan for small building additions, accessory buildings and structures, demolition of minor buildings or structures or

other minor projects.

- (5) In all cases, spot-in surveys are required after the foundation walls have been poured and stripped but before any superstructure is begun to verify the top of foundation wall grade and location on site. See Section 6-125.
- (h) *Engineering details.* The building official may require additional details of structural, mechanical and electrical work to be filed, including computations, stress diagrams, structural calculations and other essential technical data. All engineering plans and computations shall bear the seal and signature of the engineer or architect responsible for the design. Plans for buildings, other than one- and two-family buildings, more than two (2) stories in height shall indicate where penetrations will be made for electrical, plumbing, mechanical and communications conduits, pipes and systems and the materials and methods for maintaining the required structural integrity, fire resistance rating and fire stopping. When the permit application is for an addition to, or the alteration of, an existing building or structure, the building official may require an investigation of the existing structural system, heating, ventilation and air conditioning system, the plumbing system and the electrical system, any or all of the above, by licensed architects, structural or mechanical engineers, to determine the suitability and adequacy of the existing systems or component parts of the system to function properly and safely with the addition of the proposed loads, as contemplated by the permit application, plans and specifications. No permit shall be issued until the suspected systems have been approved and it has been certified that the systems can be safely added on to or modified or that any remedial work necessary to correct any deficiencies will be done concurrent with the proposed new work. All costs of such investigations shall be paid by the owner.
- (i) *Amendments to application.* Amendments or changes may be made to the application or required application plans and other required documents at any time before the permit is issued, provided such changes do not substantially change or alter the project for which application has been made. If such changes do substantially alter the project, the building official may require that a new application be filed with new application documents. Amendments or changes may be made to the plans, specifications and other permit documents at any time during work in progress, subject to prior approval by the building official before such amendments or changes are built into the project. In both cases, it is the responsibility of the owner or owner's agent to file such amendments or changes in a timely manner which provides the official adequate review time. If approved, the amendment or change shall be deemed part of the original application and shall be filed therewith.
- (j) *Additional reviews and approvals.* The applicant for a building permit shall also submit his plans, as necessary or required, to the village engineer, the fire department, the state fire marshal, the county health department, the state department of transportation, the county highway department and any other municipal, state or federal agency legally requiring plan review and approval before construction, depending on the requirements of the specific building permit

application. Approvals of these additional agencies, as may be required, shall be forwarded to the building official and shall be a prerequisite before the issuance of the building permit.

(k) *Certificate of insurance.*

- (1) Certificates of insurance shall be filed with the village by the general contractor, electrical contractor, and, heating ventilation and/or air conditioning contractor which shall accompany the permit applications.
- (2) The certificates of insurance shall be from an insurance company approved by the village with at least a B+ rating. The certificate of insurance may cover all work done in the village for the term of the policy. The amounts of insurance coverage required shall be as follows:

Comprehensive general liability	Project cost \$0 to \$ 40,000	Project cost \$40,001 and over
Bodily injury-Occurrence	500,000	500,000
Bodily injury-Aggregate	500,000	1,000,000
Property damage, including explosion (X), collapse (C) and underground (U)	500,000	500,000
Excess liability		1,000,000 BI and PD
Worker's comp insurance	Statutory	Statutory

- (3) The issuer of the certificate of insurance shall list the Village of Libertyville as a certificate holder and notify the village a minimum of ten (10) days prior to any cancellation of the insurance policy.
- (4) The building official may waive the certificate of insurance requirement for property owners who are listed as permit applicant and general contractor and sign a statement that acknowledges responsibilities and risks inherent with general contracting ;and take out permits to do their own minor alternations to their own building, or to do their own work on their own homes constructing additions, alterations, or accessory structures on private property in owner-occupied one- and two-family premises, depending on the extent of the work to be done.

- (1) *Time limitations.* An application for a permit for any proposed construction work shall be deemed to have been abandoned six (6) months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that, for reasonable cause, the building official may grant an extension of time not to exceed ninety (90) days. An application shall be deemed

to have been abandoned three (3) months after notification has been sent by the building official to the applicant that the permit has been approved and ready to issue and the applicant has not paid all fees and the permit has not been issued. In such cases of abandonment, the applicant shall file a new application and is subject to the then current codes and ordinances of the village.

(Ord. No. 92-0-52, '2(100-14), 10-27-92; Ord. No. 96-0-38, '3, 6-13-96)

**Sec. 6-87. Permits--Administrative procedure.**

- (a) *Issuance.* The building official shall examine or cause to be examined all applications for permits, and amendments thereto, under this division within a reasonable time after filing. If the application, plans or other required documents do not conform to the requirements of all pertinent laws and ordinances, the building official shall notify the applicant of the deficiencies of the application and of any additional information or data necessary to establish that the application will meet the village requirements. When the building official is satisfied that the proposed work as represented by the permit application, plans and documents conforms to the requirements of this code and all laws and ordinances applicable thereto, the building official shall issue a permit as soon as practicable.
  
- (b) *Expiration.* If, after a permit has been issued, the operations covered by the permit shall not have begun within six (6) months after the date thereof, or if such operations are begun and then suspended or abandoned for a period of six (6) months after the time of commencing work or if such operations are begun and are not completed within one (1) year from the permit date, then such permits shall expire and no operations thereafter shall be begun or restarted or completed until a renewal of the permit shall be obtained. If the permit is not renewed as provided in section 6-90(k), all previous construction, if any, must be removed and the property restored to its original condition and all fees paid therefore shall be forfeited to the village and the permit shall become null and void. Further, if the permittee does not remove all previous construction and restore the property to its original conditions, the village, through and pursuant to authority of court order, its employees or its agents, shall remove same and restore the property and recover its expenses by the filing of a lien on the property, or by any other legal action permitted by law; any such removal or restoration shall be undertaken in a manner authorized by law.

Exception: The Building Commissioner may, however, for just cause, approve three (3) month extensions at no cost for a permit to expire up to eighteen (18) months after the permit issue date.

- (c) *Signature validation.* The building official's signature shall be executed on or attached to every permit to validate the permit, or the building official may authorize one (1) or more inspectors or other employees to validate a permit by affixing their signatures thereto.

- (d) *Approved permit plans.*
- (1) The building official or his designee shall stamp or endorse in writing all sets of approved permit plans, specifications, shop drawings and other required documents with his/her signature and the words reviewed for code compliance." One (1) set of such approved permit plans and documents shall be retained for the permanent property file records of the village and one (1) or more sets shall be returned to the applicant. There shall be a complete set of such approved permit plans and documents at the building site, and open to inspection by the building official or authorized inspectors at all reasonable times during construction. Other sets of approved permit plans shall be forwarded to such other agencies as necessary or required.
  - (2) Permit plans are reviewed by the building official with the intent that the plans and specifications comply in all respects to this code. Any omissions or errors on the approved permit plans or the specifications shall not relieve the applicant of his responsibility to comply with all applicable requirements of this code or other agencies legally having jurisdiction.
- (e) *Revocation.* The building official may revoke a permit or approval issued under the provisions of this code for any false statements or misrepresentations of fact in the application or on the plans and other documents on which the permit or approval was based.
- (f) *Approval of part.* The building official may issue a permit for the construction of foundations or any other part of a building or structure before the entire plans and specifications for the entire building or structure have been submitted; provided, that adequate information and detailed foundation or structural plans and calculations have been filed, showing all anticipated loads, and which comply with all pertinent requirements of this code; and further provided, that the building or structure is more than forty thousand (40,000) square feet in area and/or four (4) stories or more in height and that the building or structure is of a nature or a complexity that structural and mechanical plans, calculations and specifications will require an abnormal lead time for proper design. The holder of such permit for foundations or other parts of a building or structure shall proceed with the construction at the permit holder's own risk and without assurance that a permit for the entire building or structure will be granted. The holder of the permit shall sign a statement to that effect and shall accept full responsibility for the proper structural and mechanical mating of the substructure and superstructure. The permit holder shall be responsible for all necessary tear out, repair, replacement or any additional construction work necessary to properly complete the total building or structure. If the building is not completed, then the permit holder shall remove same as provided in subsection (b) of this section.
- (g) *Posting.* The building permit shall be posted in a visible position on the street side of the building under permit during the entire time of the construction operations.

- (h) *Notice of start.* At least twenty-four (24) hours' notice shall be given to the building division before work is started under the issued permit.

(Ord. No. 92-0-52, '2(100-15), 10-27-92)

**Sec. 6-88. Permits--Conditions.**

- (a) *Payment of fees.* A permit shall not be issued until all fees have been paid.
- (b) *Required subdivision and utilities.* A permit shall not be issued for the construction of any principal building until the village engineer has certified that the property can be properly served with sewer and water mains. The village engineer may release the property for permit if construction improvement plans have been approved and the owner of the property, or his agent, has guaranteed the installation of all required construction improvements with surety bonds or other certified documents acceptable to the village, conforming to the requirements of chapter 22, Subdivisions, and other applicable land development requirements.
- (c) *Other agency approvals.* A permit shall not be issued until receipt of approval from other required agencies is received by the building division. (See section 6-86(j).)
- (d) *Compliance with code.* The permit shall be a license to proceed with the work and shall not be construed as authority to violate, cancel or set aside any of the provisions of this code, except as specifically stipulated by approved modification or legally granted variations as described in the application and supporting documents.
- (e) *Compliance with permit.* All work shall conform to the approved application and plans for which the permit has been issued and any approved amendments thereto.
- (f) *Compliance with plot plan.* All new work shall be located strictly in accordance with the approved plot plan.
- (g) *Change in site plan.* A lot shall not be changed, increased or diminished in area from that shown on the official approved site plan, unless a revised site plan showing such changes, accompanied by the necessary affidavit of the owner or applicant, shall have been filed and approved by the appropriate village authorities, showing all data previously required on the original site plan.
- (h) *Completion of building or structure.* If the building or structure is not completed, for whatever cause, the incomplete building or structure, including all foundations and other underground installations, shall be removed and the site restored as provided in section 6-87(b).

(Ord. No. 92-0-52, '2(100-16), 10-27-92)

## **Sec. 6-89. Fees.**

- (a) *Generally.* A permit to begin work for new construction, alterations, replacement, removal, demolition, relocation or other building construction operations shall not be issued until the fees prescribed in this section shall have been paid to the village, nor shall any amendment to a permit, necessitating an additional fee, be approved until the additional fee shall have been paid. The building official may waive minimum fees for minor work or inspections.
- (b) *Basis of fees.* The plan review and permit fees shall be based upon the average construction value as determined by and/or approved by the building official. The term "average construction value" shall be calculated by multiplying the current ICC published national average cost of construction by the local modifier 1.2 to represent the average value of all services, labor, materials, equipment, devices and systems necessary to complete the construction work as described in the application plans and specifications, but shall not include the cost of the land or underground engineering improvement or interior furnishings.
- (c) *Special fees.* The payment of the fees for the construction, alteration, replacement, removal, demolition, relocation or other building construction operations and for all other work done in connection with or concurrently with the work contemplated by a building permit shall not relieve the applicant or holder of the permit from the obligation to pay all other fees prescribed by law or ordinance, both within and outside the jurisdiction of the building division or to other village departments, divisions or agencies or to other units of county, state or federal government which legally require such fees for their services.

## **Sec. 6-90. General fee schedule.**

- (a) *Plan review fee.*
  - (1) At the time of filing an application for a building permit, there shall be paid a plan review fee in accordance with the schedule set out in the annual fee ordinance. Once the original plan review has been made, only one additional review of minor changes and required corrections shall be accepted at the same fee. Any additional substantial changes shall require an additional plan review (re-review) fee.
  - (2) Plan review fees are waived for the following: outdoor decks, stoops, recreational vehicle pads, satellite dishes, reroofing, storage sheds, fences, residing or other nonstructural exterior envelope changes, fireplaces, demolition of a minor nature, tree removal not requiring a permit, installation of air conditioners, water heaters, water softeners, and other similar accessory uses, installations or repairs. However, each of the above shall be subject to the appropriate additional review (re-review) fees per Annual Fee Ordinance.
- (b) *General permit fees.* The permit fee for the construction or alteration of a building

or structure shall be as established in the annual fee ordinance; however, in no event shall the permit fee be less than the minimum as established in the annual fee ordinance.

- (c) *Plumbing, electrical, heating and air conditioning and sign permit fees.* Plumbing fees, electrical fees, heating and air conditioning fees shall be included in the general permit fee. Sign permit fees shall be in accordance with the schedule set out in the annual fee ordinance.
- (d) *Certificate of occupancy fees.* Certificate of use and occupancy permit fees for a building shall be included in the general permit fee.
- (e) *Elevator permit and inspection fees.* Elevator permit and related inspection fees shall be included in the General Permit Fee. Semi-annual inspection fees as set out in the annual fee ordinance shall be paid semiannually.
- (f) *Demolition permit fees.* The fees for a demolition permit for any part or all of a building and related structures shall be included in the General Permit Fee in accordance with the schedule set out in the annual fee ordinance. The building official may waive the fees, insurance and bonds for minor demolition.
- (g) *Reinspection fees.* A reinspection fee, adequate to reimburse the village for additional expenses incurred, shall be charged on any construction work which, through negligence, incomplete work or poor workmanship on the part of the contractor, makes it necessary for the building official, inspectors or other employees, to make more than one (1) additional inspection of a single phase of construction. The fee for the third and each subsequent inspections after that shall be as established in the annual fee ordinance, and shall be paid before the next reinspection shall be made.
- (h) *Special inspections.* A reinspection or special inspection, other than a reinspection pursuant to subsection (g) of this section, shall be made by the building official or his delegates, as required for code enforcement or at the request of the owner of a building or of a government agency, lending or financial institution at the owner's direction and request, to determine compliance with applicable codes and ordinances of the village. The building official shall give a report of violations found, if any, to such applicant and the owner. Such reinspection or special inspection and report shall be made on application and payment of a fee as established in the annual fee ordinance, not to exceed a maximum as established in the annual fee ordinance for all inspections, to defray the expense of such reinspection or special inspection and the attendant clerical work.
- (i) *Stop work orders.* When it is necessary for the building official to post and enforce a stop work order, the stop work order shall not be removed until a fee as established in the annual fee ordinance is paid to the village by the permittee to defray the additional expenses of posting, removal, forms and clerical work.
- (j) *Work started without permit.* When a developer or contractor or owner begins

work without a required permit, he shall be given a notice of violation in writing per 6-61(b) and all illegal work shall stop until the proper permits are issued and the fee established in the annual fee ordinance is paid to the village.

- (k) *Renewal of outstanding permits.* Any building permit issued as provided in this division, which has expired by the terms of section 6-87(b), may be renewed by the payment of an additional fee as follows:
- (1) If a permit expires by failure of owner or agent to begin construction within six (6) months of the date of issuance of the permit, the permittee must renew the permit within the succeeding six (6) months or all fees paid therefor shall be forfeited to the village and the permit shall become null and void. A renewal fee as established in the annual fee ordinance shall be paid to the village and the permit shall be renewed for a one-year period commencing from the date of payment of the renewal fee. If the building or structure is not completed within the additional one-year period, no additional renewals of the permit shall be made, except by action of the president and board of trustees.
  - (2) If a permit expires by failure of the owner or agent to complete the building within one (1) year after the date of issuance of the permit or prior to the end of approved extensions per Section 6-87.b, the permittee must renew the permit within the succeeding three (3) months or all fees paid therefor shall be forfeited to the village and the permit shall become null and void. Furthermore, the permittee shall be required to restore the property back to its original condition by removing any construction thereon and if the permittee does not or cannot do so, the village, through its employees or its agents, may apply to a court of competent jurisdiction for an order authorizing removal of same and may recover its expenses by the filing of a lien on the property or by taking any legal action permitted by law. A renewal fee as established in the annual fee ordinance shall be paid to the village and the permit shall be renewed for a one-year period, commencing from the date of payment of the renewal fee. If the building or structure is not completed within the additional one-year period, no additional renewals of the permit shall be made, except by action of the president and board of trustees.
- (l) *Cancellation of permits.* If a permit has been issued and all fees have been paid and the permittee wishes to cancel the permit within the six-month period required to begin construction of the building from the date of issuance, but before construction has begun, an amount as established in the annual fee ordinance or a minimum as established in the annual fee ordinance, whichever amount is greater, shall be retained by the village for costs incurred for processing records and all other expenses, except inspection costs. If construction has begun and the permittee wishes to cancel the permit within the first six (6) months after the permit has been issued, the same cancellation fees, as above, shall be retained and the permittee must remove the construction, service the property, and restore the property back to its original condition as provided in section 6-87(b) before

the remaining fees are returned. Circumstances not described herein shall be determined by the president and board of trustees upon the request of the building official.

- (m) *Engineering fees.* When required, engineering fees for plan review, permit fees and inspection fees shall be paid at the same time as the building permit fees. A building permit shall not be issued until applicable engineering fees are either paid or waived.

(Ord. No. 92-O-52, '2(100-17.5), 10-27-92; Ord. No. 97-O-29, '13, 4-22-97) (Ord. No. 92-0-52, '2(100-17.1--100-17.4), 10-27-92)

#### **Sec. 6-91. Cash bonds--Generally.**

- (a) Cash bonds in the amount and for the types of construction as provided in section 6-92 shall be deposited with the village before either a building permit temporary certificate of occupancy is issued which requires such cash bonds. There shall be a nonrefundable bond administration/inspection fee in an amount as established in the annual fee ordinance paid in addition to the cash bond, for the cost of administration and an inspection of the site to verify that all work has been performed in a satisfactory manner with no existing defects, faults or failures; provided, however, that no such fee shall be required for any telecommunications retailer that pays the village infrastructure maintenance fee as provided in chapter 13, article VIII of this Code. No interest shall be paid on any posted cash bond.
- (b) The cash bonds shall be refunded upon written request to the village by the bond depositor of record or its assignee. In order to be effective, an assignment of any bond refund rights granted by this chapter, shall be evidenced by a notarized written assignment of such rights, delivered to the village and executed by the depositor of record which designates the name and address of any person or entity to whom such assignment is made. The request for refund shall list the permit number and the address of the building for which the cash bond was deposited and for which the refund is being requested. The responsible operating departments of the village shall inspect the site, certify that all requirements of the permit have been complied with by the permittee and authorize release of the cash bond through the Finance Department to the depositor of record. Any unapplied portion of such bonds will be returned to the depositor of record or its assignee after satisfactory completion and inspection of the site, including final grading. Cash bonds shall not be returned to the owner of the property for which the cash bond was deposited unless the owner is the depositor of record or the assignee of the depositor of record.
- (c) The cash bonds shall not be refunded if work remains to be done or if the work is substandard and must be redone or corrected or if the permittee has failed to comply with the provisions of the permit.
- (d) If the permittee fails, refuses, or is unable to complete the work or make additional repairs or corrections to work done, the village shall send written notice

to the permittee, at the permittee's address as shown on the building permit application, that work or repairs remain to be done. If, after written notice, the work or repair is not satisfactorily completed within thirty (30) days after receipt of notice, the village may, if determined necessary by the Building Commissioner to abate a nuisance or for the protection of the public health, safety, or welfare, cause the work to be completed or the repairs made after utilizing bond funds to renew the permit if needed per Section 6-87b.

Payment for the work, repairs and/or renewals shall be deducted from the cash bonds and any remaining cash balance shall be refunded to the depositor of record or its assignee. If the amount of the cash bonds is not sufficient to cover all costs of the work or repairs, the full amount of the cash bonds shall be forfeited to the village and the permittee shall be billed for the difference. If the bill is not paid, the village shall either lien the property or take whatever legal action is permitted by law. No further permits shall be issued to the permittee until the balance is paid and new cash bonds are deposited.

- (e) Cash bonds shall not be required from any corporation, company or firm for street openings or the laying or servicing of lines in the public right-of-way or easements intended as public utilities, provided there is an existing franchise agreement between the corporation, company or firm and the village in full force, which shall state that full restoration shall be made to all disturbed areas, either equal or better to that which existed prior to the franchisee's construction.
- (f) *Unclaimed cash bonds.* In the event that a bond depositor of record or its assignee has failed to request the refund of a cash bond as provided by section 6-91(b) or if a building permit for which a cash bond has been deposited expires and is not renewed in accordance with this code, the building official shall notify the depositor of record or, where applicable, its assignee, by certified mail, return receipt requested, to arrange for a refund of any unapplied portion of the cash deposit. If, following such mailing, no request for refund is made by or on behalf of the depositor of record or its assignee, the finance department shall retain the unapplied portion of the cash bond for a period of three months from the date of mailing of such mailed notice. Upon the expiration of said three months period, any unclaimed and unapplied portion of the cash bond deposit shall be retained by the village and shall become the property of the village and neither the bond depositor of record nor its assignee shall have any further claim upon such funds.

(Ord. No. 92-0-52, '2(100-18), 10-27-92; Ord. No. 98-O-19, '6, 2-10-98)

#### **Sec. 6-92. Cash Bonds--Purpose and amounts.**

Refundable cash bonds shall guarantee the completion of any/all requirements of building permits, temporary certificates of occupancy, and/or conditional temporary occupancies per Sec. 6-98; by providing the village with funds which may be applied by the village to conduct the work which the village is authorized to perform pursuant to 6-91 (d). The refundable cash bonds shall also guarantee the payment for all permit renewal fees per Sec 6-91(d); late plan review fees; inspection fees; required water service upgrades; tree replacement per Sec 9-77c; and correction of any improper installation, damage, or disturbance to public facilities or properties.

The applicant shall deposit a cash bond for each and every building permit applicable to and in the amount shown in the following table and shall pay an additional nonrefundable inspection fee in an amount as established in the annual fee ordinance for each and every bond required; provided, however, that no such fee shall be required for any telecommunications retailer that pays the village infrastructure maintenance fee as provided in chapter 13, article VIII of this Code.

<u>Cash Bonds</u>	<u>Amount Required</u>
Temporary Occupancy Bond	See Section 6-98(c)
Conditional Temporary Occupancy Bond	See Section 6-98(d)
Building Permit Bond	See Section 6-93

(Ord. No. 92-0-52, ' 2(100-19), 10-27-92; Ord. No. 98-O-19, ' 7, 2-10-98)

**Sec. 6-93. Cash Permit -- Building Bond.**

- (a) A cash "Building Permit Bond" shall be provided to the Village prior to permit issuance for all building demolitions, additions, alterations, and new buildings and structures.

Exception: Projects with no substantial concrete work, projects with the minimum general permit fee, projects with no applicable plan review fees or re-review fee, and other projects of similar minor construction may be waived by the Building Official.

- (b) The building permit bond is applicable for use toward plan review, permit, inspection, stop work order, and other fees listed in the annual fee schedule as well as required water service upgrades, tree replacement, landscaping, permit renewals, demolition, etc. In addition, this building bond may be used toward temporary certificate of occupancy requirements.
- (c) The permittee shall replenish bond to its original amount each month.

**Sec. 6-94 -- 6-95. Reserved.**

**Sec. 6-96. Legal recourse.**

The deposit of any cash bonds required by this subdivision with the village shall in no way prevent the village from taking any and all legal remedies which are permitted to the village by law in the event of code violations or noncompliance, or failure to complete the building according to the permit and the provisions of this code. In no case shall the cash bond be returned to the permittee until all required work is completed and the certificate of occupancy is issued.

**Sec. 6-97. Inspections.**

- (a) *Preliminary inspections.* Before issuing a permit, the building official may examine or cause to be examined all buildings, structures and premises for which an application has been filed for a permit to construct, enlarge, alter, repair, replace, remove, demolish or change the use or occupancy thereof, as provided in section 6-86(h).
- (b) *Required inspections.* After issuing a building permit, the building official shall upon request of permittee or his agent cause inspections to be made during the course of construction to verify that the work conforms with the permit plans and this code. The number and type of inspections shall be determined by the complexity and size of the building structure and by the requirements of this code. A record of all such inspections and of all violations of this code shall be maintained by the building official.
- (c) *Inspection requests.* The permittee or his agent shall give the building division at least twenty-four (24) hours advance notice prior to the date and time that the inspection is being requested. If two (2) or more requests are made for the same time and date, concrete pours will take precedence. Final inspections shall be requested at least five (5) working days prior to the expected date of occupancy, to allow sufficient time for the inspections, for any corrections to be made, reinspection of any corrections and the final documentation preparatory to issuing the certificate of occupancy. All such inspection requests may be called for by telephone or via a mailed written request, so long as the building division receives the proper lead times as specified in this subsection.
- (d) *When inspections are made.*
  - (1) There are four (4) basic inspections, as follows:
    - a. *Footing inspection.* All footings and pier formwork completed with all earth removed, or trench footing/wall dug out and all formwork completed, and before any concrete has been poured.
    - b. *Foundation wall/drain tile inspection.* Upon completion of the foundation walls, stripped of all formwork, with dampproofing applied and all footing drains installed, but before any backfilling has been done.
    - c. *Rough framing inspection.* When all rough structural framing, rough plumbing, electrical and HVAC has been installed, but before any insulation, drywall or other materials have been installed which would hide the rough framing or mechanical systems.

- d. *Final inspection.* When the building or structure has been completed, including all systems and finishes inside of the building and all exterior work such as service walks and drives, parking areas, finished grading and landscaping, if any.
  - (2) Every new building or structure costing less than ten thousand dollars (\$10,000) shall be inspected at least once during construction, depending on the type of construction.
  - (3) Every new building or additions to existing buildings shall be inspected at least four (4) times.
  - (4) All remodeling or alterations to existing buildings shall be inspected at least two (2) times.
  - (5) Additional inspections may be required depending on the size and complexity of the building or structure. Additional special inspections may be required after permits expire without the project being completed. However, no more than one special inspection per discipline shall be required each month.
- (e) *Work not ready for requested inspections.* If, after an inspection has been requested, the work to be inspected is not completed and is not ready for inspection, the permittee or his agent shall cancel the inspection at least four (4) hours before the requested time and date. If there is no cancellation and the inspection is made and the work to be inspected is not ready for an inspection, a fee as established in the annual fee ordinance shall be required before the reinspection is made, except when unique or unusual situations occur beyond the control of the person requesting the inspection such as but not limited to sudden weather changes prior to a concrete pour or similar situations. If a third or subsequent inspection is necessary to approve that same work, the provisions of section 6-90(g) shall apply.
- (f) *Approved inspection agencies.* The building official may accept reports from qualified inspection and/or testing agencies, which have been previously approved by the building official, to certify the quality of materials, the proper installation of systems and equipment or other criteria required by this code.
- (g) *Plant inspections.* When required by the provisions of this code or by the approved rules, materials and assemblies shall be inspected at the point of manufacture or fabrication by an approved inspection agency and the building official shall be provided with an evaluation, test reports, certifications and similar information and data as necessary for the building official to determine conformance with this code.
- (h) *Final inspection.* Upon completion of the building or structure and before the issuance of the certificate of use and occupancy required in section 6-98, a final inspection shall be requested, as per subsection (c) of this section, and the final

inspection shall be made. The permit holder shall be responsible for requesting final inspections from all departments of the village and the outside agencies whose approval of the original permit application was required. All violations of the approved plans and permit provisions, this code and other applicable laws, ordinances and statutes shall be noted and all corrections shall be made before a certificate of occupancy may be issued.

(Ord. No. 92-0-52, '2(100-34--100-38), 10-27-92)

**Sec. 6-98. Certificate of occupancy.**

- (a) *New buildings.* A new building or structure, shall not be used or occupied, in whole or in part, until a certificate of use and occupancy shall have been issued by the building official, certifying that the building or structure has been completed in accordance with the approved permit.
- (b) *Altered buildings.* A building or structure enlarged, extended, altered or changed, in whole or in part, shall not be used or occupied in those parts that have been altered until the certificate shall have been issued by the building official certifying that the work has been completed in accordance with the provisions of the approved permit.
- (c) *Temporary certificate of occupancy.* A temporary occupancy certificate, for a period not to exceed thirty (30) days, may be issued where there are only minor items to be completed that, in the opinion of the building official, would not adversely affect the health, welfare or safety of the occupants or the general public. A temporary certificate of occupancy may be issued for completed portions of a building that is still under construction provided that all fire suppression and alarms, mechanical and other systems, ingress and egress, fire rated materials and doors and all common elements are completed and functionable, and, in the opinion of the building official, will not adversely affect the health, welfare and safety of the occupants or the general public. Further, upon completion of the entire building, a final certificate of occupancy shall be required for the entire building and premises, which will include all areas previously issued a temporary certificate of occupancy. There shall be no initial fee for a temporary certificate of occupancy. The renewal fee for such temporary certificate of occupancy, shall be as established in the annual fee ordinance. In addition, a cash bond shall be deposited with the Village per Section 6-91 and the annual fee schedule. This bond shall be used toward temporary occupancy and permit renewal fees with the owner and/or applicant replenishing the bond to its original amount each month. Exception: Occupied buildings, that obtain a remodeling/alteration permit, that have to relocate operations into a finished portion of the project prior to remodeling in another currently occupied area, may divide the project into phases with the fee for the temporary occupancy renewal applicable only to the final phase, provided that work proceeds continuously and a temporary occupancy agreement is secured for each phase prior to any occupancy. All conditions of (c) above will be in effect for the remainder of the project.

- (d) *Conditional temporary occupancy.* A conditional temporary occupancy will be allowed for the completion of the premises or exterior of a building only when the following provisions have been met and providing that, in the opinion of the building official, the building may be occupied without endangering the health, welfare or safety of the occupants or the general public.
- (1) When adverse circumstances, beyond the control of the permittee, arise such as inclement weather, winter weather, freezing weather, shutdown of material plants, adverse soil conditions or other similar adverse conditions which prohibit the completion of the exterior premises of a building, the building official may permit a temporary occupancy of the building that does not expire until either the next May 1<sup>st</sup> or when adverse circumstances beyond the control of the permittee and the Community Development Department no longer prohibit completion of the project; provided that a cash bond of sufficient amount to guarantee the completion of all required work shall be deposited with the village, based on the estimated cost of the work remaining to be done; provided also, however, that in no event shall the cash bond be less than the minimum amount established in the annual fee ordinance. Further, the prospective occupants shall sign a waiver to the effect that they acknowledge and accept the conditions prevailing on the premises without complaint.
- a. The permittee shall fully complete all work remaining to be done within thirty (30) days after weather, soil conditions or other impediments are no longer a delaying factor, or after written notice to complete the work has been issued by the village.
- b. If the permittee fails to, or is unable to, complete the required work within the thirty (30) day period temporary occupancy renewal fees will be required as indicated above or the village may, after proper written notice to the permittee, utilize the bond amount to cause the completion of all of the defects to the final certificate of occupancy, refunding the remainder, if any, to the permittee. The building official may transfer the bond designation for use by another village department for use toward completion of that department's permitted work requirements related to and required prior to issuance of the final occupancy permit; If the bond amount is not sufficient to complete the required work, the village will bill the permittee for the balance and the certificate of occupancy shall not be issued until full payment is received. If the bill is not paid, the village shall either place a lien on the property or take whatever legal action is permitted by law. No further permits shall be issued to the permittee until the balance is paid and new cash bonds are deposited.
- (e) *Conditions to issuance.* An unexecuted certificate of use and occupancy shall be filed with the assessor, and the owner of such property shall obtain from the assessor the form prescribed by such official and a receipt showing that the

unexecuted certificate of occupancy has been filed and that the property is subject to increased assessment from the date of issue of the certificate on a proportionate basis for the year in which the improvement is completed. The owner of such property shall file such receipt with the building official and a certified copy of the certificate, when issued, shall, on behalf of the village, be filed by the building official with the assessor.

(Ord. No. 92-0-52, ' 2(100-54), 10-27-92; Ord. No. 97-O-29, ' 16, 4-22-97)

**Secs. 6-99--6-115. Reserved.**

### **DIVISION 3. TECHNICAL STANDARDS**

#### *Subdivision I. General Provisions*

**Sec. 6-116. Construction code requirements.**

All buildings and structures shall be constructed under the provisions of this code, the adopted technical codes contained in this code, chapter 26, Zoning, and such other applicable codes, ordinances and statutes as may be legally adopted by the village and various other agencies having legal jurisdiction over specific aspects of the site and of the construction of the building or structure, and all it contains.

(Ord. No. 92-0-52, ' 2(200.1), 10-27-92)

**Sec. 6-117. Conflicts.**

Where any requirement of a model code or standard, adopted by the village by reference, conflicts with any requirement contained within the village code, the requirement of the village code shall prevail and shall be applied as the requirement of the village. Where conflicts arise between two (2) or more model codes or standards or authorities, other than the village code, then the more strict and stringent requirement calling for a higher level of performance or installation, a higher quality of material or equipment, or a higher level of safety, shall prevail and shall be applied as the requirement of the village.

(Ord. No. 92-0-52, ' 2(200.2), 10-27-92)

**Sec. 6-118. Fire district limits and use groups.**

- (a) *Defined.* The fire district limits for this code are hereby defined as being those areas of the village that are zoned I2, I3, C1, C2, C3, C4, C5, and residential buildings containing four (4) or more dwelling units in R-7 and R-8 zoning districts and in planned unit developments, as set forth in chapter 26, Zoning, and the zoning map of the village.
- (b) *Restrictions.* All buildings and structures and additions to existing buildings and structures erected within the fire districts limits shall be of type I (IA and IB), type

II (IIA, IIB), type IIIA and type IV construction, as defined in the International Building Code, as adopted and regulated in section 6-161, and table 601 therein. In all cases, new buildings, structures and additions to existing buildings and structures, which require a higher fire rating, as provided by the International Building Code, as adopted in section 6-161, shall comply with the higher fire ratings and protected openings.

(Ord. No. 92-0-52, ' 2(200.3), 10-27-92)

**Sec. 6-119. Handicapped accessibility standards.**

The requirements for handicapped accessibility for buildings and structures shall be the Illinois Accessibility Code as published by the Capital Development Board of the state, April 1997 edition and subsequent amendments, per state statute.

(Ord. No. 92-0-52, ' 2(200.4), 10-27-92)

**Sec. 6-120. Limitation on construction hours.**

There shall be no construction work, material hauling or construction equipment start-up before the hour of 7:00 a.m., nor shall construction work continue past the hour of 6:00 p.m. There shall be no construction work on Sunday before the hour of 12:00 noon. There shall be no construction work on Saturday before the hour of 8:00 a.m.

(Ord. No. 92-0-52, ' 2(200.5), 10-27-92)

**Sec. 6-121. Protection of existing curbs, gutters, street surfaces, public sidewalks and public parkways.**

All curbs, gutters, street surfaces, public sidewalks and public parkways shall be protected by planks, crushed stone or other approved methods or materials before any trucks, heavy equipment or earth-moving equipment may cross from the public street to private property. Prior approval of the means of protection of the public property shall be obtained from the village engineer. After all operations have been completed, all construction materials shall be removed and all public and private property shall be restored back to an equal or better than original condition. Any cracked or damaged curb, gutter or sidewalk, or necessary restoration of the street surface and/or the parkway, shall be replaced or repaired to the satisfaction of the Public Works Department, Engineering Division, at the contractor's/owner's expense.

(Ord. No. 92-0-52, ' 2(200.6), 10-27-92)

**Sec. 6-122. Construction debris.** There shall be dumpsters of sufficient number and capacity on the construction site to contain any construction debris, which shall be promptly replaced when full. The general contractor or the primary trade, if there is no general contractor, shall be responsible for keeping the construction site clean and free of scrap materials, boxes, paper or other construction debris and shall prevent and/or clean up any debris deposited or wind-blown onto any other abutting private or public property. Open burning of construction debris is

prohibited. Prior to issuance of a permit for demolition or new construction of a principal structure the permit Applicant/Owner shall enter into a contract with a Trash Dumpster Re/placement Contractor to provide trash dumpster re/placement services, as needed to comply with this section and shall provide the Village with a copy of said Contract. In the event that the Trash Dumpster Re/placement Contractor fails to provide necessary trash dumpster re/placement services during construction or demolition operations, the Village may, without further notice to the Applicant/Owner arrange for the Trash Dumpster Re/placement Contractor listed on that contract or any other company contacted by the Village to provide such reasonably necessary trash dumpster re/placement services and to charge the Applicant/Owner for any expenses incurred by the Village in connection therewith.

(Ord. No. 92-0-52, '2(200.7), 10-27-92)

**Sec. 6-123. Protection of public streets, sidewalks and public property.**

Public streets and sidewalks must be kept open to traffic at all times and shall be kept clean and free of mud, stones and other construction materials and debris resulting from any construction activity. Parking of equipment, trucks and workers's vehicles must be done in such a manner as to permit reasonable two-way traffic on the streets and to permit ready passage of emergency vehicles. Where the street is too narrow to permit two (2) lines of parking plus two moving lanes, parking of vehicles will be limited to the side of the street opposite of the fire hydrants, so the fire hydrants are accessible for emergencies. Existing sidewalks shall be kept clean and in good repair or bridged in an approved manner to permit the general public to freely and safely use the sidewalks. There shall be no storage of any construction materials whatsoever in the public streets and rights-of-way. All mud and other debris deposited on the streets by any construction work or by any construction equipment, vehicles or by any material delivery trucks shall be cleaned up as necessary and required during the working day and by the end of each working day. The building official may stop the construction work in progress if this section is not complied with, ignored or is consistently violated, and/or the issuance of tickets by the police department is authorized. .

(Ord. No. 92-0-52, '2(200.8), 10-27-92)

**Sec. 6-124. Building access.**

There shall be approved and safe access to the building and to each and every level or floor within the building. Ladders shall extend at least forty-two (42) inches above the floor level which they serve. Ladders or temporary stairs shall be supplied by the contractor for all rough plumbing, electrical and building inspections and all subsequent inspections thereafter, or the inspections cannot be made, nor can the work to be inspected be approved. Board or plywood ramps shall be provided from the curb to the building, during inclement weather, for access to the building prior to an inspection being made.

(Ord. No. 92-0-52, '2(200.9), 10-27-92)

**Sec. 6-125. Spot-in survey.**

After the foundation walls have been poured and stripped, a spot-in survey shall be made by a state-licensed and certified land surveyor, which shall precisely locate the entire as-built

foundation footprint on a certified plat of survey, showing all horizontal dimensions from the foundation to all property lines and to other buildings or structures on the property, if any, and shall show the USGS datum elevation of the top of the foundation walls and concrete window well walls.

If the foundation wall has any steps, up or down, each step elevation shall also be shown. The benchmark used for the survey shall be the reference benchmark provided by the village engineer at the time that the building permit was issued. The building official shall be provided with three (3) copies of the completed spot-in survey. No framing or other superstructure construction shall begin until the spot-in surveys have been received, reviewed and verified by the village that the location of the foundation and the elevation of the foundation walls do conform with the approved permit plans.

(Ord. No. 92-0-52, '2(200.10), 10-27-92)

**Sec. 6-126. Water used in construction.**

All water used in construction or landscaping of the site shall be metered. Metering may be through the installation of the building meter, as approved by the plumbing inspector, or by a village hydrant meter, installed and turned on by the public works department, streets and utilities division. A hydrant meter is available from the public works department, streets and utilities division with the posting of a refundable cash bond of five hundred dollars (\$500.00). No fire hydrant shall be opened by any unauthorized person for any reason and the unauthorized use of a fire hydrant will subject that person to arrest and to a fine of two hundred dollars (\$200.00) for each violation, with each day of illegal use of a fire hydrant constituting a separate violation. Water is also available for tanker truck filling at the public works building.

(Ord. No. 92-0-52, '2(200.11), 10-27-92)

**Sec. 6-127. Water meter placement.**

Water meters shall be installed in locations where they are readily accessible without the use of ladders or crawl holes and shall not be behind obstacles, with sufficient working space around the meters to remove, replace or repair the meter. Open basements, utility rooms or mechanical rooms are approved locations. Meters shall not be placed in crawl spaces or ceiling spaces or framed in with walls or partitions with only a crawl hole access panel. The water meter readout shall be installed at an approved (exterior) location with a hard-surfaced approach, in a readily visible position. An approved raceway (one half inch EMT conduit) shall be provided for the wiring from the meter to the exterior readout device. Connecting wires shall not be exposed on the outside of the building.

(Ord. No. 92-0-52, '2(200.12), 10-27-92)

**Sec. 6-128. Sanitary toilet facilities.**

Approved sanitary toilet facilities for construction workers shall be provided on all new building or other construction sites where functioning toilet facilities are not readily available. The person in charge of the construction shall provide adequate numbers of toilet facilities within a

maximum distance of two hundred (200) feet from the building under construction. The toilet facilities shall be in place on the site at the time that the first building inspection is made or no further work on the building will be permitted until this requirement is met. Toilet facilities shall not be placed in any front yards unless located behind a construction fence or screened, nor shall toilet facilities be in a location which may create a nuisance to adjacent properties.

(Ord. No. 92-0-52, ' 2(200.13), 10-27-92)

**Sec. 6-129. Underground utility inspections.**

Footing drains, tiles, sump pump lines, sanitary sewers, water services, underground tanks and their piping and all other underground facilities installed by the permittee must be inspected by the appropriate village inspector prior to concealment or backfilling or the uninspected work shall be required to be dug up and exposed for the required inspections.

(Ord. No. 92-0-52, ' 2(200.14), 10-27-92)

**Sec. 6-130. Foundation systems.**

- (a) *Required.* All foundation systems shall extend a minimum of 42” below grade for all new buildings and structures and additions to existing buildings and structures, and they shall be constructed of separately formed, poured concrete spread footings and foundation walls which shall comply with the requirements of the International Building Code and International Residential Code as applicable and as adopted.
- (b) *Additions or attachments to existing buildings.*
  - (1) There shall be a full foundation system supporting any proposed additions or attachments to any existing building or structure, which shall be tied into the existing foundation according to accepted engineering practice, but in no case less than one-half-inch steel dowels, on one-foot centers, wherever the new foundation system intersects the existing foundation.
  - (2) Additions or attachments to the principal building shall fall under all codes and ordinances governing the principal building.
- (c) *Underpinning of existing foundation system.* Where a proposed addition or attachment to an existing building or structure will have a foundation system or floor level below the existing building's foundation system, an underpinning plan shall be submitted, prepared by an architect or structural engineer, licensed by the state, which shall clearly show the details of the methods to be used by the contractor during the underpinning operation. The location of adjacent buildings or structures, either on the same premises or on abutting premises, shall be shown on the required underpinning site plan.
- (d) *Exterior porches, platforms and stairs.* Porches, platforms and stairs which

support walls and/or roof loads shall be provided with a foundation system, as provided in section 6-130, under all sides and shall be formed and poured with the building's foundation system. Open porches, platforms and stairs which do not support any walls and/or roof loads may be supported by wing walls that are formed and poured with the building foundation walls which shall be tied back into the foundation walls with at least two (2) one-half-inch rebars extending from the foundation wall into the top four (4) inches of each wing wall. All exterior concrete platforms and stairs supported by wing walls shall be anchored to the abutting building foundation wall, with one-half-inch re-bars on a minimum of two (2) feet on center, extending from the foundation wall into the concrete platform or uppermost stair tread.

Exception 1: Any approved roofed over exterior porch/landing with a roof area 30 square feet or less and not greater than 6 feet in any one dimension may be supported by approved piers below the frost line.

(e) *Trenched combination footing and foundation walls.* In lieu of separately formed and poured footings and foundation walls, trenched combination footings and foundation walls may be approved for one-story, slab on grade floors, all wood frame construction, residential room additions of not more than twenty (20) feet in any dimension or over four hundred (400) square feet in total area and for accessory buildings and structures of not more than 600 square feet in total area, consistent with recognized engineering practices, provided that the following requirements are complied with:

- (1) Trenched combination footings and foundation walls may only be used in cohesive soils such as clay, where the walls of the trench shall be square cut in a straight line to afford proper bearing for the superstructure walls to be built on top of it and where the trench walls will support themselves without flaking off into the trench during the concrete pour.
- (2) The minimum width of the trenched combination footings and foundation walls shall be at least eight (8) inches, with a minimum of eight (8) inches of the wall extending above the finished grade and forty-two (42) inches extending below the finished grade. There shall be a minimum of three-thousand-pound-per-square-foot bearing soil at the bottom of the trench. Adjustments to the foundation wall width and/or the use of steel reinforcement shall be made for bearing soils of less than three thousand (3,000) pounds per square foot and/or unforeseen soils problems. Trenched combination footings and foundation walls shall not be permitted when the bearing capacity of the soil is less than two thousand (2,000) pounds per square foot or if there is filled ground at the bottom of the trench or other major bearing problems. In all cases, the bottom of the trench shall be square cut and level, and free of loose dirt or other debris. All other concrete construction details shall conform with the ICC International Building Code, as adopted in section 6-161 and the ICC International Residential Code, as adopted in Section 6-211.

*Exception:* Trenched combination footings and foundations are permitted in cohesive soils when designed by an Illinois licensed Architect or Structural Engineer and installed consistent with a soils analysis, report, and recommendation by an Illinois licensed Soils Engineer. In addition the excavation shall be inspected and approved by the Soils Engineer, Structural Engineer and/or Architect with a copy of all approval reports submitted to the Village of Libertyville, Building Division.

(f) *Deck footings:* Deck footings shall be a minimum of 42” below grade.

(Ord. No. 92-0-52, ' 2(200.17), 10-27-92) (Ord. No. 92-0-52, ' 2(200.16), 10-27-92) (Ord. No. 92-0-52, ' 2(200.15), 10-27-92)

**Sec. 6-131-134. Reserved.**

**Sec. 6-135. Nonrequired systems, devices and/or materials.**

Non-required systems, devices and/or materials which are proposed to be constructed into a building or structure at the voluntary election of the owner or owner's agent, such as, but not limited to, fire suppression systems, fire alarm systems, special electrical, plumbing, HVAC and/or communications systems, fire rated assemblies, non-required stairs and other such installations, shall be installed according to the appropriate codes and standards for the installation of required systems, devices and/or materials. This section shall not be construed to prevent conformance with specific requirements of other Codes and/or standards such as the Americans with Disabilities Act. (A.D.A.)

(Ord. No. 92-0-52, ' 2(200.20), 10-27-92)

**Sec. 6-136. Dwelling unit security devices.**

(a) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Cylinder guard* means a hardened free-turning steel ring surrounding the exposed portion of the lock cylinder and is so fastened as to protect the cylinder from wrenching, prying, cutting or pulling by attack tools.

*Cylinder spring dead latchset* means a latching device and strike plate which is positively held in deadlatch position when the door is closed by means of an integral slide trigger mechanism. The complete lockset shall consist of a pin or wafer tumbler cylinder, operated by a key from the outside and a knob, thumb turn or lever handle from the inside.

*Deadlatching lockset* means a latching device and strike plate which is positively held in deadlock position when the door is closed by means of an added integral slide trigger mechanism. The complete lockset shall consist of a knob on both

sides of the door and shall be locked or unlocked by a pin tumbler or disc wafer key from the outside and turn button from the inside.

*Door closer* means an approved device or spring-loaded hinge that automatically closes an open door.

*Panicfree double lockset* means a high-security lockset with a standard deadlatching lockset below a high-security, single-cylinder deadlock above with a one-inch-throw deadbolt and cylinder guard. Both deadlatch and deadbolt are retracted simultaneously by single action of the interior knob for panicfree escape during emergencies.

*Security strike* means a heavy gauge steel strike plate with four (4) off-centered screws at least two and one-half (2 1/2) inches long permitting full penetration through the jamb and into the rough buck, with approximate dimensions of three and five-eighths (35/8) inches by one and one-fourth (1 1/4) inches.

*Single-cylinder deadlock* means a bolt which has no automatic spring action and which is operated by a pin or wafer tumbler cylinder key from the outside and a thumb turn or lever on the inside and is positively held fast when in the projected position.

*Solid core door* means a door which shall have a nominal one-and-three-fourths inch thickness of solid wood or a core of approved material with a veneer surface on all sides and edges. Where a twenty-minute-rated fire door is required, an approved solid core door and a rabbeted jamb or comparable twenty-minute-rated jamb completes the door and door frame assembly.

- (b) *Generally.* All doors and windows, in all new dwelling units or additions to existing dwelling units, shall be provided with minimum security devices as provided in this section. No security device shall require a key or other special tools to open the locking device from the inside. All such locking devices shall be easily and readily opened from the inside with a panicfree, single-action turning knob, thumb turn, lever handle or other approved unlatching method, which simultaneously retracts the deadbolt, deadlatch or other locking system for panicfree escape from the dwelling unit in the event of an emergency. Double-cylinder deadlocks, where a key must be used on both sides of the door lock to open, are not permitted. Exception: Key operation may be permitted from a dwelling unit provided that the key cannot be removed from the lock when the door is locked from the side from which egress is to be made.
- (c) *Single-family detached and single-family attached dwellings.*
- (1) *Exterior doors.* All exterior doors in single-family detached and single-family attached dwellings shall be solid core doors and doors leading from an attached garage into the dwelling shall be a solid core door and rabbeted frame assembly or a twenty-minute fire door and frame and shall be equipped with deadlatching locksets having a minimum throw

of one-half inch and separate single-cylinder deadlock with a one-inch throw, or other equal or better locksets and deadbolts. All locking devices shall have a security strike and free-turning cylinder guard to protect the lock cylinder. The separate deadlatching and single-cylinder deadlock may be combined into a panicfree double lockset. Outward swinging doors are permitted providing that the door hinges are on the inside and cannot be tampered with or the hinge pins removed.

- (2) *Sliding glass patio doors.* Each sliding glass door unit shall be constructed and installed so that when it is in the locked position it can withstand a force of three hundred (300) pounds applied in any direction to any nonglazed portion of the door without disengaging the lock or allowing the door to be opened, lifted out of its track, or otherwise removed from the door opening. Mounting screws for the locking devices shall be inaccessible from the outside.
- (3) *Windows.* Windows shall be constructed so that they cannot be lifted out from the frame while in a locked position. Window locking devices shall be capable of withstanding a force of one hundred fifty (150) pounds applied in any direction.

*(d) Multiple-family dwellings.*

- (1) All entrance doors into each multiple-family dwelling unit shall be side-hinged, fire-rated doors with an approved door closer, all complying with the International Building Code, as adopted in section 6-161, and have a one-way viewing device from the inside.
- (2) Multiple-family dwelling unit entrance doors shall be equipped with a deadlatching lockset having a throw of one-half inch and a separate single-cylinder deadlock with a one-inch throw. All locking devices shall have a security strike and a free-turning cylinder guard to protect the lock cylinders. The separate deadlatching lockset and the single-cylinder deadlock may be combined into a panicfree double lockset.
- (3) When locking devices are provided, common entrance doors into common corridors and stairways shall be equipped with deadlatching locksets with a knob turn release from the inside and shall meet all other provisions of this subsection (d) of this section and the International Building Code, as adopted in section 6-161, for fire rating and panicfree escape.

(Ord. No. 92-0-52, '2(200.25), 10-27-92)

**Sec. 6-137. General provisions for one- and two-family dwellings.**

*Applicable regulations.*

- (a) The applicable construction regulations as contained in this code, the International

Residential Code as adopted in Section 6-195, the International Property Maintenance Code, as adopted in section 6-341, the Illinois State Plumbing Code, as adopted in section 6-190, and the National Electrical Code, as adopted in section 6-281, shall control all matters concerning the construction, alteration, addition, repair, replacement, demolition, use, location, occupancy and maintenance of all one- and two-family detached buildings, attached single-family buildings and residential accessory buildings and structures and shall apply to existing and proposed buildings and structures, except as such matters are otherwise provided for in this code, chapter 26, Zoning, or other ordinances or statutes having jurisdiction.

- (b) Any additions or attachments to the principal building become part of the principal building and all codes and ordinances governing the principal building shall apply. Exception: Deck - See definitions 2-2 of the Zoning Code Ordinance 95-O-08.

(Ord. No. 92-0-52, '2(200.26), 10-27-92)

(Ord. No. 92-0-52, '2(200.29), 10-27-92)

**Sec. 6-141. Reserved.**

**Sec. 6-142. Accessory buildings and structures.**

- (a) *Storage sheds/playhouses.*
  - (1) A Storage shed or playhouse may be wood, resin composite, or metal, but must be of a finished exterior design which is comparable in appearance with the other buildings in the neighborhood. A shed or playhouse with no more than one hundred twenty (120) square feet of floor area shall not need a foundation system or a concrete floor, provided that each is designed as a structurally self-supporting unit, with adequate anchorage into the ground, by an approved method, to prevent uplift or overturning by high winds.
  - (2) A storage shed or playhouse with a floor area of more than one hundred twenty (120) square feet but less than or equal to two hundred thirty (230) square feet shall be provided with an approved foundation and tiedown system or a minimum of a four sided grade beam slab on grade foundation which is a minimum of 8" below grade, 8" above grade, 8" wide at the base to a 45 degree angle to the bottom of the 4" minimum slab on a minimum 4" gravel base. Add a minimum 6" x 6" #10 wire to the center of the slab into the thickened edges. Anchor bolts shall be placed in the perimeter of the grade beam assembly or trench wall as required for a detached, single-family garage.
- (b) *Fire protection.* Any accessory structure that is within ten (10) feet or less to the principal building or less than five (5) feet from any property line shall have

encroaching interior walls and roof structure of the structure protected with drywall, but in no case shall the structure be closer than three (3) feet to any other building or structure for maintenance and walkways.

Exception. Pre-manufactured drop-in-place portable sheds 32 sf or less in area and less than 5 ft high.

- (c) *Gazebos.* Open-sided or screened gazebos with an area of two hundred thirty (230) square feet or less may be supported on piers, either as part of a deck structure or a freestanding structure. Open-sided gazebos more than two hundred thirty (230) square feet or any gazebos with closed sides shall be supported by an all-sided trench footing/foundation system as required for a detached, single-family garage.. Requirements for pressure-treated wood, framing, piers and connectors shall be per IRC R317 /R507 and per applicable sections of the IBC. Open-sided, wood frame gazebos shall be separated from the principal building and other accessory buildings by a ten-foot fire separation.
- (d) *Fences.* Any new or existing fences shall be kept in a structurally sound, upright condition and shall be maintained so as not to become a nuisance or eyesore to the neighboring properties.
  - (1) Any standard fencing material may be used for construction of a fence, such as chain-link, wood boards, pickets, split rails, stockade or approved brick or decorative masonry.
  - (2) There shall be at least one (1) three-foot gate or permanent opening in any fence which fully encloses an area.
  - (3) No fence shall be erected in any drainage easement or swale if, in the judgement of the building official or village engineer, such fence will restrict the flow of stormwater through the easement or swale.
  - (4) Fences shall be erected with the fence posts and any rough or unfinished side of the fence facing toward the interior of the premises on which the fence has been constructed.
  - (5) All fences shall be installed in such a manner as to not alter the existing drainage pattern. In addition, the bottom of the fence shall be kept a minimum of 2.0-inches above existing grade elevations. Fences required as barriers for pools and spas shall be kept a maximum of 2.0-inches above grade elevation in compliance with the International Swimming, Pool, and Spa Code Section 305.
- (e) Satellite earth stations. See section 26-258.

(Ord. No. 92-0-52, ' 2(200.31--200.33), 10-27-92)

**Secs. 6-143--6-160. Reserved.**

*Subdivision II International Building Code*

**Sec. 6-161. Adopted.**

The 2018 International Building Code excluding I.C.C. duplicate sections indicated with [F] International Code Council, shall be and is adopted as the regulations for the construction, alterations, additions, repair, replacement, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, and their utility and service equipment, with the deletions, additions and modifications as set forth in this subdivision, as the basic building code of the village.

(Ord. No. 92-0-52, '2(300.1), 10-27-92)

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

**Sec. 6-162. Conflicts with the Village code.**

Where any requirement of the International Building Code, as adopted in section 6-161, conflicts with any requirement contained within this Code, the requirement of this Code shall prevail and shall be applied as the requirement of the village.

(Ord. No. 92-0-52, '2(300.2), 10-27-92)

**Sec. 6-163. Conflicts with adopted codes or standards.**

Where any requirement of the International Building Code, as adopted in section 6-161, conflicts with any requirement contained within that code or in other adopted codes or in referenced national standards other than this Code, then the more strict and stringent requirement, that provides for a higher level of performance or installation, a higher quality of materials or equipment or the requirements securing the greater public safety shall prevail as the requirement of the village.

(Ord. No. 92-0-52, '2(300.3), 10-27-92)

**Sec. 6-164. Deletions, additions and modifications.**

The following chapters and sections of the International Building Code as adopted in Section 6-161 are hereby revised as follows:

**IBC.100 Chptr. 1. Administration.** Delete Chapter 1, sections 101 to and including 116. See divisions 1 and 2 of article II, Building code, of chapter 6 of the Municipal Code, which shall be substituted in their entirety.

**IBC.202. General definitions.** Add the following new definitions:

*Width, clear:* A clear, unobstructed opening, aisle or corridor, measured horizontally and/or vertically between walls, sash or to any other limiting factors or projections into the width. Where required widths or openings are specified for various elements of egress or escape in Chapter 10 or elsewhere, the minimum clear widths or openings shall be measured from wall to wall or from wall to any projection into the corridor for corridors, from door jamb to the leaf of the door in an opened position for door openings and from the top of the sill or from the window frame to the sash of a window in an opened position or to a mullion for windows. Example: A thirty-two-inch nominal wide door leaf, which is one and three-fourths (1 3/4) inches thick, actually has a clear door opening of only twenty-nine and one-fourth (29 1/4) inches, between the door jamb and the door leaf, in an opened position, using standard door hanging hardware and methods.

***IBC.402.5 Automatic Sprinkler System (Covered and Open Mall Buildings).*** Delete the Exception.

***IBC.403.3 Automatic Sprinkler system (High Rise Buildings).*** Delete Exceptions. See division 3, Automatic sprinkler systems, of article V of chapter 6 of the Municipal Code.

***IBC.404.3 Automatic Sprinkler Protection (Atriums).*** Delete Exceptions. See division 3, Automatic sprinkler systems, of article V of chapter 6 of the Municipal Code.

***IBC.406.3.2.1 Dwelling unit separation*** In sentences one & two change “1/2 inch” to “5/8 inch firecode”

***IBC.406.3.2.3 Garage Location.*** Add the following subsection: Any detached garage that is within ten (10) feet or less to the principal building or less than five (5) feet from any property line shall have encroaching interior walls and roof structure of the garage protected with drywall, but in no case shall a detached garage be closer than three (3) feet to any other building or structure for maintenance and walkways.

***IBC.407.9 Automatic Fire Detection (Group I-2).*** Delete Exception 1 and 2 in their entirety.

***IBC.410.6 Automatic Sprinkler Systems (Stages, Platforms, and Technical Production Areas).*** Delete Exception #2.

***IBC.507.4 Sprinklered, One-Story Buildings.*** Delete the exceptions under this section in their entirety. See section 6-118, pertaining to fire district limits, and chapter 26, Zoning, of the Municipal Code.

***IBC.900. Fire Protection Systems.*** Delete all sections except sections and subsections of 909.20 & 909.21. Refer to Chapter 6, Article V, Divisions 2 & 3 ICC International Fire Code & Automatic Fire Suppression Systems of the Municipal Code.

***IBC.1010.1.1 Size of doors.*** Add exception 13 to this section to read: 13. In use group R-2, R-3, and R-4, the exit door shall have a minimum door leaf of thirty-six (36) inches, and service doors and interior habitable room doors shall have minimum door leaves of

thirty (30) inches.

**IBC.1010.1.9.8. Delayed egress.** Add "With prior approval of the fire official" to the beginning of the first sentence.

**IBC.1015.2 Where required (Guards).** Change first sentence by deleting "30 inches (762 mm)" to read "three (3) risers or eighteen (18) inches."

**IBC.1102.1. Design (Accessibility).** Add to the end of the sentence the following: and the Illinois Accessibility Code, as published by the Capital Development Board of Illinois, April 1997 edition and subsequent amendments, per state statute.

**IBC.1205.2 Yards.** Delete section in its entirety. See chapter 26, Zoning, of the Municipal Code.

**IBC.1206.1 Scope. (Sound transmission).** Add to the end of the sentence the following: and adjacent non-residential tenant spaces.

**IBC.1206.2 Airborne sound..** Add the following exception after the paragraph:  
*Exception: Walls, partitions and floor-ceiling assemblies separating dwelling units and sleeping units from adjacent non-residential tenant spaces within the structure shall have a sound transmission class rating of not less than 60, or not less than 55 if field tested.*

**IBC.1206.3 Structure-borne sound..** Add the following exception after the paragraph:  
*Exception: Walls, partitions and floor-ceiling assemblies separating dwelling units and sleeping units from adjacent non-residential tenant spaces within the structure shall have an impact insulation class rating of not less than 60, or not less than 55 if field tested.*

**IBC.1208.1 Crawl Spaces.** In first sentence, change "18 inches by 24 inches" to "22 inches by 36 inches"

**IBC.1208.2 Attic spaces.** In the first sentence, change " 20 inches by 30 inches" to 22 inches by 36 inches.

**IBC.1210.4 Coat Hooks.** In each new public bathroom toilet stall there shall be installed one coat hook for use by the public at 62" above the floor.

**IBC.1607.3 Minimum Uniformly Distributed Live Loads, Table 1607.1.** Revise residential habitable attics and sleeping areas from 30 psf to 40 psf.

**IBC.1608.1 General.** Add the following: Design snow loads and all minimum live loads shall not be less than thirty (30) pounds per square foot.

**IBC.1608.2 Ground snow loads.** Add the following: Ground snow loads as indicated in Figure 1608.2 shall be no less than thirty (30) pounds per square foot.

**IBC.1805.4.2 Foundation Drain.** Replace section in its entirety with the following:

Footing drains shall be installed on the exterior of all basement and crawl space footings. Footing drains shall be placed on not less than two (2) inches of gravel or crushed stone with all mud, silt or other materials or debris removed prior to placing the gravel. Footing drains shall be placed on the outside of the footing with the top of the drain below the top of the footing. The drain shall be covered with a minimum of six (6) inches of washed gravel (sizes one-half to three-fourth inch) to a point not less than three (3) inches above the top of the footing and covered with an approved filter membrane material. The footing drain passing through the footing to the sump pump basin shall be of four-inch, schedule 35 PVC or equal.

Window well drains shall be of four-inch, schedule 35 PVC or equal, connected to the footing drain by means of a "T." The end of the riser shall be three (3) inches below the bottom of the basement window frame and shall be provided with a grate. The riser pipe shall be securely fastened to the wall and the window well shall be provided with coarse stone to cover the grate.

**IBC.1807.1 Foundation Walls.** Add to end of section: The thickness of plain concrete foundation walls shall not be less than eight (8) inches nor shall the thickness of the foundation wall be less than the wall to be supported.

**IBC.1807.1.4 Permanent Wood Foundation Systems.** Delete section in its entirety without substitution.

**IBC.1807.1.5 Concrete and Masonry Foundation walls.** In the first sentence, change the wording to read: Concrete foundation walls shall be designed in accordance with Chapter 19 except that no masonry foundations shall be permitted. Also delete the word "masonry" from the exception.

**IBC.1807.1.6 Prescriptive Design of Concrete and Masonry Foundation Walls Thickness.** Delete the words "and masonry" from this section and all subsections.

**IBC.1807.1.6.1 Foundation wall thickness.** Delete the present wording of section and substitute the following: The thickness of plain concrete foundation walls shall not be less than eight (8) inches nor shall the thickness of the foundation wall be less than the wall to be supported.

**IBC.1809.4 Depth and width of footings.** Delete present wording of section 1809.4 and substitute the following: The minimum depth of footings below the undisturbed ground surface shall be 42". The minimum width of footings shall be 18 inches.

**IBC.1809.5 Frost protection .** Delete exception and substitute the following:

Exception 1: Except when erected upon solid rock or otherwise protected from frost action, foundations, walls, piers and other permanent supports of all buildings and structures larger than one hundred twenty (120) square feet in area or ten (10) feet in height shall extend a minimum of forty-two (42) inches below the finished outside grade and concrete spread footings as provided by code shall be provided to distribute all live and dead loads to the underlying allowable bearing values of the soil. Alternatively, such

structures shall be supported on piles when solid rock is not available. Footing shall not bear on frozen soils. In all cases, footings shall be designed according to accepted engineering practices.

Exception 2: For temporary structures see IBC Sec. 3103.

**IBC.1809.8 Plain concrete footings.** Delete the present wording of section and its exception and substitute the following: Spread footings on soil shall be a minimum of eight (8) inches in depth and eighteen (18) inches wide, with the concrete foundation wall centered on the footing width. There shall not be less than four (4) inches of footing between the footing edges to either side of the foundation wall.

**IBC.809.9 Masonry unit footings.** Delete sections 1809.9, 1809.9.1 and 1809.9.2 in its entirety without substitution.

**IBC.1809.12 Timber Footings.** Delete section in its entirety without substitution.

**IBC.2302.1 General Design Requirements. (Wood)** Add the following at end of paragraph: "When structural engineered wood I-joists are used in floor/ceiling assemblies in basements, they shall be protected with half-inch drywall or approved equivalent. Protection provided by an automatic sprinkler system in the basement with the design and installation approved by the Fire Official for compliance with N.F.P.A. 13 standards shall be considered as an approved equivalent.

**IBC.2308. 7.2 Rafter spans.** Add a new sentence to the end of the existing paragraph to read as follows: Roof structures with roof rafter lengths over eighteen (18) feet long shall be structurally calculated for all live loads and actual dead loads and the plans shall show all required crossties, blocking and bracing necessary to resist deflection and shall show the typical connection detail at the top plate for load transfer, and to resist uplift and spreading of the supporting walls and shall show the bracing for any gable end wall.

**IBC.2406.4 Hazardous locations.** Add a new subsection to read as follows.

**2406.4.8 Visual Warning.** In all buildings a visual horizontal "Warning" band of not less than four (4) inches wide and thirty-six (36) inches above the floor, or permanently mounted drapes, blinds or other similar visual warning devices shall be provided across glazing in fixed panels adjacent to pedestrian walkways or doors to provide visual warning that glazing is present and is not an open walkway, when, in the opinion of the building official, such additional visual warning is necessary.

**IBC.2700 Electrical.** Chapter 27 to be used in conjunction with article III, Electrical code, of chapter 6 of the Municipal Code.

**IBC.2900 Plumbing systems.** Chapter 29 to be used in conjunction with subdivision VII, Plumbing code, of division 3 of article II of chapter 6 of the Municipal Code.

**IBC.3001.6 Elevator Standards Adoption.** The design, construction, installation, and

alteration of elevators and conveying systems and their components shall comply with the Illinois Elevator Safety and Regulation Act (225 ILCS 312/140) and with the Title 41/Chapter II/Part 1000 including current state adopted versions of the following standards and safety codes

- (1) American Society of Mechanical Engineers (ASME):
  - (a) Safety Code for Elevators and Escalators (ASME A17.1/CSA B44) and Performance-Based Safety Code for Elevators and Escalators (ASME A17.7/CSA B44.7); and
  - (b) Guide for Inspection of Elevators, Escalators, and Moving Walks (ASME A17.2)
  - (c) Safety Code for Existing Elevators and Escalators (ASME A17.3) but only as required under Section 35(h) and (i) of the Act and subsection (d) of this Section;
  - (d) Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A18.1); and
  - (e) Standard for Qualification of Elevator Inspectors (ASME QEI-1).
- (2) American National Standards:
  - (a) Safety Requirements for Personal Hoists and Employees Elevators (ANSI A10.4).
- (3) American Society of Civil Engineers (ASCE):
  - (a) Automated People Mover Standards (ANSI/ASCE/T&DI 21-13).

**IBC.3002.4 Elevator car to accommodate ambulance stretcher.** Revise the first sentence to read: "Where elevator(s) are installed in a building, at least one elevator shall be provided for Fire Department emergency access to all floors."

**IBC.3005.5. Shunt trip.** Add a last sentence to read as follows: The shutoff valve shall be located in the machine room with a permanent handle to attach to the valve for shutoff purposes.

**IBC.3103 Temporary structures.** Add the following subsections:

**IBC.3103.5 Mobile units.** Mobile units shall meet the following:

- (a) Mobile units shall be of an approved design, constructed and maintained to be transported from one location to another and not mounted on a permanent foundation.
- (2) Mobile units shall be provided with an anchorage and tie-down system to

prevent overturning or uplift of the unit. The system shall be provided by eyelets embedded in a concrete platform with adequate anchor plates or hooks or other suitable means designed by the State licensed design professional to withstand all loads as required by this code.

**IBC.3103.1 General. (Temporary Structures).** In the second sentence add the word "only" after the word "shall."

**IBC.3103.1. 2 Permit Required. (Temporary Structures).** Add the words: ", except for tents and other membrane structures," after the words "temporary structures."

**IBC.3107 Signs.** Delete Section 3107 in its entirety. See the sign regulations of chapter 26, Zoning, of the Municipal Code.

**IBC.3200 Encroachments into the Public Right-Of-Way.** Delete Chapter 32 in its entirety. See chapter 26, Zoning, of the Municipal Code.

(Ord. No. 92-0-52, ' 2(300.4), 10-27-92)

**Secs. 6-165--6- 169 Reserved.**

***Subdivision III. International Energy Conservation Code\****

\*State law reference(s)--Authority to regulate energy conservation,

**Sec. 6- 170. Adopted.**

The minimum regulations and standards governing the design, installation and construction of energy conservation, which are essential to ensure reasonable safeguards to protect the public health and safety against the hazards of inadequate, defective or unsafe energy conservation and installations, as set forth in the ICC International Energy Conservation Code of 2018 and the State of Illinois Energy Conservation Code, as promulgated and published by the International Code Council, Inc., with deletions, additions and modifications set forth in this subdivision, shall be and are adopted as if fully set out in this subdivision, and made applicable to all existing or future buildings, structures and premises within the corporate limits of the village.

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

**Sec. 6-171. Deletions, additions and revisions.**

The following sections of the ICC International Energy Conservation Code as adopted in Section 6- 170 are revised as follows:

**IECC.C101.1.** Title. Insert "Village of Libertyville" as name of jurisdiction.

**IECC.R101.1. Title.** Insert "Village of Libertyville" as name of jurisdiction.

**IECC.C108. Stop work order.** Delete section in its entirety and substitute the following:  
The procedures for executing, posting and releasing stop work orders are as provided in section 6-61 violations and section 6-62, stop work orders, in the Municipal Code.

**IECC.R108. Stop work order.** Delete section in its entirety and substitute the following:  
The procedures for executing, posting and releasing stop work orders are as provided in section 6-61 violations and section 6-62, stop work orders, in the Municipal Code.

**IECC.C109. Board of appeals.** Delete entire section and substitute the following:  
All appeals shall be taken to the board of building appeals and shall comply with all procedures and provisions of section 2-416 et seq., pertaining to the board of building appeals, of the Municipal Code.

**IECC.R109. Board of appeals.** Delete entire section and substitute the following:  
All appeals shall be taken to the board of building appeals and shall comply with all procedures and provisions of section 2-416 et seq., pertaining to the board of building appeals, of the Municipal Code.

**Sec. 6-172—6-174 Reserved**

***Subdivision IV International Existing Building Code\****

\*State law reference(s)--Authority to regulate existing building systems,

**Sec. 6-175 Adopted.**

The minimum regulations and standards governing the design, installation and construction of mechanical systems, which are essential to ensure reasonable safeguards to protect the public health and safety against the hazards of inadequate, defective or unsafe existing building systems and installations, as set forth in the ICC International Existing Building Code of 2018 as promulgated and published by the International Code Council, Inc., with deletions, additions and modifications set forth in this subdivision, shall be and are adopted as if fully set out in this subdivision, and made applicable to all existing or future buildings, structures and premises within the corporate limits of the village.

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

**Sec. 6-176. Deletions, additions and revisions.**

The following sections of the ICC International Existing Building Code as adopted in Section 6-175 are revised as follows:

**IEBC.101.1.** Title. Insert "Village of Libertyville" as name of jurisdiction.

**IEBC.112. Board of appeals.** Delete section in its entirety and substitute the following:

All appeals shall be taken to the board of building appeals and shall comply with all procedures and provisions of section 2-416 et seq., pertaining to the board of building appeals, of the Municipal Code.

**IEBC.114. Stop work orders.** Delete section in its entirety and substitute the following:

The procedures for executing, posting and releasing stop work orders are as provided in section 6-61 violations and section 6-62, stop work orders, in the Municipal Code.

**Secs. 6- 177—6-180 Reserved.**

***Subdivision V. International Fuel Gas Code\****

\*State law reference(s)--Authority to regulate fuel gas systems,

**Sec. 6- 181 Adopted.**

The minimum regulations and standards governing the design, installation and construction of fuel gas systems, which are essential to ensure reasonable safeguards to protect the public health and safety against the hazards of inadequate, defective or unsafe fuel gas systems and installations, as set forth in the ICC International Fuel Gas Code of 2018 as promulgated and published by the International Code Council, Inc., with deletions, additions and modifications set forth in this subdivision, shall be and are adopted as if fully set out in this subdivision, and made applicable to all existing or future buildings, structures and premises within the corporate limits of the village.

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

**Sec. 6-182 Deletions, additions and revisions.**

The following sections of the ICC International Fuel Gas Code as adopted in Section 6-181 are revised as follows:

**IFGC.101.1.** Title. Insert "Village of Libertyville" as name of jurisdiction.

**IFGC.106.6 Fees.** Delete subsections 106.6.1, 106.6.2, and 106.6.3 and add the following: The fees for all permits for all fuel gas work are as provided for in sections 6-89 and 6-90 of the Municipal Code and shall include such other building, plumbing and electrical permits as may be necessary for the installation and completion of any fuel gas installations.

**IFGC.108.4. Violation Penalties.** Delete the section in its entirety and substitute the following:

The procedures are as provided in section 6-61 violations and section 6-62, stop work orders, in the Municipal Code.

**IFGC.108.5. Stop work orders.** Delete section in its entirety and substitute the following:

The procedures for executing, posting and releasing stop work orders are as provided in section 6-61 violations and section 6-62, stop work orders, in the Municipal Code.

**IFGC.109. Board of appeals.** Delete section in its entirety and substitute the following:

All appeals shall be taken to the board of building appeals and shall comply with all procedures and provisions of section 2-416 et seq., pertaining to the board of building appeals, of the Municipal Code.

**Sec. 6-183—6-184 Reserved.**

***Subdivision VI. International Mechanical Code\****

\*State law reference(s)--Authority to regulate mechanical systems, 65 ILCS 5/11-32-1.

**Sec. 6- 185. Adopted.**

The minimum regulations and standards governing the design, installation and construction of mechanical systems, which are essential to ensure reasonable safeguards to protect the public health and safety against the hazards of inadequate, defective or unsafe mechanical systems and installations, as set forth in the ICC International Mechanical Code of 2018, as promulgated and published by the International Code Council, Inc., with deletions, additions and modifications set forth in this subdivision, shall be and are adopted as if fully set out in this subdivision, and made applicable to all existing or future buildings, structures and premises within the corporate limits of the village.

(Ord. No. 92-0-52, ' 2(400.1), 10-27-92)

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

**Sec. 6- 186. Deletions, additions and revisions.**

The following sections of the ICC International Mechanical Code as adopted in Section 6- 185 are revised as follows:

**IMC.101.1.** Title. Insert "Village of Libertyville" as name of jurisdiction.

**IMC.106.5. Fees.** Delete subsections 106.5.1, 106.5.2, and 106.5.3 and add the following:  
The fees for all permits for all mechanical work are as provided for in sections 6-89 and 6-90 of the Municipal Code and shall include such other building, plumbing and electrical permits as may be necessary for the installation and completion of any mechanical installations.

**IMC.108.4. Violation Penalties.** Delete the section in its entirety and substitute the following:

The procedures are as provided in section 6-61 violations and 6-62, stop work orders, in the Municipal Code.

**IMC.108.5. Stop work orders.** Delete section in its entirety and substitute the following:

The procedures for executing, posting and releasing stop work orders are as provided in section 6-61 violations and section 6-62, stop work orders, in the Municipal Code.

**IMC.109. Means of appeal.** Delete section in its entirety and substitute the following:

*Means of appeal.* All appeals shall be taken to the board of building appeals and shall comply with all procedures and provisions of section 2-416 et seq., pertaining to the board of building appeals, of the Municipal Code.

(Ord. No. 92-0-52, ' 2(400.2), 10-27-92)

**Secs. 6- 187--6- 189. Reserved.**

*Subdivision VII. Plumbing Code*

**Sec. 6- 190. Adopted.**

The minimum regulations and standards governing the design, installation and construction of plumbing systems, which are essential to ensure reasonable safeguards to protect the public health and safety against the hazards of inadequate, defective or unsafe plumbing systems and installations, as set forth in the 2014 Illinois Plumbing Code, as promulgated and published by the state department of public health, with additions set forth in this subdivision, are adopted, as if fully set out in this subdivision, and made applicable to all existing or future buildings, structures and premises within the corporate limits of the village.

(Ord. No. 92-0-52, ' 2(500.1), 10-27-92)

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

**Sec. 6- 191. Additions.**

In addition to the requirements of the Illinois Plumbing Code, the following requirements shall apply:

Pursuant to 17 Ill. Admin. Code 3730.307 (c)(4) and subject to the Illinois Plumbing Code (77 Ill. Admin. Code 890) and the Lawn Irrigation Contractor and Lawn Sprinkler System Registration Code (77 Ill. Admin. Code 892), be it hereby ordained that in the Village of Libertyville, Illinois, all new plumbing fixtures and irrigation controllers installed after the effective date of this ordinance shall bear the WaterSense label (as designated by the U.S. Environmental Protection Agency WaterSense Program), when such labeled fixtures are available.

**Sec. 6-192—6-194 Reserved.**

***Subdivision VIII. International Residential Code.***

**Sec. 6-195. Adopted.**

The 2018 International Residential Code, including Appendix F: Passive Radon Gas Controls, and Appendix K, Sound Transmission, as published by the International Code Council, shall be and is adopted as the regulations for the construction, alterations, additions, repair, replacement, removal, demolition, use, location, occupancy and maintenance of all buildings and structures, for one and two family dwellings and townhouses, their accessory structures, utility and service equipment, with the deletions, additions and modifications as set forth in this subdivision, as the one and two family residential building code of the village.

**State law reference(s)**BAAdoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

**Sec. 6- 196. Conflicts with village code.**

Where any requirement of the International Residential Code, as adopted in section 6- 195, conflicts with any requirement contained within this Code, the requirement of this Code shall prevail and shall be applied as the requirement of the village.

(Ord. No. 92-O-52, '2(300.2), 10-27-92)

**Sec. 6 197. Conflicts with adopted codes or standards.** Where any requirement of the International Residential Code, as adopted in section 6- 195, conflicts with any requirement contained within that code or in other adopted codes or in referenced national standards other than this Code, then the more strict and stringent requirement, that provides for a higher level of performance or installation, a higher quality of materials or equipment or the requirements securing the greater public safety shall prevail as the requirement of the village.

**Sec. 6- 198. Deletions, Additions and Modifications.** The following chapters and sections of the-International Residential Code as adopted in Sec. 6-195 are hereby revised as follows:

*IRC.Chapter 1. Administration.* Delete Chapter 1 in its entirety. See Divisions 1 and 2 of Article II Building Code, of Chapter 6 of the Municipal Code, which shall be substituted in their entirety.

*IRC.Chapters 25 through 33* are to be used in conjunction with Subdivision VII Illinois Plumbing Code of Division 3 of Article II Building Code of Chapter 6 of the Municipal Code.

*IRC.Part VIII. Electrical.* Delete Chapters 34 through 43 in their entirety. See Article III Electrical Code of Chapter 6 of the Municipal Code, which shall be substituted in their entirety.

***IRC.R301.2. Climatic and Geographic Design Criteria.***

- (1) Add the following sentence: Design snow loads and roof live loads shall not be less than thirty (30) pounds per square foot.

(2) Amend Table R301.2 (1) as follows:

Ground Snow Load:	30 psf
Wind Speed (mph):	115
Topographic Effects:	No
Special Wind Region:	No
Windborne Debris Zone:	No
Seismic Design Category:	A
Subject to Damage From: Weathering: Frost line depth: Termite:	Severe 42" Moderate-Heavy
Winter Design Temp:	-4E
Ice Shield Underlayment Required:	Yes
Flood Hazard:	Jan 1980 / Sept 1997 / Sept 2013
Air Freezing Index:	1687
Mean Annual Temp:	47.6E

**IRC.R301.5 Live Load.** Revise Table R301.5 Habitable attics and sleeping rooms live load shall be 40.

**IRC.Table.R302.6 Dwelling Garage Separation.** Change “1/2 inch” to “5/8 inch firecode” in all locations

**IRC.R309.6. Service Doors.** Every detached garage shall be provided with a minimum 30” wide service door to exterior for emergency egress access.

**IRC.R311.2 Egress Door.** Revise fourth sentence to say: Other doors in habitable rooms shall have a minimum width of thirty (30) inches.

**IRC.R312.1.1. Where Required (Guards).** Change "30 inches" to “18 inches.”

**IRC.R401.5 Pedestrian Safety Warning/Protection (General).** Add new section: Every construction site where an excavation is open or anticipated to be open shall be enclosed along the perimeter of the lot with temporary chain-link fencing not less than six (6) feet high. The fence shall have a locking swinging gate or approved equivalent along the street-side lot line that shall not block the public right-of-way. The fence shall be installed prior to the start of any work involving building demolition or new construction, and it shall remain in place until such time as the excavation is filled and any required insulation inspection is

approved.

**IRC.R402.1 Wood Foundations.** Substitute Section R402.1 in its entirety with the following: Wood foundations shall not be permitted.

**IRC.R402.4 Masonry (Foundations).** Add the following: Masonry foundations shall not be permitted.

**IRC.R403.1.1. Minimum Size (Footings).** Replace the third sentence with the following: Spread footings on soil shall be a minimum of 8" deep and 18" wide with the concrete foundation wall centered on the footing width with a minimum of 4" of footing between the footing edges to either side of the foundation wall.

**IRC.R403.1.4 Minimum Depth (Footings).** Delete Section and refer to LMC Section 6-130.

**IRC.R404.1.5 Foundation Wall Thickness Based on Walls Supported.** Delete the present wording of section R404.1.5 and substitute the following: The thickness of plain concrete foundation walls shall not be less than eight (8) inches nor shall the thickness of the foundation wall be less than the wall to be supported.

**IRC.R405.1 Concrete Foundations. (Foundation Drainage).** Add the following to the end of the paragraph:

Window wells shall be sealed at the foundation to prevent water infiltration, and shall be constructed to a minimum height of six (6) inches above adjacent grade. In addition, all window wells shall be covered.

**IRC.R408.4 Access.** Change the minimum opening sizes in sentences two, three and four to read: "22 inches by 36 inches."

**IRC.R502.3.1 Sleeping Areas and Attic Joists.** Change "Table R502.3.1(1)" to "Table R502.3.1(2)" and change the design live load of "30 psf (1.44 kn/m<sup>2</sup>)" to "40 psf."

**IRC.R502.11.1 and R802.10.2 Design (Wood Truss).** Change the last sentence to read as follows: The truss design drawings with related stress diagrams shall be prepared, signed and sealed by an architect and/or structural engineer licensed in the State of Illinois.

**IRC.R807.1 Attic Access.** In the 3<sup>rd</sup> and 4<sup>th</sup> sentences substitute "30 inches" with "36 inches. Add seventh sentence to read as follows: Attic access shall not be located above closet storage areas.

**IRC.M1804.2.5 Direct vent terminations.** Add the following: Power exhauster direct vent terminations shall extend through the roof or rear yard wall and shall be located not less than 15 feet from lot lines. If the power exhauster direct vent terminations is through a wall, then it shall be directed toward the farthest zoning lot line with the discharge directed down and located as close to the ground as possible for noise reduction and/or installed with a pre-approved sound muffler system. Exceptions: Direct vent fireplaces and wall furnaces

***IRC.M1804.2.6 Req.(6).*** Substitute Req.(6) in its entirety with the following: 6. Power exhauster terminations shall extend through the roof or rear yard wall, and shall be located not less than 15 feet from lot lines and adjacent buildings.

***IRC.Appendix K. Section AK102 Air-Borne Sound.*** Revise minimum STC rating from 45 to 54.

***IRC.Appendix K. Section AK103 Structural-Borne Sound.*** Revise minimum IIC rating from 45 to 51.

**Secs. 6- 199--6- 214. Reserved.**

***Subdivision IX International Swimming Pool and Spa Code***

\*State law reference(s)--Authority to regulate swimming pool and spa systems,

**Sec. 6-215. Adopted.**

The minimum regulations and standards governing the design, installation and construction of swimming pool and spa systems, which are essential to ensure reasonable safeguards to protect the public health and safety against the hazards of inadequate, defective or unsafe swimming pool and spa systems and installations, as set forth in the ICC International Swimming Pool and Spa Code of 2018 as promulgated and published by the International Code Council, Inc., with deletions, additions and modifications set forth in this subdivision, shall be and are adopted as if fully set out in this subdivision, and made applicable to all existing or future buildings, structures and premises within the corporate limits of the village.

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

**Sec. 6-216. Deletions, additions and revisions.**

The following sections of the ICC International Swimming Pool and Spa Code as adopted in Section 6-215 revised as follows:

**ISPSC.101.1.** Title. Insert "Village of Libertyville" as name of jurisdiction.

**ISPSC.105.6. Schedule of Fees.** Delete the present wording and substitute the following:

The fees for all permits for all swimming pool and spa work are as provided for in sections 6-89 and 6-90 of the Municipal Code and shall include such other building, plumbing and electrical permits as may be necessary for the installation and completion of any swimming pool and spa installations.

**ISPSC.107.4. Violation Penalties.** Delete the first sentence and substitute the following:

- The procedures are as provided in section 6-61 violations, and section 6-62, stop work orders, in the Municipal Code.

**ISPSC.107.5. Stop work orders.** Delete section in its entirety and substitute the following:

The procedures for executing, posting and releasing stop work orders are as provided in section 6-61 violations and section 6-62, stop work orders, in the Municipal Code.

**ISPSC.108. Board of appeals.** Delete section in its entirety and substitute the following:

All appeals shall be taken to the board of building appeals and shall comply with all procedures and provisions of section 2-416 et seq., pertaining to the board of building appeals, of the Municipal Code.

**ISPSC.305.1 General** Remove the following in second sentence:

...”and swimming pools are equipped with a powered safety cover that complies with ASTM F1346”, ... “pools”...

**Secs. 6-217—6-220 Reserved.**

## ARTICLE III. ELECTRICAL CODE\*

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\***Cross reference(s)**--Electrical commission, ' 2-321 et seq.

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### DIVISION 1. GENERALLY

#### Sec. 6-221. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Approved* means acceptable to the authority having jurisdiction.

*Electrical contractor* means any person, firm or corporation engaged in the business of installing or altering, by contract, electrical equipment for the utilization of electricity supplied for light, heat or power, not including radio apparatus or equipment for wireless reception of sounds and signals, and not including common carriers, which are under the jurisdiction of the Illinois Commerce Commission, for use in their operations as public utilities. The term "electrical contractor" does not include employees of such contractor to do or supervise such work.

*Licensed contractor* means a contractor granted permission by a competent authority to engage in a business or occupation.

*Mechanical execution* of work means electric equipment shall be installed in a neat and workmanship like manner.

*Qualified person* means one familiar with the construction and operation of the equipment and the hazards involved.

*Registered contractor* means a contractor who has been formally qualified by an official testing procedure as defined in section 6-316.

*Special permission* means the written consent of the authority having jurisdiction.

(Ord. No. 89-0-65, ' 1(35.5), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**Cross reference(s)**--Definitions and rules of construction generally, ' 1-2.

#### Sec. 6-222. Penalties.

- (a) Any person, firm, company or corporation who shall violate any of the provisions of this chapter or of any of the applicable provisions of the National Electrical Code or shall fail to comply therewith or who shall violate or fail to comply with any order made thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as may be affirmed or modified on appeal or by a court of competent jurisdiction, within the time duly fixed for compliance or who shall make installations or repairs in violation of any detailed statement of

specifications or plans submitted and approved thereunder, or any certificate or permit issued hereunder shall severely for each and every such violation and non-compliance respectively, be guilty of a misdemeanor, punishable as provided in section 1-12.

- (b) The application of any penalty shall not be held to prohibit the enforced removal of prohibited conditions.

(Ord. No. 89-0-65, '1(35.11), 12-19-89; Ord. No. 94-0-37, '1, 7-26-94)

**Secs. 6-223--6-240. Reserved.**

## **DIVISION 2. ADMINISTRATION AND ENFORCEMENT**

### *Subdivision I. General Provisions*

#### **Sec. 6-241. Electrical inspection department.**

- (a) *Office of chief electrical inspector established.* The village may regulate the installation, alteration and use of all electrical equipment as provided for in article II, division 37 of the Illinois Municipal Code (65 ILCS 5/11-37-1 et seq.), as amended, and may establish an electrical inspection department for this regulation. Therefore, there is established, within the building division of the village, office of chief electrical inspector.
- (b) *Duties and power of the electrical inspector.*
  - (1) The chief electrical inspector shall be charged with the duties of enforcing the rules and regulations, fixing standards and specifications for the regulation and use of electrical equipment as defined in this article pertaining to the electrical code, and prescribed in any other ordinance of the Village of Libertyville. Plans, specifications and schedules in detail shall be filed with the electrical inspection department, showing the location and capacity of all lighting facilities, electrically operated equipment, apparatus and electrical circuits required for all service equipment of the building, structure or premises; except as may be modified by the administrative official. The chief electrical inspector shall and is hereby authorized to review, inspect and approve all electrical drawings, specifications, installations and equipment. The items covered are all electrically controlled devices, including signal, communicating and lighting systems and their wiring, whenever required, shall be shown on the plans and elevations of the building or structure with respect to those uses covered by LMC Chapter 6, Article II, Building Code. Where required by local law or ordinance, the plans and specifications for electric wiring shall be approved by all authorities having jurisdiction.
  - (2) The electrical regulations of this code may be modified or waived where such modification or waiver is specifically permitted by the code or in

particular cases where an advancement in the technology of electricity makes such modification or waiver advisable. Underwriters Laboratories (U.L.), or any other Nationally Recognized Testing Lab may be accepted as prima facie evidence of acceptability. However, the provisions of section 6-281(d) shall be applied in all cases.

- (3) The electrical inspector shall have the authority, during reasonable working hours to enter upon any premises or into any building or structure or portion thereof, as per the provisions of section 6-58.
- (4) Whenever the chief electrical inspector finds any electrical installation and/or equipment not conforming to the rules and regulations set forth in this chapter or any other electrical ordinance or code of the Village of Libertyville, the chief electrical inspector is empowered to stop work on any installation being made by any person, firm, or corporation. The chief electrical inspector may also stop work on any installation to which a permit has not been issued or for inspection fees which have not been paid.

(Ord. No. 89-0-65, ' 1(35.10), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

#### **Sec. 6-242. Appeals**

If any person shall deem themselves aggrieved by any decision, finding, interpretation or order of the Building Commissioner made pursuant to this division, such person shall have the right of appeal therefrom to the electrical commission in accordance with procedures as shall be applicable as in the case of application for variation made to the village board. The board of trustees shall have authority to affirm, overrule or modify such interpretation, finding, decision or order of the electrical commission.

(Ord. No. 89-0-65, ' 1(35.12), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

#### **Sec. 6-243. Stop work orders and suspension of permit privileges.**

- (a) The building official is hereby authorized to issue and post stop work orders to stop work on any building, structures or premises, as provided for in section 6-62, pertaining stop work orders. When any condition exists, as set forth in section 6-61 the electrical inspector shall with a copy of the violation notice inform the building official, who shall issue a stop work order per Section 6-61 until the violations have been corrected and shall remove the stop work order as provided for in section 6-62.
- (b) When any person, firm, company or corporation has been issued two (2) stop work orders, in one (1) calendar year, the electrical inspector shall inform the electrical commission, who shall set a date for a hearing, to determine whether or not the permit privileges of said person, firm, company or corporation shall be suspended. A suspension of permit privileges may be for two (2) weeks or more, but not to exceed one (1) year.

(Ord. No. 89-0-65, ' 1(35.7.4), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**Sec. 6-244. Electrical commission.**

Refer to Code section 2-321 through 2-340.

(Ord. No. 94-0-37, ' 1, 7-26-94)

**Secs. 6-245--6-260. Reserved.**

*Subdivision II. Permits, Inspections and Approvals\**

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\*State law reference(s)--Electrical permits and fees, 65 ILCS 5/11-37-2.

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**Sec. 6-261. Electrical permits.**

- (a) Electrical wiring or equipment shall not be installed within or on any building, structure or premises, nor shall any alteration be made in any such existing installations, without first securing approval and a permit from the electrical inspection official pursuant to Section 6-86, Permits of the Libertyville Municipal Code (LMC 6-86) except as specifically provided herein after. It shall be unlawful to use or permit the use of, or to supply current for an electrical system in a building, structure or premises unless the required permit has been issued by the electrical inspection official. A copy of the electrical contractor's registration and license, with a certificate of insurance pursuant to LMC 6-86(k) shall be presented when a permit is applied for.
- (b) The provisions for inspection of work authorized by electrical permits issued by the electrical inspection official shall not be construed as prohibiting the inspection of any electrical wiring, apparatus or equipment, either revised or original, now or whenever installed. If the inspection reveals deficiencies or unsafe conditions, the owner or responsible person shall correct and/or replace any defective electrical wiring, apparatus or equipment. Defective electrical wiring, apparatus or equipment shall not be energized under any conditions until the necessary repairs or replacements have been made. A separate electrical permit will be required and inspections will be made of the corrected work.
- (c) Permits for work performed under this code may be issued only to electrical contractors who furnish the Village of Libertyville with proof of minimum insurance as required in LMC 6-86(k).
- (d) Exemptions to the permit requirements of this section are as follows:  
Homeowners of record in the Village of Libertyville requesting an electrical permit to be issued in their name to do electrical work on their private property, and occupied by them, shall not be required to register as a contractor or to pay a

registration fee. However, the chief electrical inspector shall require sufficient display of mechanical and electrical knowledge so as to show competency to be sufficient in accomplishing the proposed electrical installation, alteration or change in the interest of safeguarding life and property. The homeowner assumes any and all responsibility and liability for the work performed. He shall be the only person approved to do electrical work on his property other than a "registered contractor" as defined in section 6-316 et seq.

(Ord. No. 89-0-65, ' 1(35.7.1, 35.7.2), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**State law reference(s)**--Electrical permits and fees, 65 ILCS 5/11-37-2.

**Sec. 6-263. Permit fees and display.**

- (a) *Fees.* Fees for the electrical permits required under this subdivision shall be as established in the annual fee ordinance.
- (b) *Payment.* All fees provided for in this section shall be paid to the village before a permit is issued.
- (c) *Display.* Each permit shall be posted on the jobsite so as to be seen from the street or accessible area.

(Ord. No. 89-0-65, ' 1(35.8), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**Sec. 6-264. Inspections, re-inspections and certification of inspections.**

- (a) *Inspection of electrical installations and/or equipment.* All installations or alterations of electrical equipment shall be inspected before any of the work is hidden from view or concealed in any way. The person, firm, company or corporation doing the work shall notify the building division that the work is ready for inspection at least twenty-four (24) hours in advance. The chief electrical inspector will have twenty-four (24) hours in which to make the required inspection before any such work is concealed.
- (b) *Advance notice for inspection.* Upon completion of any installation or alteration of electrical equipment, the person, firm, company or corporation doing the work shall notify the building division that the work is ready for inspection at least twenty-four (24) hours in advance. The chief electrical inspector shall make the required final inspection.
- (c) *Issuance of certificate of inspection.* No certificate of inspection approval shall be issued unless the electrical installation and equipment is in conformity with the provisions of all electrical ordinances, the code requirements of the Village of Libertyville and the Statutes of the State of Illinois including applicable provisions of the National Electrical Code as adopted in Sec. 6-281.
- (d) *Reinspections of new installations.* A reinspection fee shall be charged for work

not ready for inspection, as provided in section 6-90(g). Fees shall be paid prior to re-inspection.

- (e) *Re-inspection of existing installations.* The chief electrical inspector may periodically make inspections of existing electrical equipment, or installations. This will include, but not be limited to, commercial establishments, places of assembly, factories, multi-family and rental type dwellings within the Village of Libertyville. Inspections will be made in all other buildings upon the request of an owner or occupant, the fire department and/or other units of government. An inspection may also be made in the event of fire, emergency or probable cause. Electrical inspections may be made as part of housing inspections and/or property maintenance programs. If an installation is found to be unsafe, the electrical inspector shall notify the person, firm, company or corporation owning, using, installing or operating such equipment to make the necessary repairs or changes required to place the installation in a safe, operating condition. The necessary work shall be completed in a timely manner, commensurate with the hazard to life, safety and/or property.
- (f) *Village liability.* The inspections and control of the installation of electrical equipment or the granting of inspection certificates by the Village of Libertyville, shall not make the village liable on account of such control of or granting of such certificates, or lessen the liability of persons, firms, company or corporation owning or installing such electrical equipment.

(Ord. No. 89-0-65, '1(35.9), 12-19-89; Ord. No. 94-0-37, '1, 7-26-94)

**Secs. 6-265--6-280. Reserved.**

### **DIVISION 3. TECHNICAL STANDARDS**

#### **Sec. 6-281. National Electrical Code--Adopted.**

- (a) The National Electrical Code of 2017 (NFPA 70-2017) as issued and promulgated by the National Fire Protection Association, and approved by the American National Standards Institute, which by this reference is hereby adopted and incorporated as fully as if set out at length herein, except as amended, added to, or modified hereafter as set forth and applicable to existing or proposed buildings, structures or premises containing wiring or electrical equipment, is hereby adopted as the Electrical Code of the Village of Libertyville, Lake County, Illinois.
- (b) Three (3) copies of the National Electrical Code shall be kept on file in the office of the building official for public inspection.
- (c) The administration and enforcement provisions of article II, the building code of the village, shall be and are the administration and enforcement provisions to be applied to the building code, the plumbing code, the electrical code, the mechanical code, the fire prevention code, the property maintenance code and

such other codes and ordinances of the village which pertain to the construction or alteration of buildings and structures, as stated in such article.

- (d) Where there are practical difficulties involved in carrying out structural or mechanical provisions of this code or of an approved rule, the electrical inspector may vary or modify such provision upon application of the owner or owner's agent, provided that the spirit and intent of the provisions shall be observed and public safety and welfare be ensured. Such modification shall be properly recorded in the permanent records and files of the department and further providing that all provisions of the subsections of section 6-34, pertaining to materials and equipment, are applied to the requested modification.

(Ord. No. 89-0-65, '1(35.1), 12-19-89; Ord. No. 94-0-37, '1, 7-26-94)

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

**Sec. 6-282. Deletions, Additions, and Modifications.** The following articles and sections of the National Electrical Code as adopted in Sec. 6-281 are hereby revised as follows:

Article 90.8 Wiring Planning. Add the following:

*90.8(A)(1) Dwelling Units.* An unused 35mm (1-1/4 in.) raceway shall be provided from the basement to the attic.

*90.8(A)(2) New Panel boards and Load Centers.* Newly installed panel boards and load centers shall have 10% of circuit spaces available for future expansion.

**110.3 Examination, Identification, Installation, Use and Listing (Product Certification) of Equipment.** Add the following sentence to the end of paragraph (A) Examination "All equipment shall be listed by a Nationally Recognized Testing Laboratory."

**Article 110.12 Mechanical Execution of Work.** Add sections:

*110.12(C) Inspection of Mechanical Work.* Conductors shall not be pulled in conduit, until wall finishes are applied or all mechanical work is completed, without the consent of the electrical inspector. Any conductors that are installed must remain de-energized during inspections.

*110.12(D) Abandoned Wiring.* All abandoned conduit, wire, or other electrical equipment and material must be removed. This includes low-voltage wiring, data processing cable, etc.

*110.12(E) Housekeeping Pad.* Freestanding electrical equipment designed for floor installations must be mounted on a 10 cm. (4in.) thick concrete housekeeping pad.

**Article 210.8(A) Dwelling Units.** Delete the first paragraph and replace with the following:

*210.8(A) Dwelling Units.* All 125-volt, single-phase, 15- and 20-ampere receptacles installed in the locations specified in 210.8(A)(1) through 10) shall have ground-fault circuit-interrupter protection for personnel. GFCI protected receptacles with slave capability shall not be permitted

to connect to downstream receptacles or outlets other than those which are installed in the immediate area the lead GFCI receptacle is located.

**Article 210.8(B) Other Than Dwelling Units.** Delete first paragraph and replace with the following:

*210.8(B) Other Than Dwelling Units.* All single-phase receptacles rated 150 volts to ground or less, 50 amperes or less and three-phase receptacles rated 150 volts to ground or less, 100 amperes or less installed in the following locations shall have ground-fault circuit-interrupter protection for personnel. GFCI protected receptacles with slave capability shall not be permitted to connect to downstream receptacles or outlets other than those which are installed in the immediate area the lead GFCI receptacle is located.

**Article 210.12(A) Dwelling Units.** Delete first paragraph and replace with the following:

*210.12(A) Dwelling Units.* All 120-volt, single-phase, 15- and 20-ampere branch circuits supplying outlets or devices installed in dwelling unit kitchens, family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, laundry areas, or similar rooms or areas shall be protected by any of the means described in 210.12(A)(1, 5 or 6)

**Article 210.21(B)(1) Single Receptacle on an Individual Branch Circuit.** Delete first paragraph and replace with the following:

*210.21(B)(1) Single Receptacle on an Individual Branch Circuit.* A single receptacle installed on an individual branch circuit of 20 amperes or less, shall have an ampere rating equal to that of the branch circuit.

**Article 210.52(B)(3) Kitchen Receptacle Requirements.** Add a new sentence at the end of paragraph to read as follows: Receptacle outlet(s) shall be 20 amp rated.

**Article 210.52(G)(1) Garages.** Add new sections at the end of paragraph to read as follows:

- (a) A separate 20-ampere circuit shall be provided for plug-in equipment and devices.
- (b) A separate circuit shall be provided for overhead garage door(s).
- (c) A separate circuit shall be provided for lighting. In addition there shall be at least one lighting outlet on the interior of the garage and at least one lighting outlet on the exterior of the garage. A switch shall be installed to control these outlet(s).

**Article 210 Branch Circuits.** Add the following section:

**Article 210.53 Other than Dwelling Units Receptacles.** Receptacle outlets in offices or similar areas shall be installed as specified in (A), (B) and (C).

- (A) Spacing. Receptacles shall be installed so that no point along the floor line in any wall space is more than 1.83 m (6 ft.) measured horizontally, from an outlet in that space.
- (B) Wall Space. As used in this section, a wall space shall include the following:

- 1) Any space 610 mm (2 ft.) or more in width (including spaces measured around corners) and unbroken along the floor line by doorways, and other similar openings.
  - 2) The space occupied by fixed panels in exterior wall, except sliding doors.
  - 3) Hallways shall have at least one receptacle outlet installed every 6 m (20 ft.) or fraction thereof. As used in this subsection, the hall length shall be considered the length along the centerline of the hall without passing through a doorway.
- (C) **Floor Receptacles.** Receptacle outlets in the floor shall not be counted as part of the required number of receptacle outlets unless located within 457 mm (18 in.) of the wall. Permanently installed electric baseboard heaters equipped with factory installed receptacle outlets or outlets provided as a separate assembly by the manufacturer shall be permitted as the required outlet or outlets for the wall space utilized by such permanently installed heaters. Such receptacle outlets shall not be connected to the heater circuits.

Exception: Wall spaces inside of unoccupied spaces such as warehouses, bathrooms, storage rooms, utility closets, and other areas allowed by the Authority Having Jurisdiction.

**Article 210.70(A)(1) Habitable Rooms.** Delete first paragraph and replace with the following:

*210.70(A)(1) Habitable Rooms.* At least one wall switch-controlled lighting outlet shall be installed in every habitable room, bathroom, kitchen and exterior door. Said wall switch(es) shall be located at all entries to the room, hallway, stairway, and the like.

**Article 210.70(A)(3) Storage or Equipment Spaces.** Delete in its entirety and replace with the following:

*210.70(A)(3) Storage or Equipment Spaces.* For attics, underfloor spaces, utility rooms, basements, closets, storerooms, and similar locations 1 sq. m (9 sq. ft.) or larger, at least one lighting outlet containing a switch or controlled by a wall switch shall be installed. At least one point of control shall be at the usual point of entry to these spaces. The lighting outlet shall be provided at or near the equipment requiring servicing.

**Article 220.14(A) Specific Appliances or Loads.** Delete in its entirety and replace with the following:

*202.14(A) Specific Appliances or Loads.* An outlet for a specific appliance or other load not covered in 220.14(b) through (l) shall be calculated based on the ampere rating of the appliance or load served. In addition, independent circuits shall be provided for each of the following appliances: range, oven if separate from range, water heater, clothes washer/gas clothes dryer, garbage disposal/dishwasher, microwave, compactor, freezer, refrigerator, whole house vacuum, garage door operator(s), tubs with pumps, steam generators, built-in ironing, sump and ejector

pumps, furnaces, air conditioners, permanently connected heating appliances rated at one thousand (1,000) watts or more, including motors rated at one-quarter (1/4) horse power and over.

**Article 225.10 Wiring On Buildings.** Delete in its entirety and replace with the following:

*225.10 Wiring On Buildings.* All conduit installed on the exterior of any building, sign, pole or the like, shall be rigid galvanized metal conduit, galvanized intermediate metal conduit or rigid aluminum conduit. However, rigid aluminum conduit shall not be used where exposed to mechanical damage. At no time shall rigid aluminum conduit be installed between grade level and 2 m (6 ft.) above grade level where vehicular traffic is present or where vehicular traffic could be present (rear of buildings, in alleyways, delivery areas, etc.). In these areas, the use of rigid galvanized metal conduit shall be approved.

**Article 225.36 Type of Disconnecting Means.** Delete in its entirety and replace with the following:

*225.36 Type of Disconnecting Means.* The disconnecting means specified in 225.31 shall be suitable for use as service equipment and contain a minimum of four breaker spaces, plus a main. All circuits supplying the garage or outbuilding must originate in said building. See 210.52(G) for circuit requirements.

**Article 225.39 (D) All Others.** Delete in its entirety and replace with the following:

*225.39(D) One or Two Family Detached Garages.* For a one or two family detached garage, the feeder disconnecting means shall have a rating of not less than 30 amperes.

**Article 225.39 Rating of Disconnect.** Add sections:

*225.39(E) All Others.* For all other installations, the feeder or branch-circuit disconnecting means shall have a rating of not less than 60 amperes.

**Article 230.9 Clearances on Buildings.** Delete section (A) and replace with the following:

*(A) Clearances.* Service conductors installed as open conductors or multi-conductor cable without an overall outer jacket shall have a clearance of not less than 1.5m (5 ft.) from windows that are designed to be opened, doors, porches, balconies, ladders, stairs, fire escapes, or similar locations.

**230.28 Service Masts as Supports.** Delete in its entirety and replace with the following:

*230.28 Service Masts as Supports.* Where a service mast is used for the support of service-drop conductors, it shall follow the requirements as outlined in Commonwealth Edison's "Service and Meter Requirements", current edition, or "Residential Electric Service Installation", current edition.

**Article 230.30 Insulation.** Delete exceptions in their entirety with no replacements.

**230.41 Insulation of Service-Entrance Conductors.** Delete exceptions in their entirety with no replacements.

**230.24(B) Vertical Clearance for Overhead Service Conductors.** Delete sections (1) and (2) and replace with the following:

(1) *3.2m (10 ft. 6 in.)*—at the electrical service entrance to buildings, also at the lowest point of the drip loop of the building electrical entrance, and above areas or sidewalks accessible only to pedestrians, measured from final grade or other accessible surface only for overhead service conductors supported on and cabled together with a grounded bare messenger where the voltage does not exceed 150 volts to ground.

(2) *3.8m (12 ft. 6 in.)*—over residential property and driveways, and those commercial areas not subject to truck traffic where the voltage does not exceed 300 volts to ground.

**230.42(C) Grounded Conductors.** Delete in its entirety and replace with the following:

*230.42(C) Grounded Conductors.* The grounded conductor must be at least the same size as the ungrounded conductors.

**230.43 Wiring Methods for 1000 Volts, Nominal, or Less.** Delete in its entirety and replace with the following:

*230.43 Wiring Methods for 1000 Volts, Nominal, or Less.* Rigid Metal Conduit or Intermediate Metal Conduit is required for all service entrances.

**230.44 Cable Trays.** Delete in its entirety with no replacements

**Article 230.70(A)(1) Readily Accessible Location.** Delete in its entirety and replace with the following:

*230.70(A)(1) Readily Accessible Location.* The service disconnecting means shall be installed at a readily accessible location **outside** of the residential, commercial or other building or structure near the utility metering, or other approved location. A switch, fuse, circuit breaker, shunt-trip control, or other approved means may be used.

If an over-current type disconnect is **not** used, the service entrance conductors shall not be more than 1.5 m (5 ft.) in length from where they enter the building.

If a shunt-trip control is used, see Electrical Inspector for approved switches.

**230.79(C) One-Family Dwelling.** Delete in its entirety and replace with the following:

*230.79(C) One or Two Family Dwelling Services.* New one or two family dwellings shall have a minimum two hundred (200) amp main disconnect, with an adequate number of branch circuits. The conductors shall not be less than #3/0 copper, installed in minimum 53 mm (2 in.) conduit (See 230.43 Amendments), and shall comply with disconnect requirements in accordance with 230.70(A)(1) amendments.

**Article 230.79(D) All others.** Delete in its entirety and replace with the following:

*230.79(D) Multi-Family Dwelling Services.* The service size shall be determined according to NEC article 220. Each unit in a multi-family dwelling shall have a minimum one hundred (100) amp main disconnect, with at least 20 branch circuit openings. The conductors shall not be less than #3 copper, installed in a minimum 35 mm (1-1/4 in.) conduit (See 230.43 Amendments), and shall comply with disconnect requirements in accordance with 230.70(A)(1) amendments.

**Article 230.79 Rating of Service Disconnecting Means.** Add sections:

*230.79(E) Residential Service Revisions.* All residential service revisions shall have a minimum one hundred (100) amp main disconnect, with at least 20 branch circuit openings. The conductors shall not be less than #3 copper, installed in a minimum 35 mm (1-1/4 in.) conduit (see 230.43 Amendments), and shall comply with disconnect requirements in accordance with 230.70(A)(1) amendments.

*230.79(F) All others.* For all other installations, the service disconnecting means shall have a rating of not less than 60 amperes. The conductors shall be sized in accordance with 310.16 and shall be installed in conduit ( see 230.43 Amendments), and shall comply with disconnect requirements in accordance with 230.70(A)(1) amendments.

**Article 240 Overcurrent Protection.** Add section:

*240.88 Circuit Breakers For Other Than Dwelling Units.* All circuit breakers shall be of the bolt-on type.

**Article 250.64(B) Securing and Protection against Physical Damage.** Delete in its entirety and replace with the following:

*250.64(B) Securing and Protection against Physical Damage.* All grounding electrode conductors shall be in rigid metal conduit, intermediate metal conduit, or electrical metallic tubing, and shall be securely fastened to the surface on which it is carried.

Exception: A bare grounding conductor may be installed under a concrete slab.

**Table 250.66 Grounding Electrode Conductor for Alternating-Current Systems.** Delete in its entirety and replace with the following:

Table 250-66. Grounding Electrode Conductor for AC Systems

Size of Largest ungrounded Service-Entrance Conductor or Equivalent Area for Parallel Conductors (AWG/kcmil)	Minimum Size of Grounding Electrode Conductor (AWG/kcmil)
Copper	Copper
3/0 or smaller	4
Over 3/0 through 350	2
Over 350 through 600	1/0
Over 600 through 1100	2/0
Over 1100	3/0

**Article 250.112 Specific Equipment Fastened in Place or Connected by Permanent Wiring Methods (Fixed).** Add the following:

Article 250.112(I) Power-Limited Remote-Control, Signaling, and Fire Alarm Circuits. Delete in its entirety and replace with the following:

*250.112(I) Power-Limited Remote Control, Signaling, and Fire Alarm Circuits.* Equipment supplied by Class 1 power-limited circuits, and Class 1, Class 2 and Class 3 remote-control and signaling circuits, and by fire alarm circuits, and by security system circuits shall be grounded.

**Article 300 Wiring Methods.** Add section:

*300.24 Abandoned Raceways, Cables and Wiring.* All abandoned conduit, low voltage wiring, fire alarm wiring and electrical equipment shall be removed from all ceilings, walls and floor areas.

**Article 310.15(B)(7).** Delete in its entirety.

**Article 310.106(A) Minimum Size of Conductors.** Delete the first sentence in its entirety and replace with the following:

*310.106(A) Minimum Size of Conductors.* The minimum size of conductors shall be as shown in Table 310.106(A), but shall not be smaller than #12 AWG for commercial or industrial applications.

**Article 310.106 (B) Conductor Material.** Delete in its entirety and replace with the following:

*310.106 (B) Conductor Material.* Conductors in this article shall be of copper and capable of withstanding the load connected.

Exception: Feeders sized 350 kcmil or greater may be aluminum as specified in NEC 310.14

**Article 312.10(C) Nonmetallic Cabinets.** Delete in its entirety with no replacement.

**Article 314.16(A)(1) Standard Boxes.** Delete in its entirety and replace with the following:

*314.16(A)(1) Standard Boxes.* The minimum size box that can be used is a 100 x 38 mm (4 by 1-1/2 in.) square/octagonal, unless approved by the electrical inspector. The volumes of standard boxes that are not marked shall be as given in Table 314.16(A).

**Part II. Installation** Add new article to this section:

*314.31 Back to Back Boxes.* The offset between interior and exterior boxes shall be at least 200 mm (8in.). Back to back installations are not approved.

**Article 314.27(A)(2) Ceiling Outlets.** Add paragraph to this section:

*314.27(A)(2) Ceiling Outlets.*

For Dwelling Units, all junction boxes roughed in for ceiling openings in bedrooms, family rooms, living rooms, dining room, kitchens, dens, foyers and other rooms or areas where ceiling fans are commonly installed, shall be installed so as to provide adequate support for ceiling fans and shall be listed for this purpose.

**Article 320.10 Uses Permitted.** Delete in its entirety and replace with the following:

*320.10 Uses Permitted.* Type AC cable (AC-HCF with pre-installed green ground wire) shall be permitted to be used in exposed and concealed locations only where necessary to fish through existing partitions, or where use of EMT is not feasible, and shall terminate into an approved metal raceway system or junction box within 1 m (3 ft) of exposure.

**Article 322 Flat Cable Assemblies: Type FC.** Delete in its entirety with no replacement.

**Article 324 Flat Conductor Cable: Type FCC.** Delete in its entirety with no replacement.

**Article 330.10 Uses Permitted** Delete in its entirety and replace with the following:

*330.10 Uses Permitted.* Type MC cable shall be permitted to be used in exposed and concealed locations only where necessary to fish through existing partitions, or where use of EMT is not feasible, and shall terminate into an approved metal raceway system or junction box within 1 m (3 ft) of exposure

**Article 332 Mineral-Insulated, Metal-Sheathed Cable: Type MI.** Delete in its entirety with no replacement.

**Article 334.10 Uses Permitted.** Delete in its entirety and replace with the following:

*334.10 Uses Permitted.* Type NM, NMC and NMS cables shall be permitted to be used in the following:

- (1) For low voltage wiring as may be required in Article 411.
- (2) For temporary wiring as may be required in Article 590.

**Article 336 Power and Control Tray Cable: Type TC.** Delete in its entirety with no replacement.

**Article 338 Service Entrance Cable: Types SE and USE.** Delete in its entirety with no replacement.

**Article 340 Underground Feeder and Branch Circuit Cable: Type UF.** Delete in its entirety with no replacement.

**Article 348.10 Uses Permitted.** Delete in its entirety and replace with the following:

*348.10 Uses Permitted.* Flexible metal conduit shall be permitted to be used in exposed and concealed locations only where necessary to fish through existing partitions, or where use of EMT is not feasible, and shall terminate into an approved metal raceway system or junction box within 1 m (3 ft.) of exposure.

**Article 348.60 Grounding and Bonding.** Delete in its entirety and replace with the following:

*348.60 Grounding and Bonding.* An equipment grounding conductor shall be installed regardless of length of Flexible Metal Conduit. Equipment grounding conductors shall be installed in accordance with 250.134(B). Equipment bonding jumpers shall be installed in accordance with 250.102.

**Article 350.60 Grounding and Bonding.** Delete in its entirety and replace with the following:

*350.60 Grounding and Bonding.* An equipment grounding conductor shall be installed regardless of length of Liquidtight Flexible Metal Conduit. Equipment grounding conductors shall be installed in accordance with 250.134(B). Equipment bonding jumpers shall be installed in accordance with 250.102.

**Article 352.10 Uses Permitted.** Delete in its entirety and replace with the following:

*352.10 Uses Permitted.* PVC conduit shall be permitted in accordance with 352.10(G).

*(G) Underground Installations.* For underground installations, PVC shall be permitted for direct burial and underground encased in concrete. See 300.5 and 300.50. The conduit must transition to an approved metallic conduit before becoming exposed or subject to physical damage.

Exception: Transition not required in concrete bases where poles or other equipment encloses and protects conduit and wiring.

**Article 355 Reinforced Thermosetting Resin Conduit: Type RTRC.** Delete in its entirety with no replacement.

**Article 356.60 Grounding.** Delete in its entirety and replace with the following:

*356.60 Grounding.* An equipment grounding conductor shall be installed regardless of length of Liquidtight Flexible Nonmetallic Conduit. Equipment grounding conductors shall be installed in accordance with 250.134(B). Equipment bonding jumpers shall be installed in accordance with 250.102.

**Article 358.10(A) Exposed and Concealed.** Delete in its entirety and replace with the following:

*358.10 (A) Exposed and Concealed.* The use of Electrical Metallic Tubing shall be permitted for both exposed and concealed work for the following.

- (1) In concrete
- (2) In dry and damp locations
- (3) In any hazardous (classified) location as permitted by other articles in this *Code*

**Article 358.10(D) Wet Locations.** Delete in its entirety

**Article 358.12 Uses Not Permitted.** Add Sections:

358.12(3) Electrical metallic tubing is not permitted where in direct contact with the earth.

358.12(4) Electrical metallic tubing is not permitted in wet locations.

**Article 360.60 Grounding.** Delete in its entirety and replace with the following:

*360.60 Grounding.* An equipment grounding conductor shall be installed regardless of length of Flexible Metallic Tubing. Equipment grounding conductors shall be installed in accordance with 250.134(B). Equipment bonding jumpers shall be installed in accordance with 250.102.

**Article 362.10 Uses Permitted.** Delete in its entirety and replace with the following:

*362.10 Uses Permitted.* Electrical Nonmetallic Tubing is permitted as a raceway for low voltage wiring for control, signaling or communication systems.

**Article 378 Nonmetallic Wireways.** Delete in its entirety with no replacements.

**Article 382 Nonmetallic Extensions.** Delete in its entirety with no replacements.

**Article 386.60 Grounding.** Delete in its entirety and replace with the following:

*386.60 Grounding.* Surface metal raceway enclosures shall have an equipment grounding conductor installed.

**Article 388 Surface Nonmetallic Raceways.** Delete in its entirety with no replacements.

**Article 394 Concealed Knob and Tube Wiring.** Delete in its entirety with no replacements.

**Article 398 Open Wiring on Insulators.** Delete in its entirety with no replacements.

**Article 404.10 Mounting of Snap Switches.** Add section:

*404.10(C) Mounting Location.* Switches shall be mounted on latch side of doorway

**Article 404.14 Rating and Use of Snap Switches.** Add section:

*404.14 (G) Other Than Dwelling Units.* Snap switches for other than dwelling units shall be rated 20 amperes minimum.

**Article 406.3 (B) Rating.** Add section:

*406.3 (B)(1) Other Than Dwelling Units.* Receptacles and cord connectors shall be rated not less than 20 amperes, 125 volts, or 20 amperes, 250 volts.

**Article 408.36 Overcurrent Protection.** Add the following sentence to existing paragraph:

*408.36 Overcurrent Protection.* Main disconnects shall be provided in all panels installed for remodeling, replacement, or new construction.

**Article 408.40 Grounding of Panelboards.** Delete first paragraph in its entirety and replace with the following:

*408.40 Grounding of Panelboards.* Panelboard cabinets and panelboard frames shall be in physical contact with each other and shall be grounded. A grounding terminal bar shall be secured to the cabinet and shall be properly bonded.

**Article 422.34 Unit Switch(es) as Disconnecting Means.** Delete in its entirety and replace with the following:

*422.34 Unit Switch(es) as Disconnecting Means.* Unit switches shall not be permitted as disconnecting means. A separate disconnect, within sight of appliance, shall be required.

**Article 590.3(B) 90 Days.** Delete in its entirety and replace with the following:

*590.3(B) 30 Days.* Temporary electrical power and lighting installations shall be permitted for a period not to exceed 30 calendar days for holiday decorative lighting and similar purposes. The provisions of this section shall apply to all temporary use of electrical current for the purpose of illuminating, animating, activating or displaying in connection with temporary expositions, exhibits shows, conventions, meetings or assemblies. The use of this type of wiring is limited to locations which are classified by the Code Official as suitable for the intended temporary occupancy and use, and which are equipped, if required, with the proper type of emergency lighting systems. Each individual display booth shall have its own overcurrent protection.

**Article 590.4 General.** Add section:

*590.4 (K) Voltage Limitations.* There shall be no temporary wiring voltage to ground, in excess of one hundred fifty (150) volts, unless by written permission of the electrical inspector.

**Article 590.4(B) Feeders.** Delete in its entirety and replace with the following:

*590.4(B) Feeders.* Feeders shall be protected as provided in Article 240. They shall originate in an approved distribution center. Conductors shall be permitted within cable assemblies within multi-conductor cords or cables of a type identified in Table 400.4 for hard usage or extra hard usage. For the purpose of this section, Type NM and Type NMC cables shall be permitted to be used in any dwelling, building, or structure without height limitations. Feeders in excess of one hundred (100) amperes capacity shall be installed in a permanent manner and in conformance with all applicable provisions of this code. Feeders of lesser ampacity may be installed in conformance with the applicable provisions of this section.

**Article 680.71 Protection.** Delete in its entirety and replace with the following:

*680.71 Protection.* Hydromassage bathtubs and their associated electrical components shall be on an individual branch circuit(s) and protected by a ground-fault circuit interrupter installed in the main electrical panel. In addition, an insulated green equipment grounding conductor shall be installed from the motor outlet to the panel grounding bus sized per table 250-122. All 125-volt, single-phase receptacles not exceeding 30 amperes and located within 1.83 m (6 ft.) measured horizontally of the inside walls of a hydromassage tub shall be protected by a ground-fault circuit interrupter(s).

**Article 700.16 Emergency Illumination.** Delete in its entirety and replace with the following:

*700.16 Emergency Illumination.* Emergency illumination shall include all required means of egress lighting including that which is required outside an exit door, illuminated exit signs, and all other lights specified as necessary to provide required illumination.

Emergency lighting systems shall be designed and installed so that the failure of any individual lighting element, such as the burning out of a lamp, cannot leave in total darkness any space that requires emergency illumination.

Where high-intensity discharge lighting such as high- and low-pressure sodium, mercury vapor, and metal halide is used as the sole source of normal illumination, the emergency lighting system shall be required to operate until normal illumination has been restored.

Emergency (battery pack or other approved method) lighting shall be installed in each electrical room, closet or vault, wherever an electrical service is located, adjacent to any electric panel or fire alarm control panel and in bathrooms.

Where emergency light heads are installed remote from the main unit, an approved raceway system shall be provided.

Circuits for emergency and exit lighting shall have a lockout device installed on their respective circuit breakers.

**Article 725.24 Mechanical Execution of Work.** Add section:

*725.24 (A) Protection and Accessibility of Wiring.* Low voltage wiring for Signaling or Control Systems which are enclosed in building partitions, walls, or in any way made inaccessible by the building construction shall be encased in a raceway wherever they are so enclosed. The above raceways need not terminate in a box or fitting as long as normal precautions are taken to protect

the conductors against injury.

Exception: One and two family dwellings

**Article 760.24 Mechanical Execution of Work.** Add section:

*760.24(C) Protection and Accessibility of Wiring.* Low voltage wiring for Fire Alarm and similar systems which are enclosed in building partitions, walls, or in any way made inaccessible by the building construction shall be encased in a raceway wherever they are so enclosed. The above raceways need not terminate in a box or fitting as long as normal precautions are taken to protect the conductors against injury.

Exception: One and two family dwellings

**Article 770.24 Mechanical Execution of Work.** Add section:

*770.24(A) Protection and Accessibility of Wiring.* Optical fibers, which are enclosed in building partitions, walls, or in any way made inaccessible by the building construction, shall be encased in a raceway wherever they are so enclosed. The above raceways need not terminate in a box or fitting as long as normal precautions are taken to protect the conductors against injury.

Exception: One and two family dwellings

**Article 800.24 Mechanical Execution of Work.** Add section:

*800.24(A) Protection and Accessibility of Wiring.* Low voltage wiring for Communications Circuits, which are enclosed in building partitions, walls, or in any way made inaccessible by the building construction shall be encased in a raceway wherever they are so enclosed. The above raceways need not terminate in a box or fitting as long as normal precautions are taken to protect the conductors against injury.

Exception: One and two family dwellings

**Article 820.24 Mechanical Execution of Work.** Add section:

*820.24(A) Protection and Accessibility of Wiring .* Low voltage wiring for Community Antenna Television and Radio Distribution Systems, which are enclosed in building partitions, walls, or in any way made inaccessible by the building construction shall be encased in a raceway wherever they are so enclosed. The above raceways need not terminate in a box or fitting as long as normal precautions are taken to protect the conductors against injury.

**Article 830.24 Mechanical Execution of Work.** Add section:

*830.24(A) Protection and Accessibility of Wiring.* Low voltage wiring for Network-Powered Broadband Communication Systems, which are enclosed in building partitions, walls, or in any way made inaccessible by the building construction shall be encased in a raceway wherever they are so enclosed. The above raceways need not terminate in a box or fitting as long as normal precautions are taken to protect the conductors against injury.

Exception: One and two family dwellings

**Sec. 6-283. Reserved.**

**Sec. 6-284. Smoke Alarm Detectors.**

- (a) The Smoke Detector Act of the State of Illinois (425 ILCS 60/1 et seq.) is adopted by reference as a part of the electrical code of the Village.
- (b) In addition to that which is described in such act, the following shall become a requirement and made part of this section.
  - (1) “Smoke Alarms” as referenced in Section R314 of the 2018 International Residential Code.
  - (2) Attics, rooms and/or closets which contain mechanical equipment, i.e., heating, ventilating, cooling, shall contain an approved smoke detector. The location shall be determined by the electrical inspector.
  - (3) An automatic fan shut-down device shall be installed if a whole house fan or attic fan is used. This will interconnect with the smoke detector and de-energize the power to the fan thereby discontinuing the induced air flow from one area to another.
  - (4) Household fire alarm systems installed in accordance with NFPA 72 that included smoke alarms, or a combination of smoke detector and audible notification device installed as required for smoke alarms, shall be permitted. The household fire alarm system shall provide the same level of smoke detection and alarm as required for smoke alarms.

(Ord. No. 89-0-65, ' 1(35.4), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

**Sec. 6-285. Carbon Monoxide Alarm Detector.**

- (a) The Carbon Monoxide Detector Act of the State of Illinois (430 ILCS 135/) is adopted by reference as a part of the electrical code of the Village.
- (b) In addition to that which is described in such act, the following shall become a requirement and made part of this section.
  - (1) “Carbon Monoxide Alarms” as referenced in Section R315 of the 2018 International Residential Code.
  - (2) In new construction, carbon monoxide detectors shall be 120 volt with battery backup and be hardwired and interconnected with any required

smoke detectors and fire alarm system.

- (3) Exception: Carbon monoxide detectors shall not be required in a building that complies with all of the following: (i) the building does not rely on combustion of fossil fuel for heat, ventilation, or hot water; and (ii) the building is not connected in any way to a garage; and (iii) the building owner indicates in writing that the building will never have any carbon monoxide enter the building from any source; and (iv) written documentation is provided, signed and sealed by an Illinois licensed mechanical engineer indicating that the building is not sufficiently close to any source of carbon monoxide so as to be at risk of receiving carbon monoxide from that source.

**Secs. 6-286--6-300. Reserved.**

#### **DIVISION 4. ELECTRICAL CONTRACTORS**

##### *Subdivision I. General Provisions*

**Secs. 6-301--6-315. Reserved.**

##### *Subdivision II. Registration*

**Sec. 6-316. Required.**

It shall be unlawful for any person to engage in the business of electrical contractor without being registered as an electrical contractor in the manner set forth in this subdivision; provided, however, that if such person is already registered for the current year in any other municipality in the State of Illinois which is validly authorized by ordinance to administer a written test and said person has received a passing grade on a written test administered by such municipality based upon the current National Electrical Code (NFPA 70), then such person shall not be required to pay a registration fee to the Village of Libertyville and shall not be required to take and pass an examination by the Village of Libertyville as described herein.

(Ord. No. 89-0-65, ' 1(35.6.1), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**Sec. 6-317. Application and issuance.**

Application for an electrical contractor's certificate of registration shall be made in writing on a form provided by the village and submitted to the village chief electrical inspector stating the name and place of business of the applicant and who will act as supervisor of the work to be done under the certificate. Such application shall be accompanied by a satisfactory affidavit that the applicant has had at least four (4) years' practical experience as a journeyman installing and/or altering electrical wiring and/or equipment. A list of educational facilities attended, areas of on-the-job training, and names of former employers shall also accompany the application. Certificates of registration shall be issued in accordance with section 6-322.

(Ord. No. 89-0-65, ' 1(35.6.2), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**Sec. 6-318. Revocation.**

Registration certificates issued by the electrical commission shall not be loaned, rented, assigned, transferred or altered in any way. Each and every registration certificate may, after hearing, be suspended or revoked by a majority vote of the electrical commission upon failure or refusal of the electrical contractor to comply with the rules and requirements of the commission or the provisions of this article.

(Ord. No. 89-0-65, ' 1(35.6.3), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**Sec. 6-319. Classification.**

The classification of electrical contractor are as follows:

Class A - Persons desiring to do all phases of electrical work.

Class B - Persons desiring to do residential electrical work.

(Ord. No. 89-0-65, ' 1(35.6.4), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**Sec. 6-320. Fee.**

The fee for registration application and fee for registration as an electrical contractor and registered supervising electrician shall be in an amount as established in the annual fee ordinance, which sum shall be paid by the applicant to the village. The certificate of registration shall expire on December 31 of the year in which it is issued.

(Ord. No. 89-0-65, ' 1(35.6.5), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**Sec. 6-321. Renewal.** The electrical contractor may renew the registration certificate as indicated in section 6-320 prior to expiration. However, upon expiration of the certificate, a notice will be sent informing the contractor he has fifteen (15) days to comply. Failure to comply will result in forfeiture of registration. Re-application and testing would be required for reinstatement.

(Ord. No. 89-0-65, ' 1(35.6.6), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**Sec. 6-322. Examination requirements.**

Before an electrical contractor's and registered supervising electrician's certificate of registration shall be issued, the applicant, following reasonable advanced notice, shall present himself for examination before the electrical commission at a time and place set by the commission. The applicant must provide documentation which proves a minimum of 8000 hours of field experience in the electrical field. The commission shall examine such applicant as to his practical knowledge of the rules and regulations for the installation of electrical equipment as set forth in the statutes of the state and in this article pertaining to the electrical code of the village. Such examination shall be in whole or in part, in writing and shall be of a practical character as determined by the commission but sufficiently strict to thoroughly test the experience and qualifications of the

applicant. The commission may delegate the responsibility, as herein described, to the chief electrical inspector, ex-officio chairman of the electrical commission in order to expedite the examination procedures within a convenient time frame.

(Ord. No. 89-0-65, ' 1(35.6.7), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**Sec. 6-323. Re-examination.**

Each new applicant requesting certification as a registered supervising electrician in the village shall be required to take and pass an examination as described in this subdivision before each supervising electrician may be certified. The applicant is permitted two (2) attempts to pass the exam in any twelve (12) month period.

(Ord. No. 89-0-65, ' 1(35.6.8), 12-19-89; Ord. No. 94-0-37, ' 1, 7-26-94)

**Secs. 6-324--6-340. Reserved.**

## ARTICLE IV. PROPERTY MAINTENANCE CODE

### Sec. 6-341. Adopted.

The minimum regulations and standards governing the conditions and maintenance of all buildings, structures and premises, which are essential to ensure that all properties are safe, sanitary and fit for human occupation and use, and the condemnation and demolition of buildings and structures unfit for human occupation, as set forth in the 2018 International Property Maintenance Code, first printing, as promulgated and published by the International Code Council, Inc., with deletions, additions and modifications set forth in this article, shall be and are adopted as if fully set out in this article, and made applicable to all existing or future buildings, structures and premises within the corporate limits of the village.

(Ord. No. 92-0-52, '3(36.1), 10-27-92)

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

### Sec. 6-342. Deletions, additions and modifications.

The International Property Maintenance Code, as adopted in Section 6-341 is revised as follows:

**IPMC.101.1 Title.** Insert "Village of Libertyville" as name of jurisdiction.

**IPMC.102.3 Application of other codes.** Delete in its entirety and substitute the following:

*Sec. 102.3. Application of other codes.* Any repairs or alterations of buildings or structures or parts thereof shall be done in accordance with the procedures and provisions of the building, plumbing, electrical, mechanical and fire prevention codes of the village and such other codes and ordinances of the village which pertain to the construction and alterations of buildings and structures. Use of buildings or structures or parts thereof shall be regulated by chapter 26, Zoning, and by use groups of the building code.

**IPMC.103.** Change the title from "Department of Property Maintenance Inspection" to "Building Division."

**IPMC.103.1 General.** Delete paragraph in its entirety and replace with following:

The Community Development Department Building Division shall administer the property maintenance code and the Building Commissioner shall be known as the Code Official.

**IPMC.106.4. Violation Penalties.** Delete in its entirety and substitute the following:

*Sec. 106.4.* Any person who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than fifty dollars (\$50.00), nor more than five hundred dollars (\$500.00), and the costs of prosecution. Each day that a violation continues after due notice has been served shall be deemed as a separate offense.

**IPMC.108.2 Closing of vacant structures.** Add the following new subsection as follows:

*Sec. 108.2.2 Boarded-up structures.* Boarding up a structure is considered a temporary measure until a decision can be made as to what remedy the owner wants to pursue as provided in this section; but cannot exceed six (6) months unless an extension of an additional six months is granted in writing by the code official. Any structure boarded up in excess of six months (or in excess of twelve months, if the code official has given written approval for an extension), shall be considered abandoned, and a public nuisance, and the Village may pursue whatever action is afforded to it under this Code, other appropriate ordinances and State statutes, to cause the abatement of the said public nuisance.

**IPMC.111. Means of appeal.** Delete section in its entirety and substitute the following:

*Sec. 111.1. Right to appeal.* All appeals shall be taken to the board of building appeals, and shall comply with all procedures and provisions of section 2-416 et seq. of the Municipal Code.

**IPMC.202. General Definitions.** Delete the following definitions in their entirety and substitute the following:

*Habitable Space.* Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility rooms or spaces, basements, except as provided in section 404.4, cellars, porches, breezeways, garages, attic spaces which do not comply with building/zoning code requirements and similar areas are not acceptable as habitable rooms, areas or spaces.

**IPMC.302. Exterior Property Areas.**

*Sec. 302.4. Weeds. (Maximum Height).* Insert 10".

**IPMC.302.8. Motor vehicles.** Delete this section including the exception and substitute the following:

*Sec. 302.8 Motor vehicles.* Unlicensed and/or wrecked, discarded, dismantled, inoperative or abandoned vehicles, including trailers, shall comply with all provisions of section 15-71 et seq., pertaining to junked vehicles, of the Municipal Code.

**IPMC.Sec. 304. Exterior Structure.**

*Sec. 304.14. Insect screens.* Insert the following dates in the spaces provided in the first sentence:

During the period from April 1 to November 30,

**IPMC.308. Rubbish & Garbage.** Add the following subsections:

*308.4. Container storage areas.* Containers and container storage areas shall be kept in a clean and sanitary condition. The container areas shall have a hard-surfaced base of concrete, asphalt or other approved materials. The container areas shall be placed behind the building line, as established by the placement of the building, and when the container areas are in view of a public street, they shall be screened by adequate planting or fencing of sufficient height to conceal the containers and the storage area from the public street. Multiple-family building container areas shall be screened from view by neighboring lots as well as from public streets. Nonresidential container areas shall be enclosed by adequate screening on all sides regardless of placement on the premises.

*Exception:* Trash container areas for one and two family residential dwellings and townhouses shall comply with Sec. 308.6

*308.5. Disposal from the premises.* All rubbish, garbage or other solid waste, except landscape waste, shall be regularly removed from the premises, at least once every week, except that more frequent removal may be required depending on quantity and/or content of the material to be removed. Residential containers, placed on the curb for pickup, shall not be in the public right-of-way for a continuous period of time exceeding twenty-four (24) hours during any weekly period. Large capacity containers shall be promptly replaced when full and the close-fitting covers can no longer be engaged with the container body.

*308.6 Residential Trash Regulations for One & Two Family Dwellings and Townhouses.* Exterior property and premises of one & two family dwellings and townhouses shall comply with all of the following requirements for storage and disposal of trash.

*308.6.1 Trash*

1. For the purposes of this section, trash shall include garbage (discarded animal and vegetable food waste) rubbish (waste materials other than garbage), recyclables (rubbish that is recyclable), landscape waste (rubbish such as tree branches and yard trimmings), and solid waste. *Ref.LMC 6-341 and IPMC 201.*
2. Trash shall be disposed of in approved *trash containers* at all times.
3. Oversized/bulk rubbish such as appliances, furniture, and similar items may be placed outside of a container only when placed curbside during hours approved for trash removal from the premises. Loose parts of bulk items shall be securely affixed to bulk items. *Ref.LMC 20-49.*
4. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

*308.6.2 Trash containers*

1. Trash containers shall be kept in a clean and sanitary condition.
2. Trash containers shall be leak-proof plastic totes equipped with handles and closing covers as supplied by the trash collection service hauler or they shall be an approved equivalent.
3. Trash containers shall be kept with covers which are completely closed at all times except as may be permitted otherwise by ordinance.
4. Trash containers shall be kept in an approved *trash container area* at all times except when placed at curb or alley for pick up.
5. Trash containers shall not exceed 34 gallons or 50 pounds. *Ref.LMC 20-47*

308.6.3. *Trash container areas.*

1. Trash container area shall mean that area of a property designated by its owner or occupant for the storage of trash containers in compliance with this Code.
2. Trash container areas shall be kept in a clean and sanitary condition.
3. Trash container areas shall be placed behind the building line(s) as established by the front and/or corner side facades of the house.
4. If the trash container area is in view of a public street, then the trash container area shall have a screen installed in compliance with all of the following:
  - a. The screen shall be parallel to each public street from which it is in view; and
  - b. The screen shall be at least as tall as the tallest trash container; and
  - c. The screen shall be at least as wide as the trash container area; and
  - d. The screen shall be an evergreen hedge, a deciduous hedge, or a fence; and
  - e. The fence utilized for screening shall have no more than 1/3 of its gross vertical surface consisting of visually open areas uniformly distributed; and
  - f. The screen shall be permanently secured in place in a neat and orderly manner at all times.

308.6.4 *Trash removal from the premises.*

1. Trash removal from the premises shall be completed one day per week except as required more often due to quantity or content.
2. Containers shall be placed at curbside or alley not earlier than 6:00 p.m. on the day immediately preceding the scheduled pick-up.

3. Containers shall not be at curbside or alley more than 24 hours during any weekly period.
4. Container covers may be slightly open in lieu of being completely closed only when placed at curbside after 6:00 a.m. on the same day as the scheduled pick-up.
5. Any resident who, by reason of disability certified by a doctor, is unable to place trash containers at curbside or alley, as applicable, may place such trash container for collection service at the back door of each such resident's premises. *Ref.LMC 20-51.*

308.6.5 *Miscellaneous trash regulations and references.*

1. Depositing trash in or on containers, property, or rights of way that are not controlled by the trash depositor is prohibited per *LMC-20-4.b, c, & d* except as may be permitted by ordinance.
2. Scavenging and theft of trash is prohibited per *LMC 20-5.*
3. Incineration is prohibited per *LMC 20-6.*
4. Trash collection service fees and sticker use shall comply with *LMC 20-8. b & c*; and collection service shall comply with *LMC 20-44, 45 & 46.*
5. Littering is prohibited per *LMC 20-6*; Enforcement shall comply with *LMC 20-32. a, b, & c, and LMC 20-31. a, b & c.*
6. Trash that causes a public nuisance affecting health, peace, or safety is prohibited per *LMC 15-1, 2, 3, & 4. Ref.LMC 20-3 Findings.*

**IPMC.404.8. Closet space.** Add section as follows:

*Sec. 404.8. Closet space.* Every dwelling unit shall contain usable closet space, extending from the floor to the ceiling height of the room, of not less than six (6) square feet of floor area for each occupant, as computed by the provisions of this code, for the storage of personal effects. If the required closet space is lacking or is insufficient for the numbers of persons in occupancy, then the deficiency shall be deducted from the habitable room space used in determining permissible occupancy numbers in persons based on the following formula: deficient square foot of closet space times the cubic feet of closet deficiency converted into square feet of deduction. Example: a shortage of one (1) closet space of six (6) square feet, with a room ceiling height of seven (7) feet, equals forty-two (42) cubic feet, which converts into forty-two (42) square feet of deduction from the required square feet of section 403.5 and table 403.5. Wardrobes of sufficient size and height may be substituted.

**IPMC.602.3. Heat supply.** Insert the following dates in the spaces provided in the first sentence: During the period from September 1 to May 31

**IPMC.602.4. Occupiable Workspaces.** Insert the following dates in the spaces provided in the first sentence: September 1 to May 31.

**IPMC.604.1. Facilities Required (Electrical).** Add the following to the end of the sentence: and Article III, Electrical Code of Chapter 6 of the Municipal Code.

**IPMC.604.2. Service (Electrical).** Replace this section with the following: The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with Article III, Electrical Code of Chapter 6 of the municipal Code.

**IPMC.606 . Elevators, Escalators and Dumbwaiters.** Add the following section.

**IPMC.606.3. Accidents Reported and Recorded.** The owner of the building shall immediately notify the Code Official of every accident involving personal injury or damage to apparatus on, about or in connection with any equipment covered by this Article, and shall afford the Code Official every facility for inspecting the equipment. When an accident involves the failure, breakage, damage or destruction of any part of the apparatus or mechanism, it shall be unlawful to use such device until after an examination by the Code Official is made and approval of the equipment for continued use is granted. Records shall be open for public inspection at all reasonable hours.

**IPMC.606.3.1. Removal of Damaged Parts.** It shall be unlawful to remove from the premises any part of the damaged construction or operating mechanism of elevators, or other equipment subject to the provisions of this Article, until permission to do so has been granted by the Code Official.

**IPMC.Chapter 8. Referenced Standards. Revise as follows:**

IPC-12 Included with the International Plumbing Code shall be the State Plumbing Code, current issue.

IZC-12 - Delete the International Zoning Code and substitute the Libertyville Zoning Code.

(Ord. No. 92-0-52, ' 3(36.2), 10-27-92)

**Secs. 6-343--6-360. Reserved.**

**ARTICLE V. FIRE SAFETY STANDARDS\***

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\*Cross reference(s)--Fire prevention and protection, Ch. 10.

**State law reference(s)**--Five safety regulations authorized, 65 ILCS 5/11-8-1 et seq.; state fire prevention regulations, 425 ILCS.

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**DIVISION 1. GENERALLY**

**Secs. 6-361--6-380. Reserved.**

**DIVISION 2. ICC INTERNATIONAL FIRE CODE\***

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\*Cross reference(s)--Fire prevention and protection, Ch. 10.

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**Sec. 6-381. Adopted.**

That there is hereby adopted, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, a certain code known as the 2018 International Fire Code, excluding ICC duplicate sections indicated with [B], [M], [PM], etc., and the whole thereof, subject to the amendments in this division. Three (3) copies of the aforementioned code have been made and are filed in the office of the village clerk as prescribed by law, and the same are adopted and incorporated as fully as if set out at length herein, and from the date on which the ordinance from which this division is derived shall take effect, the provisions thereof as amended in this division shall be controlling within the limits of the Village of Libertyville. If there is any conflict between the language of this division and the language of the aforesaid code, the language of this division shall prevail over the language of the aforementioned code. Here in after, all NFPA standards referenced in chapter 80, and appendices A-J shall be adopted by this code.

(Ord. No. 90-0-27, ' I(A), 7-10-90)

**State law reference(s)**--Adoption by reference, 65 ILCS 5/1-3-1 et seq., 50 ILCS 220/1 et seq.

**Cross reference(s)**--Definitions and rules of construction generally, ' 1-2.

**Sec. 6-382. Bureau of fire prevention.**

- (a) The International Fire Code shall be enforced by the Bureau of Fire Prevention, which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.
- (b) The Director of Fire Prevention Bureau shall be appointed by the Chief of the Fire Department of the village and shall serve at his pleasure.

- (c) The Chief of the Fire Department may detail such members of the Fire Department as inspectors as shall from time to time be necessary. The Chief of the Fire Department may recommend to the Village the employment of technical inspectors who are not sworn members of the Fire Department. When authorized by the Village Board, such inspectors shall be hired pursuant to established village personnel policies and procedures.

(Ord. No. 90-0-27, ' II, 7-10-90)

**Sec. 6-383. Amendments.**

The International Fire Code, as adopted in section 6-381, referred to in this section as "code," is amended as follows:

**Sec. 101.1 Title.** Substitute “[Name of Jurisdiction] with “Village of Libertyville.”

**Sec. 101.6 Generally.** Change all references of "The International Existing Building Code" to "The Municipal Building Code."

**Sec. 102.3 Change of use of occupancy.** Delete the exception.

**Sec. 104 General Authority and responsibility.** Add the following:

**Sec. 104.6.5 Records.** All records are to be obtained by following the Village of Libertyville Freedom of Information Act Policy.

**Sec. 104.7.1 Material and Equipment Reuse.** Add to the end of the paragraph; Proper documentation of repairs/reconditioning of the equipment shall be given to the Libertyville Fire Department upon request.

**Sec. 104.10.2 Reporting Hazardous Locations.** Any person discovering the evidence of spontaneous heating or other abnormal heating of any kind in any building, marine vessel, appliance, apparatus, tank, or open stack or pile, or any person upon discovering or being apprised of an uncontrolled hazardous gas leak or hazardous material or flammable and/or combustible liquid spill, shall immediately notify the Libertyville Fire Department.

**Sec. 105 Permits.** Add the following:

**Sec. 105.1.2.1 Required Construction Permits and Certificates of Fitness.** Add to the end of the paragraph, AWhen a Certificate of Fitness is required by this jurisdiction for performance of activities related to fire safety, the Director of the Fire Prevention Bureau shall be responsible for its issuance.

- (a) All applications for a Certificate of Fitness shall be filed with the Fire Prevention Bureau on forms provided by that office.
- (b) Every person applying for a Certificate of Fitness shall furnish satisfactory proof to the Director of Fire Prevention that he/she is familiar with the materials, formulas, tools,

techniques, standards, laws, ordinances, recognized good practices, safety precautions, and manufacturers' recommendations pertaining to the particular system, materials, devices, or operations he will be involved with, and for which the Certificate of Fitness is issued. They shall further prove that their company is professionally competent to perform any and all actions necessary and incidental to the operation for which the Certificate of Fitness is issued, and shall provide insurance and any applicable license.

- (c) The Director of the Fire Prevention Bureau shall investigate every application for a Certificate of Fitness. The investigation shall include an examination of the applicant as to his experience and training in the field of the Certificate of Fitness for which he has applied. The examination may include a practical test. When the Director of Fire Prevention determines that the applicant for the Certificate of Fitness conforms to all of the requirements of this Code, he shall issue the Certificate of Fitness.
- (d) When the Director of Fire Prevention determines that an applicant is not fit to receive the Certificate of Fitness because of his inability to comply with the provisions of this Code, he shall refuse to issue the Certificate of Fitness. If the refusal is based upon the applicant's inability to pass a written examination which is given to determine competency, the applicant may not apply again for the Certificate of Fitness within a ninety (90) day period following the examination.
- (e) When the Director of the Fire Prevention Bureau determines that an individual is not fit to hold a Certificate of Fitness because of his inability to comply with the provisions of the Code, he shall inform that individual of his right to a hearing prior to the revocation of his Certificate of Fitness. If the Certificate of Fitness holder desires a hearing, he shall notify the Chief of the Fire Department in writing within ten (10) working days of his receipt of the revocation notice from the Chief. The Hearing Board shall issue a written recommendation to the Chief regarding its findings within fifteen (15) days of the hearing, and the Chief shall issue his decision within a reasonable time thereafter, and the said decision shall be final. Failure to show just cause shall result in the revocation of the Certificate of Fitness by the Chief of the Fire Department. The Hearing Board shall be comprised of the Fire Chief, and the Director of the Fire Prevention Bureau.
- (f) Certificates of Fitness shall not be transferable.
- (g) Certificates of Fitness shall be issued for the period of time shown on the face of the Certificate of Fitness as determined by the Director of Fire Prevention, but such period of time shall not exceed two (2) years.
- (h) Applications for renewal of a Certificate of Fitness shall be filed in the same manner as an application for an original Certificate. Each such application shall be accompanied by applicable fees. The granting of a renewal of a Certificate of Fitness shall be accomplished in the same manner as for an original Certificate of Fitness.
- (i) The Director of Fire Prevention is authorized upon application therefore, to issue Certificates of Fitness that are restricted to one or more activities, systems, items, devices or to a particular premises.

- (i) Each person holding a Certificate of Fitness shall notify the Director of Fire Prevention in writing of any change in his business, residential, or other notification address within ten (10) days after such change. Failure on the part of a person to give such notification shall constitute grounds for revocation of said Certificate of Fitness.
- (j) A Certificate of Fitness issued by the Director of Fire Prevention shall be in the form of a certificate that can be framed. Said certificate shall contain the following information:
  - (1) Any person to whom a Certificate of Fitness has been granted in conformance with this Code shall upon request, produce and show proper identification and his Certificate of Fitness to anyone for whom he seeks to render his services or to the Director of Fire Prevention.
  - (2) The purpose for which the Certificate of Fitness has been issued.
  - (3) The date the Certificate of Fitness is issued and the date of expiration.
  - (4) Other information as may be necessary to properly identify the person to whom the Certificate of Fitness is issued.
  - (5) The name and signature of the Director of the Fire Prevention who issued the Certificate of Fitness, or his designee=s name and rank or title.
  - (6) Printed thereon, in bold type, shall be the following: “THIS CERTIFICATE OF FITNESS DOES NOT RECOMMEND THE BEARER FOR EMPLOYMENT NOR ASSUME RESPONSIBILITY OR LIABILITY FOR THE BEARERS PERFORMANCE.”
- (k) A Certificate of Fitness or permit shall not be issued until the designated fees have been paid.

**Sec. 105.1.2.3 Certificate of Fitness Fees.** Certificate of Fitness fees are as follows:

The use of any explosive material	\$110.00
Installation, removal, or repair of aboveground or underground storage tanks	\$110.00
Fire alarm or fire communications systems	No Fee
Fire pumps	\$110.00
Fixed fire suppression systems/ hood and duct systems	\$110.00
Portable fire extinguishers	\$110.00
Hazardous materials storage or use	\$110.00

**Sec.105.3.9 Temporary Permits.** When a temporary hazardous situation is anticipated or discovered for conditions not otherwise regulated by this Code, the Fire Code Official is authorized

based on applicable data, to issue a temporary permit with appropriate conditions deemed necessary for the safety, health, and welfare of the public.

**Sec.105.3.10 Permits (General).** Any permits issued under this Code, shall not take the place of any other license or permit required by the Code laws or permit required by the Code laws of the jurisdiction.

**Sec. 105.4.7 Plan Review and Inspection Services.** A fee of 10 cents (\$0.10) per square foot shall be charged for reviewing all plans pertaining to tanks, fire alarms, fixed fire suppression systems, and hood and duct fire suppression systems. All 13D residential systems shall be charged \$150.00 for all single family structures. The minimum fee shall be two hundred dollars (\$200.00). Approved plans will not be returned until the fee is paid. All blueprints or plans of any aforementioned systems that are required by the applicable County or local Municipal Fire Code and its amendments, current Building, Plumbing, and/or Mechanical Codes, shall be submitted to the Fire Prevention Bureau for review and approval. Each applicant shall pay the following plan review fees for re-review and site inspection by the Libertyville Fire Prevention Bureau. Plan review fees shall include re-reviews along with the preliminary site visits.

Site Plan - New Development	\$150.00
Life Safety Review -	
New Construction and/or Large Scale Remodel - greater than 15,000 sq. ft.	\$150.00
Small Scale Tenant Finish or Remodel - less than 15,000 sq. ft.	\$100.00

NOTE: In addition to the review fees listed, the applicant shall pay the actual costs and expenses incurred by the Libertyville Fire Prevention Bureau for expenses due to fees charged by consultants or outside contractors.

**Sec. 105.6 Required Operational Permits.** Add the following sentence to the end of the paragraph, ARequired operational permits will be charged a fee of fifty dollars (\$50.00) per year.@

**Sec. 106.4.1 Expired permits:** when an issued permit for fire life safety/life safety systems has expired, the Fire Code Official shall have the authority to extend the permit for two (2) three (3) month periods at no cost to the contractor. Following the first two (2) extensions, a permit renewal shall be granted for a period to last no longer than 12 months. The fee associated with this renewal shall be a cost not to exceed 25% of the original permit fee.

**Sec. 107 Inspections.** Add the following:

**Sec. 107.5 Inspection and Test Fees.** Fees for occupancy inspections and tests of new fire alarm, fire suppression, and/or tanks installations shall be conducted when the system is completed. No charge shall be imposed for inspections and tests conducted on the first visit. Visits for any required inspections or tests which cannot be conducted due to the failure of the owner or installing contractor to properly and fully install the system to an inspection ready state, shall be subject to the following charges:

First visit	No fee
Second visit	\$75.00
Third visit	\$100.00

**Sec. 107 Board of Appeals.** Remove the section in the Code book and replace with the following:

**Sec. 109.1 Board of Appeals Established.** In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official relative to the application and interpretation of this Code, there shall be a board of appeals consisting of members who are qualified by experience and training to pass on matters pertaining to this Code. The Board shall consist of the following members:

- (1) The Chief of the Fire Department.
- (2) The Building Commissioner.
- (3) The Director of the Fire Prevention Bureau.

The Board shall adopt rules of procedures for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Code Official.

**Sec. 113.3 Work Commencing Before Permit Issuance.** After the words “in addition to,” add the words “and “equal to.”

**Sec. 202 General Definitions.** Remove the definition of the Fire Code Official in the code book and add the following:

*Municipality or (name of jurisdiction)* shall be held to mean the AVillage of Libertyville.@

*Corporation counsel* shall be held to mean the AAttorney@ for the Village of Libertyville.

*Fire Code official or authority having jurisdiction* shall be held to mean the AFire Chief or the Director of the Fire Prevention Bureau@ of the Libertyville Fire Department.

**Sec. 301 General.** Add the following:

**Sec. 301.3 Items Not Specifically Covered.** Whenever or wherever a condition is found in any building, lot, or premises, that in the opinion of the Director of Fire Prevention is not specifically covered by the provisions of this Chapter, but that requires correction or removal for the protection of the occupants or the public, the Director of the Fire Prevention Bureau shall order such conditions be corrected or removed and the owner or occupant of such buildings, lots, or premises shall comply with such orders.

**Sec. 304 Combustible Waste Materials.** Add the following:

**Sec. 304.1.4 Sweeping Compounds.** Only approved water solutions or detergent floor sweeping compounds, and grease absorbents shall be used for cleaning floors. The use of sawdust or similar combustible or flammable liquids spilled from machinery or processed on any floor is prohibited.

**Sec. 305 Ignition Sources.** Add the following:

**Sec. 305. 6 Portable Heaters.** Portable heaters shall be designed and located so that they cannot be easily overturned. The Director of the Fire Prevention Bureau may prohibit the use of portable heaters in occupancies or situations in which such use or operation would present an undue danger to the life or property of others.

**Sec. 305. 7 Heating and Lighting Apparatus.** Proper clearance (a minimum of 36 inches) shall be maintained between lighting and heat producing equipment and combustibles so that continuous operation at full capacity will not increase the temperature of the surrounding combustibles to their flash point or ignition temperature.

**Sec. 307 Open Burning, Recreational Fires, and Portable Outdoor Fireplaces.** Add the following:

**Sec. 307.1.1 Prohibited Open Burning.** Add a second exception to read as follows:

Exception 2. When sustained winds are between 5-15 mph as indicated at the website [www.weather.com](http://www.weather.com) for current weather conditions in the 60048 location code. Other considerations include but are not limited to wind gust speed, outdoor relative humidity and vegetation moisture status.

**Sec. 307.2.1 Authorization.** Add the following to the paragraph “A copy of the State of Illinois EPA permit and map of the prescribed burn area shall be presented when applying for an open burn permit.

**Sec. 307.4 Location.** Add the following to the end of Exception 1: Approved portable fire pits/places or firepits built into the ground shall be considered as approved containers.

**Sec. 307.6 Spread of Fire.** No person shall knowingly permit any fire to spread so as to endanger the life or property of another or use or operate any device which may be a source of ignition, unless proper removal of flammable material surrounding the operation is accomplished, or such other reasonable precautions are taken to ensure against the starting or spreading of unfriendly fires.

**Sec. 308.3 Group A Occupancies.** In the first sentence of Exception 1, add the following after the word “occupants”: “ the precautions shall be submitted in writing to the Fire Code Official for approval prior to the event.”.

**Sec. 315 Miscellaneous Combustible General Storage.** Revise the following:

**Sec. 315.3 Storage in Buildings.** Add at the end of the paragraph the following: “Minimum clearance from heaters or heating devices shall be 36 inches.”

**Sec. 315.3.3 Electrical Equipment Rooms.** No storage of any type, except that related to the

operation of the fire equipment, shall be permitted in the fire command center or rooms containing fire equipment.

**Sec. 315.4 Outside Storage.** Add to the end of the paragraph: ANor shall outdoor storage be closer than fifteen (15) feet to any structure.@

**Sec. 319.4.1 Fire protection for cooking equipment.** Add the following to the end of the paragraph: All automatic fire extinguishing systems shall have been tested and have a current service tag attached to the equipment.

**Sec. 319.4.2 Fire Extinguisher.** Add the following to the end of the paragraph: Fire extinguishers shall have a current service tag attached to the extinguisher.

**Sec. 503.2.1 Dimensions.** In the first sentence change “20 feet” to 24 feet”

**Sec. 503.2.3 Surface.** At the end of the paragraph add the following sentence; The minimum weight the road shall support is 80,000 lbs”

**Sec. 503.2.4 Turning Radius.** At the end of the paragraph add the following sentence; “The minimum turning radius shall be 40’ unless otherwise stated by the Fire Code Official.”

**Sec. 503.2.8 Angles of Approach and Departure.** At the end of the paragraph add the following sentence; The angle shall not exceed 5 degrees.”

**Sec. 506.1 Where Required (Key Boxes).** Add the following to end of the paragraph:

- (1) Approval: The Libertyville Fire Department, Fire Prevention Bureau shall approve all lock boxes and box sizes. A Knox vault box shall be required if there are more than 4 keys for the building.
- (2) Where Required: All occupancies having automatic fire alarm systems shall have a Knox key lock box installed in a location approved by the Libertyville Fire Department, Fire Prevention Bureau. All occupancies with locked gates shall have a box or a Knox key system for the gate.
- (3) Supervision: Where required by the Libertyville Fire Department, the key lock box shall be electronically supervised and connected to the fire alarm system.
- (4) Contents: The key lock box shall contain all keys for the locked areas of the building as required by the Libertyville Fire Department. Said keys shall include, but not be limited to, all areas of the building, the automatic fire alarm system, and a manual pull box resetting tool.

**Sec. 507 Fire Protection Water Supplies.** Delete Section 507.5.1.1 in its entirety and replace with the following:

**Sec. 507.5.1.1 Hydrant for Standpipe and Sprinkler Systems.** Buildings equipped with a

standpipe system installed in accordance with Section 905 and/or a sprinkler system installed in accordance with Section 903, shall have a fire hydrant within 150 feet of the Fire Department connections.

**Sec. 509 Fire protection and utility identification and access.**

**Sec 509.1 Identification.** Add the following to the end of the paragraph: The signs shall be in contrasting color to the door and the letters shall be a minimum of 4” high and a ½” wide. The signs shall read “Sprinkler Riser Room” and/or F.A.C.P.

**Sec. 509.2 Equipment Access.** Add the following to the end of the paragraph: there shall be no storage within 36” of all sides of the fire protection equipment.

**Sec. 604 Electrical equipment, wiring and hazards.**

**Sec. 604.3 Working space and clearance.** Change the working space of not less than 30” in width to not less than 36” in width.

**Sec. 604.5.1 Power supply.** Delete the following: “except for approved multi plug power strip, shall serve only one portable appliance.

**Sec. 604.10 Portable, electric space heaters.** Add new Section 604.10.6. Add Section 604.10.7 as follows:

**Sec. 604.10.6 Tip over protection.** All approved portable space heaters shall have built in tip over protection.

**Sec. 604.10.7 Prohibited heaters.** Portable space heaters that have exposed heating elements shall be prohibited.

**Sec. 606 Elevator Operation, Maintenance, and Fire Service Keys.** Add the following:

**Sec. 606.9 Emergency Telephone Lines.** All emergency telephone lines from the elevator to the Libertyville Dispatch Center shall be transmitted over POTS lines and not VOIP lines.

**Sec. 606.10 Elevator Car Requirements.** Elevator cars are to accommodate the ambulance stretcher. At least one elevator shall be of such a size and arrangement to be accommodate a 24 inch x 84 inch ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life) The symbol shall not be less than 3 inches high and shall be placed inside of both sides of the hoist way doorframe. The cab size is to be a minimum 5’-5” x 6’-8” clear platform and a minimum 3500 lb capacity with a 42” side slide door.

**Sec. 607 Commercial Kitchen Hoods.** Add the following:

**Sec. 607.2.1 Where Required.** Each existing or new required commercial or other occupancy kitchen exhaust hood and duct system shall be protected with an approved wet chemical fire

suppression system installed and maintained per NFPA 17A, and the UL 300 Standard. Every required automatic fire suppression system, when activated, shall transmit a fire alarm signal to the Libertyville Fire Communications Center via an approved fire alarm system, and making use of the Village radio system.

**Sec. 806 Decorative Vegetation in New and Existing Buildings.** Delete the following sections in their entirety: Sec. 806.1 through Sec.806.1.3, and replace with the following:

**Sec. 806.1 Natural Cut Trees.** Natural cut trees shall not be allowed in any occupancy, except single family homes.

**Secs. 806.2 through 806.4** These sections shall remain as is.

**Sec. 901. General.** Add the following:

**Sec. 901.4.6.4 Lighting:** add the following at the end of the paragraph: Each sprinkler riser and/or fire pump room shall be provided with emergency lighting facing the sprinkler risers and fire pump.

**Sec. 901.4.7 Fire Protection Control Rooms.** The Fire Prevention Bureau shall approve the location of the sprinkler riser room and the fire alarm control panel. The fire protection equipment shall be located on a street or parking lot and shall have a separate exterior entrance door to the room. All related fire protection equipment shall be located within this room, unless otherwise approved by the Fire Code Official.

**Sec. 901.4.8 Zoning of Fire Protection Systems.** Each floor shall be zoned separately. If the floor area exceeds 10,000 square feet, then additional zoning may need to be provided. The length of any zone shall not exceed 100 feet in any direction.

Exception 1: When in the opinion of the Fire Prevention Bureau, the building configuration is such that it does not interfere with proper fire suppression intervention, and additional zoning is therefore not necessary, then the Director of the Fire Prevention Bureau may waive the above requirements.

**Sec. 901.6.3.2 Record Maintenance.** Any company performing system inspections, testing or maintenance on required or non-required fire protection systems shall submit the report of said inspection, testing or maintenance to a third party reporting company approved by the Libertyville Fire Department.

**Sec. 903. Automatic Sprinkler Systems.** Revise the following:

**Sec. 903.1 General.** Add the following to the paragraph: Aand the Village of Libertyville Municipal Code Section 6 Automatic Fire Sprinkler Systems. The Village of Libertyville Sprinkler Ordinance shall supersede any conflicting area of Section 903.@

**Sec. 903.2 Where required.** Delete this section and insert the following:

Approved automatic sprinkler systems in new buildings and structures shall be provided in all Use

Groups described in this Code. Automatic sprinkler systems must be installed in accordance with applicable NFPA standards, manufacturer's recommendations, UL listings, and good fire safety procedures throughout the entire building. Automatic sprinkler systems must be maintained in full operating condition at all times. Automatic sprinkler systems shall be provided in all new residential Use Groups including town homes/multi-family dwellings and one and two family dwellings which are adopted by this Code. All new single family dwellings shall have automatic fire sprinklers installed throughout per NFPA 13R or 13D. All new town homes shall have automatic fire sprinklers installed throughout per NFPA 13R or 13D. All new attached garages shall have automatic sprinklers installed, where feasible. Dry sidewall or dry pendant sprinklers should be used.

**Sec. 903.2.6 Group I.** Delete exception 2.

**Sec. 903.2.9.2 Bulk Storage of Tires.** In the first sentence, after “20,000 cubic feet (566 m<sup>3</sup>)” add the following phrase, “or where the Fire Code Official deems necessary,”

**Sec. 903.3.1.1.1 Exempt Locations.** Delete item numbers 3 and 4 from this section.

**Sec. 903.3.7 Fire Department Connections.** Add the following to the paragraph, “The sprinkler system demand may require a 5 inch Storz connection with a removable 2 ½” x 2 ½” x 5” Storz adapter Siamese connection. The requirement shall be if the system demand is 1,000 gpm or more, then the 5” connection shall be required.”

**Sec. 903.4.2 Alarms.** Delete this section and replace with the following:

**Sec 903.4.2 Notification Devices.** Each sprinkler or standpipe riser shall be equipped with a 24-volt dc (V.D.C.) white strobe light powered from the fire alarm system batteries and shall be activated by the flow switch. Each riser room shall have a 24 V.D.C. interior water flow bell and this bell shall be activated by the water flow switch. There shall also be a 24V.D.C. white strobe light and a 24 V.D.C. bell mounted on the exterior of the building over the fire department connection. These shall activate only upon water flow

**Sec. 903.4.3 Floor control valves.** Delete this section and replace with the following:

**Sec. 903.4.3 Sprinkler Control Valves.** All new and existing sprinkler control valves shall be equipped with electronic supervision (tamper switches) in accordance with NFPA 72. Floor control valves shall be required in buildings that have one or more floors above or below the ground level. All supervisory signals shall be transmitted to the Libertyville Communications Center.

**Sec. 903.4.4 Multiple Occupant Buildings.** A building having multiple occupancies shall have separate zoning for each occupancy space or floor. Each occupant or floor where practical shall have an exterior flashing strobe light red in color in an approved location, the strobe light shall be connected with the fire alarm system and shall be activated by a water flow or smoke condition in the occupant space. If the building or space cannot be separated by a flow switch, then a complete smoke detector system shall be installed and connected to an addressable fire alarm panel. All signals shall be transmitted to the Village of Libertyville Communications Center.

**Sec. 904.13.2 Domestic Cooking System Alarm.** Any and all domestic cooking systems, when

activated shall transmit a fire alarm to the Libertyville Dispatch Center and activate audible and visual alarms throughout the facility.

**Sec. 905 Standpipe Systems.** Revise the following:

**Sec. 905.3 Required Installations.** Add the following paragraph to Section 905.3, “All required standpipe systems shall be supplied by a separate riser. The supply riser shall be hydraulically designed to supply 2 1/2 inch hose drops. The riser system shall be equipped with a separate control valve and flow switch. The standpipe shall be a 2 1/2 inch gated connection with a 1 1/2 inch reducer, and all locations shall be approved by the Fire Prevention Bureau. All standpipe and sprinkler risers shall have separate control valves and flow switches per floor.”

**Sec. 905.3.1 Height.** In the paragraph, change “Class III” to “Class I”; Revise the following: delete condition 1. Revise conditions 2 & 3 to read as follows: “30 feet or more above the lowest level of fire department vehicle access”; and “30 feet or more below the highest level of fire department vehicle access”

**Sec. 906 Portable Fire Extinguishers.** Revise the following:

**Sec. 906.3 Size and Distribution.** Add to the end of the paragraph. The minimum size ABC dry chemical fire extinguisher permitted shall be 10 pound (4A:40B:C) unless approved otherwise by the Code Official. Fire extinguishers shall have 3 dimensional signs mounted above them approximately 80 inches A.F.F. A normal flat wall sign may be substituted for the 3D with the approval of the Fire Code Official. In warehouse settings, the Fire Code Official may require any columns that contain a fire extinguisher have 24” near the top painted red ~~All new and existing extinguishers shall also have current service tags.~~

**Sec. 907 Fire Alarm and Detection Systems.** Revise the following:

**Sec.907.1.3 Equipment.** Add the following: All fire alarm control panels shall be addressable and shall be capable of having the audio signal silenced without resetting the fire alarm control panel. All fire alarm control panels shall have an approved method of placing the system in a trouble mode at the location of the alarm panel.

**Sec. 907.1.3.1 Equipment.** All conventional fire alarm panels that are upgraded to an addressable panel, and addressable panels replaced with the like shall require the installation of pull stations and A.D.A. compliant audio visual devices throughout the building. The addition of smoke detection throughout the building may be required per the Fire Code Official. These devices shall be installed per NFPA 72 and the State of Illinois Accessibility Code. All battery calculations for alarm panels shall be for 60 hours, not 24 hours.

**Sec. 907.2 Where Required- New and existing buildings and structures.** Add the following to the first paragraph, AAll buildings that are equipped with a required alarm system shall be provided with a manual fire alarm system, including pull stations, and A.D.A. compliant audio visual devices. These devices shall be installed per N.F.P.A. 72, and the State of Illinois Accessibility Code.@

**Sec. 907.2.1 through 907.2.9.1** Delete the exceptions for Groups A, B, E, F, I, I-1 I-2, M, R-1, and

R-2.

**Sec. 907.2.10 Single and Multiple Station Smoke Alarms.** Add the following wording after (72), “and per the current State of Illinois Smoke Detector Act.”

**Sec. 907.3.1 Duct Smoke Detectors.** After the end of the second sentence, add the following sentence; “All duct smoke detectors shall transmit a full fire alarm upon activation.”

**Sec.907.5.2.3.1.1 Public and common areas.** Add the following: In some cases, the Libertyville Fire Department may require audible alarm notification devices in place of visible notification devices in public or common areas such as rest rooms.

**Sec. 907.6.3 Initiating Device Identification.** Delete the exceptions.

**Sec. 907.6.6 Monitoring.** Delete the wording and replace with, “Where required, all fire alarms shall transmit to the Libertyville Communications Center and all signals shall be transmitted via the Village of Libertyville A.E.S. radio system.”

**Sec. 907.8.5.1 False Alarms.** No person shall deliberately or maliciously turn in an alarm of fire when in fact that person knows that no fire exists. No person shall activate any installed fire warning system or any fixed fire extinguishing system for purposes other than emergency, maintenance, drills, or prescribed testing.

**Sec. 907.8.5.2 Fire Alarm Panel Keys.** Add this section. All fire alarm control panels shall have their keys placed inside the building’s Knox Box. At no time, shall the general public have access to silence or reset an activated alarm. Panels shall remain locked at all times. This shall apply to all existing and new fire alarm panels.

**Sec. 912 Fire Department connections.** Add the following Section:

**Sec. 912.2.3 Newly Constructed Buildings.** FDC signs may also be required on newly constructed buildings as required by the code official. The signs shall read “FDC” and have letters that are at least 6” high and words with letters at least 2” high or an arrow to indicate the location. Signs shall be subject to approve of the code official.

**Sec. 913 Fire Pumps.**

**Sec. 913.4 Valve Supervision.** Delete methods 1 through 4, and replace with the following, AValve supervision will transmit a supervisory alarm to the Libertyville Communications Center by an electronic tamper switch.@

**Sec. 914 Fire protection based on special detailed requirements of use and occupancy.** Revise the subsections as follows:

**Sec. 914.7.1 Automatic sprinkler system.** At the end of the paragraph add the following: temporary shall be 180 days or less. Reference section 3103 of the IBC. Delete the exception in this section.

**Sec. 916 Gas Detection Systems.**

**Sec. 916.9 Signage.** Add the following at the end of the paragraph: upon direction of the Fire Code Official, an approved NFPA 704 placard shall be placed on the building. The placard shall identify all hazards associated with the gas(es) within the building. The placard shall be placed in a location approved by the Fire Code Official.

**Sec. 1008.3 Emergency Power for Illumination:**

**Sec. 108.3.3 Rooms and Spaces.** Add the following to the list of areas. All conference rooms, all public restrooms, all spaces used for public gatherings/meetings with the exception of private offices.

**Sec. 1010 Doors, Gates, Turnstiles**

**Sec. 1010.3.2 Security Access Turnstiles.** Remove the exception in 5.3

**Sec. 1103 Fire safety requirements for existing buildings.** Revise subsections as follows:

**Sec. 1103.7.1 Group E.** Delete the exceptions.

**Sec. 1103.7.2 Group I-1.** Delete the exceptions.

**Sec. 1103.7.5.1 Group R-1 hotel and motel manual fire alarm system.** Delete all of the exceptions in their entirety.

**Sec. 1103.7.5.2 Group R-1 boarding and rooming houses manual fire alarm system.** Delete the exception in its entirety.

**Sec. 1103.7.6 Group R-2.** Delete exception 3.

**Sec 1204 Solar Photovoltaic Power Systems.** Revise the following:

**Sec. 1204.5.3 Rapid Shutdown Switch.** At the end of the paragraph add the following: the rapid shutdown switch shall be one approved by the Fire Code Official. The switch shall either be a shunt trip style type switch or other approved type.

**Sec. 1206 Electrical Energy Storage Systems.** Revise the following:

**Sec. 1206.2.11.1 Fire Extinguishing Systems.** Delete the exception.

**Sec. 2108 Fire Protection.** Revise subsection as follows:

**Sec. 2108.2 Automatic Sprinkler Systems.** Delete the exceptions in their entirety.

**Sec. 2804 Fire Protection.** Revise the following:

**Sec. 2804.2.1 Manual Fire Alarms.** Delete the exception.

**Sec 3103.2 Approval Required.** Add to the end of the paragraph: “approval must be obtained from the fire code official a minimum of five (5) working days prior to the event.”

**Sec. 3103.5 Use Period.** Add the following: for the purpose of this code, the 12 month period will be a calendar year.

**Sec. 3103.8.2 Location.** In the first sentence of Exception 2 and after the word “tents”, add “when not used for cooking.” And after the word “buildings”, add “, lot lines, and parked vehicles or internal combustion engines.”

**Sec. 5005.4.5 Vehicles Transporting Hazards.** Add the following section:

**Sec. 5005.4.5 Vehicles Transporting Hazards.** The routes for vehicles transporting hazardous chemicals and other dangerous articles as described in Chapter 50 of the International Fire Code -2018 edition are hereby established as follows:

(1) The routes for the Interstate or Intrastate shipments not intended for delivery within the corporate limits of the Village of Libertyville are Interstate 94, County Highway 41, St. Mary’s Road, Butterfield Road, Route 137, and that portion of Route 21, north of Route 137.

(2) Shipments within the Village of Libertyville shall have the written permission of the Fire Department. Without such approval, no stopping or parking of these vehicles or shipments shall be allowed within the Village limits, except for the purpose of inspection by the Fire Prevention Bureau to ensure compliance with the Code adopted by Section I.

**Sec. 5601.9 Establishment of Limits of Districts in Which Storage of Explosives and Blasting Agents Is to Be Prohibited.** The limits referred to in this section of the International Fire Code 2018 edition in which storage of explosive materials is prohibited are hereby established as follows:

All commercial zones, business zones, and residential zoned property in the Village and District.

**Sec. 5608 Fireworks Displays.** Add the following section:

**Sec. 5608.3.1 Prohibited displays.** The use of Chinese fire lanterns or sky lanterns shall be prohibited within the Village of Libertyville boundaries.

**Sec. 5610** Add the following section:

**Sec. 5610.1.1.1 Establishing Motor Vehicle Routes for Vehicles Transporting Explosives and Blasting Agents.** Transportation Routes: The routes referred to in the International Fire Code 2015 edition for vehicles transporting explosives and blasting agents are hereby established as follows:

(a) The routes of Interstate or Intrastate shipments are Interstate 94, County Highway 41, St. Mary's Road, Butterfield Road, Route 137, and that portion of Route 21, north of Route 137.

(5) Shipments within the Village of Libertyville shall have written approval from the Fire Department. Without such approval, no stopping or parking of these vehicles or shipments shall be allowed within the Village limits, except for the purpose of inspection by the Fire Prevention Bureau to ensure compliance with this Code as Adopted by Chapter I.

**Sec. 6-384. Repeal of Conflicting Ordinances.** All former Ordinances or parts thereof, conflicting or inconsistent with the provisions of this Ordinance or of the Code hereby adopted are hereby repealed.

**Sec. 6-385. Severability.** If any provision of this Code is for any reason held to be invalid or unconstitutional by a Court of competent jurisdiction, it shall not affect the validity of the remaining provisions of this Code.

**Sec. 6-386. Date of Effect.** This Ordinance shall take effect and be in force from and after its approval and publication in pamphlet form as required by law.

**Secs. 6-387--6-400. Reserved.**

### **DIVISION 3. AUTOMATIC FIRE SPRINKLER SYSTEMS\***

#### **Sec. 6-401. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alternative fire protection* means the use of either or both (i) fire resistive construction and (ii) fire alarm, fire detecting, or fire extinguishing equipment (other than an automatic fire sprinkler system) to reduce the risk of personal injury and property damage from fire and the spread of fire.

*Automatic fire sprinkler system* means an automatic fire sprinkler system meeting the applicable National Fire Protection Association ("NFPA") standard or standards set forth in section 6-403.

*Building*, for purposes of this Division, shall be as defined in the International Building Code (IBC) as adopted by the village in section 6-161. For purposes of this Division, a building shall further be defined as a structure which is situated entirely within a Lot of Record (as defined by the Village of Libertyville Zoning Code) or which traverses one or more Lots of Record under a single ownership.

*Building code* means the International Building Code, as adopted by the village in section 6-161 or any subsequent edition adopted by the village in the future.

*Cosmetic improvement* means any alterations to an existing building that affects only such existing building's appearance. Interior cosmetic improvements shall include, but not be limited to,

painting, wallpapering, floor coverings, and nonbearing movable wall partitions. Exterior cosmetic improvements shall include, but not be limited to, new signs, painting, architectural trim, and repair or replacement of facades, windows, doors and roofs coverings. The addition of a rain roof to the structure is not included in the cosmetic improvement and will be treated as an addition to the building.

*Fire area* means the floor area enclosed and bounded by fire walls, fire barriers, or exterior walls of a building to restrict the spread of fire. Fire walls which divide a building (as defined by this Division) shall not be considered as interrupting the square foot measurement of the entire building when calculating the square foot area necessary to require sprinklers.

*Work area* shall be as defined in the International Existing Building Code (IEBC) Sec.202.

(Ord. No. 96-0-01, ?2, 1-10-96)

**Cross reference(s)**--Definitions and rules of construction generally, ?1-2.

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\*Editor's note--Ordinance No. 96-0-01, ?2, adopted January 10, 1996, amended ??6-401--6-407 by adding new ??6-401--6-408. Formerly, such provisions pertained to automatic sprinkler systems and derived from Ord. No. 91-0-53, ??1--7, 10-22-91.

#### **Sec. 6-402. Conflicts.**

To the greatest extent possible, the provisions of this division shall be construed to be consistent with, and not in conflict with, the provisions of any other law or ordinance, including the provisions of the Building Code, to the end that all such provisions may be given their fullest application. However, in case of any conflict between this division and the provisions of the Building Code, the provisions of this division shall control.

(Ord. No. 96-0-01, ?2, 1-10-96)

#### **Sec. 6-403. NFPA standards.**

All automatic fire sprinkler systems shall be designed, installed and maintained in compliance with the following referenced standards as determined by the Director of the Fire Prevention Bureau to be applicable:

*NFPA 13.* The 2016 edition of the National Fire Protection Association's (NFPA) *Standard for the Installation of Sprinkler Systems*.

*NFPA 13D.* The 2016 edition of the National Fire Protection Association's (NFPA) *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*.

*NFPA 13R.* The 2016 edition of the National Fire Protection Association's (NFPA) *Standard for the Installation of Sprinkler systems in Residential Occupancies up to and including Four Stories in Height*.

NFPA 14. The 2016 edition of the National Fire Protection Association's (NFPA) *Standard for the Installation of Standpipe and Hose Systems*.

NFPA 20. The 2016 edition of the National Fire Protection Association's (NFPA) *Standard for the Installation of Centrifugal Fire Pumps*.

NFPA 25. The 2017 edition of the National Fire Protection Association's (NFPA) *Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems*.

NFPA 72. The 2016 edition of the National Fire Protection Association's (NFPA) *Standard for the Installation of Fire Systems' National Fire Alarm Code*.

Every reference to a NFPA standard in this division shall be deemed to refer to the edition of such standard set forth in this section 6-403.

(Ord. No. 96-0-01, ?2, 1-10-96)

**Sec. 6-404. New buildings.**

- (a) *When and where required.* Except as provided in subsection 6-404(b) and 6-404(c) and section 6-406, for all new buildings an automatic fire sprinkler system shall be required throughout all areas

New residential buildings, which include townhomes and one-and-two- family dwellings, shall follow sections R313.1 and R313.2 of the 2015 IRC for sprinkler installation. The sprinkler systems shall be designed per the NFPA 13D or 13R.

- (b) *Alternative fire protection for new buildings.* When the Fire Chief, Director of the Fire Prevention Bureau and Building Commissioner make a unanimous written determination, based on factors such as building, size, building construction type, location of the building on the property, and the availability or appropriateness of water as an extinguishing agent, that the public health, safety, welfare, and the lives and property of individuals will be adequately safeguarded by alternative fire protection to be provided pursuant to specific plans approved and incorporated as part of such written determination, then, on condition that such alternative fire protection is provided, an automatic fire sprinkler system shall not be required pursuant to this section 6-404.

- (c) *Exception.* Notwithstanding subsection 6-404(a) and 6-404(b) above, neither an automatic fire sprinkler system nor alternative fire protection shall be required for any detached accessory structure with the exception of a shed or playhouse that is one thousand (1,000) square feet or less in building area and only one story in height and without a basement, and regulated by Section 6-142 of the Building Code. Residential sheds/playhouses do not need sprinklers if they have no more than two hundred thirty (230) square feet of floor area.

(Ord. No. 96-0-01, ?2, 1-10-96)

**Sec. 6-405. Existing buildings.**

(a) Increases in fire areas of existing buildings.

(1) *Currently sprinklered buildings.* Except as provided in subsection 6-405(d) and section 6-406, when any existing building that is classified in a use group that would, if newly constructed, be required to have an automatic fire sprinkler system pursuant to section 6-404 and is protected by an automatic fire sprinkler system, is added to, remodeled, or altered in any manner that increases the fire areas of the building, regardless of the cost or amount of increase in fire areas, the additional fire areas shall also be protected by an automatic fire sprinkler system.

(1) *Currently non-sprinklered buildings.* Except as provided in subsection 6-405(d) and section 6-406, when any existing building that is not protected by an automatic fire sprinkler system; and that is not regulated by the International Residential Code (IRC) as adopted in Sec. 6-211; and that would, if newly constructed, be required to have an automatic fire sprinkler system pursuant to section 6-404 is added to, remodeled or altered in any manner that increases the fire areas of the building, regardless of the cost, so that the fire areas of the entire building, including the fire areas of the building that were added, remodeled, or altered, then the fire areas of the entire building, including the fire areas of the building that were added, remodeled, or altered, shall be protected by an automatic fire sprinkler system.

(2) *Currently non-sprinklered residential buildings.* For existing buildings that are regulated by the International Residential Code (IRC), including townhomes, and one-and two-family dwellings, the installation of an approved NFPA 13D or 13R sprinkler system will be required under the following conditions.

The exceptions under sections R313.1 and R313.2 in the (IRC) shall be deleted and replaced with the following:

- a) When an existing structure is demolished and a new structure is built on either the existing or a new foundation.
- b) When the 100% of the interior of a structure is re-modeled or removed excluding the basement, if any, in the percentage total.
- c) When an additional floor or level is constructed where no existed, before and 50% of the pre-existing interior excluding the basement, if any, in the percentage total, is altered or reconfigured.

(b) *Remodeling or alterations to existing buildings.* Except as provided in subsection 6-405(d) and section 6-406, when any existing building that is not regulated by the International Residential Code (IRC) as adopted in Sec. 6-211; and that would, if newly constructed, be required to have an automatic fire sprinkler system pursuant to section 6-404 is remodeled or altered during any 30 month period when i) the work area exceeds fifty (50) percent of the aggregate area of the building or ii) the cost of the project is more than twenty-five (25) percent of the Lake County Supervisor of Assessments' full estimated market value of the building, excluding any cost for the installation of any required automatic fire sprinkler system and any cost for cosmetic

improvements, then the fire areas of the entire building shall be protected with an automatic fire sprinkler system, regardless of whether such remodeling or alteration results in an increase in the fire areas of the building.

- (c) *Changes in use group.* Except as provided in subsection 6-405(d) and section 6-406, if the use of any building is changed such that it is classified in a use group requiring sprinklers, such building shall comply with the provisions of section 6-404 as if it were a newly constructed building.

Exception: If the use of any building is changed to a use in an occupancy group classification with an equal or lower relative hazard rating than the previous occupancy group, as determined by Table 1011.4 in the International Existing Building Code; then such building shall not require fire sprinkler protection pursuant to this Section 6-405(c), provided that the building complies with 2018 IBC Chapter 9, Fire Protection and Life Safety Systems as published by the ICC.

- (d) *Alternative fire protection for existing buildings.* When the Fire Chief, Director of the Fire Prevention Bureau and Building Commissioner make a unanimous written determination, based on factors such as building size, building construction type, location of the building on the property, the availability or appropriateness of water as an extinguishing agent, the size of a new addition, percentage of remodeling or alterations, and the change in use group classification, that the public health, safety and welfare and the lives and property of individuals will be adequately safeguarded by alternative fire protection to be provided pursuant to specific plans approved and incorporated as part of such written determination, then, on condition that such alternative fire protection is provided, an automatic fire sprinkler system shall not be required pursuant to this section 6-405.

- (e) *Alternative timing for installation of automatic sprinkler system in existing multi-tenant/condominium buildings.* Whenever the provisions of this section 6-405 requires the installation of an automatic fire-sprinkler system throughout an existing multi-tenant or condominium building, then each currently existing and occupied tenant space or condominium unit within said building and outside of the *work area* of the related building permit may remain unsprinklered for a period not to exceed five (5) years following the issuance of the current permit, subject to the following restrictions and conditions:

- 1) Upon the vacation of an occupied tenant space or condominium unit the vacated space or unit must be sprinklered prior to any further occupancy; and
- 2) When any future remodeling or alteration takes place within any currently unsprinklered tenant space or condominium unit involving a work area which exceeds fifty percent (50%) of the aggregate area of such space or unit, the tenant space or condominium unit must be sprinklered simultaneously with the completion of the future work; and
- 3) At the time of the issuance of the current permit the water service and sprinkler system shall be designed for the entire building; and

- 4) The building water service and sprinkler system shall be installed in the building permit work area(s) and all common areas; and
- 5) At the time of issuance of the current permit a signed statement must be received from the property owner indicating his/her understanding of and guarantee that the entire building will be sprinklered as required above and no later than 5 years from the date of the issuance of the current permit.

(Ord. No. 96-0-01, ?2, 1-10-96)

**Sec. 6-406. Public utility electrical rooms, buildings and vaults.**

Any new electrical equipment room, building or vault that is installed, serviced, secured and maintained by a public utility company that is regulated by the Illinois Commerce Commission and that complies with all of the conditions of paragraphs (1) through (6) of this section shall not be required to install an automatic fire sprinkler system pursuant to this division.

- (1) An alternative fire suppression system approved by the Director of the Fire Prevention Bureau shall be installed in the electrical equipment room, building or vault.
- (2) An automatic fire detection system approved by the Director of the Fire Prevention Bureau that meets the requirements of NFPA 72 shall be installed in the electrical equipment room, building or vault; provided, however, that the fire and trouble alarm signal shall be transmitted to the fire alarm control panel.
- (3) The electrical equipment room, building or vault shall be constructed with walls, floors and ceilings that have a minimum of a one-hour fire resistive rating.
- (4) All doors to or within the electrical equipment room, building or vault shall have a minimum of a one-hour fire-rated door assembly with self-closing devices, and any other openings or penetrations into this room, building, or vault shall be protected with a minimum of a one-hour fire rated assembly.
- (5) A portable fire extinguisher, with a minimum rating of 2A40BC, shall be installed inside the electrical room, building, or vault within ten (10) feet of each exit and one shall also be provided on the exterior of the room or vault at the entrance door.

(Ord. No. 96-0-01, ?2, 1-10-96)

**Sec. 6-407. Supervision of systems.**

Every automatic fire sprinkler system, except single family residential systems regulated by the International Residential Code (IRC) as adopted in Sec. 6-211, installed within the Village, whether or not such system is required by this division, shall be electronically supervised by an approved addressable fire alarm-system located in the riser room. If such area is not accessible from the exterior of the building, the fire alarm control panel shall be located in a location approved by the Director of the Fire Prevention Bureau. Every automatic fire sprinkler system installed within the village, whether or not such system is required by this division, shall have a direct connection to the

fire department dispatch center meeting the requirements of NFPA 72 for remote stations and shall be transmitted via the Village radio system. A sprinkler system for only local protection and one which does not have electronic supervision, will not be required to transmit a signal to the dispatch center. Notwithstanding the requirements of this section, when the fire marshal makes a written determination that the public health, safety and welfare and the lives and property of individuals will be adequately safeguarded, based on factors such as number of sprinkler heads or size of the protected area, if no electronically supervised fire alarm control panel system is installed, then no such system shall be required.

(Ord. No. 96-0-01, ?2, 1-10-96)

**Sec. 6-408. Maintenance.**

Every automatic fire sprinkler system installed within the village, whether or not such system is required by this division, shall be maintained according to the requirements of NFPA 25.

(Ord. No. 96-0-01, ?2, 1-10-96)

**Sec. 6-409. Sprinkler Control Rooms.** In all new construction, and in all existing buildings where in the opinion of the Director of Fire Prevention states it may be installed, a sprinkler control room with an exterior entrance shall be installed. The control room shall contain the fire sprinkler risers, and the fire alarm control panel. The room shall face either the main parking lot or shall face the front street and shall have a hard surface to the entrance door. The Knox key box shall also be located at the door to the fire sprinkler control room. If the location of the riser and alarm panel shall be in a different location due to a remodel, then this shall be approved by the Director of Fire Prevention.

**Sec. 6-410. Residential Sprinkler System.**

- (1) *Where Required.* Sprinkler protection will be provided within the garage where the garage is attached to the structure.
- (2) *Monitoring.* A horn/strobe or a bell/strobe will be required on the exterior of the structure at the garage. This will be activated by the sprinkler flow switch. A water flow bell(s) mounted on the return air duct(s), and/or horn/strobe(s) located on a floor approved by the Fire Code Official shall provide notification for the occupants inside the residence. These devices shall also be activated by the flow switch.

SECTION FOUR: Effective Date: This ordinance shall be in full force and effect from May 1, 2019, following its passage, approval and publication in the manner provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Terry Wepler, Village President

ATTEST:

\_\_\_\_\_  
Sally Kowal, Village Clerk