



VILLAGE OF

OAK BROOK

Illinois

BUILDING & FIRE CODES

&

AMENDMENTS

Effective October 1, 2016

**Village of Oak Brook
Development Services Department
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Section 10-1-1: BUILDING CODES ADOPTED BY REFERENCE

A. INTERNATIONAL BUILDING CODE

2015 Edition, including appendix chapters A, C, E, F, G, I, and K (see International Building Code section 101.2.1, 2015 edition), published by the International Code Council, Inc.

B. INTERNATIONAL RESIDENTIAL CODE

2015 Edition, including appendix chapters A, B, C, D, F, G, H, I, J, K, M, O, Q, R, S, T, and U (see International Residential Code section R101.2.1, 2015 edition), published by the International Code Council, Inc.

C. INTERNATIONAL MECHANICAL CODE

2015 Edition, including appendix chapter A (see International Mechanical Code section 101.2.1, 2015 edition), published by the International Code Council, Inc.

D. ILLINOIS PLUMBING CODE, 77 Ill. Admin. Code 890 et seq., as may be amended.

E. NATIONAL ELECTRIC CODE (NEC)

2014 Edition, published by the National Fire Protection Association

F. STATE OF ILLINOIS SAFETY CODE for ELEVATORS and ESCALATORS as follows:

1) AMERICAN SOCIETY of MECHANICAL ENGINEERS (ASME)

- a) Safety Code for Elevators and Escalators (ASME A17.1-2013/CSA B44-2013) and Performance-Based Safety Code for Elevators and Escalators (ASME A17.1-2007/CSA B44.7 07);
- b) Guide for Inspection of Elevators, Escalators and Moving Walks (ASME A17.2-2012);
- c) Safety Code for Existing Elevators and Escalators (ASME A17.3-2005, but only as required under section 35(h) and (i) of the Act and subsection (d) of this Section;
- d) Safety Standards for Platform Lifts and Stairway Chairlifts. (ASME A18.1-21011)
- e) Standard for Qualification of Elevator Inspectors (ASME QEI-1-2013)

2) AMERICAN SOCIETY of CIVIL ENGINEERS (ASCE)

AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI)

Automated People Mover Standards (ANSI/ASCE/T&DI 21-13).

Guide for Inspection of Elevators, Escalators and Moving Walks (ASME A17.2-2012);

G. INTERNATIONAL PROPERTY MAINTENANCE CODE

2015 Edition, including appendix chapter A, published by the International Code Council, Inc.

H. ILLINOIS ENERGY CONSERVATION CODE

International Energy Conservation Code **2018** Edition, published by the International Code Council, Inc. as adopted and amended by the state of Illinois.

I. INTERNATIONAL EXISTING BUILDING CODE

2015 Edition, published by the International Code Council, Inc.

J. INTERNATIONAL FUEL GAS CODE

2015 Edition, including appendix chapters A, B, C, and D (see international fuel gas code section 101.3, 2015 edition), published by the International Code Council, Inc.

K. INTERNATIONAL SWIMMING POOL AND SPA CODE

2015 Edition, published by the International Code Council, Inc.

L. INTERNATIONAL PLUMBING CODE

Those sections of the international plumbing code: 2015 edition, including appendix chapters C and F, published by the International Code Council, Inc., which address subjects not expressly governed by the state of Illinois plumbing code, 2014 edition, published by the Illinois Department of Public Health.

A. International Building Code Amendments:

**CHAPTER 1
ADMINISTRATION**

101.1 Title. Is amended by inserting the words "village of Oak Brook, IL."

102.4 Referenced Codes And Standards. Is amended to read as follows:

The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and referenced standards, the provisions of this code shall apply. Where differences occur between provisions of this and any other provision of the Village Code, the most restrictive provision shall apply.

103.2 Appointment. Is deleted in its entirety.

104.8 Liability. Delete reference to "member of the Board of Appeals."

105.1.1 Semi-Annual Permit A semi-annual permit is required for the installation and/or continuance of boarding on a vacant building. The *building official* is authorized to approve additional permit(s) for individual cases, upon application of the *owner* or the owner's authorized agent, providing that the applicant demonstrates *approved cause* and provides an *approved* plan and timeframe for restoration or demolition of the building. The details of action granting the additional permit(s) shall be recorded and entered in the files of the department of building safety.

105.1.2 Annual Permit Records is deleted in its entirety.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures, without foundations, used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 32 square feet and the cubic volume does not exceed 256 cubic feet.
2. Painting, papering, tiling, carpeting, cabinets & counter tops (not associated with kitchen or bath), and similar finish work with the condition that no structural, plumbing, or electrical changes or alterations are associated with these activities.
3. Temporary motion picture, television and theater stage sets and scenery.
4. Prefabricated swimming pools accessory to a one- or two-family occupancy that meet all of the following:
 - a) Less than 24 inches (610 mm) deep, and do not exceed 2,500 gallons (9,462.5 L)-when filled to the highest level that water can reach before it spills out,
 - b) There is no pump, filtration or mechanical circulation of the water, and
 - c) Installed entirely above ground.
5. Swings and other playground equipment less than fifteen feet (15') in height above grade.
6. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

7. Storm windows or storm doors installed over existing fenestration.
8. Retaining walls without integral stairways that are not over 30 inches in height measured from the lowest adjacent grade to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids

Electrical:

1. **Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.
2. **Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. **Temporary testing systems:** A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Tents:

Tents and membrane structures having an area in excess of 400 square feet (37 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the *fire code official and building official*.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides that comply with all of the following:
 - 2.1. Individual tents having a maximum size of 700 square feet (65 m²).
 - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding 700 square feet (65 m²) total.
 - 2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other tents
 - 2.4 Individual tents having an occupancy load of 49 or less- as calculated by Section 1004 of this code.

105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 90 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 90 days after the time the work is commenced. The *building official* is authorized to grant, in writing, one or more extensions of time. The extension shall be requested in writing and justifiable cause demonstrated.

105.5.1 Permit Expiration. The *building official* is authorized to grant, in writing, one or more extensions of time. The extension shall be requested in writing, prior to the expiration of the permit, and justifiable cause demonstrated. If work is not completed after the expiration of the granted extension(s), the applicant shall pay an additional permit fee of one-half (¹/₂) of the original permit fee and provide the village with a new schedule for completion of demolition and/or new construction. This provision is in addition to and does not negate the provisions of section 9-9-2A of this code.

105.5.2 Method for Determining Permit Expiration Date. Any 90 day period of validity shall commence when the permit is issued, each time the work is inspected by the *building official*, or when an extension is granted by the *building official*. If, at the end of any 90 day period, there has been no subsequent request for inspection, or if an extension has not been granted, the permit shall become permanently invalid and any and all permit fees and restoration/completion bond(s) with the Village of Oak Brook for this project shall be forfeit. Forfeiture shall not constitute a waiver of the village's right to collect from the applicant the amount of a deficiency in excess of the bond. The village shall retain the right to use all legal and equitable remedies available to it for collection of such deficiency.

105.6.1 Suspended Permits. Permits may be suspended for no more than 60 days. Within that 60 day period, the cause or reason for suspension shall be corrected to meet the requirements of this code, or the *building official* shall revoke the permit. If the cause or reason for the suspension is corrected, the *building official* shall reinstate the permit with the expiration timeframe starting on the date of reinstatement. There shall be an administrative fee of 50% of the total permit fee(s) for each reinstatement granted.

Exception: The administrative fee shall be waived if the suspension was due to no fault of the applicant, owner, or their agent(s).”

105.6.2 Revoked Permits. Any permit which has been revoked shall become permanently invalid, any and all fees and/or restoration/completion bond(s) with the Village of Oak Brook for this project shall be forfeit. Forfeiture shall not constitute a waiver of the village's right to collect from the applicant the amount of a deficiency in excess of the bond. The village shall retain the right to use all legal and equitable remedies available to it for collection of such deficiency.

Exception: Permit fees and restoration/completion bond(s) for permits revoked due to no fault of the applicant, owner, or fee remitter may be refunded. This provision shall not be construed to allow refund of a bond while there are outstanding fees, charges or conditions needing to be brought into compliance. This provision shall not be construed to allow for the refund of application fees, plan review fees, inspection fees, engineering fees, or other expenses incurred by the Village of Oak Brook.”

105.7 Placement of permit. The building *permit* or copy shall be kept on the site of the work until the completion of the project. The building *permit* or copy shall be prominently displayed in a location that is visible and accessible to the public.

105.8 Completion of Work upon Which a Permit Has Expired or Been Revoked. A new permit shall be required for completion and/or a certificate of occupancy. The outstanding work shall be reviewed under the codes and ordinances adopted at the time of re-submittal. All fees and bonds shall be required as for a new permit for the entire scope of the work.

105.8.1 Premises upon Which a Permit Has Expired or Been Revoked. The premises shall be maintained in a safe and secure condition at all times.

105.8.2 New Permit Application. Once a permit has **expired or** been revoked, the responsible party shall immediately commence a good faith effort to obtain the required permits, including the submittal of construction plans, along with all fees and bonds within fifteen days (15 days) of expiration or revocation. If the submittals are not received within that fifteen (15) day period, an additional permit fee of one hundred dollars (\$100.00) per day shall be paid by the permittee for every day thereafter until the required submittals are received. The requirement of permit(s) for completion and/or certificate of occupancy shall not be utilized to preclude or be construed as a defense against other legal remedies available to satisfy the intent of this code.

105.9 R-2 Permit holder qualifications. For permits in an R-2 occupancy, the owner, owner's employee or contractor serving as the owner's representative shall demonstrate basic residential code knowledge by passing the test for: National Standard General Building Contractor (A), National Standard Building Contractor (B), or National Standard Residential Contractor (C) – as administered by the International Code Council-or *approved* and tested equivalent, for the issuance and duration of the permit. Failure to retain at least one required qualified person, in a supervisory role, on a project shall be cause for immediate suspension of the permit pursuant to Section 105.6.1 of this code. Licensure as a design professional shall not be considered equivalent.

Exceptions:

1. Projects where a *design professional* is not required by Section **107.1** of this code.
2. The *building official* is authorized to waive the qualification requirement for a project with a total or remaining job cost less than \$25,000, or qualifies for a Temporary Certificate of Occupancy. This waiver may be revoked for cause where the *building official* finds multiple and/or repeated violations of the Village of Oak Brook code in the project.

107.1 General. Submittal documents consisting of *construction documents* and other data shall be submitted in two or more sets with each application for a *permit*. The *construction documents* shall be prepared by a registered *design professional*. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a registered *design professional*.

Exceptions:

- b. The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a registered *design professional* if it is found that the nature of the work applied for is such that reviewing of *construction documents* is not necessary to obtain compliance with this code.
- c. The *building official* is authorized to waive the requirement for construction document preparation by a registered design professional where the cost of construction does not exceed twenty five thousand dollars (\$25,000) and the submittals are adequate to accurately depict the proposed work.
- d. The *building official* is authorized to waive the requirement for construction document preparation by a registered design professional where the scope of the work is limited to:
 1. Replacement without modification of existing doors and windows, electrical, mechanical or plumbing fixtures,
 2. Replacement of existing electrical, mechanical or plumbing fixtures,
 3. Re-roofing that does not involve structural modifications,
 4. Landscaping, patios, sidewalks, driveways, and flatwork that does not involve a change of grade or addition of impervious surface.
 5. Other similar activities as determined by the *building official*.

109.2 Schedule of permit fees On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as those specified in Section [10-4-1](#) of this Code.

113 Board of Appeals is renamed "Appeals".

113.1 General. A person shall have the right to appeal a decision of the *building official*. For the purposes of this Code, all appeals of decisions relating to this Code shall be referred to the Circuit Court of DuPage County.

113.2 Limitations on authority. Is deleted in its entirety.

113.3 Qualifications. Is deleted in its entirety.

114.4 Violation penalties. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a permit or certificate issued under the provisions of this Code, shall be subject to fines and penalties as those specified in Section [1-3-1](#) of this Code.

115.2 Issuance. The stop work order shall be in writing and shall be given to the *owner* of the property involved, the owner's authorized agent, or the person performing the work, or posted in a conspicuous place in or about the structure affected by such notice. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

CHAPTER 2 DEFINITIONS

Responsible party. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises. In addition, any other person or entity who may be reasonably considered to have a role or responsibility in the creation, continuation, or correction of any violation of this code shall be a responsible party or additional responsible party for such violation.

CHAPTER 9 FIRE PROTECTION SYSTEMS

903 Automatic Sprinkler Systems, is deleted and amended to read in its entirety as follows:

[F] 903.1 General. Automatic sprinkler systems shall comply with this section as required by 2015 International Fire Code, Section 903, as adopted and amended by the Village of Oak Brook.

CHAPTER 14, EXTERIOR WALLS

1408.4.1 EIFS Drainage. All EIFS shall have an average minimum drainage efficiency of 90 percent when tested in accordance with the requirements of ASTM E 2273.

1408.5.1 Height Above Grade Height Above Grade Standard EIFS systems shall not be installed closer than 8 feet to finished exterior grade.

CHAPTER 28 MECHANICAL SYSTEMS

2801.2 Exterior mechanical equipment to be screened. All exterior heating, air conditioning, ventilating, generators, pool heaters, or other mechanical equipment shall be fully screened to prevent view of the equipment from any point at the finished grade along any lot line of the lot

on which the equipment is located. Screening materials shall be as approved by the *building official*. Deciduous or annual plants shall not be approved as screening materials.”

2801.3 Interior mechanical equipment to be identified. *Approved*, 3-dimensional signage is required for for any of the following that are concealed by ceiling or access panel:

1. Smoke, Heat or Duct Detector
2. Disconnect
3. Air Handler
4. Electric Reheat

CHAPTER 33 SAFEGUARDS DURING CONSTRUCTION,

3305.1 Facilities required. Sanitary facilities shall be provided during construction, remodeling or demolition activities in accordance with the International Plumbing Code.

3306.1 Protection Required. Pedestrians shall be protected during construction, remodeling, excavation, and demolition activities, and from premises deemed to present imminent danger as defined in the 2015 international property maintenance code, section 109.1 as required by this chapter and Table 3306.1. Signs shall be provided to direct pedestrian traffic. Required protective measures shall remain in place until the cause of need for such protection no longer exists, as determined by the *building official*. Protection, greater than or equal to the minimum required by table 3306.1 shall form a complete and continuous enclosure, wherever protection of any type is required.

Exceptions:

1. Construction, remodeling, excavation, or demolition activities with protection equal to or greater than the requirements of this section, as determined and approved in writing by the *building official*. Examples include a scope of work completely limited to the interior of a structure and sites with existing or natural barriers that meet the intent of this section.
2. Construction, remodeling, excavation, or demolition activities that, by the scope or nature of the work, would or could not be made substantially safer by the provision of such protection, as determined and approved in writing by the *building official*.

3306.4 Construction Railings and Construction Fences. Construction railings shall be at least 42 inches (1067 mm) in height and shall be sufficient to direct pedestrians around construction areas.

3306.4.1 Construction Fence Design. Construction fences shall be designed to resist wind pressure as specified in Chapter 16 and constructed as follows:

1. Construction fence shall be at least 72 inches in height and shall form a complete enclosure around construction areas.
2. Construction fences shall be adequate to prevent nuisance. Screening shall be required if dust or wind-blown debris is present.
3. Construction fences shall be firmly weighted to or anchored into the ground.
4. Gaps or openings in fences shall be protected by doors or gates which are normally kept closed.
5. Doors or gates shall be at least the same height as the fence in which they are installed.
6. Doors or gates shall be kept locked when the site is unattended.
7. Construction fences shall be chain link or equal, as approved by the *building official*.
8. Construction fence shall be built and maintained in a workmanlike manner, with appropriate

connection methods. Sections joined with tie wires, cable ties, or similar fasteners shall be rejected.

3306.5 Barriers. Barriers shall be a minimum of 8 feet (2438 mm) in height and shall be placed on the side of the walkway nearest the construction and as required by this chapter and table 3306.1. Barriers shall extend the entire length of the construction site where adjacent to the public way and as required by this chapter and table 3306.1 at all other locations. Openings in such barriers shall be protected by doors which are normally kept closed. Doors shall be kept locked when the site is unattended.

3306.9 Adjacent To Excavations. Every excavation shall be protected as required by this chapter and table 3306.1. All protective structures shall be adequate to resist wind pressure as specified in chapter 16 of this code.

3307.2 Dust abatement. Every permit applicant shall provide a dust and debris containment and abatement plan. The plan shall conform to all applicable environmental, safety, and health regulations, laws, rules, and guidelines. The plan shall stipulate and provide for 100% containment within the designated work zone. The plan shall be subject to approval by the *building official* and made part of the approved permit. The plan shall be in written form and kept on the jobsite for the full duration of the permitted project. Failure to contain dust and/or debris shall be cause for immediate suspension of any or all applicable permits and/or immediate prosecution.

Exception: Activities that, by the scope or nature of the work, would or could not be made substantially safer by the provision of such protection, as determined and approved by the *building official*.

**Table 3306.1
PROTECTION OF PEDESTRIANS**

Height Of Structure That Is Under Construction, Demolition, Or Dangerous	Distance From Construction Structure To Lot Line Or Public Right Of Way	Minimum Type Of Protection Required
8 feet or less	Less than 5 feet	Construction fences
	5 feet or more	Construction railings
More than 8 feet	Less than one-half the height of construction	Barrier and covered walkway
More than 8 feet	Between one-half of and the height of construction	Barrier
More than 8 feet	Exceeding the height of construction	Construction fences
Depth Of Excavation	Distance From Excavation to Lot Line Or Public Right Of Way	Minimum Type Of Protection Required
30 inches or less	Less than 5 feet	Construction railings
	5 feet or more	As required by the <i>building official</i>
More than 30 inches	Any	Construction fences

**CHAPTER 34
SPECIAL PIPING AND STORAGE SYSTEMS**

**SECTION 3401
GENERAL**

3401.1 Scope.

The provisions of this chapter shall govern the design and installation of piping and storage systems for nonflammable medical gas systems and nonmedical oxygen systems. All maintenance and operations of such systems shall be in accordance with the *International Fire Code*.

**SECTION 3402
MEDICAL GASES**

[F] 3402.1 nonflammable medical gases.

Nonflammable medical gas systems, inhalation anesthetic systems and vacuum piping systems shall be designed and installed in accordance with NFPA 99.

Exceptions:

1. This section shall not apply to portable systems or cylinder storage.
2. Vacuum system exhaust terminations shall comply with the *International Mechanical Code*.

**SECTION 3403
OXYGEN SYSTEMS**

[F] 3403.1 Design and installation.

Nonmedical oxygen systems shall be designed and installed in accordance with NFPA 55 and NFPA 51

**CHAPTER 36
STORM DRAINAGE**

**SECTION 3601
GENERAL**

3601.1 Scope. The provisions of this chapter shall govern the materials, design, construction and installation of storm drainage.

3601.2 Disposal. Rainwater from roofs and storm water from paved areas, yards, courts and courtyards shall drain to an *approved* place of disposal. For one- and two-family dwellings, and where *approved*, storm water is permitted to discharge onto flat areas, such as streets or lawns, provided that the storm water flows away from the building.

3601.3 Prohibited drainage. Storm water shall not be drained into *sewers* intended for sewage only.

3601.4 Tests. The conductors and the building *storm drain* shall be tested in accordance with Section 312 of the 2015 *International Plumbing Code*.

3601.5 Change in size. The size of a drainage pipe shall not be reduced in the direction of flow.

3601.6 Fittings and connections. All connections and changes in direction of the storm drainage system shall be made with *approved* drainage-type fittings in accordance with *Code* Table 706.3 of the 2015 *International Plumbing Code*. The fittings shall not obstruct or retard flow in the system.

3601.7 Roof design. Roofs shall be designed for the maximum possible depth of water that will pond thereon as determined by the relative levels of roof deck and overflow weirs, scuppers, edges or serviceable drains in combination with the deflected structural elements. In determining the maximum possible depth of water, all primary roof drainage means shall be assumed to be blocked. The maximum possible depth of water on the roof shall include the height of the water required above the inlet of the secondary roof drainage means to achieve the required flow rate of the secondary drainage means to accommodate the design rainfall rate as required by Section 3606.

3601.8 Cleanouts required. Cleanouts shall be installed in the storm drainage system and shall comply with the provisions of the of the 2015 *International Plumbing Code* for sanitary drainage pipe cleanouts.

Exception: Subsurface drainage system.

3601.9 Backwater valves. Storm drainage systems shall be provided with backwater valves as required for sanitary drainage systems in accordance with Section 715 of the 2015 *International Plumbing Code*.

SECTION 3602 MATERIALS

3602.1 General. The materials and methods utilized for the construction and installation of storm drainage systems shall comply with this section and the applicable provisions of Chapter 7 of the 2015 *International Plumbing Code*.

3602.2 Inside storm drainage conductors. Inside storm drainage conductors installed above ground shall conform to one of the standards listed in Table 702.1 of the 2015 *International Plumbing Code*.

3602.3 Underground building storm drain pipe. Underground building *storm drain* pipe shall conform to one of the standards listed in Table 702.2 of the 2015 *International Plumbing Code*.

3602.4 Building storm sewer pipe. Building storm *sewer* pipe shall conform to one of the standards listed in Table 3602.4.

**TABLE 3206.4
BUILDING STORM SEWER PIPE**

MATERIAL	STANDARD
Cast-iron pipe	ASTM A 74; ASTM A 888; CISPI 301
Concrete pipe	ASTM C 14; ASTM C 76; CSA A257.1M; CSA A257.2M
Copper or copper-alloy tubing (Type K, L, M or DWV)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 306
Polyvinyl chloride (PVC) plastic pipe (Type DWV, SDR26, SDR35, SDR41, PS50 or PS100)	ASTM D 2665; ASTM D 3034; ASTM F 891; CSA B182.4; CSA B181.2; CSA B182.2
Vitrified clay pipe	ASTM C 4; ASTM C 700

3602.5 Subsoil drain pipe. Subsoil drains shall be open jointed, horizontally split or perforated pipe conforming to one of the standards listed in Table 3602.5.

**TABLE 3602.5
SUBSOIL DRAIN PIPE**

MATERIAL	STANDARD
Cast-iron pipe	ASTM A 74; ASTM A 888; CISPI 301
Polyvinyl chloride (PVC) plastic pipe (Type DWV, SDR26, SDR35, SDR41, PS50 or PS100)	ASTM D 2665; ASTM D 3034; ASTM F 891; CSA B182.4; CSA B181.2; CSA B182.2
Stainless steel drainage systems, Type 316L	ASME A 112.3.1
Vitrified clay pipe	ASTM C 4; ASTM C 700

3602.6 Roof Drains. Roof drains shall conform to ASME A112.6.4 or ASME A112.3.1.

3602.7 Fittings. Pipe fittings shall be *approved* for installation with the piping material installed, and shall conform to the respective pipe standards or one of the standards listed in Table 3602.7. The fittings shall not have ledges, shoulders or reductions capable of retarding or obstructing flow in the piping. Threaded drainage pipe fittings shall be of the recessed drainage type.

**TABLE 3602.7
PIPE FITTINGS**

MATERIAL	STANDARD
Cast-iron	ASME B16.4; ASME B16.12; ASTM A 888; CISPI 301; ASTM A 74
Coextruded composite PVC DWV Schedule 40 IPS-DR, PS140, PS200 (solid only)	ASTM D 2665; ASTM D 3311; ASTM F 891
Coextruded composite PVC sewer and drain DR-PS in PS35, PS50, PS100, PS140, PS200	ASTM D 3034
Copper or copper-alloy	ASME B16.15; ASME B16.18; ASME B16.22; ASME B16.23; ASME B16.26; ASME B16.29
Gray iron and ductile iron	AWWA C110/A21.10
Malleable iron	ASME B16.3
Plastic, general	ASTM F 409
Polyvinyl chloride (PVC) Plastic	ASTM D 2665; ASTM D 3311; ASTM F 1866
Steel	ASME B16.9; ASME B16.11; ASME B16.28
Stainless steel drainage systems, Type 316L	ASME A112.3.1

SECTION

3603 TRAPS

Reserved

SECTION 3604 CONDUCTORS AND CONNECTIONS

3604.1 Prohibited use. Conductor pipes shall not be used as soil, waste or vent pipes, and soil, waste or vent pipes shall not be used as conductors.

3604.2 Floor drains. Floor drains shall not be connected to a *storm drain*.

SECTION 3605 ROOF DRAINS

3605.1 General. Roof drains shall be installed in accordance with the manufacturer's instructions. The inside opening for the roof drain shall not be obstructed by the roofing membrane material.

3605.2 Roof drain flow rate. The published roof drain flow rate, based on the head of water above the roof drain, shall be used to size the storm drainage system in accordance with Section 3606. The flow rate used for sizing the storm drainage piping shall be based on the maximum anticipated ponding at the roof drain.

SECTION 3606 SIZE OF CONDUCTORS, LEADERS AND STORM DRAINS

3606.1 General. The size of the vertical conductors and leaders, building *storm drains*, building storm *sewers* and any horizontal branches of such drains or *sewers* shall be based on the 100-year hourly rainfall rate of four inches (4").

3606.2 Size of storm drain piping. Vertical and horizontal *storm drain* piping shall be sized based on the flow rate through the roof drain. The flow rate in *storm drain* piping shall not exceed that specified in Table 3606.2.

TABLE 3606.2
STORM DRAIN PIPE SIZING

PIPE SIZE (inches)	CAPACITY (g.p.m)				
	VERTICAL DRAIN	SLOPE OF HORIZONTAL DRAIN			
		1/16 inch per foot	1/8 inch per foot	1/4 inch per foot	1/2 inch per foot
2	34	15	22	31	44
3	87	39	55	79	111
4	180	81	115	163	231
5	311	117	165	234	331
6	538	243	344	487	689
8	1,117	505	714	1,010	1,429
10	2,050	927	1,311	1,855	2,623
12	3,272	1,480	2,095	2,960	4,187
15	5,543	2,508	3,456	5,016	7,093

3606.3 Vertical leader sizing. Vertical leaders shall be sized based on the flow rate from horizontal gutters or the maximum flow rate through roof drains. The flow rate through vertical leaders shall not exceed that specified in Table 3606.3.

**TABLE 3606.3
VERTICAL LEADER SIZING**

SIZE OF LEADER (inches)	CAPACITY (g.p.m)
2	30
2 × 2	30
1 1/2 × 2 1/2	30
2 1/2	54
2 1/2 × 2 1/2	54
3	92
2 × 4	92
2 1/2 × 3	92
4	192
3 × 4 1/4	192
3 1/2 × 4	192
5	360
4 × 5	360
4 1/2 × 4 1/2	360
6	563
5 × 6	563
5 1/2 × 5 1/2	563
8	1208
6 × 8	1208

3606.4 Vertical walls. In sizing roof drains and storm drainage piping, one-half of the area of any vertical wall that diverts rainwater to the roof shall be added to the projected roof area for inclusion in calculating the required size of vertical conductors, leaders and horizontal storm drainage piping.

3606.5 Parapet wall scupper location. Parapet wall roof drainage scupper and overflow scupper location shall comply with the requirements of Section 1503.4 of the *International Building Code*.

3606.6 Size of roof gutters. Horizontal gutters shall be sized based on the flow rate from the roof surface. The flow rate in horizontal gutters shall not exceed that specified in Table 3606.6.

**TABLE 3606.6
HORIZONTAL GUTTER SIZING**

GUTTER DIMENSIONS^a (inches)	SLOPE (inch per foot)	CAPACITY (g.p.m)
1 1/2 × 2 1/2	1/4	26
1 1/2 × 2 1/2	1/2	40
4	1/8	39
2 1/4 × 3	1/4	55
2 1/4 × 3	1/2	87
5	1/8	74
4 × 2 1/2	1/4	106
3 × 3 1/2	1/2	156
6	1/8	110
3 × 5	1/4	157
3 × 5	1/2	225
8	1/16	172
8	1/8	247
4 1/2 × 6	1/4	348
4 1/2 × 6	1/2	494
10	1/16	331
10	1/8	472
5 × 8	1/4	651
4 × 10	1/2	1055

a. Dimensions are width by depth for rectangular shapes. Single dimensions are diameters of a semicircle.

**SECTION 3607
SIPHONIC ROOF DRAINAGE SYSTEMS**

3607.1 General. Siphonic roof drains and drainage systems shall be designed in accordance with ASME A112.6.9 and ASPE 45.

**SECTION 3608
SECONDARY (EMERGENCY) ROOF DRAINS**

3608.1 Secondary (emergency overflow) drains or scuppers. Where roof drains are required, secondary (emergency overflow) roof drains or scuppers shall be provided where the roof perimeter construction extends above the roof in such a manner that water will be entrapped if the primary drains allow buildup for any reason. Where primary and secondary roof drains are manufactured as a single assembly, the inlet and outlet for each drain shall be independent.

3608.2 Separate systems required. Secondary roof drain systems shall have the end point of discharge separate from the primary system. Discharge shall be above grade, in a location that would normally be observed by the building occupants or maintenance personnel.

3608.3 Sizing of secondary drains. Secondary (emergency) roof drain systems shall be sized in accordance with Section 3606 based on the rainfall rate for which the primary system is sized. Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 3601.7. Scuppers shall have an opening dimension of not less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

SECTION 3609

COMBINED SANITARY AND STORM PUBLIC SEWER

3609.1 General. Combined sanitary and storm sewer shall be prohibited.

SECTION 3610

CONTROLLED FLOW ROOF DRAIN SYSTEMS

3610.1 General. The roof of a structure shall be designed for the storage of water where the storm drainage system is engineered for controlled flow. The controlled flow roof drain system shall be an engineered system in accordance with this section and the design, submittal, approval, inspection and testing requirements of Section 105.4. The controlled flow system shall be designed based on the required rainfall rate in accordance with Section 3606.1.

3610.2 Control devices. The control devices shall be installed so that the rate of discharge of water per minute shall not exceed the values for continuous flow as indicated in Section 3610.1.

3610.3 Installation. Runoff control shall be by control devices. Control devices shall be protected by strainers.

3610.4 Minimum number of roof drains. Not less than two roof drains shall be installed in roof areas 10,000 square feet (929 m²) or less and not less than four roof drains shall be installed in roofs over 10,000 square feet (929 m²) in area.

SECTION 3636

SUBSOIL DRAINS

3611.1 Subsoil drains. Subsoil drains shall be open-jointed, horizontally split or perforated pipe conforming to one of the standards listed in Table 3602.5. Such drains shall not be less than 4 inches (102 mm) in diameter. Where the building is subject to backwater, the subsoil drain shall be protected by an accessibly located backwater valve. Subsoil drains shall discharge to a trapped area drain, sump, dry well or *approved* location above ground. The subsoil sump shall not be required to have either a gas-tight cover or a vent. The sump and pumping system shall comply with Section 3613.1.

SECTION 3612

BUILDING SUBDRAINS

3612.1 Building subdrains. *Building subdrains* located below the *public sewer* level shall discharge into a sump or receiving tank, the contents of which shall be automatically lifted and discharged into the drainage system as required for building sumps. The sump and pumping equipment shall comply with Section 3613.1.

SECTION 3613

SUMPS AND PUMPING SYSTEMS

3613.1 Pumping system. The sump pump, pit and discharge piping shall conform to Sections 3613.1.1 through 3613.1.4.

3613.1.1 Pump capacity and head. The sump pump shall be of a capacity and head appropriate to anticipated use requirements.

3613.1.2 Sump pit. The sump pit shall be not less than 18 inches (457 mm) in diameter and not less than 24 inches (610 mm) in depth, unless otherwise *approved*. The pit shall be accessible and located such that all drainage flows into the pit by gravity. The sump pit shall be constructed of tile, steel, plastic, cast iron, concrete or other *approved* material, with a removable cover adequate to support anticipated loads in the area of use. The pit floor shall be solid and provide permanent support for the pump.

3613.1.3 Electrical. Electrical service outlets, when required, shall meet the requirements of NFPA 70.

3613.1.4 Piping. Discharge piping shall meet the requirements of Section 3602.2, 3602.3 or 3602.4 and shall include a gate valve and a full flow check valve. Pipe and fittings shall be the same size as, or larger than, the pump discharge tapping.

Exception: In one- and two-family dwellings, only a check valve shall be required, located on the discharge piping from the pump or ejector.

B. International Residential Code Amendments
CHAPTER 1
ADMINISTRATION

R101.1 Title. Is amended by inserting the words "Village of Oak Brook, IL."

R102.4 Referenced codes and standards. The codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and referenced standards, the provisions of this code shall apply. Where differences occur between provisions of this and any other provision of the Village Code, the most restrictive provision shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

R105.1.1 Annual Permit An annual permit is required for the installation and/or continuance of boarding on a vacant building. The *building official* is authorized to approve additional permit(s) for individual cases, upon application of the *owner* or the owner's authorized agent, providing that the applicant demonstrates *approved cause* and provides an *approved* plan and timeframe for restoration or demolition of the building. The details of action granting the additional permit(s) shall be recorded and entered in the files of the department of building safety.

"R105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures, without foundations, used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 32 square feet and the cubic volume does not exceed 256 cubic feet.
2. Painting, papering, tiling, carpeting, and cabinets & counter tops (not associated with kitchen or bath), and similar finish work with the condition that no structural, plumbing, or electrical changes or alterations are associated with these activities.
3. Temporary motion picture, television and theater stage sets and scenery.
4. Prefabricated swimming pools accessory to a one- or two-family occupancy that meet all of the following:
 - d) Less than 24 inches (610 mm) deep, and do not exceed 2,500 gallons (9,462.5 L)- when filled to the highest level that water can reach before it spills out,
 - e) There is no pump, filtration or mechanical circulation of the water, and
 - f) Installed entirely above ground.
5. Swings and other playground equipment less than fifteen feet (15') in height above grade.
6. Storm windows or storm doors installed over existing fenestration.

7. Retaining walls without integral stairways that are not over 30 inches in height measured from the lowest adjacent grade to the top of the wall, unless supporting a surcharge.”

Electrical:

1. *Listed* cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. *Listed* cord-and-plug connected electrical wiring, devices, *appliances*, apparatus or *equipment* operating at less than 25 volts, not capable of supplying more than 50 watts of energy, and not utilized for fire, smoke, heat or carbon monoxide detection or alarm.
5. Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical *equipment* to *approved* permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying *appliances*.
2. Replacement of any minor part that does not alter approval of *equipment* or make such *equipment* unsafe.
3. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating *appliances*.
2. Portable ventilation *appliances*.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling *equipment* regulated by this code.
5. Replacement of any minor part that does not alter approval of *equipment* or make such *equipment* unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Tents:

Tents and membrane structures having an area in excess of 400 square feet (37 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the *fire code official* and building official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides that comply with all of the following:
 - 2.1. Individual tents having a maximum size of 700 square feet (65 m²).
 - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding 700 square feet (65 m²) total.
 - 2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other tents
 - 2.4 Individual tents having an occupancy load of 49 or less- as calculated by Section 1004 of this code.

R105.5 Expiration. Every *permit* issued shall become invalid unless the work authorized by such *permit* is commenced within 90 days after its issuance, or if the work authorized by such *permit* is suspended or abandoned for a period of 90 days after the time the work is commenced. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

R105.5.1 Permit Expiration. The *building official* is authorized to grant, in writing, one or more extensions of time. The extension shall be requested in writing, prior to the expiration of the permit, and justifiable cause demonstrated. If work is not completed after the expiration of the granted extension(s), the applicant shall pay an additional permit fee of one-half (¹/₂) of the original permit fee and provide the village with a new schedule for completion. This provision is in addition to and does not negate the provisions of section 9-9-2A of this code.”

R105.5.2 Method for Determining Permit Expiration Date. Any 90 day period of validity shall commence when the permit is issued, each time the work is inspected by the *building official*, or an extension is granted by the *building official*. If, at the end of any 90 day period, there has been no subsequent request for inspection, or if an extension has not been granted, the permit shall become permanently invalid and any and all permit fees and restoration/completion bond(s) with the Village of Oak Brook for this project shall be forfeit. Forfeiture shall not constitute a waiver of the village's right to collect from the applicant the amount of a deficiency in excess of the bond. The village shall retain the right to use all legal and equitable remedies available to it for collection of such deficiency.

R105.6.1 Suspended Permits. Permits may be suspended for no more than 60 days. Within that 60 day period, the cause or reason for suspension shall be corrected to meet the requirements of this code, or the *building official* shall revoke the permit. If the cause or reason for the suspension is corrected, the *building official* shall reinstate the permit with the expiration timeframe starting on the date of reinstatement. There shall be an administrative fee of 50% of the total permit fee(s) for each reinstatement granted.

Exception: The administrative fee shall be waived if the suspension was due to no fault of the applicant, owner, or their agent(s).

R105.6.2 Revoked or Expired Permits. Any permit which has been revoked or expired shall become permanently invalid, any and all fees and/or restoration/completion bond(s) with the Village of Oak Brook for this project shall be forfeit. Forfeiture shall not constitute a waiver of the village's right to collect from the applicant the amount of a deficiency in excess of the bond. The village shall retain the right to use all legal and equitable remedies available to it for collection of such deficiency.

Exception: Permit fees and restoration/completion bond(s) for permits revoked due to no fault of the applicant, owner, or fee remitter may be refunded. This provision shall not be construed to allow refund of a bond while there are outstanding fees, charges or conditions needing to be brought into compliance. This provision shall not be construed to allow for the refund of application fees, plan review fees, inspection fees, engineering fees, or other expenses incurred by the Village of Oak Brook.”

R105.7 Placement of permit. The building *permit* or copy shall be kept on the site of the work until the completion of the project. The building *permit* or copy shall be prominently displayed in a location that is accessible to the public.

“**R105.8 Completion of Work upon Which a Permit Has Been Revoked or Expired.** A new permit shall be required for completion and/or a certificate of occupancy. The outstanding work shall be reviewed under the codes and ordinances adopted at the time of re-submittal. All fees and bonds shall be required as for a new permit for the entire scope of the work.

R105.8.1 Premises upon Which a Permit Has Been Revoked or Expired. The premises shall be maintained in a safe and secure condition at all times.

R105.8.2 New Permit Application. Once a permit has been revoked or expired, the responsible party shall immediately commence a good faith effort to obtain the required permits, including the submittal of construction plans, along with all fees and bonds within fifteen days (15 days) of expiration or revocation. If the submittals are not received within that fifteen (15) day period, an additional permit fee of one hundred dollars (\$100.00) per day shall be paid by the permittee for every day thereafter until the required submittals are received. The requirement of permit(s) for completion and/or certificate of occupancy shall not be utilized to preclude or be construed as a defense against other legal remedies available to satisfy the intent of this code.”

R105.10 Permit holder qualifications. Permit holder qualifications. For *new construction* as defined and regulated by this code, the owner, owner’s employee, or contractor serving as the owner’s representative shall demonstrate basic residential code knowledge by passing the test for: National Standard General Building Contractor (A), National Standard Building Contractor (B), or National Standard Residential Contractor (C) – as administered by the International Code Council-or *approved* and tested equivalent, for the issuance and duration of the permit. Failure to retain at least one required qualified person, in a supervisory role, on a project shall be cause for immediate suspension of the permit pursuant to Section R105.6.1 of this code. Licensure as a design professional shall not be considered equivalent.

Exception: For detached single-family dwellings, the *building official* is authorized to waive the qualification requirement for a project with a total or remaining job cost less than \$100,000, or qualifies for a Temporary Certificate of Occupancy. This waiver may be revoked for cause where the *building official* finds multiple and/or repeated violations of the Village of Oak Brook code in the project.

R106.1 Submittal documents. Submittal documents consisting of *construction documents* and other data shall be submitted in two or more sets with each application for a *permit*. The *construction documents* shall be prepared by a registered *design professional*. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a registered *design professional*.

Exceptions:

- a. The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a registered *design professional* if it is found that the nature of the work applied for is such that reviewing of *construction documents* is not necessary to obtain compliance with this code.
- b. The *building official* is authorized to waive the requirement for construction document preparation by a registered design professional where the cost of construction does not exceed twenty five thousand dollars (\$25,000) and the submittals are adequate to accurately depict the proposed work.
- c. The *building official* is authorized to waive the requirement for construction document preparation by a registered design professional where the scope of the work is limited to:
 1. Replacement without modification of existing doors and windows, electrical, mechanical or plumbing fixtures,
 2. Replacement of existing electrical, mechanical or plumbing fixtures,
 3. Re-roofing that does not involve structural modifications,
 4. Landscaping, patios, sidewalks, driveways, and flatwork that does not involve a change of grade or addition of impervious surface.
 5. Other similar activities as determined by the *building official*.

R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as those specified in Section [10-4-1](#) of this Code.

R112 APPEALS.

R112.1 Appeals. A person shall have the right to appeal a decision of the *building official*. For the purposes of this Code, all appeals of decisions relating to this Code shall be referred to the Circuit Court of DuPage County.

Delete Subsections R112.2 through R112.4.

R113.4 Violation penalties. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the *building official*, or of a permit or certificate issued under the provisions of this Code, shall be subject to fines and penalties as those specified in Section [1-3-1](#) of this Code.

R114.1 Notice to owner. Upon notice from the *building official* that work on any building or structure is being prosecuted contrary to the provisions of this code or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent or to the person doing the work, or posted in a conspicuous place in or about the structure affected by such notice, and shall state the reason for the order and the conditions under which work will be permitted to resume.

R115 SAFEGUARDS DURING CONSTRUCTION. Safeguards during construction shall be as required by Chapter 33 of the *International Building Code* as adopted and amended in this Code.

CHAPTER 2 DEFINITIONS

New Construction. For the purposes of determining automatic fire sprinkler protection requirements in Section R313, and contractor qualification requirements in Section R105.10, “New Construction” shall include the following:

1. Any completely new structure,
2. Any addition that adds above grade floor space equal to or greater than 75% of the existing building footprint,
3. Any alteration or addition where 75% or greater of the existing first floor exterior wall perimeter and/or first floor structure is removed, or
4. Any alteration or addition where the newly constructed first floor wall perimeter is equal to 75% or greater of the entire first floor wall perimeter prior to construction.

Responsible Party. Except as otherwise specified herein, the owner or the owner’s designated agent shall be responsible for the maintenance of buildings, structures and premises. In addition, any other person or entity who may be reasonably considered to have a role or responsibility in the creation, continuation, or correction of any violation of this code shall be a responsible party or additional responsible party for such violation.

**CHAPTER 3
BUILDING PLANNING**

**Table R301.2 (1)
Climatic and Geographic Design Criteria**

GROUND SNOW LOAD	25 LB/FT²	
ULTIMATE WIND DESIGN	115 MPH*	
SEISMIC DESIGN CATEGORY	B	
SUBJECT TO DAMAGE FROM	WEATHERING	SEVERE
	FROST LINE DEPTH	42"
	TERMITE	MODERATE TO SEVERE
WINTER DESIGN TEMPERATURE	-4° F, 97 ½%	
SUMMER DESIGN TEMPERATURE	89°F Dry Bulb, 2 ½%	
	76°F Wet Bulb, 2 ½%	
ICE BARRIER UNDERLAYMENT	REQUIRED	
FLOOD HAZARDS	FIRM # 170214 PANELS 0606H-0609H 12/16/2004	
AIR FREEZING INDEX	1543 (°F-Days)	
ANNUAL MEAN TEMPERATURE	49.4°F	
HEATING DEGREE DAYS (HDD)	6,155	
COOLING DEGREE DAYS (CDD)	942	
CLIMATE ZONE	5A	
INDOOR DESIGN CONDITIONS	MAX. 72°F - HEATING MIN. 75°F - COOLING	
100-YEAR HOURLY RAINFALL RATE	4"	

*ULTIMATE DESIGN WIND SPEED replaces BASIC WIND SPEED as found in earlier editions. Although the values are different, there is very little practical difference in the design or construction requirements.

R302.12 Draftstopping In combustible construction where there is usable space both above and below the concealed space of a floor-ceiling assembly, draftstops shall be installed so that the area of the concealed space does not exceed 500 square feet (92.9 m²) or have a dimension of more than 25 feet in any direction. Draftstopping shall divide the concealed space into approximately equal areas. Where the assembly is enclosed by a floor membrane above and a ceiling membrane below, draftstopping shall be provided in floor-ceiling assemblies under the following circumstances:

1. Ceiling is suspended under the floor framing.
2. Floor framing is constructed of prefabricated wood I-joists, truss-type open-web, perforated members or similar construction.

R304.1 Minimum area. Habitable rooms shall have a floor area of not less than 70 square feet (6.5 m²). Every living room shall contain at least 120 square feet (11.2 m²) and every bedroom shall contain a minimum of 70 square feet (6.5 m²) and every bedroom occupied by more than one person shall contain a minimum of 50 square feet (4.6 m²) of floor area for each occupant thereof.

Exception: Kitchens.

R310.6 Conversion into habitable space. When any area previously not approved or utilized as habitable space is converted into and/or utilized as habitable space- regardless of the amount of construction work done in this area- it shall be considered as reconstruction and be subject to the requirements of this chapter and the provisions of Section R310 of this code.”

R310.7 Conversion into a sleeping room. When any area previously not approved or utilized as a sleeping room is converted into and/or utilized as a sleeping room- regardless of the amount of construction work that was or was not done in this conversion or change of utilization- it shall be subject to all requirements for new construction of a sleeping room as found in this code.”

R310.8 Egress from highest habitable space. Where residential building heights exceed thirty feet (30'), the highest space that meets the criteria of Sections R304, R305 & R311.4 for *habitable space* shall have an emergency escape and rescue opening in compliance with Section R310 at a maximum elevation of thirty two feet (32') above grade. This section shall be applied regardless of the usage designation on the construction documents, including “storage” or “bonus” rooms.

R311.7.8.1 Height. *Handrail* height, measured above *stair tread nosings*, or finish surface of *ramp* slope, shall be uniform, not less than 34 inches (864 mm) and not more than 38 inches (965 mm). *Handrail* height of *alternating tread devices* and ships ladders, measured above *tread nosings*, shall be uniform, not less than 30 inches (762 mm) and not more than 34 inches (864 mm).”

Section R312.1 Guards shall be located along open-sided walking surfaces, including stairs, ramps and landings, permanent benches or other walkable horizontal planes- 4 inches or greater in width, measured perpendicular to the open side- that are that are located more than 30 inches (762 mm) measured vertically to the floor or *grade* below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a *guard*.

R313.3 Notification devices required. The following notification devices shall be required on all new and/or modified automatic sprinkler systems installed to comply with this code:

1. A *listed and approved* exterior audio visual notification device shall be installed at an *approved* location that is readily visible from the public way.
Exception: The *code official* may approve an alternate location if it is technically infeasible to install the device where it is readily visible from the public way and the proposed location provides substantially equivalent notification.
2. *Listed and approved* device(s) shall be installed to provide audible notification throughout the residence. For notification device(s) affixed to HVAC systems, a separate device shall be utilized for each HVAC system.
3. Each automatic fire sprinkler system shall have a *listed and approved* water flow detection device that is monitored by an *approved* agency.
4. Each *control valve* shall be supervised by a *listed and approved* switch that is monitored by an *approved* agency.

R314 Smoke alarms is amended by the addition of the following section:

Additional Locations. In addition to the locations specified in R 314.3, 200°F heat detectors shall be installed in the following locations:

1. In each attic area that is provided with access as required in Section R807.
2. In each attached garage.

CHAPTER 5 FLOORS

R506 CONCRETE FLOORS (ON GROUND), PATIOS, SIDEWALKS, APRONS AND DRIVEWAYS.

R506.1 General. Concrete slab-on-ground floors, patios, sidewalks, aprons, and driveways shall be designed and constructed in accordance with the provisions of this section or ACI 332. Floors, patios, sidewalks, aprons and driveways shall be a minimum 3 ½ inches (89mm) thick. The specified compressive strength of concrete shall be as set forth in Section R402.2.

CHAPTER 7 WALL COVERING

R703.1 General. Exterior walls shall provide the building with a weather-resistant exterior wall envelope. The exterior envelope shall include flashing as described in Section R703.4. Wall assemblies shall be finished with an approved material. In addition to any material not permitted by this code, the following finish materials shall be prohibited:

- a. Unfinished, painted, sealed, or clear-coated above grade wall assemblies of the following types:
 - i. Cast-in-place concrete
 - ii. Precast concrete
 - iii. Smooth-face concrete masonry unit (CMU)
- b. Any wall assembly- excluding windows-that causes a nuisance by the nature of its reflectivity.

For the purposes of this Section, an above grade “wall assembly” shall be defined as a wall portion having the same construction type and/or finish:

- i. More than 50 percent above the adjacent finished grade, and/or
- ii. Having any part more than forty eight inches (48”) above the adjacent finished grade.

CHAPTER 13 GENERAL MECHANICAL SYSTEMS REQUIREMENTS

M1301.6 Mechanical equipment to be screened. All exterior heating, air conditioning, ventilating, generators, pool heaters, or other mechanical equipment shall be fully screened to prevent view of the equipment from any point along the finished grade at any front lot line or side lot line of the lot on which the equipment is located. Screening materials shall be as approved by the *building official*. Deciduous or annual plants shall not be approved as screening materials.”

1301.7 Geothermal well and piping locations. Geothermal well and piping locations shall be completely within the property lines of the subject property and as prescribed by 1301.7.1 and 1301.7.2.

1301.7.1. No geothermal well or water intake shall be located in any easement and/or a within ten feet (10’) from any property lot line.

Exception: A geothermal well may be located at any location adjacent to public right-of-way provided that it is completely within the property lines.

1301.7.2 No geothermal piping, intake or discharge shall be located in any body of water that is not completely contained within the property lines.

CHAPTER 29
WATER SUPPLY AND DISTRIBUTION

P2904.3.2 Shutoff valves. Shutoff valves shall serve the entire water distribution system. The fire sprinkler system piping shall not have separate shutoff or control valve(s) installed unless supervised by one of the following methods:

1. Central station, proprietary or remote station alarm service.
2. Local alarm service that causes the sounding of an audible signal at a constantly attended location.
3. Valves that are locked open.

P2904.5.1 Water supply. Fire sprinkler water shall be supplied by the municipal water source and taken off after it has passed through the water meter, as detailed in 2013 NFPA 13D Figure A.6.2(c) *“Acceptable Arrangement with Valve Supervision – Option 2”*.

P2904.5.2 Reserved.

APPENDIX J
EXISTING BUILDINGS AND STRUCTURES

AJ 102.10 Conversion into habitable space. When any area previously not approved or utilized as habitable space is converted into and/or utilized as habitable space- regardless of the amount of construction work done in this area- it shall be considered as reconstruction and be subject to the requirements of this chapter and the provisions of Section R310 of this code.

AJ102.11 Conversion into a sleeping room. When any area previously not approved or utilized as a sleeping room is converted into and/or utilized as a sleeping room- regardless of the amount of construction work that was or was not done in this conversion or change of utilization- it shall be subject to all requirements for new construction of a sleeping room as found in this code.

International Mechanical Code Amendments:

CHAPTER 1 ADMINISTRATION

101.1 Title. Is amended by inserting the words "Village of Oak Brook, IL."

102.8 Referenced codes and ordinances. The codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and referenced standards, the provisions of this code shall apply. Where differences occur between provisions of this and any other provision of the Village Code, the most restrictive provision shall apply.

106.4.3 Expiration. Is amended by changing the timeframe from 180 days to 90 days.

106.5.2 Fee schedule. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as those specified in Section [10-4-1](#) of this Code.

108.4 Violation penalties. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the *building official*, or of a permit or certificate issued under the provisions of this Code, shall be subject to fines and penalties as those specified in Section [1-3-1](#) of this Code.

109.1 Application for appeal A person shall have the right to appeal a decision of the *building official*. For the purposes of this Code, all appeals of decisions relating to this Code shall be referred to the Circuit Court of DuPage County.
Subsections 109.1 through 109.7 are deleted in their entirety.

CHAPTER 3 GENERAL REGULATIONS

303.9 Mechanical equipment to be screened. All exterior heating, air conditioning, ventilating, generators, pool heaters, or other mechanical equipment shall be fully screened to prevent view of the equipment from any point at the finished grade along the front lot line or side lot line of the lot on which the equipment is located. Screening materials shall be as approved by the *building official*. Deciduous or annual plants shall not be approved as screening materials."

303.10 Geothermal well and piping locations. Geothermal well and piping locations shall be completely within the property lines of the subject property and as prescribed by 303.10.1 and 303.10.2.

303.10.1. No geothermal well or water intake shall be located in any easement and/or a within ten feet (10') from any property lot line.

Exception: A geothermal well may be located at any location adjacent to public right-of-way provided that it is completely within the property lines.

303.10.2 No geothermal piping, intake or discharge shall be located in any body of water that is not completely contained within the property lines.

309.1 Space-heating systems. Interior spaces intended for human occupancy shall be provided with space-heating systems capable of maintaining a minimum indoor temperature of 65°F (18°C) at a point 3 feet (914 mm) above the floor on the design heating day.

CHAPTER 6 DUCT SYSTEMS

602.3 Stud cavity and joist space plenums. Stud wall cavities and the spaces between solid floor joists shall not be utilized as ducts or plenums.

State of Illinois Plumbing Code

Illinois Plumbing Code, 77 Ill. Admin. Code 890 *et seq* adopted in section [10-1-1](#) of this chapter is amended as follows:

All fees specified in the in the State of Illinois Plumbing Code shall be superseded and replaced by those set forth in Section 10-4 of the Village Code.

Illinois Plumbing Code, 77 Ill. Admin. Code 890 *et seq.*, amendments:

Section 890.510 Grease Interceptor Requirements. Is amended by replacing subsection 2), entitled “Minimum Size,” of subsection a), with the following:

“Minimum Size. A grease interceptor installed on the same floor as the fixture shall have 100 percent the liquid holding capacity of the fixture. A grease interceptor located on a floor below the fixture shall have 100 percent of the liquid-holding capacity of the fixture. To determine the liquid-holding capacity in gallons of a plumbing fixture, the length is multiplied by the width by the height in inches and divided by 231. Where two or more sinks or receptacles are connected to an interceptor the liquid holding capacity shall be based on the combined volume of the fixtures served.”

Section 8903.630 Installation. Is amended by replacing the last sentence of subsection e, entitled “Portable Water Supply Connection,” with the following: “Where present, each lavatory sink faucet shall have supply pipes that are accessible.”

Section 890.640 Prohibited Fixtures. Is amended by replacing subsection a) with the following: “Drinking fountains shall not be installed in public toilet rooms, colonic irrigation therapy rooms, or laboratories for removing blood, pus or other bodily fluids.

Add a new section 890.746 as follows:

“Section 890.746 Colonic Irrigation Units.

- a) Colonic irrigation systems connected to the water supply shall be provided with backflow protection.
- b) A reduced pressure principle backflow assembly conforming to ASSE 1013, or a fixed air gap, shall be installed on each colonic irrigation unit or group of colonic irrigation units.
- c) If a colonic irrigation unit has a water outlet below the flood rim level of an attached drain, then an approved reduced principle pressure backflow preventer assembly, a fixed air gap, an air vent hole, or an approved vacuum breaker shall protect the water supply from each unit.”

Section 890.1140 Special Applications and Installations. Is amended by adding to the end of subsection d), entitled “Lawn Sprinklers”,
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.”

Insert in subsection 1) A) of subsection h), entitled “Aspirators”, “, colonic irrigation rooms” between “dental offices and “and laboratories for removing blood”.

Section 890.1150 Water Service Pipe Installation. Replace subsection 3) of subsection a), entitled “Underground Water Service,” with the following:

“3) The minimum depth for any water service pipe shall be at least 60 inches.”

Section 890.1200 Water Service Sizing. Replace subsection a), entitled “Water Service Pipe Sizing,” with the following:

“a) Water Service Pipe Sizing. The water service pipe from the street main (including the tap) to the water distribution system for the building shall be sized in accordance with Appendix A, Tables M, N, O, P and Q. Water service pipe and fittings shall be at least 1 inch diameter. If flushometers or other devices requiring a high rate of water flow are used, the water service pipe shall be designed and installed to provide this additional flow.”

Section 890.1230 Safety Devices. In subsection 2) of subsection d), entitled “Relief Discharge Outlet,” add “but no closer than as specified in Appendix A, Table C,” between “receptor” and “the end,”.

Section 890. Illustrations for Subpart I. In Illustration L and Illustration M, replace “RELIEF VALVE DISCHARGE PIPING LOWER END TO BE OPEN WITH A MINIMUM 6” Air Gap” with the following: “RELIEF VALVE DISCHARGE PIPING LOWER END TO BE OPEN WITH A MAXIMUM 6” AIR GAP BUT NO CLOSER THAN AS SPECIFIED IN APPENDIX A, TABLE C.”

Section 890.1320 Drainage System Installation. Delete from subsection 1), entitled “Fixture Connections”, “and fittings for circuit vented fixtures”.

Section 890.1340 Determination of Sizes for Drainage System. Replace subsection 2) of subsection b), entitled “Minimum Size of Building Drain, Horizontal Branches, Drainage Piping”, with the following:

“2) Pressure building drains may be installed to prevent sewer back up in a basement, cellar, crawl space or other area where any portion of the floor surface is below grade. Pressure-building drains shall not be used where gravity drains may otherwise be installed. Pressure-building drains shall be sized in accordance with the ejector pump manufacturer's recommendation, but shall not be less than 2 inches in diameter.”

In subsection 4) of subsection b), entitled “Minimum Size of Building Drain, Horizontal Branches, Drainage Piping”, replace “2 inches” with “4 inches”.

Section 890.1370 Floor Drains. In subsection b), entitled “Size,” replace “2 inches” with “4 inches”.

Add a new Section 890.1390 as follows:

“Section 890.1390

Section 1390.1 Building Subdrains. Building subdrains that cannot be discharged to the sewer by gravity flow shall be discharged into a tightly covered and vented sump from which the liquid shall be lifted and discharged into the building gravity drainage system by automatic pumping equipment or other approved method. In other than existing structures, the sump shall not receive drainage from any piping within the building capable of being discharged by gravity to the building sewer.

Exception: Sanitary pump (ejector) pits with overhead drainage may be installed to prevent sewer back up in a basement, cellar, crawl space, or other area where any portion of the floor surface is below grade.

Section 1390.2 Valves Required. A check valve and a full open valve located on the discharge side of the check valve shall be installed in the pump or ejector discharge piping between the pump or ejector and the gravity drainage system. Access shall be provided to such valves. Such valves shall be located above the sump cover or, where the discharge pipe from the ejector is below grade, the valves shall be located outside the sump below grade in an access pit with a removable access cover.

Section 1390.3 Sump Design. The sump pump, pit, and discharge piping shall conform to the requirements of Sections 1390.3.1 through 1390.3.5.

1390.3.1 Sump pump. The sump pump capacity and head shall be appropriate to anticipated use requirements.

1390.3.2. Sump pit. The sump pit shall be not less than 18 inches (457 mm) in diameter and 24 inches (610 mm) deep, unless otherwise approved. The pit shall be accessible and located such that all drainage flows into the pit by gravity.

The sump pit shall be constructed of tile, concrete, steel, plastic or other approved materials. The pit bottom shall be solid and provide permanent support for the pump. The sump pit shall be fitted with a gas-tight removable cover adequate to support the anticipated loads in the area of use. The sump pit shall be vented in accordance with the Illinois Plumbing Code.

1390.3.3 Discharge piping. Discharge piping shall meet the requirements of Section 1390.2.

1390.3.4 Maximum effluent level. The effluent level control shall be adjusted and maintained to at all times prevent the effluent in the sump from rising within 2 inches (51mm) of the invert of the gravity drain inlet into the sump.

1390.3.5 Ejector connection to the drainage system. Pumps connected to the drainage system shall connect to the building sewer

or shall connect to a wye fitting in the building drain a minimum of 10 feet (3048 mm) from the base of any soil stack, waste stack or fixture drain. Where the discharge line connects into horizontal drainage piping, the connector shall be made through a wye fitting into the top of the drainage piping.

1390.4 Sewage Pumps and Sewage Ejectors. A sewage pump or sewage ejector shall automatically discharge the contents of the sump into the building drainage system.

1390.4.1 Reserved

1390.4.2 Capacity. A sewage pump or sewage ejector shall have the capacity and head for the application requirements. Pumps or ejectors that receive the discharge of water closets shall be capable of handling spherical solids with a diameter of up to and including 2 inches (51 mm). Other pumps or ejectors shall be capable of handling spherical solids with a diameter of up to and including 1 inch (25.4 mm). The minimum capacity of a pump or ejector based on the diameter of the discharge pipe shall be in accordance with Table 1390.4.2.

Exceptions:

1. Grinder pumps or grinder ejectors that receive discharges of water closets shall have a minimum discharge opening of 1.25 inches (32 mm).
2. Macerating toilet assemblies that serve single water closets shall have a minimum discharge opening of 0.75 inch (19 mm).

TABLE 1390.4.2: MINIMUM CAPACITY OF SEWAGE PUMP OR SEWAGE EJECTOR

DIAMETER OF THE DISCHARGE PIPE (inches)	CAPACITY OF PUMP OR EJECTOR (g.p.m.)
2	21
2 ½	30
3	46

Section 890.1450 Vent Grades and Connections. Delete subsection d), entitled “Heel or Side-Inlet Bend”.

Section 890.1480 Type of Fixture Trap Vents. Delete subsections c) and d).

Section 890.1490 Installation of Vents for Fixture Traps (Repealed).

Replace Section 890.1490 with the following:

“Section 890.1490 Installation of Vents for Fixture Traps.

- a) Hydraulic Gradient. Fixture drains shall be vented within the hydraulic gradient between the trap outlet and the junction with another drain. They

hydraulic gradient as applied to a gravity drain and its vent connection is interpreted as the grade line.

- b) Different Level. If any stack has fixtures entering at different levels, the fixtures other than the fixtures entering at the highest level shall be vented, except as otherwise provided. (see Section 890.1510.)
- c) Horizontal Branch Drains. Where a water closet discharges into a branch drain, each fixture discharging into that branch drain shall be individually vented.”

Section 890.1500 Installation of Wet Venting. Delete Section 890.1500 in its entirety.

Section 890.1520 Circuit and Loop Venting. Delete Section 890.1520 in its entirety.

Section 890.TABLE A Approved Materials and Standards.

Delete numbers 1, 4, and 8-12 under “Approved Materials for Water Service Pipe”.

Section 890.TABLE B Minimum Number of Plumbing Fixtures. Add the following to Table B:

Type of Building	Medical or therapeutic occupancies where colonic irrigation or other similar activities occur
Water Closet	1 water closet- directly accessed from the treatment room- in addition to any other fixtures required by this code*
Lavatories	1 lavatory- in or accessed directly from the treatment room- in addition to any other fixtures required by this code.*
Drinking Fountains	Prohibited in the treatment room.
Other Fixtures	1 service sink per suite or office, in addition to any other fixtures required by this code.

*It is the intent of this section to allow a single toilet room to directly connect multiple treatment rooms- provided that there is no travel required through any adjacent hall, room, or other space.

National Electrical Code

ARTICLE 90 INTRODUCTION

Subsection **90-4 Enforcement**. Is amended by adding the following:

In addition to the responsibilities set forth in Section [2-3-2](#) of this Code for the Electrical Commission, a person shall have the right to appeal a decision. For the purposes of this Code, all appeals of decisions relating to this Code shall be referred to the Circuit Court of DuPage County.

ARTICLE 100 DEFINITIONS

Qualified Person. One who has skills and knowledge related to the construction and operation of the electrical equipment and installations and has received safety training to recognize and avoid the hazards involved.

For the purposes of installing, constructing, altering, repairing, maintaining, or performing similar electrical work on Class 1 circuits as regulated by this code, a *Qualified Person* shall be required to personally perform the permitted work. The *Qualified Person* shall provide the Village of Oak Brook with current and valid documentation of such qualifications- as evidenced by:

5. An electrician's license – valid for the proposed scope of work- issued, after testing, by a unit of government, or
6. A certification of qualifications – valid for the proposed scope of work- issued, after testing, by IEIA, ICC or similar certifying agency or
7. Other documentation as acceptable to the *building official*.

Exception: Owner-occupants of single-family dwellings. This exception does not include any person who is not an owner-occupant of the premises- regardless of relationship to owner, occupant, or financial considerations.

ARTICLE 210 BRANCH CIRCUITS

210.12 (B) Guest Rooms, Guest Suites, Dormitories, Assisted Living, and Similar Occupancies. All 120-volt, single-phase, 15- and 20-ampere branch circuits supplying outlets installed in bedrooms, living rooms, hallways, closets, and similar rooms shall be protected by a listed arc-fault circuit interrupter meeting the requirements of 210.12(A)(1) through (6) as appropriate.

210.60 Guest Rooms, Guest Suites, Dormitories, Assisted Living, and Similar Occupancies.
(A) General. Guest rooms or guest suites in hotels, motels, sleeping rooms in dormitories, assisted living, and similar occupancies shall have receptacle outlets installed in accordance with 210.52(A) and (D). Guest rooms or guest suites provided with permanent provisions for cooking shall have receptacle outlets installed in accordance with all of the applicable rules in 210.52.

(B) Receptacle Placement. In applying the provisions of 210.52(A), the total number of receptacle outlets shall not be less than the minimum number that would comply with the provisions of that section. These receptacle outlets shall be permitted to be located conveniently for permanent furniture layout. At least two receptacle outlets shall be readily accessible. Where receptacles are installed behind the bed, the receptacle shall be located to prevent the bed from

contacting any attachment plug that may be installed or the receptacle shall be provided with a suitable guard.

110.26 (B) Clear Spaces. In other than dwelling units, the required clear space shall be clearly and permanently delineated by construction or floor pattern, material or color, or as otherwise approved by the Authority Having Jurisdiction.

ARTICLE 334 NONMETALLIC-SHEATHED CABLE: TYPES NM, NMC. AND NMS

334.10 Uses Permitted is amended by adding the following:

(5) As temporary wiring by special permission of the Authority Having Jurisdiction.

334.10 (A) Type NM is amended by adding the following:

(3) Type NM cable shall be permitted as a component of a listed and approved assembly only when both of the following conditions are met:

- (a) To replace the Type NM would void the listing of the assembly or component.
- (b) The Type NM is terminated at the closest reasonable location.

334.10 (B) Type NMC is amended by adding the following:

(4) Type NMC cable shall be permitted as a component of a listed and approved assembly only when both of the following conditions are met:

- (a) To replace the Type NMC would void the listing of the assembly or component.
- (b) The Type NMC is terminated at the closest reasonable location.

334.10 (C) Type NMS is amended by adding the following:

(3) Type NMS cable shall be permitted as a component of a listed and approved assembly only when both of the following conditions are met:

- (a) To replace the Type NMS would void the listing of the assembly or component.
- (b) The Type NMS is terminated at the closest reasonable location.

ARTICLE 362 ELECTRICAL NONMETALLIC TUBING TYPE ENT

362.12 Uses Not Permitted is amended by as follows:

(6) Where the voltage is over 50 volts.

State of Illinois Safety Code for Elevators and Escalators is adopted without amendment per agreement between the Village of Oak Brook and the Office of the State Fire Marshal dated October 15, 2008.

International Property Maintenance Code:

CHAPTER 1 ADMINISTRATION

101.1 Title. Is amended by inserting the words "Village of Oak Brook, IL".

102.7 Referenced codes and standards. The codes and standards referenced in this Code shall be those that are listed in [Chapter 8](#) and considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code, the referenced standards and the Village Codes, the more restrictive provisions apply.

103.1 General. The official responsible for administration and enforcement of this Code shall be known as the *Building Official*. Where references are made to the Chief Code Official through the Code, the title *Building Official* shall be substituted.

103.2 Appointment is deleted in its entirety.

103.3 Deputies, The *building official* is authorized to designate one or more employees as deputies who may exercise all powers of the *building official* under the direction of the *official*.

103.6 Fees is deleted in its entirety.

104.4 Right of Entry The *building official*, or his designee, is authorized to enter the structure or premises during reasonable times to conduct an inspection. Prior to entering into a space not otherwise open to the general public, the *building official*, or his designee, shall make a reasonable effort to locate the owner or other person having charge or control of the structure or premises, present proper identification and request entry. If requested entry is refused or not obtained, the *building official*, or his designee, shall pursue recourse as provided by law including, but not limited to, the obtaining of a warrant.

106.1 Unlawful Acts It shall be unlawful for any person to erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, occupy, let to another or occupy or permit another person to occupy any premises, property, structure or equipment regulated by this Article, or cause same to be done contrary to or in conflict with or in violation of the provisions of this Article, or to fail to obey a lawful order of the *building official*, or his designee, or to remove or deface a placard or notice posted under the provisions of this Article.

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally; or
2. Sent by certified or first-class mail addressed to the last known address; or
3. Posted in a conspicuous place in or about the structure affected by such notice.

110.1 General. The *code official* shall order the *owner* or owner's authorized agent of any *premises* upon which is located any structure, which in the *code official's* or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any structure for a period of more than

ninety (90) days, the *code official* may order the *owner* or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one hundred eighty (180) days, unless *approved* by the building official.

110.1.1 Semi-Annual Permit A semi-annual permit is required for the installation and/or continuance of boarding on a vacant building. The *building official* is authorized to approve additional permit(s) for individual cases, upon application of the *owner* or the owner's authorized agent, providing that the applicant demonstrates *approved cause* and provides an *approved* plan and timeframe for restoration or demolition of the building. The details of action granting the additional permit(s) shall be recorded and entered in the files of the department of building safety.

110.2 Notices and orders. Notices and orders shall comply with Section 107.

110.3 Failure to comply. If the *owner* of a *premises* or owner's authorized agent fails to comply with a demolition order within the time prescribed, the *code official* shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

111.2 Membership of Board For the purposes of this Code, all appeals of decisions relating to this Code shall be referred to the Circuit Court of DuPage County.

111.2.1- 111.8 are deleted in their entirety.

CHAPTER 2 DEFINITIONS

“Responsible Party. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises. In addition, any other person or entity who may be reasonably considered to have a role or responsibility in the creation, continuation, or correction of any violation of this code shall be a responsible party or additional responsible party for such violation.”

CHAPTER 3 GENERAL REQUIREMENTS

301.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. In addition, any other person or entity who may be reasonably considered to have a role or responsibility in the creation, continuation or correction of any violation of this code shall be a responsible party or additional responsible party for such violation.

A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.”

302.4 Weeds

1. Weeds And Overgrown Lawns Declared A Nuisance.

All weeds and grass exceeding eight inches in height found growing in any lot or tract of land in the village are hereby declared to be a nuisance and it shall be unlawful to permit any such weeds or grass to grow in excess of eight inches.

Exception: Property owned by a unit of government, dedicated for recreation, flood control, and/or conservation.

2. Removal Notice.

The village may serve a notice upon the owner of any premises on which weeds or grass are permitted to grow in violation of the provisions of this section demanding the cutting of such weeds and grass within five (5) days from the date of such notice. The notice shall be personally served on, or sent by certified mail to the person who was sent the tax bill for the general taxes on the property for the last preceding year.

3. Costs of Removal.

If a person so served does not cut the weeds or grass within five days of the personal service or mailing of the notice, the village may proceed to cut the weeds or grass keeping an account of the expense of the cutting and such expense shall be charged to and paid by such owner.

4. Lien.

Charges for weed or grass cutting shall be a lien upon the real estate affected, superior to all other liens and encumbrances except tax liens; provided that within 60 days after such cost and expense is incurred, the village, or the person performing the service by authority of the village files a notice of lien in the office of the recorder of deeds. The notice shall consist of a sworn statement setting out a description of the real estate sufficient for identification thereof, the amount of money representing the cost and expense incurred or payable for the service, and the date or dates when such cost and expense was incurred by the village. A notice and copy of the lien shall be personally served on, or sent by certified mail to, the person who was sent the tax bill for the general taxes on the property for the last preceding year.

302.10 Maintenance of Water Features. All existing private and public water features, including stormwater retention/detention facilities, must be kept clear of garbage and debris, and any such area not occupied by water must be kept mowed in accordance with the provisions of this code. Facilities designed to hold water on a continuous basis must be maintained so as to prevent such water from becoming a breeding site for mosquitoes or from becoming a nuisance due to odor or stagnation. Whenever any facility in the village that is designated and approved as a stormwater management facility does not function as was originally designed, whether because

of damage or because of falling into a state of disrepair, it shall be repaired and brought into compliance with its original design specifications, subject to the approval of the village engineer.

302.11 Storage of Construction Materials. Construction materials, including, but not limited to, bricks, lumber, piles of dirt, stone, aggregate or other debris, shall not be stored in any exterior property area except in cases where construction is taking place. In such cases, compliance must be achieved within thirty (30) days of completion of the construction activity.

302.12 Storage of Non-Construction Materials Non-construction materials, including, but not limited to machinery, discarded appliances, furniture, household items and other similar items, shall not be stored in any exterior property area unless completely screened by view from all adjacent properties and rights of way.

302.13 Trees, shrubs, vines and other greenery causing obstructions or other dangerous conditions. Trees, shrubs, vines and other greenery causing obstructions or other dangerous conditions shall be subject to Section 8-4-2 of this code.”

302.14 Storage of refuse. Storage of refuse shall be subject to section 4-3-9 of this code.

303.3 Street numbers New and existing buildings shall be provided with *approved* address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) in height with a stroke width of not less than 0.5 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

303.15 Insect Screens Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per inch (16 mesh/25mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

302.16 Exterior Lighting Nuisance. New and existing exterior lighting shall be designed, installed, and maintained to prevent nuisance:

1. Appropriate lighting zones and exterior power allowances for new and/or modified systems shall be per Table 302.16.
2. The direct light from individual luminaries and light reflected from solid surfaces on the site shall not exceed the threshold values defined in Table 302.16 at any point along the property line of the impacted property.

**TABLE 302.16
MAXIMUM LINE OF SIGHT ILLUMINANCE AT ANY VERTICAL PLANE
BOUNDARY**

Impacted Property	Lighting Zone 0 Undeveloped areas of parks, forest land, and rural areas	Lighting Zone 1 Developed areas of parks, forest land, and rural areas	Lighting Zone 2 Areas predominantly consisting of residential zoning, neighborhood business districts, light industrial with limited nighttime use and residential mixed use areas	Lighting Zone 3 All other areas	Lighting Zone 4 High-activity commercial districts as designated by the Community Development Department
Maximum Illuminance	0.5 lux (0.05 fc)	1.0 lux (0.10 fc)	3.0 lux (0.30 fc)	8.0 lux (0.8 fc)	15.0 lux (1.5 fc)

309.6 Infestation. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. All structures shall be kept free from insect and rodent infestation. All exterior premises in which insects or rodents are found to be detrimental to public health, safety or welfare shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

**CHAPTER 6
MECHANICAL AND ELECTRICAL REQUIREMENTS**

602.3 Heat Supply Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period of October 15 to May 15 to maintain a temperature of not less than sixty five degrees Fahrenheit (65°F) (18°C) in all habitable rooms, bathrooms and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity. The winter outdoor design temperature shall be as indicated in the Village of Oak Brook amendments to the International Residential Code.

602.4 Occupiable Work Spaces is amended by the insertion of the following dates: “October 15 to May 15”

**CHAPTER 7
FIRE SAFETY REQUIREMENTS**

704.1 General. Systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*. At the time of construction, a clear and unobstructed, accessible floor space with the minimum dimensions of 30”w x 36”d x 80”h shall be provided at each of the following:

- a. Fire alarm pull station.
- b. Fire hydrant
- c. Standpipe

APPENDIX A
BOARDING STANDARD

A101.1 Windows and doors shall be secured in an *approved* manner to prevent entry by unauthorized persons, opaque surfaces shall be painted to correspond to the color of the existing structure.

A101.1.1 A semi-annual permit shall be required for new and existing boarding.

International Energy Conservation Code is adopted - as amended by **TITLE 71: PUBLIC BUILDINGS, FACILITIES, AND REAL PROPERTY, CHAPTER I: CAPITAL DEVELOPMENT BOARD, SUBCHAPTER d: ENERGY CODES, PART 600 ILLINOIS ENERGY CONSERVATION CODE, SECTION 1060.APPENDIX A SUPPLANTED AND ADDITIONAL 2018 INTERNATIONAL ENERGY CONSERVATION CODE SECTIONS**

International Existing Building Code:

CHAPTER 1 SCOPE AND ADMINISTRATION

101.1 is amended by inserting "VILLAGE OF OAK BROOK"

112 Board of Appeals is renamed "**Appeals**".

112.1 General. A person shall have the right to appeal a decision of the *building official*. For the purposes of this Code, all appeals of decisions relating to this Code shall be referred to the Circuit Court of DuPage County.

112.2 Limitations on authority. Is deleted in its entirety.

112.3 Qualifications. Is deleted in its entirety.

113.4 Violation penalties. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the *building official*, or of a permit or certificate issued under the provisions of this Code, shall be subject to fines and penalties as those specified in Section [1-3-1](#) of this Code.

CHAPTER 8 ALTERATIONS- LEVEL 2

804.2.2 Automatic sprinkler protection in work areas. Work areas shall be provided with automatic sprinkler protection where all of the following conditions occur:

1. The work area is required to be provided with automatic sprinkler protection in accordance with the *International Fire Code*, as adopted and amended by the Village of Oak Brook, as applicable to new construction;

2. The cumulative work area exceeds 1,000 square feet within a five year period;

Where more than 50 percent of the total floor area of the building or structure have been or are proposed to be involved in an *alteration* within a five year period, Level 3 provisions for automatic sprinkler protection shall apply.

Exceptions:

1. Existing, legally occupied R-2 occupancies.
2. Existing, legally occupied R-3 single family occupancies as regulated by the *International Residential Code*

CHAPTER 9 ALTERATIONS- LEVEL 3

904.1 Automatic sprinkler protection. Buildings undergoing *Level 3 Alterations* shall be provided with automatic sprinkler protection in accordance with the *International Fire Code*, as adopted and amended by the Village of Oak Brook, as applicable to new construction;

Where more than 50 percent of the total floor area of the building or structure have been or are proposed to be involved in an *alteration* within a five year period, Level 3 provisions for automatic sprinkler protection shall apply.

Exceptions:

1. Existing, legally occupied R-2 occupancies.

2. Existing, legally occupied R-3 single family occupancies as regulated by the *International Residential Code*.

1401.2 is amended by inserting the date December 12, 1958.

International Fuel Gas Code:

**CHAPTER 1
SCOPE AND ADMINISTRATION**

101.1 is amended by inserting “VILLAGE OF OAK BROOK”

106.6 Fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as those specified in Section [10-4-1](#) of this Code.

109 Violation penalties “Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the *building official*, or of a permit or certificate issued under the provisions of this Code, shall be subject to fines and penalties as those specified in Section [1-3-1](#) of this Code.”

109 Means of Appeal is renamed "Appeals".

109.1 through 109.7 are deleted in their entirety and are replaced to read as follows:

109.1 Appeals A person shall have the right to appeal a decision of the *building official*. For the purposes of this Code, all appeals of decisions relating to this Code shall be referred to the Circuit Court of DuPage County.

International Swimming Pool and Spa Code:

CHAPTER 1 SCOPE AND ADMINISTRATION

101.1 is amended by inserting “VILLAGE OF OAK BROOK”

105.5.3 Expiration.

Every *permit* issued shall become invalid unless the work authorized by such *permit* is commenced within 90 days after its issuance, or if the work authorized by such *permit* is suspended or abandoned for a period of 90 days after the time the work is commenced. The *code official* is authorized to grant, in writing, one or more extensions of time, for a period not more than 90 days. The extension shall be requested in writing and justifiable cause demonstrated.

105.6.2 Fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as those specified in Section [10-4-1](#) of this Code.

107 Violation penalties “Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the *building official*, or of a permit or certificate issued under the provisions of this Code, shall be subject to fines and penalties as those specified in Section [1-3-1](#) of this Code.”

108 Means of Appeal is renamed "Appeals".

108.1 through 108.7 are deleted in their entirety and are replaced to read as follows:

108.1 Appeals A person shall have the right to appeal a decision of the *building official*. For the purposes of this Code, all appeals of decisions relating to this Code shall be referred to the Circuit Court of DuPage County.

International Plumbing Code:

CHAPTER 1 SCOPE AND ADMINISTRATION

101.1 is amended by inserting “VILLAGE OF OAK BROOK”

101.2 Scope The provisions of this code shall be limited to subjects not expressly governed by the state of Illinois plumbing code, 2014 edition, published by the Illinois department of public health. This code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the *International Fuel Gas Code*. Provisions in the appendices shall not apply unless specifically adopted. Appendices C & F are specifically adopted.

102.8 Referenced codes and standards The codes and standards referenced in this code shall be those listed in Chapter 13 and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each reference. Where differences occur between the provision of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Where differences occur between provisions of this code and any other provision of the Village Code, the most restrictive provision shall apply.

106.6 Fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as those specified in Section [10-4-1](#) of this Code.

108.4 Violation Penalties “Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the *building official*, or of a permit or certificate issued under the provisions of this Code, shall be subject to fines and penalties as those specified in Section [1-3-1](#) of this Code.”

109 Appeal “A person shall have the right to appeal a decision of the *building official*. For the purposes of this Code, all appeals of decisions relating to this Code shall be referred to the Circuit Court of DuPage County.”

**CHAPTER 3
GENERAL REGULATIONS**

305.6.1 is amended by the insertion of the numbers 18 and 48.

**CHAPTER 4
INSTALLATION OF FIXTURES**

CHAPTER 4 is deleted in its entirety, and replaced with:

401.1 Installation of Water closets, urinals, lavatories and bidets. A water closet, urinal, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition, vanity or other obstruction, or closer than 30 inches (762 mm) center to center between adjacent fixtures. There shall be not less than a 21-inch (533 mm) clearance in front of the water closet, urinal, lavatory or bidet to any wall, fixture or door. Water closet compartments shall be not less than 30 inches (762 mm) in width and not less than 60 inches (1524 mm) in depth for floor mounted water closets and not less than 30 inches (762 mm) in width and 56 inches (1422 mm) in depth for wall hung water closets.

CHAPTERS 5, 6, 7, 8, 9 & 10 are deleted in their entirety, without replacement

**CHAPTER 11
STORM DRAINAGE**

1106.1 General. The size of the vertical conductors and leaders, building storm drains, building storm sewers and any horizontal branches of such drains or sewers shall be based on the 100-year hourly rainfall rate of four inches (4").

APPENDICES C and F
are adopted without amendment.

EXHIBIT B

Section 10-2-1: FIRE CODES ADOPTED BY REFERENCE

INTERNATIONAL FIRE CODE

2015 Edition, published by the International Code Council, Inc.

Section 10-2-2: AMENDMENTS

International Fire Code Amendments:

CHAPTER 1 ADMINISTRATION

Subsection **101.1 Title**. Is amended by inserting the words “Village of Oak Brook, IL.”

101.2.1 Appendices “Provisions in the appendices shall not apply unless specifically adopted. Appendices B, C, D, E, f, G, H, I & J are hereby adopted and amended as noted below.”

103.2 Appointment. **103.2 Appointment.** The *fire code official* shall be appointed by the chief appointing authority of the jurisdiction; and the *fire code official* shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority. All references to *fire code official* within this code shall refer to the Fire Chief and/or Deputies as designated in Section 103.3 of this code.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *fire code official* shall have the authority to appoint a deputy *fire code official*, other related technical officers, inspectors and other employees.

105.7.5 Fire alarm and detection systems and related equipment. A construction permit is required for installation of or modification to fire alarm and detection systems and related equipment. Routine maintenance performed in accordance with this code is not considered a modification and does not require a permit. Any maintenance, correction or repair performed to correct a cited violation shall not be considered routine and shall require a permit.

105.7.6 Fire pumps and related equipment. A construction permit is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers, and generators. Routine maintenance performed in accordance with this code is not considered a modification and does not require a permit. Any maintenance, correction or repair performed to correct a cited violation shall not be considered routine and shall require a permit.

SECTION 108 APPEALS

108.1 General. A person shall have the right to appeal a decision of the Fire Chief and/or *building official*. For the purposes of this Code, all appeals of decisions relating to this Code shall be referred to the Circuit Court of DuPage County

108.2 Limitations. An appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed.”

109.3 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the *building official*, or of a permit or certificate issued under the provisions of this code, shall be subject to fines and penalties as those specified in Section 1-3-1 of the Village Code.

CHAPTER 2 DEFINITIONS

Accessible, Readily (Readily Accessible). Capable of being reached quickly for operation, renewal, or inspections without requiring those to whom ready access is requisite to climb over or remove obstacles or to resort to portable ladders, and so forth.

Responsible Party. Except as otherwise specified herein, the owner or the owner’s designated agent shall be responsible for the maintenance of buildings, structures and premises. In addition, any other person or entity who may be reasonably considered to have a role or responsibility in the creation, continuation, or correction of any violation of this code shall be a responsible party or additional responsible party for such violation.

CHAPTER 5 FIRE SERVICE FEATURES

505.1.1 Emergency response building access identification. New and existing buildings shall be provided with building access identification at each exterior hinged, sliding or overhead door or door group that provides immediate access into the same area. The main entry – as determined by the code official – shall be designated as door “1”. Numbering shall continue in a clockwise sequential manner for all doors or door groups providing building access. Identification numbers shall be on the interior and exterior of each door, affixed to or directly adjacent to the door. Identification numbers shall contrast with their background. Identification numbers shall be Arabic numbers. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where any door cannot be readily viewed from the exterior, a monument, pole or other sign or means shall be used to identify the door or door group. Identification numbers shall be maintained.

Exceptions:

1. Existing buildings in *Malls* and existing *Anchor Buildings* that meet all of the following conditions:
 - 1.1 There is an existing and properly maintained alternate door identification system in place for all exterior doors.
 - 1.2 The alternate door identification system is *approved*.
 - 1.3 The Mall area is greater than 500,000 square feet.
2. Doors to dedicated spaces- such as Mechanical Rooms, Electrical Rooms, Storage Rooms, Fire Sprinkler Rooms, etc. - shall be labeled to indicate the use of the space and shall not be included in the numbering sequence unless this space may also be accessed from the interior of the building.
3. Buildings having less than four (4) exterior doors or door groups as regulated by this section.
4. Occupancy group R-3.

5. Any building that is one or more of the following:
 - 5.1 Listed, or certified as eligible for listing by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.
 - 5.2 Designated as historic under an applicable state or local law.
 - 5.3 Certified as a contributing resource within a National Register-listed, state-designated or locally designated historic district.

506.1 Where required. In any new or existing structure, other than one- and two-family dwellings, where access to or within the structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the *fire code official* shall require one or more key boxes to be installed in *approved* locations. The key box shall be of an *approved* type listed in accordance with UL 1037, and shall contain properly and permanently labeled keys to gain necessary access as required by the *fire code official*-, including- but not limited to: all gates, doors, hatches, ladder guards, elevators, and fire protection systems. Additional and/or larger boxes shall be provided if manufacturer's box fill specifications are exceeded. Each key, key ring, tag, or keycard shall be counted as a separate item when calculating box fill. There shall be a separate box for each individual occupant.

Exception: Separate boxes shall not be required where the *fire code official* finds that a multiple occupant box provides equivalent access due to:

1. A properly maintained master key system that provides all necessary access.
or
2. A limited number of occupants that utilize a common exterior entrance.
or
3. Approval of a Modification as detailed in Section 104.8 of this code.

CHAPTER 9 FIRE PROTECTION SYSTEMS

901.4.7 General. Systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*. At the time of construction, clear and unobstructed, accessible floor space with the minimum dimensions of 30”w x 36”d x 80”h shall be provided at each of the following:

- a. Fire alarm pull station.
- b. Fire hydrant
- c. Standpipe

901.6.2.2 Records The *responsible party* shall maintain current records of all system inspections, tests and maintenance required by the referenced standards by:

- a. Submitting written documentation of any such activity to the *fire code official* within 30 days of its occurrence, and
- b. Maintaining a complete set of current records on site, accessible, and available to the *fire code official* upon request.

Section **903. Automatic Sprinkler Systems** is amended as follows:

903.1 General. (As written in Model Code)

903.2 Where required. *Approved automatic sprinkler systems* in new buildings and structures shall be provided, for all Group H occupancies, and all other occupancies in the locations as follows:

1. The fire area exceeds 1,000 square feet (93 m²);
2. The building has more than one story.
3. The fire area is located on a floor other than the level of exit discharge;
4. The building has a basement.

It shall be unlawful for the owner of any building or structure to sell, transfer, mortgage, or otherwise dispose of such building or structure to another until the automatic sprinkler system requirements of this section are fully met.

Exceptions:

- a. Existing, legally occupied R-2 occupancies.
- b. Existing, legally occupied R-3 single family occupancies as regulated by the *International Residential Code*.

903.2.1 Group A. Per Section 903.2

903.2.2 Ambulatory Care Facilities

903.2.2.1 Ambulatory care facilities. An *automatic sprinkler system* shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exists at any time:

1. Four or more care recipients are incapable of self preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.

In buildings where ambulatory care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* shall be installed throughout the entire floor where such care is provided as well as all floors below, and all floors between the level of ambulatory care and the nearest *level of exit discharge*, including the *level of exit discharge*.

903.2.3 Group E. Per Section 903.2

903.2.4 Group F. Per Section 903.2, with the following addition

903.2.4.1 Woodworking operations. An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 500 square feet in area (46 m²) which generate finely divided combustible waste or which use finely divided combustible materials.

903.2.5 Group H. (As written in Model Code)

903.2.6 Group I. Per Section 903.2

903.2.7 Group M. Per Section 903.2

903.2.7.1 High-piled storage. (As written in Model Code)

903.2.8 Group R. Per Section 903.2

903.2.9 Group S-1. Per Section 903.2, with the addition of:

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with the *International Building Code* where one of the following conditions exists:

1. The fire area exceeds 1,000 square feet (93 m²);
2. The building has more than one story.
3. The fire area is located on a floor other than the level of exit discharge;
4. The building has a basement.
5. The building is used for repair or storage of commercial trucks or buses.

903.2.9.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 2,000 cubic feet (57 m³) shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.10 Group S-2. Per Section 903.2, with the addition of:

903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses.

903.2.11 Specific buildings and hazards (As written in Model Code)

903.2.12 During construction. (As written in Model Code)

903.2.13 Group U. Per Section 903.2

903.3.9 Control valve accessibility. Fire sprinkler control valves shall be installed in a *Readily Accessible* location where either of the following conditions occurs:

1. A new or replacement valve is installed.

2. A fire sprinkler system is reconfigured to add and/or modify the location of 20 or more sprinkler heads.

903.4.1 Monitoring Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to the DuPage Public Safety Communications (DuComm) in accordance with NFPA 72.

903.5 Testing and maintenance. (As written in Model Code)

903.6 Existing buildings. (As written in Model Code)

907.5.2.4 Audio visual alarms. An audio visual alarm shall be installed in an *approved* location; above, or in close proximity to the exterior main entrance to each occupancy or tenant space.

907.7.3 Zones. Each floor shall be zoned separately and shall comply with all of the following conditions:

1. No one fire zone shall exceed twenty thousand (20,000) square feet (1,858 m²)
2. No automatic sprinkler zone shall exceed fifty-two thousand (52,000) square feet (4,831 m²) for any one floor.
3. There shall be a minimum of four zones per floor for the installed alarm system:
 - a. pull stations
 - b. water flow
 - c. heat detection
 - d. smoke detection
4. The length of any zone shall not exceed 300 feet (91.440 meters) in any direction.

Exception: Automatic sprinkler system zones shall not exceed the area permitted by NFPA 13.

“907.7.5 Monitoring. All fire protection equipment shall be supervised/monitored and shall terminate with the DuPage Public Safety Communications (DuComm) in accordance with NFPA 72. Unless specifically permitted by the Fire Chief, all new construction and panel replacements shall be monitored utilizing approved wireless communications.

Exceptions: (As written in Model Code)

CHAPTER 31 TENTS AND MEMBRANE STRUCTURES

3103.2 Approval required.

Tents and membrane structures having an area in excess of 400 square feet (37 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the *fire code official and building official*.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides that comply with all of the following:
 - 2.1. Individual tents having a maximum size of 700 square feet (65 m²).
 - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding 700 square feet (65 m²) total.

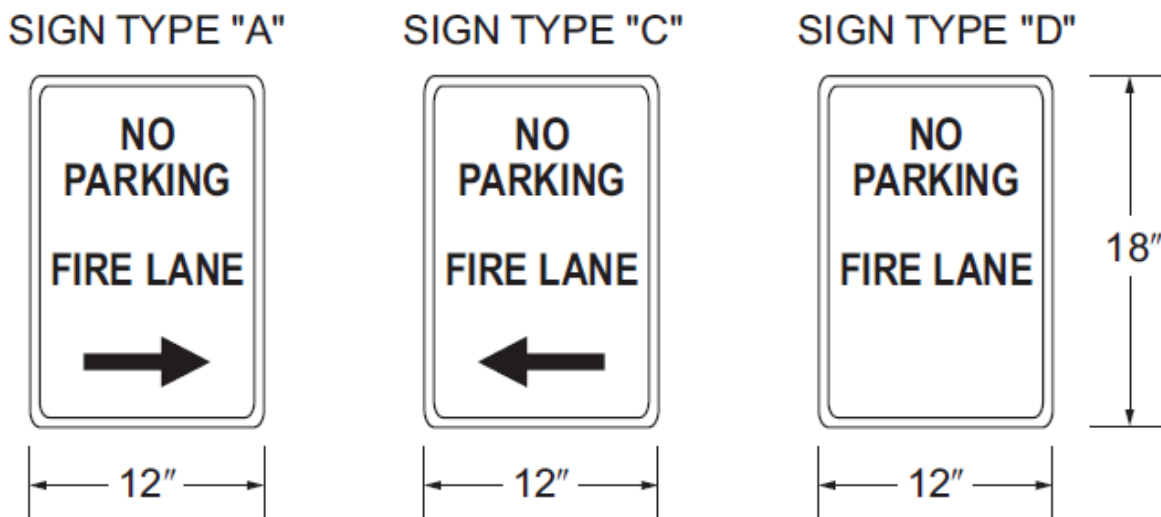
- 2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other tents
- 2.4 Individual tents having an occupancy load of 49 or less- as calculated by Section 1004 of this code.

**APPENDIX D
FIRE APPARATUS ACCESS ROADS**

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg). Parking or paved areas that are not capable of supporting fire apparatus weighing at least 75,000 pounds (34,050 kg) shall be clearly identified by arches or other structure as approved by the *fire code official*.

D102.1.1 Areas for aerial apparatus setup. Any paved area where the *fire code official* determines that aerial apparatus may set up shall be capable of supporting the imposed point load from an outrigger of at least 75,000 pounds per square foot.

D103.6 Signs. Unless otherwise approved by the *fire code official*, all new and existing fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.



**FIGURE D103.6
FIRE LANE SIGNS**

D103.6.1 Roads 20 to 26 feet in width. Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925 mm). Fire lane signs shall be located so that there is one sign at the beginning of the designated fire lane, with additional signs as required to maintain signage in a clearly visible and readable location from every point throughout the designated fire lane. Unless otherwise approved by the *fire code official*, spacing between fire lane signs shall not exceed 50 feet, as measured along the side of the road.

D103.6.2 Roads more than 26 feet in width. Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm). Fire lane signs shall be located so that there is one sign at the beginning of the designated fire lane, with additional signs as required to maintain signage in a clearly visible and readable location from every point throughout the designated fire lane. Unless otherwise approved by the *fire code official*, spacing between fire lane signs shall not exceed 50 feet, as measured along the side of the road.

10-2-3: CERTAIN LIMITS ESTABLISHED:
is deleted in its entirety and reserved for future use

10-2-3 RESERVED

10-2-4: FIRE PROTECTION EQUIPMENT:
is deleted in its entirety and reserved for future use.

10-2-4: RESERVED

**APPENDIX B
FIRE-FLOW REQUIREMENTS FOR BUILDINGS.**

Section B 101.1 Scope is hereby amended by the addition of the following “This appendix shall not be construed to mandate infrastructure improvements at Village of Oak Brook expense.”

Section B103.1 is hereby amended to read as follows “The fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings where development of full fire-flow requirements is impractical.”

**APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION**

Section C 101.1 Scope is hereby amended by the addition of the following “This appendix shall not be construed to mandate infrastructure improvements at Village of Oak Brook expense.”

EXHIBIT C

Section 10-1-6: DEMOLITION AND CONSTRUCTION SITE MANAGEMENT: is amended to read as follows:

An applicant for a building permit shall be responsible for safe and orderly construction site management during all phases of permitted work. The following minimum requirements shall be met prior to the commencement of work and throughout the duration of the project. In addition, all applicable sections of the village code shall be met.

- A. Safeguards during Commercial and Residential construction shall conform to International Building Code Chapter 33 as adopted and amended within this code.
- B. Debris Control and Site Clean Up: Debris and refuse containment shall be required for all job sites. Containment shall occur on the property that is the subject of the permit (and not on public property) and shall be within either a covered dumpster or container of sufficient size to prevent windblown debris. The dumpster or container shall be set back on the site as far as possible and be no closer than ten feet (10') from any side lot line. All such dumpsters or containers shall be maintained to prevent windblown debris when work is not being performed on the property. At the end of each workday, all windblown material, debris and litter shall be picked up and placed in the dumpster or container.
- C. Construction Traffic Management: Prior to the issuance of a permit for demolition or construction of a new principal structure, the applicant shall submit a plan to the *building official* showing the location that the construction and worker vehicles will park. Parking of vehicles must not obstruct or limit the use of any adjacent roadway, private driveway, mailbox, fire hydrant or create a site distance problem with an adjacent intersection. The parking plan shall be subject to approval by the department of community development, shall be a part of the permit, and a copy shall be posted on the construction site. The permittee shall be responsible for compliance with the approved parking plan. Failure to post a copy of the plan on the site will be cause for possible issuance of a stop work order.
- D. Sanitation Facilities: Sanitation facilities in conformance with the International Plumbing Code shall be available on site prior to any work commencing on the property. Portable toilet(s) shall not be located on public property, including any street, parkway or sidewalk. Such facility shall not be located within ten feet (10') of any property line and shall be serviced on a regular basis.
- E. Dust Abatement: Dust and debris abatement for all construction activities shall be in conformance with International Building Code Section 3307.2 as adopted and amended within this code.

3307.2 Dust abatement. Every permit applicant shall provide a dust and debris containment and abatement plan. The plan shall conform to all applicable environmental, safety, and health regulations, laws, rules, and guidelines. The plan shall stipulate and provide for 100% containment within the designated work zone. The plan shall be subject to approval by the *building official* and made part of the approved permit. The plan shall be in written form and kept on the jobsite for the full duration of the permitted project. Failure to contain dust and/or debris shall be cause for immediate suspension of any or all applicable permits and/or immediate prosecution.

Exception: Activities that, by the scope or nature of the work, would or could not be made substantially safer by the provision of such protection, as determined and approved by the *building official*.

F. Weeds and grass: Weeds and grass shall conform to International Property Maintenance Code Section 309.2 as adopted and amended within this code.

In addition, the application for a permit shall constitute notice to the applicant and permit holder, no additional notice shall be required until a final Certificate of Occupancy is issued. Failure to maintain grass and weeds shall be adequate cause for the immediate posting of a “Stop Work” order. Repeat and/or continued offenses shall be adequate cause for the *building official* to suspend the permit pursuant to Section 105.6.1 of the *International Building Code* or Section R105.6.1 of the *International Residential Code* as adopted and amended within this code.

G. Written Notice of Applicant: Notice of the filing of an application for a demolition permit of a single-family dwelling shall be given to all residents of property within two hundred fifty feet (250') of any part of the subject property and applicable homeowner association by the applicant. Such notice shall be on a form provided by the village and shall be given by first class mail. The applicant shall provide the names and addresses of all notified property owners to the village along with a certificate of mailing. The notices shall be sent at least ten (10) days prior to the permit being approved and said permit will not be approved without said ten (10) days' notice.

H. Schedule and Cash Bond: The permit application for demolition and/or construction of a new principal structure shall include a schedule of all planned activities including:

1. Installation of fencing.
2. Installation of temporary erosion control measures.
3. Building demolition.
4. Excavation.
5. Backfilling of the building excavation.
6. Building under roof.
7. Completion of exterior finishes.
8. Rough and final grading.
9. Six inch (6") topsoil placement.

10. Seeding or sodding of all disturbed areas.

Such schedule shall be subject to approval by the department of community development. The applicant shall provide the estimated area of disturbance and provide an estimate of the cost for the planned activities (excluding the cost of demolition and subsections H6 and H7 of this section) which shall be reviewed and approved by the village engineer. The village engineer shall approve said estimated area and costs or require them to be corrected. The applicant shall post with the village a cash bond in an amount equal to not less than one hundred ten percent (110%) of the approved estimated cost. Said cash bond shall meet the requirements of subsection [9-6-1B1](#) of this code. Upon completion of the required work listed in this subsection H, said cash bond, or any unused balance shall be refunded.

- I. Expiration of Permit: Residential Permits shall conform to Section R105.5 of the International Residential Code as adopted and amended herein, all other Permits shall conform to Section 105.5 of the International Building Code as adopted and amended herein. This provision is in addition to and does not negate the provisions of subsection 9-6-1B1 of this code.
- J. Tree Preservation and Protection: For all demolition permits, the applicant shall submit a detailed tree survey which shows the location of all trees with a minimum diameter of eight inches (8") as measured twelve inches (12") aboveground. The plan shall be subject to approval by the *building official* and shall be a part of the permit and include a statement of anticipated damage to or removal of trees on the subject property and measures to be taken to protect the trees such as pruning, root pruning, use of retaining walls or protective fencing, auguring of utility lines to improve the survivability of the trees and any other protective measures to be taken by the permittee.

K. Hours Of Construction:

Except as provided in subsections A, B, C and D of this section no person or entity shall perform construction activities, perform any activity requiring a building permit, or operate heavy equipment, except as follows:

Location	Day of the Week	Permitted Time
<p>Residential Zone Districts- Interior or Exterior Hand Tools: Hand Tools may be used at any time within the interior of a fully enclosed structure provided that there is no construction related sound at the property line. For the purposes of this section “hand tools” shall mean tubing cutters, volt-ohm meters, manual pipe benders, pliers, wrenches, screwdrivers, paint brushes, rollers, torches, brooms, and similar tools that are substantially silent in operation. “Hand tools” shall not include hammers or any other item used as a striking implement.</p>	Monday-Friday	Heavy Equipment- Between 7:00am and 6:00pm Other Tools- Between 7:00am and 8:00pm
	Saturday	Heavy Equipment- Between 9:00am and 5:00pm Other Tools Between 8:00am and 7:00pm
	Sunday	Heavy Equipment- Not Permitted Other Tools- Between 9:00am and 6:00pm
All other Zone Districts- Exterior*	Any	Heavy Equipment- Between 6:00am and 6:00pm Other Tools- Between 6:00am and 8:00pm
*Exception: Any property that shares a lot line with a Residential Zone District	Any	Heavy Equipment- Same as Residential Zone Districts
All other Zone Districts- Interior	Any	Other Tools- Any Hand Tools- Any

Heavy Equipment*For purposes of this section, "heavy equipment" shall mean gasoline or diesel powered air compressors, gasoline or diesel powered saws, bulldozers, jackhammers, pile drivers, power hammers, chain saws, graders, riveters, earthmovers, tree and stump grinders, trenchers, cement mixers, tractors, power hoists or derricks, demolition balls, power shovels, dump trucks, and power equipment on wheels or traction chains, or other similar equipment, but shall not include garbage trucks, which are governed by separate agreement within the village, non-construction delivery vehicles, trucks operating on designated truck routes, or snow removal equipment.

Residential Zone District ***For the purposes of this section “Residential Zone District” shall include all zone districts R1, R2, R3, R4 and R5 with the additional inclusion of any contiguous street, right-of-way, or public owned property.

Other Tools** For the purposes of this section “Other Tools” shall mean any construction tool that is neither defined herein as “Hand Tools” or “Heavy Equipment”. Other tools shall include- but not be limited to: electric compressors, nailers, hammers, electric saws, drills, or similar equipment.

Exceptions:

1. **Emergencies:** The limitations stated in this section shall not apply in any situation which requires heavy equipment or other tools in emergencies to assist or avoid a problem related to health or to safety of persons or property, or to sewer, water, power, utility, or telephone interruptions.
2. **Work by Public Agencies:** The limitations stated in this section may be waived by the board of trustees by resolution for work undertaken by any public body or agency for the benefit of the public. The board of trustees may attach to any such waiver all conditions it deems necessary to protect the public health, safety or welfare.
3. **Waiver:** The limitations stated in this section may be waived by the *building official* in areas of the village zoned for nonresidential uses pursuant to the village zoning ordinance; provided, however, that no such waiver shall be granted unless the *building official* finds that:
 - a. The party seeking the waiver will suffer a unique or unusual hardship unless the waiver is granted; and
 - b. The granting of a waiver will not cause a substantial or undue adverse impact upon adjacent property or upon the public health, safety and welfare.
 - c. The village manager may attach to such waiver all conditions he deems necessary to protect the public health, safety or welfare.
4. **Building Permits:** Work undertaken pursuant to any permit issued by the village shall be subject to the provisions of this section.
- L. **Off-Site Maintenance:** In addition to the provisions of Title 8 and *International Property Maintenance Code* Section 302.1 of the of this code no permittee shall allow any run-off, dirt, mud, debris or similar materials to be deposited upon and remain on any area outside of the premises upon which the permit was issued. Such premises shall include- but not be limited to Public or Private: Streets, Right-of-ways, Sanitary or storm sewers, and/or any other premises not included within the scope of the permit. Any such materials shall be immediately removed and the area shall be restored to a clean condition- with no visible residue. The application for a permit shall constitute notice to the applicant and permit holder, no additional notice shall be required until a final Certificate of Occupancy is issued. Failure to maintain any off-site area in conformance with this section shall be adequate cause for the immediate posting of a “Stop Work” order. Repeat and/or continued offenses shall be adequate cause for the *building official* to suspend the permit pursuant to Section 105.6.1 of the *International Building Code* or Section R105.6.1 of the *International Residential Code* as adopted and amended within this code.
- M. **Construction Site Sign:** The *building official* may require a construction site sign to be posted on any Commercial or Residential project where a protective barrier, fence, barricade, or canopy is required by this code. The sign format and required information shall be as specified by the *building official*.

Exhibit C

7-2-1 SCHEDULE XV, FIRE APPARATUS ACCESS ROADS

Adoption Of The International Fire Code

In lieu of using any section, or in addition to any section of this title, the officer issuing a citation may issue it by using any of the sections of the currently adopted International Fire Code, as amended, which is incorporated and adopted by reference as a part of this title, All citations issued for these violations shall be in the name of the village and may refer to the numbered sections of either the Illinois vehicle code, or this title, but shall also be referred to as an ordinance violation in the traffic ticket or complaint:

Recommendation:

It is recommended that the proposed amendments to the Village's Building and Fire Codes be adopted.

MEMORANDUM

To: Bill Hudson
Building Official
CC: Stewart H. Diamond
From: Keri-Lyn J. Krafthefer
Greg Jones
Subject: Design control standards for residential units
Date: April 29, 2016

You asked us whether the Village of Oak Brook, as a non-home rule municipality, is authorized to adopt an ordinance requiring the exterior of single-family homes to be constructed solely of brick and stone, or to impose other similar restrictions. Oak Brook is authorized to adopt building design regulations, although imposing inflexible appearance requirements can have significant unintended consequences for the community and its elected leaders. The village should carefully consider the practicalities and pitfalls discussed below before adopting aesthetic requirements for single-family homes.

I. Aesthetic Regulatory Authority Under the Illinois Municipal Code

The Illinois Municipal Code (65 ILCS 5/11-13-1) grants municipalities broad authority to regulate development activity. Municipalities may adopt ordinances limiting the height and bulk of buildings, their location, and what uses may occupy buildings and property. In 2007, the General Assembly passed Public Act 95-475 (eff. Jan. 1, 2008) authorizing municipalities to:

establish local standards solely for the review of the exterior design of buildings and structures, excluding utility facilities and outdoor off-premises advertising signs, and designate a board or commission to implement the review process.

(65 ILCS 5/11-31-1(12)) The Act grants municipalities express authority to regulate building design, regardless of a municipality's home rule status. It does not appear that local aesthetic regulations authorized by the Act have been challenged in court since the Act's adoption. As discussed below, municipal aesthetic regulations were commonly challenged and overturned by Illinois courts prior to the Act's passage.

II. Case Law Concerning Aesthetic Regulatory Authority

Before 2008, the Illinois Supreme Court's decision in *Pacesetter Homes, Inc. v. Village of Olympia Fields*, 104 Ill. App. 2d 218 (1968), largely governed – and undercut – aesthetic regulations adopted by non-home rule communities. *Pacesetter* invalidated a municipal design review ordinance because the design standards were unconstitutionally vague and the ordinance unlawfully delegated legislative authority to the design review board and local building official. Several years later, the Supreme Court appeared to distance itself from *Pacesetter* in *LaSalle National Bank v. City of Evanston*, 57 Ill. 2d 415 (1974). In that case, a developer challenged the city's denial of his rezoning request and argued that the city's justification (which was based largely on aesthetics) was improper. The court upheld Evanston's zoning denial and stated that:

[w]e are of the opinion that in the present case aesthetic qualities are a properly cognizable feature and that the evidence presented is supportive of [Evanston's] position that the [current zoning designation] is not arbitrary or unreasonable and is in accord with the general public welfare.

LaSalle, 57 Ill. 2d at 432-32. Stated differently, the court found that the city could rely on aesthetic considerations to deny zoning relief.

The Supreme Court once again changed course in *County of Lake v. First National Bank of Lake Forest*, 79 Ill. 2d 221 (1980). In that case, the Court resolved a zoning dispute in favor of the property owner and resurrected the *Pacesetter* rule, stating that “[a]esthetic considerations, although not disregarded, are not controlling and are often a matter of personal taste.” *County of Lake*, 79 Ill. 2d at 228. This decision once again cast significant doubt on a non-home rule municipality’s ability to regulate building aesthetics until the General Assembly passed the Act in 2007.

III. Common Approaches to Aesthetic Regulations

Since 2008, many communities around Chicago have adopted and enforced aesthetic standards for new buildings. It is somewhat common for communities to require a certain percentage of commercial and multi-family structures to be constructed of masonry materials, including brick and stone. It is far less common for communities to impose exclusive masonry requirements on all single-family homes.

Some communities measure the required masonry percentage for multi-family and commercial structures based on the overall square footage of the exterior walls (*e.g.*, Naperville). Other communities only require masonry on facades that are visible from the public right of way (*e.g.*, Alsip). The percentage of masonry required varies widely, too. Some communities require fifty percent of exterior construction to be masonry. Other communities require all exterior surfaces to be constructed of masonry. The percentage of masonry required is not tied to a specific legal principle; rather, it is derived largely from community preference.

A more common regulatory approach taken by communities is to prohibit certain building materials altogether. Instead of imposing mandates that builders must meet (*e.g.*, 80% exterior masonry construction), some communities ban specific materials like Dryvit, EIFS, split-face block, and CMU. These types of regulations allow creativity in design by not requiring every home to be made of a single material (*e.g.*, brick) while also ensuring high quality design by prohibiting less desirable materials.

IV. Regulatory Considerations

Aesthetic regulations are equally capable of improving a community’s appearance and creating significant unintended consequences. Communities that enact aesthetic regulations without carefully considering their practicality or engaging the community often anger constituents and fail to accomplish their aesthetic goals. This is often the case because “beauty is in the eye of the beholder,” as they say, and housing design is a very subjective issue. In addition, administering aesthetic regulations can significantly burden municipal resources, particularly when variances to the regulations are regularly sought. In our experience, inflexible aesthetic requirements can also have economic development and political consequences for a community. Below are several considerations the village should evaluate before adopting aesthetic regulations for single-family homes.

- 1) Basis for Evaluating Compliance – One issue would be determining what standards would be permitted and what would not, and then defining what deviations from the standards would be permitted and under what circumstances. This is important, because the village will have to define, for example, under what situations variances would be granted. There would likely be a public outcry if no deviations at all are permitted. However, if the village specifies objective deviations, sometimes it is hard to get a board to focus on the actual objective standards and not on extraneous matters, such as aesthetic appearance. For example, the village may provide that the failure to provide brick and stone is okay if there is a financial hardship, or if the soil under house not substantial to support weight of brick and stone superstructure, so lighter materials are warranted, etc. Design review is particularly prone to subjective determination of what looks good and what does not, which is not the correct factor for the evaluation of whether or not a variance is warranted. Variances and/or compliance

with the regulations cannot be evaluated upon subjective factors such as what looks good and what does not. Any variance that is approved, or any determination of compliance or non-compliance, needs to be based upon articulated objective factors, otherwise the village could be subjected to claims of discrimination. We can help the village prepare objective criteria, but the devil is really in the enforcement details – if the intent is to use this as a weapon based upon what looks good and what does not, legal problems could ensue.

- 2) Existing Community Design – Villages that adopt aesthetic standards after the community is substantially built out must take great care to acknowledge the community’s existing design features. Regulations that ignore the design of existing homes often become sources of contention, particularly when an existing homeowner wants to build an addition or invest in an existing structure. It is common for constituents to question “why can’t I just build what my neighbor already built?” Communities that have developed over decades – like Oak Brook – are comprised of a variety of architectural styles that include many different building materials. Local aesthetic standards must account for these realities.
- 3) Administrative Burdens – The Act requires the village to establish a commission to administer the design review process. Creating, educating, and staffing the commission takes time and resources. In addition, it is common (and advisable) for the village board to have final authority on design-related issues. Accordingly, the village board’s time may increasingly be dedicated to design issues if the village enacts overly prescriptive aesthetic regulations. If aesthetic regulations mandate using a narrow range of materials, the village should be prepared to dedicate significant resources to evaluating and processing an increased number of variance requests. The more variances granted, the more watered down the restrictions become, and the greater danger of the use of subjective criteria as discussed above in IV(1).
- 4) Construction Costs – The cost of building a masonry structure regularly exceeds the cost of building a non-masonry building. Some estimates indicate that masonry buildings cost up to 20% more than their non-masonry counterparts. The increased cost of masonry can better be absorbed by larger commercial and residential developers, which is why many communities limit masonry mandates to only commercial and multi-family structures. In contrast, individual homeowners are generally less financially capable and willing to meet masonry mandates.
- 5) New Products – The construction industry is continuously evolving. New products that look and function like masonry but are not actually masonry are being used more and more. Pre-cast panels with brick patterns and thin brick (*i.e.*, brick that is half the width of traditional brick) and stamped bricks have been introduced and widely accepted by communities within the last few years. Villages that mandate the use of a specific type of building product because of how the product looks often find it difficult to explain why a visually and functionally comparable product is unacceptable. In the alternative, the village may have to continually update its regulations to keep up with new materials and trends.
- 6) Homeowners Association Covenants – Municipal aesthetic regulations can cause conflicts with homeowners’ association covenants and restrictions. Although municipal requirements trump association regulations, significant differences between municipal and aesthetic regulations can create a large constituent backlash. Municipalities adopting aesthetic regulations should generally be aware of what association regulations are in force and involve the associations in formulating the aesthetic regulations.

V. Recommendation

While the village has legal authority to mandate the use of brick and masonry materials for single-family homes, there are significant practical consequences associated with doing so. Instead of requiring a rigid percentage of a specific type of material, the village should consider developing and adopting comprehensive aesthetic regulations that acknowledge the community's existing design and prohibit the use of inconsistent materials (*e.g.*, Dryvit, CMU). The aesthetic regulations should be developed with input from village staff and the community. Providing opportunities for meaningful input will maximize buy-in and reduce the potential for constituent backlash.

The aesthetic regulations should be administered by staff and a design review board. The plan commission could potentially serve as the design review board, or the village board may designate another body to play that role.

We are happy to discuss Oak Brook's regulatory options and answer any further questions you have. Please don't hesitate to contact us with questions.

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