

# ORIGINAL

## ORDINANCE

### **AN ORDINANCE AMENDING CHAPTER 7 (“BUILDINGS”), ARTICLE 1 (“BUILDING CODE”) OF THE OAK PARK VILLAGE CODE TO ADOPT THE 2018 INTERNATIONAL BUILDING CODE**

**WHEREAS**, the Village of Oak Park (“Village”) is a home rule unit of government as provided by the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

**WHEREAS**, pursuant to the authority granted by Section 11-30-1 *et seq.* of the Illinois Municipal Code, 65 ILCS 5/11-30-1 *et seq.*, and pursuant to its home rule powers, the Village of Oak Park (“Village”) has determined to adopt *2018 International Building Code* as set forth in this Ordinance; and

**WHEREAS**, pursuant to the Municipal Adoption of Codes and Records Act, 50 ILCS 220/0.01 *et seq.*, (hereinafter the “Act”) the Village is authorized to adopt by reference any code, as that term is defined in the Act; and

**WHEREAS**, the *2018 International Building Code*, (hereinafter the “IBC”), is a code as defined in the Act and the Code has been available for viewing as required by the Act and pursuant to Section 1-2-4 of the Illinois Municipal Code, 65 ILCS 5/1-2-4.

**NOW THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

**Section 1. Recitals Incorporated.** The above recitals are incorporated herein by reference as though fully set forth.

**Section 2. Village Code Amended.** Chapter 7 (“Buildings”), Article 1 (“Building Code”), Section 7-1-1 (“Adoption”) of the Oak Park Village Code amended by deleting the overstricken language and adding the underlined language as follows:

#### **7-1-1: ADOPTION:**

A. The 2018 international building code, ~~2009 edition~~ (“IBC”), as published by the International Code Council, is hereby adopted by the Village by reference and is made a part hereof as if fully set forth in this section with the additions, insertions, deletions and changes set forth in section 7-1-2 of this article. To the extent that the provisions of the IBC are inconsistent with any codes previously adopted by the Village by reference, the provisions of the IBC shall govern unless specifically set forth in this code. In the event of a conflict between any provisions of the IBC and any provision of the Oak Park Village Code, the provisions of the Oak Park Village Code shall govern.

B. There shall be three (3) copies of the ~~international building code, 2009 edition, IBC~~ kept on file for public inspection in the office of the Village Clerk.

**Section 3. Village Code Amended.** Chapter 7 (“Buildings”), Article 1 (“Building Code”), Section 7-2-2 (“Amendments”) of the Oak Park Village Code is deleted in its entirety and replaced with a new Section 7-2-2 to read as follows:

**7-1-2: AMENDMENTS:**

The international building code, 2018 edition, as adopted pursuant to section 7-1-1 of this article is hereby amended by adding the underlined language and deleting the overstricken language as follows:

**Section 101.1 Title.** These regulations, as amended and adopted by the Village, shall be known as the building code of the Village of Oak Park, hereinafter referred to as "this code."

**Section 101.2.1 Appendices.** ~~Provisions in the appendices shall not apply unless specifically adopted.~~ Adopted as part of this code are:

1. Appendix A - Employee Qualifications;
2. Appendix E - Supplementary Accessibility Requirements;
3. Appendix F - Rodent-Proofing;
4. Appendix I - Patio Covers; and
5. Appendix J - Grading.

**Section 101.2.2 Exemptions.** The following are exempt from this code:

1. Equipment installed by the provider of publicly regulated utility service and electric equipment used for radio, telecommunications and television transmission when such work is not beneath a building or within 10 feet of a building. The exempt publicly regulated utility services and equipment shall be under their exclusive control and located on property by established rights; however, the structures, including their service equipment, housing or supporting such exempt equipment shall be subject to this code. The installation of such exempt equipment shall not create an unsafe condition prohibited by this code or other laws or ordinances.
2. Manufacturing and processing machines.
3. Outdoor installation of recreational equipment such as swing sets, sliding boards, climbing bars, jungle gyms, skateboard ramps, and similar equipment but not including tree houses, when

such equipment is not regulated as an amusement device by the State Fire Marshal or by any safety standards listed in chapter 35 of this code.

4. Any items that may be listed as exempt in other sections of this code or other codes referenced under section 101.4.

**Section 101.2.3 General Administration.** Unless otherwise provided, the general administrative provisions of chapter 1 of this code are incorporated by reference as part of each code set forth in section 101.4 below.

**Section 101.4 Referenced Codes.** The other codes listed in sections 101.4.1 through ~~101.4.6~~ 101.4.8, as amended and adopted by the Village, and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Any discrepancy that may occur between any provisions of the adopted codes shall be brought to the attention of the building official who shall render a decision on the intent of the code requirements.

**Section 101.4.1 Gas.** The provisions of the 2018 international fuel gas code, as amended and adopted by the Village, shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

**Section 101.4.2 Mechanical.** The provisions of the 2018 international mechanical code, as amended and adopted by the Village, shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy systems.

**Section 101.4.3 Plumbing.** The provisions of the ~~International Plumbing Code current edition of the State of Illinois plumbing code, pursuant to section 7-12-1 of the Village Code,~~ shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or ~~sewerage sewer~~ system. ~~and all aspects of a medical gas system. The provisions of the international private sewage disposal code shall apply to private sewage disposal system.~~ In addition, the provisions of chapter 11 of the 2018 edition of international plumbing code shall be applicable to the installation, alteration, repair and replacement of storm drainage systems.

**Section 101.4.4 Property Maintenance.** The provisions of the 2018 international property maintenance code, as amended and adopted by the Village, shall apply to existing structures and premises; equipment and facilities; safety hazards, responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

**Section 101.4.5 Fire Prevention.** The provisions of the 2018 international fire code, as amended and adopted by the Village, shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

**Section 101.4.6 Energy.** The provisions of the ~~international energy conservation code~~ current edition of the state of Illinois energy conservation code shall apply to all matters governing the design and construction of buildings for energy efficiency.

**Section 101.4.7 Electrical.** The provisions of the National Electric Code, NFPA 70, 2017 edition, as amended and adopted by the Village shall apply to all matters governing the design, installation, alteration, repair and replacement of electrical components, equipment and systems installed in buildings and structures covered by this code.

**Section 101.4.8 Existing Buildings.** The provisions of the international existing building code, 2018 edition, as amended and adopted by the Village, shall be applicable to the repair, alteration, change of occupancy, addition and relocation of all existing buildings, regardless of occupancy, subject to the criteria set forth within that code.

**Section 101.5 Effective Date.** This code and all codes adopted by reference herein shall be effective pursuant to the applicable adopting ordinance, provided however, that:

a. For any project where a permit has been issued prior to the effective date of this code and the property owner has pursued the work in good faith and where the work has not been abandoned within 90 days after the effective date of this code, the building official shall apply the code in effect at the time of issuance of the permit.

b. For any project for which an application for a permit has been filed with the Village prior to the effective date of this code and the permit has not been issued, and for a project where a permit has been issued but the property owner has not substantially changed his or her position in reliance on that permit, the building official shall have discretion to apply either the code in effect at the time of permit application or this code.

c. For a project for which an application for a permit has been filed with the Village within 90 calendar days after the effective date of this code, the applicant has the right to request in writing the application of the previous code in effect, which request shall not be unreasonably denied.

d. All permits for which an application has been filed ninety (90) days after the effective date of this code shall be governed by this code.

## PART 2 - ADMINISTRATION AND ENFORCEMENT

### SECTION 103 - DEPARTMENT OF BUILDING SAFETY

**Section 103.1 Creation of Enforcement Agency.** ~~The Department of Building Safety is hereby created and the official in charge thereof shall be known as the building official.~~

The Permit Processing Division of the Department of Development Customer Services is the building safety department and the official charged with the administration and enforcement of this code is the Permit Processing Manager/Chief Building Official. Any reference in this code, other adopted code, or the Oak Park Village Code to building official or code official as person in charge of the building safety department shall mean the Permit Processing Manager/Chief Building Official.

### SECTION 104 - DUTIES AND POWERS OF BUILDING OFFICIAL

**Section 104.1.1 Building Official.** All references to the "building official" or "code official" shall mean the Permit Processing Manager/Chief Building Official.

**Section 104.3.1 Failure to Comply.** Failure to comply with any notice or order issued by the building official for the enforcement of this code shall be considered a violation of this code's requirements for regulation of construction.

**Section 104.8 Liability** is deleted in its entirety and replaced with the following language:

Any building official, member of the board of appeals or any other employee or appointed official charged with the enforcement of this code, while acting in the course and scope of his employment, appointment, or official duties and responsibilities for the Village and under color of law shall be entitled to full protection pursuant to the local governmental and governmental employees tort immunity act, 745 ILCS 10/1 et seq., as well as the full protections of any other statutory or common law defenses, and shall not be held personally liable and is relieved from personal liability for any damage, loss or costs, including attorneys' fees, accruing to persons or property as a result of any act or omission in the discharge of official duties or appointment. The Village will indemnify and defend any officer, member or employee from any suit instituted against him or her alleging an act or omission performed or not performed by that officer, member or employee in the lawful discharge of his or her duties under the provisions of this code, until final determination of the proceedings, provided that the officer, member or employee gives the Village Attorney notice, within 21 days of the service of summons and complaint of any such lawsuit or proceeding.

**Section 104.12 Requirements Not Covered by Code.** The building official shall have discretion to impose additional requirements not specifically set forth in this code necessary for the strength, stability or proper operation of an existing or proposed installation; the construction, repair, alteration, change of occupancy or addition to buildings and structures; and the relocation of all existing buildings, in the interests of public safety, health and general welfare.

## SECTION 105 - PERMITS

**Section 105.1 Required.** Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, add insulation to an attic, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

With the exception of work items set forth in section 105.2, any work performed without a required permit is illegal and constitutes an unlawful act and shall be subject to administrative penalties under this code and/or penalties in accordance with the applicable provisions of the Oak Park Village Code.

a. No building permit or demolition permit shall be issued and no alteration authorized by the Permit Processing Division affecting any site, building, structure or improvement designated as set forth below until such time as the corresponding requirement or requirements set forth below for each such designated site, building, structure or improvement shall first have been satisfied:

1. In the case of the construction on, and/or the alteration, relocation, demolition or removal of an eligible historic landmark, the building or demolition permit shall be issued or the alteration authorized upon the denial of designation of historic landmark status by the Village Board; provided, however, that if the site, building, structure or improvement which has been denied landmark status is located within a designated historic district, then the issuance of a building or demolition permit shall also be contingent upon satisfying the requirements set forth herein for property located within a designated historic district; or

2. In the case of a demolition or removal of: a) an eligible or designated historic landmark; b) any site, building, structure or improvement within a designated historic district; or c) a site, building, structure or improvement located in a designated historic district or listed in the national register of historic places, which is wholly or partially financed by the Village or by one or more federal, state or Village funding sources which are dispersed through or administered by the Village, the demolition permit shall be issued upon the authorization of such a permit by formal resolution of the Village Board as being necessary to protect the public health, safety or welfare; or

3. In the case of: a) the construction on, and/or the alteration, relocation, demolition or removal of an eligible or designated historic landmark; b) the alteration, demolition or removal of a site, building, structure or improvement located in a designated historic district or listed in the national register of historic places which is wholly or partially financed by the Village or by one or more federal, state or Village funding sources which are dispersed through or administered by the Village; or c) the removal or demolition of any building, structure or improvement located within a designated historic district for which demolition has not been authorized under subsection 7-9-9A2 of the Oak Park Village Code, as amended, the building or demolition permit

shall be issued or the alteration shall be authorized upon the issuance of a certificate of appropriateness in accordance with section 7-9-13 of the Oak Park Village Code, as amended, or a certificate of economic hardship in accordance with section 7-9-14 of the Oak Park Village Code, as amended.

b. No building permit for construction shall be issued by the Permit Processing Division affecting any non-landmark property or structure within a designated historic district unless a certificate of advisory review is issued in accordance with section 7-9-16 of the Oak Park Village Code, as amended.

**Section 105.1.1.1 Scope of Annual Permit.** The scope of work permitted under an annual permit shall not include the construction, alteration, movement or enlargement of a building or structure, alterations or renovations that involve structural modifications or changes to established paths of egress or fire-resistant wall or horizontal assemblies, or change of use or occupancy.

**Section 105.1.3 Application for Permit Filed After Work Has Commenced.** In addition to the fees and penalties imposed by section 109 of this code, and in the Oak Park Village Code, any person who commences work before obtaining a permit, where a permit is required, shall submit a signed and sworn statement, on a form acceptable to the building official, which provides the following information. Where the following information is contained in a document, that document may be provided as an attachment to the sworn statement:

1. Complete description of the scope of work.
2. Date(s) of construction.
3. Contract for construction services. In lieu of the submittal of a contract for construction services, the building official is authorized to estimate the cost of construction using industry standard construction cost sources.
4. Name(s) of all contractors, sub-contractors and other persons that received payment or material consideration in exchange for performing such work without permit(s).
5. Dated and notarized signature of the owner or owner's agent.
6. All construction documents that would be required for properly obtained permit(s) including, but not limited to, architectural drawings, engineering calculations and plat of survey.
7. Certification of work from a third-party testing service as deemed necessary by the building official to ensure that work performed is in accordance with this code.
8. Any other relevant documentation as required by the building official.

**Section 105.1.4 Permit Applicant.** Application for permit shall be made by the owner, owner's agent, a duly licensed and/or registered contractor, lessee of the space(s) to be occupied who has written approval from the owner, or other responsible party.

**Section 105.1.5 Demolitions and Moved Structures.** In order to demolish or move any free-standing principal structure, coach house, garage or other accessory structure, the responsible party must obtain a demolition permit issued by the Cook County Department of Environmental Control, a demolition permit issued by the Village, and for structures located within a designated historic district, a certificate of appropriateness as may be required by chapter 7 article 9 of the Village Code, as amended.

**Section 105.1.6 Previous Approvals.** This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 90 days after the date of effective date of this code and has not been abandoned.

**Section 105.2 Work Exempt from Permit.** A permit shall not be required for the work items set forth below. 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~~ the Village. A certificate of advisory review is required, and a certificate of appropriateness may be required, for any work items performed on an eligible or designated historic landmark or any building, structure or improvement located within a designated historic district, listed in the National Register of Historic Places or determined to be eligible to be listed in the National Register of Historic Places by the State Historic Preservation Officer. Permits shall not be required for the following:

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses provided the floor area ~~does not exceed 120~~ is less than 70 square feet ~~(11 m<sup>2</sup>).~~
2. ~~Fences not over 6 feet (1829 mm) high~~ Retaining walls with an unbalanced soil load of one foot or less in height.
3. ~~Oil derricks.~~ Interior painting, papering, tiling, carpeting or other floor surface treatments, countertops and similar finish work with the condition that no electrical, mechanical, plumbing or structural work is associated with these activities.
4. ~~Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding class I, II or IIIA liquids.~~ Exterior painting.



5. ~~Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1. Masonry tuckpointing, involving replacement of less than twenty (20) masonry units.~~
6. ~~Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route. Pressure washing of building exteriors.~~
7. ~~Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work. Resealing caulked joints in the building envelope.~~
8. ~~Temporary motion picture, television and theater stage sets and scenery. Replacement of cracked or missing glazing in existing window sashes.~~
9. ~~Prefabricated swimming pools accessory to a group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground. Installation of residential storm windows and doors.~~
10. ~~Shade cloth structures constructed for nursery or agricultural purposes, not including service systems. Repair or replacement of deteriorated wood siding to match existing in a single or cumulative area not to exceed 100 square feet.~~
11. ~~Swings and other playground equipment accessory to detached one and two family dwellings. Repair of cracks or replacement of missing sections of existing stucco to match existing in a single or cumulative area not to exceed 100 square feet where the existing lath remains in place.~~
12. ~~Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of groups R-3 and U occupancies. Repair or replacement of existing fencing in a single or cumulative area not exceeding 100 square feet.~~
13. ~~Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height. Minor residential household repair projects (maximum value as established by the permit fee schedule) which do not require electrical, mechanical, plumbing or structural work.~~
14. Sealcoating of existing driveways.
18. Sealcoating of existing parking lots with less than 5 parking stalls and not requiring accessible stalls.
16. Waterproofing of perimeter basement walls with spray-on membrane material or epoxy injection of cracks.

17. Repair of pavement cracks not involving removal and replacement of existing paved materials.

18. Repair of leaking roof flashings involving less than 10 linear feet of flashing.

19. Repair of leaking roof membrane involving less than 100 square feet of roof covering materials.

20. Replacing wood treads and risers on stairs of residential buildings not more than four dwelling units in size.

21. Replacing handrails on stairs of residential buildings not more than four dwelling units in size.

22. Erection of temporary tents and membrane structures in size exempted from permits under section 2403.2 of the international fire code as amended and adopted by the Village.

23. Temporary motion picture, television and theater stage sets and scenery.

24. Prefabricated temporary swimming pools, accessory to a group R-3 occupancy, that are less than 18 inches deep, do not exceed 2,500 gallons when filled to the highest level that water can reach before it spills out, and are installed entirely above ground.

25. Non-fixed and movable non-electrified fixtures, cases, racks, counters and office partitions.

26. Installation, maintenance and removal of trees, shrubbery or landscape plantings on private property.

**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. Replacement of plug-and-cord connected residential kitchen and laundry appliances.

3. 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 installation, installation of electrical equipment and wiring for a power supply and the cabling and installation of towers and antennas.

4. 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.

**Emergency Work:**

Emergency work that commences after normal business hours to maintain electric, plumbing, sewerage, heating, air conditioning, or other essential utility service shall not require a permit prior to the work being commenced subject to the following: (1) the work is performed in conformance with this code; (2) a permit is obtained the net regular work day; and (3) the work is inspected and approved within forty-eight (48) hours of permit issuance.

**Fuel Gas:**

1. Portable heating appliances.
2. Replacement of any minor ~~part~~ component of an appliance or equipment that does not alter approval of such equipment or make such appliance or equipment unsafe.
3. Replacement of portable residential kitchen and laundry appliances.

**Mechanical:**

1. Portable heating appliance.
2. Portable ventilation equipment not connected to permanent building duct system.
3. Portable cooling unit equipment not connected to permanent building duct system.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. The replacement of any minor part that does not alter its approval of equipment or make such equipment unsafe.
6. Portable evaporative cooler cooling equipment not connected to permanent building duct system.
7. Self-contained, plug-in refrigeration systems containing 10 pounds (5 kg) or less of refrigerant, or that are and 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, 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~~ required by 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~~ an electrical connection.

3. The removal and replacement of residential fixtures, by a single-family homeowner, and not requiring the replacement or rearrangement of valves, pipes, fixtures, or an electrical connection.

4. The removal and replacement of residential portable sump or ejector pumps.

**Section 105.3.1 Action on Application.** The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. Based on the project's use group, complexity of the scope of work or location of the subject property within a designated historic district, the submittal documents shall be subject to a formal plan review which must be approved prior to the submittal of an application for a permit. If the application for plan review or ~~the~~ construction documents are incomplete or do not conform to the requirements of this code or pertinent laws, the building official shall reject such application or submittal documents in writing, stating the reasons therefor. ~~If the building official shall be satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefore as soon as possible.~~ Upon completion and/or correction of the permit application and/or submittal documents, revised submittal documents shall be resubmitted to the building official for further review. Once the submittal documents are approved, the applicant or other responsible party may apply for permit(s).

**Section 105.3.1.1 Application Forms.** The application for permit shall be submitted on a form supplied by the Permit Processing Division. The building official is authorized to establish supplemental submittal requirements for each permit type in addition to those established in this code.

**Section 105.3.2 Time Limit of Application for Plan Review.** An application for a ~~permit plan review~~ for any proposed work shall be deemed to have been abandoned ~~90~~ 180 days after the date of filing the application, unless such application has been pursued in good faith or ~~a permit has been issued~~; the submittal documents have been approved by the building official; except that the building official is authorized to grant ~~one or more~~ up to two extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing to the building official by a responsible party and justifiable cause demonstrated.

**Section 105.3.3 Time Limit of Application for Permit.** An application for a permit for any proposed work shall be deemed to have been abandoned 90 days after the date of filing the application, unless such application has been pursued in good faith or a permit has been issued;

except that the building official is authorized to grant up to two extensions of time for additional periods not exceeding 90 days for each extension. An extension shall be requested in writing to the building official by a responsible party and issued upon the demonstration of good cause.

After the building official has approved the plans submitted for permit but before the permit is issued to a Contractor who will perform the work, the application for permit shall be deemed to have been abandoned 90 days after the date the building official informed the Owner and/or Architect that the plans have been approved, except that the building official is authorized to grant up to two extensions of time for additional periods not exceeding 90 days for each extension. An extension shall be requested in writing to the building official by a responsible party and issued upon the demonstration of good cause.

**Section 105.5 Expiration.** ~~Every permit shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.~~ Unless noted otherwise upon a permit placard, every initial permit issued shall become invalid upon the occurrence of any one of the following conditions:

1. The work is not completed within one year of the date of issuance of the permit;
2. The work on the site authorized by such permit is not commenced within 90 days after the date of issuance of the permit; or
3. The period of time between validated inspections exceeds 90 days. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than ~~180~~90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**Section 105.5.1 Extensions.** A responsible party holding an unexpired permit shall have the right to apply for an extension of time within which the party shall complete the applicable work when the work is unable to be completed within the time requirements set forth in section 105.5. The building official is authorized to grant, in writing, one or more extensions of time for additional periods for not more than 90 days. The extension of time shall be requested in writing and justifiable cause demonstrated. Extensions of time are subject to administrative fees in accordance with section 109.

**Section 105.6 Suspension or Revocation.** The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever:

1. The permit is found to be issued in error or on the basis of incorrect, inaccurate or incomplete information.
2. The permit is found to be issued in violation of any ordinance or regulation of any of the provisions of this code.

3. The work being performed is found to be in violation of any Village ordinance, law or regulation or any of the provisions of this code.
4. The scope of work being performed is found to exceed the work authorized by the permit.
5. Conditions and limitations set forth in the permit have been violated.
6. The permit placard was not posted in accordance with section 105.7.
7. The permit is used for a location or establishment other than that for which it was issued.
8. The permit is used for a condition or activity other than that listed in the permit.
9. The permit is used for a different person or firm than the name for which it was issued.
10. The permittee failed, refused or neglected to comply with an order or notice duly served in accordance with the provisions of this code within the time provided therein.

**Section 105.6.1 Reinstatement of Permit.** Upon the expiration of a permit or the suspension, revocation or invalidation of a permit, a renewal or extension may be granted contingent on the responsible party's showing of good cause and the payment of administrative fees in accordance with section 109. A permit that has been suspended or revoked for more than 30 calendar days shall be considered invalid and cannot be renewed.

**Section 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 permit placard(s) shall be posted on the subject property in a location clearly visible from the public right-of-way for the duration of the project until such time as the project has passed all final inspections, all permits have been closed and a certificate of occupancy has been issued, where applicable. Where inspections are not required by this code, the permit placard(s) shall remain posted until all work is completed. The placards shall be made available for inspection by the building official or its designee during all available working hours. Failure to post the permit placard(s) shall be considered to be a violation of this code's procedures for regulation of construction.

**Section 105.7.1 Removal of Permit Placard.** A permit placard shall immediately be removed from visibility from the public right-of-way upon the issuance of a certificate of occupancy or the completion of the work as set forth in section 105.7.

**Section 105.7.2 Unlawful Use of Permit Placard.** It shall be unlawful to publicly display, mislead or otherwise use a permit placard to perform work which is not authorized by a permit.

**Section 105.7.3 Failure to Post Placard(s).** Failure to post a permit placard in a location clearly visible from the public right-of-way violates the administrative procedures for the regulation of construction and is subject to applicable penalties.

**Section 105.8 Transfer of Permit.** A permit is not transferable and any change in occupancy, operation, tenancy or ownership of a building or structure shall require the issuance of a new permit.

**Section 105.9 Compliance Responsibility.** This code places the responsibility for compliance with this code on both the property owner and the person(s) who perform(s) the work.

## **SECTION 107 - SUBMITTAL DOCUMENTS**

**Section 107.1 General.** Permit submittal documents shall include the following:

- 1. Structural, architectural, mechanical, plumbing, fire protection and electrical drawings.**
- 2. Plat of survey.**
- 3. Structural calculations and/or drawings signed and sealed by an Illinois licensed structural engineer or Illinois licensed architect.**
- 4. Cut sheets for proposed "TJI" floor system with applicable span chart to verify code compliance.**
- 5. A statement with the permit application listing the materials and work requiring special inspections, describing the inspections to be performed and listing the individuals, approved agencies and/or firms required to conduct the inspections.**
- 6. Window cut sheets for opening sizes specified for bedroom windows to determine if windows meet egress requirements.**
- 7. ComCheck for commercial and mixed commercial and residential buildings.**
- 8. ResCheck for one and two-family residential buildings.**
- 9. Specified fire-resistant assemblies UL rating descriptions.**
- 10. Do not show alternates or future work not included in the permit submittal.**

**Exception:** The building official is authorized to waive the submission of construction document drawings and other data not required to be prepared by a registered design professional if it is found that the nature of the work is such that the review of construction documents is not necessary for compliance with this code.

~~**Section 107.2.2 Fire Protection System Shop Drawings.** Shop drawings for the fire protection system(s) shall be submitted to indicate conformance to this code and the construction~~

~~documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in chapter 9.~~

**Section 107.2.2.1 Shop Drawings.** Shop drawings for a fire protection system shall be submitted and approved prior to the start of system installation. The shop drawings shall serve as a guide for the fabrication and installation of a fire sprinkler system. The shop drawings shall either be prepared by a licensed design professional or a NICET level 3 or 4 certified technician. If the shop drawings are prepared by a licensed design professional, they shall bear an original signature and seal of the design professional on each page. If the shop drawings are prepared by a NICET certified technician, they shall have the preparer's name, signature and NICET certification number on each page. The shop drawings shall, at a minimum, consist of the following:

1. Scaled plans prepared in accordance with NFPA 13 and NFPA 24, as applicable, indicating the size and location of risers, cross mains, branch lines, sprinkler heads, piping per applicable standard, hanger locations, etc. as required for a complete installation of the fire protection system;
2. Technical data sheets of all system components and hardware; and
3. Supplemental hydraulic calculations prepared in accordance with the approved technical submission and NFPA 13.

The system layout documents shall bear a certification from the design professional of record that the system shop drawings are in conformance with the requirements established for the project.

**Section 107.3.2 Previous Approvals.** This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 90 ~~180~~ days after the effective date of this code and has not been abandoned.

## **SECTION 109 - FEES**

**Section 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 required, in accordance with the schedule as established by the applicable governing authority.~~ A fee for each permit shall be paid as required for all work governed by the Oak Park Village Code or an adopted code in accordance with the applicable Village fee schedule. It shall be a violation of this code to perform work without a permit where a permit is required.



## SECTION 110 - INSPECTIONS

**Section 110.1.1 Inspections Required.** Construction or work for which a permit is required shall be inspected by the building official to ensure compliance with this code. Any work that will be embedded or enclosed by walls or other building assembly shall be inspected and approved before being embedded or enclosed. Work inspected and approved shall not be modified without obtaining a subsequent approval prior to the modification. The building official may require the removal of any installed work if deemed necessary to properly inspect the installation of work embedded or enclosed prior to inspection and the building official and the Village shall not be liable for any expenses incurred in the removal or replacement of any material required to allow for an inspection.

The building official may require any project related personnel to be on site for any inspection, including, but not limited to property owners, design professionals, general contractor and/or sub-contractor representatives or owners.

Safe access shall be provided to all areas required for inspection. The building official reserves the right to not perform any inspection where safe access is not provided, including but not necessarily limited to, trenches, ladders, temporary stairs, guardrails, areas requiring the removal of safety equipment such as boots or hard hats, and/or manholes or vaults. Where specialty safety equipment is required to perform an inspection, it shall be provided for the inspector to use for the inspection, by a responsible party to the construction project.

The property owner at the time of permit issuance shall ultimately be responsible for assuring that all the required inspections are approved.

**Section 110.3.11 Demolitions.** Prior to the start of any demolition, the site shall be inspected for the following items.

1. Construction fence must be in place, completely surrounding the property in accordance with the requirements set forth in section 3306.10.

2. A source of temporary construction water must be ready and available on site. The water source may be provided by water-dispersing tank trucks or by use of a hose connected to a public hydrant.

**Section 110.3.11.1 Pre-Construction Inspection.** Demolition shall not begin until such time as the inspector has issued an inspection ticket authorizing the start of demolition.

**Section 110.3.11.2 Periodic Inspections.** Periodic inspections of the work may be required by the building official based on site conditions, particularly proximity of the work to adjacent structures.

**Section 110.3.11.3 Final Inspection.** A final inspection of the demolished work shall be performed to ensure that the site has been graded to match existing surrounding grades and that all debris has been removed from the site and the public way. Any deposits paid as part of the demolition permit will not be released until the site passes final inspection.

## **SECTION 111 - CERTIFICATE OF OCCUPANCY**

**Section 111.1.1 Certificates of Occupancy Required.** The following work requires a certificate of occupancy to be issued prior to occupancy of any area for its intended use:

1. New construction, including building additions.
2. Commercial build-outs for new tenancy.
3. Interior alterations of more than 50% of a given commercial lease space.
4. Interior alterations of any size that affect means of egress, exit signage, emergency lighting or other life-safety features.
5. Change of occupancy classification.
6. Change of use.
7. Moved structures.
8. Other project types as deemed necessary by the building official.

## **SECTION 113 - BOARD OF APPEALS**

**Section 113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, or the building official's designee, there shall be and is hereby created a board of appeals which shall be the Village's Building Code Advisory Commission.

**Section 113.4 Appeals.** Any person directly affected by a decision of the building official or the building official's designee or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within twenty (20) calendar days after the day the decision, notice or order was served.

**Section 113.5 Board Decision.** The board of appeals shall modify or reverse the decision of the building official or the building official's designee or a notice or order issued under this code upon a concurring vote of a majority of the total number of appointed board members. The board of appeals shall have the discretion to allow a variance from the provisions of the code if, after having received a written report, certified by a licensed architect or engineer, the board of

appeals determines that strict compliance with the code is impractical from an engineering, architectural or structural standpoint, that the spirit and intent of the code has been met and life safety has not been materially compromised as a result of the variance. The decision of the board of appeals shall be in writing and shall be furnished to the appellant and to the building official.

**Section 113.6 Administration.** The building official shall take immediate action in accordance with the decision of the board of appeals. Appeals of decisions of the building official or a notice or order issued under this code (other than those of immediate threat to life safety) shall stay the enforcement of the decision, notice or order until the appeal is heard by the board of appeals and a decision is rendered.

## **SECTION 116 - UNSAFE STRUCTURES AND EQUIPMENT**

**Section 116.5 Restoration.** The structure or equipment determined to be unsafe by the building official ~~shall be~~ is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of section 105.2.2 and ~~chapter 34~~ the International Existing Building code as amended and adopted by the Village of Oak Park.

## **CHAPTER 2 DEFINITIONS**

### **SECTION 202 - DEFINITIONS**

**Section 202 Definitions,** is modified to add the following:

**Responsible Party:** Except as may otherwise be specified herein, the owner or the owner's designated agent shall be considered a responsible party for ensuring compliance with this code. In addition, any other person or entity that may be reasonably considered to have a role or responsibility in the creation, continuation, or correction of any violation of this code shall be considered a responsible party or additional responsible party for such violation.

## **CHAPTER 3 USE AND OCCUPANCY CLASSIFICATION**

### **SECTION 310 - RESIDENTIAL GROUP R**

**Add the following to section 310.1. Residential Group R:**

Bed and breakfast establishments shall be constructed in accordance with section 424 of this code.

## **CHAPTER 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY**

## **SECTION 424 - BED AND BREAKFAST ESTABLISHMENTS**

**Section 424.1 General.** Bed and breakfast establishments shall be constructed in accordance with the applicable provisions of the Oak Park Village Code.

## **CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES**

### **SECTION 709 - FIRE PARTITIONS**

**Section 709.1 General.** The following wall assemblies shall comply with this section.

1. Walls separating dwelling units in the same building as required by section 420.2.
2. Walls separating sleeping units in the same building as required by section 420.2.
3. Walls separating tenant spaces in covered mall buildings as required by section 402.7.2, and walls between tenant spaces in other buildings unless tenant spaces are separated by fire barriers in accordance with section 706 to reduce the size of any fire area.
4. Corridor walls as required by section 1018.1.
5. Elevator lobby separation as required by section 708.14.1.

### **SECTION 717 - CONCEALED SPACES**

**Section 717.2.7 Concealed Sleeper Spaces.** Where wood sleepers are used for laying wood flooring on masonry or concrete fire-resistance-rated floors, the space between the floor slab and the underside of the wood flooring shall be filled with an approved material to resist the free passage of flame and products of combustion or fire blocked in such a manner that there will be no open space under the flooring that will exceed 100 square feet (9.3 m<sup>2</sup>) in area and such space shall be filled solidly under permanent partitions so that there is no communication under the flooring between adjoining rooms.

#### **Exceptions:**

~~1. Fire blocking is not required for slab on grade floors in gymnasiums.~~

1. Fire blocking is required only at the juncture of each alternate lane and at the ends of each lane in a bowling facility.

**Section 717.3.3 Other Groups.** In other groups, draft stopping shall be installed so that the horizontal floor areas do not exceed ~~1,000~~ 500 square feet (~~93 m<sup>2</sup>~~) or 25 feet in any horizontal direction. Draft stopping shall divide the concealed space into approximately equal areas.

**Exception:** Draft stopping is not required in buildings equipped throughout with an automatic sprinkler system in accordance with section 903.3.1.1 of the edition of the international fire code as amended and adopted by the Village of Oak Park.

## CHAPTER 9

### FIRE PROTECTION SYSTEMS

#### SECTION 907 - FIRE ALARM AND DETECTION SYSTEMS

**Section 907.2.1 Group A.** A manual fire alarm system that activates the occupant notification system in accordance with section 907.5 shall be installed in group A occupancies having an occupant load of ~~300~~ 100 or more. Portions of group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the group E occupancy.

**Exception:** Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler waterflow.

#### SECTION 913 - FIRE PUMPS

**Section 913.2.2 Fire Pump Room Construction.** Fire pumps, where required by e edition of the international fire code as amended and adopted by the Village of Oak Park shall be located in an enclosure designed for protection of the equipment from weather or mechanical damage. The fire pump room shall have each of the following features.

1. Lighting and power. The room shall be adequately lighted to facilitate operation and maintenance of the equipment. At least one 110-volt duplex convenience outlet with ground-fault protection as regulated by the national electric code as amended and adopted by the Village of Oak Park shall be provided in a safe location within the enclosure.

2. Drainage. At least one floor sink complying with the state of Illinois plumbing code shall be provided. The floor sink shall be capable of draining waste water drained from the sprinkler system inspection port or main sprinkler piping system drain without accumulation on the floor. The floor sink shall be installed a minimum of 36 inches from any panel or piece of equipment.

3. Access. The room shall be in an accessible location as approved by the fire department with a minimum 36-inch wide door leading directly to the building exterior unless otherwise approved by the fire department.

4. There shall be a minimum 3-foot-wide access path with minimum 7-foot-high clear headroom through the fire pump room to all equipment. There shall be a minimum 36-inch wide by 36-inch deep by 84-inch high service clearance in front of each piece of equipment or panel in the fire pump room.

5. Separation. Other than piping, conduits, ducts and/or equipment directly serving the fire pump or the fire pump room, no other building components or systems shall be installed in or pass through the fire pump room.

## **CHAPTER 10**

### **MEANS OF EGRESS**

#### **SECTION 1008 - DOORS, GATES AND TURNSTILES**

**Section 1008.1.3 Door Opening Force.** ~~The force for pushing or pulling open interior swinging egress doors, other than fire doors, shall not exceed 5 pounds (22 N). For other swinging doors, as well as sliding and folding doors, the door latch shall release when subjected to an 18 pound (67 N) force. The door shall be set in motion when subjected to a 30 pound (133 N) force. The door shall swing to a fully open position when subjected to an 18 pound (67 N) force. The maximum force for unlatching, pushing or pulling open doors shall be as follows:~~

1. Exterior hinged doors, other than fire doors: 8.5 pounds
2. Interior swinging doors, other than fire doors: 5.0 pounds
3. Sliding or folding doors, other than fire doors: 5.0 pounds
4. Fire doors, interior or exterior: 15.0 pounds to release the latch, 30.0 pounds to set the door in motion and 18.0 pounds to swing the door to a full-open position.

#### **SECTION 1011 - EXIT SIGNS**

**Section 1011.4 Internally Illuminated Exit Signs.** Electrically powered, ~~self-luminous and photoluminescent~~ exit signs shall be listed and labeled in accordance with UL 924 and shall be installed in accordance with the manufacturer's instructions and ~~chapter 27~~ the edition of the national electric code as amended and adopted by the Village of Oak Park. Exit signs shall be illuminated at all times.

#### **SECTION 1021 - NUMBER OF EXITS AND CONTINUITY**

**Section 1021.1.1 Occupied Roofs.** For purpose of means of egress only, roofs that are intended for private or public use occupied space (uses other than general maintenance or repair) shall have two separate means of egress. For purpose of this section only, exterior spiral stairways constructed in accordance with section 1009.9 may be provided as a second means of egress from an occupied roof area.

**Exceptions:**

1. Buildings provided throughout with automatic sprinkler protection.
2. Buildings with parapets or roof edges no higher than 30 feet above the level of fire department access.
3. Buildings with windows or other exterior wall openings leading directly to the occupied roof area which have a sill height no higher than 30 feet above the level of fire department access.

**CHAPTER 13  
ENERGY EFFICIENCY**

**SECTION 1301 - GENERAL**

**Section 1301.1.1 Criteria.** Buildings shall be designed and constructed in accordance with the ~~international~~ current edition of the State of Illinois energy conservation code.

**CHAPTER 14  
EXTERIOR WALLS**

**SECTION 1408 - EXTERIOR INSULATION AND FINISH SYSTEMS (EIFS)**

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

**Section 1408.5.1 Height Above Grade.** EIFS other than ultra-high impact systems shall not be installed closer than 8 feet to finished exterior grade.

Add 1408.5 remove: "and EIFS with drainage"

**CHAPTER 15  
ROOF ASSEMBLIES AND ROOFTOP STRUCTURES**

**SECTION 1503 - WEATHER PROTECTION**

**Section 1503.4 Roof Drainage.** Design and installation of roof drainage systems shall comply with section 1803 and chapter 11 of the international plumbing code appended to this code and re-titled as chapter 36 Storm Drainage.

**Section 1503.4.4 Minimum Slope.** The minimum slope of the roof surface toward gutters, scuppers, roof drains or other water collectors shall be 1/4-inch per foot or the roof shall be designed in accordance with section 1611.2.

## **SECTION 1507 - REQUIREMENTS FOR ROOF COVERINGS**

**Sections 1507.14 Sprayed Polyurethane Foam Roofing, 1507.14.1 Slope, 1507.14.2 Material Standards, 1507.14.3 Application and 1507.14.4 Foam Plastics are deleted in their entirety.**

## **CHAPTER 16 STRUCTURAL DESIGN**

### **SECTION 1607 - DEAD LOADS**

**Section 1607.3.1 Balconies, Decks, Porches And Stairways.** In addition to the minimum uniformly distributed unit loads required by table 1607.1, all exterior balconies, decks, porches and stairways shall be designed to resist a lateral live load not less than 10 pounds per square foot applied laterally and parallel to the main building exterior wall on all horizontal occupied surfaces including, but not limited to built-in seating areas, stairs and walking surfaces.

## **CHAPTER 17 STRUCTURAL TESTS AND SPECIAL INSPECTIONS**

### **SECTION 1704 - SPECIAL INSPECTIONS**

#### **1705.17 Fire-resistant penetrations and joints**

**Add to include: residential structures greater than three stories above grade**

## **CHAPTER 18 SOILS AND FOUNDATIONS**

### **SECTION 1809 - SHALLOW FOUNDATIONS**

**Section 1809.5 Frost Protection.** Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending below the frost line of the locality;
2. Constructing in accordance with ASCE 32; or
3. Erecting on solid rock.

**Exception:** Free-standing buildings meeting all the following conditions shall not be required to be protected:

1. Assigned to occupancy category I, in accordance with section 1604.5; or



2. ~~Area of Total building perimeter area is 600 square feet (56 m<sup>2</sup>) or less for light-frame construction or 400 square feet (37 m<sup>2</sup>) or less for other than light-frame construction; and~~
3. ~~Building not higher than 1-story and Eave height of not higher than 10 feet (3048 mm) or less; and~~
4. Building with attic space clear headroom less than 80 inches in height. Higher clear headroom is permitted where the total floor area of the attic space with clear headroom greater than 80 inches occurs over an area less than 70 square feet; and
5. Building envelope is not constructed with brittle materials such as masonry, stucco, EIFS or similar materials; and
6. Any overall exterior wall line dimension does not exceed 24 feet; and
7. Where the accessory structure is not connected to a plumbing sewer line.

## CHAPTER 27 ELECTRICAL

### SECTION 2701 - GENERAL

**Section 2701.1 Scope.** This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the edition of the national electric code as amended and adopted by the Village of Oak Park.

## CHAPTER 29 PLUMBING SYSTEMS

### SECTION 2901 - GENERAL

**Section 2901.1 Scope.** ~~The provisions of this chapter and the international plumbing code~~ the current edition of the state of Illinois plumbing code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. ~~Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the international plumbing code. Private sewage disposal systems shall conform to the international private sewage disposal code.~~

### SECTION 2902 - MINIMUM PLUMBING FIXTURES

**Section 2902 Minimum Plumbing Fixtures** is deleted in its entirety and replaced with the following text:

**Section 2902 Construction Site Restroom Facilities.** For any temporary building or building under construction, that is not yet occupied for its intended purpose, temporary restroom facilities shall be provided for persons working on the construction site in accordance with applicable laws and ordinances.

#### **SECTION 2903 - TOILET ROOM REQUIREMENTS**

**Section 2903 Toilet Room Requirements** is deleted in its entirety.

### **CHAPTER 33 SAFEGUARDS DURING CONSTRUCTION**

#### **SECTION 3301 - GENERAL**

**Section 3301.2 Storage and Placement.** Construction equipment and materials shall be stored and placed so as not to endanger the public, the workers or adjoining property for the duration of the construction project and as follows:

1. Mobile construction offices shall not be located closer than 10 feet to any property line not adjoining the public right-of-way.
2. Site stored materials shall be kept under tarps or other approved coverings and shall be located not closer than 10 feet to any property line.
3. Fuel supply tanks shall be maintained a minimum of 10 feet from any structure or combustible material. Fuel tanks shall be enclosed with chain link fencing or barricades to prevent mechanical damage to the tanks.
4. Temporary heating units shall be maintained a minimum of 10 feet from any combustible material or structure. The local fire department shall be notified a minimum of 24 hours in advance of the use of any temporary heating units.

**Section 3301.3 Construction Work Sites and Execution of Work.** All construction work shall be performed in accordance with this code and other pertinent laws and ordinances. For purposes of this section, the term "construction" shall mean the erection of new buildings or structures or the, remodeling, alteration, renovation or repair of existing structures.

**Section 3301.3.1 Responsibility.** It shall be the duty of every person or entity that performs work regulated by this code, including but not limited to construction, installation or repair of a building, structure or equipment, to comply with the provisions of this code.

**Section 3301.3.2 Items to Be Made Available on Site.** The following items shall be maintained at the work site and made available to the building official or his or her designee upon request during all work hours.

1. Copy of permit(s) or placard authorizing the commencement of construction for the authorized scope of work.
2. Approved set of construction documents.
3. Copy of all inspection reports issued by Village inspectors.

**Section 3301.3.3 Cleaning.** Construction sites and sites for the storage of construction materials and/or equipment shall be kept clean and maintained. Debris and trash from the site shall be removed or contained daily and when otherwise requested by the building official or his or her designee. Debris shall not be allowed to accumulate on the public right-of-way.

**Section 3301.3.3.1 Responsible Party for Disposal of Construction Debris.** Property owners and/or the prime contractor in charge of the construction site shall furnish non-combustible leak-proof containers for construction debris, garbage, trash and litter, and shall be the responsible parties for the disposal of same by private waste haulers.

**Section 3301.3.3.2 Containment of Debris, Garbage, Trash and Litter.** All debris, garbage, trash and litter shall be picked up from the ground of the construction site and adjoining areas if scattered during the course of the day. All debris, garbage, trash and litter shall be placed in approved containers as specified in section 3301.3.3.1.

**Section 3301.3.3.2.1 Dumpsters.** The use of dumpsters or other containers for collection of construction debris, garbage, trash and/or litter shall require a permit if such dumpster or container is placed within the public right-of-way. A barricade with flashing light shall be erected at each end and on the street side of any dumpster or container placed in the public right-of-way.

**Section 3301.3.3.3 Air-Borne Dust and Particulate Matter.** Air-borne dust and particulate matter shall be controlled such that adjoining properties within 500 feet of the construction site are not affected by air-borne dust and particulate matter.

**Section 3301.3.3.4 Public Right-Of-Way.** The public right-of-way shall be maintained in a broom swept condition at all times. Excavation and backfill materials shall not be allowed to accumulate on the public right-of-way.

**Section 3301.3.4 Security.** Construction sites shall be maintained secure at all times from entry by unauthorized persons and from all trespassers. Construction gates shall be locked at all times workers are not on site.

**Section 3301.3.5 Signage.** The contractor shall securely attach his sign to the construction fence in a location visible from the public right-of-way. The sign shall be a maximum of 18 inches high by 24 inches long. The sign shall include, at a minimum, the following information:

1. Name and address of project
2. Name of general contractor
3. Contractor's contact information for 24-hour emergency response

**Section 3301.3.6 Unauthorized Use of Construction Site.** Construction sites or sites used for storage of construction materials and/or equipment shall only be used for the activities approved by permit(s) issued by the Village of Oak Park, and for the duration of permit(s) or license(s) issued. Uses violating this code or Village ordinances are prohibited.

**Exception:** Premises where additions, remodeling or renovations are being performed, and on which existing buildings or structures are currently occupied, in use, or have determined to have no imminent hazards associated with use while construction is on-going, can be used for their originally approved building code classifications as long as safety hazards do not impact the safe use of the building during construction.

**Section 3301.3.7 Damages and Hazards to Adjacent Properties and Neighborhoods.** Construction sites are required to be used in a manner so as not to cause damage or hazards to adjacent public or private properties, residential neighborhoods or business districts. The contractor of record shall be responsible for the construction site and shall ensure that damage and hazards are not imposed on adjacent public or private properties, residential neighborhoods or business districts within proximity of the construction site. The building official is authorized to issue a stop-work order for the project until any damages or hazards to adjacent properties are corrected or abated.

**Section 3301.3.8 Nuisance Violations.** Nuisance violations and other violations of the Municipal Code of the Village of Oak Park are prohibited.

**Section 3301.3.8.1 Construction Work Hours.** Construction work hours shall be maintained in accordance with the Oak Park Village Code.

**Section 3301.3.9 Construction Staging and Material Storage Areas.** Areas used for construction staging and/or material storage shall not be permitted to encumber the public right-of-way without prior written permission by the building official. Unless staging and storage on adjacent properties is agreed to by the owner(s) of such properties, staging and storage of materials shall be on the property on which work is being executed. Additional permits may be required for staging and storage of materials on properties other than which work is being executed.

**Section 3301.3.10 Job-Site Safety.** Construction sites shall be maintained in a safe working condition, and workers and visitors to the site shall practice safety measures for construction sites in accordance with all applicable laws and ordinances.

**Section 3301.3.11 Vacating of Structure.** When, during construction there is imminent danger or failure of collapse of a building or structure or any part thereof which endangers life safety, or when, during construction of any building or structure or part of same has fallen and life safety is endangered by the occupancy, use, or continued construction of the building or structure, the building official is hereby authorized and empowered to order and require the occupants to vacate the building or structure forthwith.

**Section 3301.3.12 Temporary Safeguards And Emergency Repairs.** Upon finding by the building official of any unsafe condition capable of posing imminent danger to its condition or the life safety of persons on site, the building official shall have the authority to order temporary safeguards and emergency repairs to render the building or structure temporarily safe until permanent repairs can be facilitated. For purposes of this section, upon the disregard to any notice issued by the building official to provide temporary safeguards and emergency repairs to render the building or structure temporarily safe the building official shall have the authority to employ the necessary labor and materials to perform the required work as expeditiously as possible with all costs to be back-charged to the contractor or other responsible party.

**Section 3301.3.13 Right of Condemnation Before Completion.** The building official shall have the authority to condemn a building or structure under construction before its completion where the building or structure is found to be unsafe and endangers the life, health and safety of adjacent property occupants or the general public.

**Section 3301.3.14 Abatement or Removal.** The building official shall have the authority to order abatement and/or removal of any unsafe building, structure or condition thereon.

## **SECTION 3305 - SANITARY**

**Section 3305.1 Facilities Required.** Sanitary facilities shall be provided during construction, remodeling, renovation or demolition activities in accordance with ~~the international plumbing code~~ applicable law subject to the following:

1. Sanitary facilities shall not be located closer than 10 feet to any property line;
2. Sanitary facilities shall not be installed in any residential front yard; and
3. Sanitary facilities shall be served and cleaned minimally on a weekly basis.

## **SECTION 3306 - PROTECTION OF PEDESTRIANS**

**TABLE 3306.1 PROTECTION OF PEDESTRIANS** is modified to include the following:

**TABLE 3306.1****HEIGHT OF CONSTRUCTION**More than 8 feet**DISTANCE FROM CONSTRUCTION TO LOT LINE**Less than 10 feet**TYPE OF PROTECTION REQUIRED**System of scaffolding and netting shall be provided to fully encompass all work areas at a level higher than the top of the barrier or covered walkway

**Section 3306.9 Adjacent to Excavations.** Every excavation, including trenches, on a site located 5 feet (1524 mm) or less from the street lot line shall be enclosed with a barrier not less than 6 feet (1829 mm) high. Where located more than 5 feet (1524 mm) from the street lot line, a barrier shall be erected when required by the building official shall be fully enclosed with a minimum 4 feet high chain link fence or barrier, or by other measures to ensure public safety, when workers are not present on site. ~~Barriers~~ The enclosure shall be of adequate strength to resist wind pressure as specified in chapter 16.

**Section 3306.10 Adjacent to Construction.** All construction sites shall be fully enclosed with an 8 feet high barrier of chain link fence with closed selvages on top and full-height opaque fabric during all phases of the work unless approved in writing by the building official. Chain link fencing shall have full-height posts driven into or staked to the ground at 8 feet on center maximum along the length of the construction fence. The fence shall be of adequate strength to resist wind pressure as specified in chapter 16 of this code. Sandbagging of fence posts shall not be permitted without the prior approval of the building official. Minimum 6 feet wide lockable double-leaf gates shall be provided at every 50 feet on center or fraction thereof along the length of the fence facing the public right-of-way for emergency access. Fencing may be omitted, upon approval of the building official, where adjacent buildings or fences provide protection from entry into the construction site. All construction fences shall have a permanent sign, in accordance with section 3301.3.5 of this code. The use of barbed wire, razor wire or similar fencing materials shall not be permitted.

**Exceptions:**

1. Fence height shall be a minimum 6 feet in height on properties within residential zoning districts established by the Zoning Ordinance of the Village of Oak Park.
2. Lockable double-leaf gates are not required on properties within residential zoning districts established by the Zoning Ordinance of the Village of Oak Park.

3. Opaque fabric fence covering shall not be required for projects governed by the edition of the international residential code adopted by the Village of Oak Park.

### **SECTION 3313 - TREE PROTECTION**

**Section 3313.1 Where Required.** Parkway trees and their root zones are required to be protected during construction under the following circumstances:

1. Where excavation of the parkway occurs within the drip zone of any tree located within the parkway.
2. Where powered wheel or track vehicles or equipment cross the parkway in areas other than on a driveway.
3. Where construction operations have the potential to affect the health and/or safety of a parkway tree as determined by the inspector.
4. Where a dumpster is located within 10 feet of a parkway tree.

**Section 3313.2 Protection Required.** Prior to the start of construction, tree and root zone protection, root pruning and/or barriers shall be installed in accordance with the tree protection specifications for construction and the right-of-way restoration standards of the Village of Oak Park, and shall be maintained in place for the duration of the work.

**Section 3313.3 Inspections.** Prior to the start of construction, the contractor proposing to perform work within the public right-of-way shall contact the Village Forester or building official to schedule a pre-construction inspection. The inspection will serve to inventory trees to determine their size, species, health, pruning needs, protection requirements, removal considerations, or other requirements needed to protect the health of Village trees. Prior to removal of root zone protection or barriers or, prior to the start of any required parkway restoration, an additional inspection of the parkway is required.

**Section 3313.3 Damage to Trees.** Any damage to Village trees or landscaped areas shall be restored in accordance with the standards, specifications, codes and regulations for construction and right-of-way restoration of the Village of Oak Park.

**Section 4. Identification of Ordinance with the Illinois Capital Development Board.** This Ordinance shall be identified on the Internet by the Illinois Capital Development Board or any successor agency of the State of Illinois pursuant to Section 1-2-3.1 of the Illinois Municipal Code, 65 ILCS 5/1-2-3.1.

**Section 5. Severability and Repeal of Inconsistent Ordinances.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall


not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6. Effective Date.** This ordinance shall be in full force and effect after its passage, approval and publication thirty (30) days after its approval.

**ADOPTED** this 21<sup>st</sup> day of September, 2020, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb	✓			
Trustee Andrews	✓			
Trustee Boutet	✓			
Trustee Buchanan	✓			
Trustee Moroney				✓
Trustee Taglia	✓			
Trustee Walker-Peddakotla	✓			

**APPROVED** this 21<sup>st</sup> day of September, 2020.

  
 \_\_\_\_\_  
 Anan Abu-Taleb, Village President

**ATTEST:**

  
 \_\_\_\_\_  
 Vicki Scaman, Village Clerk

Published in pamphlet form this 21<sup>st</sup> day of September, 2020.

  
 \_\_\_\_\_  
 Vicki Scaman, Village Clerk



STATE OF ILLINOIS            )  
  ) ss.  
COUNTY OF COOK            )

**CERTIFICATE**

I, Vicki Scaman, Village Clerk of the Village of Oak Park, County of Cook and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance Number 20-081, "AN ORDINANCE AMENDING CHAPTER 7 ("BUILDINGS"), ARTICLE 1 ("BUILDING CODE") TO ADOPT THE 2018 INTERNATIONAL BUILDING CODE," which was adopted by the corporate authorities of the Village of Oak Park and will become in effect thirty days after its approval.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Oak Park, Illinois aforesaid, at the said Village, in the County of Cook and State of Illinois, on September 21, 2020.

Vicki Scaman  
Vicki Scaman, Village Clerk

(SEAL)

