

## ORDINANCE

### **AN ORDINANCE AMENDING CHAPTER 7 (“BUILDINGS”), ARTICLE 2 (“EXISTING BUILDING CODE”) OF THE OAK PARK VILLAGE CODE TO ADOPT THE 2018 INTERNATIONAL EXISTING 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 has determined to adopt *2018 International Existing 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 referred to as 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 Existing Building Code* is a code as defined in the Act and it has been available for viewing as required by the Act and pursuant to Section 1-2-3.1 of the Illinois Municipal Code, 65 ILCS 5/1-2-3.1.

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

#### **7-2-1: ADOPTION:**

A. The ~~2009~~ 2018 international existing building code (“IEBC”), 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 7-2-2 of this article. To the extent that the provisions of the IEBC are inconsistent with any codes previously adopted by the Village by reference, the provisions of the IEBC edition shall govern unless specifically set forth in this code. In the event of a conflict between any provisions of the IEBC 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 IEBC kept on file for public inspection in the office of the Village Clerk.

**Section 3. Village Code Amended.** Chapter 7 (“Buildings”), Article 2 (“Existing 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:

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

The 2018 international existing building code ("IEBC"), as adopted pursuant to section 7-2-1 of this article, is hereby amended by adding the underlined language and deleting the overstricken language as follows:

**CHAPTER 1  
SCOPE AND ADMINISTRATION**

**PART 1 - SCOPE AND APPLICATION**

**SECTION 101 - GENERAL**

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

**Section 101.2.1 Appendices.** Adopted as part of this code are:

1. Appendix A - Guidelines for The Seismic Retrofit of Existing Buildings, including chapters A1 through A5
2. Appendix B - Supplementary Accessibility Requirements for Existing Buildings and Facilities; and
3. Resource A - Guidelines on Fire Ratings of Archaic Materials and Assemblies.

**CHAPTER 1, PART 2 - ADMINISTRATION AND ENFORCEMENT** is deleted in its entirety.

Administration and enforcement of this code shall be governed by applicable provisions of chapter 1 of the international building code, as amended and adopted by the Village.

**PROVISIONS FOR ALL COMPLIANCE METHODS**

**SECTION 305 - ACCESSIBILITY FOR EXISTING BUILDINGS**

**Section 305.8.2 Elevators.** Altered elements of existing elevators shall comply with ~~ASME A17.1 and ICC A117.1~~ the current provisions of the state of Illinois safety codes and standards for conveyances. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

**Section 305.8.3 Platform Lifts.** Platform (wheelchair) lifts complying with ~~ICC A117.1 and installed in accordance with ASME A18.1~~ the current provisions of the state of Illinois safety codes and standards for conveyances shall be permitted as a component of an accessible route.

## **CHAPTER 4 REPAIRS**

**SECTION 408 PLUMBING** is deleted in its entirety.

## **CHAPTER 8 ALTERATIONS - LEVEL 2**

### **SECTION 805 MEANS OF EGRESS**

#### 805.2 General

3. In R-3 buildings, stairs to basement or attic may remain or be remodeled in their current configuration.

### **SECTION 806 STRUCTURAL**

[BS] 806.2 Existing Structural elements carrying gravity loads

3. In R-3 buildings, where an attic is converted to use as habitable space, attic floor structure in good condition which spans no greater than twelve feet with at least 2x6 joists @ 16" OC may remain as is.

### **SECTION 807 ELECTRICAL**

807.3.8 In dwelling units where interior wall coverings as defined in the international residential code as amended and adopted by the Village (e.g., plaster or gypsum board) are removed from a wall or floor/ceiling assembly, the wiring methods, receptacle spacing, household smoke detectors, and carbon monoxide detectors shall be brought into conformance on both sides of the wall or floor/ceiling assembly that is opened. Where legal existing non-conforming wiring methods are routed to/from concealed walls or floor/ceiling assemblies, the existing wiring shall transition to a method in conformance with this code as soon as practical as approved by the *building official*.

807.3.9 In dwelling units where cabinets in kitchens are removed or additional cabinets are installed the minimum number of small appliance branch circuits and receptacles, and receptacle spacing shall be brought into conformance with the adopted electrical code.

807.3.10 At least one 20-ampere branch circuit shall be provided in all remodeled dwelling unit bathrooms where one or more of the following conditions exist:

(1) Where the floor area of the bathroom is reconfigured in size.

(2) Where the bathroom wall covering as defined in the international residential code as amended and adopted by the Village (e.g., plaster or gypsum board) is removed and replaced in the area of required electrical devices.

Exception: The above requirements may be waived by the *building official* where the nature of the existing construction does not practically allow for conformance with this code.

## **SECTION 809 PLUMBING**

Replace paragraph 809.1 with the following:

**Section 809.1 Increase in Number of Plumbing Fixtures.** Where the number of plumbing fixtures is increased by more than 7 water supply fixture units (WSFU) above the existing number, provide one of the following:

(1) If minimum constant water pressure is tested less than 8 psi or the minimum recommended by the fixture manufacturer, provide a booster pump to increase the pressure in accordance with the current edition of the state of Illinois plumbing code.

(2) Increase the water supply pipe diameter from the street main and the water meter size to comply with the requirements of the current edition of the state of Illinois plumbing code for the number of WSFUs.

**Section 809.2** Provide an RPZ (reduced pressure zone backflow preventer) device on the potable water supply in an existing commercial or mixed commercial and residential building, where a minimum of 25% of lineal feet of existing hot and cold-water piping is to be increased and/or replaced.

Exception: If there is no existing floor drain within ten feet from the water meter, a testable double check valve may be provided in lieu of an RPZ.

## **CHAPTER 10 CHANGE OF OCCUPANCY**

### **SECTION 1002 - SPECIAL USE AND OCCUPANCY**

**Section 1002.1 Compliance with the building code** shall be modified to add the following:

12. Bed and breakfast establishments.

## **SECTION 1009 - PLUMBING**

**Section 1009.1 Increased Demand.** Where the occupancy of an existing building or part of an existing building is changed such that the new occupancy is subject to increased or different plumbing fixture requirements, or to increased water supply requirements in accordance with the ~~international plumbing code~~ current edition of the state of Illinois plumbing code, the new occupancy shall comply with the intent of the respective provisions of the current edition of the state of Illinois plumbing code.

**Section 1009.2 Food-Handling Occupancies.** If the new occupancy is a food-handling establishment, all existing sanitary waste lines above the food or drink preparation or storage areas shall be panned or otherwise protected to prevent leaking pipes or condensation on pipes from contaminating food or drink. New drainage lines shall not be installed above such areas ~~and shall be protected in accordance with the international plumbing code.~~

**Section 1009.3 Interceptor Required.** If the new occupancy will produce grease or oil-laden wastes, interceptors shall be provided as required ~~in the international plumbing code~~ by the current edition of the state of Illinois plumbing code.

**Section 1009.5 Group I-2.** If the occupancy group is changed to Group I-2, the plumbing system shall comply with the applicable requirements of the current edition of the state of Illinois plumbing code.

**Section 1010.6 Correction of Health or Safety Hazards.** Regardless of the age of the building, where a health or safety hazard exists because of an existing plumbing installation or lack thereof, the owner or other responsible party shall install additional plumbing or make such corrections as may be necessary to abate the hazard or violation in accordance with the current edition of the state of Illinois plumbing code.

## **CHAPTER 11**

### **ADDITIONS**

**Add the following new Section:**

### **SECTION 1108** **PLUMBING**

## **1108.1**

809.2 Provide an RPZ (Reduced Pressure Zone backflow preventer) device on the potable water supply when an existing commercial or mixed commercial and residential building is added to with the addition exceeding 500 gross square feet in total area.

Exception: If there is no existing floor drain within ten feet from the water meter, a testable double check valve may be provided in lieu of an RPZ.

## **CHAPTER 12 HISTORIC BUILDINGS**

**SECTION 1207 EXTERIOR GUARDS AND HANDRAILS** is added as follows:

### **SECTION 1207 - EXTERIOR GUARDS AND HANDRAILS**

**Section 1207.1 Guards Required.** New guards or replacement guards shall be installed in accordance with section R312 of the international residential code as amended and adopted by the Village or section 1014 of the international building code as amended and adopted by the Village, as applicable.

**Exception:** Where a building is located within a designated Oak Park or National Register historic district, or is a National Historic Landmark, or is listed in the National Register of Historic Buildings, or is determined eligible to be listed in the National Register of Historic Buildings by the State Historic Preservation Officer, or listed individually as an Oak Park Landmark, or such building has significant historical and/or aesthetic characteristics similar to those which qualified that district as a historic district pursuant to the Village Code, the height of guards for porches, balconies or raised floors that are visible from the street shall be permitted to be installed to a height lower than that required by section R312 of the international residential code as amended and adopted by the Village or section 1015 of the international building code as amended and adopted by the Village, as applicable, under the following conditions:

1. Existing guards which are removed to facilitate refinishing shall be permitted to be reinstalled to the same height, but no lower than the documented height of the existing guards without being required to meet the structural loading conditions required under section R301.5 of the international residential code as amended and adopted by the Village or section 1607.8 of the international building code as amended and adopted by the Village, as applicable;

2. Existing guards which are repaired and retain a minimum of 50 percent of original materials shall be reinstalled no lower than the documented height of the existing guards without being required to meet the structural loading conditions required under section R301.5 of the International residential code as amended and adopted by the Village of Oak Park or section 1607.8 of the international building code as amended and adopted by the Village, as applicable;

3. Existing guards which are repaired in excess of 50 percent of the original material, or are totally replaced, shall be allowed to be installed to the same height as the existing guard provided that the guard meets the structural loading conditions of section R301.5 of the international residential code as amended and adopted by the Village of Oak Park or section 1607.8 of the international building code as amended and adopted by the Village, as applicable; and

4. Existing guards which are totally replaced or new guards which are installed to recreate a documented historic condition, shall be allowed to be installed to the same height as the previously existing guard(s) provided that the guard meets the structural loading conditions of section R301.5 of the international residential code as amended and adopted by the Village or section 1607.8 of the international building code as amended and adopted by the Village, as applicable.

**Section 1207.2 Handrails Required.** New handrails or replacement handrails shall be installed in accordance with section R311.7.8 or R311.8.3 of the international residential code as amended and adopted by the Village, or section 1014 of the international building code as amended and adopted by the Village of Oak Park, as applicable.

**Exception:** Where a building is located within a designated Oak Park or National Register historic district, or is a National Historic Landmark, or is listed in the National Register of Historic Buildings, or is determined eligible to be listed in the National Register of Historic Buildings by the State Historic Preservation Officer, or listed individually as an Oak Park Landmark, or such building has significant historical and/or aesthetic characteristics similar to those which qualified that district as a historic district pursuant to the Village Code , the height of handrails for stairs that are visible from the street shall be permitted to be installed to a height lower than that required by section R311.7.8 or R311.8.3 of the international residential code as amended and adopted by the Village or section 1014 of the international building code as amended and adopted by the Village, as applicable under the following conditions:

1. Existing handrails which are removed to facilitate refinishing shall be permitted to be reinstalled to the same height, but no lower than existing without being required to meet the structural loading conditions required under section R301.5 of the International Residential Code international residential code as amended and adopted by the Village or section 1607.8 of the international building code as amended and adopted by the Village, as applicable;

2. Existing handrails which are replaced shall be allowed to be installed to the same height as the existing handrail provided that the guard meets the structural loading conditions of section R301.5 of the international residential code as amended and adopted by the Village or section 1607.8 of the international building code as amended and adopted by the Village, as applicable;

3. Where an existing stair is replaced with construction of materials, dimensions and aesthetic features documented to match existing, the handrail may be omitted where there is documentation that a handrail did not originally exist; and

4. New handrails which are installed to recreate a documented historic condition, shall be allowed to be installed to the same height and in the same shape and configuration as the previously existing handrail(s) provided that the handrail meets the structural loading conditions of section R301.5 of the international residential as amended and adopted by the Village or section 1607.8 of the international building code, as amended and adopted by the Village, as applicable.

## **CHAPTER 14 RELOCATED OR MOVED BUILDINGS**

### **SECTION 1402 REQUIREMENTS**

**Section 1402.7.1 Inspection and approval of Moved Structures.** After being set upon an approved foundation, a structure which is moved from one lot to another shall be inspected by an Illinois Licensed structural engineer or Illinois Licensed Architect hired by the owner or other responsible party at no cost to the Village to ensure the structural integrity of the structure in its new location. Any deficiencies noted by the engineer or architect shall be corrected in accordance with requirements for new construction provisions of this code prior to re-occupying the structure. If the building is moved from another jurisdiction, the structure shall be inspected by the Village for conformance with the provisions of this code and other pertinent ordinances for new construction. The moved structure shall not be occupied until a certificate of occupancy is issued for the new location.

## **APPENDIX J EXISTING BUILDINGS AND STRUCTURES**

### **SECTION AJ102 – COMPLIANCE**

**Section AJ102.10 Conversion into habitable space.** When any area not previously 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 shall be subject to the requirements of this Appendix and the provisions of section R310 of this code.

**Section AJ102.11 Conversion into a sleeping room.** When any area not previously 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.



**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 \_\_\_ day of \_\_\_\_\_, 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 \_\_\_ day of \_\_\_\_\_, 2020.

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

**ATTEST:**

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

Published in pamphlet form this \_\_\_ day of \_\_\_\_\_, 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-\_\_\_\_, "AN ORDINANCE AMENDING CHAPTER 7 ("BUILDINGS"), ARTICLE 2 ("EXISTING BUILDING CODE") OF THE OAK PARK VILLAGE CODE TO ADOPT THE 2018 INTERNATIONAL EXISTING 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 \_\_\_\_\_, 2020.

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

(SEAL)