

Title 15 - Buildings and Construction

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15.04.010 – International Building Code 2015 – Regulations adopted and modified

The 2015 International Building Code issued by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL, 60478, one (1) full edition of which has been and are on file in the Office of the Clerk of the City of St. Charles, Illinois, for more than thirty (30) days, together with the amendments listed in Section 15.04.015 hereof, are hereby adopted as the regulations governing the construction of buildings and structures within the City of St. Charles, except for one- and two-family dwellings and townhouses not more than three stories in height, which are covered by Section 15.04.020. (For adoption of administrative provisions in Chapter 1 of the International Building Code, see Chapter 15.101). (2016-M-8 ; 2010-M-42 : § 1; 2004-M-62 : § 1)

15.04.015 – International Building Code 2015 - Amendments

1. **Townhouse:** A single family dwelling unit constructed in a group of 3, 4, 5, or 6 attached units in which each unit extends from foundation to roof and with open space on at least two (2) sides. Dwelling units where more than six (6) units are attached shall be governed by code provisions applicable to multiple family dwellings, rather than the provisions of this one (1) and two (2) family dwelling code.

2. Amend Section 410.7 " Automatic Sprinkler System" by deleting exceptions # 2.

3. Delete the provision in section 706.3 " Materials" in its entirety and substitute the following therefore:

706.3 Materials: Firewalls shall be constructed of approved masonry materials or other similar approved product or assembly.

4. Delete the provisions in Section 903.2 " Sprinkler Systems—Where Required," inclusive of subsections 903.2.1, 903.2.2, 903.2.3, 903.2.4, 903.2.6, 903.2.7, 903.2.9, and 903.2.10 and substitute the following therefore:

903.2 Where required. Notwithstanding any language to the contrary, that is contained elsewhere in this code, an approved automatic sprinkler system installed in accordance with the provisions of all applicable codes and standards shall be provided and maintained in full operating condition throughout every story and basement of all Use Groups as listed in Section 302.4 of the International Building Code.

Exceptions:

1) Structures not considered to be habitable or occupiable of less than 5,000 square feet, with a low fire or life hazard risk and located not less than 30 feet from another structure. Buildings of this type would normally be classified within the Utility and Miscellaneous Group U as described in Section 372 of the International Building Code, Provided:

a. The structure is continually monitored by an approved automatic fire alarm system.

2) Open Parking Garages

The requirements, contained in these exceptions, shall be subject to modifications by the authority having jurisdiction to compensate for particular building conditions to meet the intention of the code.

5. Add Section 903.6 as follows:

903.6 Change of use classification. Notwithstanding any language to the contrary contained elsewhere in the codes adopted, an automatic sprinkler system shall be provided throughout a building, when the use classification of the building or a space within the building changes, provided one of the following conditions exists:

1. if the new or proposed use is more hazardous, based on life and fire risk, than the existing use. (see table 903.6)

This requirement shall be subject to modifications by the authority having jurisdiction to compensate for particular building conditions.

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Hazard Category

Table 903.6.3

Relative Hazard Occupancy Classifications

1 (highest hazard) H

2 I-2, I-3, I-4

3 A, E, I-1, M, R-1, R-2, R-4

4 B, F-1, R-3, S-1

5 (lowest hazard) F-2, S-2, U

6. Delete the provisions of Section 907.2 "Where required" and substitute the following therefore: **907.2 Where Required:** An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with 907.5, unless other requirements are provided by another section of this code. Notwithstanding any provision of Section 907 and its subsections to the contrary, an approved manual fire alarm signaling system shall be installed and maintained in all buildings over one (1) story in height or over 1,000 square feet.

7. Delete the provisions of Section 907.6.6. 1 "Automatic Telephone-Dialing Devices."

8. Amend the provisions of Section 912.1 "Installation" and substitute the following therefore:

912.1 Installation. The type (Siamese, Storz) and size of the fire department connection shall be in accordance with the NFPA standard applicable to the system design and shall be subject to approval of the Fire Department, based upon an analysis of the building's size and use group. Generally, a 5-inch size, Storz type connection with a 30 degree downward is required.

9. Add subparagraph 6 to Section "1008.3.3 Emergency Power for Illuminating" as follows:

6. In all rooms and spaces over 1,000 square feet in area with an occupancy load of 20 or more and all mechanical rooms.

10. Amend Table 1020.1 to read, as follows

Table 1020.1

Corridor Fire Resistance Rating

Occupancy	Occupant Load Served by Corridor	Required Fire-Resistance Rating (hours)	
		Without Sprinkler System	With Sprinkler System (c)
H-1, H-2, H-3	All	Not Permitted	1
H-4, H-5	Greater than 30	Not Permitted	1
A, E, F, M, S, U	Greater than 30	Not Permitted	1
R	Greater than 10	Not Permitted	1
I-2 (a), I-4	All	Not Permitted	1
I-1, I-3	All	Not Permitted	1 (b)
B	Greater than 30	Not Permitted	1 (d)

(a) For requirements for occupancies in Group I-2, see Section 407.3.
 (b) For a reduction in the fire-resistance rating of occupancies in Group I-3, see Section 408.7.
 (c) Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.
 (d) Glass permitted in wall.

11. Delete Section 1801 A "Permanent Wood Foundation Systems" in their entirety.

12. Add Exhibit A:

Exhibit A

Performance Guidelines for High Hazard Uses in the City of St. Charles

1. Specific location: The geographic location and distances to other structures, rivers, streams, and other use groups.
2. Zoning: The proximate distances to Assembly, Educational, Institutional, and Residential uses and vacant land zoned for these uses.
3. Types of hazardous materials which are not allowed: Materials listed in Section 307.3 High Hazard Group H-1 that present a detonation hazard shall not be permitted under any circumstances.
4. Allowable construction types: Type I and II only.
5. Required fire protection for High Hazard materials:
 - a. Provide extra hazard Group II fire sprinkler system
 - b. Provide a fixed foam fire protection system
6. Required water supply system: 3,000 to 6,000 gallons per minute from a reliable source.

(2016-M-8 : § 1; 2010-M-42 : § 2; 2006-M-63 : § 1; 2004-M-62 : § 1)

15.04.020 – International Residential Code - One Family and two Family Residences - Regulations 2015 - adopted and modified

The provisions of the 2015 International Residential Code for One and Two Family Dwellings, published February 2015 by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478 (hereinafter sometimes referred to as “the IRC”), not less than one (1) copy of which have been and are on file in the Office of the Clerk of the City of St. Charles, Illinois for more than thirty (30) days, together with the amendments listed herein, are hereby adopted as the regulations governing the construction of one and two family dwellings and townhouses not more than three stories in height.

Amendments to the 2015 International Residential Code for One and Two Family Dwellings:

Chapter 1 – Administration:

- A. **Section R101.2 Scope:** Revise to read as follows:

“**R101.2 Scope.** The provisions of the International Residential Code for One and Two Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one and two family dwellings not more than three stories in height with a separate means of egress and their accessory structures.”

- B. **Section R105.2 Work exempt from permit:** Delete this section.

- C. **Section R105.2.3 Public service agencies:** Delete this section.

- D. **Section R105.5 Expiration:** Revise to read as follows:

“**R105.5 Expiration.** Every permit, except demolition permits, shall become invalid or void unless the work authorized by such permit is commenced within 180 days after its issuance, if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Demolition must commence within ten (10) days and completed within thirty (30) days of issuance, otherwise the permit becomes invalid. The Building Official is authorized to grant, in writing, one or more extensions of time, for any permits, for a period not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.”

- E. **Section R105.7 Placement of permit:** Revise to read as follows:

“R105.7 Placement of permit. The building permit card shall be kept on the site of the work and be visible from the street until such time as a certificate of occupancy permit has been issued, or a final inspection has been performed.”

- F. **Section R106.1.4 Information for construction in flood hazardous areas:**

Revise to read as follows:

“**R106.1.4 Information for construction in flood hazardous areas.** For buildings and structures in flood hazard areas, as established on local floodway rate maps, locally adopted flood plain ordinances shall apply.”

- G. **Section R106.3.1 Approval of construction documents:**

Revise to read as follows

“R106.3.1 Approval of construction documents. When the Building Official issues a permit, the construction documents shall be approved in writing or by stamp. One set of the approved construction documents as reviewed shall be retained by the Building Official. The other set shall be returned to the applicant and shall be kept on the site of the project and shall be open to inspection by the Building Official or his or her authorized agent/representative.”

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H. **Section R106.3.4 Pre-Application conference:** Add a new section to read as follows:

"R106.3.4 Pre-Application conference. All applicants and owners seeking demolition permits for principal buildings on a lot or site shall first be required to attend a pre-application conference with the Building Official and other city staff as directed, for the purpose of discussing the City of St. Charles requirements for demolition and reconstruction."

I. **Section R109.1.3 Flood plain inspection:** Delete this section.

J. **Section R110.1 Use and occupancy:** Delete the exceptions.

K. **Section R110.3 Certificate issued:** Delete lines 3, 5, 7, 8, and 9.

Chapter 2 – Definitions:

A. **Change the stated term MANUFACTURED HOME to MANUFACTURED/MOBILE HOME.**

B. **Delete the stated definition of Townhouse and substitute therefore:**

"TOWNHOUSE. A single family dwelling unit constructed in a group of 3, 4, 5 or 6 attached units in which each unit extends from foundation to roof and with open space on at least two sides. Dwelling units where more than six units are attached shall be governed by code provisions applicable to multiple family dwellings, rather than the provisions of this one and two family dwelling code."

Chapter 3 – Building Planning:

1. **Table R301.2 (1) Climatic and Geographic Design Criteria:** Revise to read as follows

Ground Snow Load	Wind Design				Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
	Speed (mph)	Topographic effects	Special wind region	Wind-borne debris zone		Weathering	Frost line depth	Termite					
30	115	No	No	No	B	Severe	42-Inches	Mod to Heavy	-5F	Yes	Local Ordinance	2000	48.5

See captions under Table R301.2 (1) in the book for exceptions and conditions of approvals.

B. **Section R301.2.4 Floodplain construction.** Delete this section.

C. **Section R302.1 Exterior walls:** Delete exceptions 1 & 2.

D. **Section R302.2 Townhouses:** Revise to read as follows:

Revise to read as follows:

"R302.2 Townhouses. Each townhouse, as defined in this code, shall be constructed as a separate single-family dwelling unit and shall be separated by a minimum of an approved 2-hour UL rated assembly, which shall extend vertically from the foundation to the underside of the roof sheathing and horizontally the full length of the common wall. The number of single family dwelling units attached in this manner shall not exceed six (6)."

(Ord. 2016-M-9 § 1; Ord. 2012-M-10 § 1.)

E.1 **Section R302.3 Two family dwellings:** Revise to read as follows:

R302.3 Two family dwellings. Dwelling units in two family dwellings shall be constructed with a minimum of an approved 2-hour UL rated assembly between living units. Floor/ceiling assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing and shall extend the full length of the common wall."

(Ord. 2012-M-10 § 1.)

E.2 **Section R302.3 Two family dwellings:** Delete the exceptions.

F. **Section R302.7 Under stair protection:** Revise to read as follows:

"R302.7 Under stair protection. Enclosed accessible space under stairs shall have walls, under stair surfaces, and any soffits, protected on the enclosed side with 5/8-inch type X gypsum board."

G. **Section R303.3 Bathrooms, Exception:** Revise to read as follows:

"Exception: The glazed area shall not be required where artificial light and mechanical ventilation systems are provided. The minimum ventilation rates shall be 50 cfm for intermittent ventilation or 20 cfm for continuous ventilation. Ventilation air from the space shall be exhausted directly to the exterior of the structure by means of either the soffit area with an approved connection to the soffit or through the roof with an insulated (R-3) duct and approved roof fitting."

H. **Section R309.1.2 Opening protection:** Add a new section to read as follows:

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"R309.1.2 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8-inches in thickness, solid or honeycomb core steel doors not less than 1 3/8-inches thick. All such doors shall be equipped with self-closing hinges."

I. **Section R309.2.1 Separation required:** Add a new section to read as follows:

"R309.2.1 Separation required. The garage shall be separated from the residence and any attic area by not less than 5/8-inch type X gypsum board applied to the garage side and taped with a minimum one coat of approved joint tape and compound. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall be protected by not less than 5/8-inch type X gypsum board with one coat of approved joint tape and compound or equivalent. The garage floor shall be poured a minimum of 4-inches below the top of the foundation to form a gas curb on any wall of the garage abutting the house."

J. **Section R310.1 Emergency escape and rescue required:** Revise to read as follows:

"**R310.1 Emergency escape and rescue required.** All basements and sleeping rooms shall have at least one openable emergency escape and/or rescue window or exterior door opening for emergency escape and/or rescue. Where windows are provided as a means of escape and/or rescue, they shall have a sill height of not more than 44-inches above the finished floor. Where a window (s) is provided as a means of egress and/or rescue from a basement or basement bedroom, they shall have a sill height not more than 36-inches above the finished floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section 310.3. The net clear opening dimension required by this section shall be obtained by the normal operation of the window or door opening from the inside. Escape and rescue window openings with a finish sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2 of this Code."

K. **Section R310.2.1 Ladder and steps:** Revise to read as follows:

"**R310.2.1 Ladder and steps.** Window wells with a vertical depth greater than 36-inches below the adjacent ground level shall be equipped with a permanently affixed ladder or steps usable with the window in the full open position. Ladders and steps required by this section shall not be required with Section R314 and R315. Ladders or rungs shall have an inside width of at least 12-inches, shall project at least 3-inches from the wall, and shall be spaced not more than 18-inches on center vertically for the full height of the window well."

L. **Section R-311.2 Egress Door:** Revise to read as follows:

"**R-311.2 Egress Door.** Not less than two (2) exits with a minimum of one (1) exit conforming to this chapter shall be required from each dwelling unit. All such exits shall discharge at grade. The required exit doors shall not pass through a garage."

M. **Section R311.7.5 Landings for stairways:** Revise to read as follows:

"R311.7.5 Landings for stairways. A minimum of 3-foot by 3-foot landing shall be required on each side of an egress door. The floor or landing shall not be more than 1 1/2-inches lower than the top of the threshold."

Exception:

1. At the top of a flight of all stairs, provided the door does not swing over the stairs."

N. **Section R313.1 Townhouse automatic fire sprinkler systems:** Revise to read as follows:

Exception No. 2: The requirement for the installation of automatic fire sprinkler systems in townhouses is deferred until December 31, 2019.

O. **Section R313.2 One- and two-family dwellings automatic fire sprinkler systems:**

Revise to read as follows:

Exception No. 2: The requirement for the installation of automatic fire sprinkler systems in one- and two-family dwellings is deferred until December 31, 2019.

P. **Section R311.7.8 Handrails:** Revise to read as follows:

"R311.7.7 Handrails. Handrails shall be provided on at least one side of each continuous run of treads or flight with three (3) or more risers."

Q. **Section R314.3 Locations:** Revise to read as follows:

"R314.3 Locations. Single and multiple-station smoke alarms shall be installed in the following locations:

- a. In each sleeping room.
- b. Outside of each separate sleeping room or area, within 15-feet of all bedrooms.
- c. On each additional story of the dwelling, including basements and cellars, but not including crawl spaces and uninhabitable attics.
- d. In dwellings or dwelling units with split-levels. For the purpose of this section each split-level shall be considered a story.

When more than one (1) smoke alarm is required to be installed within an individual dwelling unit, the alarm devices shall be interconnected in such a manner that the actuation of one (1) alarm will activate all of the alarms in the dwelling unit. The alarm shall be clearly audible in all bedrooms over background noise levels, with all intervening doors closed.

All smoke alarms shall be listed and installed in accordance with the provisions of this code and the household fire warning provisions of NFPA 72."

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R. **Section R317.1.2 Ground contact:** Revise to read as follows:

"R317.1.2 Ground contact. Supports for permanent structures intended for human occupancy and which come in contact with the ground shall not be constructed of wood."

S. **Section R317.1.4 Wood columns:** Revise to read as follows:

"R317.1.4 Wood columns. Posts, poles, and columns supporting structures that are embedded in concrete, in direct contact with the earth or are embedded in concrete exposed to the weather are prohibited."

T. **Section R322 Flood resistant construction:** Delete this section.

Chapter 4 – Foundations:

A. **Section R401.1 Application:** Amend to read as follows:

"R401.1 Application. The provisions of this Chapter shall control the design and construction of the foundation and foundation spaces of all buildings and structures."

B. **Section R402.1, 402.1.1, 402.1.2:** Delete these sections.

C. **Section R403.1 General:** Delete the words "wood foundation" within the first sentence.

D. **Section R403.1.1 Minimum size:** Amend to read as follows:

"R403.1.1 Minimum size. Minimum sizes for concrete and masonry footings shall be as follows. Footing width shall be a minimum of twice the width of the wall it is supporting, or a minimum of 18-inches, whichever is greater. Unless soil conditions warrant a greater width, or so designed and certified by a license design professional, footing projections shall be equal to ¼ the width of the footing and the wall must fit center on the footing. Single story structures may be placed on 10-inch wide by 42-inch deep trench footing. Footing thickness shall be a minimum of 8-inches or the same depth as the wall thickness, whichever is greater, or as designed by a licensed design professional. See Figure R403.1 (1) for an illustration."

E. **Table R403.1 Minimum width of concrete or masonry footings (inches):**

Delete this table.

F. **Figure R403.1 (1) Concrete and masonry foundation details:**

(See attached Figure R403.1 (1))

G. **Figure R403.1 (2) Permanent Wood Foundation Basement Wall Section:** Delete this figure.

H. **Figure R403.1 (3) Permanent Wood Foundation Crawl Space section:** Delete this figure.

I. **Section R403.2 Footings for Wood Foundations:** Delete this section.

J. **Section R404.1.5.3 Pier and Curtain Wall Foundations:** Delete this section.

K. **Section R404.2 Wood Foundation Walls:** Delete this section.

L. **Sections R404.2.2 Stud Size and R404.2.3 Height of Backfill:** Delete these sections.

M. **Table R404.2.3 Plywood Grade and Thickness for Wood Foundation Construction:** Delete this table.

N. **Sections R404.2.4 Backfilling; R404.2.5 Drainage and Damp Proofing;** and R404.2.6 Fastening: Delete these sections.

O. **Sections R405.2 and R405.2.1 through R405.2.3 Wood Foundations:** Delete these sections.

P. **Sections R406.3 Damp Proofing of Wood Foundations:** R406.3.1, R406.3.2, R406.3.3, and **R406.3.4:** Delete these sections.

Q. **Section R407.1 Wood Column Protection:** Delete this section.

R. **Section R408.4.1 Crawl Space Floor:** Add a new section to read as follows:

"R408.4.1 Crawl Space Floor. A minimum of a 2-inch thick slush coat of poured concrete shall be installed over a minimum of 4-inch thick stone in the crawl space, with a minimum of a six (6) mil thick polyethylene film moisture barrier with all joints lapped a minimum of 6-inches."

Chapter 5 – Floors:

A. **Section R502.1.4.1 Fire Protection.** Prefabricated Wood I-Joists: Add a new section to read as follows:

"R502.1.4.1 Fire Protection. Prefabricated Wood I-Joists. When prefabricated wood I-Joists are used and there is usable space above and below a floor/ceiling assembly, the assembly shall be protected from fire impingement by one of the following:

1. The minimum application of one layer of 5/8-inch drywall and draft stopped per Section 502.12 of the 2006 International Residential Code.

2. The installation of an approved sprinkler system."

B. **Section R502.7.1 Bridging:** Amend to read as follows:

"R502.7.1 Bridging. Joists shall be supported laterally by solid blocking, or diagonal bridging (wood or metal) at intervals not exceeding 8-

feet.”

C. **Section R502.11.4 Truss Design Drawings:** Amend to read as follows:

“**R502.11.4 Truss Design Drawings.** Truss design drawings shall be submitted to and approved by the Building Official prior to a permit being issued for the structure. Truss design drawings shall be provided with the shipment of trusses to the job site. These truss design drawings shall include, at a minimum, the information specified below:

1. Slope or depth, span, and spacing;
2. Location of all joints;
3. Required bearing widths;
4. Design loads as applicable;
 - 4.1 Top cord live load (including snow load)
 - 4.2 Top cord dead load
 - 4.3 Bottom cord live load
 - 4.4 Bottom cord dead load
 - 4.5 Concentrated loads and their points of application
 - 4.6 Controlling wind and earthquake loads
5. Adjustments to lumber and joint connector design values for conditions of use;
6. Each reaction force and direction;

Joint connector type and description (e.g. size, thickness, or gauge) and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface;

7. Lumber size, species and grade for each member;
8. Connection requirements for:
 - 8.1 Truss-to-truss girder
 - 8.2 Truss ply-to-ply
 - 8.3 Field splices
9. Calculated deflection ratio and/or maximum description for live and total load;
10. Maximum axial compression forces in the truss members or enable the building designer to design the size, connections, and anchorage of the permanent continuous lateral bracing. Forces shall be shown on the truss drawing or on supplemental documents;
11. Required permanent truss member bracing location; and
12. Layout design.”

D. **Section R504 Pressure Preserved Treated Wood Floors (on ground):** Delete this section.

E. **Section R506.1 General:** Amend to read as follows:

“**R506.1 General.** Concrete slab-on-ground floors shall be a minimum 4-inches thick with a minimum of 6x6 welded wire fabric embedded in the mid cross section of the slab. The compressive strength of concrete shall be as set forth in Section R402.2. Fiber mesh can be used in place of welded wire.”

F. **Section R506.2.1.1 Back-Fill in Garages (attached):** Add a new section to read as follows:

“**R506.2.1.1 Back-Fill under Concrete Garage Floors (attached).** The sub-base for poured concrete garage floors shall be undisturbed inorganic soil. All fill material shall be clean graded sand, crushed stones, or gravel. The use of any soils as fill material is prohibited. Compacted non-organic material can be used with dowelling #4 rebar into the foundation wall a minimum of 4- inches extending into the garage floor area a minimum of 3-feet, placed 24-inches on center around the three (3) walls forming the garage area, may be used. Any practice of soaking the soils within this area will be done in strict conformance with the locally applicable water conservation ordinance and shall be metered.”

Chapter 6 – Wall Construction:

A. **Section R602.2 Grade:** Amend to read as follows:

“**R602.2 Grade.** Studs shall be a minimum No. 2, standard or stud grade lumber.”

B. **Section R602.3.2 Top Plate:** Delete the exception.

C. **Table 602.10.2 Intermittent Bracing Methods:** Delete methods number four (4) SFB and five (5) GB.

Chapter 7 – Wall Covering:

No Changes.

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Chapter 8 – Roof-Ceiling Construction:

A. **Section R802.10.1 Truss Design Drawings:** Amend to read as follows:

“**R802.10.1 Truss Design Drawings.** (See Section R502.11.4, as amended by this ordinance.)”

Chapter 9 – Roof Assemblies:

A. **Section R905.2.7.1 Ice Barrier:** Amend to read as follows:

“**R905.2.7.1 Ice Barrier.** On all new roof construction and roof tear offs an ice protection barrier that consists of a self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment and extend from the eave’s edge to a point at least 24-inches inside the exterior wall line of the structure.”

Chapter 10 – Chimneys and Fireplaces:

A. **Section R1003.9 Termination:** Amend to read as follows:

“**R1003.9 Termination.** Chimneys shall extend at least 2-feet higher than any portion of a building within 10-feet, but shall not be less than 3-feet above the point where the chimney passes through the roof. All wood or solid fuel burning fireplaces and stoves shall be equipped with an approved spark arrestor.”

Chapter 11 – Energy Efficiency:

No Changes.

Chapter 12 – Mechanical Administration:

No Changes.

Chapter 13 – General Mechanical System Requirements:

A. **Section M1307.3.2 Heating Units in Garages:** Add a new section to read as follows:

“**M1307.3.2 Heating Units in Garages.** Units designed to heat the habitable space of the home shall not be located in a garage.”

Chapter 14 – Heating and Cooling Equipment:

No Changes.

Chapter 15 – Exhaust Systems:

No Changes.

Chapter 16 – Duct Systems:

A. **Section M1602.2.1 Return Air Vents:** Add a new section to read as follows:

“**M1602.2.1 Return Air Vents.** Return air vents connected to the heating and cooling system, shall be located in every habitable room of the home, except as prohibited in Section M1602.2 of the code.”

Chapter 17 – Combustion Air:

No Changes.

Chapter 18 – Chimney and Vents:

No Changes.

Chapter 19 – Special Fuel – Burning Equipment:

No Changes.

Chapter 20 – Boilers/Water Heaters:

No Changes.

Chapter 21 – Hydronic Piping:

No Changes.

Chapter 22 – Special Piping and Storage Systems:

A. **Delete Chapter 22 in its entirety.**

Chapter 23 – Solar Systems:

No Changes.

Chapter 24 – Fuel Gas:

No Changes.

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Chapters 25 through 32 – Plumbing:

A. “Delete Chapters 25 through 32. Substitute therefore: The most current State of Illinois Plumbing Code as adopted and/or amended by the City of St. Charles.”

Chapters 33 through 42 – Electrical:

No Changes.

Chapter 43 – Referenced Standards:

No Changes.

Appendix Adoption:


Adopt the following Appendices

- Appendix A - “Sizing and Capacities of Gas Piping”
- Appendix B – “Sizing of Venting Systems – Appliances”
- Appendix C – “Exit terminals of Mechanical Venting Systems”
- Appendix D – “Procedure for Safety Inspection – Existing Appliances”
- Appendix F – “Radon Control Systems” - Delete Figure AF102.
- Appendix G – “Swimming Pools, Spas, and Hot Tubs”
- Appendix J – “Existing Buildings and Structures”
- Appendix K – “Sound Transmissions”
- Appendix M - “Home Day Care R-3 Occupancy”

Delete the following Appendices:

- Appendix E - “Manufacturing Housing used as Dwellings”
- Appendix H - “Patio Covers”
- Appendix I - “Private Sewage Disposal”
- Appendix L - “Permit Fee”
- Appendix N - “Venting Methods (Plumbing)”
- Appendix O - “Gray Water Recycling Systems”
- Appendix Q – “Cross Reference – ICC International Residential Code
Electrical Provisions/National Electrical Code”

Exhibits:

 figure r403.1.png

(2017-M-45 ; 2016-M-59 : § 1 ; 2016-M-10 : § 1 ; 2016-M-8 ; 2015-M-71 : § 1 ; 2010-M-43 : § 1 ; 2003-M-6 : § 1 ; 1997-M-140 : § 1 ; 1983-M-14 : § 1 (part) ; 1978-M-19 : § 1 (part) ; Prior code : § 13.102.2.)

15.04.025 – International Swimming Pool & Spa Code 2015

The provisions of the 2015 International Swimming Pool & Spa Code issued by the International Code Council Inc., 4501 West Flossmoor Road, Country Club Hills, IL 60478, not less than one (1) copy of which have been and are on file in the Office of the Clerk of the City of St. Charles, Illinois for more than thirty (30) days, together with the amendments listed herein, are hereby adopted.

Amendments to the 2015 International Swimming Pool & Spa Code:

1. Chapter 1 – Scope and Administration. The City has adopted a separate Administrative Code under Municipal Code Chapter 15.101.
 - a. Section 105.5.3 Expiration – delete in its entirety.
 - b. Section 105.5.4 Extensions – delete in its entirety.
 - c. Section 105.6.3 Fee Refunds – delete in its entirety.
 - d. Section 107.4 Violation Penalties – delete in its entirety.
 - e. Section 108 Means of Appeal = delete in its entirety.

Ordinances: Ordinance No. 2016-M-16

15.04.030 – International Mechanical Code 2015 – Regulations adopted and modified

The provisions of the 2015 International Mechanical Code issued by the International Code Council Inc., 4501 West Flossmoor Road, Country Club Hills, IL 60478, not less than one (1) copy of which have been and are on file in the Office of the Clerk of the City of St. Charles, Illinois for more than thirty (30) days, together with the amendments listed herein, are hereby adopted.

(2016-M-17 : § 1; 2010-M-45 : § 1; 2004-M-63 : § 1; 1993-M-59 : § 1)

15.04.035 – International Fuel Gas Code 2015– Regulations adopted and modified

The provisions of the 2015 International Fuel Gas Code issued by the International Code Council Inc., 4501 West Flossmoor Road, Country Club Hills, IL 60478, not less than three (1) copies of which have been and are on file in the Office of the Clerk of the City of St. Charles, Illinois for more than thirty (30) days, together with the amendments listed herein, are hereby adopted.

Amendments to the 2015 International Fuel Gas Code:

1. Chapter 1 Scope and Administration. The City has adopted a separate Administrative Code under the Municipal Code Chapter 15.101.
 - a. Section 106.5.3 “Expiration” – Delete in its entirety
 - b. Section 106.6.3 “Fee Refunds” – Delete in its entirety
 - c. Section 108.4 “Violation Penalties” – Delete in its entirety
 - d. Section 109 “Means of Appeal” – Delete in its entirety
2. Chapter 4 Gas Piping Installations:
 - A. Section 403.5.4 “Corrugated Stainless Steel Tubing” – Delete in its entirety.

(2016-M-18 : § 1; 2016-M-10 : § 1; 2010-M-46 : § 1; 2004-M-64 : § 1)

15.04.040 – National Electrical Code 2014 – Regulations Adopted and Modified

The provisions of the 2014 Edition of the National Electrical Code, NFPA 70, issued by the National Fire Protection Association, Inc., One Batterymarch Park, Quincy, Massachusetts, 02269 (hereinafter sometimes referred to as the “NEC”) not less than three (1) copies of which have been and are on file in the Office of the Clerk of the City of St. Charles, Illinois, for more than thirty (30) days, together with the amendments listed herein, are hereby adopted.

(2016-M-19 : § 1; 2010-M-47 : § 1; 2003-M-79 : § 1; 1997-M-140 : § 2; 1993-M-59 : § 1)

15.04.045 – National Electric Code 2014 NFPA 70 - Amendments

1. **Article 110 Section 110.5 Conductors:** Revise by deleting and substituting the following:

Other than service conductors provided by the Utility or multiplexed aerial cables as allowed in Article 396 Section 396.2(4) that comply with Article 310, all conductors shall be copper unless otherwise specifically approved by the City of St. Charles Building and Code Enforcement or the City of St. Charles Electric Utility.

2. **Section 110.13 (A) Mounting:** Add a new paragraph to read as follows:

(A) Mounting. All electric panels mounted on concrete or masonry walls that are either exterior walls or below grade, shall have a minimum of 1/2

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inch plywood installed behind the panel, or the panel shall be mounted to structural mounting channel that provides a minimum 1/2 inch airspace between the panel and the wall, for the purposes of support and to help prevent moisture entering the panel. Such mounting shall allow panel replacement if required.

3. **Section 210.70 Lighting Outlets Required:** Add a new paragraph to read as follows:

(D) Illumination of Mechanical Equipment. All occupancies shall have luminaries installed within four (4) feet of the front of all electric panels and within four (4) feet of mechanical heating equipment to enable servicing the equipment.

4. **Article 230 Services**

a. **Section 230.2 Number of Services, (B) Special Occupancies:** By special permission, which means written consent and approval by the City of St. Charles Municipal Electric Utility, additional services shall be permitted for either of the following:

(1) Multiple-occupancy buildings where there is no available space for service equipment accessible to all occupants.

(2) A single building or other structure sufficiently large to make two or more services necessary.

Add new paragraph to read as follows:

(3) Multiple-occupancy buildings will have either an external building main disconnect, a key operated shunt trip main disconnect, or a parallel key operated shunt trip main disconnects for all services supplied to the building. Parallel shunt trip key operated main disconnects must be provided and installed in a manner approved by the City of St. Charles Municipal Electric Utility

b. **Section 230.3 One Building or Other Structures Not to be Supplied Through Another:** Revise by deleting and substituting the following:

230.3 One Building, or Other Structure, or Tenant Space, Not to be Supplied Through Another, Service conductors, feeders, or branch circuits of one building, or other structure, or tenant space shall not pass through the interior of another building, or structure, or other space.

c. **Section 230.6 Conductors Considered Outside the Building:** Add new paragraph to read as follows:

(5) Installed in any "common area" (hallway, corridor or common space accessible to multiple premises) that meets the construction requirements of a one-hour fire rating. Conductors shall be installed in solid metal raceway pipe within "common areas" and shall have a label every five (5) feet identifying the conductors within the conduit.

d. **Section 230.44 Cable Trays: Delete entire section**

e. **Section 230.46 Spliced Conductors:** Revise by deleting and substituting the following:

230.46 Spliced conductors: Splices in service entrance conductors, other than those installed by the Electric Utility, are not allowed.

f. **Section 230.70 General (A) Location, (1) Readily Accessible Location:** Revise by deleting and substituting the following:

(1) Readily Accessible Location. Service disconnecting means shall be provided either outside the building or through a shunt trip main with remote control at the Fire Control Panel and shall have provisions to allow the service to be locked open. Each building/tenant space shall have a main disconnect incorporated within the main distribution panels inside the space in addition to any external main or building shunt trip main for multiple occupancy buildings.

g. **Section 230.70 General (A) Location: (3) Remote Control:** revise by deleting and substituting the following: Where a remote control device (s) is used to actuate the service disconnecting means, the service conductors installed inside a building without over current protection shall not exceed five (5) feet in length.

h. **Section 230.79 Rating of Service Disconnecting Means (C) One Family**

Dwelling, (D) All Others: Revise by deleting and substituting the following:

C) One or Two Family Dwelling: All electric panel installations for new single family detached dwellings shall be a minimum of 200 -ampere rated. The main service disconnecting means (circuit breaker or fused switch) shall be 200 -ampere rated.

D) Multi -family and Single-family Attached Dwellings. All apartment or dwelling unit electric panel installations for new multi -family dwellings and new single family attached six (6) or less dwelling units shall be a minimum of 100 - ampere rated. The occupancy main service disconnecting means (circuit breaker or fused switch) for each apartment or dwelling unit shall be a minimum of 100 -ampere rated.

E) All Others. For all other installations, the service disconnecting means shall have a rating of not less than 60 -ampere, unless approved by the City of St. Charles Municipal Electric Utility.

5. **Article 250 Grounding and Bonding**

a. **Section 250.24 Grounding Service -Supplied Alternating -Current Systems (A) System Grounding Connections (1) General:** Revise by deleting and substituting the following: The grounding electrode conductor connection from each grounding.

b. electrode shall be made at a single point at the terminal or bus to which the grounded service conductor is connected at the service disconnecting means.

c. Section 250.53 Grounding Electrode System Installation (D) Metal Underground Water Pipe (2) Supplemental Electrode Required: revise by deleting and substituting: A metal underground water pipe shall be supplemented by an additional electrode of a type specified in 250.52 (A) (2-8). If the additional is a rod type as specified in 250.52 (A) (5), then electrode must also have a supplemental additional electrode of a type specified in 250.53 (A) (2) unless as noted in 250.53 A) (2) Exception the first supplemental electrode has a resistance to earth of 25 ohms or less as evidenced by a fall -of -potential test witnessed by the City of St. Charles Municipal Electric Utility. Supplemental electrodes shall be connected with a grounding electrode conductor to the grounded service - entrance conductor at the service main disconnecting means.

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- d. **Section 250.62 Grounding Electrode Conductor Material:** revise by deleting and substituting the following: All grounding electrode conductors shall be copper, and the installation of the conductor shall protect against corrosion. Conductors of the wire type shall be solid or stranded, and insulated, or covered, or bare.
- e. **Section 250.64 Grounding Electrode Conductor Installation: Aluminum or Copper -Clad Aluminum Conductors.** Delete entire Item (A)
- C) Continuous:** revise by deleting and substituting the following: Grounding electrode conductor(s) shall be installed in one continuous length without a splice or joint.
- E) Raceways and Enclosures for Grounding Electrode Conductors. (1) General:** revise by including additional language as follows: Ferrous metal raceways and enclosures for grounding electrode conductors shall be electrically continuous from the point of attachment to cabinets or equipment to the grounding electrode and shall be securely fastened to the ground clamp or fitting. Ferrous metal raceways and enclosures shall be bonded at each end of the raceway or enclosure to the grounding electrode or grounding electrode conductor. All grounding electrode conductor raceways that are exterior and exposed above grade shall be ferrous metal RMC or IMC conduit. Schedule 40 rigid PVC conduit is permitted for grounding electrode conductor raceways installed both above grade and underground in the interior of a building, as well as exterior underground if the entire raceway is -completely below grade. Schedule 40 rigid PVC grounding electrode conductor raceways are not required to be electrically continuous.
- F) Installation to Electrode(s).** revise by deleting and substituting the following: Unless granted a specific exemption by the City of St. Charles Municipal Electric Utility, all grounding electrode conductors and raceways must be installed separately and continuously from each grounding electrode to the service grounded conductor neutral) grounding/bonding termination point at the service main disconnect.
- f. **Section 250.68 Grounding Electrode Conductor and Bonding Jumper Connection to Grounding Electrodes (C) Grounding Electrode Connections:** revise by deleting (1) exception; and substituting the following for: (2) The metal structural frame of a building can only be used as a bonding conductor for a grounding electrode conductor by specific approval of the City of St. Charles Municipal Electric Utility.
- g. **Section 250.118 Types of Equipment Grounding Conductors:** Revise by deleting and substituting the following: **250.118 Types of Equipment Grounding Conductors:** The equipment grounding conductor must be a separate conductor run with the circuit conductors unless given exemption by the City of St. Charles Municipal Electric Utility or an approved certified testing agency.
6. **Article 300 General Requirements for Wiring Methods and Materials**
- a. **Section 300.1 Scope (A) All Wiring Installations:** Add new paragraph to read as follows:
- (1) With the exception of one and two family dwellings, all current carrying conductors exceeding 50 volts shall be installed in rigid metal conduit, intermediate metallic conduit, electrical metallic tubing, flexible metallic tubing, MC cable, or AC cable, with the exception that PVC conduit may be used with the approval of the City of St. Charles Building and Code Enforcement Department for corrosive or other special application areas.
- b. **Section 300.5 (C) Underground Installations:** delete Exception No. 1 and delete Exception No. 2
- c. **Section 300.5 Underground Installations, (D) Protection from Damage, (3) Service Conductors:** Revise by deleting and substituting the following: (3) Service Conductors. Single and two family dwelling underground service conductors shall be installed in minimum 3" Schedule 40 PVC. All other underground service conductors shall be installed in RMC, IMC, or Schedule 40 PVC conduit that is encased in concrete unless given exemption by the City of St. Charles Municipal Electric Utility.
- d. **Table 300.5 Minimum Cover Requirements, 0 to 1000 Volts, Nominal, Burial in Millimeters (Inches):** Delete the third row table entries related to Under a Building.
- e. **Table.300.5 Minimum Cover Requirements, 0 to 1000 volts, Nominal, Burial in Millimeters (Inches):** Revise by deleting and substituting the fourth row to read as follows: Table 300. 5 Minimum Cover Requirements, 0 to 1000 Volts, Nominal, Burial in Millimeters (Inches). Under minimum of 102 mm (4 inch) thick concrete interior or exterior slab with no vehicular traffic and the slab extending not less than 152 nun (6 inch) beyond the underground installation.
7. **Article 310 Conductors for General Wiring**
- a. **I1 Installation: Section 310. 10 Uses Permitted (If) Conductors in Parallel (3) Separate Cables or Raceways:** revise by deleting and substituting: Where run in separate cables or raceways, the cables or raceways with conductors shall have the same number of conductors and shall have the same electrical characteristics. All conductors of a circuit shall have the same physical and electrical characteristics.
- b. **Section 310. 106 Conductors (B) Conductor Material.** Revise by deleting and substituting the following: (B) Conductor Material. Other than service conductors provided by the Utility, or multiplexed aerial cables as allowed by Section 396. 2 (4) that comply with Article 310, all conductors shall be copper unless otherwise specifically approved by the City of St. Charles Building and Code Enforcement Department or the City of St. Charles Municipal Electric Utility.
8. **Article 314 Outlet, Device, Pull, and Junction Boxes; Conduit Bodies; Fittings; and Handhole Enclosures:**
- a. Section 314.3 Nonmetallic Boxes. Delete this section.
- b. Section 314. 17 (C) Nonmetallic Boxes and Conduit Bodies. Delete this section.
- c. Section 314.43 Nonmetallic Boxes. Delete this sectio
9. **Article 334 Nonmetallic -Sheathed Cable: Types NM, NMC, and NMS**
- a. **Section 334.40 Boxes and Fittings (A) Boxes of Insulating Materials.** Revise by deleting and substituting the following: Nonmetallic outlet boxes are only permitted for use in corrosive applications as determined and approved by the City of St. Charles Building and Code Enforcement Department.
- b. **Section 334.40 Boxes and Fittings (B) Devices of Insulating Materials:** Delete this section.

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10. **Article 695 Fire Pumps: Section 695.3 Power Source(s) for Electric Motor –Driven Fire Pumps, (B) Multiple Sources (2) Individual Source and On -Site Standby Generator (a) Signage:** Add new paragraph to read as follows: Where a generator provides a secondary source for a fire pump, and the generator feeds other systems, clearly marked key operated shunt trip switches must be provided at the fire panel allowing Fire Department personnel the ability to open main breakers to panels not feeding the fire pump.

11. **Article 700 Emergency Systems Section 700.16 Emergency Illumination:** Add new paragraph to read as follows: (1) Additional spaces that require emergency lighting shall include all restrooms and mechanical rooms.

12. **Article 701 Legally Required Standby Systems:**

I General: Section 701.5 Transfer Equipment: Add new paragraph to read as follows:

(D) Transfer Equipment Requirements: Open type transfer switches are the only approved method for connection of standby systems. All transfer switch connections shall be " break before make" to insure the complete separation from the utility system and the generator supply. No parallel operation with the utility system shall be allowed. A minimum time delay of three (3) seconds and a maximum of ten (10) seconds after loss of utility power should be established before starting the generator. Utilization of Kirk Key systems or other mechanical means of isolating generating sources from the utility source are not allowed.

b. III Sources of Power, Section (B) Generator Set: Add new paragraph to read as follows:

6) Generator Noise Output. The maximum noise level allowable within ten (10') feet of transformer, switchgear, or other specified equipment as required and operated by the City of St. Charles Municipal Electric Utility (SCMEU) is 80dBA decibels). Sound enclosures or sound barrier walls or other sound mitigation may be required if the noise level near SCMEU equipment exceeds 80dBA. Analysis of the need for sound abatement equipment will be performed by the City of St. Charles Municipal Electric Utility personnel after the generator is installed and tested.

(2016-M-19 : § 1; 2016-M-10 : § 1; 2010-M-47 : § 1; 2003-M-79 : § 2)

15.04.050 – Illinois State Plumbing code 2014 - Adopted

Illinois State Plumbing Code 2014 - Adopted

(2016-M-20 : § 1; 2016-M-10 : § 1; 2010-M-48 : § 1; 2006-M-58 : § 1-4; 2003-M-5 : § 1; 1997-M-140 : § 2; 1991-M-3 : § 1; 1982-M-14 : § 1; 1978-M-19 : § 1; Prior code : § 3.102.5)

15.04.055 – International Energy Conservation Code 2015 – Regulations adopted and modified

The provisions of the 2015 International Energy Conservation Code issued by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478, not less than one (1) copy of which have been and are on file in the Office of the Clerk of the City of St. Charles, Illinois, for more than thirty (30) days, as hereby adopted.

(2016-M-21 : § 1; 2016-M-10 : § 1; 2013-M-20 : § 1; 2012-M-44 : § 2)

15.04.060 – International Existing Building Code 2015

The provisions of the 2015 International Existing Building Code issued by the international Code Council Inc., 4051 West Flossmoor Road, country Club Hills, IL 60478, not less than one (1) copy of which have been and are on file in the Office of the Clerk of the city of St. Charles, Illinois for more than thirty (30) days, together with the amendments listed herein, are hereby adopted.

Amendments to the 2015 International Existing Building Code:

1. Chapter 1 – Scope and Administration. The City has adopted a separate Administrative Code under the Municipal Code Chapter 15.101.

(2016-M-22 : § 1; 2016-M-10 : § 1; 1978-M-21 : § 1; Prior code : § 13.101.)

15.04.090 – Building Permit - Required

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move or the demolition 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 the City's adopted code, or to cause any such work to be performed, shall first make application to the Building Official and obtain the required permit.

(2016-M-24 : § 1; Prior code : § 13.104)

15.04.105 – Flood damage prevention

The requirements under Title 18, Flood Damage Prevention, shall be followed in connection with all proposed construction, substantial improvements, or other development within floodplain areas.

(2016-M-10 : § 1; 1981-M-32 : § 6)

15.04.120 – Time limit

No building permit shall be valid for a period of more than one year from the date of issuance.

(Prior code : § 13.108)

15.08 – Standards for New Construction, Alterations and Repairs

Sections

- 15.08.010 – Purpose
- 15.08.020 – Scope
- 15.08.030 – Requirement by occupant
- 15.08.040 – Life and safety factors
- 15.08.050 – Definitions
- 15.08.100 – Maintenance of devices or safeguards
- 15.08.160 – Commercial building - Exterior doors
- 15.08.170 – Commercial building - Accessible windows
- 15.08.180 – Commercial building - Ventilating openings
- 15.08.190 – Commercial building - Roof openings
- 15.08.200 – Commercial Building - Entrance doors to individual offices of multiple occupancy building
- 15.08.210 – Commercial building - Safes
- 15.08.220 – Commercial building - Intrusion detection devices
- 15.08.230 – Private dwelling - Exterior doors
- 15.08.240 – Private dwelling - Sliding glass doors
- 15.08.250 – Private dwelling - Window protection
- 15.08.260 – Multiple dwelling - Exterior doors
- 15.08.270 – Multiple dwelling - Garage doors
- 15.08.280 – Multiple dwelling - Entrance doors to individual units
- 15.08.290 – Multiple dwelling - Sliding glass doors
- 15.08.300 – Multiple dwelling - Window protection
- 15.08.310 – Multiple dwelling - Illuminations

15.08.010 – Purpose

The purpose of this chapter is to provide minimum standards to safeguard property and public welfare from crime by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the city and certain equipment specifically regulated herein.

(1978-M-48 : § I Art. 1)

15.08.020 – Scope

The provisions of this chapter shall apply to:

- A. All new construction;
- B. All additions, alterations, or repairs to any existing building or structure in the commercial and multiple - dwelling class;
- C. The entire building or structure when additions, alterations or repairs made within any twelvemonth period exceed fifty percent of the replacement value of the existing building or structure.

(1978-M-48 : § I Art. 2)

15.08.030 – Requirement by occupant

The provisions of this chapter shall apply to all zoning districts.

(1978-M-48 : § I Art. 10)

15.08.040 – Life and safety factors

No portion of this chapter shall supersede any other city or federal laws, regulations, or the National Fire Protection Life Safety Code, 1976 Edition or the American Insurance Association Fire Protection Code, 1976 Edition.

(1978-M-48 : § I Art. 11)

15.08.050 – Definitions

For the purpose of this chapter, certain terms are defined as follows:

- A. "Accessible" refers to any opening in the exterior of a building larger than eight inches by twelve inches; e.g., door, window, transom, vent, duct, skylight, etc. that is within either:
 - 1. Eighteen feet from the ground or the roof of an adjoining structure;
 - 2. Fourteen feet from, directly or diagonally, opposite windows, fire escapes, or ledges;
 - 3. Within four feet of another opening larger than eight inches by twelve inches, fire escapes, or ledges in or projecting from the same wall, or an adjacent wall and leading to another building or structure.
- B. "Burglar-resistant glazing material" means glass and glass like materials that shall comply with or exceed the Underwriters' Laboratories Standard #UL972 for burglary-resisting glazing material as follows: withstand the impact of a five-pound steel ball dropped from a height of forty feet and five impacts from a height of ten feet concentrated within a five-inch diameter area of the surface without release from the frame.
- C. "Central station" means a system in which the operations of electrical protection circuits and devices are signaled automatically to, recorded in, maintained and supervised by, a central station having trained operators and/or guards, who are employees of the Alarm Servicing and Installation Company, in attendance at all times. Guards are dispatched and/or the police dispatch center is notified of the signal received.
- D. "Combination deadlatch and dead bolt" means a device combining a deadlatch operable by knobs from inside and outside by a key, both of which can be retracted from the inside by turning the knob and from the outside by a key.
- E. "Commercial building" means any building or structure which is not defined in this section as either a private dwelling or a multiple dwelling including, but not limited to, stores, factories, warehouses, office buildings, institutions, schools, and places of amusement.
- F. "Cylinder guard" means a hardened steel ring or plate surrounding the otherwise exposed portion of a cylinder lock to prevent cutting, prying, pulling, or wrenching with common tools.
- G. "Dead bolt" means a bolt which has no automatic spring action and which is operated by a key, thumbturn, or lever and is positively held fast in the protection position.
- H. "Double cylinder dead bolt" means a dead bolt lock actuated by a key from the inside and outside.
- I. "Deadlatch" means a latch which is positively held in latched position with a strike by an added integral bolt-type mechanism and is released by a key from the outside and a knob or similar actuator from the inside.
- J. "Door scope" means a system of lenses encased for convenient installation in entrance doors permitting an inside viewer to observe a one hundred eighty degree area of the outside with the door closed.
- K. "Insert" means a hardened steel roller inside unhardened bolts to prevent bolt cutting with common tools.
- L. "Latch" means a spring-loaded device which automatically holds a swinging door shut upon closing by engaging a strike and which is released by turning a knob, lever or similar actuator from inside or outside.
- M. "Louvers" means a series of removable fixed, slated, or movable slats. Glass louvers is descriptive of jalousies. Glass, wood or metal jalousies are considered to be louvers. Awning windows having sections more than twelve inches in depth are not considered to be louvers.
- N. "Multiple dwelling" means any building or structure used to provide sleeping accommodations for more than one family unit or person who are not being detained involuntarily for medical or other care or treatment including but not limited to, hotels, motels, rooming houses, dormitories, apartments, duplexes, and townhouses.
- O. "Multiple point locks" means a system of lever-operated bolts that engage a door opening, at least at the head and sill, operated by a single knob or handle from the inside and optionally a cylinder locked handle from the outside.
- P. "Private dwellings" means any building or structure used as a residence by one family unit.
- Q. "Single-cylinder dead bolt" means a dead bolt lock activated from the outside by a key and from the inside by a knob, thumbturn, lever, or similar actuator.
- R. "Sliding door dead bolt" means a single dead bolt which, after penetration of the strike, expands or is pivoted hook-type to resist sliding of the door by force.
- S. "Strike" means a stationary metal plate designed to momentarily depress a moving latch for final secure engagement requiring a separate operation for disengagement.
- T. "Rated" means as listed by Underwriters' Laboratory.

(1978-M-48 : § I Art. 12)

15.08.100 – Maintenance of devices or safeguards

All devices or safeguards which are required by this chapter in a building, when erected, altered, or repaired, shall be maintained in good working order. The owner or his/her agent shall be responsible for the maintenance of such devices or safeguards.

(1978-M-48 : § I Art. 3)

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15.08.160 – Commercial building - Exterior doors

Any building requiring panicproof hardware locks on exit doors shall be exempt from the exterior door locking security.

- A. A single door shall be secured with either a double cylinder or single cylinder dead bolt without a turnpiece with a minimum throw of one inch. Any dead bolt must contain hardened material to repel attempts at cutting through the bolt.
- B. On pairs of doors, the active leaf (door) shall be secured with the type lock required for single doors in subsection A of this section. The inactive leaf shall be equipped with throw bolts or flush bolts at top and bottom with a minimum throw of five-eighths inch. The throw bolt must contain hardened material.
- C. All doors which require locking at top and bottom shall be secured with throw bolts at both top and bottom with a minimum throw of five-eighths inch. The throw bolt must contain hardened material.
- D. Cylinder shall be so designed or protected with cylinder guards as previously defined in Section 15.08.050.
- E. Exterior sliding commercial entrances shall be secured as in subsections A, B, and D of this section.
- F. Rolling overhead doors, solid overhead doors, sliding or accordion garage-type doors shall be secured with a cylinder lock or padlock on the inside, when not otherwise controlled or locked by electrical power operation. If a padlock is used on the inside, when not otherwise controlled or locked, it shall be of hardened steel shackle, with minimum five pin tumbler operation with nonremovable key when in an unlocked position.
- G. Metal accordion grate or grill-type doors shall be equipped with metal lock guide track at top and bottom, and a cylinder lock and/or padlock with hardened steel shackle and minimum five pin tumbler operation with nonremovable key in an unlocked position. The bottom track shall be so designed that the door cannot be lifted from the track when the door is in the locked position.
- H. Outside hinges on all exterior doors shall be provided with nonremovable pins when using pintype hinges, and/or the center hinge shall have a steel dowel projecting a minimum of threequarter inch from one plate into the opposite plate of the hinge.
- I. Doors with glass panels and doors with glass panels adjacent to the floor frame shall be secured as follows:
 - 1. Rated burglary-resistant glass or glasslike material; or
 - 2. The glass shall be covered with iron bars of at least one-half inch round or one inch by onequarter inch flat steel material spaced not more than five inches apart, secured on the inside of the glazing; or
 - 3. Iron or steel grills of at least one-eighth inch material of two-inch mesh secured on the inside of the glazing.
- J. In-swinging doors shall have rabbeted jambs.
- K. Wood doors, not of solid core construction, or with panels therein with less than one and threeeighths-inch thickness, shall be covered on the inside with at least sixteen-gauge sheet steel or its equivalent attached with screws on minimum six-inch centers.
- L. Jambs for all doors shall be constructed or protected so as to prevent violation of the function of the strike.
- M. All doors frames shall be of steel or wood and be so reinforced as to prevent spreading strike plates. On all wood frame doorways, the strike plate shall be of hardened steel construction, a minimum of four inches in length of which shall be sufficient to extend one inch into the stud directly adjacent to the door frame.
- N. All exterior doors excluding front doors shall have minimum of a one-hundred-watt bulb over the outside of the door. Such bulb shall be protected with a polycarbonate cover or cover of equal breaking-resistant material, and shall be illuminated during the period from sunset to sunrise.

(1978-M-48 : § II Art. 13)

15.08.170 – Commercial building - Accessible windows

- A. Accessible windows shall be of rated burglar-resistant glazing material.
- B. If the window is of the type to be opened, it shall be secured with a locking mechanism capable of withstanding a force of three hundred pounds applied in any direction.
- C. Louvered windows, except those above the first story, shall not be permitted.
- D. Outside hinges on all accessible windows shall be provided with nonremovable pins and/or steel dowels projecting one-half inch from one plate into the opposite plate of the hinge.

(1978-M-48 : § II Art. 14)

15.08.180 – Commercial building - Ventilating openings

Ventilating openings, larger than ninety-six square inches and utilized for the intake or exhausting of air, shall have a cover securely fastened to the roof or wall so as to prevent easy removal from the exterior by a person using common tools.

(1978-M-48 : § II Art. 15)

15.08.190 – Commercial building - Roof openings

- A. All glass skylights on the roof shall be secured as follows:
Skylight units, or portions of openings utilizing transparent panels, shall be provided with burglar-resistant glazing material, meeting or surpassing Underwriters' Laboratory test 972. The skylight unit shall be securely fastened to the roof in such a manner as to prevent removal from the exterior by a person using common tools.
- B. All hatchway openings on the roof shall be secured as follows:
1. If the hatchway is of wooden material, it shall be covered on the inside with at least sixteen-gauge sheet steel or its equivalent, attached with screws on minimum six-inch centers or at least seventeen-gauge sheet steel or its equivalent, attached to the outside by rounded head flush bolts or vandal-proof screws.
 2. The hatchway shall be secured from the inside with a slide bar or slide bolts. The use of a crossbar or padlock must be approved by the fire chief.
 3. Outside hinges on all hatchway openings shall be provided with nonremovable pins when using pin-type hinges, and/or a steel dowel projecting a minimum of one-half inch from one plate into the opposite plate of the hinge.
- C. All air duct or air vent openings exceeding eight inches by twelve inches on the roof or exterior walls should be secured as follows:
1. Iron bars of at least one-half inch round or one inch by one-quarter inch flat steel material spaced no more than five inches apart and securely fastened; or
 2. A steel grill of at least one-eighth inch material or two-inch mesh and securely fastened.
 3. If the barrier is on the outside, it shall be secured with rounded head flush bolts on the outside.

(1978-M-48 : § II Art. 16)

15.08.200 – Commercial Building - Entrance doors to individual offices of multiple occupancy building

Each entrance door to individual offices shall be considered to be an exterior door and be protected as required in subsections A through M of Section 15.08.160.

(1978-M-48 : § II Art. 17)

15.08.210 – Commercial building - Safes

Commercial establishments having one thousand dollars or more in cash on the premises after closing hours shall lock such money in a safe after closing hours. The safe must have a minimum Underwriters' Laboratory TRTL 30, or S.M.N.A. group U-4 rating.

(1978-M-48 : § II Art. 18)

15.08.220 – Commercial building - Intrusion detection devices

- A. If it is determined by the enforcing authority of this chapter that the security measures and locking devices described in this chapter do not adequately secure the building, he/she may require the installation and maintenance of an intrusion detection device (burglar alarm system).
- B. Extent of premises protection.
1. Individual alarm systems on mercantile premises, stockrooms are classified as installation Nos. 1, 2 or 3. Installation No. 1 does not apply to local alarms. (Established in compliance with Underwriters' Laboratory requirements);
 2. Installation No. 1. Completely protecting all windows, doors, transoms, skylights and other openings leading from the premises, and all ceilings, floors, halls, party partitions are building walls which are exposed to street or public highway and except that part of any building wall which is at least two stories above the roof of an adjoining building or grade level, whichever is less;
 3. Installation No. 2. Completely protecting all accessible windows, doors, transoms, skylights, and other openings leading from the premises; with contacts only, all inaccessible windows; and also protecting all ceiling and floors not constructed of concrete and all hall, party and partition walls, enclosing the premises, or:
 - a. Protecting with contacts only all movable openings leading from the premises, and providing a system of invisible radiation to all sections of the enclosed area so as to detect four-step movement,
 - b. Protecting with contacts only all movable openings leading from the premises, and providing a sound detection system in all sections of the enclosed area,
 - c. Completely protecting all accessible windows, doors, transoms, skylights, and other openings leading from the premises; with contacts only, all inaccessible windows; and providing a network of invisible beams to subdivide the floor space of each floor or separate section of the protected area into three approximately equal areas, and more where necessary to provide at least one subdivision per one thousand square feet of floor space. When merchandise is concentrated in wall cases, the beam arrangement shall provide for spanning the entire front of the wall cases in addition to accomplishing the required subdivision. The requirement for subdivision shall not apply to washrooms, lavatories, clothes closets, dressing and alteration rooms, furnace and coal room, basements and other portions of the premises where valuables are not stored;
 4. Installation No. 3. Completely protecting all accessible windows, doors, transoms, skylights, and other openings leading from the premises, or:
 - a. Protecting with contact only, all movable accessible openings leading from the premises and providing one or more invisible rays or channels of radiation, with the minimum overall length of the rays or radiation equivalent to the longest dimensions of the area or areas to detect movement through the channel,
 - b. Protecting with contacts only, all doors leading from the premises and providing a system of invisible radiation to all sections of the enclosed area, so as to detect four-step movement,
 - c. Protecting with contacts only, all movable openings leading from the premises, and providing a sound detection system around the perimeter of the area, with additional microphones located near fixed and movable floor and ceiling openings,
 - d. Any area irregular in shape, other than a simple rectangle or approximation thereof, shall, for the purposes of applying this rule, be divided into two or more sections approximating rectangles as closely as possible and covering the entire area to be protected. The minimum overall length of rays or channels of invisible radiation shall be taken as the sum of the longest dimensions of all such sections.
- C. Establishments having specific-type inventories shall be protected by the following minimum type alarm service:
1. Alarm with a direct line to the police station or central station, Installation No. 2:
 - a. Jewelry store (mfg. wholesale and retail),
 - b. Gun shop,
 - c. Wholesale liquor,
 - d. Wholesale drugs,
 - e. Wholesale tobacco,
 - f. Banking establishments and currency exchanges;
 2. Alarm with a direct line to the police or to a central station, Installation No. 3:
 - a. Liquor store,
 - b. Electronic equipment,
 - c. Clothing (new),
 - d. Coins and stamps,
 - e. Industrial tool supply house,
 - f. Camera stores,
 - g. Precious metal storage facility;
 3. Local alarm, Installation No. 3:
 - a. Antique dealers,
 - b. Art galleries,
 - c. Service stations.
- D. Dial alarm receiving equipment.
1. No automatic protection device that automatically or electronically selects a telephone line connected to a central alarm station or police headquarters and reproduces a prerecorded voice message to report a criminal act or other emergency requiring police response, commonly known as "dial-alarms" or "dialers" shall be installed by any person on premises of any kind in the city.
 2. Digital type nonvoice dialers will be allowed on residential installation only and provided the receiving station is a commercial central station.
- E. Residential alarm system, while not requiring certification, do require all components be Underwriters' Laboratory listed for residential installation.

(1978-M-48 : § II Art. 19)

15.08.230 – Private dwelling - Exterior doors

- A. Exterior doors and doors leading from garage areas into private dwellings shall be of solid core no less than one and three-fourths-inch thickness.
- B. Exterior doors and doors leading from garage areas into private family dwellings shall be equipped with a dead lock with a minimum one-inch throw and dead locking latch. Dead bolts shall contain hardened inserts, or equivalent, so as to repel cutting tool attack. Mortise-type locks may be used if the above described requirements are met.
- C. Vision panels in exterior doors or within forty inches of the inside activating device must be of rated burglar-resistant glazing material.
- D. Exterior doors swinging out shall have nonremovable hinge pins and/or steel dowels projecting a minimum of one-half inch from one plate into the opposite plate of the hinge.
- E. In-swinging doors shall have rabbeted jambs.
- F. Jambs for all doors shall be so constructed or protected so as to prevent violation of the function of the strike.
- G. Cylinder guards shall be installed on all mortise locks whenever the cylinder locks project beyond the face of the door or is otherwise accessible to gripping tools.

(1978-M-48 : § II Art. 20)

15.08.240 – Private dwelling - Sliding glass doors

- A. Sliding glass doors shall meet or exceed the Architectural Aluminum Manufacturers Association standards as set forth in their bulletin, AAMA 1303.3-1971.
- B. All single sliding doors shall have the movable section of the doors sliding on the inside of the fixed portion of the door.
- C. Dead locks shall be provided on all single sliding patio doors. The lock shall be operable from the outside by a key utilizing a bored lock cylinder of pin tumbler construction. Mounting screws for the lock case shall be inaccessible from the outside. Lock bolts shall be of hardened steel or have hardened steel inserts and shall be capable of withstanding a force of eight hundred pounds applied in any direction. The lock bolt shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door with the space or clearances provided for installation and operation. The strike area shall be reinforced to maintain effectiveness of bolt strength.
- D. Double sliding doors must be locked at the meeting rail and meeting the locking requirements of subsection C of this section.

(1978-M-48 : § III Art. 21)

15.08.250 – Private dwelling - Window protection

- A. A window shall be so constructed that when the window is locked, it cannot be lifted from the frame.
- B. Window locking devices shall be capable of withstanding force of three hundred pounds applied in any direction.
- C. Sliding glass windows shall meet or exceed the Architectural Aluminum Manufacturers Association standards as set forth in their bulletin, AAMA 1302.3-1971.
- D. Louvered windows, except those above the first story, shall not be permitted.

(1978-M-48 : § III Art. 22)

15.08.260 – Multiple dwelling - Exterior doors

Exterior doors and door leading from garage areas into multiple-dwelling buildings and doors leading onto stairwells, except in hotels and motels, shall be equipped with self-closing devices, allowing egress to the exterior of the building or into the garage area, or stairwell, but requiring a key to be used to gain access to the interior of the building from the outside or garage area or stairwell.

(1978-M-48 : § IV Art. 23)

15.08.270 – Multiple dwelling - Garage doors

Whenever parking facilities are provided, either under or within the confines of the perimeter walls of any multiple dwelling, such facilities shall be fully enclosed and provided with a locking device.

(1978-M-48 : § IV Art. 24)

15.08.280 – Multiple dwelling - Entrance doors to individual units

- A. In hotels, motels and multiple-family dwellings, locks on entrance doors to individual units shall have dead bolts with one-inch throw and hardened steel inserts in addition to dead latches with one-half inch minimum throw. The locks shall be so constructed that both dead bolts and deadlatches can be retracted by a single action of the inside knob. Alternate devices to equally resist illegal entry may be used if approved by the enforcing authority.
- B. All doors shall be of solid core with minimum thickness of one and three-quarters inch.
- C. Vision panels in individual entrance doors or within forty inches of the inside activating device shall be of rated burglar-resistant glazing material.
- D. An interviewer or doorscope shall be provided in each individual unit entrance door which does not contain a vision panel.
- E. Doors swinging out shall have nonremovable hinge pins, and/or steel dowels projecting a minimum of one-half inch from one hinge plate into the opposite hinge plate.
- F. In-swinging doors shall have rabbeted jambs.
- G. Jambs for all doors shall be so constructed or protected as to prevent violation of the function of the strike.
- H. Cylinder guards shall be installed on all mortise-type or rim-type cylinder locks whenever the cylinder projects beyond the face of the door or is otherwise accessible to gripping tools.
- I. Door frames shall be of steel or wood and be so reinforced as to prevent spreading.

(1978-M-48 : § IV Art. 25)

15.08.290 – Multiple dwelling - Sliding glass doors

- A. Sliding glass doors shall meet or exceed the Architectural Aluminum Manufacturers Association standards as set forth in their bulletin, AAMA 1303.3-1971.
- B. All single sliding patio doors shall have the moveable section of the door sliding on the inside of the fixed portion of the door.
- C. Dead locks shall be installed on all single sliding patio doors. The lock shall be operable from the outside by a key utilizing a bored lock cylinder of pin tumbler construction. Mounting screws for the lock case shall be inaccessible from the outside. Lock bolts shall be of hardened steel material insert or bore and shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door with the space of clearances provided for installation and operation. The strike area shall be reinforced to maintain effectiveness of bolt strength.
- D. Double sliding doors must be locked at the meeting rail and meet the locking requirements in subsection C of this section.

(1978-M-48 : § IV Art. 26)

15.08.300 – Multiple dwelling - Window protection

- A. Windows shall be so constructed that when the window is locked, it cannot be lifted from the frame.
- B. Window locking devices shall be capable of withstanding force of three hundred pounds applied in any direction.
- C. Sliding glass windows shall meet or exceed the Architectural Aluminum Manufacturers Association Standards as set forth in their bulletin, AAMA 1302.3-1971.

(1978-M-48 : § IV Art. 27)

15.08.310 – Multiple dwelling - Illuminations

All multiresidential buildings, with common entrances to more than one unit, shall be illuminated during the period from sunset to sunrise with at least the equivalent of a one-hundred-watt bulb. Such bulb shall be covered and protected by a polycarbonate cover of equal breaking resistant material.

(1978-M-48 : § IV Art. 28)

15.12 – Building Operations

Sections

- 15.12.010 – Use of streets
- 15.12.020 – Night operations
- 15.12.030 – Sidewalks
- 15.12.040 – Safeguards
- 15.12.050 – Penalty for violation of sections 15.12.010 through 15.12.040
- 15.12.060 – Public gatherings - Regulations generally
- 15.12.070 – Public gatherings - Notice - Permit issuance
- 15.12.080 – Public gatherings - Inspection of premises
- 15.12.090 – Public gatherings - Exits
- 15.12.100 – Public gatherings - Seats
- 15.12.110 – Public gatherings - Doors
- 15.12.120 – Penalty for violation of sections 15.12.060 through 15.12.110
- 15.12.130 – Public buildings - Responsibility for maintenance and safety
- 15.12.140 – Public buildings - Enforcement of provisions
- 15.12.150 – Public buildings - Fire fighting appliances
- 15.12.160 – Public buildings - Removal of apparatus
- 15.12.170 – Public buildings - Fire drills
- 15.12.180 – Public buildings - Doors
- 15.12.190 – Public buildings - Exit lights
- 15.12.200 – Penalty for violation of section 15.12.130 through 15.12.190

15.12.010 – Use of streets

The use of streets for storage of materials in the process of construction or alteration of a building may be granted where the same will not unduly interfere with traffic and will not reduce the usable width of the roadway to less than eighteen feet; provided, that no portion of the street other than that directly abutting on the premises on which work is being done shall be used except with the consent of the owner or occupant of the premises abutting on such portion. Any person seeking to make such use of the street shall file with the city clerk a bond with corporate sureties to be approved by the city council, to indemnify the city for any loss or damage which may be incurred by it by reason of such use and occupation.

(Prior code : § 13.401)

15.12.020 – Night operations

No construction or alteration operations shall be carried on at nighttime if the same are accompanied by loud noises.

(Prior code : § 13.402)

15.12.030 – Sidewalks

No sidewalk shall be obstructed in the course of building construction without a special permit from the director of public works being first obtained.

(Prior code : § 13.403)

15.12.040 – Safeguards

It shall be the duty of the person or corporation doing any construction or altering or wrecking work in the city to do the same with proper care for the safety of persons and property. Warnings, barricades and lights shall be maintained wherever necessary for the protection of pedestrians or traffic, and temporary roofs over sidewalks shall be constructed wherever there is danger to pedestrians from falling articles or materials.

(Prior code : § 13.404)

15.12.050 – Penalty for violation of sections 15.12.010 through 15.12.040

Any person, firm or corporation violating any provision of Sections 15.12.010 through 15.12.040 shall be fined not less than one dollar nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Prior code : § 13.405)

15.12.060 – Public gatherings - Regulations generally

It is unlawful to hold, manage, or conduct any meeting or entertainment of any kind in the city, in premises other than a building constructed in full compliance with the ordinance and laws pertaining thereto for auditorium, theater or lodge room purposes, excepting in compliance with the provisions of Sections 15.12.050 through 15.12.120.

(Prior code : § 27.601)

15.12.070 – Public gatherings - Notice - Permit issuance

It shall be the duty of any person or persons conducting, calling for or managing any gathering in any premises other than a theater, lodge room or auditorium building constructed as provided in Section 15.12.060, to notify the city clerk of the date of such intended use at least ten days before such meeting is to take place. Upon such notice, the building commissioner shall inspect the premises to determine whether or not they comply with the provisions hereof. Any permit issued for any such gathering shall be subject to the condition that Sections 15.12.060 through 15.12.120 be fully complied with, whether or not such condition is embodied in the permit.

(Prior code : § 27.606)

15.12.080 – Public gatherings - Inspection of premises

No such gathering or entertainment shall be held or presented in any premises other than a building as described in Sections 15.12.070, unless such premises have been examined by the building inspector not more than three days before the date of such gathering and found to be free from any fire hazard and found to be suitable for the purpose. No structure enclosed by a roof shall be used for such purpose unless the same is constructed of nonflammable materials; provided, that tents or structures covered by canvas or other materials may be so used if such canvas or other material has been properly treated so as to be rendered fire resistive.

(Prior code : § 27.602)

15.12.090 – Public gatherings - Exits

Adequate unobstructed exits shall be provided in all premises used for such purposes to permit rapid egress of all persons attending, and there shall be at least two separate exits located at least thirty feet from each other. There shall be two lineal feet of doorway or exit space for each one hundred people accommodated.

(Prior code : § 27.603)

15.12.100 – Public gatherings - Seats

- A. Any stand or rows of seats used in such premises shall be so constructed as to be safe for the use designated, and shall be sufficiently strong to carry the same weight and stress as is required for the construction of the auditorium floors of theater buildings, not less than one hundred pounds per square foot.
- B. It is unlawful to admit to any such premises a number of persons to exceed the number of actual seats maintained for their accommodation.

(Prior code : § 27.604)

15.12.110 – Public gatherings - Doors

All doors or gates or exits from premises used for such purpose shall open outward and no such exit shall be so constructed or locked that egress from inside the premises is blocked.

(Prior code : § 27.604)

15.12.120 – Penalty for violation of sections 15.12.060 through 15.12.110

Any person, firm or corporation violating any provision of Sections 15.12.060 through 15.12.110 shall be fined not less than twenty-five dollars nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Prior code : § 27.607)

15.12.130 – Public buildings - Responsibility for maintenance and safety

The owner, agent, occupant or person charged with the custody of any public building, auditorium, hotel, theater, lodge hall, or church, and in the case of schools, the president of the board of education, or the person in charge thereof and owning the same, shall be held liable for the equipment and maintenance of such apparatus as is required in Sections 15.12.140 through 15.12.200 for the maintenance and safety of all exits, stairs, doors, windows, or passageways.

(Prior code : § 27.501)

15.12.140 – Public buildings - Enforcement of provisions

It shall be the duty of the fire chief to inspect all apparatus to be installed, and their location, and to make or cause to be made periodic inspections concerning the operation and accessibility of regular and emergency exits in such public places.

(Prior code : § 27.502)

Title 15 - Buildings and Construction

15.12.150 – Public buildings - Fire fighting appliances

Unless and until an approved sprinkler system is installed, the following appliances shall be required: the location and number of fire appliances shall be as follows, unless other location shall be more accessible and convenient for protection against fires:

- A. Theaters.
 - 1. Stage, two one-quart chemical hand extinguishers, one on each side of the stage; one two and one-half gallon chemical hand extinguisher, readily accessible; one five-gallon hand pump, one fire axe,
 - 2. Foyer, two one-quart hand extinguishers at each end,
 - 3. Manager's office, one two-gallon chemical hand extinguisher or five-gallon hand pump;
- B. Public Buildings, Auditoriums, Lodge Halls, and Hotels.
 - 1. Five-gallon hand pump and fire axe at or near the main entrance on the ground floor,
 - 2. Five-gallon hand pump at or near the foot of all basement stairways,
 - 3. Two pails in boiler room unless oil burner, then two and one-half gallon special chemical hand extinguishers just outside boiler room doors.
 - 4. One-quart chemical hand extinguisher on the stage, and
 - 5. One-quart chemical hand extinguisher in the lobby;
- C. Churches.
 - 1. One five-gallon hand pump and fire axe at or near main entrance on ground floor,
 - 2. One five-gallon hand pump and fire axe in boiler room;
- D. Schools.
 - 1. One five-gallon hand pump and fire axe at or near the main entrance on ground floor,
 - 2. One five-gallon hand pump and fire axe in boiler-room.

(Prior code : § 27.503)

15.12.160 – Public buildings - Removal of apparatus

It is unlawful to remove from its proper place and fire apparatus or appliances except for inspection or in case of emergency.

(Prior code : § 27.505)

15.12.170 – Public buildings - Fire drills

It shall be the duty of the principal or other person in charge of pupils in every school in the city to establish and maintain a good and efficient fire drill which shall be practiced at least once a month during the time the building is used for school purposes. A written report shall be made by the principal or person in charge of such building on each fire drill held, and of the time elapsed from the first fire signal until the last person was out.

(Prior code : § 27.504)

15.12.180 – Public buildings - Doors

- A. All public buildings which may be or are used for church, school, opera performances, theater, lecture room, hotel, public meeting or similar purposes, or which may be or are used for the collection of people for worship, amusement or instruction, and all buildings used for stores to which the public is invited, shall be so built that all doors which lead from the main hall or place of assembly shall open outward, and all means of egress for persons within such building shall be by means of egress for persons within such building shall be by means of doors which shall open outwards from the main hall and from the building.
- B. All doors of schools and educational institutions shall remain unlocked during school hours.

(Prior code : § 27.506)

15.12.190 – Public buildings - Exit lights

In all theaters and public meeting halls, a red light illuminating the word "EXIT" shall be kept burning over each regular and emergency exit while the theater or hall is occupied by an audience or by patrons.

(Prior code : § 27.507)

15.12.200 – Penalty for violation of section 15.12.130 through 15.12.190

Any person, firm or corporation violating any provisions of Sections 15.12.130 through 15.12.190 shall be fined not less than five dollars nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Prior code : § 27.508)

15.16 – Dangerous Buildings

Sections

- 15.16.010 – Defined - Declared nuisance
- 15.16.020 – Prohibition
- 15.16.030 – Abatement requirements
- 15.16.040 – Damaged buildings within fire limits - Requirements for removal or rebuilding
- 15.16.050 – Violation - Penalty

15.16.010 – Defined - Declared nuisance

- A. The term 'dangerous building' as used in this chapter is defined to mean and include:
 - 1. Any building, shed, fence, or other manmade structure which is dangerous to the public health because of its construction or condition, or which may cause or aid in the spread of disease or cause injury to the health of the occupants of it or of neighboring structures;
 - 2. Any building, shed, fence, or other manmade structure which, because of faulty construction, age, lack of proper repair or any other cause, is especially liable to fire, and constitutes or creates a fire hazard;
 - 3. Any building, shed, fence, or other manmade structure which, by reason of faulty construction, age, lack or proper repair or any other cause, is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure;
 - 4. Any building, shed, fence or other manmade structure which, because of its condition or because of lack of doors or windows, is available to and frequented by malefactors or disorderly person who are not lawful occupants of such structure.
- B. Any dangerous building in the city is declared to be a nuisance.

(Prior code : § 13.301)

15.16.020 – Prohibition

It is unlawful to maintain or permit the existence of any dangerous building in the city, and it is unlawful for the owner, occupant, or person in custody of any dangerous building to permit the same to remain in a dangerous condition, or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition.

(Prior code : § 13.302)

15.16.030 – Abatement requirements

- A. Whenever the building inspector, the fire chief, any member of the board of health, the city sanitarian, or any other officer of the city, finds that any building or structure in the city is a dangerous building, he shall file a written statement to this effect with the city sanitarian. The sanitarian shall thereupon cause written notice to be served upon the owner thereof, and upon the occupancy thereof, if any, by registered mail or by personal service. Such notice shall state that the building has been declared to be in dangerous condition and that such dangerous condition must be removed or remedied by repairing or altering the building or demolishing it, and that the condition must be remedied at once. Such notice may be in the following form: "To _____ (owner-occupant of the premises) of the _____ premises known and described as _____ "You are hereby notified that (describe building) on the premises above described has been condemned as a nuisance and a dangerous building after inspection by _____. "The causes for this decision are (here insert the facts as to the dangerous condition). "You must remedy this condition or demolish the building immediately, or the City of St. Charles will proceed to do so."
- B. If the person receiving such notice has not complied therewith within ten days from the time when this notice is served upon such person by personal service or by registered mail, the city may, upon orders of the mayor, proceed to remedy the condition or demolish the dangerous building.

(Prior code : § 13.303)

15.16.040 – Damaged buildings within fire limits - Requirements for removal or rebuilding

- A. Any building or structure within the fire limits of the city as herein prescribed by ordinance which has or may be damaged by fire, decay, or other cause to the extent of fifty percent of its value, shall be torn down and removed, or rebuilt with nonflammable walls.
- B. Upon written notice by the building inspector, city sanitarian, fire chief, or any other city officer, filed with the city sanitarian, the sanitarian shall notify the mayor of the receipt of such notice. The mayor shall then appoint three persons to determine whether or not such building or structure has been damaged to the extent of fifty percent of its value. A copy of the notice filed by the city officer, together with a notice of the appointment of this board of three persons to determine the damage, shall be served upon the owner of the premises by personal service or by registered mail to his last known address. Such notice may be in substantially the following form: "To _____ "You are hereby notified that _____ has determined that the building owned by you at _____, located within the fire limits of the City of St. Charles has been damaged by fire, decay, or otherwise to the extent of fifty percent (50%) of its value; and that a board of three (3) members has been appointed to verify this finding, which board will hold its first meeting in the city hall on the _____ day of _____ at the hour of _____ o'clock, at which time it will determine whether this finding is correct. "If this finding is verified by the board, you must tear down and remove the said building, or rebuild it with non-flammable walls."
- C. If this finding is verified by the board of three members and it determines that the building in question has been damaged to the extent of fifty percent of its value, it shall be the duty of the owner to tear down and remove the said building within twenty days after the finding of such board, or to remodel it to comply with the requirements of new buildings in the fire limits, and it is unlawful to occupy or permit occupancy of such building after such finding until it is so remodeled.

(Prior code : § 13.304)

15.16.050 – Violation - Penalty

Any person, firm or corporation violating any provision of this chapter, or permitting any dangerous building, or any building or structure to remain in a dangerous condition, or to remain in the fire limits without remodeling as provided for in Section 15.16.040 after it has been damaged to the extent of fifty percent of its value, shall be fined not less than one dollar nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Prior code : § 13.305)

15.20 – Moving Buildings

Sections

- 15.20.010 – Permit - Required - Application
- 15.20.020 – Fees
- 15.20.030 – Bond
- 15.20.040 – Lights and warnings
- 15.20.050 – Interference with public utility wires
- 15.20.060 – Interference with fire alarm wires
- 15.20.070 – Violation - Penalty

15.20.010 – Permit - Required - Application

No person, firm or corporation shall move any building on, through, or over any street, alley, sidewalk or other public place in the city without having first obtained a permit from the Building Commissioner. Applications for such permits shall be made in writing at the office of the Building Commissioner and shall state thereon the proposed route and the number of days it is intended that the building should occupy any portion of any street, alley, sidewalk or other public place.

(1986-M-63 : § 3; Prior code : § 13.501)

15.20.020 – Fees

Upon the approval of the intended route by the Building Commissioner, a fee of ten dollars for each day or fraction thereof that it is intended that the building shall occupy any portion of any such public place shall be paid to the city clerk and the permit issued. An additional payment of ten dollars for each day or fraction thereof over and above the time stated on the permit, during which any building shall occupy any such public place, shall be paid.

(1986-M-63 : § 3; Prior code : § 13.502)

15.20.030 – Bond

Every person, firm or corporation applying for a permit under this chapter shall submit with his application a bond in the sum of fifty thousand dollars conditioned on his compliance with all the provisions of this chapter, and agreeing to pay, and holding the city harmless from any claim which may be made against it by reason of the occupation of any street, sidewalk, alley or other public place by the building or structure moved.

(Prior code : § 13.503)

15.20.040 – Lights and warnings

Whenever a street or alley is blocked by a house or structure which is being moved, warnings to that effect shall be placed by the public engineer so as to warn vehicles and persons from entering that portion of the street which is so blocked. The person, firm or corporation moving any building through the streets shall keep warning signs and lanterns or lights at night on the building so as to guard against any person or vehicles from colliding with it.

(Prior code : § 13.504)

15.20.050 – Interference with public utility wires

Whenever it is necessary to interfere with wires or cables of a public utility in moving a building, the terms of any special or franchise ordinance governing shall apply and the bond therein specified shall be given. If no such terms apply then the city council shall estimate the expense of fixing the wires and the bond to be given to cover this.

(Prior code : § 13.505)

15.20.060 – Interference with fire alarm wires

When any such moving building approaches any fire alarm wire or pole which would be endangered by the removal of such building, it shall be the duty of the mover to notify the chief of the fire department at least six hours before reaching such wire or pole so that they may be removed or cared for by the city.

(Prior code : § 13.506)

15.20.070 – Violation - Penalty

Any person, firm or corporation violating any provision of this chapter shall be fined not less than one dollar nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Prior code : § 13.507)

15.24 – Fire Limits

Sections

15.24.010 – Established

15.24.020 – Violation - Penalty

15.24.010 – Established

- A. Fire limits are established in accordance with Section 15.04.010.
- B. All areas annexed to the city shall comply with Section 15.04.010 except buildings in Use Groups R-2 and R-3.
- C. All areas rezoned shall comply with Section 15.04.010 except buildings in Use Group R-2 and R-3.

(1985-M-33 : § 2; 1978-M-22 ; 1969-M-9 ; Prior code : § 13.204)

15.24.020 – Violation - Penalty

Any person, firm or corporation violating any provision of this chapter shall be fined not less than one dollar nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Prior code : § 13.204)

15.28 – Fire Prevention Code

Sections

- 15.28.010 – Fire Prevention Code, Life Safety Code – Adopted – Modifications
- 15.28.020 – Bureau of Fire Prevention – Establishment and duties
- 15.28.030 – Definitions
- 15.28.040 – Limits for the storage, handling, processing, manufacturing and transportation of flammable, hazardous or toxic chemicals, liquids and gases
- 15.28.050 – Amendments to the ICC International Fire Code 2015
- 15.28.060 – Emergency conditions
- 15.28.070 – Appeals
- 15.28.080 – New materials, processes or occupancies requiring permits
- 15.28.090 – Violation – Penalty
- 15.28.100 – Fire Alarm Systems
- 15.28.110 – Renumbered to 15.28.080 New materials, processes or occupancies requiring permits
- 15.28.120 – Renumbered to 15.28.090 Violation - Penalty
- 15.28.130 – Removed - Section 6.2(a) Amended - Permit for storage of cellulose nitrate plastics.
- 15.28.140 – Removed - Section 7.6 Added - Permit for storage combustible fibers
- 15.28.150 – Removed - Section 0.2(a) Amended - Permit for dry-cleaning business
- 15.28.160 – Removed - Section 9.8 Added - Automatic extinguishing systems
- 15.28.170 – Removed - Section 11.2 Amended - Marking of exitways
- 15.28.180 – Removed - Section 11.3 Amended - Lighting of exitways
- 15.28.190 – Removed - Section 11.6 Added - Number and location of exits
- 15.28.200 – Removed - Section 13.4 Amended - Bond and responsibility for fireworks display required
- 15.28.210 – Removed - Section 14.6 Added - Fire alarm systems
- 15.28.220 – Removed - Subsection (f) Added to Section 16.27 - Testing of tanks and pipes
- 15.28.230 – Removed - Subsection (b) Added to Section 16.37 - Testing of tanks and pipes
- 15.28.240 – Removed - Subsection (c) Added to Section 16.41 - Permit for aggregate capacity in excess of five gallons
- 15.28.250 – Removed - Section 16.99 Amended - Tank vehicles
- 15.28.260 – Removed - Section 20.3(a) Amended - Permit for storage of hazardous chemicals
- 15.28.270 – Removed - Section 21.3(a) Amended - Permits and reports of installations
- 15.28.280 – Removed - Section 22.10(a) Amended - Liquefied petroleum gas tank vehicles
- 15.28.290 – Removed - Section 22.6 Added - Location of lumberyards and woodworking plants
- 15.28.300 – Removed - Section 23.3 Amended - Permit for storage of magnesium
- 15.28.310 – Removed - Subsection (e) and (f) Added to Section 28.3 - Smoking prohibited under certain conditions
- 15.28.320 – Removed - Section 28.16 Amended - Fire Department access
- 15.28.330 – Removed - Section 28.17 Added - Water supplies for Fire Department use
- 15.28.340 – Removed - Section 28.18 Added - Fire extinguishers
- 15.28.350 – Removed - Section 28.19 Added - Identification of fire hazard of materials
- 15.28.360 – Renumbered to 15.28.090 Deferral of Certain Improvements
- 15.28.370 – Renumbered to 15.28.100 Appeals
- 15.28.380 – Renumbered to 15.28.110 New materials, processes or occupancies requiring permits
- 15.28.390 – Renumbered to 15.28.120 Violation - Penalty

15.28.010 – Fire Prevention Code, Life Safety Code – Adopted – Modifications

The provisions of a), the ICC International Fire Code 2015 edition, with the following Appendices:

- Appendix B.- Fire Flow Requirements for Buildings
- Appendix C- Fire Hydrant Locations and Distribution
- Appendix D- Fire Apparatus Access Roads

as published by the International Code Council, Inc. 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, and b) the NFPA 101 Life Safety Code, 2015 edition, published by the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269-9101, are hereby adopted by reference as if fully set forth herein, together with the amendments listed herein, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion: These codes and amendments thereto shall be known as the "City of St. Charles Fire Prevention Code."

(2016-M-9 : § 1; 2010-M-44 : § 1; 2004-M-76 : § 1; 1988-M-15 : § 1; 1978-M-37 : Art. 1)

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15.28.020 – Bureau of Fire Prevention – Establishment and duties

- A. The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the department of the City, which is established and which shall operate under the supervision of the Chief of the Fire Department.
- B. The person in charge of the Bureau of Fire Prevention shall be designated by and serve at the pleasure of the Chief of the St. Charles Fire Department.
- C. The Chief of the Fire Department may detail such members of the Fire Department as inspectors as shall from time to time be necessary.
- D. The Chief of the Fire Department shall recommend any amendments to the Code, which in his judgment, shall be desirable.
(2016-M-9 : § 1; 2010-M-44 : § 1; 2004-M-76 : § 1; 1978-M-37 : Art. 2)

15.28.030 – Definitions

- A. Wherever the words "Fire Prevention Code" or "Code" are used, they shall be held to mean the City of St. Charles, Illinois, Fire Prevention Code.
- B. Wherever the word "municipality" is used in the Fire Prevention Code, it shall be held to mean the City of St. Charles, Illinois.
- C. Wherever the term "Corporation Counsel" is used in the Fire Prevention Code, it shall be held to mean the City Attorney for the City of St. Charles, Illinois.
- D. Wherever the term "Fire Officials," "Fire Inspector," "Inspector," "Code Official," "Authority Having Jurisdiction," or "Fire Marshal" is used, it shall be held to mean the Chief of the St. Charles Fire Department or his designee.
- E. Wherever the term "Bureau of Fire Prevention" is used, it shall be held to mean the Bureau of Fire Prevention of the City of St. Charles, Illinois.
(2016-M-9 : § 1; 2010-M-44 : § 1; 2004-M-76 : § 1; 1988-M-15 : § 1; 1978-M-37 : Art. 3)

15.28.040 – Limits for the storage, handling, processing, manufacturing and transportation of flammable, hazardous or toxic chemicals, liquids and gases

- A. Prohibited Storage of Explosives and Blasting Agents. The storage, handling and use of explosives and blasting agents are hereby prohibited.
- B. Prohibited Storage of Flammable and Combustible Liquids. The storage of flammable and combustible liquids in outside, above-ground tanks is hereby restricted as follows: As approved by the Fire Prevention Code by the City of St. Charles, Illinois 60174. See F-2206.2.3.
- C. Prohibited Storage and Manufacturing of Fireworks. The manufacture, sale, handling, use or storage of fireworks is prohibited within the corporate limit of the City of St. Charles. See F-5601.2, Explosives & Fireworks.
- D. Restricted Bulk Storage of Liquefied Petroleum Gases. The bulk storage of liquefied petroleum gases in excess of 1000 gallons of water capacity is hereby prohibited.
- E. Motor Vehicle Routes for Transporting Hazardous Chemicals and Other Dangerous Articles Including Liquefied Petroleum Gases and Combustible and Flammable Liquids. Routes for vehicles transporting hazardous chemicals and other dangerous articles including combustible and flammable liquids are hereby established as follows:
 - 1. Routes approved by the state or federal governments.
 - 2. No tank vehicles shall be parked for over one hour or left unattended at any time.

(2016-M-9 : § 1; 2010-M-44 : § 1; 2004-M-76 : § 1; 1988-M-15 : § 1; 1978-M-37 : Art. 4)

15.28.050 – Amendments to the ICC International Fire Code 2015

- 1. Amend Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the *Fire Code* of "City of St. Charles, Kane and DuPage Counties, Illinois.", hereinafter referred to as "this code"

- 2. Amend 308.3 as follows:

Under exception #1 delete item 1.2

- 3. Add Section 319 as follows:

319 Miscellaneous Provisions

319.1 Tenant Separation. Each tenant space shall be separated from other tenant spaces and corridors by walls, partitions, and floor-ceiling assemblies having at least a one- (1) hour approved fire resistance rating.

- 4. Add Sections 506.3 as follows:

506.3 Location. The installation of the approved key box shall be approved by the Authority Having Jurisdiction. The box shall be located not more than six (6) feet above grade. The key box may be supervised by a tamper switch.

- 5. Add Sections 507.5.1.2, 507.1.3 & 507.1.4

507.5.1.2 Hydrants shall be located approximately ten (10) feet from an all-weather roadway. If this cannot be done, the closest part of the hydrant shall be set back at least five (5) feet from the curb line.

507.5.13 Access to fire hydrants shall be all-weather roadways adequate in width, clearance and strength for fire fighting purposes. Such routes, including private roadways, shall be maintained accessible during all seasons of the year. Legal provisions will be required for private roads.

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507.5.1.4 Firehydrants shall meet the requirements of the- City of St. Charles and he standards of the American Water Works Association, and shall have two (2) two and one-half (2 1/2) inch outlets and one (1) four and one-half (4 1/2) inch outlet with auxiliary gate valves on the hydrant branch line. Threads shall be American National Standard. Pumper outlets shall face roadways.

6. Add Section 605. 11 as follows:

605.11 Service Disconnects. Service disconnecting means shall be provided either outside the building or via a key operated remote control, located at the fire alarm control panel or other approved location, and shall have provisions to allow the service to be locked open. Each building/tenant space shall have a main disconnect incorporated within the main distribution panel inside the space.

7. Amend Section 901.6.2

901.6.2 Records: Records of all systems inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be copied to the *fire code official* upon request.

8. Amend Section 901. 7

901. 7 System out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service. Fire protecti on systems shall not be out of service for more than twenty-four (24) hours for maintenance or repairs. Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

9. Delete the provisions in Section 903. 2" Automatic Sprinkler Systems— Where Required" inclusive of subsections 903.2.1, 903.2.2, 903.2.3, 903.:2.4, 903.2.6; 903.2.7, 903.2.9 and 903.2.10 and substitute the following therefore:

903.2 Where required. Notwithstanding any language to the contrary, that is contained elsewhere in this code, an approved automatic sprinkler system installed in accordance with the provisions of all applicable codes and standards shall be provided and maintained in full operating condition throughout every story and basement of all Use Groups as listed in section 302.1 of the International Building Code.

Exceptions:

1. Structures not considered to be habitable, or occupiable of less than 5000 square-feet, with a low fire or life hazard risk and located not less than 30 feet from another structure. Buildings of this type would normally be classified' within the Utility and Miscellaneous Group U as described in section 312 of the *International Building Code*, Provided:

a. The structure is continually monitored by an approved automatic fire alarm system.

2. Open Parking Garages

The requirements, contained in these exceptions, shall be subject to modifications by the authority having jurisdiction to compensate for particular building conditions to meet the intention of the code

10. Amend Section 903. 6 and add 903. 6. 1 as follows:

903.6.1 Change of use classification. Notwithstanding any language to the contrary contained elsewhere in the codes adopted, an automatic sprinkler system shall be provided throughout a building, when the use classification of the building or a space within the building changes, provided one-of the following conditions exists:

1. If the new or proposed use is more hazardous; based on life and fire risk, than the existing use..(see table 903.6. 1)

This requirement shall be subject to modifications by the authority having jurisdiction to compensate for particular building conditions.

Hazard Category

903.6.1

Relative Hazard	Occupancy Classifications
1 (highest hazard)	H
2	I-2, I-3, I-4
3	A, E, I-1, M, R-1, R-2, R-4
4	B, F-1, R-3, S-1
5 (lowest hazard)	F-2, S-2, U

11. Delete the provisions of Section 907.2 " Where required" including the exceptions and substitute, the following therefore:

907.2 Where required. An approved fire alarm system installed in accordance with the provisions of this-code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with 907.5, unless other requirements are provided by another section of this code: Notwithstanding any provision of Section 907 and its subsections to the contrary, an approved manual fire alarm signaling system that activates the occupant notification system in accordance with Section 907.5, shall be installed and maintained in all buildings over one 1) story in height or over 1,000 square feet.

12. Delete the provisions of Section 907.9" Where required:in existing buildings.and structures" and substitute the following therefore:

907.9 Where required in existing, buildings and structures. An approved fire alarm system shall be installed in existing buildings and structures where required in chapter 11. Notwithstanding any provision of Section 907, Section 1103.7 or their subsections to the contrary, an approved

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manual fire alarm signaling system that activates the occupant notification system in accordance with Section 907.5, shall be installed and maintained in all buildings over one (1) story in height or over 1,000 square feet.

13. Delete the provisions of Section 907.6.6.1 "automatic telephone-dialing devices".

14. Amend the provisions of Section 912.1 "Installation" and substitute the following therefore:

912A Installation. The type (Siamese, Storz) and size of the fire department connection shall be in accordance with the NFPA standard applicable to the system design, shall comply with Sections 912.2 through 912.7 and be subject to approval of the Fire Department. Generally, a 5-inch size, Storz type connection with a 30 degree downturn is required

15. Delete exception #2 to section 914.6.1

16. Amend item # 5 and add items 6 & 7 to Section 11008.3.3 "Rooms and Spaces" as follows:

5. All restrooms

6. In all rooms and spaces over 1,000 square feet in area with an occupancy load of 20, or more:

7. All occupiable mechanical rooms

17. Amend Table 1020.1 to read as follows:

Table 1020.1

Corridor Fire Resistance Rating

Occupancy	Occupant Load Served by Corridor	Required Fire-Resistance Rating (Hours)	
		Without Sprinkler System	With Sprinkler System (c)
H-1, H-2, H-3	All	Not Permitted	1
H-4, H-5	Greater than 30	Not Permitted	1
A, E, F, M, S, U	Greater than 30	Not Permitted	1
R	Greater than 10	Not Permitted	1
I-2 (a), I-4	All	Not Permitted	1 (b)
B	Greater than 30	Not Permitted	1 (d)

(a) for requirements for occupancies in Group I-2, see Section 407.3

(b) For a reduction in the fire-resistance rating of occupancies in Group 1-3, see Section 408.7.

(c) Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.

(d) Glass permitted in wall

18. Amend Section 2306.2.2 "Above-ground tanks located inside buildings" to read as follows:

2306.2.2 Above-ground tanks located inside buildings. Above-ground tanks for the storage of Class I, II and IIIA liquid fuels are not allowed to be located in buildings.

19. Amend Section 2306.2.3 "Above-ground tanks located outside" to read as follows:

2306.2.3 Above-ground tanks located outside, above grade. The storage of flammable or combustible liquids in outside above-ground tanks is prohibited within the corporate limits of the City of St. Charles, Illinois, except by Special Permit issued by the fire Chief. Compliance with the following criteria is required for the issuance of a Special Use Permit for such use:

1. Above ground tanks used for outside, above-grade storage of Class I liquids shall be listed and labeled as protected above-ground tanks in accordance with UL 2085 and shall be installed in accordance with Chapter 34.5.7. Such tanks shall be located in accordance with Table 2306.2.3.

2. Above-ground tanks used for outside, above-grade storage of Class II or IIIA liquids shall be listed and labeled as protected above-ground tanks in accordance with UL 2085 and shall be installed in accordance with Chapter 57. Tank locations shall be in accordance with Table 2306.2.3.

Exception: Other above-ground tanks that comply with Chapter 57 where approved by the Fire Code Official.

3. Tanks containing fuels shall not exceed 1000 gallons in individual capacity or 1000 gallons in aggregate capacity. Installations with the maximum allowable aggregate capacity shall be separated from other such installations by not less than 100 feet.

4. Tanks located at farms, construction projects, or rural areas shall comply with Section 5706.2.

5. Above-ground tanks used for outside, above-grade storage of Class 111B liquid motor fuel shall be listed and labeled in accordance with UL 142 or listed and labeled as protected above-ground tanks in accordance with UL 2085 and shall be installed in accordance with Chapter 57. Tank

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locations shall be in accordance with Table 2306.2.3.

- 6: Above-ground tanks shall not be used for the outside storage of motor fuels at automotive service stations.
- 7. A site plan for the installation of the aboveground tank shall be submitted to the Fire Official showing all buildings and structures on the same parcel.
- 8. At least 2 (two) fire hydrants shall be provided, with an average spacing of 300 feet, 1 (one) of the required fire hydrants shall be within 300 feet of the aboveground tank.
 - a. The minimum fire flow for each hydrant shall be 2000 GPM for a 2 hour duration.
- 9. The aboveground tank shall be protected with physical barriers per Section 312.2.
- 10: Aboveground storage tank(s) shall not be for use by the general public nor shall any liquid contained in an aboveground tank be transferred into any type vessel or device to be used or controlled by the general public. Mobile fueling shall not be allowed unless approved by the Fire Code Official and all requirements from the Office of the State Fire Marshall have been met.
- 11. No liquid shall be stored in an aboveground tank that has a flash point less than that of gasoline or - 36 to - 45 degrees F.
- 12. An automatic shutoff device capable of stopping the delivery of fuel into a storage tank at 90% of the tank capacity shall be provided.
- 13. Tank contents must be transferred by means of fixed pumps only. Pumps must be designed and equipped so as to prevent accidental discharge.
- 14. All tank openings associated with piping, vents, and inspections, shall be through the top of the tank only.
- 15. Approved anti-siphon devices shall be installed at each connection of the piping to the tank when such piping extends below the level of the top of the tank.
- 16. U.L. listed, portable ABC type fire extinguisher (s) shall be provided.
- 17. No parking is allowed within 50 feet of an aboveground tank.
- 18. All aboveground tank plans must include the following:
 - a. Site plans as mentioned above.
 - b. Aboveground tank details including all piping systems, pump and transfer systems, manufacturer' s tank specifications, and all site protection, safety equipment, and safety signage per NFPA 704.
 - c. The aboveground tank requires a City of St. Charles Building Permit, and 4(four) sets of plans and specifications are required.
 - d: Approval for all aboveground tank installations shall be by the Fire Code Official, The Office of the State Fire Marshal and the Building Official.

TABLE 2306.2.3

MINIMUM SEPARATION REQUIREMENTS FOR ABOVE-GROUND TANKS

CLASS OF LIQUID AND TANK TYPE	INDIVIDUAL TANK CAPACITY (gallons)	MINIMUM DISTANCE FROM NEAREST IMPORTANT BUILDING ON SAME PROPERTY (feet)	MINIMUM DISTANCE FROM NEAREST FUEL DISPENSER (feet)	MINIMUM DISTANCE FROM LOT LINE WHICH IS OR CAN BE BUILT UPON, INCLUDING THE OPPOSITE SIDE OF A PUBLIC WAY (feet)	MINIMUM DISTANCE FROM NEAREST SIDE OF ANY PUBLIC WAY (feet)	MINIMUM DISTANCE BETWEEN TANKS (feet)
Class I protected above-ground tanks or tanks in vaults	1000	15	25a	25	15	3

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Class II and III protected above ground tanks or tanks in vaults	Same as Class I	Same as Class I	Same as Class I	Same as Class I	Same as Class I	Same as Class I
Other tanks	All	50	50	100	50	3

For SI: 1 foot= 304.8 mm 1 gallon—3.785 L.

a. At fleet vehicle motor fuel-dispensing facilities, no minimum separation distance is required

20. Amend Section 5003. 1 " Scope" to read as follows:

5003.1 Scope. The storage, use and handling of all hazardous materials shall be in accordance with this Section and Exhibit A.

21. Add Section 5601.2 "Permit required" to read as follows:

5601.2 Permit required. Permits shall be required as set forth in Section 105.6 and regulated in accordance with this section. An application for permit, on a form developed by the Fire Official, shall be made in writing at least Sixty (60) days in advance of the display of fireworks or discharge of explosives.

22. Amend Section 5705. 1 " Scope" to read as follows:

5705.1 Scope. Dispensing, use, mixing and handling of flammable liquids shall be in accordance with Section 5703 and this Section: Tank vehicle and tank car loading and unloading and other special operations shall be in accordance with Section 5706. Flammable or combustible liquids shall not be dispensed by gravity from tanks, drums, barrels or similar containers. Approved pumps that take suction from the top of the container shall be used. Unattended dispensing operations by the general public shall be prohibited. Mobile fueling shall not be allowed unless approved by the Fire Code Official and all requirements from the Office of the State Fire Marshall have been met. No tank vehicle shall be left unattended on any lot, street, highway, avenue, alley, or any other location, public or private.

Exception:

1. Containers of organic coatings having no fire point and which are opened for pigmentation are not required to comply with this Section.

23. Add section 6101. 4. " Storage Prohibited/ Permit Required" to read as follows:

6101.4 Storage Prohibited/ Permit Required. Aboveground storage of liquefied petroleum gas utilizing one or more containers having a total capacity of over 1, 000 gallons water capacity shall be prohibited.

24. Add section 6101. 5 to read as follows:

61015 Parking Restrictions. No tank vehicle shall be left unattended on any lot, street, highway, avenue, alley or any other location, public or private:

25. Add Exhibit A:

Exhibit A

Performance Guidelines for High Hazard Uses in the City of St. Charles

1. Specific location: The geographic location and distances to other structures, rivers, streams, and other use groups.
2. Zoning: The proximate distances to assembly, educational, institutional, and residential uses and vacant land zoned for these uses.
3. Types of hazardous materials which are not allowed: Materials listed in Section 307.3 High Hazard Group H- 1 that present a detonation hazard shall not be permitted under any circumstances.
4. Allowable construction types: Type I and II only.
5. Required fire protection for High Hazard materials:
 - a. Provide extra hazard Group H fire sprinkler-system
 - b. Provide a fixed foam fire protection system
6. Required water supply system: 3,000 to 6,000 gallons per minute from a reliable source.

15.28.060 Emergency Conditions.

In case there shall be, in the opinion of the Fire Official, actual and immediate danger to life and property from the hazards of fire and explosion arising from the storage, handling, or use of hazardous substances, materials, or devices, or from conditions hazardous to life and property in the use or occupancy of buildings or premises the Fire Official shall employ such labor and machinery, equipment and devices and cause the necessary work to be done to render said occupants or property temporarily safe, whether the procedure prescribed in this section has been instituted or not.

- A. Where practical and time constraints permit, the owner, occupant or other person responsible for the emergency condition shall be notified of the emergency condition, in writing, and shall have the option of making the condition safe.
- B. The owner and occupants of the premises shall be jointly and severally liable for any costs incurred in connection with the same.
- C. The Fire Official of the City of St. Charles, Illinois shall cause proper action to be instituted against the owner of the premises, and the occupants if different than the owners, for the recovery of costs incurred by the City of St. Charles, Illinois, in the performance of the emergency work.
- D. For the purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them:

a. " Hazardous Substance" or " Hazardous Material" means any substance or material or mixture of substances which is toxic, corrosive, an irritant,

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strong sensitizer, radioactive, flammable, combustible, or which generates pressure through decomposition; heat or other means and which may cause injury or illness to humans, domestic livestock, or wildlife or as defined by the Illinois Environmental Protection Act or any federal law.

b. "Hazardous material Incident" means an incident which threatens public health or safety involving the actual or potential release of a hazardous substance or hazardous material.

c. "Toxic" means any substance (other than a radioactive substance) which has the capacity to produce bodily injury or illness to man through ingestion, inhalation, or absorption through any body surface.

d. "Corrosive" means any substance which, in contact with living tissue, causes destruction of tissue by chemical reaction, but does not refer to action on inanimate surfaces.

e. "Irritant" means any substance, not corrosive, which, on immediate, prolonged or repeated contact with normal living tissue, will induce local inflammatory reaction.

f. "Strong Sensitizer" means any substance which will cause on normal living tissue through an allergic or photo dynamic process, a hypersensitivity of the same substance.

g. "Radioactive" means any substance which emits ionizing radiation.

h. "Flammable" means any substance which has a flash point of less than 100 degrees Fahrenheit. "Combustible" means substance with a flash point greater than 100 degrees Fahrenheit.

j. "Person" shall mean any individual, partnership, corporation, trust, firm, company, estate, association, or other legal entity.

Control of Hazardous Substances or Hazardous Materials:

a. It shall be unlawful for any person to use, store, deliver or transport hazardous substances or hazardous materials, or cause the use, storage, delivery or transporting of hazardous substances or hazardous materials in any manner inconsistent with the requirements of the Fire Prevention Code of the City of St. Charles, or any other applicable City ordinance, County ordinance, State law or Federal law.

b. It shall be unlawful for any motor vehicle carrying, transporting or containing a hazardous substance or hazardous material to park or stand, other than temporarily for the purpose of and while actually engaging in, loading or unloading, on private property, without the knowledge and express consent of the person who is in charge of the property and who is aware of the nature of the hazardous substance or hazardous material the motor vehicle contains.

c. It shall be unlawful for any person using, storing, manufacturing, producing, disposing, treating, transporting or causing the use, storage, manufacture, production, disposal, treatment or transportation of any hazardous substance or hazardous material in any manner which results in a hazardous materials incident.

Hazardous Materials or Hazardous Substance Incident Expense Recovery:

a. Any person causing or permitting a hazardous material incident, shall be responsible for all of the following:

1) Reimbursement in full, of any and all costs incurred by the CITY in connection with the operation (including equipment and vehicles), maintenance, and staffing required to respond to such hazardous materials incident. Vehicles and staffing will be charged the hourly rate of pay, including overtime expenses and overhead costs, for each employee who participates in such response to a hazardous materials incident. Any maintenance costs incurred by the CITY will be reimbursed at the rate of time and materials.

2) Reimbursement, in full, for any and all costs incurred by the CITY for equipment and materials used, damage, lost, spent, destroyed or rendered irreparable in connection with a hazardous materials incident.

3) Assumption of and all liability and costs for any cleanup or removal resulting from any hazardous material incident, including but not limited to any independent cleanup contractor necessitated by such hazardous material incident.

4) Any and all costs and reasonable, attorney's fees, incurred in connection with the enforcement of the Ordinance and any collection undertaken hereunder.

b. The City of St. Charles shall prepare and forward to the person or persons causing or permitting a hazardous material incident a bill for the total costs and expenses incurred for which such person or persons are responsible pursuant to this Section; provided, however, any costs in connection with any independent cleanup contractor shall be billed directly by such contractor. Payment of the total bill shall be made within thirty (30) days of receipt. Any bill or portion of a bill remaining unpaid after thirty (30) days of receipt shall accrue interest on the unpaid balance at the rate of 1 1/2% per month, or fraction of month.

Limitation of Liability: The City, its officers, agents or employees, shall not have any liability or responsibility for any claim, injury, or damage of any kind resulting from a hazardous material incident to which the City or any of its departments, officers, agents or employees responds.

Invalidity: Should any clause, sentence, paragraph or part of this Ordinance be declared a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

15.28.070 New materials, processes or occupancies requiring permits.

The Building Official, the Chief of the Fire Department, and the Chief of the Bureau of Fire Prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials; processes or occupancies; which shall require permits, in addition to those now enumerated in the Fire Prevention Code. The Chief of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art., 5 (F.)

15.28.080 Violation- Penalty.

Any violations of this Chapter shall be enforced and prosecuted in accordance with the provisions of Chapter 15.101 of the St. Charles Municipal code. The Chief of the Fire Department shall have all of the rights and responsibilities given to the Building Official under Chapter 15.101 for the prosecution and enforcement of any violations under this chapter.

Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (G.)

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15.28:090- FIRE ALARM SYSTEMS

A. Purpose and Intent - The ordinance codified in this chapter is adopted for the purpose of regulating and permitting fire alarm systems to which the fire department is expected to respond and to supplement the provisions of the ICC International Fire Prevention Code, 2015 edition and the NEPA 101 Life Safety Code, 2015 edition as previously adopted.

B. Applicability- The provisions of this chapter shall apply to all fire alarm systems used and operated within the jurisdiction of the St. Charles Fire Department.

- i. The provisions of this article shall not apply to any electric, wired, or battery operated, single station smoke detectors installed to alert the occupants of any single-family residence to the danger of a fire.
- ii. For the purpose of supplementing the provisions contained in this article, the City Council hereby adopts NFPA 72 - National Fire Alarm code, as referenced in the adopted Fire Prevention Code, published by the National Fire Protection Association.

C. Permit Required

- i. It is unlawful for any person, firm, partnership, corporation or other entity to use, own or lease a fire alarm system or to be in control of a protected premise, wherein an alarm system is operated or maintained without having first obtained a permit as provided in this chapter.
- ii. It is unlawful for any person, firm, partnership, corporation or other legal entity to use, own or lease an alarm system or to be in control of a protected premises wherein an alarm system is operated or maintained when a permit therefore has been revoked.
- iii. A permit must be obtained for each separately addressed operating location.
- iv. No fee shall be charged to obtain an alarm user permit.
- v. All permits issued are valid indefinitely unless revoked.

D. Permit Application- For every new fire alarm system and any time there is a change in the information required by this section, every fire alarm user shall file a completed or amended application for a fire alarm permit with the Fire Department for review and approval.

- i. Each applicant for a permit to maintain a fire alarm system shall file a written application with the Fire Department stating:
 - a. The full legal name, address and telephone number of the applicant.
 - b. The name, address and telephone number of the proposed protected premises where the fire-alarm is located.
 - c. Any fire alarm system designed to transmit a signal to a fire alarm monitoring agency shall include the name, address, and telephone number of said agency.
 - d. The type of fire alarm system at the protected premises.
 - e. A list of three persons, including their addresses and telephone numbers, who can be contacted and will respond to the protected premises in the event of an emergency or to reset or deactivate the fire alarm system, or who could contact the alarm user if the alarm user is not at the protected premises.
 - f. The name, address, and telephone-number of the fire alarm company that installed the fire alarm.
 - g. The name, address, and telephone number of the fire alarm company that is responsible for the maintenance and repair of the fire alarm system, if applicable.
- ii. Incomplete applications shall be returned to the applicant:
 - a. A permit will not be issued until the completed application is received and the Fire Chief or his designate has granted approval for the permit.
- iii. An application for an alarm user permit shall be denied if:
 - a. The applicant has failed to pay false fire alarm fees required by this ordinance for a different protected premises under the applicant's ownership or control.
 - b. The applicant has failed to comply with any provisions of this ordinance or other ordinances of the city.
- iv. The Fire Chief or his designate shall be responsible for processing and issuing alarm user permits:
- v. It shall be unlawful for any alarm user to fail or refuse to amend its alarm user permit application within 14 days after any of the information required and obtained therein becomes outdated or inaccurate.

E. Alarm Activation at a Protected Premises Where an Alarm User Permit has not Been Issued- Each notice to the Tri-Com Communications Center or the Fire Department of an activation of a fire alarm system at the protected premises, protected by a fire alarm which is not permitted shall be considered a separate violation of this chapter and any alarm user who does not have a valid fire alarm user permit will be assessed a fine in the amount of \$300.

F. Transfer of Alarm User Permit. Prohibited - A fire alarm user permit cannot be transferred to another premises onto another person.

G. False Alarms Prohibited- It shall be unlawful for any person to start or spread any false alarm of fire or to knowingly activate a fire alarm system for the purpose of summoning the Fire Department except if such person knows or suspects that there is an actual emergency or fire condition on the premises.

H. False Alarms- Fines— Notifications- A response fee shall be imposed to all fire alarm users to reimburse the Fire Department for the increased costs associated with responding to excess false fire alarms from any fire alarm system at a single protected location.

1. Any alarm user who has more than three (3) false fire alarms within a calendar year at a single protected location will be assessed fines according to the following fine schedule:

- a. Four to five false fire alarms: \$ 50 fine per false fire alarm
- b. Six to ten false fire alarms; \$100 fine per false fire alarm
- c. More than ten false fire alarms: \$300 fine per false fire, alarm

2. After the third, recorded false alarm within any calendar year for any alarmed premises, the Fire Chief or his designee shall send an invoice for response fees to the fire alarm user. Such invoice shall be sent by postage paid U.S. mail or personally delivered to the user of the alarmed

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premises where the false fire alarm(s) occurred.

3. Any individual, firm, partnership, corporation, association, organization, company or other entity in control of a protected premises where an alarm system is located accused of a violation of this article may settle and compromise the claim or violation by paying the invoice for response fees to the City, within thirty(30) days of after it is mailed. Payment of such claim or claims shall be made at the Finance Department of the City. In the event such claim or claims are not paid within thirty (30) days, or if the alarm user otherwise contests the validity of the claim a complaint or notice to appear in court may be issued for the,alleged violation.

4. The alarm user shall have the opportunity within fourteen (14) days from the date of mailing or personal delivery, to submit a written request or meet with the Fire Chief for thepurpose of showing cause as to whether circumstances exist to warrant voiding the invoice for response fees due false fire alarm activations. The Fire Chief shall review the alarm user's report and/or meet with the alarm user and issue a written finding to the alarm user as to whether or not the invoice for response fees due false fire alarm activations will be voided. The finding of the Fire Chief shall be final.

5. Any fire-alarm user that exceeds the level of ten (10) false fire alarms per calendar year shall be required to enroll in the Underwriters Laboratory (UL) fire alarm certificate program. Such certificated users shall be subject to the UL random system inspections. Enrollment in this program would cease when the fire alarm user has demonstrated to the Fire Chief or his designate that the fire alarm system no longer transmits false fire alarms on a recurring basis.

I. False Fire Alarm Determinations

i. There shall be a presumption that a fire alarm activation was a false fire alarm where the Fire Chief or his designee determines that:

a. There is no evidence of a fire or other smoke, heat, or noxious fume condition on the protected premises that would warrant a call for immediate response from the Fire Department.

b. There is no evidence that extraordinary weather conditions, electrical power failures, transmission line malfunctions or other circumstances beyond the control of the alarm user caused the activation of the fire alarm.

ii. Whenever a new fire-alarm system is installed, no fire alarm activation from such an alarmed premises shall be deemed to be a false fire alarm within the meaning of this chapter for a period not to exceed thirty (30) days after the approved installation of said fire alarm system.

J. Testing Equipment- No person shall conduct or cause to be conducted any test or demonstration of any fire alarm system or signaling device which causes the Fire Department to be dispatched. All systems shall be put in" test" with the pertinent central station prior to testing and be placed back in service after the testing or work has been completed. Any test, which is not preceded immediately by notification to the pertinent central station, shall be deemed a false fire alarm as defined by this chapter.

K. No Liability of City- The city assumes no liability for any defects in the operation of any fire alarm system or signal line system for any failure or neglect of any person associated with the installation or maintenance of any fire alarm system, for any failure or neglect of any alarm user, for the transmission or receipt of fire alarm signals, or any failure or neglect to respond upon receipt of an fire alarm from any source. In the event that the city finds it necessary to allow for the disconnection of any fire alarm system, the city shall have no liability for-such action. No special duty other than that owed to the general public shall be created by virtue of this ordinance or by virtue of the issuance of a fire alarm system permit or receipt of alarm signals by the Tri-Com Communications Center.

L. Severability- If any provision, clause, sentence, paragraph; section or part of this chapter or application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair, or invalidate the remainder of this chapter in the application of such provision to other persons or circumstances but shall be confined in its operation, to the provision, clause, sentence, paragraph,-section, or part thereof directly involved in the controversy in which such judgment shall have been, rendered and to the person or circumstance involved. It is hereby declared to be the legislative intent of the City Council that this chapter would have been adopted had such unconstitutional or invalid provisions, clause, sentence, paragraph, section, or part thereof not been included.

M. Penalty for Violation- Any person, firm, or corporation violating any provisions of this Section are subject to,specific fines established in this Section, or as otherwise provided in this code. Each day during which a violation in this section continues or is permitted to exist shall be considered a separate and distinct offense.

(2016-M-9 : § 1; 2010-M-44 : § 1; 2004-M-76 : § 1; 1988-M-15 : § 1; 1978-M-37 : Art. 5 (part))

15.28.060 – Emergency conditions

In case there shall be, in the opinion of the Fire Official, actual and immediate danger to life and property from the hazards of fire and explosion arising from the storage, handling, or use of hazardous substances, materials, or devices, or from conditions hazardous to life and property in the use or occupancy of buildings or premises, the Fire Official shall employ such labor and machinery, equipment and devices and cause the necessary work to be done to render said occupants or property temporarily safe, whether the procedure prescribed in this section has been instituted or not.

- A. Where practical and time constraints permit, the owner, occupant or other person responsible for the emergency conditions shall be notified of the emergency condition, in writing, and shall have the option of making the condition safe.
- B. The owner and occupants of the premises shall be jointly and severally liable for any costs incurred in connection with the same.
- C. The Fire Official of the city of St. Charles, Illinois, shall cause proper action to be instituted against the owner of the premises, and the occupants if different than the owners, for the recovery of costs incurred by the City of St. Charles, Illinois, in the performance of the emergency work.
- D. For the purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them:
 - a. "Hazardous Substance" or "Hazardous Material" means any substance or material or mixture of substances which is toxic, corrosive, an irritant, strong sensitizer, radioactive, flammable, combustible, or which generates pressure through decomposition, heat or other means and which may cause injury, or illness to humans, domestic livestock, or wildlife or as defined by the Illinois Environmental Protection Act or any federal law.
 - b. "Hazardous Material Incident" means an incident which threatens public health or safety involving the actual or potential release of a hazardous substance or hazardous material.
 - c. "Toxic" means any substance (other than a radioactive substance) which has the capacity to produce bodily injury or illness to man through ingestion, inhalation, or absorption through any body surface.
 - d. "Corrosive" means any substance which, in contact with living tissue, causes destruction of tissue by chemical action, but does not refer to action on inanimate surfaces.
 - e. "Irritant" means any substance, no corrosive, which, on immediate, prolonged or repeated contact with normal living tissue, will induce local inflammatory reaction.
 - f. "Strong Sensitizer" means any substance which will cause on normal living tissue through an allergic or photo dynamic process, a hypersensitivity of the same substance.
 - g. "Radioactive" means any substance which emits ionizing radiation.
 - h. "Flammable" means any substance which has a flash point of less than 100 degrees Fahrenheit.
 - i. "Combustible" means substance with a flash point greater than 100 degrees Fahrenheit.
 - j. "Person" shall mean any individual, partnership, corporation, trust, firm, company, estate, association, or other legal entity.
- Control of Hazardous Substances or Hazardous Materials:
 - a. It shall be unlawful for any person to use, store, deliver or transport hazardous substances or hazardous materials, or cause the use, storage, delivery of transporting of hazardous substances or hazardous materials in any manner inconsistent with the requirements of the Fire Prevention Code of the City of St. Charles or any other applicable City ordinance, County ordinance, State law or Federal law.
 - b. It shall be unlawful for any motor vehicle carrying, transporting or containing a hazardous substance or hazardous material to park or stand, other than temporarily for the purpose of, and while actually engaging in, loading or unloading, or private property, without the knowledge and express consent of the person who is in charge of the property and who is aware of the nature of the hazardous substance or hazardous material the motor vehicle contains.
 - c. It shall be unlawful for any person using, storing, manufacturing, producing, disposing, treating, transporting or causing the use, storage, manufacture, production, disposal, treatment or transportation of any hazardous substance or hazardous material in any manner which results in a hazardous materials incident.
- Hazardous Material or Hazardous Substance Incident Expense Recovery:
 - a. Any person causing or permitting a hazardous material incident shall be responsible for all of the following:
 - 1. Reimbursement in full, of any and all costs incurred by the City in connection with the operation (including equipment and vehicles), maintenance, and staffing required to respond to such hazardous materials incident. Vehicles and staffing will be charged the hourly rate of pay, including overtime expenses and overhead costs, for each employee who participates in such response to a hazardous materials incident. Any maintenance costs incurred by the City will be reimbursed at the rate of time and materials.
 - 2. Reimbursement, in full, for any and all costs incurred by the City for equipment and materials used, damaged, lost, spent, destroyed or rendered irreparable in connection with a hazardous materials incident.
 - 3. Assumption of, and all liability and costs for, any cleanup or removal resulting from any hazardous materials incident, including but not limited to any independent cleanup contractor necessitated by such hazardous materials incident.
 - 4. Any and all costs and reasonable attorney's fees incurred in connection with the enforcement of the Ordinance and any collection undertaken hereunder.
 - b. The City of St. Charles shall prepare and forward to the person or persons causing or permitting a hazardous material incident a bill for the total costs and expenses incurred for which such person or persons are responsible pursuant to this Section; provided, however, any costs in connection with any independent cleanup contractor shall be billed directly by such contractor. Payment of the total bill shall be made within thirty (30) days of receipt. Any bill or portion of a bill remaining unpaid after thirty (30) days of receipt shall accrue interest on the unpaid balance at the rate of 1 1/2% per month, or fraction of month.

Limitation of Liability: The City, its officers, agents or employees, shall not have any liability or responsibility for any claim, injury, or damage of any kind resulting from a hazardous material incident to which the City or any of its departments, officers, agents or employees responds.

Invalidity: Should any clause, sentence, paragraph or part of this Ordinance be declared a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

(2010-M-44 : § 1; 2006-M-59 : Pgrph D; 2004-M-76 : § 1; 1988-M-15 : § 1; 1978-M-37 : Art. 5 (B))

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15.28.070 – Appeals

Any person may appeal a decision of the Chief of the Fire Department under this chapter, in the following manner:

- A. Appeal Step 1. Any person may submit to the Fire Chief a Request for Reconsideration of the Decision. The Fire Chief and the person filing the Request for Reconsideration shall conduct a personal meeting to discuss the Request for Reconsideration within 14 days after the Request is submitted. Within 14 days after the personal meeting, the Fire Chief shall either affirm or modify the original decision.
- B. Appeal Step 2. Any person who shall disagree with the affirmation or modification of the original decision by the Fire Chief provided for in Appeal Step 1 above, may appeal that decision to the City Building Board of Review of the City of St. Charles.

(2010-M-44 : § 1; 2004-M-76 : § 1; 1978-M-37 : Art. 5 (E))

15.28.080 – New materials, processes or occupancies requiring permits

The Building Commissioner, the Chief of the Fire Department, and the Chief of the Bureau of Fire Prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in the Fire Prevention Code. The Chief of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

(2010-M-44 : § 1; 2004-M-76 : § 1; 1978-M-37 : Art. 5 (F))

15.28.090 – Violation – Penalty

Any violations of this chapter shall be enforced and prosecuted in accordance with the provisions of Chapter 15.101 of the St. Charles Municipal Code. The Chief of the Fire Department shall have all of the rights and responsibilities given to the Building Commissioner under Chapter 15.101 for the prosecution and enforcement of any violations under this chapter.

(2010-M-44 : § 1; 2004-M-76 : § 1; 1978-M-37 : Art. 5 (G))

15.28.100 – Fire Alarm Systems

A. Purpose and Intent

The ordinance codified in this section is adopted for the purpose of regulating and permitting fire alarm systems to which the fire department is expected to respond and to supplement the provisions of the ICC International Fire Code, 2009 edition and the NFPA 101 Life Safety Code, 2009 edition as previously adopted.

B. Applicability

The provisions of this section shall apply to all fire alarm systems used and operated within the jurisdiction of the St. Charles Fire Department.

1. The provisions of this section shall not apply to any electric, wired, or battery operated, single station, multiple station smoke detectors or household fire alarm systems installed to alert the occupants of any 1 or 2 family residences to the danger of a fire.
2. For the purpose of supplementing the provisions contained in this section, the NFPA 72 – National Fire Alarm Code, 2007 edition, published by the National Fire Protection Association, is hereby adopted by reference as if fully set forth herein.

C. Definitions

1. Alarm Notification Appliance – a fire alarm system component such as a bell, horn, speaker, light, or text display that provides audible, tactile, or visible outputs, or any combination thereof.
2. Alarm System – As defined in the national fire alarm code, a system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of fire alarm or supervisory signal-initiating devices and to initiate the appropriate response to those signals.
3. Alarm User – a person(s), firm, partnership, corporation, association, organization, company or other entity in control of a protected premise where an alarm system is located.
4. Audible Alarm – an alarm notification that alerts by sense of hearing.
5. Automatic Dialing Telephone Alarm – a device that automatically dials any of the Tri-Com Communications Center emergency telephone lines, without human activation of the device by the alarm user or employee of the alarm user, upon detection of an unauthorized entry or other unauthorized activity at a protected premise.
6. Calendar Year – means a 12-month period beginning January 1 and ending December 31 every year.
7. Central Station Service Fire Alarm System – a system or group of systems in which the operations of circuits and devices are transmitted automatically to, recorded in, maintained by, and supervised from a listed central station that has competent and experienced servers and operators in attendance at all times who, upon receipt of a signal, take such action as appropriate and required. Such service is to be controlled and operated by a person, firm, or corporation whose business is the furnishing, maintaining, or monitoring of supervised fire alarm systems.
8. City – means City of St. Charles.
9. Digital Alarm Communicator System – a system in which signals are transmitted from a digital alarm communicator transmitter located at a protected premise through the public switched telephone network to a digital alarm communicator receiver at a central alarm station or the Tri-Com Communication Center.
10. 2-way radio frequency system – a system in which signals are transmitted from a 2-way radio frequency system located at a protected premises via a radio frequency signal to a 2-way radio receiver at a central station or the Tri-Com Communication Center.
11. Fire Alarm Company – any person, firm, partnership, corporation, association, organization, company, or other entity engaged in the selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any fire alarm system or causing the same to be sold, leased, maintained, serviced, repaired, altered, replaced, moved, or installed in or on any building, structure or facility.
12. Fire Alarm Agent – means any person employed by, working for, representing, or subcontracted by a fire alarm company.
13. Fire Alarm Monitoring Agency – any person, firm, partnership, association, corporation, or organization which contracts with a fire alarm user to receive and initiate action on fire alarm system signals. The agency must be UL or FM listed for fire alarm monitoring.
14. Fire Chief – means the Chief of the City of St. Charles Fire Department or his designee.
15. False Fire Alarm – any activation or transmission of a fire alarm signal to the Tri-Com Communications Center or the St. Charles Fire Department where no actual emergency or fire condition exists as determined by the Fire Department. A false fire alarm may be caused by human error or mechanical malfunction, whether or not the exact cause of the error or malfunction is identified.
16. Mayor – Mayor of the City of St. Charles or his designee.

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17. National Fire Alarm Code – NFPA 72, 2007 edition, published by the Nation Fire Protection Association.
 18. Notice – written notice given by personal service upon the addressee, or, given by the United States Postal Office, postage paid, to the addressee's last known mailing address.
 19. Nuisance Fire Alarm – The reoccurrence of an activated false fire alarm on a continuous basis and the alarm user has not taken the necessary action to prevent the continued occurrence of an activated false fire alarm.
 20. Permittee – means any person, firm, partnership, corporation, association, organization, company, or other entity issued an alarm permit by the City.
 21. Person – means a natural person, or a firm, partnership, corporation, association, organization, company, or other entity.
 22. Prerecorded telephone message – means a prerecorded voice message transmitted or received over a telephone line.
 23. Protected premises – any building, facility, structure, or physical location protected by a fire alarm system.
 24. Response Fees – fees charged to an alarm user for responses to a false fire alarm activation.
- D. Permit Required.**
1. It is unlawful for any person, firm, partnership, corporation or other entity to use, own or lease a fire alarm system or to be in control of a protected premise, wherein an alarm system is operated or maintained without having first obtained a permit as provided in this chapter.
 2. It is unlawful for any person, firm, partnership, corporation or other legal entity to use, own or lease an alarm system or to be in control of a protected premise, wherein an alarm system is operated or maintained when a permit therefore has been revoked.
 3. A permit must be obtained for each separately addressed operating location.
 4. No fee shall be charged to obtain an alarm user permit.
 5. All permits issued are valid indefinitely unless revoked.
- E. Permit Application.** For every new fire alarm system and any time there is a change in the information required by this section, every fire alarm user shall file a completed or amended application for a fire alarm permit with the Fire Department for review and approval.
1. Each applicant for a permit to maintain a fire alarm system shall file a written application with the Fire Department stating:
 - a. The full legal name, address and telephone number of the applicant.
 - b. The name, address and telephone number of the proposed protected premises where the fire alarm is located.
 - c. Any fire alarm system designed to transmit a signal to a fire alarm monitoring agency shall include the name, address, and telephone number of said agency.
 - d. The type of fire alarm system at the protected premises.
 - e. A list of three persons, including their addresses and telephone numbers, who can be contacted and will respond to the protected premises in the event of an emergency or to reset or deactivate the fire alarm system, or who could contact the alarm user if the alarm user is not at the protected premises.
 - f. The name, address, and telephone number of the fire alarm company that installed the fire alarm.
 - g. The name, address, and telephone number of the fire alarm company that is responsible for the maintenance and repair of the fire alarm system, if applicable.
 2. Incomplete applications shall be returned to the applicant:
 - a. A permit will not be issued until the completed application is received and the Fire Chief or his designate has granted approval for the permit.
 3. An application for an alarm user permit shall be denied if:
 - a. The applicant has failed to pay false fire alarm fees required by this ordinance for a different protected premises under the applicant's ownership or control.
 - b. The applicant has failed to comply with any provisions of this ordinance or other ordinances of the City.
 4. The Fire Chief or his designate shall be responsible for processing and issuing alarm user permits.
 5. It shall be unlawful for any alarm user to fail or refuse to amend its alarm user permit application within 14 days after any of the information required and obtained therein becomes outdated or inaccurate.
- F. Alarm Activation at a Protected Premises Where an Alarm User Permit has not Been Issued.** Each notice to the Tri-Com Communications Center or the Fire Department of an activation of a fire alarm system at the protected premises protected by a fire alarm which is not permitted shall be considered a separate violation of this chapter and any alarm user who does not have a valid fire alarm user permit will be assessed a fine in the amount of \$300.
- G. Fire Alarm Systems; Maintenance and Testing.**
1. All fire alarm user installing a new fire alarm system or making alterations to an existing fire alarm system, shall provide the St. Charles Fire Department with information regarding system specifications including, but not limited to, wiring diagrams, floor plans, battery calculations and specification sheets for all components of the system as outlined in the national fire alarm code.
 2. The St. Charles Fire Department shall approve the submitted specifications, diagrams, floor plans, and other required information for fire alarm systems prior to the installation of any equipment or wiring.
 3. Before the City of St. Charles issues an occupancy permit for any multi-family or nonresidential structure, the St. Charles Fire Department shall inspect and approve the installation of the fire alarm systems.
 4. The St. Charles Fire Department shall inspect and approve fire alarm systems in accordance with the national fire alarm code, applicable National Fire Protection Association (NFPA) standards, the fire prevention code, and the applicable requirements of this code, all as amended from time to time.
 5. On an annual basis, all fire alarm systems shall be tested, and the system components shall be cleaned. A copy of the report documenting the results of annual testing and cleaning of the fire alarm system shall be copied to the Fire Department and kept on premises for three (3) years.
 6. Fire alarm users are solely responsible for complying with the requirements of this chapter and shall not be exempt there from because of any inspection performed by the fire department.
 7. The St. Charles Fire Department and its authorized agents are hereby authorized to reset any inoperable fire alarm system at any time such a condition is discovered or notice of such a condition is received. Neither the City nor the fire department shall have any responsible for the proper resetting, function, and operation of such system.
 8. The St. Charles Fire Department may, at any prescheduled or reasonable time, test any multi-family or nonresidential fire alarm system.
 9. If, upon inspection, any multi-family or nonresidential fire alarm system is determined to be inoperable, the St. Charles Fire Department may issue a warning notice or citation for a violation of the requirements of this article.
 10. Within ten (10) days after the fire department issues a warning notice or citation for violation of the requirements of this article for an inoperable fire alarm system, the fire department shall re-inspect the inoperable fire alarm system to determine whether it has been repaired and is functioning properly.
 11. Where such a fire alarm system remains inoperable at the time of the first re-inspection, additional citations may be issued, with each day the fire alarm system remains inoperable constituting a separate offense.
- H. Prohibited Activity.**

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1. It shall be unlawful for any alarm user to fail or refuse to obtain a fire alarm permit or amend its fire alarm user permit application within 14 days after any of the information required and obtained therein becomes outdated or inaccurate.
 2. It shall be unlawful for any fire alarm user to cause or permit the disconnection of any multi-family or nonresidential fire alarm system installed pursuant to the requirements of this article unless approved by the St. Charles Fire Department. The fire alarm user or fire alarm company shall notify the Fire Department of any such disconnection seven (7) days prior to the actual disconnection.
 3. No individual, firm, partnership, corporation, association, organization, company, or other entity shall use or cause or permit to be used or engage in the business of providing any telephone device and telephone attachment that automatically activates 911 lines connected to any Regional Communications (PSAP) Public Safety Answering Point telephone, and then reproduce any voice message to report an emergency or fire condition. This includes prerecorded automatic voice alarms for elevators.
 4. Each violation of this section shall be subject to a fine of not less than one hundred dollars (\$100.00), and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
- I. Transfer of Alarm User Permit Prohibited.** A fire alarm user permit cannot be transferred to another premises or to another person.
- J. False Alarms Prohibited.** It shall be unlawful for any person to start or spread any false alarm of fire or to knowingly activate a fire alarm system for the purpose of summoning the Fire Department except if such person knows or suspects that there is an actual emergency or fire condition on the premises.
- K. False Alarms – Fines – Notifications.** A response fee shall be imposed on all fire alarm users to reimburse the Fire Department for the increased costs associated with responding to excess false fire alarms from any fire alarm system at a single protected location.
1. Any alarm user who has more than three (3) false fire alarms within a calendar year at a single protected location will be assessed fines according to the following fine schedule:
 - a. Four to five false fire alarms: \$50 fine per false fire alarm
 - b. Six to ten false fire alarms: \$100 fine per false fire alarm
 - c. More than ten false fire alarms: \$300 fine per false fire alarm
 2. After the third recorded false alarm within any calendar year for any alarmed premises, the Fire Chief or his designee, shall send an invoice for response fees to the fire alarm user. Such invoice shall be sent by postage paid U.S. mail or personally delivered to the user of the alarmed premises where the false fire alarm(s) occurred.
 3. Any individual, firm, partnership, corporation, association, organization, company or other entity in control of a protected premises where an alarm system is located accused of a violation of this article may settle and compromise the claim or violation by paying the invoice for response fees to the City, within thirty (30) days of after it is mailed. Payment of such claim or claims shall be made at the Finance Department of the City. In the event such claim or claims are not paid within thirty (30) days, or if the alarm user otherwise contests the validity of the claim, a complaint or notice to appear in court may be issued for the alleged violation.
 4. The alarm user shall have the opportunity, within fourteen (14) days from the date of mailing or personal delivery, to submit a written request or meet with the Fire Chief for the purpose of showing cause as to whether circumstances exist to warrant voiding the invoice for response fees due to false fire alarm activations. The Fire Chief shall review the alarm user's report and/or meet with the alarm user and issue a written finding to the alarm user as to whether or not the invoice for response fees due to false fire alarm activations will be voided. The finding of the Fire Chief shall be final.
 5. Any fire alarm user that exceeds the level of ten (10) false fire alarms per calendar year shall be required to enroll in the Underwriters Laboratory (UL) fire alarm certificate program. Such certificated users shall be subject to the UL random system inspections. Enrollment in this program would cease when the fire alarm user has demonstrated to the Fire Chief or his designate that the fire alarm system no longer transmits false fire alarms on a recurring basis.
- L. False Fire Alarm Determinations.**
1. There shall be a presumption that a fire alarm activation was a false fire alarm where the Fire Chief or his designee determines that;
 - a. There is no evidence of a fire or other smoke, heat, or noxious fume condition on the protected premises that would warrant a call for immediate response from the Fire Department.
 - b. There is no evidence that extraordinary weather conditions, electrical power failures, transmission line malfunctions or other circumstances beyond the control of the alarm user caused the activation of the fire alarm.
 2. Whenever a new fire alarm system is installed, no fire alarm activation from such an alarmed premises shall be deemed to be a false fire alarm within the meaning of this chapter for a period not to exceed thirty (30) days after the approved installation of said fire alarm system.
- M. Permit Revocation.**
1. Any alarmed premise which has more than fifteen (15) false fire alarms within a calendar year, shall subject the alarm user to permit revocation as provided herein. If city records show more than fifteen (15) false fire alarms within a calendar year for any alarmed premises:
 - a. The Fire Chief shall notify the alarm user by certified mail or personal delivery, their fire alarm permit shall be revoked 30 days from the date of mailing or personal delivery. The alarm user shall have 14 days from the date of mailing or personal delivery to submit a written report to the Fire Chief describing actions taken or to be taken to identify and eliminate the cause of the false fire alarms and to request that their alarm user's permit be reinstated.
 - b. If the alarm user submits a report requesting reinstatement of their fire alarm user's permit, the Fire Chief shall determine if the action taken or to be taken will substantially reduce the likelihood of false fire alarms; if he determines that the action will substantially reduce the likelihood of false fire alarms, he shall notify the alarm user, via certified mail or personal delivery, that the request to reinstate the fire alarm user's permit has been approved.
 - c. If the fire alarm user's permit is reinstated and the Fire Department responds to a subsequent false fire alarm activation in the same calendar year at the protected premises, the Fire Chief shall proceed with the permit revocation process again as described in this section. The alarm user shall also be assessed a fine in the amount of \$300 for each subsequent false fire alarm through the remainder of the calendar year.
 - d. If the Fire Chief determines that the action taken or to be taken will not substantially reduce the likelihood of false fire alarms, the request for reinstatement shall be denied. The Fire Chief shall give notice by certified mail or personal delivery to the user that the fire alarm permit will be revoked without further notice.
 - e. An alarm user whose fire alarm permit has been revoked by the Fire Chief may, within 14 days of receipt of notice of revocation, appeal this decision by filing a written request for a review meeting with the Mayor.
 - f. If a review meeting with the Mayor is requested, written notice of the time and place of the review meeting will be served on the alarm user by the Mayor by certified mail or personal delivery within 14 days of the request by the alarm user.
 - g. The Fire Chief and the alarm user shall have the right to present written and oral evidence, subject to the right of cross examination by both parties.
 - h. If the Mayor determines that the user has not taken action which substantially reduces the likelihood of false fire alarms, the Mayor shall issue written findings to that effect and an order denying reinstatement of the alarm user's fire alarm permit.

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- i. If the Mayor determines that the alarm user has taken action which substantially reduces the likelihood of false fire alarms, the Mayor shall issue written findings to that effect and an order approving reinstatement of the fire alarm user's permit.
 - j. If the alarm user's fire alarm permit is reinstated, pursuant to the preceding paragraph and the Fire Department responds to a subsequent false fire alarm activation in the same calendar year at the protected premises, the Fire Chief shall proceed with the permit revocation process as described in this section. The alarm user shall also be assessed a fine in the amount of \$300 for each subsequent false fire alarm activation through the remainder of the calendar year.
2. Any alarm user permittee who fails to pay fines or charges provided for under this section within 30 days from the date of the invoice requesting payment of same, shall have the subject alarm user's fire alarm permit revoked. Any such alarm user fire alarm permit shall not be reinstated until all the unpaid fines and fees are paid in full.
- N. **Testing Equipment.** No person shall conduct or cause to be conducted, any test or demonstration of any fire alarm system or signaling device that is directly connected to the Tri-Com Communications Center without first obtaining permission from Tri-Com. Permission to test shall not be required when the fire alarm system or signaling device is connected to an intermediary receiver and is not relayed to the Tri-Com Communications Center. Any test, which is not preceded immediately by notification to the Tri-Com Communications Center or pertinent central station, shall be deemed a false fire alarm as defined by this chapter.
- O. **No Liability of City.** The city assumes no liability for any defects in the operations of any fire alarm system or signal line system for any failure or neglect of any person associated with the installation or maintenance of any fire alarm system, for any failure or neglect of any alarm user, for the transmission or receipt of fire alarm signals, or any failure or neglect to respond upon receipt of a fire alarm from any source. In the event that the City finds it necessary to revoke an alarm user's fire alarm permit or to otherwise provide for the disconnection of any fire alarm system, the City shall have no liability for such action. No special duty other than that owed to the general public shall be created by virtue of this ordinance or by virtue of the issuance of a fire alarm system permit, the direct connection of an alarm system to the Tri-Com Communication Center, or as a result of the transmission to or receipt of alarm signals by the Tri-Com Communications Center.
- P. **Severability.** If any provision, clause, sentence, paragraph, section or part of this chapter or application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair, or invalidate the remainder of this chapter in the application of such provision to other persons or circumstances but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstance involved. It is hereby declared to be the legislative intent of the City Council that this chapter would have been adopted had such unconstitutional or invalid provisions, clause, sentence, paragraph, section, or part thereof not been included.
- Q. **Penalty for Violation.** Any person, firm, or corporation violating any provisions of this chapter in addition to the fees and specific fines established in this Chapter, may be fined as provided in Chapter 1.08 or as otherwise provided in this code. Each day during which a violation in this chapter continues or is permitted to exist shall be considered a separate and distinct offense.

(2010-M-44 : § 1; 2004-M-76 : § 1; 2003-M-11 : § 1; 1978-M-37 : Art. 5 (P))

15.28.110 – Renumbered to 15.28.080 New materials, processes or occupancies requiring permits

Renumbered to 15.28.080

(2010-M-44 : § 1; 2004-M-76 : § 1; 1978-M-37 : Art. 5 (F))

15.28.120 – Renumbered to 15.28.090 Violation - Penalty

Renumbered to 15.28.090

(2010-M-44 : § 1; 2004-M-76 : § 1; 1978-M-37 : Art. 5 (G.))

15.28.130 – Removed - Section 6.2(a) Amended - Permit for storage of cellulose nitrate plastics.

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (H))

15.28.140 – Removed - Section 7.6 Added - Permit for storage combustible fibers

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (I))

15.28.150 – Removed - Section 0.2(a) Amended - Permit for dry-cleaning business

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (J))

15.28.160 – Removed - Section 9.8 Added - Automatic extinguishing systems

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (K))

15.28.170 – Removed - Section 11.2 Amended - Marking of exitways

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (L))

15.28.180 – Removed - Section 11.3 Amended - Lighting of exitways

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (M))

15.28.190 – Removed - Section 11.6 Added - Number and location of exits

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (N))

15.28.200 – Removed - Section 13.4 Amended - Bond and responsibility for fireworks display required

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (O))

15.28.210 – Removed - Section 14.6 Added - Fire alarm systems

Removed in its entirety

(2004-M-76 : § 1; 2003-M-11 : § 1; 1978-M-37 : Art. 5 (P))

15.28.220 – Removed - Subsection (f) Added to Section 16.27 - Testing of tanks and pipes

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (Q))

15.28.230 – Removed - Subsection (b) Added to Section 16.37 - Testing of tanks and pipes

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (R))

15.28.240 – Removed - Subsection (c) Added to Section 16.41 - Permit for aggregate capacity in excess of five gallons

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (S))

15.28.250 – Removed - Section 16.99 Amended - Tank vehicles

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (T))

15.28.260 – Removed - Section 20.3(a) Amended - Permit for storage of hazardous chemicals

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (U))

15.28.270 – Removed - Section 21.3(a) Amended - Permits and reports of installations

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (V))

15.28.280 – Removed - Section 22.10(a) Amended - Liquefied petroleum gas tank vehicles

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (W))

15.28.290 – Removed - Section 22.6 Added - Location of lumberyards and woodworking plants

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (X))

15.28.300 – Removed - Section 23.3 Amended - Permit for storage of magnesium

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (Y))

15.28.310 – Removed - Subsection (e) and (f) Added to Section 28.3 - Smoking prohibited under certain conditions

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (Z))

15.28.320 – Removed - Section 28.16 Amended - Fire Department access

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5(AA))

15.28.330 – Removed - Section 28.17 Added - Water supplies for Fire Department use

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (BB))

15.28.340 – Removed - Section 28.18 Added - Fire extinguishers

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (CC))

15.28.350 – Removed - Section 28.19 Added - Identification of fire hazard of materials

Removed in its entirety

(2004-M-76 : § 1; 1978-M-37 : Art. 5 (DD))

15.28.360 – Renumbered to 15.28.090 Deferral of Certain Improvements

Renumbered to 15.28.090

(2004-M-76 : § 1; 1993-M-31 : § 1; 1978-M-37 : Art. 6)

15.28.370 – Renumbered to 15.28.100 Appeals

Renumbered to 15.28.100

(2004-M-76 : § 1; 1993-M-31 : § 2; 1978-M-37 : Art. 7)

15.28.380 – Renumbered to 15.28.110 New materials, processes or occupancies requiring permits

Renumbered to 15.28.110

(2004-M-76 : § 1; 1978-M-37 : Art. 8)

15.28.390 – Renumbered to 15.28.120 Violation - Penalty

Renumbered to 15.28.120

(2004-M-76 : § 1; 1993-M-31 : § 3; 1978-M-37 : Art. 9)

15.36 – Swimming Pools

Sections

- 15.36.010 – Short title
- 15.36.020 – Scope and purpose
- 15.36.030 – Definitions
- 15.36.040 – Construction of residential pool - Submittal of plans and specifications - Permit issuance upon approval of plans
- 15.36.050 – Construction or remodeling of residential or public pool - Application for permit
- 15.36.060 – Construction or alteration of private pool - Permit fee
- 15.36.070 – Construction to be in accordance with approval plans
- 15.36.080 – Inspection of construction and equipment required
- 15.36.090 – Criteria for review and approval of plans
- 15.36.100 – Plans and specifications - Contents - Waiver of requirement
- 15.36.110 – Residential pool - Design, construction and material standards
- 15.36.120 – Permit - Revocation
- 15.36.130 – Permit - Reissuance
- 15.36.140 – Inspections authorization
- 15.36.150 – Operations reports
- 15.36.160 – Violation - Penalty

15.36.010 – Short title

The ordinance codified in this chapter shall be known as the "swimming pool ordinance," may be so cited, and will be referred to as this ordinance. (1973-M-4 : § I; Prior code : Ch. 13 Art. VI (part))

15.36.020 – Scope and purpose

The provisions of this chapter shall apply to all public, semipublic and private residential swimming pools as defined in Section 15.36.030. The purpose of this chapter shall be to provide a guide for the design and construction of such swimming pools so that health and safety hazards will be minimized and satisfactory operation can be achieved.

(1973-M-4 : § II (Part); Prior code : § 13.601)

15.36.030 – Definitions

The following definitions shall apply in the interpretation and enforcement of this chapter. The word "shall" as used herein indicates a mandatory requirement.

- A. "Building department" means that department assigned jurisdiction over swimming pool construction.
- B. "Person" means any person, firm, partnership, association, corporation company, governmental agency, club or organization of any kind.
- C. "Public pool" shall be defined as any pool, other than a residential pool, which is intended to be used collectively by numbers of persons for swimming or bathing and is operated by any person, whether he is owner, lessee, operator, licensee, or concessionaire, regardless of whether a fee is charged for such use. So that we may refer within the standard to various types of public pools they are listed in the following categories:
 - 1. Any municipal, community, public school, athletic club or swimming club pool or pool for other similar usage and type. Also, pools for motels and apartments, multiple housing units, and hotels, not open to the general public.
 - 2. Country club and institutional pools, such as for Girl Scouts, Boy Scouts, YMCA, YWCA, Campfire Girls, boys camps, girls camps, and for other similar type usage.
- D. "Public swimming pool" means any swimming pool, other than a residential pool intended to be used collectively by numbers of persons for swimming or bathing and operated by any person as defined in this section, whether he is owner, lessee, operator, licensee, or concessionaire, regardless of whether a fee is charged for such use, is subject to this chapter, all applicable codes and state laws.
- E. "Residential swimming pool" means any constructed pool, permanent or portable, which is intended for noncommercial use as a swimming pool by the owner family(ies) and its (their) guests, and which is over twenty-four inches in depth and:
 - 1. Has a surface area exceeding two hundred fifty square feet; or
 - 2. Has a volume over three thousand two hundred fifty gallons.

(1978-M-4 : § II (Part); Prior code : §§ 13.602, 13.603, 13.604, 13.605, 13.606)

15.36.040 – Construction of residential pool - Submittal of plans and specifications - Permit issuance upon approval of plans

No person shall begin construction of a private residential swimming pool or shall substantially alter or reconstruct any such pool without first having submitted plans and specifications to the building department for review and approval and without having received a permit from the building department for construction. The plans shall be prepared by a registered architect or professional engineer.* All plans and specifications shall be submitted in duplicate (or additional copies as specified) and the building department shall arrange for review and approval of the plans and specifications by other appropriate departments concerned with such matters as zoning, electrical, structural, and plumbing requirements. A permit to construct, alter, or renovate shall be issued by the building department following approval of the plans including such approvals as may be required by other departments.

*The determination as to qualifications shall be based on state laws or regulations.

(1973-M-4 : § III (Part); Prior code : § 13.607)

15.36.050 – Construction or remodeling of residential or public pool - Application for permit

The application for permit to construct or remodel a residential or public swimming pool shall be on such forms as may be prescribed, together with any supporting data as may be required for the proper review of the plans by the building department.

(1973-M-4 : § III (Part); Prior code : § 13.608)

15.36.060 – Construction or alteration of private pool - Permit fee

The fee for a permit to construct or alter a private swimming pool shall be:

- A. For the first four thousand dollars of estimated cost, thirty dollars;
- B. From four thousand one dollars to twenty-nine thousand dollars per one thousand dollars of estimated cost, four dollars;
- C. For each additional one thousand dollars or part thereof of estimated cost, one dollar and fifty cents.

(1978-M-21 : § 2; 1973-M-4 : § VII; Prior code : § 13.617)

15.36.070 – Construction to be in accordance with approval plans

The swimming pool and facilities shall be built in accordance with the plans as approved unless approval of changes has been given in writing by the building department.

(1973-M-4 : § III (Part); Prior code : § 13.609)

15.36.080 – Inspection of construction and equipment required

The owner or his agent shall notify the building and health departments at specific predetermined states of construction and at the time of completion of the swimming pool to permit adequate inspection of the swimming pool and related equipment during and after construction. Such inspection shall be performed on notification and at reasonable hours. The swimming pool shall not be placed in operation until such inspections show compliance with the requirements of this chapter.

(1973-M-4 : § III (Part); Prior code : § 13.610)

15.36.090 – Criteria for review and approval of plans

The criteria to be followed by the building department in the review and approval of plans shall be promulgated as rules and regulations as authorized by this chapter.

(1973-M-4 : § III (Part); Prior code : § 13.611)

15.36.100 – Plans and specifications - Contents - Waiver of requirement

- A. The plans shall be drawn to scale and accompanied by proper specifications so as to permit a comprehensive engineering review of the plans including the piping and hydraulic details and shall include:
 - 1. Plan and sectional view with all necessary dimensions of the pool;
 - 2. A piping diagram showing all appurtenances in sufficient detail as well as pertinent elevation data to permit a hydraulic analysis of the system, including details of water supply systems and drainage and wastewater disposal systems;
 - 3. The specifications shall contain details and catalog identification on all treatment equipment used.
- B. Where the permit sought is for the construction, erection, or assembly of a swimming pool in the form of a complete kit or package sold as a unit, whether above, on, or below ground, the above set-forth requirements as to the submission of plans and specifications shall be waived if there is on file with the building department the plans, specifications, adequate supporting data and the like as may be supplied by the manufacturer or vendor of the kit or package.

(1989-M-76 : § 1; 1973-M-4 : § III (Part); Prior code : § 13.612)

15.36.110 – Residential pool - Design, construction and material standards

Design, construction, equipment and material standards for residential swimming pools as promulgated by the State Department of Public Health, Bureau of Environmental Health, and appropriate provisions of this Title 15, "Buildings and Construction" of the St. Charles Municipal Code shall govern the design, construction and operation of swimming pools. No permit to construct, alter, or remodel shall be granted unless the pool conforms with these standards. The standards shall cover but not be limited to the following items:

- A. Structural design;
- B. Dimensional design;
- C. Materials of construction;
- D. Deck equipment (steps, ladders, stairs, diving boards and platforms);
- E. Fences, enclosures and safety equipment;
- F. Electrical requirements;
- G. Water supply;
- H. Inlets and outs with the following specific requirements:
 - 1. Inlets. Pools shall be equipped with suitable facilities for adding make-up water as needed. There shall be no cross connection between the water supply line and the pool system. If a hose connection from a sillcock or other plumbing fixture is to be used for supplying make-up water or for filling purposes, then an approved cross connection control device shall be installed between the sillcock or control valve at the fixture on the hose connection.
 - 2. Outlets. Pools shall be equipped with facilities for completely emptying the pool and the discharge of the pool water to the storm sewer. No direct connection shall be made to the sanitary sewer. Backwash water is to be discharged indirectly to the sanitary sewer. Drainage of any pool shall be carefully controlled and provided for so that such drainage shall not cause flooding or damage to adjacent property.
- I. Recirculation system (piping, fittings, filter, skimmers);
- J. Skimmers;
- K. Filters;
- L. Pumps and strainers;
- M. Valves;
- N. Chemical treatment and disinfection;
- O. Chemical feeding equipment;
- P. Testing equipment;
- Q. Wastewater disposal;
- R. Lifesaving and emergency equipment;
- S. Accessibility to telephone;
 - 1. Posted emergency
 - 2. Service telephone numbers,
 - 3. Fire,
 - 4. Police,
 - 5. Ambulance,
 - 6. Hospital.

(1989-M-76 : § 1; 1973-M-4 : § IV; Prior code : § 13.613)

15.36.120 – Permit - Revocation

The building department may revoke any permit for failure to comply with the duly promulgated regulations referred to in this chapter or in cases where the permit has been obtained through nondisclosure, misrepresentation, or misstatements of material facts.

(1973-M-4 : § V (Part); Prior code : § 13.614)

15.36.130 – Permit - Reissuance

The permit shall be reissued upon proper application and upon presentation of evidence that the deficiencies causing revocations have been corrected.

(1973-M-4 : § V (Part); Prior code : § 13.615)

15.36.140 – Inspections authorization

The building department is authorized to conduct such inspections as it deems necessary to insure compliance with all provisions of this chapter and shall have right of entry at any reasonable hour to the swimming pool for this purpose. Health department inspections will be made when necessary.

(1973-M-4 : § VI (Part); Prior code : § 13.616A)

15.36.150 – Operations reports

- A. The swimming pool manager or operator of a public pool shall record swimming pool operational data daily on a report form furnished by the city board of health.
- B. A separate report form shall be completed for each pool in a multiple pool complex. The pool manager or operator shall submit the complete operational report to the city board of health on the first and sixteenth of each month. The manager or operator shall keep one copy for his records. Such records shall be open to inspection by the board of health, city sanitarian or authorized agent of the city sanitarian at all times.

15.36.160 – Violation - Penalty

Any person, firm or corporation violating any provision of this chapter shall be fined not less than five dollars nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(1973-M-4 : § VIII; Prior code : § 13.618)

15.40 – Property Maintenance Code - Regulations Adopted and Modified

Sections

15.40.010 – Property maintenance code – Regulations adopted and modified

15.40.010 – Property maintenance code – Regulations adopted and modified

15.40.010 Property Maintenance Code – Regulations Adopted and Modified.

The provisions of the 2015 edition of the International Property Maintenance Code, published by the International Code Council, are hereby adopted by reference, with the following amendments thereto:

A. Section 10 1. 1 Title. Insert the following:

"City of St. Charles."

B. Section 102. 3. Delete in its entirety and substitute the following therefore:

102.3 Application of other codes. Repairs, additions, or alternations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of Title 15 ` Buildings and Construction' of the St. Charles Municipal Code."

C. Section 103. 50 Fees. Insert the following:

See Title 15 ` Building and Construction" of the St. Charles Municipal Code."

D. Sections 111. 1 through 111. 7: Delete in their entirety and substitute the following therefor:

111. 1 Application for Appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Building Review Board pursuant to the provisions of Chapter 2.19 of the St. Charles Municipal Code."

E. Section 112.4 Failure to Comply. Insert the following:

"One hundred dollars (\$ 100)" and " Seven hundred and fifty dollars 750)."

F. Section 302.4 Weeds. Insert the following:

"Eight -inches (8")."

G. Section 302. 8: Delete in its entirety and substitute the following therefor:

302.8 Motor Vehicles.

1. Except as provided for in Title 17 of the St. Charles Municipal Code, any type of motor vehicle that (a) does not have a current state registration, or does not display a current state license plate with valid registration sticker affixed; or (b) a motor vehicle on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven shall not be parked, kept or stored outside of an enclosed building or structure on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled, outside an enclosed building or structure.

2. A collector may store unlicensed, operable or inoperable vehicles on the collector's property provided the vehicles and the outdoor storage area are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view by means of a fence or other appropriate means.

a. " Collector" means the owner of one or more special interest vehicles for the collector's own use in order to restore, preserve, and maintain a special interest vehicle and historic interest.

b. " Special Interest Vehicle" means a motor vehicle of any age, which has not been altered or modified from original manufacturer specifications and, because of its historic interest, is being preserved by hobbyists."

H. Section 304. 14. Delete in its entirety and substitute the following therefor:

304. 14 Insect screens. During the period from April 1" to October 31 5% every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self-closing device in good working condition.

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

I. Section 308. 3. 1. Delete in its entirety and substitute the following therefor:

308.3. 1. Garbage facilities. The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit, or a leakproof, covered outside garbage container.

Exception: In residential buildings containing three (3) or less dwelling units, each occupant shall be responsible for providing any covered outside garbage containers."

J. Add a Section 404. 8, as follows:

404.8 Basement rooms. Basement areas partially below grade used for living purposes shall meet the following requirements:

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1. Floors and walls shall be watertight and insulated so as to prevent entry of moisture

2. Total window area, total operable area, and ceiling height shall be in accordance with the St. Charles Municipal Code Section 15. 04. 010 (Building code) and 15. 04.020 (Residential code).

3. The required window area of the habitable area shall be entirely above the grade of the ground adjoining such window area except that operable windows which open into a window well extending to the outside finished grade are acceptable."

K. Section 503. 1. Delete in its entirety and substitute the following therefor:

503. 1 Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. Toilet rooms and bathrooms shall be designed and arranged to provide privacy by means of a door and latch."

L. Section 602. 3. Delete in its entirety and substitute the following therefor:

602.3 Heat supply. Every owner and operator of any building who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to April 1 to maintain a room temperature of not less than 65 degrees F. (18 degrees C) during the hours between 6: 30 a.m. and 10: 30 p.m. of each day and not less than 60 degrees F. (16 degrees C.) during other hours."

M. Section 602.4. Delete in its entirety and substitute the following therefor:

602.4 Occupiable work space. Every enclosed occupied work space shall be supplied with sufficient heat during the period from October 1 to April 1 to maintain a temperature of not less than 65 degrees F. (18 degrees C.) during all working hours.

Exceptions:

1. Processing, storage, and operation areas that require cooling or special temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activities."

N. Section 704: Delete Sections 704. 1, 704.2 and 704.3 in their entirety.

(2016-M-23 : § 1; 2013-M-67 : § 3; 2012-M-42 : § 1; 2003-M-4 : § 1; 1999-M-5 : § 1; 1996-M-30 : § 1; 1984-M-12 : § 1)

15.44 – Fair Housing Regulations

Sections

- 15.44.010 – Repealed - Declaration of Policy
- 15.44.020 – Repealed - Definitions
- 15.44.030 – Repealed - Fair Housing Board - Created - Composition - Members' appointment and terms – Quorum
- 15.44.040 – Repealed - Fair housing board - Duties
- 15.44.050 – Repealed - Prohibited Acts
- 15.44.060 – Repealed - Complaint - Filing required - Contents - Distribution of forms
- 15.44.070 – Repealed - Complaint - Filing with City Clerk - Transmittal to Board Chairman
- 15.44.080 – Repealed - Complaint - Investigation - Action by board to eliminate unfair practice - Hearing
- 15.44.090 – Repealed - Hearing - Issuance of notice and copy of complaint to all parties
- 15.44.100 – Repealed - Hearing - Rights of complainant
- 15.44.110 – Repealed - Hearing - Powers of board
- 15.44.120 – Repealed - Report and recommendation of board
- 15.44.130 – Repealed - Order to cease and desist unfair practice
- 15.44.140 – Repealed - Dismissal of complaint
- 15.44.150 – Repealed - Enforcement
- 15.44.160 – Repealed - Remedies
- 15.44.170 – Repealed - Violation - Penalty

15.44.010 – Repealed - Declaration of Policy

Repealed

(2012-M-43 : § 1; 1968-35 : § 1)

15.44.020 – Repealed - Definitions

Repealed

(2012-M-43 : § 1; 1968-35 : § 2)

15.44.030 – Repealed - Fair Housing Board - Created - Composition - Members' appointment and terms – Quorum

Repealed

(2012-M-43 : § 1; 1975-M-37 ; 1968-35 : § 4)

15.44.040 – Repealed - Fair housing board - Duties

Repealed

(2012-M-43 : § 1; 1968-35 : § 5)

15.44.050 – Repealed - Prohibited Acts

Repealed

(2012-M-43 : § 1; 1968-35 : § 3)

15.44.060 – Repealed - Complaint - Filing required - Contents - Distribution of forms

Repealed

(2012-M-43 : § 1; 1968-35 : § 6(a))

15.44.070 – Repealed - Complaint - Filing with City Clerk - Transmittal to Board Chairman

Repealed

(2012-M-43 : § 1; 1968-35 : § 6(b))

15.44.080 – Repealed - Complaint - Investigation - Action by board to eliminate unfair practice - Hearing

Repealed

(2012-M-43 : § 1; 1968-35 : § 6(c))

15.44.090 – Repealed - Hearing - Issuance of notice and copy of complaint to all parties

Repealed

(2012-M-43 : § 1; 1968-35 : § 6(a))

15.44.100 – Repealed - Hearing - Rights of complainant

Repealed

(2012-M-43 : § 1; 1968-35 : § 6(e))

15.44.110 – Repealed - Hearing - Powers of board

Repealed

(2012-M-43 : § 1; 1968-35 : § 6(f))

15.44.120 – Repealed - Report and recommendation of board

Repealed

(2012-M-43 : § 1; 1968-35 : § 6(g))

15.44.130 – Repealed - Order to cease and desist unfair practice

Repealed

(2012-M-43 : § 1; 1968-35 : § 6(h))

15.44.140 – Repealed - Dismissal of complaint

Repealed

(2012-M-43 : § 1; 1968-35 : § 6(i))

15.44.150 – Repealed - Enforcement

Repealed

(2012-M-43 : § 1; 1968-35 : § 7)

15.44.160 – Repealed - Remedies

Repealed

(2012-M-43 : § 1; 1968-35 : § 8)

15.44.170 – Repealed - Violation - Penalty

Repealed

(2012-M-43 : § 1; 1968-35 : § 9)

15.101 – Administration, Enforcement, Fees, and Penalties

Sections

- 15.101.010 – Administration provisions adopted
- 15.101.020 – Applicability
- 15.101.030 – Ordinary repairs
- 15.101.040 – Installation of service equipment
- 15.101.050 – Maintenance
- 15.101.060 – Change in existing use
- 15.101.070 – Existing structures
- 15.101.080 – Department of building inspection
- 15.101.090 – Duties and powers of Building Commissioner
- 15.101.100 – Approval
- 15.101.110 – Inspection
- 15.101.120 – Right of entry
- 15.101.130 – Application for permit
- 15.101.140 – Permits
- 15.101.150 – Permit and inspection fees
- 15.101.160 – Demolition of structures
- 15.101.170 – Moved structures
- 15.101.190 – Certificate of use and occupancy
- 15.101.200 – Posting structures
- 15.101.210 – Violations
- 15.101.220 – Stop-work order
- 15.101.230 – Unsafe structures
- 15.101.240 – Emergency measures
- 15.101.250 – Board of Survey
- 15.101.260 – Board of Appeals
- 15.101.270 – Architectural, engineering and contractor services
- 15.101.280 – Validity

15.101.010 – Administration provisions adopted

The provisions of Chapter 1, "Administration" of the 2015 International Building Code issued by the International Code Council, Inc. 4051 West Flossmoor Road, Country Club Hills IL 60478, not less than three (3) copies of which have been and are on file in the Office of the Clerk of the City of St. Charles, Illinois for more than thirty days, are hereby adopted as the administrative provisions of the St. Charles Building Code as described herein, with the following amendments:

Section 101: Amend Sections 101.1, 101.2, 101.4.1, and 101.4.3 to read as follows:

101.1 Title. Chapters 15.04, 15.08, 15.20, 15.36 and 15.101 of Title 15 of the St. Charles Municipal Code, including the state and national codes adopted therein by reference, shall be known and may be cited as the "St. Charles Building Code," hereinafter referred to as "this Code."

101.2 Scope. The provisions of this Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building and structure and any appurtenances connected or attached to such buildings or structures, except as such matters are otherwise more specifically provided for in other ordinances or statutes.

101.4.1 Electrical. The provisions of the 2014 edition of the National Electrical Code, NFPA 70, issued by the National Fire Protection Association, Inc., One Batterymarch Park, Quincy, Massachusetts 02269 (hereinafter sometimes referred to as the "NEC"), with amendments as contained in Section 15.04.040, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. Where the 2009 IBC refers to the ICC Electrical Code, the NEC shall be substituted.

101.4.3 Plumbing. The provisions of the 2014 Edition of the Illinois Plumbing Code compiled by the Illinois Department of Public Health, with amendments as adopted in Section 15.04.050, 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 sewage system and all aspects of a medical gas system. The provisions of Section 13.12.235 "Private sewage disposal systems requirements generally" of the St. Charles Municipal Code shall apply to private sewage disposal systems. Where the 2015 IBC refers to the International Plumbing Code, the Illinois Plumbing Code as adopted in Section 15.04.050 shall be substituted.

Section 102: Section 102.2, 102.7, and 102.8 to read as follows:

102.2 Other laws. The provisions of this Code shall not be deemed to nullify any provisions of local, state or federal law. The provisions of this Code shall apply whether or not the property as defined in the Condominium Property Act (765 ILCS 605/1 et seq.), is subject to the act.

102.7 Matters Not Provided For. Any requirement essential for structural, fire or sanitary safety or an existing or proposed building or structure, or essential for the safety of the occupants thereof, and which is not specifically covered by this Code, shall be determined by the Building Official.

102.8 Other Chapters. When the provisions specified in this Code for health, safety and welfare are more restrictive than other provisions of the St. Charles Municipal Code, this Code shall control; when the other provisions of the St. Charles Municipal Code are more restrictive than the provisions of this Code, the other provisions of the St. Charles Municipal Code shall control.

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Section 103: Delete all of Section 103 and substitute a new Section 103, "Building and Code Enforcement Division" therefore:

Section 103 Building and Code Enforcement Division

103.1 Building and Code Enforcement Division. The Building and Code Enforcement Division is created within the Department of Community Development and the executive official in charge thereof shall be known as the Building Official.

103.2 Organization. The Building Official shall request employment of technical assistants, inspectors and other employees as shall be necessary for the administration of this Code and as authorized by the Director of Community Development.

103.3 Assistant(s) to Building Official. The Building Official, subject to the approval of the Director of Community Development, may designate an employee(s) as his assistant(s) who shall exercise all the powers of the Building and Official during his temporary absence or disability.

103.4 Conflict of Interest. The Building Official or any of his employees shall not be engaged in or directly or indirectly connected with the furnishing of labor, materials or appliances for the construction, alteration or maintenance of any building within the City, or the preparation of plans or of specifications therefore, unless he or she is the owner of the building; nor shall such officer or employee engage in any work which could conflict with his official duties or with the interests of the City, without the consent and/or direction of the Director of Community Development.

103.7 Interdepartmental Cooperation. The assistance and cooperation of the police, fire, finance and public works departments shall be available to the Building Official as required in the performance of his duties.

Section 105: Add paragraph 105.2, amend paragraphs 105.3.2 and 105.4 to read as follows, and add paragraphs 105.8 and 105.9, as follows:

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

1. Retaining Walls that are not over four (4) feet in height, measured from the bottom of the footing to the top of the wall.
2. Painting, papering, tiling, carpeting, counter tops and similar finish work.
3. Temporary motion picture, television, and theater stage sets and scenery.
4. Pre-fabricated swimming pools, accessory to a Group R-3 occupancy that are less than 24-inches deep, does not exceed 5,000 gallons and are installed entirely above ground.
5. Share cloth structures constructed for nursery or agricultural purposes, not including service systems.
6. Swings and other playground equipment accessory to detached one and two family dwellings.
7. Non-fixed and movable fixtures, cases, racks, counters, and partitions not over 5-feet 9-inches in height.

105.3.2 Time Limitation of Application. An application for a permit for any proposed work shall be deemed to have been abandoned ninety days after date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that for reasonable cause, the Building Official may grant one or more extensions of time for additional periods not exceeding ninety days each. The extension shall be requested in writing and reasonable cause demonstrated.

105.5 Expiration. Every permit shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced; provided, that, for cause, one or more extension of time, for period not exceeding ninety days each, may be allowed by application, in writing, to the Building Official. Lack of request for inspections shall constitute abandonment of work. In no case shall a permit be valid for a longer period of time than two years.

105.8 Transfer of Permit. A permit may not be transferred by the person to whom it is issued, to another person, without the written approval of the Building Official.

105.9 Failure to Obtain a Permit. If any person commences any work on a building or structure before obtaining the necessary permit from the, Building and Code Enforcement Division, he shall be subject to the penalty prescribed in this chapter. Where work is commenced before a permit is obtained, the permit fees set forth in Section 15.101.150 shall be doubled.

Section 106: Add Sections 106.1.4, 106.2.1, 106.6, 106.6.1, 106.7, and 106.8 as follows:

106.1.4 Copies. The Building Official shall establish the number of copies of construction documents that are required for review by City officials and outside review agencies, and may require the applicant to submit the necessary number of copies prior to commencing review.

106.2.1 Surveys. All required boundary line surveys should be made by a land surveyor licensed in Illinois. Upon completion of the foundation and prior to any construction beyond the foundation stage, a survey verifying the elevation of the top of the foundation, front, both sides, and the rear setbacks from their respective lot lines, signed and sealed by a registered Illinois land surveyor, shall be submitted to and approved by the Building Official.

106.6 Special Professional Services. When applications for unusual designs or magnitude of construction are filed, or where code reference standards and/or an applicable appendix require special architectural or engineering review or inspections, the Building Official may require one or both of the following special professional services:

1. Full-time project representation by an architect or engineer in addition to that which is otherwise required. The project representative shall keep daily records and submit reports in writing as may be required by the Building Official.
2. Review of plans, specifications, calculations, or other information submitted by the permit applicant, by an architect or engineer selected by the Building Official.

106.6.1 Determination of Special Requirement and Costs. The special professional service requirement shall be determined prior to the issuance of the building permit and shall be a requisite for the permit issuance. Refusal by the applicant to provide such service as required by the Building Official shall result in the denial of the permit. All fees and costs related to the performance of special professional services shall be borne by the applicant and shall be paid prior to issuance of the final certificate of occupancy."

106.7 Certificate of Compliance with Code. It is unlawful for any architect or structural engineer or professional engineer or other person permitted under the laws of the state to make drawings and plans, to prepare or submit to the Building Official, for his approval, any final drawings or plans for a structure which does not comply with the requirements of this Code. All drawings and plans submitted to the Building Official for approval for any building or structure, shall be accompanied by a certificate of the architect or structural engineer or professional engineer preparing such drawings and plans, that the drawings and plans comply with the requirements of this Code.

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106.8 Licensed Professionals. When it is required that plans be prepared by a licensed professional, no plans shall be approved for permit unless such plans are signed and sealed by an architect licensed to practice architecture, as provided by the Illinois Architectural Act, or by a structural engineer licensed to practice professional engineering, as provided by the Illinois Structural Engineer Act, or by a registered engineer licensed to practice professional engineering as provided by the Illinois Professional Engineering Act; provided, however, that the person who signs and seals such plans shall be permitted to do so within the limitations of the particular act under which he is licensed to practice, and; provided further, that plans for installations which involve the design of or changes in the supporting structure or which materially affect the structural loadings must be signed and sealed by an architect or structural engineer duly licensed as aforesaid.

Add Sections 107.2.5.2, 107.2.5.3, and 107.2.5.4 as follows:

Section 107.2.5.2 Engineering Plan. For building permit applications that include Land Improvements as defined in Title 16 "Subdivisions and Land Improvement", an Engineering Plan shall be submitted with the Site Plan. The Engineering Plan shall be in substantial conformance to and show the necessary items identified in Title 16, "Appendix E - Drawing Requirements Checklist – Final Engineering Plans." of the St. Charles Municipal Code.

(Ord. 2013-M-15 § 4.)

Section 107.2.5.3 Guarantee for Completion of Land Improvements. For building permit applications that include public Land Improvements, a guarantee for completion of the public Land Improvements shall be submitted to the Director of Public Works or Development Engineering Division Manager prior to issuance a building permit.

The guarantee shall be in one of the following formats, with the form, amount and provider being subject to approval by the Development Engineering Division Manager or Designee.

1. Cash in the amount of 115% of the estimated cost of the Land Improvements remaining to be completed.
2. A performance letter of credit, in substantially the form attached as Appendix C in Title 16 Subdivisions and Land Improvements, in the amount of 115% of the estimated cost of the Land Improvements remaining to be completed, issued by a sound and reputable banking institution authorized to do business in the state of Illinois and meeting the criteria set forth below.
3. A surety bond in the amount of 115% of the estimated cost of the Land Improvements remaining to be completed, issued by a surety company authorized to do business in Illinois and meeting the criteria set forth below.

The form, amount and provider of the guarantee for completion shall be subject to the approval of the Director of Community Development, Development Engineering Division Manager or their Designee, and shall meet the following criteria:

1. Banks (for letters of credit): Each letter of credit shall be drawn on an institution 1) acceptable to the Director of Finance; 2) having assets of at least \$10 Million; 3) having an office in the Chicago Metropolitan Area; and 4) that is a member of the Federal Deposit Insurance Corporation; or
2. Insurance Companies (for surety bonds): Must have an A.M. Best Company rating of Superior (A++ and A+), Excellent (A and A-), or Very Good (B++ and B+) (or equivalent).

Completed Land Improvements may be omitted from the amount of the guarantee. For purposes of this section, completed Land Improvements shall be those Land Improvements which have been previously accepted by the City Council, and, if applicable, conveyed to the City via a Bill of Sale substantially in the form set forth in Appendix C of Title 16 "Subdivisions and Land Improvement" of the St. Charles Municipal Code, pursuant to the terms and conditions of the Land Improvement Agreement.

The guarantee shall be accompanied by a Land Improvement Agreement in substantially the form set forth in Appendix D of Title 16 "Subdivisions and Land Improvement" of the St. Charles Municipal Code. The Mayor is authorized to execute a Land Improvement Agreement and authorization from the City Council is not required.

Section 107.2.5.4 Release of Guarantee for Completion

The guarantee for completion of the Land Improvements shall be released only upon fulfillment of the following conditions:

1. The completion of the Land Improvements;
2. The submission of one (1) set of reproducible (mylar) as-built drawings of the Land Improvements;
3. A Bill of Sale for all Land Improvements that has been accepted by City Council;
4. The acceptance of the Director of Community Development or Development Engineering Division Manager or designee of a guarantee for maintenance of land improvements (See Appendix C in title 16 Subdivisions and Land Improvement). The guarantee shall be in one of the following formats:
 - a. Cash in the amount of 15% of the estimated cost or actual construction costs of the Land Improvements to be accepted or acknowledged as complete by the City.
 - b. A maintenance guarantee in the amount of 15% of the estimated cost or actual construction costs of the Land Improvements to be accepted or acknowledged as complete by the City, issued by a sound and reputable banking authorized to do business in the State of Illinois and meeting the criteria set forth below.
 - c. A surety bond in the amount of 15% of the estimated cost or actual construction costs of the Land Improvements to be accepted or acknowledged as complete by the City, issued by a surety company authorized to do business in the State of Illinois and meeting the criteria set forth below.
5. The form, amount and provider of the guarantee shall be subject to the approval of the Development Engineering Division Manager or Designee shall meet the following criteria:
 - a. Banks (for letters of credit): Each letter of credit shall be drawn on an institution a) acceptable to the Director of Finance; b) having assets of at least \$10 Million; c) having an office in the Chicago Metropolitan Area; and d) that is a member of the Federal Deposit Insurance Corporation; or
 - b. Insurance Companies (for surety bonds): Must have an A.M. Best Company rating of Superior (A++ and A+), Excellent (A and A-), or Very Good (B++ and B+) (or equivalent).
6. Acceptance of the Land Improvements by the City Council of the City shall be as set forth in Title 16, "Subdivisions and Land Improvement Section 16.04.130, "Acceptance of Land Improvements" of the St. Charles Municipal Code.

Section 110: Delete Section 110.3.5 "Lath and gypsum board inspections" (including the Exception paragraph), and amend Section 110.5 "Inspection Requests" to read as follows:

110.5 Inspection Requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required

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by this code. At least twenty-four hours' notice shall be given to the Building and Code Enforcement Division by the permit holder for each required inspection.

Section 111: Add Section 111.5, as follows:

111.5 Grading Survey and As-Built Elevation Certification.

1. Requirement: This section applies to single- and multi-family dwelling units and commercial structures. A topographical survey of the construction site, as finally graded, prepared, and certified by a professional land surveyor or a registered professional engineer, shall be submitted to demonstrate compliance with approved plans, and that adequate provisions for drainage have been constructed. This topographical survey shall depict the location of the structure and the grade elevations designed for the site. The "as-built" elevation contours shall be at one (1) foot increments minimum and shall provide sufficient detail to adequately determine the proper final grading of a parcel as determined by the City Engineer or his designee. Additionally, a registered professional engineer shall certify the final grading of the site is in substantial compliance with the approved grading plans.
2. Weather Conditions: When weather conditions prohibit the final grading of the site in accordance with the approved plans or prevents a survey from certifying the same; the City Engineer or his/her designee may allow occupancy provided the following conditions are met.
 - a. The site/building may be occupied safely without endangering life or public welfare.
 - b. A \$3,000 cash deposit or other suitable guarantee as determined by the City Engineer is posted for each lot where grading cannot be completed or verified. Occupancies allowed prior to completion of grading and verification of the same shall have a strict completion date as established by the City Engineer at the time of occupancy. The City shall return the guarantee for the full amount (no interest) after completion of the lot grading, submittal of a final survey and acceptance by the City inspector.

Section 114: Amend paragraph 114.4 "Violation Penalties" to read as follows:

114.4 Violation Penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to a fine of not less than fifty dollars nor more than seven hundred fifty dollars. Each day that a violation continues shall be deemed a separate violation. The imposition of a fine shall not preclude the Building Official from instituting appropriate legal action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises or to stop an illegal act, conduct, business or use of a building or structure in or about any premises.

Section 116: Add and 116.6, 116.7, 116.8 and 116.9 as follows:

Section 116 Posting Structures

116.6 Vacating Structures. When, in the opinion of the Building Official, there is an actual and immediate danger of failure or collapse of a building or structure or any part thereof which would endanger life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the building or structure, the Building Official shall require the occupants to vacate the same forthwith. He shall cause to be posted at each entrance to such building a notice reading as follows: "This structure is unsafe and its use or occupancy has been prohibited by the Building Official, and it shall be unlawful for any person to enter such building or structure except for the purpose of making the required repairs or demolishing the same."

116.7 Temporary Safeguards. When, in the opinion of the Building Official, there is actual and immediate danger of collapse or failure of a building or structure or any part thereof which would endanger life, he shall cause the necessary work to be done to render such building or structure or part thereof temporarily safe, and shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

116.8 Costs of Emergency Repairs. Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on certificate of the duly authorized official and the legal authority of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe building or structure was located for the recovery of such costs.

116.9 Closing Streets. When necessary for the public safety, the duly authorized official may temporarily close sidewalks, streets, buildings and structures and places adjacent to such unsafe structures, and prohibit the same from being used.

Add a Section 117 "Posting Structures" and sections 117.1 through 117.4, as follows:

117.1 Posted Use and Occupancy. Every building and structure and part thereof designed for business, factory and industrial, high hazard, mercantile, or storage use (use groups B, F, H, M and S) as defined in Article 2, shall be posted on all floors by the owner with a suitably designed placard in a form designated by the Building Official, which shall be securely fastened to the structure in a readily visible place, stating the use group, the fire grading, the live load and the occupancy load.

117.2 Posted Occupancy Load. Every room constituting a place of assembly shall have the occupancy load of the room posted in a conspicuous place, near the main exit from the room. Approved signs shall be maintained in a legible manner by the owner or his authorized agent. Signs shall be durable and shall indicate the number of occupants permitted for each room use.

117.3 Replacement of Posted Signs. All posting signs shall be furnished by the owner and shall be of permanent design; they shall not be removed or defaced, and if lost, removed or defaced, shall be immediately replaced.

117.4 Periodic Inspection. The Building Official and/or other duly authorized official may periodically inspect or cause to be inspected all existing buildings and structures, except one-family and two-family dwellings, for compliance with the law in respect to posting; or may accept the report of such inspection from an authorized licensed professional engineer or architect; and such inspection and report shall specify any violation of the requirements of this Code in respect to the posting of floor load, fire grading, occupancy load and use group of the building."

Add a Section 118 "Demolition and Moving of Structures", as follows:

Section 118 Demolition and Moving of Structures

118.1 Service Connections. Before a permit is issued to demolish or move a structure, the owner or agent shall notify all utilities having service connections within the structure such as water, electric, gas, sewer and other utilities. A permit to demolish or move a structure shall not be issued until verification is made by the utilities, confirming that their respective service connections and appurtenant equipment, such as meters, regulators, etc., have been removed or sealed and plugged in a safe and approved manner.

118.2 Site Safety. Whenever a structure is demolished or moved, the premises shall be maintained free from all unsafe or hazardous conditions by the erection of the necessary fencing to keep the public from entering the site. Unsafe materials shall be removed and established grades shall be restored as soon as practicable.

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118.3 Demolition Plan. Prior to issuance of a demolition permit, a demolition plan shall be submitted including a plot plan showing the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain. The demolition plan shall include a description of methods used for demolition and removal and of the methods to be used to minimize potential impacts including noise, debris and dust.

Add a Section 119 “Contractor Responsibility,” as follows:

119.1 Contractor Responsibility. The actual construction of the work shall be the responsibility of the general contractor as identified on the approved building permit. The general contractor shall execute all work in accordance with the approved construction documents, and shall execute and control all methods of construction in a safe and satisfactory manner in accordance with all applicable local, state, and federal statutes and regulations.

(2012-M-44 : § 1)

15.101.020 – Applicability

Removed in its entirety

(2004-M-65 : § 1; 1996-M-53 : § 33; 1983-M-25 : § 1 (Part))

15.101.030 – Ordinary repairs

Removed in its entirety

(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.040 – Installation of service equipment

Removed in its entirety

(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.050 – Maintenance

Removed in its entirety

(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.060 – Change in existing use

Removed in its entirety

(2004-M-65 : § 1)

15.101.070 – Existing structures

Removed in its entirety

(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.080 – Department of building inspection

Removed in its entirety

(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.090 – Duties and powers of Building Commissioner

Removed in its entirety

(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.100 – Approval

Removed in its entirety

(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.110 – Inspection

Removed in its entirety

(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.120 – Right of entry

Removed in its entirety

(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

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15.101.130 – Application for permit

Removed in its entirety

(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.140 – Permits

Removed in its entirety

(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.150 – Permit and inspection fees

- A. Payment of Fees. All base fees shall be paid at the time of submittal of the permit application and plans. Other fees calculated from square footage, estimated cost, and other unit measures shall be paid prior to issuance of a permit. Additional fees and reimbursements that are incurred after issuance of a permit shall be paid prior to issuance of a certificate of occupancy. All permit fees are non-refundable.
- B. Building Permit Fees. Permit fees for construction, alteration, demolition, installation, and other work as listed herein are established as follows:
1. New residential buildings:
 - a. Single family detached dwellings.
 - i. Base fee: one hundred thirty (\$130.00) dollars (Due at the time of submittal)
 - ii. \$0.29 cents per square foot of each level of buildings - including - basement, garage, crawl space
 - b. Single family attached dwellings – townhouse/duplex.
 - i. Base fee: one hundred thirty (\$130.00) dollars (Due at the time of submittal)
 - ii. \$0.29 cents per square foot of each level of building - including basement, garage, and crawl space
 - c. Multi-family buildings-apartments/condominiums/mix use.
 - i. Base fee: three hundred seventy five (\$375.00) dollars for the entire building (Due at the time of submittal)
 - ii. \$0.44 cents per square foot for the first 10,000 square feet
 - iii. From 10,001 square foot and above \$0.16 cents per square foot
 2. New industrial, business, commercial or other non-residential buildings:
 - i. Base fee: three hundred seventy five (\$375.00) dollars for the entire building (Due at the time of submittal)
 - ii. \$0.44 cents per square foot for the first 10,000 square feet
 - iii. From 10,001 square foot and above \$0.16 cents per square foot
 3. Additions to existing buildings:
 - a. Residential.
January 1, 2018 to December 31, 2018
 - i. Base fee: one hundred forty (\$140.00) dollars (Due at time of submittal)
 - ii. For estimated cost up to first thousand (\$1,000.00) dollars, Seventy-five (\$75.00) dollars
 - iii. For estimated cost from one thousand and one (\$1,001.00) dollars to ten-thousand (\$10,000.00). Five (\$5.00) dollars per/\$1,000.00
 - iv. For estimated cost from ten-thousand and one (\$10,001.00) to twenty-five thousand (\$25,000.00), two (\$2.00) per/\$1,000.00
 - v. For estimate cost from twenty-five thousand and one (\$25,001.00) dollars on, one-dollar and 25 cents (\$1.25) per/\$1,000.00

January 1, 2019 and thereafter

- i. Base fee: one hundred fifty (\$150.00) dollars (Due at time of submittal)
- ii. For estimated cost up to first thousand (\$1,000.00) dollars, one-hundred (\$100.00) dollars
- iii. For estimated cost from one thousand and one (\$1,001.00) dollars to ten-thousand (\$10,000.00). Six (\$6.00) dollars per/\$1,000.00
- iv. For estimated cost from ten-thousand and one (\$10,001.00) to twenty-five thousand (\$25,000.00), two dollars and 25 cents (\$2.25) per/\$1,000.00
- v. For estimate cost from twenty-five thousand and one (\$25,001.00) dollars on, one-dollar and 50 cents (\$1.50) per/\$1,000.00

b. Industrial, business, commercial, or other non-residential buildings.

- i. Base fee of three hundred seventy five (\$375.00) dollars (Due at the time of submittal)
- ii. \$0.44 cents per square foot for the first 10,000 square feet
- iii. From 10,001 square feet and above \$0.16 cents per square foot

4. Alterations to existing buildings:

a. Residential.

January 1, 2018 to December 31, 2018

- i. Base fee: one hundred forty (\$140.00) dollars (Due at time of submittal)
- ii. For estimated cost up to first thousand (\$1,000.00) dollars, Seventy-five (\$75.00) dollars
- iii. For estimated cost from one thousand and one (\$1,001.00) dollars to ten-thousand (\$10,000.00). Five (\$5.00) dollars per/\$1,000.00
- iv. For estimated cost from ten-thousand and one (\$10,001.00) to twenty-five thousand (\$25,000.00), two (\$2.00) per/\$1,000.00
- v. For estimate cost from twenty-five thousand and one (\$25,001.00) dollars on, one-dollar and 25 cents (\$1.25) per/\$1,000.00

January 1, 2019 and thereafter

- i. Base fee: one hundred fifty (\$150.00) dollars (Due at time of submittal)
- ii. For estimated cost up to first thousand (\$1,000.00) dollars, one-hundred (\$100.00) dollars
- iii. For estimated cost from one thousand and one (\$1,001.00) dollars to ten-thousand (\$10,000.00). Six (\$6.00) dollars per/\$1,000.00
- iv. For estimated cost from ten-thousand and one (\$10,001.00) to twenty-five thousand (\$25,000.00), two dollars and 25 cents (\$2.25)

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per/\$1,000.00

v. For estimate cost from twenty-five thousand and one (\$25,001.00) dollars on, one-dollar and 50 cents (\$1.50) per/\$1,000.00

b. Industrial, business, commercial, or other non-residential buildings.

i. Base fee: three hundred seventy five (\$375.00) dollars (Due at the time of submittal)

ii. For estimated cost up to four thousand (\$4,000.00) dollars, no additional fees.

iii. For estimated cost from four thousand (\$4,000.00) dollars to twenty-four thousand (\$24,000.00) dollars, six dollars and seventy-five cents (\$6.75) for each one thousand (\$1,000.00) dollars or fraction thereof.

iv. For estimated cost in excess of twenty-four thousand (\$24,000.00) dollars, three dollars and ten cents (\$3.10) for each one thousand (\$1,000.00) dollars or fraction thereof.

v. Fire Prevention Inspections – eighty (\$80.00) dollars per inspection, if required.

5. Miscellaneous permits:

a. Appliance Permits.

i. Small Appliance Permits:

Residential water heaters, water softeners, furnaces, central air conditioners, and outside air conditioner units:

Base fee: thirty-five (\$35.00) dollars (Due at the time of submittal)

ii. Large Appliance Permits:

January 1, 2018 to December 31, 2018

All generators, commercial air handlers, rooftop units, and machinery:

Base fee: two hundred (\$200.00) dollars (Due at the time of submittal)

January 1, 2019 to December 31, 2019

All generators, commercial air handlers, rooftop units, and machinery:

Base fee: two hundred twenty (\$220.00) dollars (Due at the time of submittal)

January 1, 2020 and thereafter

All generators, commercial air handlers, rooftop units, and machinery:

Base fee: two hundred forty (\$240.00) dollars (Due at the time of submittal)

b. As-Built Permits. A request to the Building Official to inspect a completed project.

Double the building permit fee. (Due at the time of submittal)

c. Decks, gazebos, pergola or patios

January 1, 2018 to December 31, 2018

Decks, gazebos, pergola or patios:

Base fee: ninety (\$90.00) dollars. (Due at the time of submittal)

January 1, 2019 to December 31, 2019

Decks, gazebos, pergola or patios:

Base fee: one hundred ten (\$110.00) dollars (Due at the time of submittal)

January 1, 2020 and thereafter

Decks, gazebos, pergola or patios:

Base fee: one hundred twenty five (\$125.00) dollars (Due at the time of submittal)

d. Demolition or wrecking of any building or other structure:

January 1, 2018 to December 31, 2018

Residential.

Base fee: three hundred twenty (\$320.00) dollars (Due at the time of submittal)

January 1, 2019 to December 31, 2019

Residential.

Base fee: three hundred thirty (\$330.00) dollars (Due at the time of submittal)

January 1, 2020 and thereafter

Residential.

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Base fee: three hundred forty (\$340.00) dollars (Due at the time of submittal)

January 1, 2018 to December 31, 2018

Industrial, business, commercial, or other non-residential buildings

Base fee: four hundred forty (\$440.00) dollars (Due at the time of submittal)

January 1, 2019 to December 31, 2019

Industrial, business, commercial, or other non-residential buildings:

Base fee: four hundred fifty (\$450.00) dollars (Due at the time of submittal)

January 1, 2020 and thereafter

Industrial, business, commercial, or other non-residential buildings:

Base fee: four hundred sixty (\$460.00) dollars (Due at the time of submittal)

All partial demolitions that do not include disconnect of any utility service disconnect of any utility service

Base fee sixty (\$60.00) dollars (Due at the time of submittal)

e. Donation Boxes:

i. Base fee: fifty five (\$55.00) dollars (Due at the time of submittal)

ii. Charitable and/or Non-Profit Organization fee (Must have verified 501(c)(3) exempt status): zero (\$0.00) dollars.

f. Elevators or lifts:

i. Base fee: one hundred (\$100.00) dollars (Due at the time of submittal)

ii. Reimbursement of direct costs of review fees from Elevator Inspection Service.

g. Fences: (Excluding arbors and decorative landscape fences outside of easements and not more than 30 inches in height)

January 1, 2018 to December 31, 2018

Fences: (Excluding arbors and decorative landscape fences outside of easements and not more than 30 inches in height)

i. Base fee: seventy (\$70.00) dollars plus the current Kane/DuPage County Recorders of Deeds Recording Fee in effect at time of permit application, if applicable for lots with fences in the easements. (Due at the time of submittal)

ii. Partial Fence Installation— Repair and requires no recording fee - thirty (\$30.00) dollars (Due at the time of submittal)

January 1, 2019 to December 31, 2019

Fences: (Excluding arbors and decorative landscape fences outside of easements and not more than 30 inches in height)

i. Base fee: eighty (\$80.00) dollars plus the current Kane/DuPage County Recorders of Deeds Recording Fee in effect at time of permit application, if applicable for lots with fences in the easements. (Due at the time of submittal)

ii. Partial Fence Installation—Repair and requires no recording fee - thirty (\$30.00) dollars (Due at the time of submittal)

January 1, 2020 and thereafter

Fences: (Excluding arbors and decorative landscape fences outside of easements and not more than 30- inches in height)

i. Base fee: eighty five (\$85.00) dollars plus the current Kane/DuPage County Recorders of Deeds Recording Fee in effect at time of permit application, if applicable for lots with fences in the easements. (Due at the time of submittal)

ii. Partial Fence Installation— Repair and requires no recording fee - thirty (\$30.00) dollars (Due at the time of submittal)

h. Detached.

January 1, 2018 to December 31, 2018

Detached.

Base fee: one hundred twenty (\$120.00) dollars (Due at the time of the submittal)

January 1, 2019 to December 31, 2019

Detached.

Base fee: one hundred thirty (\$130.00) dollars (Due at the time of the submittal)

January 1, 2020 and thereafter

Detached.

Base fee: one hundred forty (\$140.00) dollars (Due at the time of the submittal)

ii. Attached.

January 1, 2018 to December 31, 2018

Attached.

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Base fee: one hundred eighty five (\$185.00) dollars (Due at the time of the submittal)

January 1, 2019 to December 31, 2019

Attached.

Base fee: two hundred (\$200.00) dollars (Due at the time of the submittal)

January 1, 2020 and thereafter

Attached.

Base fee: two hundred twenty five (\$225.00) dollars (Due at the time of the submittal)

i. Kiosk, commercial:

Base fee: fifty-five (\$55.00) dollars (Due at the time of submittal)

j. Landscape review:

Reimburse City for direct cost for review of landscape plans and tree preservation plans by a landscape architect.

k. Lawn sprinklers:

Base fee: one hundred fifteen (\$115.00) dollars (Due at the time of submittal)

If the sprinkler heads are located the right-of-way a current Kane/DuPage County Recorders of Deeds recording fee in effect at time of permit application. (Due at time of submittal)

l. Low voltage installations (Lighting, fountains, light poles, etc.):

Base fee: ninety-five (\$95.00) dollars (Due at the time of submittal)

m. Outdoor sales – temporary tents, trailers, (where permitted):

January 1, 2018 to December 31, 2018

Outdoor sales – temporary tents, trailers, (where permitted):

Base fee: eighty (\$80.00) dollars (Due at the time of submittal)

January 1, 2019 and thereafter

Outdoor sales – temporary tents, trailers, (where permitted):

Base fee: eighty five (\$85.00) dollars (Due at the time of submittal)

n. Parking lots:

January 1, 2018 to December 31, 2018

Parking lots:

i. Grind and overlay existing pavement

Base fee: one hundred ten (\$110.00) dollars (Due at the time of submittal)

ii. Replace with new or rebuild existing

Base fee: one hundred ninety (\$190.00) dollars (Due at the time of submittal)

January 1, 2019 to December 31, 2019

Parking lots:

i. Grind and overlay existing pavement

Base fee: one hundred twenty (\$120.00) dollars (Due at the time of submittal)

ii. Replace with new or rebuild existing

Base fee: two hundred (\$200.00) dollars (Due at the time of submittal)

January 1, 2020 and thereafter

Parking lots:

i. Grind and overlay existing pavement

Base fee: one hundred thirty (\$130.00) dollars (Due at the time of submittal)

ii. Replace with new or rebuild existing

Base fee: two hundred ten (\$210.00) dollars (Due at the time of submittal)

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o. Re-roofs:

January 1, 2018 to December 31, 2018

Re-roofs:

Residential.

Base fee: fifty (\$50.00) dollars (Due at the time of submittal)

Commercial, industrial, or other non- residential buildings.

Base fee: eighty (\$80.00) dollars (Due at the time of submittal)

January 1, 2019 to December 31, 2019

Re-roofs:

Residential.

Base fee: fifty five (\$55.00) dollars (Due at the time of submittal)

Commercial, industrial, or other non- residential buildings.

Base fee: ninety (\$90.00) dollars (Due at the time of submittal)

January 1, 2020 and thereafter

Re-roofs:

Residential.

Base fee: sixty (\$60.00) dollars (Due at the time of submittal)

Commercial, industrial, or other non- residential buildings.

Base fee: one hundred (\$100.00) dollars (Due at the time of submittal)

p. Right-of-way and/or private driveways:

January 1, 2018 to December 31, 2018

Right-of-way and/or private driveways:

Base fee: seventy (\$70.00) dollars (Due at the time of submittal)

Street Cut:

Base fee: eighty (\$80.00) dollars (Due at the time of submittal)

January 1, 2019 to December 31, 2019

Right-of-way and/or private driveways:

Base fee: seventy five (\$75.00) dollars (Due at the time of submittal)

Street Cut:

Base fee: eighty five (\$85.00) dollars (Due at the time of submittal)

January 1, 2020 and thereafter

Right-of-way and/or private driveways:

Base fee: eighty (\$80.00) dollars (Due at the time of submittal)

Street Cut:

Base fee: ninety (\$90.00) dollars (Due at the time of submittal)

q. Sewer or water repair or replacement; sewer cleanouts (utility repair):

January 1, 2018 to December 31, 2018

Sewer or water repair or replacement; sewer cleanouts (utility repair):

Base fee: seventy five (\$75.00) dollars (Due at the time of submittal)

January 1, 2019 to December 31, 2019

Sewer or water repair or replacement; sewer cleanouts (utility repair):

Base fee: eighty five (\$85.00) dollars (Due at the time of submittal)

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January 1, 2020 and thereafter

Sewer or water repair or replacement; sewer cleanouts (utility repair):

Base fee: ninety (\$90.00) dollars (Due at the time of submittal)

r. Sheds (24 square feet or more):

January 1, 2018 to December 31, 2018

Sheds (24 square feet or more):

Base fee: seventy (\$70.00) dollars (Due at the time of submittal)

January 1, 2019 to December 31, 2019

Sheds (24 square feet or more):

Base fee: eighty (\$80.00) dollars (Due at the time of submittal)

January 1, 2020 and thereafter

Sheds (24 square feet or more):

Base fee: ninety (\$90.00) dollars (Due at the time of submittal)

s. Siding, soffit, and fascia (replace, repair, or new):

Base fee: sixty five (\$65.00) dollars (Due at the time of submittal)

t. Signs (canopy, marquees, temporary signs and banners):

i. Permanent freestanding signs.

1. Base fee: one hundred (\$100.00) dollars (Due at the time of submittal)

2. Plus two dollars and twenty-five cents (\$2.25) per square foot of sign area.

ii. Permanent signs other than freestanding signs.

1. Base fee: one hundred (\$100.00) dollars (Due at the time of submittal)

2. For each additional sign after the one permanent sign five (\$5.00) dollars for each additional sign.

iii. Temporary:

Base fee: forty five (\$45.00) dollars (Due at the time of submittal)

u. Swimming pool:

January 1, 2018 to December 31, 2018

Swimming pool:

In-ground.

Base fee: two hundred twenty five (\$225.00) dollars (Due at the time of submittal)

Above ground designed for water depth over 24-inches.

Base fee: eighty (\$80.00) dollars (Due at the time of submittal)

January 1, 2019 to December 31, 2019

Swimming pool:

In-ground.

Base fee: two hundred seventy five (\$275.00) dollars (Due at the time of submittal)

Above ground designed for water depth over 24-inches.

Base fee: ninety (\$90.00) dollars (Due at the time of submittal)

January 1, 2020 and thereafter

Swimming pool:

In-ground.

Base fee: three hundred (\$300.00) dollars (Due at the time of submittal)

Above ground designed for water depth over 24-inches.

Base fee: one hundred (\$100.00) dollars (Due at the time of submittal)

v. Window(s) and door(s) replacement:

Base fee: fifty-five (\$55.00) dollars (Due at the time of submittal)

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w. All permit types not listed will be charged forty (\$45.00) dollars per inspection.

6. Additional Fire Department Fees

A. Review of fire system plans:

Base fee: eighty (\$80.00) dollars.

B. Review of sprinkler system plans:

Base fee: eighty (\$80.00) dollars.

C. Review of standpipe systems:

Base fee: eighty (\$80.00) dollars.

D. Review of other fire extinguisher systems (kitchen suppression):

Base fee: eighty (\$80.00) dollars.

E. Review of above-ground and underground storage tank plans:

Base fee: eighty (\$80.00) dollars.

F. Special inspections: kitchen hood and duct, kitchen suppression; sprinkler dry system; FM200 system, roof integrity:

Eighty (\$80.00) dollars per inspection.

G. Smoke evacuation test:

Eighty (\$80.00) dollars.

H. Fire flow test:

Base fee: one hundred sixty (\$160.00) dollars.

I. Any other special inspections:

Eighty (\$80.00) dollars per man-hour plus material, if required.

7. Additional Fees:

A. Initial Architectural Plan Review and Examination fees: No additional charge (included in base fee)

B. Outside Plan Review – Applicant shall pay direct cost for plan review by a consultant hired by the City.

C. Review of revised plans and specifications: one-half of base fees.

D. Revisions to approved construction plans submitted after issuance of a building permit, when initiated by the permit holder, owner, contractor or architect: One-half of base fees.

E. Re-inspection fees (due prior to the issuance of a certificate of occupancy):

a. Sixty-five (\$65.00) dollars per Building Division. Re-inspection for all types of inspections during construction (excluding finals).

b. Eighty (\$80.00) dollars per Fire Department re-inspection for all types of inspections during construction (excluding finals).

c. Eighty-five (\$85.00) dollars per re-inspection for all residential final inspections.

d. One hundred seventy (\$170.00) dollars per re-inspection for all industrial, commercial, business, and other non-residential final inspections.

F. Temporary certificates of occupancy (due prior to issuance of the temporary certificate of occupancy):

a. Residential: Eighty-five (\$85.00) dollars.

b. Industrial, commercial, business, or other non-residential building: One hundred seventy (\$170.00) dollars.

G. Reimbursement for Fire Protection services: The applicant shall reimburse the City for the actual cost of services billed to the City by a fire protection company relation to review of plans and specifications, meetings, inspections, and associated tasks relative to any application for permit.

H. Waiving of building permit fees may be granted by the City Council for the construction of one and two family residential dwelling units, additions and alterations by a non-profit organization for an owner occupancy and/or family member with special needs.

I. Any unit of Federal, State, or local government agency shall be exempt from filing fees and permit fees. Any Federal, State, or local government agency whom is legally exempt from filing a City Permit, shall not be required to obtain a permit for a connection to any City utility or other service. However, any unit of Federal, State, or local government agency that is exempt shall request an authorization for utility connection, building construction or other City service from the City and be subject to inspection of the utility connection by the City. The Federal, State or local government agency shall be responsible for outside consultant services and miscellaneous fees, (i.e. re-inspection fees, temporary occupancy fees, connection fees, meter fees electric utility design and installation fees, etc.)

J. Consultation for Permitted Projects. After two (2) field consultations, a charge of seventy (\$70.00) dollars, per on-site consultation.

K. Requested after normal business hours, overtime inspections/consultations shall be billed at a minimum two (2) hour charge of:

Overtime 1 (OT1) - \$190.00

Overtime 2 (OT2) - \$240.00

Any additional hours shall be billed at \$90.00 per hour

(2018-M-37 : § 1; 2017-M-46 : § 1; 2017-M-22 : § 1; 2015-M-12 : 2015-M-11 : § 1; 2013-M-79 : § 1; 2008-M-94 : § 1; 2007-M-29 : § 1; 2004-M-73 : § 1; 2004-M-65 : § 1; 2002-M-62 : § 1; 1998-M-72 : § 1; 1997-M-141 : § 1; 1983-M-25 : § 1 (Part))

15.101.160 – Demolition of structures

Removed in its entirety
(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.170 – Moved structures

Removed in its entirety
(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.190 – Certificate of use and occupancy

Removed in its entirety
(2004-M-65 : § 1; 2002-M-3 : § 1; 1996-M-56 : § 1; 1983-M-25 : § 1 (Part))

15.101.200 – Posting structures

Removed in its entirety
(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.210 – Violations

Removed in its entirety
(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.220 – Stop-work order

Removed in its entirety
(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.230 – Unsafe structures

Removed in its entirety
(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.240 – Emergency measures

Removed in its entirety
(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.250 – Board of Survey

Removed in its entirety
(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.260 – Board of Appeals

Removed in its entirety
(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.270 – Architectural, engineering and contractor services

Removed in its entirety
(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

15.101.280 – Validity

Removed in its entirety
(2004-M-65 : § 1; 1983-M-25 : § 1 (Part))

Title 15 - Buildings and Construction Footnotes

1. For statutory provisions authorizing cities to regulate the construction of buildings, see 65 ILCS 5/11-30-4. (1996-M-53 : § 32)
2. For statutory provisions of the state plumbing code, see 225 ILCS 320. (1996-M-53 : § 32)
3. For statutory provisions authorizing cities to regulate the construction of buildings, see 65 ILCS 5/11-30-4. (1996-M-53 : § 32)

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4. For statutory provisions of the state plumbing code, see 225 ILCS 320.
(1996-M-53 : § 32)
5. For statutory provisions on municipal regulation of dangerous buildings, see 65 ILCS 5/11- 31-1.
(1996-M-53 : § 32)
6. For statutory provisions on municipal fire limits, see 65 ILCS 5/11-8-3.
(1996-M-53 : § 32)
7. For statutory provisions on fire safety regulations, see 65 ILCS 5/11-8-1 et seq. Prior ordinance history: Ords. 1967-17, 1967-23, 1969-M-10.
(Ord. 1996-M-53 § 32.)
(1996-M-53 : § 32)
8. Repealed in its entirety For statutory provisions on fair housing ordinances, see 65 ILCS 5/11-11.1-1.
(1996-M-53 : § 32)
9. For statutory provisions on general regulatory powers of cities over buildings, see 65 ILCS 5/11-30-4.
(1996-M-53 : § 32)