

111-O-13

AN ORDINANCE

**Amending Title 4 of the City Code, “Building Regulations,” by
Adopting 2011-2012 Model Codes by Reference, with Amendments**

WHEREAS, the City Council of the City of Evanston finds that it is in the interest of the public health, safety, and welfare to adopt, as its standards for building construction, alteration, and installation permits, certain 2011-2012 model building codes,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: Title 4, Chapter 2 of the Evanston City Code of 2012, as amended (the “City Code”), “Building Code,” is hereby deleted in its entirety and replaced with the text set forth in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3: Title 4, Chapter 4 of the City Code, “Fire Prevention Regulations,” is hereby deleted in its entirety and replaced with the text set forth in Exhibit B, attached hereto and incorporated herein by reference.

SECTION 4: Title 4, Chapter 5 of the City Code, “Plumbing Code,” is hereby deleted in its entirety and replaced with the text set forth in Exhibit C, attached hereto and incorporated herein by reference.

SECTION 5: Title 4, Chapter 6 of the City Code, “Electrical Code,” is hereby deleted in its entirety and replaced with the text set forth in Exhibit D, attached hereto and incorporated herein by reference.

SECTION 6: Title 4, Chapter 7 of the City Code, “Mechanical Code,” is hereby deleted in its entirety and replaced with the text set forth in Exhibit E, attached hereto and incorporated herein by reference.

SECTION 7: Title 4, Chapter 9 of the City Code, “Residential Code,” is hereby deleted in its entirety and replaced with the text set forth in Exhibit F, attached hereto and incorporated herein by reference.

SECTION 8: Title 4, Chapter 17 of the City Code, “Fuel Gas Code,” is hereby deleted in its entirety and replaced with the text set forth in Exhibit G, attached hereto and incorporated herein by reference.

SECTION 9: Title 4, Chapter 19 of the City Code, “Energy Code,” is hereby deleted in its entirety and replaced with the text set forth in Exhibit H, attached hereto and incorporated herein by reference.

SECTION 10: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 11: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 12: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 13: This ordinance shall be in full force and effect on January 1, 2014, after its passage, approval and publication in the manner provided by law.

Introduced: _____, 2013

Approved:

Adopted: _____, 2013

_____, 2013

Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene, City Clerk

W. Grant Farrar, Corporation Counsel

CHAPTER 2 - BUILDING CODE

4-2-1: ADOPTION:

- (A) Pursuant to the authority granted by 65 ILCS 5/1-2-4, and pursuant to its home rule powers, the City of Evanston hereby adopts by reference the *2012 International Building Code*, with the additions, deletions, exceptions, and other amendments set forth in this Chapter. All advisory or text notes, other than the rules and regulations contained in the 2012 International Building Code adopted hereby, are expressly excluded from this Chapter.
- (B) Any reference in the 2012 International Building Code to "Building Official" shall refer to the City's Manager of Building and Inspection Services. Any reference to "municipality" shall mean the City of Evanston.
- (C) In the event that any provision of the 2012 International Building Code adopted hereby is in conflict with any provision(s) of the City Code, the more/most stringent shall control.

4-2-2. AMENDMENTS:

The 2012 International Building Code adopted hereby shall read as follows with respect to these Sections.

101.4.5 Fire Prevention. The provisions of the *2012 NFPA Life Safety Code 101* and *2012 International Fire Code* adopted by the City shall apply to matters affecting or relating to structures, processes, and premises from the hazard of fire and explosion arising from the storage, handling, or use of structures, materials, or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration, or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.6: Electrical: The provisions of the *National Electrical Code* adopted by the City shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

103: Department of Community Development:

103.1: Creation of Enforcement Agency: The Division of Building and Inspection Services is hereby made responsible for the enforcement of this Code.

103.2: Appointment: Any reference in the 2012 International Building Code to "Building Official" shall refer to the City's Manager of Building and Inspection Services. Any reference to "municipality" shall mean the City of Evanston

103.3: Deputies: The Building Official shall have the authority to appoint such technical officers, inspectors, plan examiners and other employees as he or she deems

necessary to effectuate the purposes of this Code. Such employees shall have powers as delegated by the Building Official. For the maintenance of existing properties, see the Property Maintenance Code adopted by the City.

104.6: Right of Entry: The Building Official and his/her authorized representatives are hereby authorized to make inspections of all buildings, structures, and premises located within the City to determine their compliance with the provisions of this Chapter. For the purpose of making such inspections, the Building Official and his/her authorized representatives are hereby authorized to examine and survey all buildings, structures, and premises within the City. Such inspections shall be made between the hours of 7:30 A.M. and 8:00 P.M. unless circumstances dictate the need for earlier or later inspections, on any day except Sunday, subject to the following standards and conditions:

- 1) Such inspections may take place only if:
 - a) a complaint respecting said premises has been received by the Building Official and such complaint, in the opinion of said Building Official, provides reasonable grounds for belief that a violation exists; or
 - b) if such inspection is undertaken as part of a regular inspection program whereby certain areas of the City are being inspected in their entirety by direction of the Building Official or the City Manager; or
 - c) if said official has other personal knowledge of conditions providing reasonable grounds to believe that a violation exists;
- 2) Such inspections shall be made by the Building Official or the City Manager or by any duly authorized representative upon direction of either of said officers;
- 3) Any person making such inspection shall furnish to the owner or occupant of the structure sought to be inspected, sufficient identification and information to enable the owner or occupant to determine that he/she is a representative of the City of Evanston and to determine the purpose of said inspection.

105.2: Work Exempt From Permit: This Section is omitted entirely. Contact the Building and Inspections Division of the Community Development Department for information regarding work exempt from permits.

105.5: Expiration and Extension:

- 1) Expiration:
 - a) A building permit shall, without further action by the City, automatically expire and be rendered null, void, and of no further force or effect, if the permit holder does not begin the work authorized by the permit within one hundred eighty (180) calendar days of the date of permit issuance.

- b) A building permit shall, without further action by the City, automatically expire and be rendered null, void, and of no further force or effect, if, at any time after the work is begun, the permit holder suspends and/or abandons the work authorized by the building permit for a continuous period of one hundred eighty (180) calendar days.
- c) A building permit shall, without further action by the City, automatically expire and be rendered null, void, and of no further force or effect, four (4) years after the date of permit issuance, unless an extension is granted in accordance with Subsection 2) below.
- d) If the building or work authorized by a building permit does not receive final inspection approval by the permit expiration date, all work shall stop until the Building Official issues a new permit or grants an extension of time in accordance with Subsection 2) below. All electrical, plumbing, and/or mechanical permits associated with a building permit shall expire concurrently with the building permit.

2) Extension:

- a) Except for relocation of structures, a permit holder may submit, before the expiration date of the building permit, an application to the Building Official for an extension of time. The application shall be filed no later than one (1) month in advance of the expiration date. The Building Official may extend the building permit once, for a period not exceeding one hundred eighty (180) calendar days, if he/she determines that circumstances beyond the permit holder's control prevented completion of the work. All electrical, plumbing, and/or mechanical permits associated with a building permit shall be extended to expire concurrently with the building permit.
- b) If a permit holder files application for an extension of time before expiration and in accordance with this Subsection, the existing building permit shall automatically be extended until the Building Official makes a decision on the application for an extension.
- c) If the building permit expires before an application is submitted for an extension of time, no extension shall be granted. If the previous permit holder or any other applicant wants to proceed with the same development, a new application is required and the application is treated in all respects as a new application.
- d) If the Building Official previously approved an extension of time in accordance with Subsection a), the Building Official may extend the expiration of the building permit one (1) additional time if he/she finds the following:
 - i) There are no significant change(s) in the regulations applicable to the site since the date the permit was issued;
 - ii) The additional extension is in the public interest; and

- iii) Circumstances beyond the control of the applicant prevented the authorized work from proceeding.

105.7: Placement of Permit: The building permit or a legible copy of the building permit shall be kept on the site of operations, open to public inspection during the entire time of prosecution of the work and until the completion of the same. Said permit must be posted within forty-eight (48) hours of permit issuance, must remain posted until a certificate of occupancy is issued or the permit expires, and must be visible from the public way. Failure to post and maintain the permit as required by this Section may result in revocation of the building permit and forfeiture of all permit fees.

105.8: Hours of Work Permitted for the Construction, Repair, and Demolition of Buildings: The creation (including excavation), demolition, alteration or repair of any building within the City, other than between the hours of seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M. on weekdays, and eight o'clock (8:00) A.M. and five o'clock (5:00) P.M. on Saturdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the City Manager or his/her designee, or the Director of Community Development Department or his/her designee, which permit may be granted while the emergency continues.

107.2.1: Information on Construction Documents: Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building Official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this Code and relevant laws, ordinances, rules, and regulations, as determined by the Building Official. All floor plans, including mechanical, electrical, plumbing and fire protection plans, shall indicate all required fire ratings and where they occur by graphic means with a legend or key.

110.3.3: Energy Efficiency Inspections: Delete.

113: BOARD OF APPEALS: Delete.

117: Digital Submission of Construction Documents Prior to Issuance of Certificate of Occupancy:

- 1) In addition to the requirement of filing hard-copy construction documents, submission of a series of construction/design documents in a computer digital format is required as part of the permitting process prior to the issuance of any final certificates of occupancy pursuant to the guidelines stated immediately below if one or more of the following applies:
 - a) The valuation of the construction project is, in its entirety, greater than \$500,000.00 (five hundred thousand and no/100 dollars).
 - b) When the Director of Community Development, or his/her designee, determines that there are significant changes to the physical characteristics of the property or

the structures on or around that property to warrant the submission of electronic documents.

- 2) Digital data shall be submitted according to the following guidelines:
 - a) The digital data submission shall contain the following three (3) document types:
 - i) Site Plan: A plan view, drawn to scale, depicting the project's location and showing at a minimum: property lines, building footprints, building elevation changes, sidewalks, driveways, proximate reference points identifiable within the City, and any fire lanes.
 - ii) Floor Plan: Exterior plan view for each floor, drawn to scale, showing at a minimum: interior walls, exterior walls, doors, and any stairs and elevators.
 - iii) Elevation Views: Exterior profile view, drawn to scale, showing at a minimum: height of building Sections, main entrance, and roofline.
 - b) Data shall be submitted via compact disc, FTP, e-mail or other media deemed permissible by the Director of Community Development or his/her designee.
 - c) All digital submissions shall be in a format approved by the City's geographical information systems division.
 - d) The data must be a proportionally accurate representation of the construction project, sufficient to fully explain and reproduce the project, with the defined scale clearly represented.
 - e) The permit applicant shall resubmit newly updated information pursuant to the above requirements whenever the applicant or his/her agent makes corrections or updates to the originally submitted information requiring the resubmission of printer-paper documents.
- 3) Upon request by the person required to submit information in a digital format, or if that party is unwilling or unable to digitally submit information, the City's geographical information systems division will digitally convert paper-based submitted documents. The fee for digital conversion shall be \$100.00 (one hundred and no/100 dollars) for each submitted page equal to or smaller than ledger-sized (11" by 17") paper, and \$200.00 (two hundred and no/100 dollars) for each submitted page exceeding ledger-sized (11" by 17") paper.
- 4) Any person who fails to comply with all requirements of this Section shall be subject to denial or revocation of any temporary or final certificates of occupancy pertaining to the project for which the violation has occurred. Denial or revocation of any temporary or final certificates of occupancy shall not preclude the City from seeking fines, costs, and other relief against the violator by filing a complaint or citation with the Circuit Court or Division of Administrative Adjudication.

1007.6.1.1: Area of Refuge: The floor of the area of refuge shall be designed with striping or other such means and labeled with the International symbol of access, such that this area is reserved at all times for the intended purpose.

1009.16: Stairway to Roof. In building four (4) or more stories above grade plane, all stairways shall extend to the main roof surface, unless the roof has a slope steeper than four units vertical to twelve units horizontal (33% slope). One stair shall terminate at a minimum four feet (4') deep landing in a penthouse conforming to Section 1509.2 and shall have a three feet (3') wide side-hinged door to the roof area. If the door is locked a key in an elevator box shall be provided adjacent to the door. Access to the roof from all other stairs shall comply with Section 1009.16.1

1009.16.1: Access to penthouse roofs. All building penthouse roofs shall have access to them by way of a stairwell or ships ladder. This may be interior or exterior to the penthouse. An interior position shall have access to the roof through a roof hatch which shall be sixteen square feet (16 ft²) minimum and have a minimum dimension of two feet (2').

1203.1: General. Buildings shall be provided with natural ventilation in accordance with Section 1203.4, or mechanical ventilation in accordance with the *International Mechanical Code*. All sleeping rooms in new buildings shall be provided with natural ventilation in accordance with Section 1203.4, which may be supplemented with mechanical ventilation in accordance with the *International Mechanical Code*. The provisions of Section 1203.4.1.1 that allow use of adjoining spaces for ventilation shall not apply to sleeping rooms in new buildings.

1205.1: General. Every space intended for human occupancy shall be provided with natural light by means of exterior glazed openings in accordance with Section 1205.2 or shall be provided with artificial light in accordance with Section 1205.3. Exterior glazed openings shall open directly onto a public way or onto a yard or court in accordance with Section 1206. Notwithstanding the rest of this Section 1205.1, all sleeping rooms in new buildings shall be provided with natural light by means of exterior glazed openings in accordance with Section 1205.2, which may be supplemented with artificial light in accordance with Section 1205.3. The provisions of Section 1205.3 that allow use of adjoining spaces for light shall not apply to sleeping rooms in new buildings.

Table 1607.1: Minimum Uniformly Distributed Live Loads and Minimum Concentrated Live Loads:

<u>Occupancy or Use</u>	<u>Uniform (psf)</u>	<u>Concentrated (lbs.)</u>
Balconies and decks (including porches) on commercial or multi-family buildings	100	---
Balconies and decks (including porches) on one- and two-family residences only, and not exceeding one hundred square feet (100 ft ²).	60	---

3105.1: General: Awnings or canopies shall comply with the requirements of this Section and other applicable Sections of this Code. No person shall erect, install, remove, re-hang, alter, or maintain over public property any awning or canopy for which a permit is required under the provisions of this Code until the requirements of the sign regulations ordinance, Title 4, Chapter 10 of the City Code, are met. Awnings and canopies shall only extend to a point 2 feet back from the curb line.

3106.1: General: Marquees shall comply with this Section and other applicable Sections of this Code. No person shall erect, install, remove, re-hang, alter, or maintain over public property any marquee for which a permit is required under the provisions of this Code until the requirements of Title 4, Chapter 10 of the City Code, are met. Marquees shall only extend to a point 2 feet back from the curb line.

3107.1: General: Signs shall be designed, constructed, and maintained in accordance with this Code. No person shall erect, install, remove, re-hang, alter, or maintain over public property any sign for which a permit is required under the provisions of this Code until the requirements of the sign regulations ordinance, Title 4, Chapter 10 of the City Code, are met.

3201.5: Building Deterioration: In the event that a piece or part of an existing building dislodges and falls onto the public way evidencing movement of building components that comprise imminent danger, the following shall be required:

- 1) Within forty-eight (48) hours of a written notice of the imminent danger or failed condition by the City of Evanston, the property owner(s) shall install illuminated sidewalk and/or street protection as required by the City of Evanston. If this is not completed in accordance with all city Codes, the City may install such protection at the expense of the property owner(s).
- 2) Within thirty (30) days of such notice, the property owner shall submit to the City a written report of the conditions by a State of Illinois licensed engineer. If this requirement is not fulfilled in accordance with all city Codes, the violator is subject to a fine of a minimum of \$75.00 (seventy-five and no/100 dollars) for each day until the report is submitted.
- 3) Within sixty (60) days of such notice, the property owner shall obtain permits for all required repairs. If this requirement is not fulfilled in accordance with all city Codes, the violator is subject to a fine of a minimum of \$75.00 (seventy-five and no/100 dollars) per day until the report is submitted.
- 4) Within one hundred eighty (180) days of such notice, all work associated with the repair of the deterioration must be completed and inspected. If the requirement of completion is not fulfilled in accordance with all city Codes, the violator is subject to a fine of a minimum of \$75.00 (seventy-five and no/100 dollars) per day until the work is completed, as verified by a city inspector.

3301.2: Storage and Placement: Construction equipment and materials shall be stored and placed so as not to endanger the public, the workers or adjoining property for the duration of the construction project. In no case, shall construction equipment or materials be kept or stored on any public way or property.

3303.4: Vacant Lot: Every vacant lot shall be filled, graded, seeded, and/or sodded in accord with 3303.4.1.

3303.4.1: Wrecking, Demolishing, or Razing of Structures:

- 1) Prior to the issuance of any permit for the wrecking, demolishing, or razing of any building or other structure, the owner of said structure shall deposit, in escrow, funds in an amount deemed sufficient by the Director of Community Development to secure the owner's obligations to grade, place topsoil, seed, sod, and/or fence any unimproved surface. Should the owner and/or owner's successor(s) in interest fail to perform said duties, the City may draw on said funds to complete them.
- 2) Prior to the start of demolition work, the owner and/or owner's successor(s) shall deliver all water meters on the property to the Utilities Department.
- 3) Demolition work shall not begin until site has been inspected by the City for placement of temporary fencing and temporary tree protection, and any related measures implemented.
- 4) Demolition work shall not begin until the owner and/or owner's successor(s) has established, either by way of a hose connected to the public water hydrant or by the use of a water truck on site, a source for wetting down the structure and resulting debris during the demolition process to minimize the creation of air-borne dust and debris.
- 5) Written notice stating the date on which work is to begin shall be given to the Director of Community Development and to owners/occupants of adjoining property at least forty eight (48) hours before beginning the wrecking, demolishing, or razing of any building or other structure.
- 6) During demolition, any temporary structure erected adjacent to or on any public way, used as temporary storage for debris and wreckage, shall be outfitted with reflective orange material outlining every top and bottom corner of said temporary structure, which reflective material will be visible when struck by headlight beams three hundred feet (300') away at night. Said markings shall be approved by the City Engineer.
- 7) All foundations and footings associated with the demolished structure shall be removed in the course of demolition.
- 8) Debris caused from the demolition of a building or structure in excess of that required to fill openings shall be removed from the site as wrecking progresses.

Salvaged material, if left on the premises, shall be stored neatly. Debris shall be kept from adjacent properties and public ways at all times.

- 9) On completion of demolition, all debris, equipment and temporary protections shall be removed from the site. In no case shall demolition debris be allowed to remain on the site longer than seven (7) days after the structure has been demolished.
- 10) On completion of demolition, owner and/or owner's successor(s) shall immediately restore the public right-of-way to its original condition upon completion of the work, including restoration of openings, broom sweeping walks and streets and raking of grassy areas.
- 11) On completion of demolition, the property owner and/or owner's successor(s) in interest shall fill with clean inorganic material with the upper eight inches (8") filled in friable topsoil and graded to the level of sidewalks, alleys, or adjoining property with allowance for settlement.
- 12) On completion of demolition, the property owner and/or owner's successor(s) in interest shall schedule and permit an inspection by the Building Official to determine compliance with the City Code.
- 13) Unless construction of a new structure on the site commences within sixty (60) days of completion of demolition, the property owner and/or owner's successor(s) shall seed the property with grass or place sod thereon no later than fifteen (15) days after completion of demolition. The temporary construction fence shall be removed no later than fifteen (15) days after such seeding or sodding.

Table 3306.1: Protection of Pedestrians:

Height Of Construction	Distance From Construction To Lot Line	Type of Protection Required
8 feet or less	Less than 5 feet	Construction railings
8 feet or less	5 feet or more	Construction railings
More than 8 feet	Less than 5 feet	Barrier and covered walkway
More than 8 feet	5 feet or more, but not more than one-fourth the height of construction	Barrier and covered walkway
More than 8 feet	5 feet or more, but between one-fourth and one-half the height of construction	Barrier
More than 8 feet	Less than 5 feet	Barrier and covered walkway
More than 8 feet	5 feet or more, but exceeding one-half of	8-foot high chain link fence, firmly

	the height of construction	anchored into the ground.
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3307.1: Protection Required: Add the following sentence: "Required notice to Owner shall also be required for building demolition."

3401.6: Alternative Compliance. Delete.

3406.1.3: New Fire Escape: Delete.

3406.1.4: Limitations: Delete.

3412: COMPLIANCE ALTERNATIVES: Delete.

4-2-3: BUILDING CONTRACTORS:

(A) Definition: The term "building contractor" means any person, individual, company, or corporation engaged in the business of constructing, enlarging, altering, removing, or remodeling any structure by furnishing of labor, material, and methods necessary to accomplish a given result, and who retains for himself/herself the control of the means, method, and manner of accomplishing this desired result. The term "building contractor" shall not be construed to include any person, individual, company, or corporation currently licensed as a plumbing contractor, electrical contractor, or heating, air conditioning or refrigeration contractor.

(B) License Required: No person shall engage in the business of building contractor within the City without first having secured a license in the manner provided herein.

(C) Application for License: Application for license shall be made to the Community Development Department. All licenses shall be subject to the provisions of this Code, other ordinances of the City and the statutes of the State of Illinois.

(D) License Fee: The amount of the annual license fee for persons engaged in the business of building contractor shall be established from time to time by action of the City Council.

(E) Examination Required: No person shall receive such a license until he or she has passed a standardized examination administered and designed by the Community Development Department. Said examination shall be for the purpose of determining that all licensees are knowledgeable in the business of building, contracting, and life safety components of the Building Code.

(F) Suspension or Revocation of License:

1. If any person shall violate any of the provisions of this Chapter or the Code adopted hereby, he/she shall be liable to be prosecuted against for any fine or

penalty imposed thereto and his/her license may be suspended or revoked by the City Manager.

2. No such license shall be so revoked or suspended except after a hearing by the City Manager or his/her designee with a three (3) business day notice to the licensee affording the licensee an opportunity to appear and defend. The notice shall specify the reason for the contemplated suspension or revocation and shall give the date, time, and room number in the civic center of the hearing. Notice shall be sufficient if sent to the address stated on the licensee's application.
3. If the Building Official certifies to the City Manager that he/she has reason to believe that immediate suspension of the license is necessary to prevent the threat of immediate harm to the community, the City Manager may, upon the issuance of a written order stating the reason for such conclusion and without notice or hearing, order the license suspended for not more than seven (7) days. The City Manager may extend the suspension during the pendency of a hearing upon a written determination that doing so is necessary to prevent the aforesaid harm to the community.
4. Hearings shall be conducted in accordance with procedures on file with the City Clerk.
5. The City Manager shall issue his/her decision within ten (10) business days after the close of the hearing. In reaching a decision, the City Manager may consider any of the following:
 - a. The nature of the violation.
 - b. The nature and extent of the harm caused by the licensee's action or failure to act.
 - c. The factual situation and circumstances surrounding the violation.
 - d. Whether or not the action or failure to act was willful.
 - e. The record of the licensee with respect to violations.
6. The City Manager may suspend a license for a period of up to ninety (90) days. A licensee whose license has been revoked shall not be eligible to reapply for a license until the expiration of one year after the effective date of the revocation.

4-2-4: PENALTY FOR VIOLATIONS:

Any person found to have violated any provision of the 2012 International Building Code as adopted by the City, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a building or structure in violation of any approved plan or direction of the Building Official or of any permit or certificate issued by

the Building Official or his/her designee, shall be guilty of an offense and fined as follows:

- (A) 1.** The fine for a first violation is one hundred fifty dollars (\$150.00).
 - 2.** The fine for a second violation is four hundred dollars (\$400.00).
 - 3.** The fine for a third or subsequent violation is seven hundred fifty dollars (\$750.00).
- (B)** Each day a provision of this Chapter is found to have been violated constitutes a separate violation subject to the fine schedule set forth in Subsection (A) of this Section.
- (C)** The fines provided for herein shall not be construed as limiting the power of a court of competent jurisdiction or an administrative hearing officer to impose other penalties and remedies as provided for by applicable legislation.

4-2-5: SEVERABILITY:

It is the intention of the City Council that the provisions of this Chapter and the Code adopted hereby are severable and the invalidity of any Section or any portion of any such Section of either of them shall not affect any other Section.

CHAPTER 4 - FIRE PREVENTION REGULATIONS

4-4-1: ADOPTION:

- (A) Pursuant to the authority granted by 65 ILCS 5/1-2-4, and pursuant to its home rule powers, the City of Evanston hereby adopts by reference the *2012 International Fire Code* and *2012 National Fire Protection Association 101, Life Safety Code*, which shall be used together with the below stated additions and amendments as criteria for the control and regulation of conditions which would constitute fire hazards to persons or property within the city or which would interfere with fire suppression forces, excepting therefrom the sections which are modified or deleted in Section 2 of this Chapter.
- (B) Any reference in the 2012 International Fire Code or the 2012 National Fire Protection Association 101, Life Safety Code to "Administrative Authority" or "Fire Official" shall mean the Fire Chief of the City of Evanston or his/her designee. Any reference to "municipality" shall mean the City of Evanston.
- (C) In the event that any provision of the 2012 International Fire Code or the 2012 National Fire Protection Association 101, Life Safety Code adopted hereby is in conflict with any provision(s) of the City Code, the more/most stringent shall control.

4-4-2: AMENDMENTS:

(A) 2012 International Fire Code:

The 2012 International Fire Code adopted hereby shall read as follows with respect to the indicated Sections.

101.1: Title: These regulations shall be known as the Fire Code of the City of Evanston, hereinafter referred to as "this Code."

108.1: Appeals: Any person, firm or corporation affected by any decision, interpretation or order of the Fire Official made under any provision of these Codes or the standards adopted herein, may appeal such decision, interpretation, or order to the Fire Chief by filing a written notice of such intent to the office of the Fire Chief within fifteen (15) days after the day the decision, interpretation, or order was served. For purposes of this Section, a decision, interpretation, or order is served upon delivery, in the case of personal delivery, and in the case of mailing, five (5) days after deposit in the U.S. mail with first-class postage prepaid. The Fire Chief, or his/her designee, shall convene a hearing upon such appeal within ten (10) days of receipt thereof and may, when no immediate hazard exists, continue such hearing from time to time for cause. The Fire Chief shall establish reasonable rules for such hearings and shall make a record of proceedings. The rules shall be on file with the Fire Chief's office. The decision of the Fire Chief shall be deemed final as to the order or interpretation appealed from. The decision shall be in writing and shall be issued within two (2) business days of its rendering. Where there are practical difficulties in the implementation of the strict

provisions of these Codes, the Fire Chief may modify such provision provided that such modification shall effect substantial conformance with the provisions hereof, provide for the public safety.

A person is "affected" for the purposes of an appeal pursuant to this Section when the person has a material or definitive interest in the decision, interpretation, or order of the official. An application for appeal shall be based on a claim that the true intent of a Code adopted by the City or the rules legally adopted thereunder, have been incorrectly interpreted, or the provision of these Codes are adequately satisfied by other means.

307.4.3 Fire Pit Regulations: The use of fire pits will be allowed provided the following regulations are complied with:

- 1) For clarity, a fire pit includes a permanent below ground fire pit, a permanent grade level outdoor fireplace or a portable outdoor fireplace, all intended to contain and control outdoor wood fires.
- 2) Portable fire pits, constructed of steel, brick, or masonry, shall be used in accordance with the manufacturers specifications and safety guidelines and must be placed upon a non-combustible surface.
- 3) Only natural seasoned firewood or commercial logs may be burned.
- 4) The fires in fire pits shall be kept manageable.
- 5) The use of the fire pit must be attended and supervised by a competent adult property owner until the fire has been completely extinguished. A legal resident/tenant of a property may use a fire pit in accordance to this ordinance as long as the property owner or assigned management company grants written permission to the legal resident/tenant. The use of the fire pit must be attended and supervised by the legal resident/tenant until the fire has been completely extinguished.
- 6) A portable ten pound (10 lb.) ABC type fire extinguisher or other approved extinguishing equipment, such as a garden hose, bucket of sand, or dirt, must be readily available.
- 7) The use of a fire pit which creates a hazardous or objectionable condition shall be prohibited. The code official is authorized to order the extinguishment of a fire in a fire pit creating a hazardous or objectionable condition.
- 8) The use of the fire pit shall not be located within ten feet (10') of a structure or any combustible material. In no case shall the appliance be located directly under overhead combustible construction.
- 9) The use of the fire pit shall not cause any building fire alarm system to activate.
- 10) Guidelines when using fire pit shall include common sense, respect for neighbors and neighborhoods.

308.1.4: Open-Flame Cooking Grills: Barbecue grills shall not be used on any stairs or porches that serve as a means of egress. The use of barbecues will be allowed on balconies or at ground level provided the following regulations are complied with:

- 1) The use of a cooking grill which creates or adds to a hazardous or objectionable situation shall be prohibited.

- 2) Read the owner's manual for safety guidelines.
- 3) The use of the barbecue shall not cause the building's fire alarm system to activate.
- 4) A portable fire extinguisher shall be located in close proximity to the barbecue, but not affixed to the grill. The fire extinguisher shall be at least a 10 pound ABC type extinguisher.
- 5) Extreme caution shall be exercised when lighting the barbecue to prevent flames from elevating to an excessive height.
- 6) Hot ashes or cinders shall be deposited into noncombustible receptacles free of all combustible material and away from combustible construction.

404.3.1 Fire evacuation plans. Fire evacuation plans shall include the following:

- 1) Emergency egress or escape routes and whether evacuation of the building is to be completed or, where approved, by selected floors or area only.
- 2) Procedures for employees who must remain to operate critical equipment before evacuating.
- 3) Procedures for assisted rescue persons unable to use the general means of egress unassisted.
- 4) Procedures for accounting for employees and occupants after evacuation has been completed.
- 5) Identification and assignment of personnel responsibilities for rescue or emergency medical aid.
- 6) The preferred and any alternative means of notifying occupants of a fire or emergency.
- 7) The preferred and any alternative means of reporting fires and other emergencies to the Fire Department or designated emergency response organization.
- 8) Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
- 9) A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.
- 10) Procedures that address each hazard that threatens the facility.

408.9.1: Emergency guide: Fire safety evacuation plans in accordance with Section 404.3.1 shall be provided to each living unit on an annual basis. Living units include apartments, condominiums, dormitories, hotels, and any other type of residential or commercial living unit.

505.1.1: Address on Rear and Side Doors: Signage with the address, including the name of the street and business name or building name, shall be installed at all other entrance and exit doors. The sign shall be installed at a height of approximately five feet (5') above the standing surface. The sign shall be installed immediately to the side of the door so it is visible with the door in the open or closed position. All other installation locations shall be approved by the Fire Official.

505.3: Truss Construction Signage: Identification signage as designated by the Fire Official shall be installed on all structures in which the roof is of a truss construction

design. The signage shall be approved by the Fire Official and installed so that it is visible from the street for the Fire Department use.

508.1.1.1: Fire Command Center: All fire command centers shall be equipped with a five (5)-button combination keypad for entry into the room or other entry device approved by the Fire Official.

509.3: Room Identification: Signage shall be placed at all doors identifying the room. The signage shall be installed at a height of approximately five feet (5') above the standing surface. The signage shall be installed immediately to the side of the door so it is visible with the door in the open or closed position.

604.2.18.1: Manual Transfer: Standby power shall be manually transferable to all elevators in each bank. This transfer switch shall be located in the fire command room or location designated by the Fire Official.

605.7.1: Electrical Equipment: The Fire Official may require remote power disconnects for specialized electrical equipment such as solar panels, wind turbines, etc.

901.7.7: Systems Out of Service: Any required fire protection/detection system placed out of service for more than six (6) hours in a day and/or for a cumulative total of twenty (20) hours a week shall require the approval of the Fire Official or his designee. Any fire protection/detection system placed out of service for periods equal to or greater than those stated without the approval of the Fire Official, will be subject to the following fines:

- First warning: No charge
- Second warning: \$200.00
- Third warning: \$300.00
- Fourth and subsequent warnings: \$500.00

903.2: Where Required: Approved automatic sprinkler systems shall be installed in all new buildings and structures with a Group I or R area. Approved automatic sprinkler systems shall be installed in all new buildings and structures with any other occupancy classification that exceeds 5,000 square feet in area. The building area shall be defined in accordance with Section 202 and include each story.

903.3.1: Standards: Sprinkler systems shall be designed and installed in accordance with Section 903.3.1.1, Section 903.3.1.2, or Section 903.3.1.3 and other chapters of this Code, as applicable. A minimum of five (5) psi safety factor in the fire protection system hydraulic calculations shall be provided for all systems, except in one- and two-family dwellings. The system demand shall be five (5) psi below the seasonal low-water test supply. Sprinklers shall be required in all clothes closets, linen closets, pantries, and bathrooms, regardless of size, except in one- and two-family dwellings.

903.3.7.1: Number of Fire Department Connections: The Fire Official shall determine the number of Fire Department connections appropriate for the building.

903.3.7.2: Access to Fire Department Connections: Any Fire Department connection located behind or within landscaping or vegetation shall have a concrete path from the sidewalk or closest public way to the connection. A concrete pad shall also be provided at the Fire Department connection.

903.3.7.3: Type of Fire & Life-Safety Services Department Connections: The type of Fire & Life-Safety Services Department connection shall be approved by the Fire Official. No single two and one-half inch (2½") Fire & Life-Safety Services Department connection is permitted. Fire & Life-Safety Services Department connections shall be installed between twenty-four inches (24") and forty-two inches (42") above the standing surface.

903.3.7.4: Fire & Life-Safety Services Department Connection Locator: Provide a white strobe light above all Fire & Life-Safety Services Department connections to flash upon activation of the fire alarm system. All strobes shall be installed at a height that will make it visible from the street. **Exception:** Existing systems, unless the system is altered, modified, or upgraded.

903.4.3: Sprinkler Control Valves: Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in all buildings. Control valves shall also be provided for each individual unit (commercial, residential, or business) where the units share a common water supply and have individual entrances.

905.3.1: Required Locations. Class I standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than thirty feet (30', 9.144 m) above the lowest level of the Fire Department vehicle access, or where the floor level of the lowest story is located more than thirty feet (30', 9.144 m) below the highest level of Fire Department vehicle access.

Class I standpipe systems shall be installed throughout buildings where the floor level of the highest story is less than thirty feet (30', 9.144 m) above the lowest level of the Fire Department vehicle access, but the length of hose laid by the Fire Department is greater than one hundred fifty feet (150') from the point of the Fire Department vehicle's access to the furthest point in the building.

905.4.3: Standpipe Hose Connections: All standpipe hose connections shall include a two and one-half inch to one and one-half inch (2½" to 1½") reducer with a cap attached to a chain. The hose connections shall be installed on a forty-five degree (45°) angle towards the floor level unless otherwise approved by the Fire Official.

906.3 Size and distribution. The size and distribution of portable fire extinguishers shall be in accordance with Section 906.3.1 through 906.3.4. In new structures or occupancies, the minimum size fire extinguishers installed shall be 4A:60B:C (Ten Pound).

906.6.1: Fire Extinguisher Signage: Projection style signage shall be installed above each extinguisher to identify the location. The sign shall be installed at a height of approximately six to seven feet (6' to 7') above the standing surface where the extinguisher is mounted. Style of that sign must be approved by the Fire Official.

907.4.4: Smoke Detectors, Where Required: Smoke detectors, installed as part of an approved automatic fire alarm system, shall be installed at the top of all interior stairways and elevator shafts unless otherwise directed by the Fire Official.

907.5.2.2: Emergency Voice/Alarm Communication System: Emergency voice/alarm communication systems required by this Code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler waterflow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information and directions for a general or staged evacuation in accordance with the building's fire safety and evacuation plans required by Section 404. In high-rise buildings, the system shall operate on a minimum of the alarming floor, two floors above, and the floor below. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

- 1) Elevator groups.
- 2) Exit stairways.
- 3) Each floor.
- 4) Areas of refuge as defined in Chapter 2.

Exception: In Group I-1 and I-2 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

914.3.1.2: Water supply to required fire pumps: Required fire pumps for high-rise buildings shall be supplied by connections to at least two (2) water supplies. The two (2) connections shall be made to the same main and valved in such that an interruption can be isolated so that the water supply will continue without interruption through at least one (1) of the connections. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate and be provided with its own backflow prevention device.

Exceptions: Any water supply arrangement that is approved by the Fire Official and Utilities Department.

1011.3: Illumination: Exit signs shall be internally illuminated. **Exception:** Tactile signs required by Section 1011.4 need not be provided with illumination.

1022.8: Exit Discharge Identification: An interior exit stairway and ramp shall not continue below its level of exit discharge unless an approved barrier is provided at the level of exit discharge to prevent persons from unintentionally continuing into levels below. Directional exit signs shall be provided as specified in Section 1011. The top of the approved barrier shall not be less than thirty-six inches (36") from the finished floor

of the landing. The barrier shall be self-closing. The only approved method of holding the barrier in the open position shall be a magnetic 'hold open' connected to the building fire alarm system. The barrier shall be a contrasting color from the colors in the immediate area.

1022.9: Stairwell Signage: A sign shall be provided at each floor landing in an interior exit stairway and ramp connecting more than two (2) stories designating the floor level, the terminus of the top and bottom of the interior exit stairway and ramp and the identification of the stair or ramp. The signage shall also state the story of, and the direction to, the exit discharge and the availability of roof access from the interior exit stairway and ramp for the Fire Department. The sign shall be located five (5) feet above the floor landing in a position that is readily visible when the doors are in the open and closed positions. In addition to the stairway identification sign, a floor-level sign in raised characters and Braille complying with ICC A117.1 shall be located at each floor-level landing adjacent to the door leading from the interior exit stairway and ramp into the corridor to identify the floor level.

1103.7.5.2 Group R-1 boarding and rooming houses manual fire alarm system. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in existing Group R-1 boarding and rooming houses. **Exceptions:** Buildings less than two (2) stories in height where all sleeping units, attics, and crawl spaces are separated by one (1)-hour fire-resistance-rated construction and each sleeping unit has direct access to a public way, egress court or yard. Buildings equipped with an approved automatic sprinkler system that is monitored in accordance with Section 903.4.1.

1103.7.6: Group R-2: Existing Group R-2 Occupancies with more than three (3) stories or with more than eleven (11) units shall have a fire alarm system installed in accordance with NFPA 72. These systems shall include both manual and automatic initiating devices.

5601.1.3: Fireworks and Explosives: The possession, manufacture, storage, sale, handling and use of fireworks and explosives are prohibited except as approved by the Fire Official.

5601.2.1 - 5601.2.4: Delete

5602.1: The following terms are defined in Chapter 2:

5602.1: Fireworks: Fireworks include any combustible or explosive composition, and any substance and combination of substances and articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation. Fireworks shall include blank cartridges, toy pistols, toy cannons, toy canes and toy guns in which explosives are utilized; balloons requiring fire underneath to propel the balloon; firecrackers, torpedoes, skyrockets, Roman candles, sparklers and other devices of similar construction; any device containing any explosive or flammable compound; and any tablets and other devices containing any explosive substance.

The term "fireworks" shall not include automobile flares or paper caps containing not more than an average of 0.25 grain (16 mg) of explosive content per cap, and toy pistols, toy canes, toy guns, and other devices utilizing such caps. The sale and utilization of types of explosive devices

5608.2 Permit application. Prior to issuing permits for a fireworks display, plans for the display, inspections of the display site, and demonstrations of the display operations shall be approved. All requests for permits must be made at least fifteen (15) days in advance of the event unless otherwise approved by the Fire Official. A plan establishing procedures to follow and actions to be taken in the event that a shell fails to ignite in, or discharge from, a mortar so fails to function over the fallout area or other malfunctions shall be provided to the Fire Official.

(B) 2012 National Fire Protection Association 101, Life Safety Code:

7.3.3.1 Egress capacity for approved components of means of egress shall be based on the 2012 International Building Code.

9.8: Carbon Monoxide (CO) Detection and Warning Equipment: Delete (see City Code Title 9, Chapter 15).

24.3.4.2: Carbon Monoxide and Carbon Monoxide Detection Systems: Delete.

26.3.4.6: Carbon Monoxide Alarms and Carbon Monoxide Detection Systems: Delete.

30.3.4.6: Carbon Monoxide Alarms and Carbon Monoxide Detection Systems: Delete.

Chapter 43: Delete in its entirety and replace with the following:

43.2.2.4 Rehabilitation Work Area. That portion of a building affected by any renovation, modification, or reconstruction work as initially intended by the owner, and indicated as such in the permit, but excluding other portions of the building where incidental work entailed by the intended work must be performed, and excluding portions of the building where work not initially intended by the owner is specifically required.

43.6.4.1 In a building with rehabilitation work areas involving over 50 percent of the aggregate building area, automatic sprinkler and detection, alarm, and communications systems shall be provided throughout the building with the requirements of other sections of this Code applicable to new construction for the occupancy. **Exception:** One- and Two-Family Dwellings.

43.7.2.1 Where a change of occupancy classification occurs, automatic sprinkler and detection, alarm, and communications systems shall be provided throughout the building with the requirements of other sections of this Code applicable to new construction for the occupancy created by the change.

4-4-3: AUTOMATIC SPRINKLER SYSTEMS:

Automatic sprinkler systems shall be installed as required by this Section, which is hereby in addition to Section 903 of the International Fire Code.

(A) Definitions:

AUTOMATIC SPRINKLER SYSTEMS:	An engineered system to automatically detect and contain or suppress a fire through fixed piping and nozzles. The system shall be designed in accordance with the fire protection system requirements of the 2012 International Building Code, 2012 International Fire Code and referenced NFPA standards as adopted by the City, and good fire protection practices. The City must approve in writing all systems prior to their installation.
DORMITORIES:	A space in a structure associated with or serving an educational institution, the primary use of which is group sleeping accommodations provided in one room, or in a series of closely associated rooms, for persons not members of the same family group including structures used for dormitories, sororities, fraternities and similar uses, but excluding rooming and lodging houses.
FULLY SPRINKLERED:	A sprinkler system that provides protection to the entire structure.
HOSPITAL:	A structure under the I - 2 use group as defined by the 2012 International Fire Code.
IBC:	2012 International Building Code, as adopted by the City.
ICC:	International Code Council (which publishes the adopted International Building and Fire Codes).
IFC:	2012 International Fire Code, as adopted by the City.
NFPA:	National Fire Protection Association edition as adopted by the City.
NFPA 13:	National Fire Protection Association standard 13. Provides the minimum requirements for the design and installation of automatic fire sprinkler systems.
NONOWNER OCCUPIED ROOMING/LODGING HOUSE:	A rooming/lodging house which the owner of the property does not occupy as his/her primary residence.

NURSING HOME FACILITY:	Any facility that is licensed or subject to licensure under Title 8, Chapter 12 of this Code regulating long term care facilities or under similar provisions in Illinois law.
RETROFIT:	To install in, within, or on an existing structure.
ROOMING/LODGING HOUSE:	Any facility that is licensed or subject to licensure under title 5, Chapter 2 of this Code regulating lodging establishments.
STRUCTURE:	That which is built or constructed.

(B) Systems Provided In Structures: Automatic sprinkler systems shall be provided in the following structures:

- Dormitories
- Hospitals
- Nonowner occupied rooming/lodging houses
- Nursing homes

(C) System Requirements: Any structure required to be retrofitted with a sprinkler system under this Chapter shall have such a system designed and installed in accordance with the fire protection system requirements of the 2012 International Building Code, 2012 International Fire Code and referenced NFPA standards as adopted by this Code.

(D) Penalties: Failure to comply with the installation provisions of this Section and any extensions thereof approved in writing by the Fire Chief or his/her designee shall subject the violator to a penalty of \$500.00 per month. The City may, in addition to monetary penalties, avail itself of any legal or equitable remedy provided for by law.

Occupancies for which a City license is required are not eligible to obtain or retain said license if they fail to comply with this Section, subject to any extension approved in writing by the Fire Chief or his/her designee.

4-4-4: PENALTIES:

Except for the penalties specifically relating to automatic sprinkler installation set forth in Section 3 of this Chapter, any person found to have violated any provision of the 2012 International Fire Code or the 2012 National Fire Protection Association 101, Life Safety Code as adopted by the City, or who shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a building or structure in violation of any approved plan or direction of the Fire Official or of any permit or certificate issued by the Fire Official or his/her designee, shall be guilty of an offense, punishable as follows:

(A) 1. The fine for a first violation is one hundred fifty dollars (\$150.00).

2. The fine for a second violation is four hundred dollars (\$400.00).
 3. The fine for a third or subsequent violation is seven hundred fifty dollars (\$750.00).
- (B) Each day a provision of this Chapter is found to have been violated constitutes a separate violation subject to the fine schedule set forth in Subsection (A) of this Section.
- (C) The fines provided for herein shall not be construed as limiting the power of a court of competent jurisdiction or an administrative hearing officer to impose other penalties and remedies as provided for by applicable legislation.

4-4-5: SIGNAL BOOSTING:

- (A) **Emergency Responder Radio Coverage in Buildings:** All buildings shall have approved radio coverage for emergency responders within the building, based upon the existing coverage levels of the public safety communication systems of the City of Evanston at the exterior of the building. This Section shall not require improvement of the existing public safety communication system. Existing buildings that do not have approved radio coverage for emergency responders within the building shall be equipped with such coverage according to one of the following:
1. Wherever existing wired communication system cannot be repaired or is being replaced.
 2. Within a time frame established by the Fire Official.
- (B) **Radio Signal Strength:** A building shall be considered to have acceptable emergency responder radio coverage when signal strength measurements in ninety-five percent (95%) of all areas on each floor of the building meet the following requirements:
1. A minimum signal strength of -95 dBm.
 2. A minimum signal strength of -100 dBm received at the closest City of Evanston Radio Communications site.
 3. The frequency range which must be supported shall be 151-159 MHz and 450-476 MHz.

When measuring the performance of a bi-directional amplifier, signal strength measurements shall be based on one (1) input signal adequate to obtain a maximum continuous operating output level.

- (C) **Amplification Systems Allowed:** Buildings and structures that do not support the required level of radio coverage shall be equipped with either a radiating

cable system or an internal multiple antenna system, with or without FCC type accepted bi-directional required MHz amplifiers, as needed. If any part of the installed system or systems contains an electrically-powered component, the system shall be capable of operating on an independent battery and/or generator system for a period of at least twelve (12) hours without external power input. The battery system shall automatically charge in the presence of an external power input. If used, bi-directional amplifiers shall include filters to reduce adjacent frequency interference to at least 35 dB below the COE P/S band. The filters shall be tuned to 154 MHz and to 470 MHz so that they will be 35 dB below the COE P/S frequencies of 154 MHz and 470 MHz respectively. Other settings may be used provided they do not attenuate the COE- P/S frequencies and are not more than one (1) MHz from the COE-P/S frequencies.

(D) Testing Procedures:

1. **Acceptance Test Procedure:** When an in-building radio system is required, and upon completion of installation, it shall be the building owner's responsibility to have the radio system tested to ensure that two-way coverage on each floor of the building is a minimum of ninety-five percent (95%). Each floor of the building shall be divided into a grid of approximately twenty (20) equal areas. No more than one (1) such area shall be allowed to fail the test. In the event that two (2) or more of the areas fail the test, in order to be more statistically accurate, the floor may be divided into forty (40) equal areas. In such event, no more than two (2) nonadjacent areas will be allowed to fail the test. If, after the forty (40)-area test, the system continues to fail, the building owner shall have the system altered to meet the ninety-five percent (95%) coverage requirement. The test shall be conducted using a Motorola HT1250, or equivalent, portable radio, talking through the City of Evanston Radio Communications System (COE-911) as specified by the authority having jurisdiction. A spot located approximately in the center of a grid area shall be selected for the test, then the radio shall be keyed to verify two-way communications to and from the outside of the building through the City of Evanston 911 center. Once the spot has been selected, prospecting for a better spot within the grid area shall not be permitted.

The building owner shall keep the gain values of all amplifiers and the test measurement results on file so that the measurements may be verified each year during annual tests. In the event that the measurement results are lost, the building owner shall repeat the acceptance test to reestablish the gain values.

2. **Annual Tests:** When an in-building radio system is required, the building owner shall test, at once every twelve (12) months, all active components of the system, including, but not limited to, amplifiers, power supplies and backup batteries. Amplifiers shall be tested to ensure that the gain is the same as it was upon initial installation and acceptance. Backup batteries

and power supplies shall be tested under load for a period of one (1) hour to verify that, they will properly operate during an actual power outage. If, within the one (1) hour test period, the battery exhibits symptoms of failure in the opinion of the testing technician, the test shall be extended for additional one (1) hour periods until the testing technician confirms the integrity of the battery. All other active components shall be checked to determine that they are operating within the manufacturer's specifications for the intended purpose.

3. **Five Year Tests:** In addition to the annual test, the building owner shall perform a radio coverage test at least once every five (5) years to ensure that the radio system continues to meet the requirements of the original acceptance test. The procedure set forth above shall apply to such tests.
 4. **Qualifications of Testing Personnel:** All tests shall be conducted, documented and signed by a person in possession of a current FCC license, or a current technician certification issued by the Associated Public-Safety Communications Officials International (APCO) or the Personal Communications Industry Association (PCIA). All test records shall be retained on the inspected premises by the building owner and a copy submitted to the Fire Official.
- (D) **Field Testing:** Police and fire personnel, after providing reasonable notice to the owner or his representative, shall have the right to enter onto the property to conduct field testing to be certain that the required level of radio coverage is present.
- (E) **Maintenance:** The public radio coverage system shall be maintained operational at all times.

4-4-6: SEVERABILITY:

It is the intention of the City Council that the provisions of this Chapter and the Code adopted hereby are severable and the invalidity of any Section or any portion of any such Section of either of them shall not affect any other Section.

CHAPTER 5 - PLUMBING CODE

4-5-1: ADOPTION:

- (A) Pursuant to the authority granted by 65 ILCS 5/1-2-4, and pursuant to its home rule powers, the City of Evanston hereby adopts by reference the *2012 International Plumbing Code*, with the additions, deletions, exceptions, and other amendments set forth in this Chapter. All advisory or text notes, other than the rules and regulations contained in the 2012 International Plumbing Code adopted hereby, are expressly excluded from this Chapter.
- (B) Any reference in the 2012 International Plumbing Code to “Administrative Authority” or “Building Official” shall refer to the City’s Manager of Building and Inspection Services. Any reference to “municipality” shall mean the City of Evanston.
- (C) In the event that any provision of the 2012 International Plumbing Code adopted hereby is in conflict with any provision(s) of the City Code, the more/most stringent shall control.

4-5-2: AMENDMENTS:

Means of Appeal: This Section shall be deleted in its entirety from the 2012 International Plumbing Code, adopted hereby.

4-5-3: ADDITIONAL REQUIREMENTS:

The following are requirements additional to the 2012 International Plumbing Code:

- (A) **Existing Plumbing:** Where a health or safety hazard exists by reason of an existing plumbing installation, or lack thereof, the owner's agent shall install additional plumbing or make such corrections as are necessary to abate such nuisance and bring the plumbing installation within the provisions of this Code. Plumbing fixtures not maintained shall be disconnected, removed, and sealed.
- (B) **Safety:** Any part of a structure or premises which is changed, altered, or for which replacement is required as a result of the installation, alteration, renovation, or replacement of a plumbing system, or any part thereof, shall be left in a safe, nonhazardous condition. All penetrations through fire rated construction shall be fire stopped with a through penetration protection system approved by the Building Official.
- (C) **Installation:** All plumbing installed within the City of Evanston shall be installed in accordance with the 2012 International plumbing Code. If required by the Code Official, an approved backflow prevention device is necessary for the safety of the public water supply system, the Utilities Director will give notice to the property owner or person in charge (collectively, "property owner") of the building structure or premises to install such an approved device immediately. The

property owner shall, at his/her own expense, immediately install such an approved device at a location and in a manner in accordance with the 2012 International Plumbing Code; State of Illinois Plumbing Code; Illinois Environmental Agency Rules and Regulations, Title 35: Environmental Protection, Subtitle F: Public Water Supply, Chapter I: Pollution Control Board, Part 607: Operation and Record Keeping, Section 607.104: Cross Connections; and all applicable local regulations, and shall have inspections and tests made of such approved devices upon installation and annually thereafter, at a minimum. The property owner shall maintain records to document that testing, servicing, and repairs are conducted as required.

- (D) **Right Of Entry:** A City inspector, who shall be a licensed plumber, shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the City for the purpose of verifying information submitted by the property owner or person in charge of the building, structure, or premises regarding the required cross connection control inspection. On demand, the property owner or person in charge of the building, structure, or premises so served shall furnish to the Code Official, his/her authorized agent, or approved cross connection control device inspector any information which these individuals may request regarding the piping system or systems or water use on such property. The Code Official or his/her authorized agents shall have a right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the City for the purpose of verifying information submitted by the property owner or person in charge of the building, structure, or premises regarding the required cross connection inspection.
- (E) **Contamination:** The occupant or property owner of the building, structure, or premises responsible for back siphoned material or contamination of the potable water supply system which occurs through an illegal cross connection or an improperly installed, maintained, or repaired device, or a device which has been bypassed, must bear the cost of cleanup of the potable water supply system. Said costs to include, but not be limited to, overhead and administrative costs of the City and any other costs reasonably incurred by the City in the cleanup.
- (F) **Discharge to Sanitary Drainage System:** Every plumbing fixture, drain, appliance, or appurtenance thereof which is to receive water or waste, or discharge any liquid wastes or sewage, shall discharge to the sanitary drainage system of the structure in accordance with the requirements of this Chapter. Building drains shall be constructed of either service weight cast iron or Schedule 40 PVC pipe and fittings the minimum pipe size for below ground drainage shall be four inches (4"). Underground piping shall be laid on a firm bed of sand or gravel for its entire length, except where support is otherwise provided and approved by a City Plumbing Inspector. Six inches (6") of compacted stone, sand, or other approved material shall be provided under pipe and minimum of twelve inches (12") of stone or sand shall be provided above the crown of the pipe. The remaining soil fill shall be compacted in compliance with Metropolitan Water Reclamation District bedding regulations. The transition between the

building drain and the building sewer shall be made with either ductile iron or extra heavy cast iron pipe extending from inside the building foundation wall to a minimum of five feet (5') past the outside of the foundation wall.

- (G) Automatic Clothes Washing Machine Floor Drains:** A pan or receptor with a drain, or an impervious floor with a floor drain, shall be required for all automatic clothes washing machines in multi-family and commercial occupancies. Also, a pan or receptor with a drain, or an impervious floor with a floor drain, shall be required for all water heaters.
- (H) Underground Piping:** Piping installed in underground plumbing systems shall be protected from structural damage by an approved method of installation which accounts for the conditions of the installation and application and the type of piping material. In new construction, all plumbing shall be overhead. Footings, grade beams and/or foundation walls shall be properly sleeved or cored in compliance with a design from a licensed design professional to accommodate for the proper installation of the buildings plumbing system.
- (I) Sillcocks:** All buildings have a minimum of two (2) frost-proof, anti-siphon type sillcocks.
- (J) Public Toilet Room Drains:** All public toilet rooms, including employee facilities, shall be graded into floor drains.
- (K) Unmaintained Plumbing Fixtures:** All plumbing fixtures not maintained shall be disconnected, removed, and sealed.
- (L) Corrosion:** Pipes subject to corrosion by passing through or under corrosive fill including, but not limited to, cinders, concrete or other corrosive material, shall be protected against external corrosion by a protective coating, wrapping, or other means that will resist such corrosion. All copper pipe shall be adequately protected against galvanic action by proper insulation against contact with other metals.
- (M) Freezing:** Water service piping shall be installed below recorded frost penetration, but not less than five feet, zero inches (5'0") below grade. Plumbing piping in any exterior building walls or in any areas subjected to freezing temperatures shall be protected against freezing by insulation or heat or both.
- (N) Sewer Depth:** Building sewers shall be a minimum of four feet, zero inches (4'0") below grade.
- (O) Water Service Pipe:** The water service pipe extending from the City distribution system to the building shall be sufficient in size to provide an adequate flow of water to meet the requirement of the entire building during peak demand. The minimum size for the new water service shall be one inch (1") copper pipe. Irrigation system load values shall be included in the calculations. New water service lines shall be continuous from the corporation stop to the curb stop with

no splices or fittings. All water service pipe or underground distribution pipe to be ductile iron, cast iron, or type K copper tube. Water service piping shall terminate within five feet (5') of a structure's interior foundation wall.

- (P) **Water Distribution, Waste, and Vent Pipe:** All water distribution pipes shall be metallic. Nonmetallic pipe is prohibited. Copper pipe must be type L or type M. All main or branch soil, waste and vent pipes within a building shall be of cast iron, galvanized steel, galvanized wrought iron, Type M copper, or PVC Schedule 40 above grade or floor. All PVC piping shall be joined by manufacturers fitting and couplings only. PVC primer shall be purple, clear primer is not permitted. No cellular core PVC pipe shall be allowed. No-hub cast iron pipe, fittings and couplings shall be for above-ground use only.
- (Q) **Building Sewer Pipe:** Building sewer pipe, in a separate trench from the water service, shall be limited to cast iron, concrete, vitrified clay tile, plastic pipe (type SDR 26 only), or ductile iron pipe. The building (house) drain is to be cast iron with rubber gasket joints or lead and oakum joints, or in cases of corrosive waste or soil conditions, use polypropylene pipe (PVC) or polyvinyl chloride pipe and fittings, for a minimum distance of five feet, zero inches (5'0") from the foundation (building) wall.
- (R) **Building Sewer Pipe in Trench with Water Service:** Where the building sewer is installed in the same trench as the water service, the building sewer pipe shall conform to one of the standards for cast iron pipe, copper, or copper alloy tubing, or PVC plastic pipe listed in Section 890, Appendix A, Table A, of the State of Illinois Plumbing Code. No cell core plastic pipe shall be permitted.
- (S) **Subsoil Drain Pipe:** Subsoil drains shall be open jointed, horizontally split or perforated pipe. Footing drains to be connected to the sump pump as discharge shall be made to storm or combination sewers, and not to sanitary sewers. All windows wells require drains. The drains shall be connected to drain tile, and drain into sump.
- (T) **Roof Drains:** Roof drains shall conform to ASME A112.21.2. Buildings in R1, R2 and R3 zoning districts, and all one- and two-family dwelling units shall drain roof stormwater by gutters and downspouts to the front and rear of the property in a manner which will not disturb adjoining property. No connections to the combined sewer shall be made in the above zoning districts. All roofs of buildings not mentioned above may drain directly in the storm sewer system.
- (U) **Car Wash Facilities:** Unless designed to use thirty (30) gallons or less of water per wash, new car wash facilities or replacement of existing facilities shall be equipped with water recycling systems.
- (V) **Reduced Pressure Principle Backflow Preventers:** A reduced pressure principle backflow prevention assembly (RPZ) shall be installed in the water service supplying food service, manufacturing or production establishments.

RPZ's shall conform to ASSE 1013, 1047 AWWA C511 or CSA CAN/CSA-B64.4. These devices shall be allowed where subject to continuous pressure conditions. The relief opening shall discharge by air gap and shall be prevented from being submerged. All domestic and fire suppression water systems located within one thousand, seven hundred feet (1,700') of a nonpotable water source and all fire safety systems that contain such additives as antifreeze shall be equipped with a reduced pressure principle backflow preventer (RPZ).

(W) Sub-Slab and Sub-Cellar Plumbing:

1. **Building Drains:** Building drains shall be constructed of ductile iron or extra heavy cast iron minimum, and transitions to uncommon material shall be through a lead and oakum type joint. Where plumbing must pass through a footing, grade beam or foundation wall not inclusive of the building drain, it shall be through a sleeve of building drain-quality materials or through a cored hole which is approved by licensed design professional.
2. **Cast Iron:** Cast iron may be used for sub-slab and sub-cellar plumbing provided it is of at least minimum service weight.
3. **PVC:** PVC may be used for sub-slab and sub-cellar plumbing, except building drains, provided that:
 - a. It is bedded with no less than six inches (6") of self-compacting gravel at the time of inspection; and
 - b. Sanitary and storm distribution and lateral PVC plumbing shall be constructed of Schedule 40 PVC with solvent type welds.

4-5-4: PENALTIES:

Any persons who violates any provision of this Chapter or fails to comply with any of the requirements thereof, or erects, installs, alters, or repairs work in violation of the approved construction documents or directives of the Code Official, or of a permit or certificate issued under the provisions of this Chapter, shall be fined as set forth in this Section:

- (A)**
1. The fine for a first violation is one hundred fifty dollars (\$150.00).
 2. The fine for a second violation is four hundred dollars (\$400.00).
 3. The fine for a third or subsequent violation is seven hundred fifty dollars (\$750.00).

- (B)** Each day a provision of this Chapter is found to have been violated constitutes a separate violation subject to the fine schedule set forth in Subsection (A) of this Section.
- (C)** The fines provided for herein shall not be construed as limiting the power of a court of competent jurisdiction or an administrative hearing officer to impose other penalties and remedies as provided for by applicable legislation.

4-5-5: SEVERABILITY:

It is the intention of the City Council that the provisions of this Chapter and the Code adopted hereby are severable and the invalidity of any Section or any portion of any such Section of either of them shall not affect any other Section.

CHAPTER 6 - ELECTRICAL CODE

4-6-1: ADOPTION:

- (A) Pursuant to the authority granted by 65 ILCS 5/1-2-4, and pursuant to its home rule powers, the City of Evanston hereby adopts by reference the *2011 National Electrical Code*, with the additions, deletions, exceptions, and other amendments set forth in this Chapter. All advisory or text notes, other than the rules and regulations contained in the 2011 National Electrical Code adopted hereby, are expressly excluded from this Chapter.
- (B) Any reference in the 2011 National Electrical Code to "Administrative Authority," "Building Official" or "Code Official" shall refer to the City's Manager of Building and Inspection Services. Any reference to "municipality" shall mean the City of Evanston.
- (C) In the event that any provision of the 2011 National Electrical Code adopted hereby is in conflict with any provision(s) of the City Code, the more/most stringent shall control.

4-6-2: APPLICATION OF REGULATIONS:

The regulations of said 2011 National Electrical Code shall apply to all matters concerning the construction, reconstruction, alteration, or installation of all electrical wiring apparatus, fixtures, machinery, or devices, and their service equipment, and shall apply to all existing or proposed buildings and structures in the City.

4-6-3: AMENDMENTS:

The 2011 National Electrical Code adopted hereby shall read as follows with respect to the indicated Sections.

Article 210.8 (A)(5), Exception to(5) Add: sump pumps and ejector pumps

Article 210.11(3) Bathroom Branch Circuits: Delete the Exception.

Article 210-52 (E) Outdoor Outlets: Add the following: "For each dwelling unit of a multi-family dwelling where the dwelling is provided with a balcony, porch, deck or similar area, that area shall be served with at least one GFCI protected receptacle outlet not more than forty-eight inches (48") above the grade or decking."

Article 230 Services: Add the following: "The maximum number of branch circuits allowed for a 100-amp, 120/240 volt, single phase service is thirty (30). The maximum number of branch circuits allowed for a 200-amp, 120/240 volt, single phase service is sixty (60)."

Article 230 Services: Add the following: "No additional fuse or breaker boxes shall be installed without the prior written approval of the Building Official. "

Article 250.62: Grounding Electrode Conductor Material: Delete the words “Aluminum” and “Copper Clad Aluminum.”

Article 334 Nonmetallic Sheathed Cable: Types NM, NMC, and NMS: Delete.

Article 338 Service Entrance Cable: Types SE and USE: Delete.

Article 352 Polyvinyl Chloride Conduit: Type PVC 352.12(A) Concealed: PVC conduit shall only be concealed in the following manner: direct buried below grade, in slab below grade, in slab at and above grade. PVC conduit stub ups where subject to physical damage shall be RMC, IMC, or EMT.

Article 362 Electrical Nonmetallic Tubing: Types ENT: Add the following:

- 1) Shall not be used for Electrical Power and Lighting Circuits.
- 2) When not concealed inside walls and ceilings, only Plenum Rated ENT shall be installed.

Appeals: Delete.

4-6-4: PERMIT FEES:

Fees for electrical constructions, reconstructions, alterations or installations as required by the 2011 National Electrical Code adopted hereby, shall be those established from time to time by ordinance of the City Council. The fee for the installation of standby generators shall be the same as the fee for that size of service. All standby generators shall be inspected and operated every six (6) months in the presence of a City electrical inspector. The fee for this inspection shall be the minimum permit fee.

4-6-5: PERMITS; INVALIDITY:

Any electrical permit issued by the Building Official shall become invalid if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing the work, or not commenced within six (6) months after the issuance of any permit.

4-6-6: ADDITIONAL REGULATIONS:

- (A) **Treatment of Aluminum Wire:** All aluminum wire installed in any installation shall be wire brushed and treated with a compound according to manufacturers' recommendations.
- (B) **Fuse and Breaker Boxes:** No additional fuse or breaker boxes shall be installed without written approval of the director of community development.
- (C) **Luminaires:** Luminaires four square feet (4 ft²) and larger located in framing members of a suspended ceiling shall be supported to the structure by a

minimum of two (2) pencil rods or other approved means.

- (D) **Receptacle Outlets:** Receptacle outlets connected to small appliance branch circuits, as required by Art. 210.52(B)(1), shall be 20 amp rated devices.

4-6-7: ELECTRICAL CONTRACTORS:

- (A) **Definition:** The term "electrical contractor", as used in this section, means any person, firm, or corporation engaged in the business of installing or altering by contract electrical equipment for the utilization of electricity for light, heat, or power. But the term "electrical contractor" shall not include:

1. the installing or altering of radio apparatus or equipment for wireless reception of sounds and signals; or
2. the installing or altering of apparatus, conductors, or other equipment installed for or by public utilities, including common carriers, which are under the jurisdiction of the Illinois commerce commission, for use in their operation as public utilities; or
3. employees employed by an electrical contractor to do or supervise his work.

- (B) **Registration Required:** No person shall engage in the business of electrical contracting within the City without first having registered with the Building Official.

- (C) **Registration Fee:** The amount of the annual registration fee for persons engaged in the business of electrical contractor shall be as approved by the City Council.

- (D) **Exemptions:**

1. An electrical contractor who is registered in one city or village within the State of Illinois shall not be required by any other municipality to be registered or to pay a registration fee in such other municipality.
2. Nothing contained in this section shall prohibit the owner-occupant of a single-family residence from planning, installing, altering, or repairing the electrical system of such residence, provided that said owner-occupant complies with all ordinances, rules and regulations of the City, and provided further, that any such owner-occupant may not employ any person other than a registered electrical contractor to assist him in such work.

4-6-8: PENALTIES:

Any person who violates any provision of the 2011 National Electrical Code as adopted by the City, who fails to comply with any of the requirements thereof, or who changes,

moves, or alters any wiring apparatus, fixture, machinery or device in violation of any approved plan or direction of the Building Official or of any permit or certificate issued by the Building Official or his/her designee, shall be guilty of an offense and fined as follows:

- (A)** 1. The fine for a first violation is one hundred fifty dollars (\$150.00).
 - 2. The fine for a second violation is four hundred dollars (\$400.00).
 - 3. The fine for a third or subsequent violation is seven hundred fifty dollars (\$750.00).
- (B)** Each day a provision of this Chapter is found to have been violated constitutes a separate violation subject to the fine schedule set forth in Subsection (A) of this Section.
- (C)** The fines provided for herein shall not be construed as limiting the power of a court of competent jurisdiction or an administrative hearing officer to impose other penalties and remedies as provided for by applicable legislation.

4-6-9: SEVERABILITY:

It is the intention of the City Council that the provisions of this Chapter and the Code adopted hereby are severable and the invalidity of any Section or any portion of any such Section of either of them shall not affect any other Section.

CHAPTER 7 - MECHANICAL CODE

4-7-1: ADOPTION:

- (A) Pursuant to the authority granted by 65 ILCS 5/1-2-4, and pursuant to its home rule powers, the City of Evanston hereby adopts by reference the *2012 International Mechanical Code*, with the additions, deletions, exceptions, and other amendments set forth in this Chapter. All advisory or text notes, other than the rules and regulations contained in the 2012 International Mechanical Code adopted hereby, are expressly excluded from this Chapter.
- (B) Any reference in the 2012 International Mechanical Code to "Administrative Authority" or "Building Official" shall refer to the City's Manager of Building and Inspection Services. Any reference to "municipality" shall mean the City of Evanston.
- (C) In the event that any provision of the 2012 International Mechanical Code adopted hereby is in conflict with any provision(s) of the City Code, the more/most stringent shall control.

4-7-2: AMENDMENTS:

The 2012 International Mechanical Code adopted hereby shall read as follows with respect to the indicated Sections.

106.3.1: Construction Documents: Construction documents, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The Code Official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law. Where special conditions exist, the Code Official is authorized to require additional construction documents to be prepared by registered design professional. Construction documents shall be drawn to scale it shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this Code. Construction documents for buildings or than two stories in height shall indicate where penetrations will be made for mechanical systems, and the materials and methods for maintaining required structural safety, fire resistance rating and fire blocking. **Exception:** The Code Official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that reviewing of construction documents is not necessary to determine compliance with this Code. Permit drawing shall include a HVAC plan showing location of supply, return, and exhausts and shall include a heat load itemizing CFM delivered or exhausted throughout the system

106.5.2: Fee Schedule: The permit fee for inspection, construction, reconstruction, alteration, and installation shall be those established from time to time by the City Council of the City of Evanston.

109.0: Means of Appeal: Delete.

501.3.1: Location of Exhaust Outlets: The termination point of exhaust outlets and ducts discharging to the outdoors shall be located with the following minimum distances:

- 1) For ducts conveying explosive or flammable vapors, fumes or dust: thirty feet (30', 9.144 m) from property lines; ten feet (10', 3.048 m) from operable openings into buildings; six feet (6', 1.829 m) from exterior walls and roofs; thirty feet (30', 9.144 m) from combustible walls and operable openings into buildings which are in the direction of the exhaust discharge; ten feet (10', 3.048 m) above a joining grade.
- 2) For other product-conveying outlets: ten feet (10', 3.048 m) from the property lines; three feet (3', 914 mm) from exterior walls and roofs; ten feet (10', 3.048 m) from operable openings into buildings; ten feet (10', 3.048 m) above adjoining grade.
- 3) For all environmental air exhaust: three feet (3', 914 mm) from property lines; three feet (3', 914 mm) from operable openings into buildings for all occupancies other than Group U, and ten feet (10', 3.048 m) from mechanical air intakes. Such exhaust shall not be considered hazardous or noxious.
- 4) Exhaust outlets serving structures and flood hazard areas shall be installed at or above the elevation required by Section 1612 of the International Building Code for utilities and attendant equipment.
- 5) For specific systems, see the following sections:
 - 5.1 Clothes dryer exhaust, section 504.4.
 - 5.2 Kitchen hoods and other kitchen exhaust equipment, Sections 506.3, 506.13, 506.4 and 506.5.
 - 5.3 Dust stock and refuse conveying systems, Section 511.2.
 - 5.4 Sub-slab soil exhaust systems, Section 512.4.
 - 5.5 Smoke control systems, Section 513.10.3.
 - 5.6 Refrigerant discharge, Section 1105.7.
 - 5.7 Machinery room discharge, Section 110 5.6.1.

501.3.1.1: Exhaust Discharge: Exhaust air shall not be directed onto walkways. High efficiency appliances shall discharge in accordance to manufactures guidelines but shall not discharge closer than ten feet (10', 3.048 m) from adjacent buildings located on or off the same parcel along with the following stipulation: High efficiency appliance shall be limited to not exceed sixty-five decibels (65 dB) at the property line between the said adjacent structures if a property line separates the parcels.

504.6.1: Material and Size: Ducts to be concealed in a wall or cavity which serve as an exhaust duct for clothes dryer shall be constructed of galvanized steel 28 gauge min with a smooth interior finish. The exhaust duct size shall be four inches (4", 102 mm) nominal in diameter. The said concealed portion of ducting shall be assembled with one (1) screw or pop rivet which extends no greater than one quarter inch (¼") into the ducting. The balance of the duct shall be sealed by UL approved tape or low pressure mastic.

504.6.3: Transition Ducts: Transition ducts used to connect the dryer to the exhaust duct system shall be a single length that is listed and labeled in accordance with UL 2158A. Transition ducts shall be a maximum of eight feet (8', 2.438 m) in length and shall not be concealed within construction. Flexible air ducts used as a connector between clothes dryer and its concealed duct shall be semi ridged aluminum.

602.3 Stud Cavity and Joist Space Plenums: Stud spaces, building cavities, shafts spaces shall not be used as return air provisions for any portion within a residential structure.

603.6.1.1 Duct Length: Flexible air ducts shall be limited to five feet (5', 1.524 m) in length.

801.18.5: Reuse: Abandoned masonry chimney liners may be used as a chase for high efficiency appliances adjacent to an active solid fuel chimney under the following conditions:

- 1) Chimney or liner thereof serving the still-active solid fuel fireplace shall extend at least two feet (2', 609 mm) above the point of termination of the high efficiency appliance vent at all points where the separation is less than eighteen inches (18", 457 mm) between center lines;
- 2) The abandoned liner which is used as the chase shall be sealed on top with non-combustible materials and shall make the chase weather-tight; and
- 3) Annular space between the two (2) said liners is of masonry construction and is at least four inches (4", 102 mm).

4-7-3: HEATING, VENTILATING, AIR CONDITIONING (HVAC) CONTRACTORS:

- (A) License Required:** No person shall engage in the business of heating, ventilating and air conditioning contractor within the city without having first secured a license in the manner provided herein.
- (B) Application for License:** Application for license shall be made to the Community Development Department. All licenses shall be subject to the provisions of this Chapter, other ordinances of the City and the statutes of the State of Illinois.
- (C) License Fee:** The amount of the annual license fee for persons engaged in the business of HVAC contractor shall be established from time to time by action of the City Council.
- (D) Examination Required:** No person shall receive such a license until he or she has passed a standardized examination administered and designed by the Building and Inspection Services of the Community Development Department. Said examination shall be for the purpose of determining that all licensees are knowledgeable in the business of building, contracting, and life safety components of the Building Code.
- (E) Suspension or Revocation of License:**

 - 1. If any person shall violate any of the provisions of this Chapter or the Code adopted hereby, he/she shall be liable and fined or penalized as set forth herein and his/her license may be suspended or revoked by the City Manager.
 - 2. No such license shall be so revoked or suspended except after a hearing by the City Manager or his or her designee with a three (3) business day notice to the licensee affording the licensee an opportunity to appear and defend. The notice shall specify the reason for the contemplated suspension or revocation and shall give the date, time, and room number in the civic center of the hearing. Notice shall be sufficient if sent to the address stated on the licensee's application.
 - 3. If the Building Official certifies to the City Manager that he/she has reason to believe that immediate suspension of the license is necessary to prevent the threat of immediate harm to the community, the City Manager may, upon the issuance of a written order stating the reason for such conclusion and without notice or hearing, order the license suspended for not more than seven (7) days. The City Manager may extend the suspension during the pendency of a hearing upon a written determination that doing so is necessary to prevent the aforesaid harm to the community.

4. Hearings shall be conducted in accordance with procedures drafted by the Corporation Counsel.
5. The City Manager shall issue his or her decision within ten (10) business days after the close of the hearing. In reaching a decision, the City Manager may consider any of the following:
 - a. The nature of the violation.
 - b. The nature and extent of the harm caused by the licensee's action or failure to act.
 - c. The factual situation and circumstances surrounding the violation.
 - d. Whether or not the action or failure to act was willful.
 - e. The record of the licensee with respect to violations.
6. The City Manager may suspend a license for a period of up to ninety (90) days. A licensee whose license has been revoked shall not be eligible to reapply for a license.

4-7-4: PENALTIES:

Any person who violates any provision of the 2012 International Mechanical Code as adopted by the City, who fails to comply with any of the requirements thereof, or who changes, moves, or alters any wiring apparatus, fixture, machinery or device in violation of any approved plan or direction of the Building Official or of any permit or certificate issued by the Building Official or his/her designee, shall be guilty of an offense and fined as follows:

- (A)
 1. The fine for a first violation is one hundred fifty dollars (\$150.00).
 2. The fine for a second violation is four hundred dollars (\$400.00).
 3. The fine for a third or subsequent violation is seven hundred fifty dollars (\$750.00).
- (B) Each day a provision of this Chapter is found to have been violated constitutes a separate violation subject to the fine schedule set forth in Subsection (A) of this Section.
- (C) The fines provided for herein shall not be construed as limiting the power of a court of competent jurisdiction or an administrative hearing officer to impose other penalties and remedies as provided for by applicable legislation.

4-7-5: SEVERABILITY:

It is the intention of the City Council that the provisions of this Chapter and the Code adopted hereby are severable and the invalidity of any Section or any portion of any such Section of either of them shall not affect any other Section.

CHAPTER 9 - RESIDENTIAL CODE

4-9-1: ADOPTION:

- (A) Pursuant to the authority granted by 65 ILCS 5/1-2-4, and pursuant to its home rule powers, the City of Evanston hereby adopts by reference the *2012 International Residential Code* with the additions, deletions, exceptions, and other amendments set forth in this Chapter. Said Code shall govern the design, construction, prefabrication, alteration, repair, use occupancy, and maintenance of all detached one- and two-family dwellings and townhouses not more than three (3) stories above grade plane in height, with separate means of egress and their accessory structures. All advisory or text notes, other than the rules and regulations contained in the 2012 International Residential Code adopted hereby, are expressly excluded from this Chapter.
- (B) Any reference in the 2012 International Residential Code to “Administrative Authority,” “Building Official” or “Code Official” shall refer to the City’s Manager of Building and Inspection Services. Any reference to "municipality" shall mean the City of Evanston.
- (C) In the event that any provision of the 2012 International Residential Code adopted hereby is in conflict with any provision(s) of the City Code, the more/most stringent shall control.

4-9-2: AMENDMENTS:

The following sections of the International Residential Code are hereby amended to read as follows:

R103.1: Creation of an Enforcement Agency: The Division of Building and Inspection Services is hereby made responsible for the enforcement of this Code.

R103.2: Appointment: Any reference in the 2012 International Residential Code to “Building Official” shall refer to the Manager of Building and Inspection Services. Any reference to "municipality" shall mean the City of Evanston.

R103.3: Deputies: The Building Official shall have the authority to appoint such technical officers, inspectors, plan examiners, and other employees as he or she deems necessary to effectuate the purposes of this code.

R105.2: Work Exempt From Permit: This section is deleted in its entirety. Contact the City’s Division of Building and Inspection Services for information regarding work exempt from permits.

R105.5: Expiration and Extension:

- 1) Expiration:

- a) A building permit shall, without further action by the City, automatically expire and be rendered null, void, and of no further force or effect, if the permit holder does not begin the work authorized by the permit within one hundred eighty (180) calendar days of the date of permit issuance.
- b) A building permit shall, without further action by the City, automatically expire and be rendered null, void, and of no further force or effect, if, at any time after the work is begun, the permit holder suspends and/or abandons the work authorized by the building permit for a continuous period of one hundred eighty (180) calendar days.
- c) A building permit shall, without further action by the City, automatically expire and be rendered null, void, and of no further force or effect, four (4) years after the date of permit issuance, unless an extension is granted in accordance with Subsection 2) below.
- d) If the building or work authorized by a building permit does not receive final inspection approval by the permit expiration date, all work shall stop until the Building Official issues a new permit or grants an extension of time in accordance with Subsection 2) below. All electrical, plumbing, and/or mechanical permits associated with a building permit shall expire concurrently with the building permit.

2) Extension:

- a) Except for relocation of structures, a permit holder may submit, before the expiration date of the building permit, an application to the Building Official for an extension of time. The application shall be filed no later than one (1) month in advance of the expiration date. The Building Official may extend the building permit once, for a period not exceeding one hundred eighty (180) calendar days, if he/she determines that circumstances beyond the permit holder's control prevented completion of the work. All electrical, plumbing, and/or mechanical permits associated with a building permit shall be extended to expire concurrently with the building permit.
- b) If a permit holder files application for an extension of time before expiration and in accordance with this Subsection, the existing building permit shall automatically be extended until the Building Official makes a decision on the application for an extension.
- c) If the building permit expires before an application is submitted for an extension of time, no extension shall be granted. If the previous permit holder or any other applicant wants to proceed with the same development, a new application is required and the application is treated in all respects as a new application.
- d) If the Building Official previously approved an extension of time in accordance with Subsection a), the Building Official may extend the expiration of the building permit one (1) additional time if he/she finds the following:

- i) There are no significant change(s) in the regulations applicable to the site since the date the permit was issued;
- ii) The additional extension is in the public interest; and
- iii) Circumstances beyond the control of the applicant prevented the authorized work from proceeding.

R105.7: Placement of Permit: The building permit or a legible copy of the building permit shall be kept on the site of operations, open to public inspection during the entire time of prosecution of the work and until the completion of the same. Said permit must be posted within forty-eight (48) hours of permit issuance, must be visible from the public way. Failure to post the permit as required by this section may result in revocation of the building permit and forfeiture of all permit fees.

R105.10: Construction and Repair of Buildings:

105.10: Hours of Work Permitted for the Construction, Repair, and Demolition of Buildings: The creation (including excavation), demolition, alteration or repair of any building within the City, other than between the hours of seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M. on weekdays, and eight o'clock (8:00) A.M. and five o'clock (5:00) P.M. on Saturdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the City Manager or his or her designee, which permit may be granted while the emergency continues.

R106.1: Submittal Documents: Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by Illinois law. An Illinois licensed architect must sign and seal drawing submissions where the construction cost exceeds \$10,000.00 (ten thousand and no/100 dollars) or the construction involves structural work or new structures for one and two family dwellings, with the following exceptions: unheated porches, decks, exterior stairs, non-habitable detached garages and accessory buildings. For all installation of spas, hot tubs, whirlpools, and similar fixtures, structural design calculations shall be required.

Exception: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this Code.

R112: BOARD OF APPEALS: Delete.

R309.1.1: Attached Garages: Add the following: "The sills of all door openings between the garage and residence must be raised at least four inches (4") above the garage floor slab."

R313.1.1: Design and Installation: Automatic residential sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13D.

R313.2.1: Design and Installation: Automatic residential sprinkler systems shall be designed and installed in accordance with NFPA 13D.

R403.1.1.1: Trench Foundations: Trench foundations incorporating a monolithically-poured footing and foundation wall shall be permitted for one story wood frame and wood frame with masonry veneer room additions, provided the following are met:

- 1) Trench foundations are to be designed in accordance with accepted engineering practice based on a minimum allowable soil pressure of 3000 psf and a minimum concrete compressive strength of 3000 psf at twenty-eight (28) days.
- 2) The foundation wall shall be a minimum of eight inches (8") wide and be belled at the bottom to a minimum width of twice the wall width for a depth of at least one foot (1').
- 3) Trench foundations shall be permitted only in those soils which exhibit cohesive characteristics so as to prevent collapse of the adjacent soil mass before, during and after placement of the concrete.
- 4) Trench foundations shall extend a minimum of forty-two inches (42") below adjacent grade.
- 5) Trench foundations shall comply with all applicable sections of the *2012 International Residential Code*, adopted by the City, except as previously mentioned.

R403.1.4.1: Frost Protection: Except where otherwise protected from frost, foundation walls, piers and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

- 1) Extending below the frost line of forty-two inches (42") inches minimum;
- 2) Constructing in accordance with section R403.3;
- 3) Constructing in accordance with ASCE32-01; and
- 4) Erected on solid rock.

R502.1.4: Prefabricated Wood I-Joists: Structural capacities and design provisions for prefabricated wood I-joists shall be established and monitored in accordance with ASTM D 5055. Where prefabricated wood I-joists are used for floor and ceiling joist framing members in finished or unfinished spaces in one or two-family dwellings, the prefabricated wood I-joists shall be separated from adjacent spaces by a minimum five-eighths inch (5/8") thick, type "X" gypsum wall board, taped. Such separation shall not be required for structures fully equipped with an automatic sprinkler system designed and installed in accordance with N.F.P.A. 13R.

R602.3: Design And Construction: Exterior walls of wood frame construction shall be designed and constructed in accordance with the provisions of this chapter and figures R602.3(1) and R602.3(2) or in accordance with AF&PA.s NDS. Components of exterior walls shall be fastened in accordance with table R602.3(1) through R602.3(4). Exterior walls covered with foam plastic sheathing shall be braced in accordance with section R602.10. Structural sheathing shall be fastened directly to structural framing members. Any wall which contains any plumbing or mechanical piping, and/or ductwork must have a minimum depth of the structural members of five and one-half inches (5½").

Appendix G - Swimming Pools, Spas and Hot Tubs:

AG105.6: Outdoor Swimming Pool: An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

9. Where a wall of a dwelling serves as part of the barrier one of the following conditions shall be met:
 - 9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F1346.

Appendix K - Sound Transmission:

AK102.1: General: Airborne sound insulation for wall and floor-ceiling assemblies shall meet a sound transmission class (STC) rating of fifty (50) when tested in accordance with ASTM E 90.

AK103.1: General: Floor/ceiling assemblies between dwelling units or between a dwelling unit and a public or service area within a structure shall have an impact insulation class (IIC) rating of not less than fifty (50) when tested in accordance with ASTM E 492.

4-9-3: PENALTIES:

Any person who violates any provision of the 2012 International Residential Code as adopted by the City, who fails to comply with any of the requirements thereof, or who erects, installs, alters, or repairs work in violation of any approved plan or direction of the Building Official or of any permit or certificate issued by the Building Official or his/her designee, shall be guilty of an offense and fined as follows:

- (A)
 1. The fine for a first violation is one hundred fifty dollars (\$150.00).
 2. The fine for a second violation is four hundred dollars (\$400.00).
 3. The fine for a third or subsequent violation is seven hundred fifty dollars (\$750.00).

- (B)** Each day a provision of this Chapter is found to have been violated constitutes a separate violation subject to the fine schedule set forth in Subsection (A) of this Section.
- (C)** The fines provided for herein shall not be construed as limiting the power of a court of competent jurisdiction or an administrative hearing officer to impose other penalties and remedies as provided for by applicable legislation.

4-9-4: SEVERABILITY:

It is the intention of the City Council that the provisions of this Chapter and the Code adopted hereby are severable and the invalidity of any Section or any portion of any such Section of either of them shall not affect any other Section.

CHAPTER 17 - FUEL GAS CODE

4-17-1: ADOPTION:

- (A) Pursuant to the authority granted by 65 ILCS 5/1-2-4, and pursuant to its home rule powers, the City of Evanston hereby adopts by reference the *2012 International Fuel Gas Code*, with the additions, deletions, exceptions, and other amendments set forth in this Chapter. All advisory or text notes, other than the rules and regulations contained in the 2012 International Fuel Gas Code adopted hereby, are expressly excluded from this Chapter.
- (B) Any reference in the 2012 International Fuel Gas Code to "Administrative Authority," "Building Official" or "Code Official" shall refer to the City's Manager of Building and Inspection Services. Any reference to "municipality" shall mean the City of Evanston.
- (C) In the event that any provision of the 2012 International Fuel Gas Code adopted hereby is in conflict with any provision(s) of the City Code, the more/most stringent shall control.

4-17-2: AMENDMENTS:

The 2012 International Fuel Gas Code adopted hereby shall read as follows with respect to these Sections.

106.5.2: Fee Schedule: The permit fee for inspection, construction, reconstruction, alteration, and installation shall be those established from time to time by the City Council.

108.4: Violation Penalties: Delete.

109: Appeals: Delete.

4-17-3: HEATING, VENTILATION AND AIR CONDITIONING CONTRACTORS:

- (A) **License Required:** No person shall engage in the business of heating, ventilating, and air conditioning contractor within the City without having first secured a license in the manner provided herein.
- (B) **Application for License:** Application for license shall be made to the Community Development Department. All licenses shall be subject to the provisions of this Code, other ordinances of the City and the statutes of the State of Illinois.
- (C) **License Fee:** The amount of the annual license fee for persons engaged in the business of heating, ventilating, and air conditioning contractor shall be established from time to time by action of the City Council.

(D) Examination Required: No person shall receive such a license until he/she has passed a standardized examination administered and designed by the Department of Community Development. Said examination shall be for the purpose of determining that all licensees are knowledgeable in the business of building, contracting, and life safety components of the Building Code.

(E) Suspension or Revocation of License:

1. If any person shall violate any of the provisions of this Chapter or the Code adopted hereby, he/she shall be liable to be prosecuted against for any fine or penalty imposed thereto and his/her license may be suspended or revoked by the City Manager or his/her designee.
2. No such license shall be so revoked or suspended except after a hearing by the City Manager or his/her designee with a three (3) business day notice to the licensee affording the licensee an opportunity to appear and defend. The notice shall specify the reason for the contemplated suspension or revocation and shall give the date, time, and location of the hearing. Notice shall be sufficient if sent to the address stated on the licensee's application.
3. If the Building Official certifies to the City Manager that he/she has reason to believe that immediate suspension of the license is necessary to prevent the threat of immediate harm to the community, the City Manager may, upon the issuance of a written order stating the reason for such conclusion and without notice or hearing, order the license suspended for not more than seven (7) days. The City Manager may extend the suspension during the pendency of a hearing upon a written determination that doing so is necessary to prevent the aforesaid harm to the community.
4. Hearings shall be conducted in accordance with procedures drafted by the Corporation Counsel.
5. The City Manager shall issue his/her decision within ten (10) business days after the close of the hearing. In reaching a decision, the City Manager may consider any of the following:
 - a. The nature of the violation.
 - b. The nature and extent of the harm caused by the licensee's action or failure to act.
 - c. The factual situation and circumstances surrounding the violation.
 - d. Whether or not the action or failure to act was willful.
 - e. The record of the licensee with respect to violations.

6. The City Manager may suspend a license for a period of up to ninety (90) days. A licensee whose license has been revoked shall not be eligible to reapply for a license

4-17-4: PENALTIES:

Any person who violates any provision of the 2012 International Fuel Gas Code as adopted by the City, who fails to comply with any of the requirements thereof, or who erects, installs, alters, or repairs work in violation of any approved plan or direction of the Building Official or of any permit or certificate issued by the Building Official or his/her designee, shall be guilty of an offense and fined as follows:

- (A)
 1. The fine for a first violation is one hundred fifty dollars (\$150.00).
 2. The fine for a second violation is four hundred dollars (\$400.00).
 3. The fine for a third or subsequent violation is seven hundred fifty dollars (\$750.00).
- (B) Each day a provision of this Chapter is found to have been violated constitutes a separate violation subject to the fine schedule set forth in Subsection (A) of this Section.
- (C) The fines provided for herein shall not be construed as limiting the power of a court of competent jurisdiction or an administrative hearing officer to impose other penalties and remedies as provided for by applicable legislation.

4-17-5: SEVERABILITY:

It is the intention of the City Council that the provisions of this Chapter and the Code adopted hereby are severable and the invalidity of any Section or any portion of any such Section of either of them shall not affect any other Section.

CHAPTER 19 - ENERGY CODE

4-19-1: ADOPTION:

- (A)** Pursuant to the authority granted by 65 ILCS 5/1-2-4, and pursuant to its home rule powers, the City of Evanston hereby adopts by reference the *2012 International Energy Conservation Code*, with the additions, deletions, exceptions, and other amendments set forth in this Chapter. All advisory or text notes, other than the rules and regulations contained in the 2012 International Energy Conservation Code adopted hereby, are expressly excluded from this Chapter.
- (B)** Any reference in the 2012 International Energy Conservation Code to “Building Official” shall refer to the City’s Manager of Building and Inspection Services. Any reference to “municipality” shall mean the City of Evanston.
- (C)** In the event that any provision of this Chapter is in conflict with any provision(s) of the City Code, this Chapter shall control. The provisions of this Chapter shall not conflict with any energy code regulations adopted by the State of Illinois.

4-19-2: PENALTIES:

Any person who violates any provision of the 2012 International Energy Conservation Code as adopted by the City, who fails to comply with any of the requirements thereof, or who changes, moves, or alters any wiring apparatus, fixture, machinery or device, in violation of any approved plan, direction, permit, or certificate issued by the Building Official or his/her designee, shall be guilty of an offense and fined as follows:

- (A)**
 - 1. The fine for a first violation is one hundred fifty dollars (\$150.00).
 - 2. The fine for a second violation is four hundred dollars (\$400.00).
 - 3. The fine for a third or subsequent violation is seven hundred fifty dollars (\$750.00).
- (B)** Each day a provision of this Chapter is found to have been violated constitutes a separate violation subject to the fine schedule set forth in Subsection (A) of this Section.
- (C)** The fines provided for herein shall not be construed as limiting the power of a court of competent jurisdiction or an administrative hearing officer to impose other penalties and remedies as provided for by applicable legislation.

4-19-3: SEVERABILITY:

It is the intention of the City Council that the provisions of this Chapter and the Code adopted hereby are severable and the invalidity of any Section or any portion of any such Section of either of them shall not affect any other Section.