

CITY OF HIGHLAND PARK

ORDINANCE NO. O17-2020

AN ORDINANCE AMENDING TITLES IX AND XVII OF "THE HIGHLAND PARK CODE OF 1968," AS AMENDED, REGARDING THE CITY'S BUILDING REGULATIONS

WHEREAS, Chapter 91 of "The Highland Park Code of 1968," as amended ("**City Code**"), sets forth certain regulations and restrictions known as the "Highland Park Fire Prevention Code" ("**Fire Code**") to ensure the public safety, health and welfare as affected by hazards of fire, explosion, or dangerous conditions in buildings, structures, and premises; and

WHEREAS, Chapter 170 of the City Code sets forth certain regulations and restrictions known as the "Highland Park Building Code" ("**Building Code**") to ensure the public safety, health and welfare as affected by building construction and to secure safety to life and property from all hazards incident to the occupancy of buildings, structures or premises; and

WHEREAS, Chapter 171 of the City Code sets forth certain regulations and restrictions known as the "The Highland Park Plumbing Code" ("**Plumbing Code**") to govern the design and installation of new plumbing or plumbing systems and the alteration of plumbing systems within the City; and

WHEREAS, Chapter 172 of the City Code sets forth certain regulations and restrictions known as the "The Highland Park Electrical Code" ("**Electrical Code**") to safeguard persons and property from hazards arising from the use of electricity; and

WHEREAS, Chapter 174 of the City Code sets forth certain regulations and restrictions known as the "The Highland Park Property Maintenance Code" ("**Property Maintenance Code**") to establish minimum requirements for the maintenance of existing buildings within the City; and

WHEREAS, the Building Code currently requires, as a condition of issuance of a building permit, that the permit applicant provide to the City a guarantee deposit equal to one percent of the cost of the project for which the building permit is sought ("**Guarantee Deposit**"), which Guarantee Deposit is held by the City and returned only upon the satisfactory completion of the work as required by the City Code; and

WHEREAS, the City Council desires to amend the City Code to: (i) consolidate the Fire Code, Building Code, Plumbing Code, and Electric Code (collectively, "**Model Codes**") together into Chapter 170 of the City Code; (ii) adopt the latest versions of the international and national model codes upon which the Model Codes are based, with

updated local amendments; (iii) repeal Chapters 91, 171, and 172 of the City Code; and (iv) eliminate the Guarantee Deposit requirements of the Building Code and establish a procedure for the refunding of all Guarantee Deposits currently held by the City;

WHEREAS, the City Council has determined that it will serve and be in the best interests of the City to amend the City Code pursuant to this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF HIGHLAND PARK, LAKE COUNTY, ILLINOIS, as follows:

SECTION ONE: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the City Council.

SECTION TWO: BUILDING CODE. Chapter 170, titled "Building Code", of Title XVII, titled "Building Regulations", of the City Code is hereby amended in its entirety, and will hereafter read as set forth in **Exhibit A** attached to and, by this reference, made a part of this Ordinance.

SECTION THREE: PROPERTY MAINTENANCE AND HOUSING CODE. Chapter 174, titled "Housing Code", of Title XVII, titled "Building Regulations", of the City Code is hereby retitled and amended in its entirety, and will hereafter read as set forth in **Exhibit B** attached to and, by this reference, made a part of this Ordinance.

SECTION FOUR: RETURN OR FORFEITURE OF GUARANTEE DEPOSITS. The City Manager is hereby directed to refund all Guarantee Deposits held by the City as of the effective date of this Ordinance, in accordance with the following procedure:

A. All Guarantee Deposits provided in connection with currently-active building permits must be refunded to the permit applicant within 90 days after the effective date of this Ordinance.

B. Each Guarantee Deposit provided in connection with expired or inactive building permits must be refunded to the permit applicant within 45 days after receipt of a written claim therefor from the applicant; provided, however, that each Guarantee Deposit will be forfeited by the applicant, and transferred to the general corporate fund of the City, if: (1) the Director of Community Development mails three successive written notices to the permit applicant for such Guarantee Deposit, at the last known address for the applicant, with each such notice mailed at least 30 days after the date of mailing of the prior notice; and (2) the applicant fails to submit a written claim for such Guarantee Deposit to the Department of Community Development within 30 days after the date of mailing of the third written notice.

SECTION FIVE: REPEALER. Chapter 91, titled "Fire Prevention Code", of Title IX, titled "General Regulations", and Chapters 171 and 172 titled "Plumbing Code" and "Electrical Code" respectively, of Title XVII, titled "Building Regulations" of the City Code are hereby repealed in their entirety and reserved.

SECTION SIX: PUBLICATION. The City Clerk is hereby directed to publish this Ordinance in pamphlet form pursuant to the Statutes of the State of Illinois.

SECTION SEVEN: EFFECTIVE DATE. This Ordinance will be in full force and effect from and after its passage, approval, and publication in the manner provided by law; provided, however, that this Ordinance will not be effective prior to February 3, 2020.

[SIGNATURE PAGE FOLLOWS]

AYES: Mayor Rotering, Councilmen Stolberg, Stone, Kaufman, Blumberg, Knobel, Holleman

NAYS: None

PASSED: January 27, 2020

ADOPTED: January 27, 2020

PUBLISHED IN PAMPHLET FORM: January 28, 2020

ORDINANCE NO. O17-2020

Nancy R. Rotering, Mayor

ATTEST:

Ghida S. Neukirch, City Clerk

TITLE XVII - BUILDING REGULATIONS

Chapter 170 – THE HIGHLAND PARK BUILDING CODE

ARTICLE I. - GENERAL

Sec. 170.101. - Purpose and Short Title.

The purpose of this Chapter is to provide minimum standards to ensure the public safety, health and welfare as they are affected by building construction, and to secure safety to life and property from all hazards incident to the occupancy of buildings, structures or premises. This Chapter states regulations in terms of measured performance rather than in rigid specification of materials whenever possible and, in this way, makes possible the acceptance of new materials and alternative methods and means of construction which can be evaluated by national standards, without the necessity of adopting cumbersome amendments.

Sec. 170.102. - Scope.

The provisions of this Chapter shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, location, occupancy and maintenance of all buildings and structures, and shall apply to existing or proposed buildings and structures, except as such matters are otherwise provided for in other ordinances or statutes, or in the rules and regulations authorized for promulgation under the provisions of this Chapter.

(A) The regulations of this Chapter shall apply to all existing and proposed buildings and structures in the City.

(B) In the event that any provision of this Chapter is in conflict with any provision of the "City of Highland Park Zoning Ordinance of 1997", or any amendment thereto, the more restrictive provision shall control.

Sec. 170.103. - Appeal Process.

Any person directly impacted by the issuance or the denial of a building permit by the Director of Community Development (hereinafter referred to as the "Building Official") shall have the right to appeal such action, but only pursuant to and in accordance with the procedures set forth in this Section 170.103.

(A) *General.*

(1) An application for appeal shall be submitted in writing and on the form provided by the Office of the City Manager.

(2) An application for appeal shall be based on a claim that the true intent of this Chapter, or the rules legally adopted under this Chapter, have been incorrectly interpreted, or that the provisions of this Chapter do not fully apply.

(B) *Appeal to City Manager.* All appeals pursuant to this Section shall be filed in the Office of the City Manager within 30 days after the date of the issuance or the denial of the challenged building permit by the Building Official. Within ten days after the City Manager's receipt of a properly filed appeal, the Building Official shall deliver all records and findings regarding the appeal to the City Manager. The City Manager shall consider and decide the appeal within 30 days after receipt of the properly filed appeal. The City Manager may:

(1) Affirm the decision of the Building Official; or

(2) Overrule or modify the decision of the Building Official and direct the issuance, or the revocation of a previously issued, building permit.

At the expiration of the 30 day period, if the City Manager has not rendered a decision on the appeal, it shall be deemed that the City Manager has affirmed the decision of the Building Official.

(C) *Appeal to City Council.* The decision of the City Manager may be appealed to the City Council. The appeal shall be filed in the Office of the City Clerk and shall be on a form provided by the Office of the City Manager. Such appeal shall be submitted in writing within 30 days after the date on which the City Manager's decision is made, or is deemed to have been made. Within ten days after the City Council's receipt of a properly filed appeal, the City Manager shall deliver all records and findings regarding the appeal to the City Council. The City Council shall consider and decide such appeal at a regular or special meeting of the City Council within 45 days after receipt by the City Clerk of the properly filed appeal. The City Council may:

- (1) Affirm the decision of the City Manager; or
- (2) Overrule or modify the decision of the City Manager and direct the issuance, or the revocation of a previously issued, building permit.

At the expiration of the 45 day period, if the City Council has not rendered a decision on the appeal, it shall be deemed that the City Council has affirmed the decision of the City Manager.

(D) *Successive Appeals.* If (1) an appeal is not properly or timely filed, or (2) an appeal is filed and a final decision has been rendered by the City Manager or the City Council, then no new appeal shall be allowed to be filed, and no permit application shall be allowed to be resubmitted for a period of one year after the date of the Building Official's decision or, if applicable, the City Manager or City Council's decision, except on grounds of new evidence or proof of changed conditions found to be valid by the Building Official.

(E) *Judicial Review.* Any final decision of the City Council pursuant to this Section shall constitute a final determination for purposes of judicial review and shall be subject to review under the Illinois Administrative Review Law (735 ILCS 5/3-101 *et seq.*).

Sec. 170.104. – Temporary Occupancy.

(A) Where applicable under this Chapter, upon a written request from the permit applicant, the Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion, or portions, of the new or existing building and structure shall have all facilities necessary to be occupied in a safe and sanitary manner. Necessary preconditions to any such temporary occupancy include, but are not limited to as determined at the sole discretion of the Building Official:

- (1) Adequate and safe access to and from any space that is occupied.
- (2) Segregation of any occupied space from ongoing construction activities.
- (3) Life safety completion, accessibility

(B) No occupancy shall be permitted within any portion, or portions, of a new building or structure, within an existing building or structure having alterations, repairs, additions or change of occupancy, or upon any land until the premises have been inspected by the Building Official and have been determined to be in full compliance with the provisions of this Section 170.104 and all applicable regulations of Chapter 150 of the City Code.

Sec. 170.105. – Police Power Authorized.

The Building Official and other officers named who may assist the Building Official in case of violations of this Chapter are hereby authorized to use the police power of the City in a manner commensurate with the characteristics of the violation and the urgency, hazards, rights and interests of the public health and safety.

Sec. 170.106. - Required Surveys.

The property owner or permit applicant for any new principal structure or addition thereto greater than 1,000 square feet shall engage a licensed surveyor to prepare and submit to the City, prior to the commencement of any framing of the structure or addition: (a) a spot survey depicting the distance from

the foundation to each boundary of the property and the elevation of the foundation; and (b) for structures and additions with a roof height that is within 5% of the maximum height permitted pursuant to Chapter 150 of this Code, a roof height survey, certifying compliance with the height maximum in Chapter 150, prepared by a licensed surveyor.

Sec. 170.107. - Bonds.

No bond required under the provisions of this Chapter shall be approved unless it is conditioned, in addition to any other requirements set forth in this Chapter, upon the faithful observance and full compliance by the principal with the provisions of all applicable ordinances of the City, and upon the agreement of the principal to indemnify and hold harmless the City and any other person who may be injured thereby, against any and all loss, cost, damage or expense incurred directly or indirectly by reason of: (1) failure of the principal to observe any ordinance pertaining to the nature of the work for which the bond is given; (2) failure of the principal to observe all rules and regulations established under the authority of any ordinances of the City pertaining to the nature of the work in connection with which the bond is given; (3) negligence of the firm or its employees performing or protecting any work in connection with which the bond is given; or (4) failure of the principal to complete any error or omission which fails to comply with the applicable ordinances of the City.

Sec. 170.108. - Street obstruction permit.

(A) *Permit required.* It shall be unlawful for any person, firm or corporation to deposit or store on any portion of any street, sidewalk, alley or public way, building materials, tools, equipment, fuels or other supplies for any building or structure in the course of being demolished, constructed, altered or repaired, unless a permit to obstruct such street, sidewalk, alley or other public way is first obtained from the Building Official. This Section shall not be construed as regulating moving vans delivering furniture and/or office equipment to any building.

(B) *Application for permit.* All applications for street obstruction permits shall be made to the Director of Public Works or his or her designee and shall describe the location of the street, sidewalk, alley or public way proposed to be occupied, the use to be made for same and the length of time of such intended occupation. Should the Director of Public Works or his or her designee approve of such application, he or she shall direct the Building Official to issue a street obstruction permit to the applicant, provided the said applicant has complied with all the provisions of this Chapter as to bonds, fees and all other requisites in connection with such permit.

(C) *Permit fee.* The fee to be paid to the City Manager or his or her duly authorized agent for a permit to obstruct a public right-of-way shall be the rate set forth in the Annual Fee Resolution for any street, pavement or portion thereof and the rate set forth in the Annual Fee Resolution for any portion of any sidewalk, alley, or other public way for each 90 day period or fractional part thereof during which such street, sidewalk, alley or public way is occupied for the use stated in the permit. In addition, there shall be a charge at the rate set forth in the Annual Fee Resolution per month per space for occupancy of any public automobile parking space in a non-residential district during the term of such street obstruction permit.

Sec. 170.109. - Street obstruction permit; bond and cash deposit.

(A) *Bond.* Before the Building Official shall issue a street obstruction permit, the applicant for such permit shall file with the City Clerk, on a form to be furnished by the City and approved by the Corporation Counsel, a bond in the penal sum of \$50,000.00 with surety to be approved by the Building Official, and conditioned upon the faithful observance and performance of each condition of said permit and conditioned further to indemnify, save and keep harmless the City from any and all loss, costs, expense or liability of any kind whatsoever which said City may suffer or be put to, or which may be recovered from it by reason of the issuance of such permit, or by reason of any act or thing done, or neglected to be done, under or by virtue of the authority given in such permit. An annual bond may be given to cover street obstruction permits.

(B) *Cash deposit.* In addition to the bond required, the applicant for a street obstruction permit shall deposit with the City Manager or his or her duly authorized agent for each permit obtained,

cash in the amount of \$50.00 or more if deemed necessary by the City Director of Public Works. From this amount shall be deducted any cost of repair or replacement for any damage done to public property by the contractor in prosecution of the work for which a permit has been issued, if the contractor fails to repair, replace or restore the damaged public property in as good or better than the original condition, or for failure to maintain the construction site in a safe, satisfactory and clean condition with required barricades, caution lights and removal of debris. Such deposit or the residuum thereof, in the event of deduction for damage to public property, shall be returned upon application of the depositor and after inspection and approval of the work by the Superintendent of Streets.

(C) *Building permit deposit.* The deposit required pursuant to Section 170.109(B) of this Chapter shall also apply to building permits issued for new buildings and other proposed construction. Further, the applicant shall deliver to the City a cash deposit in the amount of one percent of the estimated cost of construction, but not less than \$50.00, when deemed necessary by the Building Official.

Sec. 170.110. - Limits of street occupation.

(A) *Time limits.* The permission to occupy streets, sidewalks, alleys or public ways, for the purpose of building is intended only for imperative use in connection with the actual erection, repair, alteration, wrecking or removal of buildings, and shall terminate with the completion of such operation and at as such earlier time as the Director of Public Works or his or her designee shall find feasible and require. It shall be unlawful to occupy any street, sidewalk, alley or public way after the completion of the operation for which a permit has been issued by the Building Official. It shall also be unlawful to occupy any street, sidewalk, alley or public way under authority of such permit, for the storage of articles not intended for immediate use in connection with the operation for which such permit has been issued. Failure to remove immediately from such sidewalk, alley or public way any building material, tools, equipment, fuels, or other supplies on notice to do so from the Building Official or the Director of Public Works or his or her designee shall subject the owner or contractor so notified to the general penalty provided for pursuant to Section 170.199 and forfeiture of any deposits.

(B) *Space limit.* The occupation of any street, sidewalk, alley or public way for the storage of building material, including temporary sidewalks for any one building, shall never extend more than one-third of the way across the street or alley, (measured from lot line to lot line), nor to a greater extent than authorized by the Building Official or the Director of Public Works or his or her designee.

(C) It shall be unlawful to occupy with building material any street, sidewalk, alley or public way or any part thereof other than that immediately in front of the lot or land upon which the building is being erected; provided that if the written consent of the owners of properties adjoining the site of any proposed building is first obtained and filed with the Director of Public Works or his or her designee, the occupation of the street, sidewalk, alley or public way may be extended in front of the property so consenting, upon the same terms and conditions as those herein fixed for the occupation of the street in front of the building site.

(D) During the progress of building operations, a sidewalk not less than five feet in width (or any equal width of a clean, hard, paved roadway, available and made safe for a footway) shall at all times be kept open, clean, and unobstructed for the purpose and use as a passageway in front of such lot or lots.

(E) It is not intended hereby to prohibit the maintenance of a driveway for the delivery of material across such sidewalk from the curb line to the building site; but such driveway shall conform to the directions of the Director of Public Works or his or her designee.

Sec. 170.111. - Elevated sidewalks and scaffolds.

(A) *Elevated sidewalks.* It shall be unlawful, under specific provisions of a street occupation permit, and for the purposes of delivering material to the basement of a building in the process of erection, to erect elevated temporary sidewalks to a height exceeding four feet above the curb level of the street. In case a sidewalk is so elevated, it shall be provided with good, substantial steps or easy inclines on both ends of the same, and shall have substantial railings on both sides thereof.

(B) *Scaffolds.* All scaffolds, enclosures, covers or other structures placed on or over any street, sidewalk, alley or public way shall be so designed and constructed to protect all persons on public or privately owned property adjacent to the public ways from falling debris or any other damage or injury due to the construction, operations or structures so placed.

Sec. 170.112. - Excavated material and rubbish.

(A) Earth (other than sand or gravel to be used in the construction of the building) taken from excavations, and shavings, straw, loose materials, or rubbish taken from buildings, shall not be stored either upon the street, sidewalk, alley or public way, but must be removed from day to day as rapidly as produced. When materials or rubbish causing dust are to be handled, they must be kept watered down sufficiently to eliminate any such dust.

(B) Rubbish or surplus materials shall not be thrown, cast or swept from any floor above the ground floor or from any roof, but shall either be carried down or lowered in such manner as not to cause dust, or conveyed to the ground through dust-proof chutes. All building operations shall be conducted in such reasonable manner as will least inconvenience the public and occupants of adjoining property.

Sec. 170.113. - Protection of public utilities and trees.

(A) Materials, fences or sheds shall not be placed within the dripline of any tree, nor within six feet of the rail of any railway, nor render inaccessible any valve changer, manhole, coal chute, fire hydrant, alarm box or catch basin. All gutters shall be kept free and clear at all times. Materials and equipment shall be so placed and guarded as to protect the clothing of persons passing, and shall be promptly removed from any street, sidewalk, alley or public way on order of the Building Official.

(B) It shall be unlawful for any person, firm or corporation to bruise, bend, break, cut, saw or in anywise mutilate or otherwise injure or damage any tree or shrubbery, or the roots or branches thereof planted in and along any street, sidewalk, alley or public way, or place in the City, without first obtaining the consent of the City Forester.

Sec. 170.114. - Restoration of streets and sidewalks.

Whenever any street, sidewalk, alley or public way is damaged by the erection or alteration of any building abutting thereon by reason of the construction thereof, the same shall be restored by, or at the expense of, the owner of the building involved or his contractor to a condition as good and serviceable as prior to the beginning of the work.

Sec. 170.115. - Barricades, covers and lights.

(A) *Barricades.* Any excavation for structures on or within six feet of any public way shall at all times be guarded by a substantial railing or barricade not less than four feet high.

(B) *Covers.* Whenever practical or when determined necessary by the Building Official or the Director of Public Works, excavations on or within six feet of any public way shall be covered with planking or other suitable material adequate to support persons walking on such covers.

(C) *Lights.* Sufficient caution lights and barricades plainly visible during daylight or darkness shall be displayed and maintained at each excavation, pile of materials, fence or other obstruction on any street, sidewalk, alley or public way.

(D) *Removal of lights, covers or barricades.* Whoever without legal cause, removes, extinguishes or disturbs a light, cover or barricade so placed shall be fined in an amount set forth in the Annual Fee Resolution.

Sec. 170.116. - Existing or proposed structures on public street.

(A) All structures now existing or proposed to be constructed on any public street, sidewalk, alley or public way other than those specifically provided for in this Section or by other appropriate ordinance shall comply with the provisions of this Section.

(B) *Existing structures.* Owners of any structure, now existing under, on or over any public street, sidewalk, alley or public way, other than public utilities owned and maintained by the City or by a public utility company authorized by the Illinois Commerce Commission, shall file with the Building Official evidence of a public liability and property damage insurance policy. Said policy of public liability and property damage insurance in an amount of not less than \$200,000.00 shall be issued or endorsed in the name of the City and shall insure and save harmless the City from any and all liability, damages, judgments, costs or expenses which the City may incur or suffer by reason of the existence of such a structure. The City shall reserve the right to cause the removal of the structure at the expense of the owner thereof at any time the City Council may by ordinance or otherwise direct the removal thereof.

(C) *Proposed structures.* No new structure may be constructed on, under or over any public street, sidewalk, alley or public way, other than public utilities owned and maintained by the City or by a public utility company authorized by the Illinois Commerce Commission, except in accordance and compliance with Section 93.063 of this Code.

Sec. 170.117. - Combustible materials.

No dwelling, nor place of habitation, nor any part thereof, nor the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health; nor of any combustible article, except under such conditions as may be prescribed by the Building Official under authority of a written permit issued by him.

Sec. 170.118. - Storage of combustible materials.

When lumber, boxes or other combustible material is located or piled in such a manner as in the opinion of the Building Code Official is dangerous to life and property, such lumber, boxes or other combustible material shall be classed as a dangerous building, and for the purposes of this Chapter shall be treated accordingly. Authority is hereby given the Building Official to regulate and remove the same as he may find necessary.

Sec. 170.119. - Signed and Sealed Construction Documents as required by law.

(A) No permit shall be granted or plans approved unless such plans are signed by the owner or signed and sealed by a registered architect as required by the Illinois Architectural Practice Act of 1989 (225 ILCS 305 *et seq.*), or a registered professional engineer as required in the Professional Engineering Practice Act of 1989 (225 ILCS 325 *et seq.*), or a registered structural engineer as required in the Structural Engineering Practice Act of 1989 (225 ILCS 340 *et seq.*).

(B) In addition to any other permit requirements under this Chapter, no permit shall be granted, or plans approved, for any telecommunications facility (as defined in Chapter 53 of the City Code) or for any cellular telephone facility (as defined in Chapter 150 of the City Code), including free standing facilities and building mounted facilities, unless the plans and specifications for such telecommunications or cellular telephone facility have been approved, signed, and sealed by an Illinois registered professional engineer or Illinois Licensed Structural Engineer, affirmatively stating that such plans and specifications fully comply with all Federal Communications Commission regulations concerning radio frequency electromagnetic fields. Where a telecommunications or cellular telephone facility is a categorically excluded facility under the Federal Communications Commission regulations, the Illinois registered professional engineer shall certify that fact. Nothing under this Subsection shall be deemed to preclude the requirement of complying with, and obtaining, all necessary approvals under, any other provision of this Code, including, without limitation the City of Highland Park Zoning Code of 1997, as amended, set forth in Chapter 150 of the City Code.

Sec. 170.120. - Street and public service facilities required.

No permit shall be issued to erect any building for any habitation upon any lot or parcel of land unless a highway, road, street or way for public service facilities improved with water mains and sanitary sewers, pavement, storm sewer, curb and gutter immediately adjacent to such lot or parcel of land is provided to serve such lot or parcel of land and installed in accordance with the City standards, provided, however, that said permit shall be issued if:

(A) The use intended is a single family dwelling, the lot or parcel of land has an area of 40,000 square feet or more and will be served by a septic system to be installed in accordance with the ordinances and regulations of the City and of the Lake County Health Department, and all the other improvements provided for herein will be installed or provided for, and provided that:

(1) The percolation tests of the soil on such lot complies with the standards provided for by ordinance; and

(2) There is simultaneously installed in a manner acceptable to the Department of Building and Zoning, a sanitary sewer main and a sanitary sewer house service line, complete except only for its connection to a sanitary sewer main; and

(3) A deposit in the amount of the usual sewer tap fee and the further sum of \$250.00 is made by the applicant to ensure the satisfactory and proper completion of such connection made to the house service line and to such main sanitary sewer when such connections are permitted by the North Shore Sanitary District and/or the Illinois Pollution Control Board; and

(4) No such septic system nor any portion or component thereof may be installed in any required side yard nor closer than ten feet to any lot line; and

(B) The applicant delivers to the City a recordable waiver on behalf of the applicant and the applicant's heirs, executors, administrators, assigns and grantees, waiving all objections to the levying of a special assessment, special tax or special service area tax for the making of any improvement or improvements which would otherwise be required under the provision of this Section prior to the issuance of a building permit, and particularly any objections to such levy based upon the contention that the property would not be benefited, as assessed, by such improvement or improvements. The City Manager shall also require the applicant to execute and deliver an agreement, in the form of a recordable covenant, binding upon the owners of the affected premises, their heirs, executors, administrators and assigns, to remove or relocate any private line installed or used in connection with the structure for which the permit is applied, within 30 days at the owner's expense, if, in the opinion of the City Manager or his or her duly authorized agent, such action is necessary to avoid conflict with any City improvement, and further agreeing, at owner's expense to disconnect said line from any City storm or sanitary sewer or water main within 30 days and reconnect it to any new storm or sanitary sewer or water main installed in said public right-of-way.

Sec. 170.121. - Inspection fees established.

Unless provided for elsewhere in this Chapter or any other ordinance of the City, the fees for permits and inspection required by this Chapter shall be as set forth in the Annual Fee Resolution.

Sec. 170.122. - Demolition of Dwellings.

(A) *Applicability and Purpose.* It shall be unlawful to cause the demolition of, and no permit for demolition may be issued by the City for, any residential building located in a Covered Residential District without first complying with the requirements of this Section. The purpose of this Section is to inform and educate property owners, the housing market and the general public of the historic and architectural significance of properties in the City, and of opportunities to preserve historically and architecturally significant properties, through sale, relocation, rehabilitation, restoration, and other alternatives prior to demolition; to facilitate documentation of significant properties prior to their loss by demolition; and to raise general public awareness and appreciation for historic resources within the City.

(B) *Definitions.* For purposes of this Section 170.122, capitalized words and phrases shall be defined as set forth in this Section or in Section 24.005 of Chapter 24 of the City Code ("Historic Preservation Regulations"), except that for the purposes of this Section 170.122:

Commission: The Historic Preservation Commission of the City.

Covered Residential District: The R1, R2, R3, R4, R5, R5A, R6, R7, RM1, and RM2 Residential Zoning Districts, as set forth in Chapter 150 of the City Code.

Demolition: means any act or process within the control of the Owner of a structure that results in the removal or destruction of 50 percent or more of the structure as it existed prior to the commencement of such act or process.

Demolition Delay Period: The 180-day or 365-day period imposed pursuant to Section 170.122(E) of this Chapter.

Significant Demolition Application: Any complete application for a permit for a demolition within a covered residential district.

(C) *Historic Preservation Commission.* all significant demolition applications shall be submitted to the Commission within ten days after the date on which the completed permit application has been submitted to the City ("application completion date"); provided, however, that the City shall not be required to submit a significant demolition application to the Commission, and no Commission review conducted pursuant to this Section shall be required, if:

(1) The significant demolition application is for demolition of a Structure that has been identified in the City of Highland Park Comprehensive Architectural Survey as "non-contributing," and

(2) The Historic Preservation Commission Chairman approves, in advance and in writing, the Significant Demolition Application.

(D) *Application Requirements; Utilities Disconnection.* No significant demolition application shall be deemed complete unless and until the application meets the requirements of the building Code including, without limitation, the payment of all applicable fees and the submission of any site management plans and other required submittals. A significant demolition application shall be deemed complete by the code official prior to receipt by the City of disconnection notices from providers of utilities to the structure or building; provided, however, that no permit to demolish or remove a structure shall be issued until receipt by the City of all required disconnection notices from providers of utilities to the structure or building.

(E) *Historic Preservation Commission Review.*

(1) Within 60 days after the application completion date, the Historic Preservation Commission shall hold a meeting to determine whether the Structure that is the subject of the Application satisfies one or more, or none, of the landmark designation criteria set forth in Section 24.015 of the historic preservation regulations ("landmark standards").

(2) *Determination of Significance and Demolition Delay Period.*

(a) If the Historic Preservation Commission determines that the structure that is the subject of the significant demolition application satisfies four or more of the landmark standards, and has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or rehabilitation, then the commission shall impose a 365-day demolition delay period on such structure.

(b) If the Historic Preservation Commission determines that the structure that is the subject of the significant demolition application satisfies two or three of the landmark standards, and has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or rehabilitation, then the commission shall impose a 180-day demolition delay period on such structure.

(c) If the Historic Preservation Commission determines that the structure that is the subject of the significant demolition application satisfies one or none of the landmark standards, or does not have sufficient integrity of location, design, materials, or workmanship to make it worthy of preservation or rehabilitation, then the City shall proceed immediately to process the application pursuant to all other applicable provisions of this Code.

(d) The demolition delay period will begin on the date that the significant demolition application is deemed complete pursuant to Section 170.122(D) of this Chapter.

(e) No structure may be demolished, and no demolition permit may be issued for a structure, during any demolition delay period imposed by the Commission on such Structure.

(f) The imposition of any demolition delay period pursuant to Sections 170.122(E)(2)(a) or 170.122(E)(2)(b) may be appealed by the applicant to the City Council by filing an appeal in writing with the office of the City Manager within 15 days after the date on which the Commission makes its determination. On appeal, the City Council may: (i) uphold the determination of the Commission; (ii) reduce a 365-day demolition delay period to 180 days, if the City Council determines that the structure that is the subject of the significant demolition application satisfies two or three (but not four or more) of the landmark standards, and has sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or rehabilitation; or (iii) reverse the determination of the commission and terminate the demolition delay period, if the City Council determines that the structure that is the subject of the significant demolition application either: (A) satisfies one or none of the landmark standards; or (B) does not have sufficient integrity of location, design, materials, or workmanship to make it worthy of preservation or rehabilitation.

(F) *Emergency Permit.* A demolition permit may be issued by the Building Official upon the code official's determination that Demolition of the structure is necessary to eliminate or prevent a threat to public safety. If the Building Official makes that determination on a significant demolition application, the application shall not be submitted to the Historic Preservation Commission as otherwise required by this Section and the provisions of all other provisions of this Section shall not apply.

(G) *Other Building Permits During Review of Significant Demolition Application.* Once a significant demolition application has been filed with the City, building permits may be applied for, but no other building permits shall be issued for any new or other construction on the property on which the proposed demolition will take place, unless the Commission determines that such permit and such new or other construction will not be inconsistent with the purposes and intent of this Section 170.122, or until the permit related to a significant demolition application has been authorized in accordance with this Section.

(H) *Expiration of Right to Demolish.* If the structure that is the subject of a significant demolition application is not demolished within 365 days after the expiration or termination of any demolition delay period imposed pursuant to this Section 170.122, as may be extended in accordance with the provisions of this Chapter 170, or, if no demolition delay period was imposed, within two years after the date that the significant demolition application was deemed complete pursuant to Section 170.122(D) of this Chapter, then such structure may not be demolished, and no permit for the demolition of such structure may be issued, prior to the submission and review of a new significant demolition application pursuant to this Section 170.122.

(I) *Penalties.* Any person that violates any provision of this Section shall be subject to the following fines, in addition to any other applicable penalties, fines, and punishments as provided in this Chapter or by law.

(J) *Affordable Housing Demolition Tax.*

(1) *Tax Imposed and Dedicated.* Any person granted a demolition permit under this Section for a residential structure (as defined in Chapter 150 of the City Code) shall pay an affordable housing demolition tax at the rate set forth in the annual fee resolution(a) for the demolition of any single family residential structure (as defined in Chapter 150 of the City Code), or (b) for the demolition of any multiple-family residential structure (as defined in Chapter 150 of the City Code), at either the rate set forth in the annual fee resolution or the rate set forth in the annual fee resolution for each unit in the structure, whichever amount is more. The tax imposed pursuant to this Subsection shall be in addition to the demolition permit fee set forth in the Annual Fee Resolution, and all other applicable fees and charges. Payment of the affordable housing

demolition tax shall be due upon issuance of a demolition permit by the department. The funds received by the City for the amount imposed pursuant to this Subsection 170.122(J) shall be dedicated and transferred to the "housing trust fund" established and operating pursuant to Section 33.1133 of the City Code and to the multi-modal transportation fund of the City, all according to the percentages set forth in the annual fee resolution.

(2) *Special Applicability Rules.* Notwithstanding the general requirement set forth in Paragraph (1) of this Subsection, the affordable housing demolition tax shall not apply under the following circumstances upon filing of an application on a form provided and prepared by the City; provided however, that this Section 170.122(J)(2) shall not affect an applicant's obligation to pay the demolition permit fee set forth in the Annual Fee Resolution.

(a) If the applicant and the Housing Commission enter into an agreement for the provision of "affordable housing" (as defined in Section 33.1133 of this Code), by the applicant in conjunction with the demolition that would otherwise be the subject of the affordable housing demolition tax. Any such agreement shall specifically set forth the applicability of this Subparagraph with regard to the affordable housing demolition tax otherwise required under this Subsection. The waiver of the affordable housing demolition tax under this Section 170.122(J)(2)(a) shall only apply to affordable units. The affordable housing demolition tax, and all other applicable fees and costs under this Code, shall apply to all market rate units.

(b) If the applicant establishes, through a professionally prepared appraisal or other reliable evidence, to the satisfaction of the Building Official, that the building or structure replacing the building or structure that is the subject of the demolition permit constitutes affordable housing under Section 33.1133 of this Code.

(c) If: (i) the applicant has been the record title owner of the property on which the demolition is proposed for all of the five years immediately preceding the date of the application ("pre-permit period"); (ii) the property has been the primary residence of the applicant throughout the pre-permit period; (iii) the applicant remains the record title owner of the property at all times after the pre-permit period until the date that is five years immediately after the date on which the certificate of occupancy for the new structure is issued ("post-permit period"); and (iv) the property remains the primary residence of the applicant throughout the post-permit period. To qualify under this Subparagraph, the applicant shall submit, in addition to other required application materials, title documents establishing the applicant's ownership and use of the property as his or her primary residence during the entire pre-permit period, as well as a sworn statement of the applicant's intention to retain ownership of the property and to use the property as his or her primary residence for the entire post-permit period. As a precondition to the applicability of this Subparagraph and to the issuance of a demolition permit and certificate of occupancy, the applicant shall provide, for recordation by the City against the property, such covenants, on forms prepared and provided by the City, that will run with and bind the property. The covenant will require the payment of the full amount of the affordable housing demolition tax, including five percent per annum interest from the date the permit was issued, if the applicant transfers ownership of the property, or no longer uses the property as his or her primary residence, at any time during the post-permit period. No transfer stamps or other City approvals will be issued in relation to any transfer of the property during the post-permit period unless and until the affordable housing demolition tax, including the required interest, has first been paid in full to the City.

(d) If the applicant establishes, to the satisfaction of the Building Official, (i) that the demolition subject to the demolition permit is necessary due to the medical condition of the owner of the building or structure to be demolished ("demolition building"); and (ii) that the building or structure replacing the demolition building ("replacement building") shall be occupied by the owner and that said owner qualifies as a low-income or moderate-income household under the definitions set forth in Section

33.1133(A) of this Code, as evidenced by such documents and information, including without limitation tax returns and pay stubs, as the Building Official may reasonably require. For purposes of this Subparagraph, in order to establish that a demolition is "necessary due to the medical condition of the owner of the building or structure," the applicant must, at a minimum, provide the following:

(i) A sworn statement by a medical doctor licensed to practice medicine in Illinois, describing the medical condition at issue and verifying that the proposed demolition and construction of the replacement building is necessary as a direct result of the medical condition of the owner.

(ii) Official medical records describing the medical condition that requires the demolition of the demolition building and construction of the replacement building.

(iii) Such other relevant information as may be provided by the applicant, or requested by the City, that is necessary to establish the requirements of this Subparagraph.

(e) If the applicant establishes to the satisfaction of the Building Official that structural measures must be undertaken that would typically qualify as a "demolition" pursuant to Subsection 170.122(E) of this Chapter due to extensive damage to the building or structure caused by force majeure or accidental fire. For purposes of this Subparagraph, force majeure shall mean acts of God beyond the owner's reasonable control and reasonable ability to remedy; provided, however, that for purposes of this Subparagraph force majeure shall not include damage caused by the owner, an agent or employee of the owner, or a third party in privity with the owner. For the purposes of this Subparagraph, accidental fire shall mean a fire not caused by arson or foul play.

(3) *Deferral of Payment of Tax.* Payment of the tax imposed pursuant to this Subsection 170.122(I) may be deferred until an application is filed pursuant to this Chapter for a building permit for the property on which the demolition is proposed ("subject property"), or until a plat of subdivision is recorded against the subject property, in accordance with the following:

(a) The tax imposed pursuant to this Subsection 170.122(I) shall not be deferred for any subject property if a title, beneficial, or equitable interest in the subject property is held by any person who either: (i) simultaneously holds a title, beneficial or equitable interest in any parcel or tract of land that is adjacent to the subject property (an "adjacent property"); or (ii) is the child, spouse, sibling or parent of any person who simultaneously holds a title, beneficial or equitable interest in an adjacent property; provided, however, that if the person who holds the interest in the adjacent property uses such adjacent property as his or her primary residence, the tax imposed pursuant to this Subsection 170.122(I) may be deferred pursuant to this Subparagraph 170.122(I)(3) if that person has not previously deferred payment of tax pursuant to this paragraph 170.122(I)(3).

(b) Prior to the issuance of a demolition permit for the Subject Property, the owner of the Subject Property shall execute and record against the Subject Property, in the office of the Lake county Recorder, a Tax Payment and Property Maintenance Covenant ("covenant"), which covenant shall be in a form provided by the City, and shall contain, at a minimum, the following provisions:

(i) The then-owners of the subject property shall pay to the City the amount of tax required pursuant to Subparagraph 170.122(I)(3)(c) of this Chapter upon either:

1. The filing of an application pursuant to this Chapter for a building permit for the subject property; or

2. The recordation of a plat of subdivision or plat of consolidation against the subject property.

(ii) No new structures shall be constructed on the subject property until the then-owners of the subject property submit payment to the City of the tax required pursuant to Subparagraph 170.122(l)(3)(c) of this Chapter;

(iii) Until a building permit is issued pursuant to this Chapter for the subject property, the subject property shall be landscaped and maintained in accordance with a maintenance plan, which maintenance plan shall (A) be approved in advance by the Building Official; (B) shall be attached as an exhibit to the covenant; and (C) at a minimum, require the backfill of all excavations on the subject property, the removal of all concrete and asphalt pavement and all garbage, debris, and litter from the subject property, the trimming and mowing to a neat condition of all trees, bushes, and grass on the subject property, the spread of black topsoil over the entire subject property at a minimum depth of four inches, and the sodding or seeding of the topsoil; and

(iv) The City shall have the right, but not the obligation, to enforce the terms of the covenant.

(c) For any property for which the tax imposed by this Subsection 170.122(l) is deferred pursuant to this paragraph 170.122(l)(3), the amount of the tax shall be the greater of: (i) the amount of the tax imposed pursuant to this Subsection 170.122(l) as of the date on which payment of the tax is due, as determined pursuant to Subparagraph 170.122(l)(3)(b)(i) of this Chapter; and (ii) 150 percent of the amount of the tax imposed pursuant to this Subsection 170.122(l) as of the date of recordation of the covenant.

(4) *General Applicability.* Imposition of the tax imposed pursuant to this Subsection shall not apply to any demolition for which a complete and proper application for the demolition permit was on file with the City on or before May 29, 2002, being the effective date of this Subsection.

Sec. 170.123. - Construction and Demolition Debris Recycling.

(A) *Purpose.* The purpose of this Section 170.123 is to establish requirements for construction and demolition debris diversion to encourage current recycling efforts and other appropriate uses, and to support practices and procedures that promote sustainability.

(B) *Definitions.* For the purposes of this Section 170.123, the following words or phrases shall have the following meaning, except when the context otherwise indicates:

Alternate Daily Cover means C&D debris that is processed for use as a municipal solid waste landfill unit as alternative daily cover, road building material, or drainage structure building material in accordance with the landfill's waste disposal permit issued by the Illinois Environmental Protection Agency.

Construction means all on-site work done in building new structures or additions to structures from land clearance to completion, including, without limitation, excavation, erection, and the assembly and installation of components and equipment.

Construction and Demolition Debris or *C&D Debris* means non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; roofing shingles and other roof coverings; reclaimed or other asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and corrugated cardboard, piping or metals incidental to any of those materials. (This is the definition in the Illinois Environmental Protection Act, 415 ILCS 5/3.160)

Covered Project means any construction, renovation, or demolition activity that includes, without limitation, either: (a) the construction of a new principal structure; (b) the demolition of a principal structure; or (c) renovation and/or addition of more than 2500 square feet.

Demolition means any act or process within the control of the owner of a structure that results in the removal or destruction of 50 percent or more of the structure as it existed prior to the commencement of such act or process.

Divert or Diversion means to manage, sort and process C&D debris into recyclable C&D debris, recovered wood, and/or alternate daily cover.

Inert Debris means those materials which are virtually inert, such as rock, brick and concrete.

Recovered Wood means wood that has been salvaged from C&D debris and processed for use as fuel, as authorized by applicable state or federal environmental regulatory authority, and supplied only to intermediate processing facilities for sizing, or to combustion facilities for use as fuel, that have obtained all necessary waste management and air permits for handling and combustion of the fuel.

Recyclable C&D Debris means C&D debris that has been rendered reusable and is reused or that would otherwise be disposed of or discarded but is collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products. "Recyclable C&D Debris" does not include either: (i) C&D debris processed for use as a fuel; or (ii) alternate daily cover.

Renovation means the improvement, alteration, repair or reconstruction of an existing structure which requires a permit from the City of Highland Park.

Waste Reduction and Recycling Plan means the written plan for recycling of covered project C&D Debris prepared and submitted pursuant to Section 170.123(F) of this Chapter.

(C) *Applicability.* This Section 170.123 applies to all covered projects within the City, except in any of the following circumstances:

- (1) An immediate or emergency demolition is required to protect the public health, safety or welfare, as determined prior to such demolition by the Building Official;
- (2) An exception is granted pursuant to Section 170.123(I) of this Chapter; or
- (3) A valid building permit or demolition permit was issued for the covered project prior to January 1, 2012.

(D) *Condition of Approval for Building or Demolition Permits.* No building or demolition permit shall be issued for any covered project within the City that does not comply with the provisions of this Section 170.123.

(E) *Diversion Requirements.* Construction and demolition debris generated by Covered Projects must be diverted in accordance with the following requirements:

- (1) For all covered projects for which a building or demolition permit application is submitted to the City from January 1, 2012 through December 31, 2012, at least 50 percent of construction and demolition debris shall be diverted.
- (2) For all covered projects for which a building or demolition permit application is submitted on or after January 1, 2013, at least 75 percent of construction and demolition debris shall be diverted.

(F) *Waste Reduction and Recycling Plan.*

(1) Prior to the issuance of a building or demolition permit for a covered project, the applicant therefor must complete and submit to the Building Official a Waste Reduction and Recycling Plan, on a form provided by the Building Official, which Plan must include, without limitation, the following information:

- (a) Identification of all materials to be diverted from disposal to recyclable C&D debris, recovered wood, and/or alternate daily cover;

(b) A description of whether and to what extent materials will be separated on-site or co-mingled;

(c) Identification of the vendors or facilities that will collect or receive the construction or demolition debris, and such additional information as the Building Official may require demonstrating that the vendor or facility will recycle or divert C&D Debris received from the covered project;

(d) The estimated date on which demolition and/or construction is to commence;

(e) An affidavit, signed by the general contractor for the covered project, stating that the general contractor will comply with all the terms of the Waste Reduction and Recycling Plan and of this Section 170.123; and

(f) Such additional information as the Building Official may require.

Where all of the facts cannot be ascertained, the applicant shall provide the best estimate based on all information reasonably available about the covered project.

(2) Upon a determination at any time by the Building Official that an approved Waste Reduction and Recycling Plan is no longer accurate, the Building Official may require that the applicant submit an addendum or revision to the Plan with such information as may be required by the Building Official.

(G) *Compliance Report.*

(1) Not less than five business days prior to the scheduled date for the final inspection of a covered project, the applicant shall submit to the Building Official a compliance report, on a form provided by the Building Official, which Plan must include, without limitation, the following information:

(a) The dates on which demolition and/or construction actually commenced,

(b) The actual and total weight of C&D Debris generated at the covered project,

(c) The actual and total weight of C&D Debris that was diverted,

(d) The final calculation demonstrating compliance with the diversion requirements of Section 170.123(E) of this Chapter,

(e) Original receipts from all vendors and facilities which collected or received C&D Debris, indicating actual weights received by each, and

(f) Such additional information as the Building Official may require.

(2) No certificate of occupancy shall be issued for any property on which a covered project has been completed unless and until: (a) a compliance report is submitted in accordance with Section 170.123(G)(1) of this Chapter; and (b) the applicant pays all penalties imposed for any violations of this Section 170.123.

(H) *Exceptions.*

(1) Applicants seeking a partial or complete exception granting relief from the requirements of this Section 170.123 must file an application therefor with the Building Official, on a form provided by the Building Official, which application must include, without limitation, a statement certifying that compliance with this Section 170.123 is impracticable due to exceptional or extraordinary circumstances or conditions applicable to the covered project.

(2) The Building Official may grant the exception only if the Building Official finds all of the following:

(a) There are exceptional or extraordinary circumstances or conditions applicable to the covered project that do not apply generally to covered projects and that make compliance with this Section 170.123 impracticable;

(b) Granting the exception will not constitute a grant of special privilege inconsistent with limitations imposed on similar covered projects; and

(c) Cost to the applicant of strict compliance with this Section 170.123 is not the primary reason for granting the exception.

(I) *Inspections, Inquiries and Audits.* The Building Official may make any and all inspections, inquiries, and audits as necessary to determine compliance with this Section 170.123.

(J) *Penalties.* Any person who violates this Section 170.123 shall be fined in the amounts as set forth in the Annual Fee Resolution. The number of offenses committed by a person shall be calculated without consideration of the number of properties for or at which such offenses were committed.

Sec. 170.124 - Gender neutral restrooms.

(A) *Definitions.* For the purposes of this Section 170.124, the following words or phrases have the following meanings:

(1) "Gender identity" means a person's actual or perceived gender, including a person's self-image, appearance, expression, or behavior, whether or not that self-image, appearance, expression, or behavior is different from that traditionally associated with the person's sex at birth.

(2) "Gender neutral restroom" means a single-occupancy restroom that is designed for use by any person, regardless of gender identity.

(3) "Single-occupancy restroom" means a room designed to be used as a restroom by no more than one person at a time and that contains at least one toilet and one sink.

(B) *New construction.* For any building or structure for which a building permit is issued on or after May 1, 2016, all public toilet facilities must comply with the following:

(1) All public toilet facilities must be designated by legible signs, designating whether the public toilet facilities are for men only, women only, or are gender neutral.

(2) All single-occupancy restrooms must be designated as gender neutral restrooms, and must be equipped with a locking mechanism to be operated by the user of the restroom.

(C) *Existing Buildings and Structures.* For any building or structure for which a permit was issued prior to May 1, 2016, all public toilet facilities may, but are not required to, comply with the requirements set forth in Section 170.124(B) of this Chapter.

(D) In the event that any of the provisions of this Section 170.124 conflict with any of the provisions of the International Building Code, as adopted and amended pursuant to this Chapter 170, or the Illinois State Plumbing Code, as adopted and amended pursuant to Article VII of this Chapter, the provisions of this Section 170.124 will control.

Sec. 170.125. - Lake Michigan Construction.

(A) *Lake Michigan Regulated Areas.* This Section is intended to provide specific regulations and requirements with regard to the construction of structures located in Lake Michigan and on or around its Highland Park shoreline. Specifically, this Section applies (i) to that portion of Lake Michigan that borders the City of Highland Park, to the extent of three miles beyond the corporate limits, but not beyond the limits of the State ("Lake Michigan"), and (ii) to the private and other property between Lake Michigan and the termination, on the Lake Michigan side, of the "Steep Slope" of the "Bluff," as those terms are defined in Section 150.202 of the City Code ("Lake Michigan Regulated Areas").

(B) *Purpose and Intent.* The Lake Michigan Regulated Areas have special environmental, recreational, cultural, historical, community, and aesthetic interests and values. The regulations set forth

in this Section are designed to ensure the preservation and protection of Lake Michigan Regulated Areas and every aspect of the Areas' interest and value to the City and its residents. The regulations set forth in this Section are further intended to ensure that construction into Lake Michigan or anywhere within the Lake Michigan Regulated Areas does not cause environmental or ecological damage to the Lake or the surrounding areas of the City.

(C) *Building Permit Required.* It shall be unlawful to undertake any construction of any new structure, or to undertake any alteration, relocation, expansion, enlargement, or restoration of any existing structure, within the Lake Michigan Regulated Areas without first having applied for and obtained a building permit pursuant to the applicable provisions of this Building Code.

(D) *Additional Regulations.* In addition to the requirements in this Building Code, it shall be unlawful to undertake any construction of any new structure, or to undertake any alteration, relocation, expansion, enlargement, or restoration of any existing structure, within the Lake Michigan Regulated Areas without first having applied for and obtained the other permits and approvals as may be required pursuant to other applicable provisions of the City Code, including, without limitation, all necessary zoning relief required pursuant to Chapter 150 of the City Code.

Sec. 170.126. - Bird-Friendly Construction Requirements.

The City and its general contractors, agents, representatives, and subcontractors shall, to the greatest extent practicable, incorporate bird-safe building materials and design features into the design of all newly-constructed buildings to be used primarily by the City, including, without limitation, those materials and features recommended by:

- (A) The City of Chicago's "Bird-Safe Building Design Guide for New Construction and Renovation;"
- (B) The City of Toronto's "Bird-Friendly Development Guidelines;" and
- (C) New York City Audubon's "Bird-Safe Building Guidelines."

Sec. 170.127. – Permit Fee.

The amount of any fee required pursuant to this Chapter for any permit, inspection, or plan or document review shall be set forth in the Annual Fee Resolution. The fee shall be paid to the City through its Community Development Department or other duly authorized agent or department of the City, for which a receipt shall be issued. No permit shall be valid until the fees are paid and the receipt issued therefor in accordance with the appropriate regulations of this Chapter.

Sec. 170.128. – Permit Expiration, Invalidation, and Extension.

Where a permit is required under this Chapter, such permits shall expire after a period of 12 months from the date of issuance. Permits issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Building Official, or his or her designee, is authorized to grant, in writing and in his sole and absolute discretion, one or more extensions for a period of up to six months each. Each extension shall be requested in writing, and justifiable cause for the requested extension shall be demonstrated. There shall be no fee for the first extension granted pursuant to this Section, but the permittee shall pay a fee for the second and all subsequent extensions granted pursuant to this Section, in the amount set forth in the Annual Fee Resolution.

Sec. 170.129. – Protection of adjoining property.

(A) Where applicable, if afforded the necessary license to enter any adjoining lot, building or structure, the person causing the demolition or excavation to be made shall at all times and at his or her own expense preserve and protect the lot, building or structure from damage or injury. If the necessary license is not afforded, it shall be the duty of the owner of the adjoining lot, building or structure to make

safe his or her own property, for the prosecution of which said owner shall be granted the necessary license to enter the premises of the demolition or excavation.

(B) Any owner or possessor of land intending to make or to permit an excavation to be made on his land shall give due and reasonable notice in writing to the owner or owners of adjoining lands and of adjoining buildings and other structures stating the depth to which the excavation is intended to be made and when the excavation will begin. If the excavation is to be of a depth of not more than the standard depth of foundations, as herein defined, and if it appears that the excavation is to be of a greater depth than the walls or foundations of any adjoining building or other structure and is to be so close as to endanger the building or other structure in any way, then the owner of the building or other structure on the adjoining land shall be allowed a reasonable time, but in no event less than 30 days, in which to take measures to protect the same from any damage or in which to extend the foundations thereof, and he must be given, for that purpose, a license to enter on the land on which the excavation is to be or is being made.

(C) Any owner or possessor of land upon which an excavation is made who does not comply with the provisions of Subparagraph 1 of this Section, when so required, is liable to the owner of adjacent property for any damage to the land or to any buildings or other structure thereon arising from such excavation, and is also liable to occupants and tenants of the adjoining land or structures for any damage to their property or business, proximately resulting from injury to such land or structures, caused by the failure of such owner or possessor to so comply.

(D) In making any excavation, reasonable care and precautions shall be taken to sustain the adjoining land as such, without regard to any building or other structure which may be thereon, and there is no liability for damage done to any building or other structure by reason of the excavation except as herein provided or otherwise provided or allowed by law.

(E) The owner or possessor of the land upon which the excavation is being made shall also be liable to occupants and tenants of such adjoining lands or structures thereon for any damage to their property or land or structures, caused by the failure of such owner or possessor making such excavation, to fulfill the duty set forth in Subparagraph 5 of this Section.

Sec. 170.199 - Penalties.

(A) Any person who violates a provision of this Chapter or fails to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Chapter, shall be fined in an amount set forth in the Annual Fee Resolution. Each day that a violation continues shall be deemed a separate offense.

(B) Any person who shall continue any work in or about the structure after having been served with a stop work order pursuant to this Chapter, except any work he is directed to perform to remove a violation or unsafe condition, shall be fined in an amount set forth in the Annual Fee Resolution. Each day that a violation continues shall be deemed a separate offense.

(C) Whoever shall engage in the business of any trade, or employs such tradesman, in the City of Highland Park without having obtained the necessary license as required by the State of Illinois as provided herein and/or any such person who shall not be registered as provided in this Chapter, shall be fined in an amount set forth in the Annual Fee Resolution. Each day that a violation continues shall be deemed a separate offense.

(D) Any person who shall refuse or neglect to obey an order of the Building Official or of his or her authorized representative to correct or remove an improvement installed in violation of this Chapter shall be fined in an amount set forth in the Annual Fee Resolution. Each day that a violation continues shall be deemed a separate offense.

ARTICLE II. – BUILDING CODE

Sec. 170.201. - International Building Code Adopted by Reference.

For the purpose of establishing rules and regulations for the construction, alteration, addition, repair, removal, demolition, equipment, use and occupancy, location, and maintenance of buildings and structures, the International Building Code, 2018 Edition, together with Appendices C, D, E, F, G, H, I, J, K, L, M, and N thereto, is hereby adopted, and by this reference, incorporated as if fully set forth herein with the exception of such portions as are expressly deleted or amended by Section 170.202 of this Chapter.

Sec. 170.202. - Amendments to the International Building Code.

The following words, provisions, and paragraphs are to be added to the following designated sections of the code adopted in Section 170.201. These amendments supersede the requirements of the indicated provisions of such code.

(1) *Section 101.4.3* shall be amended to read as follows:

101.4.3 Plumbing: The provisions of the Illinois Plumbing Code, as amended, shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of medical gas system.

(2) *Section 103.1* shall be amended to read as follows:

103.1 Creation of enforcement agency: The Department of Community Development, Building Division is hereby created and the official in charge shall be known as the Building Official.

(3) *Section 105.1.1* shall be amended to read as follows:

105.1.1 Roofing Work: Permits are required for all roofing work, except for a repair involving the replacement of less than 25 % of the total roofing area. In lieu of an inspection by the Building Official, the Building Official may accept the certification of a state licensed architect, engineer, or roofing contractor that the work has been completed in accordance with this Code. Any person who falsely certifies that work has been completed according to code shall be guilty of a violation of this Code and subject to the penalties set forth in Section 170.199 of the City Code. Notwithstanding Section 109.2 of this Code to the contrary, there shall be no fee required in connection with the issuance of a building permit for roofing work pursuant to this Section 105.1.1.

(4) *Section 105.1.2* shall be deleted in its entirety.

(5) *Section 105.2* shall be amended to delete subsections 3, 6, 10, 11, and 12; and to amend subsections 2, 5, and 9 to read as follows:

2. Fence repairs impacting less than 25% of the total linear footage of fencing.

5. Water tanks, enclosed with lids, supported directly on grade if the capacity is not greater than 75 gallons.

9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, and are installed entirely above ground.

(6) *Section 105.5* shall be deleted in its entirety.

(7) *Section 109.1.1* shall be added to the International Building Code, and shall read as follows:

109.1.1 Plan Review Sequence In general, permits are to be reviewed in the order in which they are received except where permits are complex, require review by specialists, zoning relief, consideration of alternative methods and means, or for some other valid reason require prolonged examination. At the discretion of the Building Official, permits may be expedited

provided that, within the context of other permits under review, the necessary staff or consultant resources are available to perform such expedited review without placing an undue burden on customer service for other applicants. Additional fees shall apply as set forth in the Annual Fee Resolution.

- (8) *Section 111.3* shall be deleted in its entirety.
- (9) *Section 114.4* shall be deleted in its entirety.
- (10) *Section 115.3* shall be deleted in its entirety.
- (11) The following definitions shall be added to Section 202:

Building Official: The Director of the Department of Community Development or his duly authorized representative.

Corporation Counsel: The Corporation Counsel for the City.

Fire Code Official: The Chief of the Fire Department of the City.

Police Chief: The Chief of the Police Department of the City.

Recreational Fire: The burning of materials, other than rubbish, where the fuel being burned is contained in an outside fireplace, barbeque grill, or barbeque pit and has a total fuel area of three feet or less in diameter and two feet or less in height for pleasure, religious, ceremonial, or cooking purposes.

Significant Remodel: Any existing Building or structure that undergoes remodeling, alteration costs greater than 50 percent of the total assessed or appraised value (If the applicant wants to use the appraisal method, the value will be determined by City-chosen appraisal at applicant's expense) of the existing building or structure, except that a change in use group shall be considered a significant remodel under any one of the following conditions:

- 1. Use group is of a higher hazard or changed from B to A or E;
- 2. The change in Use group A or E results in higher occupant load requiring additional means of egress; or
- 3. The change in use group requires the installation of automatic sprinkler system in accordance with Chapter 9 of this Code.

Temporary: A use or structure not to exceed 180 calendar days.

- (12) *Section 420.1.1* shall be added to the International Building Code, and shall read as follows:

420.1.1 Refuse and Recycling chutes: Refuse and recycling chutes shall be required in all new buildings of three stories or more, with commercial, multi-family residential or mixed use occupancy in accordance with. All chute construction shall comply with applicable International Building Code requirements.

- (13) *Section 901.6* shall be amended to read as follows:

901.6 Supervisory Service: For fire protection systems required to be monitored or where voluntarily monitored by this code and as amended herein, notice shall be made to the fire code official care of the Department of Community Development, Building Division whenever alarm monitoring services are terminated. Notice shall be in writing to the fire code official by the monitoring service provider no less than five business days before service is terminated.

- (14) *Section 902.1.1* shall be amended to read as follows:

902.1.1 Access: Rooms containing fire pumps shall be provided with a door allowing access to/from the exterior of the building or structure. Such access doors shall not be less than 36 inches in width and no less than 80 inches in height. The access shall be labeled with four-inch letters with a one-half inch stroke.

(15) *Section 903.2* shall be amended to read as follows:

903.2 Where required: Approved automatic sprinkler systems shall be provided throughout all new buildings, structures, locations and portions thereof used in the following Use Groups and occupancies; A-1, A-2, A-3, A-4, A-5, B, Ambulatory Care Facilities, Clinic outpatient, E, F-1, F-2, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, R-1, R-2, R-3, R-4, S-1, S-2, Utility and Miscellaneous Group U. Approved automatic sprinkler systems shall be provided throughout all existing buildings, structures, locations and portions thereof used in the use group and occupancies as listed in this section, where an existing building or structure undergoes a Significant Remodel as defined.

(16) *Section 903.3.5* shall be amended to replace "International Plumbing Code" with "Illinois Plumbing Code, and add to end of said Section 903.3.5 an additional provision providing:

903.3.5 Water Supplies: Meters are not required on RPZ devices on fire sprinkler systems. All automatic fire sprinkler systems shall be provided with a minimum safety factor in the sprinkler system design of ten percent or five psi whichever is greater.

(17) *Section 903.3.6.1* shall be added to the International Building Code, and shall read as follows:

903.3.6.1 Sprinkler/Fire Pump Room: All fire sprinkler valve rooms and fire pump rooms shall be provided with minimum one hour separations from adjacent uses. All such rooms shall have a low temperature alarm which transmits a signal when the room falls below 40 degrees. A minimum of 36 inches clearance shall be maintained in front of all sprinkler valves.

(18) *Section 903.3.6.2* shall be added to the International Building Code, and shall read as follows:

903.3.6.2 Safety Factor of Sprinkler Systems: All newly-installed fire sprinkler systems shall be hydraulically calculated and maintained with a minimum safety factor of ten percent, except limited area systems.

(19) *Section 903.4* shall be amended to delete Exception seven.

(20) *Section 903.4.1* shall be amended to add the following section:

903.4.1 Monitoring: Fire alarm control units required by Section 903.4 shall be monitored as required by Section 907.6.5 as amended.

(21) *Section 903.4.1.1* shall be added to the International Building Code, and shall read as follows:

903.4.1.1 Strobe Light: A blue strobe light shall be installed on all occupancies, other than single family residences, protected by a fire sprinkler system. The strobe light shall be located directly over the Fire Department connection. The strobe light shall be clearly visible from the Fire Department's access route and shall be clearly identified as water flow. The strobe light must be UL listed and comply NFPA.

(22) *Section 903.4.2* shall be amended to read as follows:

903.4.2 Alarms: An approved audible and visible device, as listed in this section, shall be provided for alarms activated when only by the flow of water through the sprinkler system equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. The following devices shall be located above the fire department connection on all automatic sprinkler systems:

1. A 110 cd strobe light with a blue lens connected to the building fire alarm system; and
2. A 110V, 10 inch bell connected to any waterflow switch.

(23) *Section 903.4.4* shall be added to the International Building Code, and shall read as follows:

903.4.4 Low temperature monitoring: Fire pump rooms, fire sprinkler riser rooms, and standpipe riser rooms, which are heated by an individual heat source dedicated to the room, shall be provided with a listed room temperature supervisory signal-initiating device, operating as required by Section 17.16.5 of NFPA 72, and supervised by the building fire alarm system.

(24) *Section 905.3.1* shall be amended to replace the reference to Class III with Class I for Option #1, 30 feet with 18 feet in Option #3, and insert the following at the end of said Section 905.3.1:

905.3.1 Height: Class I connections shall be provided with two and one half by one and one half inch reducers.

(25) *Section 905.12* shall be added to the International Building Code, and shall read as follows:

905.12 Fire Department Connections: Fire department connections serving standpipe systems shall be provided as required by Section 912.2.3 as amended.

(26) *Section 907.1* shall be amended to read as follows:

907.1 General: This section shall cover the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures where the total cost of the remodeling, alteration or addition exceeds 50 percent of the building or structures assessed or appraised value, whichever is higher.

(27) *Section 907.1.4* shall be added to the International Building Code, and shall read as follows:

907.1.4 Combination Carbon Monoxide and Smoke Detectors: The installation and location of Carbon Monoxide and smoke Detectors shall comply with the Illinois Carbon Monoxide Act. All smoke detectors required by this code to be located within common areas shall be a combination smoke/carbon detector. Installation shall comply with the manufacturer installation instructions.

(28) *Section 907.2* shall be amended to read as follows:

907.2 Where Required-new Buildings and Structures: A fire alarm system, installed in accordance with the provisions of this code and NFPA 72, shall be provided in new buildings and structures as required by Sections 907.2.1 through 907.2.3.

(29) *Section 907.2.1* shall be amended to read as follows:

907.2.1 Automatic Fire Detection System: An automatic fire detection system shall be installed throughout all of the following use group occupancies:

1. Group A
2. Group B
3. Group E
4. Group F
5. Group H
6. Group I

7. Group M
8. Groups R-1 and R-2
9. Group S

(30) *Section 907.2.2* shall be amended to read as follows:

907.2.2 Manual Fire Alarm System: A manual fire alarm system shall be installed throughout all of the following use group occupancies:

1. Group A
2. Group B
3. Group E
4. Group F
5. Group H
6. Group I
7. Group M
8. Groups R-1 and R-2
9. Group S

(31) *Section 907.2.3* shall be amended to read as follows:

907.2.3 Emergency Voice/Alarm Communication System: An emergency voice/alarm communication system shall be installed throughout all of the following use group occupancies:

1. Group A occupancies with an occupancy of 1,000 or more
2. Group E

(32) *Section 907.2.10* through *Section 907.2.10.7* shall be amended to read as follows:

907.2.10 Single- and Multi-station Smoke Alarms, and Smoke Detection Systems, in Dwelling Units with Guest Rooms: Smoke alarms and smoke detection systems shall be provided within R-1, R-2, R-3, R-4 and I-1 Use Groups in accordance with NFPA 72, Chapter 29, and the requirements of the Illinois State Fire Marshal.

(33) *Section 907.6.3* shall be amended to read as follows:

907.6.3 Initiating Device Identification: The fire alarm system shall identify the specific initiating device address, location, device type, floor level where applicable, and status including indication of system normal, alarm, supervisory, and trouble status, as appropriate.

Exceptions:

1. Fire alarm systems in single-story buildings less than 22,500 square feet in area.
2. Fire alarm systems in single-story, single-tenant buildings that include only manual fire alarm boxes, waterflow devices on individual zones, and necessary automatic detection protection at the fire alarm control unit.
3. Fire alarm systems supervising suppression systems when a fire alarm system would otherwise not be required in the building or tenant space.
4. Fire alarm systems or devices that are replacing existing equipment.

(34) *Section 907.6.3.1* shall be amended to read as follows:

907.6.3.1 Annunciation: Unless approved by the fire code official, the fire alarm control unit or a remote annunciator shall be provided at the main entrance of all buildings and each tenant space within strip-type centers. Remote annunciators shall provide the functions of acknowledge, silence, and resetting upon activation using a key which shall be provided for the building's key box.

(35) *Section 907.6.3.1.2* shall be added to the International Building Code, and shall read as follows:

907.6.3.1.2 Multi-tenant Occupancies: In multi-tenant, one-story buildings served by a fire alarm system which includes notification appliances serving more than a single tenant, an exterior visible notification appliance shall be provided over the main entrance of each tenant space in a location approved by the fire code official. The appliance shall be a weatherproof appliance, with a clear lens, and shall be not less than 75 candelas. Occupant notification shall be throughout all tenant spaces and shall ring by tenant upon system activation.

(36) *Section 907.6.6* shall be amended to read as follows:

907.6.6 Monitoring: Fire alarm systems required by this Chapter, other provisions of the City Code, or by the International Fire Code shall be monitored by a UL listed central station. The communications channel between the protected premises and the supervising station shall be by a one-way private radio alarm system complying with Section 26.6.5.2 of NFPA 72.

(37) *Section 912.3* shall be amended to read as follows:

912.3 Fire Department Connections: Fire department connections shall be located within 100 feet of a fire hydrant supplied by the municipal water system.

(38) *Section 912.4.1* shall be amended to read as follows:

912.4.1 Locking Fire Department Connection Caps: Locking fire department caps shall be provided on all fire department connections. Locking caps shall be purchase directly from authorized dealer or distributor.

(39) *Section 912.4.4* shall be added to the International Building Code, and shall read as follows:

912.4.4 Connection Type: Fire department connections shall be two and one-half inches by two and one-half inches x four inches for all connections. Connections shall utilize NST threads.

(40) The title to *Section 913* shall be amended to read "Fire Pumps and Riser Rooms"

(41) *Section 913.2.1* shall be amended to read as follows:

913.2.1 Protection of Fire Pump and Riser Rooms: Fire pumps shall be located in rooms constructed of 1-hour fire-resistance rated fire barriers and horizontal assemblies, with opening protectives, as required by Chapter 7 of this Code.

(42) *Section 913.2.2* shall be amended to read as follows:

913.2.2 Protection of Automatic Sprinkler Risers: Automatic sprinkler risers shall be located in rooms constructed of one-hour fire-resistance rated fire barriers and horizontal assemblies with opening protectives as required by Chapter 7 of this Code.

(43) *Section 913.2.3* shall be amended to read as follows:

913.2.3 Access to Fire Pump Rooms: In addition to any direct interior access into a room containing a fire pump and its related equipment, an additional door shall be provided from the exterior directly into the room containing the fire pump. The minimum door size shall be 36 inches in width by 80 inches in height with labeling of a minimum four inches high by one-half

inch stroke. Door hardware on the exterior of the door shall allow the use of a key to unlock the door by firefighters..

(44) Section 1015.9 shall be added to the International Building Code, and shall read as follows:

1015.9 Window and Area Well Covers: Window and Area Well Covers. Window wells and area wells that are deeper than 30 inches shall be either: (i) covered with a window well cover approved by the Building Code Official; or (ii) surrounded by a guardrail; provided, however, that no cover or guardrail shall be required when there is a terrace of a width of 36 inches or greater that is located less than 30 inches below the top edge of the window or area well

(45) Section 1030.5 shall be amended to add the following to the end of said Section 1030.5:

1030.5 Bars, Guards, Grilles, Covers and Screens: Window and area wells that are more than 30 inches in depth shall be protected in accordance with either (1) an approved cover; or (2) surrounded by an approved guardrail.

Exception: Where there is a terrace with a width of 36 inches or more that is located less than 30 inches below the top edge of the window or area well.

(46) Section 1101.1 shall be amended to read as follows:

1101.1 Scope: The State of Illinois Accessibility Code shall control the design and construction of buildings and facilities for accessibility and use by physically disabled persons.

(47) Sections 1101.2 through 1110.3 shall be deleted in their entirety.

(48) Section 1206 shall be deleted in its entirety.

(49) Section 1301.1.1 shall be amended to delete "International Energy Conservation Code" and replace it with "Illinois Energy Conservation Code".

(50) Section 1511.4 shall be amended to read as follows:

1511.4 Roof Covering: In all occupancies, no roofing materials shall be constructed over or enclosed within a new roof or new structure creating a concealed space.

(51) Section 1608.2 shall be amended to read as follows:

1608.2 Ground Snow Loads: Highland Park Ground Snow Loads shall be 30 pounds per square foot.

(52) Section 2303.8 shall be added to the International Building Code, and shall read as follows:

Section 2303.8 Fire Protection for Combustible Engineered Floor Systems: Where permitted by the building type of construction and as permitted in this code, the installation of combustible engineered floor systems consisting of glue laminated members with plywood/OSB prefabricated components or engineered truss joists shall be protected by an approved automatic sprinkler system covering the entire level below the floor system or the floor system must be designed and constructed as a minimum one hour rated assembly. Engineered floor systems and components that are designed and meet the flame spread and smoke developed ratings of dimensional sawn lumber floor systems tested in accordance with ASTM E-84 and ASTM E-119 need not comply with the requirements in this section.

(53) Chapter 27 shall be deleted in its entirety.

(54) Section 2901.1 shall be amended to read as follows:

2901.1 Scope: The State of Illinois Plumbing Code shall control the design and installation of new plumbing systems and the alteration of existing plumbing systems.

(55) *Sections 2902.1 and 2902.6* shall be deleted in their entirety.

(56) *Section 3003.2* shall be amended to read as follows:

3003.2 Firefighters emergency operation: Elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with ASME A17.1 and NFPA 72.

(57) *Section 3005.1* shall be amended to read as follows:

3005.1 Access. An approved means of access shall be provided to elevator machine rooms and overhead machinery spaces. Access to elevator machine rooms, or the rooms themselves, shall not be used as passageway to other areas of buildings or roofs.

(58) *Sections 3009 through 3014.2* shall be added to the International Building Code, and shall read as follows:

Section 3009 Existing Elevators.

3009.1 Referenced Standards: Except as otherwise provided in this Code, existing elevators, dumbwaiters, moving walks and escalators shall comply with the ASME-2017 A17.3 Safety Code for existing elevators and escalators.

Section 3010 Maintenance and Accidents.

3010.1 Owner Responsibility: The owner or the owner's legal agent for a building in which elevator and conveying system equipment is located shall be responsible for the care, maintenance and safe operation of all equipment covered by this Code after the installation and acceptance thereof by such owner or agent. The owner or the owner's legal agent shall make, or cause to be made, all periodic tests and inspections, and shall maintain all equipment in a safe operating condition, as required by this Code.

3010.2 Contractor Responsibility: The person installing or constructing any equipment covered by this article shall make all acceptance tests and shall be responsible for the care and safe operation of such equipment during its construction and until temporarily or finally accepted by the Building Code Official of the City of Highland Park.

3010.3 Maintenance Items: All operating and electrical parts and accessory equipment or devices subject to this Code shall be maintained in a safe operating condition. The maintenance of elevators, dumbwaiters, moving walks, and escalators shall conform to ASME A17.1.

3010.4 Unsafe Conditions. If upon inspection, any equipment that is subject to the provisions in this Code is found to be in an unsafe condition, or not in accordance with the provisions of this Code, the Building Code Official shall serve a written notice of such finding upon the building owner or lessee, stating the time when recommended repairs or changes shall be completed. After the service of such notice, it shall be the duty of the owner to proceed within the time allowed to make such repairs or changes as are necessary to place the equipment in a safe condition. It shall be unlawful to operate such equipment after the date stated in the notice unless such recommended repairs or changes have been made and the equipment has been approved, or unless an extension of time has been secured from the Building Code Official in writing. The time period allowed for making necessary repairs shall be either 24 hours, seven days, or from 15 to 30 days.

3010.4.1 Power to seal equipment: The Building Code Official, in addition to levying any other penalties herein provided, shall have the power to seal out of service any device or equipment covered by this Code, when, in the Building Code Official's opinions, (i) the device or equipment is in such a condition that it is unsafe for operation, or (ii) the owner of the device or

equipment has demonstrated a willful failure to comply with the Building Code Official's recommendations and/or orders.

3010.4.2 Notice of sealing out of service: Before sealing any device out of service, the Building Code Official, except in case of emergency, shall serve written notice upon the building owner or agent or lessee indicating the Building Code Official's intention to seal the equipment out of service and the reasons therefor.

3010.4.3 Unlawful to remove seal: Any device sealed out of service by the Building Code Official shall be plainly marked with a sign or tag indicating the reason for such sealing. Any tampering with, defacing or removal of the sign, tag, or seal without approval shall constitute a violation of this Code.

3010.5 Accidents reported and recorded: The owner of the building shall immediately notify the Building Code Official of every accident involving personal injury, or damage to apparatus on, about or in connection with any equipment subject to the provisions of this Code, and shall afford the Building Code Official every facility for investigating such an accident. When an accident involves the failure, breakage, damage or destruction of any part of the apparatus or mechanism, it shall be unlawful to use such device until after an examination by the Building Code Official is made and approval of the equipment for continued use is granted. It shall be the duty of the Building Code Official to make a prompt examination into the cause of the accident and to enter a full complete report thereof in the records of the City's Building Division. Such records shall be open for public inspection at all reasonable hours.

3010.6 Removal of damaged parts: It shall be unlawful to remove from the premises any part of the damaged construction or operating mechanism of elevators, or other equipment subject to the provisions of this Code, until permission has been granted by the Building Code Official.

Section 3011 Certificate of Compliance.

3011.1 Use Prior to Certificate: It shall be unlawful for any person to operate equipment governed by the provisions of this Code which has been installed, relocated, or altered, prior to the inspection, testing, and issuance of a certificate of compliance for the equipment by the Building Code Official, provided however, that the requirements of this Section shall not apply to the person installing the equipment.

3011.2 Posting Certificates of Compliance: The owner or agent shall post the current certificate of compliance in a conspicuous place inside the elevator.

Section 3012 Construction Documents and Permits.

3012.1 Application: The application for a permit shall be accompanied by construction documents in sufficient detail and indicating the location of the machinery room and equipment to be installed, relocated or altered, and all supporting structural members, including foundations. The construction documents shall indicate all materials to be used and all loads to be supported or conveyed. Documents shall be reviewed and approved before any permit is issued.

3012.2 Permits: Equipment or devices subject to the provision of this Code shall not be constructed, installed, relocated or altered unless a permit has been received from the Building Code Official before the work is commenced. A copy of such permit shall be kept at the construction site at all times while the work is in progress.

Section 3013 Tests and Inspections.

3013.1 General: All equipment and devices covered by the provisions of this Code shall be subjected to acceptance and maintenance tests and periodic inspections as required herein.

3013.2 Acceptance tests: Acceptance tests and inspections shall be required on all new, relocated and altered equipment subject to the provisions of this Code. Tests and inspections shall be of such a nature as to determine whether the entire installation is designed,

constructed and installed in compliance with this Code, and shall include all parts of the equipment and machinery. In addition, Full Load Tests shall be done on all equipment. All such tests shall be made in compliance with the requirements of Section 8.10 of ASME 2016 A17.1 and in the presence of the Building Code Official, or by an approved agency representing the Building Code Official, and in the presence of the person installing such equipment.

3013.3 Periodic tests and periodic inspections: Periodic test shall be required on all new and existing power elevators, and periodic inspections shall be made of all new and existing equipment subject to the provisions of this Code.

3013.3.1 Periodic tests: Periodic tests shall be made by the Fire Code Official, or by an approved agency representing the Fire Code Official, and shall be made at the expense and responsibility of the owner. Where such a test is not made by the Fire Code Official, the approved agency shall submit a detailed report of the test to the Fire Code Official on approved forms not more than 30 days after completion of the test.

3013.3.2 Periodic Inspections: Periodic inspections shall be made by the Fire Code Official, or by an approved agency representing the Fire Code Official. Where such an inspection is not made by the Fire Code Official, the approved agency shall submit a detailed report of the inspection to the Fire Code Official on approved forms not more than 30 days after completion of inspection.

3013.3.3 Frequency of Tests and Inspections: Tests and inspections shall be conducted at intervals of not more than those set forth in ASME A17.1-2016 for elevators, escalators, dumbwaiters and moving walks.

Section 3014 Additional Types of Equipment.

3014.1 Miscellaneous Hoisting and Elevating Equipment: All miscellaneous hoisting and elevating equipment shall be subjected to tests and inspections as required by the Fire Code Official to ensure safe operation.

3014.2 Conveyors: Conveyors and related equipment shall be inspected and tested in accordance with ASME B-20.1-2018.

(59) *Section 3102.1* shall be amended to read as follows;

3102.1 General: Tents and other temporary membrane structures may be erected for longer than 180 days provided they are on a parcel of land larger than four acres and are occupied for no longer than 180 days within any one-year time period. Tents and other temporary membrane structures may be stored in place during the remainder of the year provided they are unoccupied for a minimum of 180 consecutive days. Tents and other temporary membrane structures occupied for less than 180 days within any one-year time period shall comply with the International Fire Code and as amended in Article III of Chapter 170 of the City Code.

(60) *Section 3105.2* shall be amended to add the following to the end of the section:

3105.2 Design and Construction: Canopies shall be entirely and securely supported from the building or structure in accordance with Chapter 16 of this Code without posts and other obstructions whatsoever upon the sidewalk. Fixed awnings and canopies shall be provided with adequate gutters and conductors for conveying the drainage therefrom to the storm sewer of the building.

(61) *Section 3105.4* shall be added to the International Building Code, and shall read as follows:

3105.4 Canopies over and adjacent to walking surface: The horizontal portion of the framework shall be not less than eight feet nor more than 12 feet above the sidewalk and the clearance between the covering or valance and the sidewalk shall be not less than seven feet. The depth of the vertical hanging fascia shall not exceed 36 inches.

(62) *Section 3105.5* shall be added to the International Building Code, and shall read as follows:

3105.5 Fixed or permanent awnings: The height of the lowest point of a fixed awning shall not be less than seven feet nor more than 15 feet above the sidewalk grade at the building line. The depth of the vertical hanging fascia shall not exceed 20 inches.

(63) *Section 3105.6* shall be added to the International Building Code, and shall read as follows:

3105.6 Retractable awnings: All retractable awnings shall be elevated at least seven feet six inches at the lowest part of the main framework thereof and not less than seven feet at the lowest part of the covering above the top of the sidewalk. Retractable awnings shall be supported without posts, by a non-ferrous bracket or by a non-ferrous framework attached securely to the building. The covering material shall be treated to render the material flame resistant. The bracket or other device for the purpose used and the method of attaching the awning to the building, support brackets and coverings shall not obstruct the public way or walking surface. Retractable awnings shall be equipped with a mechanism or device for raising and holding the awning in a secured, retracted or closed position against the face of the building.

(64) *Section 3107* shall be deleted in its entirety.

(65) *Section 3306.9* shall be amended to read as follows:

3306.9 Adjacent to construction site: Every construction site shall be enclosed with a securable, screened chain link fence a min. of six feet in height. Fencing shall be of adequate strength to resist wind pressure as specified in Sections 1609. The Building Official shall have authority to make exceptions, as requested in writing.

(66) *Section 3307.2* shall be added to the International Building Code, and shall read as follows:

3307.2 Existing chimney height: Whenever a new building is constructed, or an existing building is enlarged or increased in height so that a wall along an interior lot line, or within three feet thereof, extends above the top of an existing chimney or vent of an adjoining existing building, the owner of the new building so constructed, or existing building so enlarged or increased in height shall provide at his own expense, and with the consent of the adjoining property owner, either independently, or in his own building, all chimneys connected to fuel burning appliances. Vents within six feet of any portion of the wall of such adjoining building shall be extended two feet above the roof or parapet of the adjoining building.

ARTICLE III. – FIRE CODE

Sec. 170.301. – International Fire Code Adopted by Reference.

The International Fire Code, 2018 Edition is hereby adopted, and by this reference, incorporated as if fully set forth herein with the exception of such portions as are expressly deleted or amended by Section 170.302 of this Chapter.

Sec. 170.302. – Amendments to the International Fire Code.

The following words, provisions, and paragraphs are to be added to the following designated sections of the code adopted in Section 170.301. These amendments supersede the requirements of the indicated provisions of such code.

(1) *Section 101.1* shall be amended to read as follows:

101.1 Title: *These provisions shall be known as “the City of Highland Park Fire Code” hereinafter referred to as “this Code.”*

(2) *Section 101.2.1* shall be added to the International Fire Code, and shall read as follows:

101.2.1 Appendices: Appendices B through J and N shall be considered part of the requirements of this Code. Where differences occur between the provisions of this Code and referenced standards, the stricter standard shall apply.

(3) *Section 110.4* shall be deleted in its entirety.

(4) *Section 112.4* shall be deleted in its entirety.

(5) *Section 202.0* shall be amended by adding the following definition, which definition shall read as follows:

Significant Remodel: Any existing Building or structure that undergoes remodeling, alteration costs greater than 50 percent of the total assessed or appraised value (If the applicant wants to use the appraisal method, the value will be determined by City-chosen appraisal at applicant's expense of the existing building or structure, except that a change in use group shall be considered a significant remodel under any one of the following conditions.

1. Use group is of a higher hazard or changed from B to A or E;
2. The change in Use group A or E results in higher occupant load requiring additional means of egress; or
3. The change in use group requires the installation of automatic sprinkler system in accordance with Chapter 9 of this Code.

(6) The definition of "*Recreational fire*" contained in Section 202 Definitions shall be amended to read as follows:

Recreational fire: An outdoor fire burning materials, other than rubbish, where the fuel being burned is contained in an outside fireplace, barbeque grill, or barbeque pit and has a total fuel area of three feet or less in diameter and two feet or less in height for pleasure, religious, ceremonial, or cooking purposes.

(7) *Section 507.5.7* shall be added to the International Fire Code, and shall read as follows:

507.5.7 Fire Hydrant Identification: All fire hydrants shall be numbered, and painted the color designated by the Fire Code Official or designee.

(8) *Section 901.2* shall be amended to read as follows:

901.2 Construction Documents: Five sets of plans, specifications, and calculations shall be submitted for all fire protection system reviews. All fire protection system documents must comply with Chapter 7 of NFPA 72, NFPA 13 and with the applicable NFPA standard.

(9) *Section 901.4.6.1* shall be amended to read as follows:

901.4.6.1 Pump and Riser Room: Rooms containing fire pumps shall be provided with a door allowing access to/from the exterior of the building or structure. Such access doors shall not be less than 36 inches in width and no less than 80 inches in height.

(10) *Section 901.9* shall be amended to read as follows:

901.9 Termination of Monitoring Service: For fire protection systems required to be monitored or where voluntarily monitored by this code and as amended herein, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be in writing to the fire code official by the monitoring service provider no less than ten business days before service is terminated.

(11) *Section 903.2* shall be amended to read as follows:

903.2 Where required: Approved automatic sprinkler systems shall be provided throughout all new buildings, structures, locations and portions thereof used in the following Use Groups and occupancies; A-1, A-2, A-3, A-4, A-5, B, Ambulatory Care Facilities, Clinic outpatient, E, F-1, F-2, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, R-1, R-2, R-3, R-4, S-1, S-2, Utility and Miscellaneous Group U. Approved automatic sprinkler systems shall be provided throughout all existing buildings, structures, locations and portions thereof used in the use group and occupancies as listed in this section, or where a Significant Remodel has occurred.

(12) *Sections 903.2.1 through 903.2.11.3* shall be deleted.

(13) *Section 903.3.5* shall be amended to replace "International Plumbing Code" with "Illinois Plumbing Code", and to add the following to the end of Section 903.3.5:

903.3.5 Water Supplies: All automatic fire sprinkler systems shall be provided with a minimum safety factor in the sprinkler system design of ten percent or five psi whichever is greater.

(14) *Section 903.4.1* shall be amended to delete the entire section, but the exceptions.

(15) Section 903.4.1 shall be added to the International Fire Code, and shall read as follows:

903.4.1 Monitoring: Fire alarm control units required by Section 903.4 shall be monitored as required by Section 907.6.5 as amended.

(16) *Section 903.4.2* shall be amended to read as follows:

903.4.2 Alarms: An approved audible and visible device, as listed in this section, shall be provided for alarms activated when only by the flow of water through the sprinkler system equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. The following devices shall be located above the fire department connection on all automatic sprinkler systems:

1. A 110 cd strobe light with a blue lens connected to the building fire alarm system; and
2. A 110V, 10 inch bell connected to any waterflow switch.

(17) *Section 903.4.4* shall be added to the International Fire Code, and shall read as follows:

903.4.4 Low Temperature Monitoring: Fire pump rooms, fire sprinkler riser rooms, and standpipe riser rooms, which are heated by an individual heat source dedicated to the room, shall be provided with a listed room temperature supervisory signal-initiating device, operating as required by Section 17.16.5 of NFPA 72, and supervised by the building fire alarm system.

(18) *Section 905.3.1* shall be amended to replace Class III with Class I for option #1, 30 feet with 18 feet in #3, and add the following text to the end of the section:

905.3.1 Height: Class I connections shall be provided with two and one-half inch by one and one-half inch reducers.

(19) *Section 905.13* shall be added to the International Fire Code, and shall read as follows:

905.13 Fire Department Connections: Fire department connections serving standpipe systems shall be provided as required by Section 912.2.3 as amended.

(20) *Section 907.1.4* shall be added to the International Fire Code, and shall read as follows:

907.1.4 Combination Carbon Monoxide and Smoke Detectors: The installation and location of Carbon Monoxide and Smoke Detectors shall comply with the Illinois Carbon Monoxide Act and Chapter 29 of NFPA 72. All smoke detectors required by this code to be

located within common areas shall be a combination smoke/carbon detector. Installation shall comply with the manufacturer installation instructions.

(21) *Sections 907.2.1 through Section 907.2.9.3* shall be deleted in their entirety.

(22) *Section 907.2* shall be added to the International Fire Code, and shall read as follows:

907.2 Where required - new buildings and structures: A fire alarm system, installed in accordance with the provisions of this code and NFPA 72, shall be provided in new buildings and structures as required by Sections 907.2.1 through 907.2.3.

(23) *Section 907.2.1* shall be added to the International Fire Code, and shall read as follows:

907.2.1 Automatic Fire Detection System: An automatic fire detection system shall be installed throughout all of the following use group occupancies:

1. Group A
2. Group B
3. Group E
4. Group F
5. Group H
6. Group I
7. Group M
8. Groups R-1 and R-2
9. Group S

(24) *Section 907.2.2* shall be added to the International Fire Code, and shall read as follows:

907.2.2 Manual Fire Alarm System: A manual fire alarm system shall be installed throughout all of the following use group occupancies:

1. Group A
2. Group B
3. Group E
4. Group F
5. Group H
6. Group I
7. Group M
8. Groups R-1 and R-2
9. Group S

(25) *Section 907.2.3* shall be added to the International Fire Code, and shall read as follows:

907.2.3 Emergency Voice/Alarm Communication System: An emergency voice/alarm communication system shall be installed throughout all of the following use group occupancies:

1. Group A occupancies with an occupancy of 1,000 or more
2. Group E

(26) *Section 907.2.10 through Section 907.2.10.6* shall be amended to read as follows:

907.2.10 Single- and Multi-station Smoke Alarms, and Smoke Detection Systems, in Dwelling Units with Guest Rooms: Smoke alarms and smoke detection systems shall be provided within R-1, R-2, R-3, R-4 and I-1 Use Groups in accordance with NFPA 72, Chapter 29 and the requirements of the Illinois State Fire Marshal.

(27) *Sections 907.2.14 through Section 907.2.21* shall be deleted in their entirety.

(28) *Section 907.6.3* shall be amended to delete Exception 1.

(29) *Section 907.6.3.1* shall be amended to read as follows:

907.6.3.1 Annunciation: Unless approved by the fire code official of the Fire Alarm Control Unit, a remote annunciator shall be provided at the main entrance of all buildings and each tenant space within strip-type centers. Remote annunciators shall provide the functions of acknowledge, silence, and resetting upon activation using a key, which shall be provided for the building's key box.

(30) *Section 907.6.3.1.2* shall be added to the International Fire Code, and shall read as follows:

907.6.3.1.2 Multi-tenant Occupancies: In multi-tenant, one-story buildings served by a fire alarm system which includes notification appliances serving more than a single tenant, an exterior visible notification appliance shall be provided over the main entrance of each tenant space in a location approved by the fire code official. The appliance shall be a weatherproof appliance, with a clear lens, and shall be not less than 75 candelas. Occupant notification shall be throughout all tenant spaces and shall ring by tenant upon system activation.

(31) *Section 907.6.4.2* shall be deleted in its entirety.

(32) *Section 907.6.6* shall be amended to read as follows:

907.6.6 Monitoring: Fire alarm systems required by this Chapter, other provisions of the City Code, or by the International Building Code shall be monitored by a UL listed central station. The communications channel between the protected premises and the supervising station shall be by a one-way private radio alarm system complying with Section 26.6.5.2 of NFPA 72.

(33) *Section 907.11* shall be added to the International Fire Code, and shall read as follows:

907.11 Illinois Carbon Monoxide Detector Alarm Act: In addition to the requirements of 908.7 and 908.7.1, the requirements of the Illinois Carbon Monoxide Detector Alarm Act shall apply to all buildings. Where a conflict exists, the most-restrictive requirement(s) shall apply.

(34) *Section 912.2.3* shall be added to the International Fire Code, and shall read as follows:

912.3 Fire Department Connections: Fire department connections shall be located within 100 feet of a fire hydrant supplied by the municipal water system.

(35) *Section 912.8* shall be added to the International Fire Code, and shall read as follows:

912.8 Connection Type: Fire department connections shall be two and one-half inches by two and one-half inches by four inches for all connections. Connections shall utilize NST threads.

(36) The title to *Section 913* shall be amended to read "Fire Pumps and Riser Rooms"

(37) *Section 913.2.1* shall be amended to read as follows:

913.2.1 Protection of Fire Pump and Riser Rooms: Fire pumps shall be located in rooms constructed of one-hour fire-resistance rated fire barriers and horizontal assemblies, with opening protectives, as required by Chapter 7 of this Code.

(38) *Section 913.2.3* shall be added to the International Fire Code, and shall read as follows:

913.2.3 Protection of Automatic Sprinkler Risers: Automatic sprinkler risers shall be located in rooms constructed of one-hour fire-resistance rated fire barriers and horizontal assemblies with opening protectives as required by Chapter 7 of this Code.

(39) Section 913.2.4 shall be added to the International Fire Code, and shall read as follows:

913.2.4 Access to Fire Pump Rooms: In addition to any direct interior access into a room containing a fire pump and its related equipment, an additional door shall be provided from the exterior directly into the room containing the fire pump. The minimum door size shall be 36 inches in width by 80 inches in height and labeling of a minimum four inches high by one-half inch stroke. Door hardware on the exterior of the door shall allow the use of a key to unlock the door by firefighters.

(40) Section 1030.5 shall be amended to add the following to the end of said Section 1030.5:

1030.5 Bars, Guards, Grilles, covers and screens: Window and area wells that are more than 30 inches in depth shall be protected in accordance with either: (1) an approved cover; or (2) surrounded by an approved guardrail.

Exception: Where there is a terrace with a width of 36 inches or more that is located less than 30 inches below the top edge of the window or area well.

(41) Section 3405.8 shall be added to the International Fire Code, and shall read as follows:

3405.8 Other Requirements: The quantities, distances and heights identified in Section 3405 shall be regulated in accordance with the Zoning Code as amended and where applicable.

(42) Section 3407.5 shall be added to the International Fire Code, and shall read as follows:

3407.5 Other Requirements: The quantities, distances and heights identified in Section 3407 shall be regulated in accordance with the Zoning Code as amended and where applicable.

ARTICLE IV. – RESIDENTIAL CODE

Sec. 170.401. - International Residential Code for One- and Two-Family Dwellings Adopted by Reference.

For the purpose of establishing rules and regulations for the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, additions, use or maintenance of one- and two- family dwellings and townhouses, The International Residential Code for One- and Two-Family Dwellings, 2018 Edition, as follows: Chapters 1-10, 12-44, along with Appendices A ,B, C, D, E, F, G, H, I, J, K, M, O, Q, and T thereto, is hereby adopted, and by this reference, incorporated as if fully set forth herein with the exception of such portions as are expressly deleted or amended by Sec. 170.403 of this Chapter.

Sec. 170.402. - Single-family dwelling models.

Upon proper application, together with payment of the requisite fees, model home permits may be issued upon a lot or parcel of land prior to Council's final acceptance of streets and public service utilities; provided, however, that said building permits are conditioned as hereinafter stated.

(A) During the course and process of construction of said models, all methods of ingress and egress used by the developer and any of its sub-trades shall be confined to a temporary road.

(1) A permit is required for the construction of such temporary road to service the model homes under construction on private property for maximum distance into said private property as determined by the City Engineer. Said temporary road will be a minimum width of 20 feet, constructed of crushed stone aggregate to a minimum compacted depth of eight inches and shall be kept in good repair during the period of construction.

(2) Diligent efforts are to be exercised by the developer to keep adjoining streets free and clear of mud resulting from any work, labor, or materials and vehicles used in connection therewith during the course of construction of these model homes.

(B) The Developer is to maintain adequate on-site drainage to protect adjoining properties.

(C) The required foundation elevation is to be approved by the City Engineer prior to the issuance of a building permit for a model home.

(D) No construction work of a combustible nature shall be commenced until water main improvements are installed and serve the building site with potable water for consumption and firefighting purposes.

(E) A temporary sign permit is required for a sign denoting the name of the proposed street, subdivision, and model home address.

(F) No installation of gas, electric, or telephone service shall be made prior to the acceptance of the underground improvements (storm sewers, sanitary sewers, and water mains) serving the building site.

(G) In the event permanent roads are paved with concrete, the roads are to be barricaded, and any and all work pertaining to the construction of model homes shall totally cease; such cessation shall continue until such road pavement has cured for a period of 14 days. A full-time guard is to be maintained for a period of 72 hours after completion of finishing operations in order to ensure that no one uses said pavement.

(H) No occupancy permits shall be issued for model homes until all underground and surface public improvements have been completed and accepted by the City and all other applicable building code requirements have been completed and approved by the Building Department.

Sec. 170.403. - Amendments to the International Residential Code for One- and Two-Family Dwellings.

The following words, provisions, and paragraphs are to be added to following designated sections of the code adopted in Sec. 170.401. These amendments supersede the requirements of the indicated provisions of such code.

(1) *Section R101.1* shall be amended to read as follows:

R101.1 Title: These provisions shall be known as “the City of Highland Park Residential Code” hereinafter referred to as “this code.”

(2) *Section R103.1* shall be amended to read as follows:

R103.1 Creation of Enforcement Agency: The Department of Community Development, Building Division” is hereby created and the official in charge is known as the “Building Official”.

(3) *Section R105.2* shall be amended to read as follows:

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

Building:

1. Fencing repairs impacting less than 25% of the total linear footage of fencing
2. Retaining walls that are not over four feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge (note if four foot high from local grade plans prepared by a design professional area required).

3. Water tanks, enclosed with lids, supported directly on grade if the capacity is not greater than 75 gallons.
4. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
5. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
- 6 Swings and other playground equipment.
7. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
- 8 Roofing repairs changing less than 25 % of the total roofing area.
9. Replacement siding, unless the structure needs to be modified in order to support the new siding.

Electrical:

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

Gas:

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

Mechanical:

1. Portable heating appliance.
2. Portable ventilation appliances.
3. Portable cooling unit.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration systems containing ten pounds (4.54 kg) or less of refrigerant or that are actuated by motors of one horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this Code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

(4) *Section R105.5* shall be deleted in its entirety.

(5) *Section R106.3.1* shall be amended to read as follows:

R106.3.1 Approval of construction documents: When issuing a permit, the Building Official shall denote his approval of the construction documents in writing or with a stamp. One set of construction documents so reviewed shall be retained by the Building Official. The other set shall be returned to the applicant, shall be kept at the site of the work, and shall be open to inspection by the Building Official or his or her authorized representatives.

(6) *Section R109.1.4.1* shall be added to the International Residential Code, and shall read as follows:

R109.1.4.1 Pre-siding Inspection: Inspection of the building paper, and or flashings shall be made before installation of the siding materials.

(7) *Section R110.4* shall be deleted in its entirety.

(8) *Section R113.4* shall be deleted in its entirety.

(9) *Section R202.0* shall be amended by adding the following definitions, which definitions shall read as follows:

Temporary: A use or structure not to exceed 180 calendar days.

Recreational Fire: An outdoor fire burning materials, other than rubbish, where the fuel being burned is contained in an outside fireplace, barbeque grill, or barbeque pit and has a total fuel area of three feet or less in diameter and two feet or less in height for pleasure, religious, ceremonial, or cooking purposes.

Rubbish: Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

Retaining Wall: A retaining wall is a vertical, self-supporting structure constructed of concrete, durable wood, masonry, or other materials, designed to resist the lateral displacement of soil or other materials.

Fire Alarm System: A system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of fire alarm or supervisory signal-initiating devices and to initiate the appropriate response to those signals.

(10) *Table R301.2(1)* shall be completed to read as follows:

Table R301.2(1): Ground snow load-30; Wind speed-90; Seismic design category-A; Weathering-Severe; Frost line depth-42 inches; Termite-slight to moderate; Winter design temp.-

4 degree; Ice barrier required-yes; Flood hazards-Yes; Air freezing index-1,700; Mean annual temp.-50 degrees.

Manual (J) Design Criteria from Table R301.2(1) of the International Residential Code: Elevation-___; Latitude-___; Winter heating-___; Altitude correction factor-___; Indoor design temperature-___; Design temperature cooling-___; Heating temperature difference-___; Cooling temperature difference-___; Wind velocity heating-___; Coincident wet bulb-___; Daily range-___; Winter humidity-___; Summer humidity-___.

(11) *Table R302.6* shall be amended to replace any reference of one-half inch gypsum board with five-eighths inch gypsum board.

(12) *Section R302.7* shall be amended to read as follows:

R302.7 Under-stair protection: Accessible space under stairs shall have walls, under-stair surface and any soffits protected on the enclose side with one-half inch gypsum board. Joints and seams shall be fire taped.

(13) *Section R302.15* shall be added to the International Residential Code, and shall read as follows:

R302.15 Recreational fires and Outdoor cooking equipment: Recreational fires and outdoor permanently-installed cooking equipment shall not be located within ten feet of any structure, measured from the closest outside edge of the fireplace, fire pit, or cooking equipment to the furthest most projection of the structure, unless otherwise approved by manufacturer's specifications.

(14) *Section R310.4* shall be amended to add the following text to the end of said Section R310.4:

R310.4 Bars, Guards, Grilles, Covers, and Screens: All window and area wells that are more than 30 inches in depth shall be protected (even if they are not intended for an Emergency Escape and Rescue Openings) in accordance with either of the following methods:

1. An approved cover; or
2. Surrounded by an approved guardrail.

Exception: Where there is a terrace with a width of 36 inches or more that is located less than 30-inches below the top edge of the window or area well.

(15) *Section R311.7.10.1* shall be amended to add the following text to the end of such Section R311.7.10.1

R311.7.10.1 Spiral stairs: Spiral stairways shall not be the only or primary means of egress.

(16) *Section 312.1.1* shall be amended to add the following to the end of said Section R312.1.1:

R312.1.1 Bars, Guards, Grilles, Covers, and Screens: All window and area wells that are more than 30 inches in depth shall be protected (even if they are not intended for an Emergency Escape and Rescue Openings) in accordance with either of the following methods:

1. An approved cover; or
2. Surrounded by an approved guardrail.

Exception: Where there is a terrace with a width of 36 inches or more that is located less than 30-inches below the top edge of the window or area well.

(17) *Section R312.3* shall be added to the International Residential Code, and shall read as follows:

R312.3 Adjacent to construction sites: Every construction site shall be enclosed with a securable, screened chain link fence that is a minimum of six feet in height. Fencing shall be of adequate strength to resist wind pressure. The Building Official shall have authority to make exceptions, as requested in writing.

(18) *Section R314.1* shall be amended to read as follows:

R314.1 General: Household fire alarm systems shall be installed in accordance with NFPA 72 and only an approved low voltage stand-alone hard-wired or wireless smoke detector system are permitted. Low voltage smoke detectors shall have a minimum 85 decibel built-in sounder with interconnection capability so that the activation of one detector will activate all sounders within the dwelling unit.

(19) *Section R314.2* shall be amended to read as follows:

R314.2 Household Fire Alarm Systems and Smoke Detection required: Household fire alarm systems and smoke detection shall be provided in accordance with this section.

(20) *Section R314.2.1* shall be amended to read as follows:

R314.2.1 New Construction: Where alterations, repairs or additions requiring a permit occur, the individual dwelling unit shall be equipped with interconnected smoke alarms located as required for new dwellings.

(21) *Section R314.2.2* shall be amended to read as follows:

R314.2.2 Alterations, Repairs, and Additions: Household fire alarm systems and smoke detection shall be provided in One and Two Family Dwellings in accordance with this section.

Exceptions:

1. Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, the addition or replacement of windows or doors, or the addition of a porch or deck.

2. Installation, alteration or repairs of plumbing or mechanical systems.

(22) *Section R314.3* shall be amended to read as follows:

R314.3 Location: Smoke alarms and smoke detection systems shall be provided in accordance with NFPA 72, Chapter 29 and the requirements of the Illinois State Fire Marshal.

(23) *Section R314.6.1* shall be added to the International Residential Code, and shall read as follows:

R314.6.1 Fire alarm panel: Fire alarm panels must comply with NFPA 72. The unit must contain a built-in charger for batteries and the unit must be designed to automatically switch over to stand-by battery in the event of an AC primary power interruption. In the event of AC primary power failure the unit shall be provided with low battery, and battery presence supervision.

(24) *Section R314.6.2* shall be added to the International Residential Code, and shall read as follows:

R314.6.2 System wiring and cables: All wiring and fire alarm cables shall be UL listed FPLR power-limited fire alarm cable installed with drive rings or approved cable clamps. The use

of bare staples or BX tacks are prohibited. All cable runs and pulls must be complete and all splicing or terminations shall occur in accessible boxes or splice points. Exposed wiring and cables are permitted only in areas where accessible. In concealed spaces or areas where the wiring and cables may become damaged, all wiring and cables shall be installed within metallic raceways and terminate in metallic outlet boxes.

(25) *Section R314.8* shall be added to the International Residential Code, and shall read as follows:

R314.8 Key Box required: A key box required in all One and Two Family Dwellings where monitored low voltage fire alarm systems, monitored fire sprinkler systems, residential elevators or lift systems, or medical alert systems are installed. The key box shall be keyed and located within five feet of the front exit door and no lower than five feet above the ground.

(26) *Section R315.3* shall be amended to read as follows:

R315.3 Carbon Monoxide Alarms: For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area within 15 feet of the bedrooms in dwelling units: (a) within which fuel-fired appliances are installed; or (b) to which garages are attached.

(27) *Section R401.1* shall be amended to delete all exceptions and read as follows:

R401.1 Application: The provisions of this Code shall control the design and construction of the foundation and foundation spaces for buildings. In addition to the provisions of this Code, the design and construction of foundations in flood hazard areas as established by Table R301.2(1) shall meet the provisions of Section R322.

(28) *Section R402.1* shall be deleted in its entirety.

(29) *Section R402.1.1* shall be deleted in its entirety.

(30) *Section R402.1.2* shall be deleted in its entirety.

(31) *Section R402.4* shall be amended to read as follows:

R402.4 Masonry: Masonry foundations shall be prohibited.

(32) *Section R403.1* shall be amended to read as follows:

R403.1 General: All exterior walls shall be supported on monolithically poured concrete foundation walls that are supported by continuous monolithically poured concrete footings or other approved structural systems which shall be sufficient design to accommodate all loads in accordance with Section 301 and to transmit the loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill, except when erected upon solid rock or otherwise protected from frost, engineered foundation wall piers or other engineered permanent supports not prohibited by Article IV Residential Code. Where concrete footings are required to support buildings and structures, the bottom of the footing shall extend to a depth of 42 inches measured from finished grade, except that turned down footings supporting accessory structures as permitted are not required to extend to 42 inches below grade. All spread footings shall be of adequate size and designed to distribute the imposed loads within the allowable bearing value of the soil. Concrete footings shall be designed and constructed in accordance with the provisions of Section R403, or in accordance with ACI 332.

(33) *Section R403.1.1* shall be amended to read as follows:

R403.1.1 Minimum Size: Concrete footings shall have a minimum width (W) of no less than 16 inches and a minimum thickness (T) of no less than eight inches and where applicable shall be in accordance with Tables R403.1(1) through R403.1(3) and Figure R403.1(1) or R403.1.3. The footing width shall be based on the load-bearing value of the soil in accordance

with Table R401.4.1. Footing projections (P) shall be not less than two inches (51 mm) and shall not exceed the thickness of the footing. Footing thickness and projection for fireplaces shall be in accordance with Section R1001.2. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for precast foundations shall be in accordance with the details set forth in Section R403.4, Table R403.4, and Figures R403.4(1) and R403.4(2).

(34) *Section R403.1.4.1* shall be amended to delete the exceptions 2 and 3.

(35) *Section R403.2* shall be deleted in its entirety.

(36) *Section R403.4.1* shall be deleted in its entirety.

(37) *Section R404.1* shall be amended to read as follows

R404.1 Concrete foundation walls and masonry retaining walls: Concrete foundation walls shall be selected and constructed in accordance with the provisions of Section R404.1.3. Masonry retaining walls shall be selected and constructed in accordance with the provisions of Section R404.1.2.

(38) *Section R404.1.1* shall be amended to read as follows:

R404.1.1 Design required: Concrete foundation or masonry retaining walls shall be designed in accordance with accepted engineering practice where either of the following conditions exists:

1. Walls are subject to hydrostatic pressure from ground water.
2. Walls supporting more than 48 inches (1219 mm) of unbalanced backfill that do not have permanent lateral support at the top or bottom.
3. Masonry retaining walls shall be designed in accordance with Section R404.4.

(39) *Section R404.1.2* and *Section 404.1.2.1* shall be amended to replace all references of "masonry foundations" with "masonry retaining walls".

(40) *Section R404.1.3* shall be amended to read as follows:

R404.1.3 Concrete foundation walls: Concrete foundation walls that support light-frame walls shall be designed and constructed in accordance with the provisions of this section, ACI 318, ACI 332 or PCA 100. Concrete foundation walls that support above-grade concrete walls that are within the applicability limits of Section R608.2 shall be designed and constructed in accordance with the provisions of this section, ACI 318, ACI 332 or PCA 100. Concrete foundation walls that support above-grade concrete walls that are not within the applicability limits of Section R608.2 shall be designed and constructed in accordance with the provisions of ACI 318, ACI 332 or PCA 100. Where ACI 318, ACI 332, PCA 100 or the provisions of this section are used to design concrete foundation walls, project drawings, typical details and specifications are not required to bear the seal of the architect or engineer responsible for design, unless otherwise required by the state law of the jurisdiction having authority. The minimum thickness of the concrete foundation walls shall not be less than the wall supported except that concrete foundation walls shall be no less than eight inches in thickness when supporting wood framed walls with siding as the exterior covering and no less than ten inches in thickness when supporting wood framed walls with brick veneer.

(41) *Section R404.1.5* shall be amended to not apply to masonry foundations.

(42) *Section R404.1.5.1* shall be deleted in its entirety.

(43) *Section R404.1.8* shall be deleted in its entirety.

only. (44) *Section R404.1.9* shall be amended to allow isolated masonry pier use in above-grade

(45) *Section R404.2* shall be amended to read as follows:

R404.2 Wood Foundations: Wood foundations are prohibited.

(46) *Sections R404.2* through *Section 404.2.6* are deleted in their entirety.

(47) *Sections R406.3* through *Section 406.3.4* are deleted in their entirety.

(48) *Section R407.1* shall be amended to read as follows:

R407.1 Wood columns and posts: Wood columns and posts supporting structures are prohibited from being buried below grade (except fence posts). Wood columns and posts shall be anchored to concrete footings above grade by an approved manufactured post connector. Wood columns and posts shall be protected from decay as set forth in *Section R317*.

(49) *Section R408.6* shall be amended to read as follows:

R408.6 Finished grade: The finished grade of under-floor surfaces shall be comprised of at least two inches of washed stone, leveled and covered with a continuous Class I vapor retarder with joints overlapped by six inches and at least a two inch slush coat. The finished grade shall be located at least three feet from the bottom of the floor framing above, or not lower than the top of the footing. If the finished grade is located within 12 inches of the top of the footing, an approved drain tile system shall be required.

(50) *Section R409* shall be added to the International Residential Code, and shall read as follows:

R409 Exterior flatwork: Driveways, patios, sidewalks etc. shall require a base course of at least four inches of compacted crushed stone or concrete, or follow manufacturer's specifications.

(51) *Section R506.2.1* shall be amended to read as follows:

R506.2.1 Fill: Fill material shall be free of vegetation and foreign material. The fill shall be compacted to ensure uniform support of the slab and shall be a compactable crushed stone or concrete, or a self-compacting washed stone if the fill is contained within a foundation.

(52) *Section R506.2.2* shall be amended to read as follows:

R506.2.2 Base: A minimum four-inch thick compactable base course of crushed stone and/or concrete, or a self-compacting washed stone if the base is contained within a foundation.

(53) *Section R507.1* shall be amended to add the following text to the end of such *Section R507.1*:

R507.1 Decks: Decks that exceed six feet in height from grade or other deck designs as required by the discretion of the Building Official, shall be designed in accordance with accepted engineering practices.

(54) *Section R507.2.5* shall be amended to add the following text to the end of such *Section R507.2.5*:

R507.2.4 Flashing: Approved flashings shall be installed at the top and bottom of ledger boards.

(55) *Section R507.3* shall be amended to delete the Exception.

(56) *Section R507.3.2* shall be amended to delete Exception 1 and 2.

(57) *Section R507.4.1* shall be amended to read as follows:

R507.4.1 Deck-post-to-deck footing connection: Deck posts are prohibited from being buried below grade. Deck posts shall be anchored to concrete footings above grade by an approved manufactured post connector.

(58) *Section R602.3.1* shall be amended to add the following text to the beginning of such *Section R602.3.1* and an additional Exception Number 4:

R602.3.1 Stud size, height, and spacing: The primary structures of exterior and interior bearing wall studs and partitions shall be constructed of at least two-foot by four-foot studs spaced a maximum of 16 inches on center with the wide dimension perpendicular to the load. The exterior and interior non-bearing wall studs and partitions shall be constructed of at least two-foot by four-foot foot studs spaced a maximum of 16 inches on center with the wide dimension perpendicular to the load. This requirement supersedes the requirements provided in Table 602.3(5).

Exception:

4. Any wall which contains any plumbing lines, stacks, branches, or risers, any one of which is at least one and one-half inch minimum diameter in size, shall consist of not less than two inch by six inch framing members.

(59) *Section R602.3.2* shall be amended to read as follows:

R602.3.2 Top plate: Wood stud walls shall be capped with a double top plate installed to provide overlapping at corners and intersections with bearing partitions. End joints in top plates shall be offset not less than 24 inches (610 mm). Joints in plates need not occur over studs. Plates shall be not less than two-inches (51 mm) nominal thickness and have a width not less than the width of the studs.

Exception: A single top plate used as an alternative to a double top plate shall comply with *one of the following*:

1. Omission of the top plate is permitted over headers where the headers are adequately tied to adjacent wall sections in accordance with Table R602.3.2.
2. Single plate allowed for non-bearing partition.

(60) *Section R602.3.3* shall be amended to read as follows:

R602.3.3 Bearing Studs: Where joists, trusses or rafters are spaced more than 16 inches (406 mm) on center and the bearing studs below are spaced 16 inches (610 mm) on center, such members shall bear within five inches (127 mm) of the studs beneath.

Exceptions:

1. The top plates are two two-inch by six-inch (38 mm by 140 mm) or two three-inch by four-inch (64 mm by 89 mm) members.
2. A third top plate is installed.
3. Solid blocking equal in size to the studs is installed to reinforce the double top plate.

(61) *Section R602.5* shall be deleted in its entirety.

(62) *Section R1305.1.2.2* shall be added to the International Residential Code, and shall read as follows:

R1305.1.2.2 Mechanical Rooms: Appliances in attic spaces outside the thermal envelope of the building shall be installed inside a room with a solid floor. This room shall be dry-walled taped and insulated with an exterior grade door and jamb large enough to remove the largest appliance. The minimum room size shall be large enough to accommodate the appliance including a level service space not less than 30 inches deep, 30 inches wide and five feet tall in front of or on the service side of the appliance.

ARTICLE V. – MECHANICAL CODE

Sec. 170.501. – Short Title.

This Article shall be known and cited as "The City of Highland Park Mechanical Code".

Sec. 170.502. - International Mechanical Code Adopted by Reference.

The International Mechanical Code, 2018 Edition, is hereby adopted, and by this reference, incorporated as if fully set forth herein with the exception of such portions as are expressly deleted or amended by Section 170.503 of this Chapter

Sec. 170.503. – Amendments to the International Mechanical Code.

The International Mechanical Code, 2018 Edition, is hereby amended as follows:

(1) *Section 101.1* shall be amended to read as follows:

101.1 Title: These regulations shall be known as the City of Highland Park Mechanical Code, herein-after referred to as "this code".

(2) *Section 103.1* shall be amended to read as follows:

103.1 Title: The Department of Community Development, Building Division" is hereby created and the official in charge is known as the "Building Official".

(3) *Section 106.4.3* shall be deleted in its entirety.

(4) *Section 106.4.4* shall be deleted in its entirety.

(5) *Section 106.5* shall be retitled and amended to read as follows:

106.5 Fees: A permit shall not be issued until the fees prescribed in the Highland Park Annual Fee Resolution have been paid.

(6) *Section 106.5.1* through *Section 106.5.3* shall be deleted in their entirety.

(7) *Section 108.4* shall be deleted in its entirety.

(8) *Section 108.5* shall be deleted in its entirety.

(9) *Section 306.3.2* shall be added to the International Mechanical Code, and shall read as follows:

306.3.2 Mechanical Rooms: Appliances in attic spaces outside the thermal envelope of the building shall be installed inside a room with a solid floor. This room shall be dry-walled taped and insulated with an exterior grade door and jamb large enough to remove the largest appliance. The minimum room size shall be large enough to accommodate the appliance including a level service space not less than 30 inches deep, 30 inches wide and five feet tall in front of or on the service side of the appliance.

(10) *Section 307.2.3* shall be amended to read as follows:

307.2.3 Auxiliary and secondary drain systems: In addition to the requirements of Section 307.2.1, where damage to any building components could occur as a result of overflow

from a humidifier or other condensate producing equipment's primary drainage / condensate removal system, an auxiliary drain pan with a separate drain and a water-level detection device shall be provided. Water-level detection devices shall conform to UL 508 and shall shut off the equipment.

Exception: Fuel-fired appliances that automatically shut down operation in the event of a stoppage in the condensate drainage system.

(11) *Section 504.8.5* shall be amended to read as follows:

504.8.5 Length Identification: The equivalent length of the exhaust duct shall be identified on a permanent label or tag. The label or tag shall be located within six feet of the exhaust duct connection.

(12) *Section 602.3* shall be amended to read as follows:

602.3 Stud & Joist Space: The spaces between studs or joist shall not be utilized as a plenum for either supply or return air.

ARTICLE VI. – FUEL GAS CODE

Sec. 170.601. – Short Title.

This Article shall be known and cited as "The City of Highland Park Fuel Gas Code".

Sec. 170.602. – Adoption of the International Fuel Gas Code.

The International Fuel Gas Code, 2018 Edition, is hereby adopted, and by this reference, incorporated as if fully set forth herein with the exception of such portions as are expressly deleted or amended by Section 170.603 of this Chapter.

Sec. 170.603. – Amendments to the International Fuel Gas Code.

The International Fuel Gas Code, 2018 Edition, is hereby amended as follows:

(1) *Section A101.1* shall be amended to read as follows:

A101.1 Title: These regulations shall be known as the City of Highland Park Fuel Gas Code, herein-after referred to as "this code".

(2) *Section A103.1* shall be amended to read as follows:

A103.1 General: The Department of Community Development, Building Division" is hereby created and the official in charge is known as the "Code Official".

(3) *Section A106.5.3* shall be deleted in its entirety.

(4) *Section A106.5.4* shall be deleted in its entirety.

(5) *Section A106.6* shall be amended to read as follows:

A106.6 Fees: A permit shall not be issued until the fees prescribed in the Highland Park Annual Fee Resolution have been paid.

(6) *Section A106.6.1* through *Section A106.6.3* shall be deleted in their entirety.

(7) *Section A108.4* shall be deleted in its entirety.

(8) *Section A108.5* shall be deleted in its entirety.

ARTICLE VII. – PLUMBING CODE

Sec. 170.701. - Short title.

This Article VII shall be known and cited as "The Highland Park Plumbing Code."

Sec. 171.702. - Definitions.

For the purpose of this Article VII, the following terms or words shall have the meaning indicated in this Section. The definition as contained in this Section shall take precedence over any other accepted meaning, including those contained in any reference material referred to in this Article VII.

Plumbing system: The plumbing system includes the water service piping; water supply and distribution pipes; plumbing fixtures and traps; soil, waste and vent pipes; building drains, including their respective connections, devices and appurtenances within the property lines of the premises, and water-treating or water-using equipment. The plumbing system does not include a storm sewer, storm water or ground water management system or any part thereof. For storm sewer, storm water and ground water management requirements, refer to Section 51.300 of the City Code.

Public or public use: In the classification of plumbing fixtures, public or public use applies to all fixtures except those which are located in a private dwelling.

Sec. 170.703. - Illinois State Plumbing Code adopted by reference.

The Illinois State Plumbing Code (77 Ill. Adm. Code 890.110 *et seq.*), is hereby adopted, and by this reference, incorporated as if fully set forth herein. When any provision of this Article conflicts with a provision of the Illinois State Plumbing Code, the stricter regulation shall govern.

Sec. 170.704. – Amendments to Illinois State Plumbing Code.

The following amendments to the Illinois State Plumbing Code shall control whenever a conflict arises between the amendments set forth in this Section and the provisions of the Illinois State Plumbing Code

- (1) *Section 890.180* shall be amended to add the following subsections g) and h):

Section 890.180 Sanitary through Foundation Wall:

(g) Ductile iron pipe shall be the required material for any sanitary sewer (building drain) passing through a foundation wall and the foundation overdig. When a sanitary (building drain) sewer passes through the foundation wall, the use of a wye and 45 degree combination fitting(s) shall be required with a full size cleanout installed to service the horizontal sewer line as it exits through the foundation. This cleanout shall be installed directly opposite to the flow of the horizontal sewer.

h) Overhead Plumbing. All new buildings with basements, floors, rooms or occupancy areas below grade level at the building site and served by a public or private sewer system shall have overhead plumbing.

- (2) *Section 890.570(d)(1)* shall be amended to read as follows:

Section 890.570(d)(1) Gas and Oil Interceptors: Gas and oil interceptors shall be of durable fiberglass materials suitable for gas and oil. Fiberglass interceptors shall not be used for receiving any substance other than gas and oil. Poured concrete interceptors are prohibited.

- (3) *Section 890.570(d)* shall be amended to add the following to paragraph (10):

Section 890.570(d)(10) Parking and Driveways: Gas and oil interceptors located within vehicular parking areas or driveways shall be encased in concrete a minimum thickness of six inches on the bottom and all sides.

- (4) *Appendix A, Table A*, shall be amended to delete the following provisions:

Building Drainage/Vent Pipe

Delete: “12) Polyvinyl Chloride (PVC) Pipe with Cellular Core, ASTM F891-2010, ASTM F1760-2011.”

Materials for Building Sewer

Delete: “1) Acrylonitrile Butadiene Styrene (ABS) Pipe, ASTM D 2661-2011, CSA B181.1-2011 in B1800.”

“8) Polyvinyl Chloride (PVC) Pipe with Cellular Core, ASTM F 891-2010.”

Materials for Water Service Pipe

Delete: “1) Acrylonitrile Butadiene Styrene (ABS) Pipe, ASTM D 1527-2005.”

“4) Chlorinated Polyvinyl Chloride (CPVC) Pipe, ASTM D 2846/D 2846M-2009be1, ASTM F 441/F 441M-2012, ASTM F 442/F 442M-2012, CSA B137.6-2009 in B137.”

“8) Poly Butylene (PB) Pip/Tubing, CSA B137.8-2009 in B137.”

Materials for Water Distribution Pipe

Delete: “4) Chlorinated Polyvinyl Chloride (CPVC) Pipe, ASTM D 2846/D 2846M-2009be1, ASTM F 441/F 441M-2012, ASTM F 442/F 442M-2012, CSA B137.6-2009 in B137.”

“5) Cross Linked Polyethylene Distribution Systems, ASTM F 876-2013a, ASTM F877-2011a, ASTM F 1807-2012

“7) Poly Butylene (PB) Pip/Tubing, CSA B137.8-2009 in B137.”

“8) Polypropylene Pipe, ASTM F 2389-2010.

“9) Polyvinyl Chloride (PVC) Pipe, ANSI/NEMA Z535.1-2006 (R2011), ASTM D 1785-2012, ASTM D 2241-2009, ASTM D 2672-2009, CSA B137.3-2009 in B137.”

Sec. 170.705. - Conformity to Illinois Plumbing License Law Required.

No person shall engage in the business of plumbing in the City of Highland Park, either as a plumbing contractor, journeyman plumber, or apprentice plumber, except in accordance with the license requirement of the Plumbing License Law of the State of Illinois.

Sec. 170.706. - Administrative Authority.

The Building Official is hereby designated as the Administrative Authority for the purpose of enforcing the provisions of this Article.

Sec. 170.707. – Illinois certified Plumbing Inspector.

The City's Certified Plumbing Inspector shall be the authorized representative of the Building Official and shall carry out the duties of enforcing the requirements of this Article, including the issuance of permits, inspections, issuance of notices, and preparation of formal complaints for processing by the Corporation Counsel.

Sec. 170.708. - Cash deposit to protect public property.

The plumbing contractor, employing plumber, self-employed journeyman plumber, drain (sewer) layer, the property owner, or the general contractor shall deposit with the City Collector for each sewer or water tap installation for which a permit is obtained, cash or a letter of credit at the rate set forth in the Annual Fee Resolution or more, if deemed necessary by the Superintendent of Streets. From this amount shall be deducted any cost of repair or replacement for any damage done to public property by the contractor in the prosecution of the work for which permit has been issued, if the contractor fails to repair, replace or restore the damaged public property in as good or better than the original condition, or failure of the contractor to maintain the construction site in a safe, satisfactory and clean condition with required barricades, caution lights and removal of debris. Such deposit or the residuum thereof in event of deduction for damage to public property, shall be returned upon application of the depositor and after inspection and approval of the work by the Superintendent of Streets.

Sec. 170.709. - Sewer connection permits and dye test requirements.

(A) No person, firm or corporation may connect any building storm or sanitary drain with any public storm or sanitary sewer now existing or hereafter constructed, until a permit for such connection shall have been obtained from the Building Official, which shall not be issued prior to payment by the applicant of the fee therefor, in the amount set forth in the Annual Fee Resolution.

(B) A dye test of all existing downspouts and sump pump drains shall be required for structure additions or renovations of 50 square feet or greater. This test shall be performed by the Department of Public Works. The results, which determine a proper connection to the City infrastructure, shall be provided to the Building Division to be utilized in the permitting process. Permit approval and issuance shall be contingent upon the terms and conditions of the dye test and any corrections necessary to comply with all sections of this Code.

Sec. 170.710. - Plumbing permit fees.

(A) *New plumbing fixtures.* The fee for the installation of each plumbing fixture shall be in the amount set forth in the Annual Fee Resolution.

(B) *Replacement plumbing fixtures.* The fee for the replacement of any plumbing fixture requiring no changes in the water supply or drainage piping to the fixture shall be in the amount set forth in the Annual Fee Resolution per fixture.

(C) *Replacement water heater.* The fee for a water heater replacement shall be in the amount set forth in the Annual Fee Resolution.

(D) *Third-party fee.* The fee for any third-party inspection or service required pursuant to this Code shall be in the amount set forth in the Annual Fee Resolution.

Sec. 170.711. - Private sewage disposal system fees.

The fee for each private sewage disposal system or portion thereof including inspections fees, shall be the rate set forth in the Fee Resolution. In addition, any applicant for any such private sewage disposal system must provide a permit therefore from Lake County prior to the issuance of any such permit.

Sec. 170.712. - Sanitary sewer or storm sewer connection and dye testing charge.

(A) The charge for connecting a sanitary sewer or storm sewer with a public sanitary sewer or storm sewer shall be in the amount set forth in the Annual Fee Resolution.

(B) Dye Test. The fee for performing a dye test of existing downspouts and sump pump drains shall be in the amount set forth in the Annual Fee Resolution.

Sec. 170.713. - Notification to Plumbing Inspector.

The Plumbing Inspector shall be notified by the firm or the person doing the work when any plumbing work is begun and when it is ready for inspection. All work shall be left completely uncovered and convenient for examination until inspected and approved.

ARTICLE VIII. - ELECTRICAL CODE

Sec. 170.801. – Short Title.

This Article VIII shall be known and cited as "The City of Highland Park Electrical Code".

Sec. 170.802. – NFPA 70 National Electrical Code adopted by reference.

The National Electrical Code, 2017 Edition, and Annex H, is hereby adopted, and by this reference, incorporated as if fully set forth herein with the exception of such portions as are expressly deleted or amended by Section 170.803 of this Chapter.

Sec. 170.803. - Amendments to the NFPA 70 National Electrical Code.

The following amendments to the National Electrical Code, 2017 Edition, shall control whenever a conflict arises between the amendments and the provisions of the National Electrical Code, 2017 Edition, together with Annex H provided therein, except as amended by this Code:

(1) *Article 100* shall be amended to add the following definition:

Significant Remodel: Any existing Building or structure that undergoes remodeling, alteration costs– greater than 50 percent of the total assessed or appraised value (If the applicant wants to use the appraisal method, the value will be determined by City-chosen appraisal at applicant's expense) of the existing building or structure

(2) *Section 110.5* shall be amended to read as follows:

110.5 Conductors: Conductors normally used to carry current shall be of copper conductors.

(3) *Section 210.12* shall be amended to add the following exception:

210.12 Arc-Fault Circuit-Interrupter Circuits: It shall be permitted to omit arc-fault protection for that portion of branch circuit enclosed in rigid metal conduit (RMC), Intermediate metal conduit (IMC), electrical metallic tubing (EMT), or type MI cable sheath meeting requirements of 250.118 along with metal outlet and junction boxes.

(4) *Section 225.10* shall be amended to read as follows:

225.10 Wiring on Buildings (or other Structures): The installation of outside wiring on surfaces of buildings (or other structures) shall be permitted for circuits not exceeding 1000 volts, nominal, as the following:

1. Auxiliary gutters.
2. Busways.
3. Cable trays.
4. Cablebus.
5. Intermediate Metal Conduit (IMC).
6. Liquidtight Flexible Metal Conduit (LFMC).
7. Rigid metal Conduit (RMC).
8. Wireways.

9. Reinforced Thermosetting Resin (RTRC).
10. Rigid Polyvinyl Chloride conduit (PVC)

Circuits of over 1000 volts, nominal, above ground shall be installed as provided in NEC Section 300.37

- (5) *Section 230.28* shall be amended to add the following to said Section 230.28 as subparagraph C:

230.28 Service Mast as Support: Service risers used for service conductor attachment point shall be RMC only and be trade size two and one-half inches for 100 amp and smaller and be three inches for larger service entrance equipment.

- (6) *Section 230.43* shall be amended to read as follows:

230.43 Wiring Methods for 1000 Volts, Nominal, or Less: Wiring Methods for 1000 Volts, Nominal, or Less. Service-entrance conductors shall be installed in accordance with the applicable requirements of this Code covering the type of wiring method used and limited to the following methods:

1. Rigid Metal Conduit (RMC)
2. Intermediate Metal Conduit (IMC).
3. Wireways.
4. Busways.
5. Auxiliary gutters

- (7) *Section 230.70(A)(4)* shall be added to the National Electric Code, and shall read as follows:

230.70(A)(4) Shunt-trip Breaker Required: In all new construction, other than one and Two Family Dwellings, the service disconnecting means shall be designed with a shunt-trip breaker. The shunt-trip breaker shall interrupt all utility and separately derived power to the building or structure. The shunt-trip breaker control switch shall be readily accessible and located at the main entrance of the building near the Knox Box and fire alarm equipment or in a location as approved by the Building Official. The Control switch shall be a Knox box keyed SPDT switch device. In all remodeling and additions of existing buildings and structures other than One and Two-Family dwellings and Townhomes, where the construction costs meet the definition of Significant Remodel, the service disconnecting means shall be designed with a shunt-trip breaker.

- (8) *Section 240.5(B)(5)* shall be added to the National Electric Code, and shall read as follows:

240.5(B)(5) Commercial Light Poles: Branch circuit wiring in commercial light poles shall be provided with quick disconnect in-line fuse holders, with slow blow fuses sized for lamp wattage. Commercial Light Poles. Branch circuit wiring in commercial light poles shall be provided with quick disconnect in-line fuse holders, with slow blow fuses sized for lamp electronics and shall comply with Article 410.

- (9) *Section 250.64(E)(1)* shall be amended to insert the following to the end of said Section 250.64(E)(1):

250.64(E)(1) General: The grounding electrode conductor metal raceways and enclosures shall be in rigid metal conduit (RMC), intermediate metal conduit (IMC), rigid nonmetallic conduit (RNM), and electric metallic tubing (EMT).

(10) *Section 300.22(1)* shall be amended to read as follows:

300.22(1) Wiring in Building (Residential, Commercial, or other Structures): The installation of wiring contained inside buildings shall be permitted for circuit not exceeding 1000 volts nominal shall be installed in the following raceway types:

1. Electrical metallic tubing (EMT)
2. Flexible metal conduit (FMC)
3. Intermediate metal conduit (IMC)
4. Rigid metal Conduit (RMC)
5. Type MI cable
6. Wire ways

(11) *Section 352.10(G)* shall be amended to insert the following to the beginning of said Section 352.10(G):

352.10(G) Underground Installations: Rigid Non-metallic Conduit may be used for underground and under-slab installations, but must transition to Rigid or intermediate Metal Conduit at the last bend before exiting the underground or under-slab location.

(12) *Section 620.51(C)* shall be amended to read as follows:

620.51(C) Location: The disconnecting means for the elevator equipment shall be located inside the machine room, within 18 inches of the lock side of the access door of the elevator equipment, where it is readily accessible to qualified person(s).

(13) *Section 680.26(B)(2)(c)* shall be added to the National Electric Code, and shall read as follows:

680.26(B)(2)(c) Equipotential Bonding Perimeter Surfaces: All deck areas subject to this Article will be bonded with a #8 AWG bare solid copper bonding conductor connected to steel reinforcement mesh under or in the decking material, connected to bonding conductor at four points around perimeter of pool deck with the reinforcement mesh being joined with steel tie wire.

(14) *Section 690.13(B)* shall be amended to replace the reference to "PV System Disconnect" with the phrase "Fire Department Disconnect".

(15) *Section 760.47(A)* shall be added to the National Electric Code, and shall read as follows:

760.47(A) Wiring Design and Location (CI, NPLFA, and PLFA circuit types): In any building or structure other than One and Two Family Dwellings, wiring for fire protection systems components shall be installed in an approved metallic raceway where the wiring is concealed by building construction or otherwise made inaccessible or where damage to the cable is possible. The metallic raceway will protect the conductors during construction and provide ready means for replacement. Metallic raceways must terminate in a code approved method.

(16) *Section 760.47(B)* shall be added to the National Electric Code, and shall read as follows:

760.47(B) Line powered and Low Voltage Smoke Detector System Wires and Cables in Dwelling Units: Fire alarm system Wires and Cables. Fire system component wiring and cables shall be installed in an approved metallic raceway in all areas of all buildings and structures. A metallic raceway shall be provided from each residential unit to the communications room for placement of the fire system cabling. The metallic raceway will protect the conductors during construction and provide ready means for replacement. Metallic raceways must terminate in an accessible metallic junction box. Fire Alarm wires and cables installed as wiring within a building shall be listed for its environment accordance with Article 760 per its application.

- (17) *Section 80.2* of Annex H shall be amended to delete the definition of Chief Electrical Inspector and Electrical Inspector.
- (18) *Section 80.15* of Annex H shall be deleted in its entirety.
- (19) *Section 80.25* of Annex H shall be deleted in its entirety.
- (20) *Section 80.27* of Annex H shall be deleted in its entirety.

ARTICLE IX. - ENERGY CONSERVATION CODE

Sec. 170.901. – Illinois Energy Conservation Code Adopted by Reference

For the purpose of establishing the minimum regulations governing the consumption of energy resources in buildings and structures, the Illinois Energy Conservation Code, as adopted and published pursuant to 71 Ill. Admin. Code Part 600 *et seq.*, is hereby adopted, and by this reference, incorporated as if fully set forth herein.

ARTICLE X. - ACCESSIBILITY CODE

Sec. 170.1001. – Illinois Accessibility Code Adopted by Reference

For the purpose of establishing minimum scoping and technical design requirements to ensure that the built environment in the City is designed, constructed, and altered to be accessible to and usable by all, including individuals with disabilities, the Illinois Accessibility Code, as adopted and promulgated pursuant to 71 Ill. Admin. Code Part 400, is hereby adopted, and by this reference, incorporated as if fully set forth herein.

ARTICLE XI. – EXISTING BUILDING CODE

Sec. 170.1101. – Short Title.

This Article shall be known and cited as "The City of Highland Park Existing Building Code".

Sec. 170.1102. – International Existing Building Code Adopted by Reference.

The International Existing Building Code, 2018 Edition, is hereby adopted, and by this reference, incorporated as if fully set forth herein with the exception of such portions as are expressly deleted or amended by Section 170.1103 of this Chapter.

Sec. 170.1103. – Amendments to the International Existing Building Code.

The following amendments to the International Existing Building Code, 2018 Edition, shall control whenever a conflict arises between the amendments and the provisions of the International Existing Building Code, 2018 Edition:

- (1) *Section A101.1* shall be amended to read as follows:

A101.1 Title: These regulations shall be known as the City of Highland Park Existing Building Code, herein-after referred to as "this code".

- (2) *Section A103.1* shall be amended to read as follows:

A103.1 Creation of Enforcement Agency: The Department of Community Development, Building Division" is hereby created and the official in charge is known as the "Code Official".

(3) *Section A104.2.1* shall be amended to read as follows:

A104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas: All applications, permits, and approved work for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing buildings or structures located in flood hazard areas shall meet the requirements of the City of Highland Park Municipal Code, Sec. 150.1801 – Lake County Watershed Development Ordinance and Sec. 150.1805 – Amendments to the Watershed Development Ordinance. All proposed work that constitutes any improvement or repair of substantial damage shall meet the requirements of Sec. 1612 of the International Building Code as applicable.

(4) *Section A104.2.2 through A104.2.2.1* shall be deleted in their entirety.

(5) *Section A104.10.1* shall be amended to read as follows:

A104.10.1 Flood Hazard Areas: For existing Buildings located in flood hazard areas for which repairs, alterations, additions, and improvements are proposed, the code official shall not grant or approve any modifications. All proposed improvements or modifications shall meet the requirements of the City of Highland Park Municipal Code, Sec. 150.1801 – Lake County Watershed Development Ordinance and Sec. 150.1805 – Amendments to the Watershed Development Ordinance.

(6) *Section A105.2* shall be amended to delete “Buildings” subsections 1, 3, 4, and 5.

(7) *Section A105.4* shall be deleted in its entirety.

(8) *Section A110.3* shall be deleted in its entirety.

(9) *Section A113.4* shall be deleted in its entirety.

(10) *Section A114.3* shall be deleted in its entirety.

(11) The following definitions shall be amended and added to Section 202:

Substantial Damage: For the purpose of determining compliance with the flood provisions of this code, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would exceed 50 percent of the total assessed or appraised value (If the applicant wants to use the appraisal method, the value will be determined by City-chosen appraisal at applicant’s expense) of the existing building or structure before the damage occurred.

Substantial Improvement: For the purpose of determining compliance with the flood provisions of this code, any repair, alteration, addition, or improvement of a building or structure, the cost of which exceeds 50 percent of the total assessed or appraised value (If the applicant wants to use the appraisal method, the value will be determined by City-chosen appraisal at applicant’s expense) of the existing building or structure, before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either of the following:

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the code official and that is the minimum necessary to ensure safe living conditions.

2. Any alteration of a historic structure, provided that the alteration will not preclude the structure’s continued designation as a historic structure.

(12) *Section A301.1* shall be amended to read as follows:

A301.1 General: The repair, alteration, change of occupancy, addition, or relocation of all existing buildings shall comply with Section 301.2, 301.3, or 301.4 of this Code.

(13) *Section A301.5* shall be amended to read as follows:

A301.5 Compliance with accessibility: Accessibility requirements for existing buildings shall comply with the current Illinois Accessibility Code as amended.

(14) *Section A302.3* shall be amended to delete the last sentence of said section 302.3, and replace it with:

A302.3 Additional Codes: Where provisions of this code conflict with the provisions of the City code and other adopted codes, the provisions of other City code and other adopted codes shall take precedence.

(15) *Section A305.1* shall be amended to read as follows:

A305.1 Scope: The provisions of Sections 305.1 through 305.9 apply to maintenance, change of occupancy, additions and alterations to existing buildings, including those identified as historic buildings, if not covered by the Illinois Accessibility Code.

(16) *Section A507.3* shall be amended to read as follows:

A507.3 Flood hazard areas: For existing Buildings located in flood hazard areas for which exterior repairs, alterations, additions, and substantial improvements are proposed, the code official shall not grant or approve any modifications. All proposed improvements or modifications shall meet the requirements of the City of Highland Park Municipal Code, Sec. 150.1801 – Lake County Watershed Development Ordinance and Sec. 150.1805 – Amendments to the Watershed Development Ordinance.

Exception: Historic Buildings in compliance with the Watershed Development Ordinance and the City of Highland Park Historic Buildings regulations.

(17) *Section A701.1* shall be amended to delete all references to the “International Energy Conservation Code” and replace them with “Illinois Energy Conservation Code”.

(18) *Section A701. 3* shall be amended to read as follows:

A701.3 Flood hazard areas: For existing Buildings located in flood hazard areas for which alterations and substantial improvements are proposed, the code official shall not grant or approve any modifications. All proposed improvements or modifications shall meet the requirements of the City of Highland Park Municipal Code, Sec. 150.1801 – Lake County Watershed Development Ordinance and Sec. 150.1805 – Amendments to the Watershed Development Ordinance.

Exception: Historic Buildings in compliance with the Watershed Development Ordinance and the City of Highland Park Historic Buildings regulations

(19) *Section A705.4* shall be amended to read as follows:

A705.4 Roof covering: In all occupancies, no roofing materials shall be constructed over or enclosed within a new roof or new structure creating a concealed space.

(20) *Section A810.1* shall be amended to delete all references to the “International Energy Conservation Code” and replace them with “Illinois Energy Conservation Code”.

(21) *Section A907.1* shall be amended to delete all references to the “International Energy Conservation Code” and replace them with “Illinois Energy Conservation Code”.

(22) *Section A1107.1* shall be amended to delete all references to the “International Energy Conservation Code” and replace them with “Illinois Energy Conservation Code”.

ARTICLE XI. – SWIMMING POOL AND SPA CODE

Sec. 170.1201. – Short Title.

This Article shall be known and cited as "The City of Highland Park Swimming Pool and Spa Code".

Sec. 170.1202. – International Swimming Pool and Spa Code Adopted by Reference.

The International Swimming Pool and Spa Code, 2018 Edition, is hereby adopted, and by this reference, incorporated as if fully set forth herein with the exception of such portions as are expressly deleted or amended by Section 170.1203 of this Chapter.

Sec. 170.1203. – Amendments to the International Swimming Pool and Spa Code.

The following amendments to the International Swimming Pool and Spa Code, 2018 Edition, shall control whenever a conflict arises between these amendments and the provisions of the International Swimming Pool and Spa Code, 2018 Edition:

- (1) *Section A101.1* shall be amended to read as follows:

A101.1 Title: These regulations shall be known as the City of Highland Park Swimming Pool and Spa Code, herein-after referred to as "this code".

- (2) *Section A103.1* shall be amended to read as follows:

A103.1 Creation of Enforcement Agency: The Department of Community Development, Building Division" is hereby created and the official in charge is known as the "Building Official".

- (3) *Section A105.1* shall be amended to insert the following at the end of said Section 105.1:

A105.1 When Required: *Seasonal and Temporary Pools and Spas* require permit.

- (4) *Section A105.5.3* shall be deleted in its entirety.

- (5) *Section A105.5.4* shall be deleted in its entirety.

- (6) *Section A107.4* shall be deleted in its entirety.

- (7) *Section A108* shall be deleted in its entirety.

- (8) The following definitions shall be amended and added to Section A202:

Seasonal temporary pools: Pools and spas specifically designed to be erected, inflated or easily moved and designed and intended to be easily dismantled, deflated, removed and stored each annual season. Seasonal temporary pools and spas capable of a filled water height of 24 inches or greater shall comply with all barrier requirements of Chapter 3 of this Code.

- (9) *Section A304.2* shall be amended to read as follows:

A304.2 Determination of impacts based on location: Pools and spas proposed to be located or located in flood hazard areas shall meet the requirements of the City of Highland Park Municipal Code, Sec. 150.1801 – Lake County Watershed Development Ordinance and Sec. 150.1805 – Amendments to the Watershed Development Ordinance.

- (10) *Section A304.2.1* shall be deleted in its entirety.

- (11) *Section A304.2.2* shall be deleted in its entirety.

- (12) *Section A305.2* shall be amended to read as follows:

A305.2 Outdoor and indoor swimming pools and spas: All seasonal temporary outdoor and indoor swimming pools capable of a water depth of 24 inches or greater shall comply with sections 305.2.1 through 305.7.

(13) *Section A307.1.4* shall be added to the International Swimming Pool and Spa Code, and shall read as follows:

A307.1.4 Accessibility: An accessible route to public pools and spas shall be provided in accordance with the Illinois Accessibility Code. Accessibility within public pools and spas shall be provided as required by the accessible recreational facilities provisions of the Illinois Accessibility Code.

Chapter 174 – PROPERTY MAINTENANCE AND HOUSING CODE

ARTICLE I. – PROPERTY MAINTENANCE.

Sec. 174.101. - Short title.

This Chapter shall be known and cited as "The Highland Park Property Maintenance and Housing Code".

Sec. 174.102. - International Property Maintenance Code Adopted by Reference.

For the purpose of establishing the minimum regulations governing the conditions and maintenance of all existing property, buildings and structures; the International Property Maintenance Code, 2018 Edition, is hereby adopted, and by this reference, incorporated as if fully set forth herein with the exception of such portions as are expressly deleted or amended by Section 174.103 of this Chapter.

Sec. 174.103. - Amendments to the International Property Maintenance Code.

The following amendments to the International Property Maintenance Code, 2018 Edition, shall control whenever a conflict arises between the amendments set forth in this Section and the provisions of the International Property Maintenance Code, 2018 Edition:

- (1) Section 103.5 shall be amended to read as follows:

103.5 Fees: The fees for activities and services performed by the City in carrying out its responsibilities under this Code shall be as indicated in the following schedule.

103.5.1 Reinspection fees. The fee to be paid for the third inspection of any single phase of compliance as required by the Code Official, and for each subsequent inspection, shall be in the amount set forth in the Annual Fee Resolution.

103.5.2 Placard removal fee. The fee for the removal of a placard indicating that a structure or equipment is found by the Code Official to be unsafe, unfit for human occupancy, unlawful or condemned shall be in the amount set forth in the Annual Fee Resolution.

103.5.3 Occupancy inspection. The fee for an inspection to approve occupancy of a structure shall be in the amount set forth in the Annual Fee Resolution, and shall be paid prior to issuance of a certificate of occupancy for the.

103.5.4 Administrative fee. The fee for repairs, temporary safeguards, removal of hazardous conditions, demolition, or any other remedial action taken by the City pursuant to this Code shall be in the amount equal to the costs incurred by the City to take such action, plus an administrative fee in the amount set forth in the Annual Fee Resolution.

- (2) *Section 104.1* shall be amended to read as follows:

104.1 General: The Code Official and other officers named who may assist them in enforcement of this Code are hereby authorized to use the police power of the City in such manner and to such extent as the character of the violation and the urgency, hazards, rights and interests of the public health and safety may justify and demand for the case involved.

- (3) *Section 106.4* shall be deleted in its entirety.

- (4) *Section 107.3* shall be amended to read as follows:

107.3 Method of Service: Notice shall be deemed to be properly served if a copy thereof is delivered to the owner personally, sent by certified or registered mail addressed to the owner at the last known address with return receipt requested, or delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice delivered personally, by regular and certified or

registered mail upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

(5) *Section 111.1* shall be amended to delete the first sentence of said Section 111.1, and insert:

111.1 Application for Appeal: Any person affected by a decision of the Code Official or a notice or order issued under this Code shall have the right to appeal to the City Council of the City of Highland Park, provided that a written application for appeal is filed within ten days after the day the decision, notice or order was served.

(6) *Sections 111.2 through 111.8* shall be deleted in their entirety.

(7) *Section 302.4* shall be amended so that the first sentence of the Section reads as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

(8) *Section 302.9* shall be amended to read as follows:

302.9 Removal of Graffiti and Restoration of Vandalized Properties:

302.9.1 Definitions: For purposes of this Section 302.9, the word "graffiti" shall mean any sign, symbol, marking, name, initial, word, diagram, sketch, picture or letter that is inscribed, engraved, drawn or otherwise placed on the surface of any building, structure, wall, or pavement including, driveways, sidewalks, and pathways without the consent of the owner thereof.

302.9.2 Notices and Orders: The owner of any property shall remove, or cause the removal of all graffiti from the property, and shall clean, repair, paint, and otherwise restore the affected building, structure, wall, or pavement so that no graffiti is visible from any public or private right-of-way, within five business days after receipt of a notice. The notice shall be delivered to the owner or agent either by personal service, first-class mail to the person listed to receive the tax bill for the general taxes on the property, or if such person cannot be located or a notice sent by first-class mail is returned to the City as undeliverable, by posting the notice in a conspicuous place upon the subject property..

302.9.3 Removal of Graffiti by City: Upon the failure or refusal of the property owner or agent to comply with the notice, and to remove graffiti and restore the property within seven calendar days, in accordance with Section 302.9 of this Code, the City shall have the right, but not the obligation, to enter the property and cause the graffiti to be removed.

302.9.4 Penalty. Any person who violates this Section 302.9 shall be liable for any and all fines imposed pursuant to Section 106.4 of this Code, and the reimbursement to the City for all costs incurred by the City in removing graffiti pursuant to Section 302.9.2 of this Code.

(9) *Section 304.14* shall be amended to read as follows:

304.14 Insect screens: During the period from April 1 to October 31, every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food services area, or any areas where

products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self-closing device in working condition.

(10) *Section 308.1* shall be amended to read as follows:

308.1 Accumulation of rubbish or garbage: The owner shall be responsible for keeping all exterior property and premises, and the interior of every structure, free from any accumulation of rubbish or garbage.

(11) *Section 308.2* shall be amended to read as follows:

308.2 Disposal of rubbish: Every occupant and/or owner of a structure shall dispose of all rubbish in a clean sanitary manner by placing such rubbish in approved containers.

(12) *Section 308.2.1* shall be amended to read as follows:

308.2.1 Rubbish storage facilities: The owner and/or occupant, jointly and severally, of every occupied premises shall supply approved covered containers for rubbish, and the owner and/or occupant, jointly and severally, shall be responsible for the removal of rubbish.

(13) *Section 308.3* shall be amended to read as follows:

308.3 Disposal of garbage: Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers. The owner of a structure shall be ultimately responsible to ascertain and assure that all garbage is so disposed of.

(14) *Section 309.2* shall be amended to read as follows:

309.2 Owner. The owner of any structure, including single family and multi-family structures, shall be responsible for pest elimination or extermination within a structure as well as the exterior of the structure, prior to renting or leasing the structure and during all times regardless of whether the structure is rented or otherwise occupied.

(15) *Section 602.2* shall be amended to remove and replace with the following Section 602.2:

602.2 Residential occupancies: Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Residential occupancies shall be provided with heating facilities capable of maintaining a room temperature of at least 68 degrees Fahrenheit without any supplemental sources (i.e. cooking appliances, portable space heaters, etc.).

Exception: In areas where the average monthly temperature is above 30 degrees Fahrenheit (minus one degree Celsius), a minimum temperature of 65 degrees Fahrenheit (18 degrees Celsius) shall be maintained.

(16) *Section 602.3* shall be amended to read as follows:

602.3 Heat supply: Every owner and operator of any building who rents, leases or lets one or more dwelling units, sleeping units, rooming units, dormitories or guestrooms on terms, either express or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain the room temperatures specified in Section 602.2 in all habitable rooms, bathrooms, and toilet rooms.

(17) *Section 602.4* shall be amended to read as follows:

602.4 Occupiable Work Spaces: Indoor occupiable work spaces shall be supplied with sufficient heat during the period from October 1 to May 1 to maintain a minimum temperature of not less than 65 degrees F. (18 degrees C.) during the period the spaces are occupied.

Exceptions:

1. Processing storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous activities

Sec. 170.104. - Cleanliness of dwelling.

Every dwelling and every part thereof shall be kept clean and shall also be kept free from any accumulation of dirt, filth, rubbish, garbage or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected with or belonging to the same. The owner of every dwelling, and in the case of a private dwelling the occupant thereof, shall thoroughly cleanse or cause to be cleansed all the rooms, passages, stairs, floors, windows, doors, walls, ceiling, privies, water closets, cesspools, drains, halls, cellars, roofs and all other parts of the said dwelling or part of the dwelling of which he is the owner, or in the case of private dwelling the occupant, to the satisfaction of the Building Official, and shall keep the said parts of the said dwelling in a clean condition at all times.

Sec. 170.105. - Infected and uninhabitable dwelling.

Whenever it shall be certified by an inspector or officer of the health department that a dwelling is infected with contagious disease, or that it is unfit for human habitation, or dangerous to life or health by reason of want of repair, or defects in the drainage, plumbing, lighting, ventilation or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of said dwelling or for any other cause, the Building Official may issue an order requiring all persons therein to vacate such house within not less than 24 hours nor more than ten days for the reasons to be mentioned in said order. In case such order is not complied with within the time specified, the Building Official may cause said dwelling to be vacated. The Building Official, whenever he is satisfied that the danger from said dwelling has ceased to exist, or that it is fit for human habitation, may revoke said order or may extend the time within which to comply with the same.

Sec. 170.106. - Repairs to buildings.

Whenever any dwellings or any building, structure, excavation, business pursuit, matter or thing, in or about a dwelling, or the lot on which it is situated, or the plumbing, sewerage, drainage, light or ventilation thereof, is in the opinion of the Building Official in a condition or in effect dangerous or detrimental to life or health, the Building Official may declare that the same, to the extent he may specify, is a public nuisance, and may order the same to be removed, abated, suspended, altered or otherwise improved or purified as the order may specify. In addition to the above powers, the Building Official may also order or cause any dwelling or excavation, building, structure, sewer, plumbing pipe, passage, premises, ground, matter or thing, in or about a dwelling, or the lot on which it is situated, to be purified, cleansed, disinfected, removed, altered, repaired, or improved. If any order of the Building Official issued under the authority of the provisions of this Section is not complied with, or so far complied with as he may regard as reasonable, within five days after the service thereof, or within such shorter time as he may designate, then such order may be executed by said Building Official through his officers.

ARTICLE II. - BOARDING AND LODGING HOUSES

Sec. 174.201. - License required.

It shall be unlawful for any person, firm or corporation to own or operate a Boarding House or Lodging House, as defined in Section 150.202 of the City Code, within the City without first having applied

to and obtained from the Building Division a Boarding/Lodging House License on forms supplied by the Building Division.

Sec. 174.202. - License fee.

All applications for a Board/Lodging House license shall be accompanied by a license fee at the rate set forth in the Annual Fee Resolution.

Sec. 174.203. - Location.

A Boarding/Lodging House may be operated only pursuant to Chapter 150 of the City Code.

Sec. 174.204. - Application.

The applicant shall provide the following information:

(A) The name, address and phone number of the applicant, if an individual; if the applicant is a firm or corporation, the name and address of a designated officer or beneficial owner;

(B) The street address and current zoning for the structure for which the license is sought;

(C) The name, address and phone number of the person residing in the premises under whose management or supervision such house will be operated;

(D) The number of persons proposed to be accommodated in each room; and

(E) Any such other information as may be required by the Building Official and the Fire Code Official to determine compliance with the International Fire Code, as adopted and amended.

Sec. 174.205. - Inspection of premises.

(A) At the time of filing the application for a Boarding/Lodging House license, the applicant shall also authorize the Building Official or his designee to make an inspection of the building to be operated as a Boarding or Lodging House to determine whether the property is in compliance with the applicable ordinances of the City of Highland Park.

(B) The City shall inspect all premises that are the subject of a Boarding/Lodging House License not less than once per calendar year. The applicant shall pay a fee for each inspection performed pursuant to this Section at a rate set forth in the Annual Fee Resolution.

(C) An applicant found to be in violation of the ordinances of the City shall be denied a Boarding/Lodging House license and prohibited from operating a Boarding or Lodging House until all violations have been corrected.

Sec. 174.206. - Applications open for inspection.

All applications for Boarding/Lodging House license shall be kept on file in the office of the Building Division and shall be open for public inspection.

Sec. 174.999. - Penalty.

(A) Any person who violates a provision of this Chapter or fails to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of the approved construction documents or directive of the Building Code Official, or of a permit or certificate issued under the provisions of this Chapter, shall be fined in an amount set forth in the Annual Fee Resolution. Each day that a violation continues shall be deemed a separate offense.

(B) Any person who shall continue any work in or about the structure after having been served with a stop work order pursuant to this Chapter, except any work he is directed to perform to remove a violation or unsafe condition, shall be fined in an amount set forth in the Annual Fee Resolution. Each day that a violation continues shall be deemed a separate offense.

