

CITY OF DES PLAINES

ORDINANCE M - 44 - 15

AN ORDINANCE AMENDING THE DES PLAINES CITY CODE REGARDING THE CITY'S CONSTRUCTION REGULATIONS.

WHEREAS, the City is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, Title 10 of the City Code sets forth the building regulations of the City; and

WHEREAS, Title 10 adopts by reference, with various modifications, certain model codes, including the International Building Code, the International Mechanical Code, the International Fuel Gas Code, the International Fire Code, the National Fire Protection Association Life Safety Code, the National Fire Protection Association National Fire Code and Standards, the National Electrical Code, the International Residential Code for One- and Two-Family Dwellings, and the International Property Maintenance Code (collectively, the "*Model Codes*"), and related requirements; and

WHEREAS, to ensure that the City is using the best industry standards and practices, the City Council desires to adopt by reference, with various modifications, updated versions of the Model Codes and related requirements; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the City Code to update the Model Codes pursuant to this Ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the City Council.

SECTION 2: BUILDING CODE. Chapter 1, "Building Code," of Title 10, "Construction Regulations," is hereby amended to read as follows:

"10-1-1: ADOPTION OF THE ~~2012~~ 2015 INTERNATIONAL BUILDING CODE:

The ~~2012~~ 2015 International Building Code, published by the International Code Council, Inc., is hereby adopted and incorporated as if fully set forth herein, except as certain provisions thereof are specifically amended or deleted, and new provisions are specifically added thereto, pursuant to Section 10-1-2 of this Chapter.

10-1-2: AMENDMENTS TO THE ~~2012~~ 2015 INTERNATIONAL BUILDING CODE:

The ~~2012~~ 2015 International Building Code, adopted and incorporated by reference pursuant to this Chapter, is hereby amended, in relevant part, to read as set forth in this Section. Subsequent section numbers used in this Section refer to the like-numbered sections of, or new sections added to, the ~~2012~~ 2015 International Building Code. Whenever a conflict arises between the provisions of the ~~2012~~ 2015 International Building Code and the amendments set forth in this Section, the following amendments will control.

* * *

3403.1 General.

~~Additions to any building or structure shall comply with the requirements of this code for new construction. Alterations to the existing building or structure shall be made to ensure that the existing building or structure together with the addition are no less conforming with the provisions of this code than the existing building or structure was prior to the addition. An existing building together with its additions shall comply with the height and area provisions of Chapter 5 and the automatic sprinkler system provisions of Section 903 of this code.~~

* * *

SECTION 3: RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS. Chapter 2, "Residential Code for One- and Two-Family Dwellings," of Title 10, "Construction Regulations," is hereby amended and will hereafter read as follows:

"10-2-1: ADOPTION OF THE ~~2012~~ 2015 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

The ~~2012~~ 2015 International Residential Code for One- and Two-Family Dwellings, published by the International Code Council, Inc., is hereby adopted and incorporated as if fully set forth herein, except as certain provisions thereof are specifically amended or deleted, and new provisions are specifically added thereto, pursuant to Section 10-2-2 of this Chapter.

10-2-2: AMENDMENTS TO THE ~~2012~~ 2015 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

The ~~2012~~ 2015 International Residential Code for One- and Two-Family Dwellings, adopted and incorporated by reference pursuant to this Chapter, is hereby amended, in relevant part, to read as set forth in this Section. Subsequent section numbers used in this Section refer to the like-numbered sections of, or new sections added to, the ~~2012~~ 2015 International Residential Code for One- and Two-Family Dwellings. Whenever a conflict arises between the provisions of the ~~2012~~

2015 International Residential Code for One- and Two-Family Dwellings and the amendments set forth in this Section, the following amendments will control.

* * *

SECTION 4: FIRE CODE. Chapter 3, "Fire Code," of Title 10, "Construction Regulations," is hereby amended and will hereafter read as follows:

"10-3-1: ADOPTION OF THE ~~2012~~ 2015 INTERNATIONAL FIRE CODE:

The ~~2012~~ 2015 International Fire Code, published by the International Code Council, Inc., is hereby adopted and incorporated as if fully set forth herein, except as certain provisions thereof are specifically amended or deleted, and new provisions are added thereto, pursuant to Section 10-3-2 of this Chapter.

10-3-2: AMENDMENTS TO THE ~~2012~~ 2015 INTERNATIONAL FIRE CODE:

The ~~2012~~ 2015 International Fire Code, adopted and incorporated by reference pursuant to this Chapter, is hereby amended, in relevant part, to read as set forth in this Section. Subsequent section numbers used in this Section refer to the like-numbered sections of, or new sections added to, the ~~2012~~ 2015 International Fire Code. Whenever a conflict arises between the provisions of the ~~2012~~ 2015 International Fire Code and the amendments set forth in this Section, the following amendments will control.

~~907.6.5~~ 907.6.6 Monitoring.

Fire alarm systems required by this chapter or by the international building code shall transmit alarms via direct connection to the dispatch center of the Des Plaines fire department as approved by the fire code official. All non-required fire alarm systems shall be monitored by an approved supervising station in accordance with NFPA 72.

Exception: Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by section 907.2.11.
2. Smoke detectors in group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

* * *

SECTION 5: MECHANICAL CODE. Chapter 5, "Mechanical Code," of a new Title 10, "Construction Regulations," is hereby adopted and will hereafter read as follows:

"10-5-1: ADOPTION OF THE ~~2012~~ 2015 INTERNATIONAL MECHANICAL CODE:

The ~~2012~~ 2015 International Mechanical Code, published by the International Code Council, Inc., is hereby adopted and incorporated as if fully set forth herein, except as certain provisions thereof are specifically amended or deleted, and new provisions are specifically added thereto, pursuant to Section 10-5-2 of this Chapter.

10-5-2: AMENDMENTS TO THE ~~2012~~ 2015 INTERNATIONAL MECHANICAL CODE:

The ~~2012~~ 2015 International Mechanical Code, adopted and incorporated by reference pursuant to this Chapter, is hereby amended, in relevant part, to read as set forth in this Section. Subsequent section numbers used in this Section refer to the like-numbered sections of, or new sections added to, the ~~2012~~ 2015 International Mechanical Code. Whenever a conflict arises between the provisions of the ~~2012~~ 2015 International Mechanical Code and the amendments set forth in this Section, the following amendments will control.

* * *

SECTION 6: FUEL GAS CODE. Chapter 6, "Fuel Gas Code," of Title 10, "Construction Regulations," is hereby amended and will hereafter read as follows:

"10-6-1: ADOPTION OF THE ~~2012~~ 2015 INTERNATIONAL FUEL GAS CODE:

The ~~2012~~ 2015 International Fuel Gas Code, published by the International Code Council, Inc., is hereby adopted and incorporated as if fully set forth herein, except as certain provisions thereof are specifically amended or deleted, and new provisions are specifically added thereto, pursuant to Section 10-6-2 of this Chapter.

10-6-2: AMENDMENTS TO THE ~~2012~~ 2015 INTERNATIONAL FUEL GAS CODE:

The ~~2012~~ 2015 International Fuel Gas Code, adopted and incorporated by reference pursuant to this Chapter, is hereby amended, in relevant part, to read as set forth in this Section. Subsequent section numbers used in this Section refer to the like-numbered sections of, or new sections added to, the ~~2012~~ 2015 International Fuel Gas Code. Whenever a conflict arises between the provisions of the ~~2012~~ 2015

International Fuel Gas Code and the amendments set forth in this Section, the following amendments will control.

* * *

SECTION 7: ELECTRICAL CODE. Chapter 8, "Electrical Code," of a new Title 10, "Construction Regulations," is hereby amended and will hereafter read as follows:

"10-8-1: ADOPTION OF THE ~~2011~~ 2014 NATIONAL ELECTRICAL CODE:

The ~~2011~~ 2014 National Electrical Code (NFPA 70), published by the National Fire Protection Association, is hereby adopted and incorporated as if fully set forth herein, except as certain provisions thereof are specifically amended or deleted, and new provisions are specifically added thereto, pursuant to Section 10-8-2 of this Chapter.

10-8-2: AMENDMENTS TO AND ADMINISTRATION OF THE ~~2011~~ 2014 NATIONAL ELECTRICAL CODE:

A. Amendments: The ~~2011~~ 2014 National Electrical Code, adopted and incorporated by reference pursuant to this Chapter, is hereby amended, in relevant part, to read as set forth in this Section. Subsequent section numbers used in this Section refer to the like-numbered sections of, or new sections added to, the ~~2011~~ 2014 National Electrical Code. Whenever a conflict arises between the provisions of the ~~2011~~ 2014 National Electrical Code and the amendments set forth in this Section, the following amendments will control.

410.36 Means of Support.

(A) Outlet Boxes. Outlet boxes or fittings installed as required by 314.23 and complying with the provisions of 314.27(A)(1) and 314.27(A)(2) shall be permitted to support luminaires.

(B) Suspended ceilings. Framing members of suspended ceiling systems used to support luminaires shall be securely fastened to each other and shall be securely attached to the building structure at appropriate intervals. Luminaires shall be securely fastened to the structure above at opposite corners of the fixture housing.

(C) Luminaire Studs. Luminaire studs that are not a part of outlet boxes, hickey, tripods, and crowfeet shall be made of steel, malleable iron, or other material suitable for the application.

(D) Insulating Joints. Insulating joints that are not designed to be mounted with screws or bolts shall have an exterior metal casing, insulated from both screw connections.

(E) Raceway Fittings. Raceway fittings used to support a luminaire(s) shall be capable of supporting the weight of the complete fixture assembly and lamp(s).

(F) Busways. Luminaires shall be permitted to be connected to busways in accordance with 368.17(C).

(G) Trees. Outdoor luminaires and associated equipment shall be permitted to be supported by trees.

B. Administration: Appendix K of the ~~2012~~ 2015 International Building Code shall be used to administer the ~~2011~~ 2014 National Electrical Code."

SECTION 8: PROPERTY MAINTENANCE CODE. Chapter 9, "Property Maintenance Code," of Title 10, "Construction Regulations," is hereby amended and will hereafter read as follows:

"10-9-1: ADOPTION OF THE ~~2012~~ 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE:

The ~~2012~~ 2015 International Property Maintenance Code, published by the International Code Council, Inc., is hereby adopted and incorporated as if fully set forth herein, except as certain provisions thereof are specifically amended or deleted, and new provisions are specifically added thereto, pursuant to Section 10-9-2 of this Chapter.

10-9-2: AMENDMENTS TO THE ~~2012~~ 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE:

The ~~2012~~ 2015 International Property Maintenance Code, adopted and incorporated by reference pursuant to this Chapter, is hereby amended, in relevant part, to read as set forth in this Section. Subsequent section numbers used in this Section refer to the like-numbered sections of, or new sections added to, the ~~2012~~ 2015 International Property Maintenance Code. Whenever a conflict arises between the provisions of the ~~2012~~ 2015 International Property Maintenance Code and the amendments set forth in this Section, the following amendments will control.

[A] 101.1 Title.

These regulations shall be known as the International Property Maintenance Code of the City of Des Plaines, hereinafter referred to as "this code."

[A] 103.5 Fees.

The fees charged by the City of Des Plaines for all permits required by this Chapter are set forth in Chapter 13 of Title 10 of the Des Plaines City Code.

SECTION 111, MEANS OF APPEAL

Section 111 is hereby deleted in its entirety.

[A] 112.4 Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this code **and may be liable of a fine not to exceed \$750.00 for each offense. A separate offense shall be deemed committed each day during which a violation occurs or continues.**

* * *

404.8 Basements and cellars.

No basement or cellar space shall be used as a ~~habitable room~~, sleeping room, or dwelling unit unless it meets the following requirements:

1. Floors and walls are watertight and insulated;
2. Emergency escape windows are installed and maintained in a good and safe working condition in accordance with the requirements of this code; and

Exception: An approved second means of egress.

3. The dwelling unit meets the other requirements of this code.

* * *

602.3 Heat supply.

Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from ~~September~~ **October** 1 to ~~June~~ **May** 1 to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces.

Indoor occupiable work spaces shall be supplied with heat during the period from ~~September~~ **October** 1 to ~~June~~ **May** 1 to maintain a minimum temperature of 65°F (18°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 physical activities.

* * *"

SECTION 11: SEVERABILITY. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

SECTION 12: EFFECTIVE DATE OF ORDINANCE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form according to law.

*Note: Deleted Language is ~~Struck Through~~. New Language is **Bolded and Double Underlined**.*

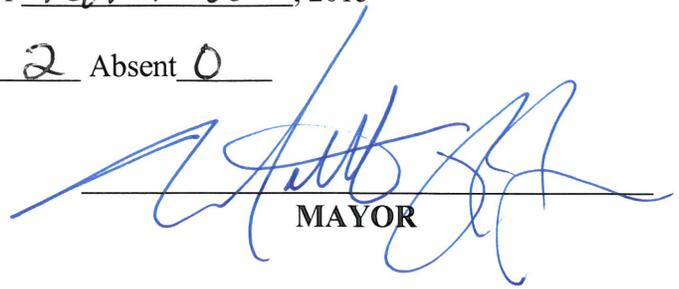
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Note: Deleted Language is ~~Struck Through~~. New Language is **Bolded and Double Underlined**.

PASSED this 16th day of November, 2015

APPROVED this 16th day of November, 2015

VOTE: Ayes 6 Nays 2 Absent 0



MAYOR

ATTEST:



CITY CLERK

Published in pamphlet form this
17th day of November, 2015



CITY CLERK

Approved as to form:



Peter M. Friedman, General Counsel

CITY OF DES PLAINES

ORDINANCE NO. M – 44- 15

**AN ORDINANCE AMENDING THE DES PLAINES CITY CODE REGARDING THE
CITY'S CONSTRUCTION REGULATIONS**

ADOPTED ON NOVEMBER 16, 2015
BY THE CITY COUNCIL
OF THE
CITY OF DES PLAINES

Published in pamphlet form by authority of the City Council of the City of Des Plaines,
Cook County, Illinois, this 17th day of November, 2015.

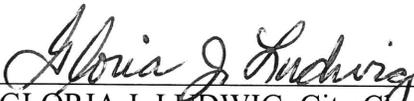
STATE OF ILLINOIS)
)
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, GLORIA J. LUDWIG, do hereby certify that I am the qualified and acting CITY CLERK* of the City of Des Plaines, Cook County, Illinois, AND THAT AS SUCH, I am the officer duly designated by law to keep the minutes, ordinances, resolutions and proceedings of the City Council of the City of Des Plaines.

I further certify that the attached and foregoing copy of Ordinance M-44-15, AN ORDINANCE AMENDING THE DES PLAINES CITY CODE REGARDING THE CITY'S CONSTRUCTION REGULATIONS is a true and correct copy of same.

IN WITNESS WHEREOF, I hereunto affix my signature and impress hereon the corporate seal of the said City of Des Plaines, Cook County, Illinois, this 17th day of November 2015.



GLORIA J. LUDWIG, City Clerk
City of Des Plaines, County of Cook

*Per the provisions of 65 ILCS 5/3.1-20-5-2
Of the Illinois Compiled Statutes (2006)