



VILLAGE OF MONTGOMERY

ORDINANCE NO. 1843

**AN ORDINANCE ADOPTING CERTAIN NATIONAL CODES AND AMENDING SECTION 6-1 OF THE
VILLAGE OF MONTGOMERY CODE OF ORDINANCES
(2015 INTERNATIONAL BUILDING CODE)
VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS**

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS
THIS 25TH DAY OF FEBRUARY, 2019.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES,
ILLINOIS, THIS 25TH DAY OF FEBRUARY, 2019.

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VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS**

BE IT ORDAINED by the Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois as follows:

WHEREAS; the Village of Montgomery (“Village”) is not a home rule municipality within Article VII, Section 6A of the 1970 Constitution of the State of Illinois, and accordingly, acts pursuant to those powers granted to it under 65 ILCS 5/1-1 *et seq.*, and,

WHEREAS; the Board of Trustees of the Village of Montgomery (“Village Board”) finds that the best interest of the Village and the health and welfare of the residents of the Village are best served by regulating certain building standards within the Village; and,

NOW THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

SECTION ONE: TEXT AMENDMENT

That Chapter 6, Article 1, Section 6-1 f the Village Code be amended to read as follows:

Sec. 6-1 – Building codes – Adopted.

Those certain documents, one copy of which is on file with the Village Clerk’s office, being marked and designated as the 2015 International Building Code, and all future editions thereof, be and are hereby adopted as the building code of the Village, with the exception of Chapter 29, entitled “Plumbing Systems” and section [F] 903.3.1.2.1, and subject to the local amendments set forth herein. Any and all references to the plumbing code or codes shall mean the State of Illinois Plumbing Code. The State of Illinois Plumbing Code is the only Code that takes precedent.

(Ord. No. 250, § 1, 9-23-68; Ord. No. 311, § 1, 11-26-73; Ord. No. 394, 8-28-78; Ord. No. 486, 7-26-82; Ord. No. 947, § 1, 4-23-01; Ord. No. 990, § 1, 2-11-02; Ord. No. 1285, § 1, 9-11-06; Ord. No. 1479, § 1, 11-22-10)

The 2015 International Building Code is hereby amended as follows:

Section 101.1 Title is hereby amended by replacing “[NAME OF JURISDICTION”] with “the Village of Montgomery.”

Section 101.4.3 Plumbing is hereby amended by replacing “The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems” with “Private sewage disposal systems shall comply with the most current State of Illinois Plumbing Code, Kane County Health Department private sewage disposal requirements, and any applicable adopted Village of Montgomery ordinances and amendments” and by adding the following sentence: “All references to the International Plumbing Code shall be deemed to mean the State of Illinois Plumbing Code.”

Section 101.4 Referenced Codes is hereby amended by adding the following subsection:

Section 101.4.8 Flood plain. For buildings and structures located in whole or in part in flood hazard areas, as established on local floodway rate maps, the Kane County Stormwater Ordinance, FEMA, Village of Montgomery flood plain ordinance, and all applicable federal, state and locally adopted flood plain ordinances shall apply to flood plain construction.

Section 103.2 Appointment is hereby amended by replacing “The building official shall be appointed by the chief appointing authority of the jurisdiction” with “the Director of Community Development or their designee shall serve as the Code Official for the Village of Montgomery.”

Section 105.1.1 Annual Permit shall be deleted in its entirety.

Section 105.1.1 Annual Permit Records shall be deleted in its entirety.

Section 105.2 Work exempt from permit is hereby amended by deleting items numbered Building 1, 2 3, 4, 5, 6, 9, 10 and 12.

Section 105.2 Work exempt from permit Building:

Amend building exemption 1 as follows: One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area is not greater than 50 square feet.

Amend building exemption 2 as follows: Delete provision in its entirety and replace with “Existing permitted gates, and fences not exceeding 30% of the existing linear length, provided repairs or replacement is fabricated with materials of the same size and dimension.”

Section 105.7 Placement of permit is hereby amended by deleting provision in its entirety and replacing with “The building permit card shall be kept on the site of the work and be visible from the street until such time as a certificate of occupancy permit has been issued, or a final inspection has been performed and approved.”

Section 113.1 General is hereby amended by replacing “The board of appeals shall be appointed by the governing authority and shall hold office at its pleasure” with “The board of appeals shall consist of the Village Board of the Village of Montgomery.”

Section 113.3 Qualifications shall be deleted in its entirety.

Section 406.3.4.1 Dwelling unit separation is hereby amended by replacing all references to “1/2-inch gypsum board” with “5/8-inch type X gypsum board.”

Section 903.1.1 Alternative Protection shall be deleted in its entirety.

Section 903.2.1.1 Group A-1 item #1 is amended to read as follows: “The building exceeds 5,000 square feet.”

Section 903.2.1.1 Group A-1 item #2 is amended to read as follows: “The building has an occupant load of 100 or more.”

Section 903.2.1.2 Group A-2 item #1 is amended to read as follows: “The building exceeds 5,000 square feet.”

Section 903.2.1.2 Group A-2 item #2 is amended to read as follows: “The building has an occupant load of 100 or more.”

Section 903.2.1.3 Group A-3 item #1 is amended to read as follows: “The building exceeds 5,000 square feet.”

Section 903.2.1.3 Group A-3 item #2 is amended to read as follows: “The building has an occupant load of 100 or more.”

Section 903.2.1.4 Group A-4 item #1 is amended to read as follows: “The building exceeds 5,000 square feet.”

Section 903.2.1.4 Group A-4 item #2 is amended to read as follows: “The building has an occupant load of 100 or more.”

Section 903.2.1.8 is hereby amended by adding the following new subsection:

Group B: An Automatic sprinkler system shall be provided for group B occupancies where one of the following conditions exist:

1. The building exceeds 5,000 square feet
2. The building has an occupant load of 100 or more.
3. The building exceeds two stories in height.

Section 903.2.3 Group E item #1 is amended to read as follows: “Throughout all buildings which exceed 2,500 square feet.”

Section 903.2.4 Group F-1 is amended to read as follows: “Group F-1 and F-2. An automatic sprinkler system shall be provided throughout all buildings containing Group F-1 or F-2 occupancy where one of the following exists:

1. The building exceeds 5,000 square feet.
2. Where a Group F-1 or F-2 fire area is located more than two stories above the lowest level of fire department access.

3. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet."

Section 903.2.6 Group I exceptions are hereby deleted in their entirety.

Section 903.2.7 Group M item #1 is amended to read as follows: "Where the building exceeds 5,000 square feet."

Section 903.2.7 Group M item #2 is amended to read as follows: "Where a Group M fire are is located more than two stories about the lowest level of fire department access."

Section 903.2.7 Group M item #3 is hereby deleted in its entirety.

Section 903.2.9 Group S-1: is amended to read as follows: "Group S-1 or S-2. An automatic sprinkler system shall be provided throughout all buildings containing Group S-1 or S-2 occupancies where one of the following conditions exist:

1. Where the building exceeds 5,000 square feet.
2. Where a Group S-1 or S-2 fire area is located more than two stories above the lowest level of fire department access.
3. A Group S-1 or S-2 building used for the storage of commercial motor vehicles which exceeds 5,000 square feet.
4. A Group S-1 or S-2 occupancy used for the storage of upholstered furniture or mattresses exceeding 2,500 square feet."

Section 903.2.9.1 Repair Garages item #1, 2 and 3 are amended to read as follows:

1. Buildings with a fire area containing a repair garage exceeding 5,000 square feet.
2. Buildings with repair garages servicing vehicles parked in basements.
3. A Group S-1 or S-2 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet.

Section 903.2.10 Group S-2 exceptions are hereby deleted in their entirety.

Section 903.2.13 is amended to add the following section:

Group U: An automatic sprinkler system shall be provided throughout buildings containing a Group U occupancy where the following conditions exist: 1. Where the building exceeds 5,000 square feet.

Section 903.3.1.1.1 Exempt Locations Delete item #3 and item #4.

903.3.1.3 NFPD 13D Sprinkler Systems, is amended to read as follows: "Where allowed, automatic sprinkler systems installed in townhouses shall be installed throughout in accordance with NFPA 13D."

Section 903.4 Sprinkler System supervision and alarms Exceptions, Item #3 through item #7 are hereby deleted in their entirety.

Section 905.3 Required Installations exception is hereby deleted in its entirety.

Section 905.3.1 Height is amended to read as follows: "Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is 3 stories with corridors more than 25 feet and all buildings which are 4 or more stories in height, including penthouses."

Section 905.11 is amended to add the following section:

Standpipe Connections Where required. Additional standpipe connections shall cover all areas of the building with 100 feet of hose and a 30-foot spray of water.

Section 907.2 Where required- new building and structures is amended to read as follows: "An approved manual and automatic fire alarm system, installed in accordance with the provisions of this code and NFPA 72, shall be provided in any new building or any addition to an existing building where the aggregate square footage of the building exceeds the following:

1. All buildings or additions 2,000 square feet and over.
2. All buildings which have a sprinkler system or any automatic suppression system.
3. When required, both the new addition and the existing building shall have an automatic and manual fire alarm system.
4. Exception: One- and two-family dwellings under the International Residential Code."

Section 907.2.24 is amended to add the following: "**Attached single family:** An automatic fire alarm and detection system shall be installed in accordance with NFPA 72 and section 907.2 as amended, in multiple attached single-family dwellings (townhouses) if the building contains three or more units."

Subsection 1101.2 Design Add the language: "Compliance with the current edition of the Illinois Accessibility Code is required."

Section 1612.3 Establishment of flood hazard areas is hereby amended by replacing "[INSERT NAME OF JURISDICTION]" with "the Village of Montgomery" and "[INSERT DATE OF ISSUANCE]" with "most recent."

Section 1612.3 Establishment of flood hazard areas. Section 1612.3 is hereby amended by inserting "Kane/Kendall County, Illinois" for name of jurisdiction and "current edition" for the date of issuance.

Section 1612.4 Design and construction is hereby amended by adding the following "the Kane County storm water ordinance, FEMA, Village of Montgomery flood plain ordinance, and all applicable federal, state, and locally adopted flood plain ordinances."

Section 1807.1.4 Permanent wood foundation systems shall be deleted in its entirety.

Section 1807.1.4 Permanent wood foundation systems shall be deleted in its entirety.

Section 1809.12 Timber footings shall be deleted in its entirety.

Section 1809.12 Timber footings is hereby amended by deleting in its entirety.

Chapter 1810.3.2.4 Timber shall be deleted in its entirety.

Chapter 29 Plumbing systems. Delete this chapter in its entirety, the provisions of the Illinois Plumbing Code shall govern the erection, installation, alteration, repairs, relocations, replacement, addition to, use or maintenance of plumbing equipment and systems.

SECTION 3000- Elevators and conveying systems and all other sections and referenced codes regarding elevators and related equipment, if applicable.

SECTION 3001 - GENERAL

Section 3001.2 Referenced Standards is hereby amended to read as follows: “To be as stringent and comply with current Illinois Elevator Safety Act (225 ILCS 312) and its Rules. For private residential conveyance application, the Act does not apply; however, the IBC code shall for new installation, permits, final acceptance. For applications not covered by the Illinois Elevator Safety Act, those conveyance applications shall be covered under the IBC code by the AHJ for new installation, permits, final acceptance, periodic inspections and testing, unsafe conditions, power to seal equipment, put conveyance out of service, and certificate compliance as well as owner / agent responsibility for contractor, maintenance, accident/injury responsibility.”

Referenced Standard from IBC 2015: Safety Code for Elevators and Escalators (ASME A17.1), Performance Based Safety Code for Elevators and Escalators (A17.7), Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A18.1), Safety Standard for Belt Man lifts (A90.1), Safety Standard for Conveyors and Related Equipment (B20.1)

Referenced Standards from (225 ILCS 312): Safety Code for Elevators and Escalators (ASME A17.1), the Standard for the Qualification of Elevator Inspectors (ASME QEI 1), the Automated People Mover Standards (ANSI/ASCE/T&DI 21), and the Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A18.1).

Section 3001.3 Accessibility is hereby amended by adding the following: “Chapter 11 shall conform to ICC A117.1 Add: Illinois Accessibility Code (IAC).”

Section 3002.4 Elevator Car to Accommodate Ambulance Stretcher is hereby amended to read: “Where elevators are provided in buildings, not fewer than one elevator, shall be provided for fire department emergency access to all floors regardless of rise.

Such elevator car shall be of such size and arrangement to accommodate a minimum 24 inch by 84-inch ambulance stretcher in the horizontal open position and shall be identified by the International Symbol for emergency medical services (Star of Life).

The symbol shall not be less than 3 x 3 inches high and wide (76 mm x 76 mm) and shall be placed inside on both sides of the main lobby Hostway door frame.

Note: As per IBC, this is required for buildings which are 4 floors or higher. This change would be required regardless of floors."

Section [F] 3003.3 Standardized fire service elevator keys is hereby amended by adding the following after International Fire Code: "for new and modernized elevators only."

Section 3004.4 Personnel and material hoists is hereby amended by adding the following in last sentence: "a jump" before "a major alteration" Add new sentence: "All miscellaneous hoisting and elevating equipment shall be subjected to tests and inspections as required by the AHJ to ensure safe operation."

Section 3005.1 Access is hereby amended by adding the following: "This means is not to be used as a passage way through the space to other areas of the building."

Section 3005.4 Machine rooms, control rooms, machinery spaces, and control spaces is hereby amended by deleting exception #2 in its entirety.

Section 3009 Certificate of Compliance is hereby amended by adding a new section and subsections:

Section 3009.1 Compliance Testing: The operation of all equipment governed by the provisions of this chapter and hereafter installed, relocated or altered shall be unlawful by persons other than the installer until such equipment has been inspected and tested as herein required and a final certificate of compliance has been issued by the AHJ.

Section 3009.2 Posting Certificates of Compliance: The owner or lessee shall post the current-issued certificate of compliance in a conspicuous place inside the conveyance. A copy of the current issued certificate is acceptable. Please refer to Illinois Elevator Safety Act.

Section 3305.1 Toilet facilities required. Delete reference to the International Plumbing Code and replace with portable toilet facilities conformance with ANSI Z4.3.

(Ord. No. 1300, § 1, 2-12-07; Ord. No. 1479, § 2, 11-22-10; Ord. No. 1764, § 1(a), 4-10-17)

Section 6-1.1 – Same – Amendments shall be deleted in its entirety.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois this 25th day of February, 2019.


Matthew Brolley

President of the Board of Trustees of the Village of Montgomery

ATTEST:


Penny FitzPatrick

Village Clerk of the Village of Montgomery



Aye Nay Absent Abstain

Trustee Stan Bond

vacant

Trustee Pete Heinz

Trustee Steve Jungermann

Trustee Denny Lee

Trustee Doug Marecek

Trustee Theresa Sperling

Village President Matthew Brolley

No vote cast