

ORDINANCE NO. 2010-O-07

AN ORDINANCE AMENDING THE WILMETTE VILLAGE CODE, 1993, AS AMENDED, BY ADOPTING AND INCORPORATING BY REFERENCE CERTAIN MODEL BUILDING, RESIDENTIAL, ELECTRICAL AND PLUMBING CODES AND AMENDING OTHER CERTAIN CODES RELATING TO BUILDINGS AND CONSTRUCTION

WHEREAS, the Village President and Board of Trustees (hereinafter collectively referred to as the “Village Board”) of the Village of Wilmette, Cook County, Illinois (hereinafter the “Village”), find that the Village is a home rule municipal corporation as provided in Article VII, Section 6 of the 1970 Constitution of the State of Illinois and, pursuant to said constitutional authority, may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare, including exercising the power to tax; and,

WHEREAS, the Village Board further finds that certain model building, residential, electrical and plumbing codes may be adopted by municipalities; and,

WHEREAS, the Village Board further finds that certain other portions of the Village Code relate to buildings and construction may be amended to provide for the protection of the public health, safety, morals and welfare, and is otherwise in the public interest; and,

WHEREAS, the Village Board further finds that adoption of said model codes by this Ordinance provides for the protection of the public health, safety, morals and welfare, and is otherwise in the public interest; and

WHEREAS, the Village Board further finds that certain residential properties must have additional protection against fire when constructed with certain light weight materials that tend to burn more quickly than solid lumber and it is therefore in the public interest to require an approved automatic fire sprinkler system in all homes constructed with such materials; and

WHEREAS, the Village Board further encourages that all residential properties have an approved automatic fire sprinkler system installed and that when such a system is not mandatory the voluntary installation of such a system must be constructed in accord with the standards set forth in this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of Wilmette, Cook County, Illinois, as follows:

SECTION 1: The foregoing findings and recitals, and each of them, are hereby adopted as Section 1 of this Ordinance and are incorporated by reference as if set forth verbatim herein.

SECTION 2: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 9, “Housing and Building Regulations,” by amending Subsection 9-3.1 in its entirety in the manner and form set forth below, so that said Subsection shall hereafter provide as follows:

9-3 BUILDING CODES

9-3.1 COMMERCIAL AND MULTI-FAMILY CONSTRUCTION; ADOPTION OF CODES

(a) There is adopted by the village that building code known as the 2006 International Building Code, except such portions as are hereinafter deleted, modified or amended. Three copies shall be kept on file in the office of the Village Clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein. The provisions of said building code shall be controlling in the construction of all buildings and other structures therein contained within the corporate limits of the Village of Wilmette to the extent hereinafter provided. Wherever the word “municipality” is used in said building code, it shall be held to mean the Village of Wilmette.

(b) “Village of Wilmette” shall be inserted wherever the words “name of jurisdiction” appears.

(c) Section 105.2 is amended by deleting items 1 through 7, 9, and 12.

(d) Section 110 – Certificate of Occupancy, par. 110.2, delete items 7 through 12 only.

(e) Sections 112.1 through 113.4, and Appendix B, are deleted and replaced as follows:

Sections 112.1 through 113.4, shall read as follows:

SECTION 112.0 BUILDING CODE BOARD OF APPEAL

112.1 Appointment.

There is hereby established in the Village a board to be called the Building Code Board of Appeal, consisting of 5 members who shall be a resident structural engineer, a resident civil engineer, two resident architects and a resident builder or superintendent of building construction. The members shall be appointed by the Village President with the consent of the Board of Trustees. The Village President shall designate one of the members to serve as chairman.

112.2 Term of Office.

All members of the Building Code Board of Appeal shall be appointed for a term of five (5) years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Continued absence of any member from regular meetings of the board shall, at the discretion of the Village President, render any such member liable to immediate removal.

(2001-O-5, 2/27/01)

112.3 Quorum.

Four members of the board shall constitute a quorum. In varying the application of any provision of this Code or in modifying an order of the building official, affirmative votes of 3 members shall be required. No member of the board shall pass upon any question in which he, or any entity in which that member has an economic interest, is interested.

112.4 Meetings and Records.

Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. All hearings before the board shall be open to the public. The board shall keep minutes of its proceedings showing the vote of each member upon every question, or if absent or failing to vote, indicating such facts, and shall also keep records of its examinations and other official action. Such minutes and such records shall be public records.

112.5 Procedure.

The board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this Code.

112.6 Appeals.

(a) Any person aggrieved or the head of any agency of the village may take an appeal to the Building Code Board of Appeal from any decision of the building official.

(b) An appeal may be taken within 30 days from the date of decision appealed, by filing with the building official and with the Building Code Board of Appeal a notice of appeal, specifying the grounds thereof, except that in the case of a building or structure which, in the opinion of the building official, is unsafe or dangerous, the building official may in his order limit the time for such appeal to a shorter period. The building official shall forthwith transmit to the Building Code Board of Appeal all the papers upon which the action appealed from was taken.

112.7 Modifications and Variations by the Building Code Board of Appeal.

(a) The Building Code Board of Appeal, when so appealed to and after a public hearing, may vary the application of any provision of this Code to any particular case when in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of this Code or public interest, or when in its opinion, the interpretation of the building official should be modified or reversed.

(b) A decision by the Building Code Board of Appeal to vary the application of any provision of this Code, or to modify an order of the building official, shall specify in what manner such variation or modification is made, the conditions upon which it is made, and the reasons therefore.

(c) Financial hardship cannot become a point of discussion on which to base a building code appeal. Decisions of the Building Code Board of Appeal are to be based solely on technical considerations and not cost considerations.

112.8 Decision of the Building Code Board of Appeal.

(a) The Building Code Board of Appeal shall in every case reach a decision without unreasonable or unnecessary delay. Every decision of the Board of Appeal shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the building official and shall be open to the public inspection. A certified copy shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the building official for 2 weeks after filing.

(b) If a decision of the Building Code Board of Appeal reverses or modifies a refusal order or disallowance of the building official, or varies the application of any provision of this Code, the building official shall take action immediately in accordance with such decision.

112.9 Appeals from Decisions of the Building Code Board of Appeal.

A person aggrieved by a decision of said board, whether previously a party to the proceeding or not, or an officer or board, may, within 15 days after the filing of the decision in

the office of the building official and service by mail of the parties of record, appeal to the Board of Trustees.

- (f) Section 3001.2 shall be deleted and replaced with as follows:

Section 3001.2. The installation, repair and alteration of elevators, escalators and similar conveyances and their components shall comply with the standards set forth in Section 9-3.10 of the Wilmette Village Code.

- (g) Section 1612.3 is hereby amended by inserting the words “Cook County, IL” where the words “insert name of jurisdiction” appear and “August 19, 2008” where the words “date of issuance” appears.

- (h) Section 3002.4 is hereby amended as follows:

3002.4 Elevators for Fire Department Use. In all new elevator installations in any structure, at least one (1) elevator shall be provided for fire department use. Such elevator car shall be of such size and arrangement to accommodate a 24 inch by 88 inch (610 mm to 2236 mm) ambulance stretcher in the horizontal open position and a 42 inch (1067 mm) side-slide door to allow for turning a wheel chair or accommodating an ambulance stretcher in its horizontal position.

For a new elevator serving only two floors, a Limited Use/Limited Access (LULA) Elevator which accommodates a wheelchair shall be acceptable if a minimum 5.0’ wide stair is also provided serving the same two floors.

- (i) Section 3003.2 is deleted and replaced as follows:

3003.2 Fire Fighters Emergency Operation. Elevators shall be provided with Phase 1 emergency recall operation and Phase 2 emergency in car operation in accordance with ASME A17.1 and NFPA72.

- (j) Section 3006.1, is deleted and replaced as follows:

3006.1 Access. An approved means of access shall be provided to elevator machine rooms and overhead machinery equipment spaces. This means is not to be used as a passage way through the machine room to other areas of the building or roof.

- (k) Chapter 32, “Encroachments into the Public Right-of-Way,” is deleted in its entirety.

- (l) Section 3410.2 is hereby amended by inserting “April 1, 2010” where the words “DATE TO BE INSERTED BY JURISDICTION APPEAR. NOTE: IT IS RECOMMENDED

THAT THIS DATE COINCIDE WITH THE EFFECTIVE DATE OF BUILDING CODES WITHIN THE JURISDICTION” appear.

- (m) Appendix G, “Flood-Resistant Construction,” is deleted in its entirety.
- (n) Appendix H, “Signs,” is deleted in its entirety.
- (o) Appendix J, “Grading,” is deleted in its entirety.
- (p) Appendix K, “ICC Electrical Code,” is deleted in its entirety.

SECTION 3: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 9, “Housing and Building Regulations,” by amending Subsection 9-3.2 in its entirety in the manner and form set forth below, so that said Subsection shall hereafter provide as follows:

9-3.2 ONE AND TWO FAMILY RESIDENTIAL CONSTRUCTION.

(a) There is adopted by the village that building code known as The 2006 International Residential Code for One and Two Family Dwellings, except such portions as are hereinafter deleted, modified or amended. Three copies shall be kept on file in the office of the Village Clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein. The provisions of said building code shall be controlling in the construction of all buildings and other structures therein contained within the corporate limits of the Village of Wilmette to the extent hereinafter provided. Wherever the word “municipality” is used in said building code, it shall be held to mean the Village of Wilmette.

(b) “Village of Wilmette” shall be inserted wherever the words “name of jurisdiction” appears.

(c) Section R106.1 is hereby amended by adding the following paragraph to the end of said section:

At the time of building permit application, an Illinois Registered Architect or Structural Engineer must sign and seal two copies of drawing submissions for one- or two-family residential construction where the construction involves structural work or the cost of construction exceeds \$25,000 with the following types of work exempted: exterior paving, including driveways, walks, and patios; unheated porches; decks; exterior stairs; non-habitable detached garages (unless there is a brick exterior or unsuitable soil conditions), kitchens; baths; exterior windows; and basement remodeling. Technical submissions for exempt projects shall also comply with all standards and codes, but shall not require a design professional's seal.

(d) Section R902.2 shall remain and be amended by adding the following:

WOOD SHINGLES. No wood roofing shingles or shakes are permitted to be installed in the Village of Wilmette unless they have been treated with a fire-retardant, Class C rating or better.

(e) Section R402.1, "Wood Foundations," is hereby be deleted.

(f) Section R105.2, item 1 shall be deleted and replaced with the following:

"One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 100 square feet."

(g) Section R105, items 2 through 7 and 9 are hereby deleted.

(h) Sections R112.1 through R112.4 are deleted and replaced with the following:

Section R112.1 General. All appeals are to be made to the Building Code Board of Appeals.

(i) An approved automatic fire sprinkler system shall be installed in all new one- and two-family dwellings and townhouses in accordance with Section 903.3.1 of the International Building Code, Section 903 *et. seq.* of the Fire Prevention Code of the Village of Wilmette as adopted and the other applicable standards set forth by the Village if light weight frame construction is used in new construction:

Light weight frame construction shall be defined as a type of construction whose vertical and horizontal structural elements are primarily formed by a system of repetitive wood or cold-formed steel framing members. The wood elements are comprised of engineered structure elements such as trusses, glue laminated beams, truss-type open-web or perforated floor joists, I-joists, structural composite lumber, structural insulated panels, and wood structural panels. Traditional milled or sawn-cut dimensional lumber such as "2x4", "2x6", "2x8", "2x10" and continuing are not considered as lightweight frame construction.

(j) An approved automatic fire sprinkler system may be installed in all new one- and two-family dwellings and townhouses in accordance with Section 903.3.1 of the International Building Code, Section 903 *et. seq.* of the Fire Prevention Code of the Village of Wilmette as adopted and the other applicable standards set forth by the Village for construction not using light weight frame construction. Where the installation of an automatic fire sprinkler system is not made mandatory by this code, the voluntary installation of an automatic fire sprinkler system shall nevertheless be in accordance with Section 903.3.1 of the International Building Code, Section 903 *et. seq.* of the Fire Prevention Code of the Village of Wilmette as adopted and the other applicable standards set forth by the Village.

SECTION 4: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 9, "Housing and Building Regulations," by amending Subsection 9-3.3.1(c) in the manner and form shown below with additions being underlined and deletions being shown in strikethrough text, so that said Subsection shall hereafter provide as follows:

9-3.3.1 FENCE PERMITS REQUIRED.

(c) The fee for the permit shall be \$35.00. **Fence permits shall expire and become invalid six months from the date of issuance.** (81-O-10, 3/17/81; 2002-O-100, 12/10/02; 2003-O-89, 11/24/03; 2004-O-104, 11/22/04; 2005-O-104, 11/21/05; 2006-O-94, 11/28/06; 2007-O-87, 11/27/07; 2008-O-88, 12/9/08)

SECTION 5: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 9, "Housing and Building Regulations," by amending Subsection 9.3.3.4 in the manner and form shown below with additions being underlined and deletions being shown in strikethrough text, so that said Subsection shall hereafter provide as follows:

9-3.3.4 FAILURE TO OBTAIN PERMITS; EXPIRATION OF PERMITS; PENALTY.

(a) Construction Work Defined. As used in this Chapter, the term "construction work" shall include all functions performed in connection with the construction, erection, installation, modification, repair or demolition of a building, fence, sign, or other structure, which requires a building permit, plumbing permit, electrical permit, fence permit, sign permit, variation, special use permit, grading permit, right-of-way permit, or other permit required under the Housing and Building Code, the Zoning Ordinance, or any other ordinances of the village.

1. **Demolition Defined. As used in this Chapter, the term "demolition" shall include all functions performed in connection with the complete or substantial removal or destruction of a structure, building, or accessory structure including either:**

- i. **The demolition of the entire existing structure or building including foundations and mechanical, electrical, and plumbing systems; or**
- ii. **The demolition or removal of any accessory structure, including detached garages, underground storage tanks, and in-ground swimming pool and spas, but not including paved surfaces and fences; or**

- iii. The demolition or removal of any accessory structure or building for which there are mechanical, electrical or plumbing systems; or
- iv. The demolition of fifty (50) percent or more of the exterior walls and roofs of an existing structure or building above grade, so as to make the structure or building uninhabitable or unsafe for human occupancy. For this purpose, a wall is considered demolished when the structural integrity of the wall has been compromised or when the finish materials from both sides of a wall are removed.

2. New Construction Defined. As used in this Chapter, the term "new construction" shall be defined as construction of a principal building or structure; or remodeling of or addition to an existing structure that was fifty (50) percent or more demolished or destroyed as defined in 9.3.3.4(a)(1)(iv).

- i. New construction of buildings or structures as defined above shall be subject to all applicable requirements of this Chapter.

(b) Contractor's Obligation. No person, corporation or other entity shall perform any construction or demolition work within the village without determining that the owner or occupant of the property in question has obtained all necessary permits for such work.

(c) Penalty. A person, firm, corporation, or other entity found guilty of a violation of subsection 9-3.3.4(b) shall be subject to a fine of not less than \$250 nor more than \$750 for each offense, and a separate offense shall be deemed to have been committed on each day, beginning with the day when the unlawful construction work was first performed and ending with the day when the construction work is brought into compliance with the ordinances of the village. Such person, firm, corporation, or other entity may request the owner or occupant in writing to apply to the village for the necessary permit or permits and shall not be subject to a fine for any day during the period between the making of such written request and the denial of the application, but shall be subject to a fine for each day on which a violation occurred or continued before the written request was made and, if the application is denied, following its denial and until the construction work is brought into compliance with the ordinances of the village.

(d) Liability to Owner or Occupant. As provided in subsection 9-3.3.4(c), a person, firm, corporation or other entity which violates subsection 9-3.3.4(b) may request the owner or occupant to apply to the village for the necessary permit or permits. If such permit or permits are denied, then such person, firm, corporation or other entity shall, at its own expense and at the

option of the owner or occupant, promptly either restore the property to its former condition or revise the construction work so as to be in compliance with the ordinances of the village. If such person, firm, corporation or other entity fails to take such remedial action, then the owner or occupant may make other arrangements for such remedial action, and such person, firm, corporation or other entity shall be liable to the owner or occupant for the reasonable cost thereof of the remedial action.

(e) Owner or Occupant Refusal. If the owner or occupant refuses to apply to the village for the necessary permit or permits under subsection 9-3.3.4(c) and (d), or if the owner or occupant refuses to allow a person, firm, corporation, or other entity which violates subsection 9-3.3.4(b) to take remedial action, as provided for in subsection 9-3.3.4(d), such person, firm, corporation, or other entity shall not be subject to a fine under subsection 9-3.3.4(c) for any day following such refusal and shall not be liable to the owner or occupant under subsection 9-3.3.4(d).

(f) Expiration After Issuance. Building and construction permits for residential structures shall expire and become invalid twelve months from the date of issuance, after which time the permittee shall pay a renewal fee equal to 100% of the original permit fee. Alternatively, a building permit that would remain valid for eighteen (18) months can be obtained by the payment of 150% of the permit fee at the time of the initial permit issuance. Any permit issued shall become invalid if the authorized work is not commenced within six (6) months after the issuance of the permit, or if the authorized work is not substantially progressing toward completion for a period of six (6) months after the time the work has commenced.

(g) Expiration Prior to Issuance. Applicants seeking any permit under the Housing and Building Code, the Zoning Ordinance, or any other ordinances of the village shall have a duty to timely supply any additional or supplemental information necessary to complete the application review process. An applicant shall have forty-five (45) days from the date of written notification by the village to submit any information requested. To the extent an applicant does not comply with the information request within forty-five (45) days of written notification, then the permit application shall be null and void. In all cases, permit applications shall expire forty-five (45) days after written notification that the permit is ready for issuance. Upon a showing of good cause to the Director of Community Development, the Director of Community Development shall have the discretion, but not obligation, to extend the deadlines stated herein.

SECTION 6: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 9, “Housing and Building Regulations,” by amending Subsection 9-3.10 in the manner and form shown below with additions being underlined and deletions being shown in strikethrough text, so that said Subsection shall hereafter provide as follows:

9-3.10 ELEVATOR AND ESCALATOR CODES.

For the purpose of establishing rules and regulations for the installation, repair and alteration of elevator, escalators, and similar conveyances, the village incorporates by reference as if fully set forth herein the Safety Code for Elevators and Escalators (ASME A17.1-2007), A17.1(a)-2007, and A17.1(s)-2007, Guide for Inspection of Elevators, Escalators, and Moving Walks (ASME 17.2-2004), Safety Code for Existing Elevators and Escalators (ASME A17.3-2005), Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A18.1-2005), and Standard for the Qualification of Elevator Inspectors (ASME QEI-1-2004), **Safety Requirements for Personal Hoists and Employee Elevators (ANSI A10.4-2004)**, and **Automated People Mover Standards (ASCE 21-2000)**, three copies of which shall be kept on file in the office of the Village Clerk. The provisions of said elevator codes shall be controlling in the construction, repair and alteration of all elevators, escalators, and similar conveyances therein contained within the corporate limits of the Village of Wilmette. Whenever the terms "authority having jurisdiction for enforcing the code," "governmental bodies exercising legal jurisdiction over electrical installations," "administrative authority," or similar terms are used in said elevator and escalator codes, they shall be held to mean the Village of Wilmette.

SECTION 7: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 9, "Housing and Building Regulations," by amending Subsection 9-4.1 in the manner and form shown below with additions being underlined and deletions being shown in strikethrough text, so that said Subsection shall hereafter provide as follows:

9-4 SITE DEVELOPMENT AND MAINTENANCE REQUIREMENTS

9-4.1 DEFINITIONS AND APPLICABILITY.

(a) Construction Site Defined. Construction site shall include that lot for which a permit has been issued and any adjacent public right-of-ways or public properties.

(b) Except as expressly provided, the provisions of Section 9-4 shall not be construed to waive, revoke, or otherwise render inapplicable the requirements set forth in the Wilmette Housing and Building Codes ~~or 1993 BOCA Code~~ **as adopted**.

(c) The provisions of Section 9.4 shall not apply to any request for permit, license or other authorization made by the Village of Wilmette, the United States of America, the State of Illinois and any agency thereof, or any "local public entity," as that term is defined in 745 ILCS 10/1-206.

(2001-O-59, 9/11/01; 2006-O-85, 11/14/06)

SECTION 8: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 9, "Housing and Building Regulations," by amending the Subsections 9-5 in the manner and form shown below with additions being underlined and deletions being shown in strikethrough text, so that said Subsections shall hereafter provide as follows:

9-5 ELECTRICAL CODE.

The National Electrical Code 2005 Edition, shall be and the same hereby is adopted by reference as The Electrical Code of the Village of Wilmette, as fully as if set out at length herein, save and except the following deletions, modifications or amendments thereto. Three copies are filed in the office of the Village Clerk, and the same are hereby adopted and incorporated as fully as if set out at length herein. The provisions of said electrical code shall be controlling in the construction, repair and alteration of all buildings and other structures therein contained within the corporate limits of the Village of Wilmette. Whenever the terms "authority having jurisdiction for enforcing the code," "governmental bodies exercising legal jurisdiction over electrical installations," "administrative authority," or similar terms are used in said electrical code, they shall be held to mean the Village of Wilmette.

(83-O-16, 4/19/83; 90-O-86, 12/4/90; 95-O-88, 11/28/95)

The electrical code of the Village of Wilmette is supplemented with the following additional requirements:

(a) All electrical service connections shall have a minimum capacity of 100 amps, and shall utilize a 20 circuit plug fuse box or circuit breaker with 100 amp. main fuse or circuit breaker disconnect of a type having Underwriters Laboratory approval. All circuits shall be contained in one cabinet. If a plug fuse box is used, only fusetat fuses shall be used. Minimum wire size #3 copper and #1 aluminum shall be used. Mini-breakers are not permitted.

(83-O-16)

(b) All service entrance conductors shall enter the building in rigid conduit with no reduction in size of neutral wire. Eye bolt or mast is required for all service installations. Roof plate devices are not acceptable.

(c) The wiring method employed in all electrical installation, within the buildings in the Village of Wilmette, shall be in rigid conduit or electric metallic tubing except as hereinafter provided.

(1) Where necessary to pass wire through existing partitions, BX or flexible conduit may be used, not to extend more than three feet beyond said partitions.

~~(2) All low voltage wire must be in pipe through any partition, so that such wire may be replaced. All low voltage transformers must be grounded.~~

~~(67 O-34, 1/2/68)~~

(d) All underground service connections shall have a minimum capacity of 200 amps. terminating in an approved 200 amp. meter cabinet, with a minimum 40 circuit breaker panel. For 200 amp. service, only 000 copper or 0000 aluminum wire is permitted.

(83-O-16)

(e) All Commonwealth Edison Company electric meters must be installed on the outside of single-family, duplex, two-flat or town house buildings.

(f) All clothes closet lights must be recessed fixtures or glass-enclosed fixtures with mounted switches. Pull switches are prohibited.

(g) All installations of heating cable used for gutter thawing must be approved by the Village Electrical Inspector.

(h) A grounding bond will be required at water meters, split connections on sump pump discharge pipes and around any dielectric couplings or connectors in water system. It is required to have service panel grounding to the street side of the water meter.

(83-O-16)

(i) A minimum of 100 amp. electrical service is required for the installation of central air-conditioning units in existing residential single-family, two-family and town house dwellings.

Where a central system air-conditioning, ventilation and heating are installed in buildings other than single-family residences, the requirements set forth in the following codes shall be met:

Controls - N.F.P.A. 70-1990 **2006**

Smoke Detectors - N.F.P.A. 70-1990 ~~(83 O-16)~~ **2006**

(j) No electrical utility service connection shall be installed or revised in any building or premises without the prior approval of the Village Electrical Inspector.

(k) Stand-by power generator systems (other than those of Article 700, emergency systems of the NFPA No. 70-1990 **2006**), must meet the following requirements:

(1) All generator systems must have a double-throw safety switch. It shall be installed in order to connect the owner's load to his emergency supply from the generator and to isolate such load from the electric company supply.

(2) Generators being installed in the building shall be only of natural gas to supply the prime mover and must be vented, unless approval has been granted by the Director of Community Development to utilize another fuel supply.

(3) Generators being installed outside of the building may be gasoline operated. **The storage of gasoline for a generator shall not exceed ten (10) gallons.**

(4) Gasoline or diesel powered generators, installed outside, shall not be located or installed within five feet of any building opening. (Doors, windows, escapes) (73-O-11, 3/20/73; 98-O-99, 12/8/98; 2007-O-90, 12/11/07)

(l) Exterior disconnects shall be required on all services except back to back installations and all piping between service meter and panels and all subpanels must be in rigid pipe.

(m) A main breaker shall be required in all main panels and subpanels.

(n) Low voltage stand-alone hard-wired smoke detector and carbon monoxide detector systems are allowed provided they meet the following:

(1) The system must comply with NFPA 72 National Fire Alarm Code.

(2) The contractor installing the system must be licensed and certified by the State of Illinois in the installation of fire alarm systems.

(3) A separate permit shall be required for all low voltage fire alarm work.

(4) The entire system shall be required to be in red metal pipe.

(5) An acceptance test by Fire Department personnel shall be required.

(6) The power source shall be from a commercial source; however, when primary power is interrupted, the power source shall be a battery. The circuit panel shall provide 115 volts at a locked dedicated breaker for the fire detection system.

(7) The system must stand alone and shall not rely on a privately-maintained security/fire alarm system. The system must respond regardless of the inactivation of a security/fire alarm system.

SECTION 9: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 9, "Housing and Building Regulations," by amending the Subsections 9-6.1 and 9-6.2 in the manner and form shown below with additions being underlined and deletions being shown in strikethrough text, so that said Subsections shall hereafter provide as follows:

9-6 PLUMBING CODE

9-6.1 PLUMBING CODE ADOPTED.

The Illinois Plumbing Code, Illinois Department of Public Health 2004 Edition, shall be and the same hereby is adopted by reference as The Plumbing Code of the Village of Wilmette, as fully as if set out at length herein, save and except the following deletions, modifications or amendments thereto. Three copies are filed in the office of the Village Clerk, and the same are hereby adopted and incorporated as fully as if set out at length herein.

(85-O-7, 4/16/85; 90-O-86, 12/4/90; 95-O-88, 11/28/95)

The Plumbing Code of the Village of Wilmette is supplemented with the following additional requirements:

Fees for permits for connection with sewer and water mains and inspection fees of water heater and fixtures shall be as set forth in ~~Chapter 18 of the Village Code~~, Section 18-3-5 **of the Village Code**.

(a) P-304.3 Public systems available. A public water supply system and sewer system shall be deemed available to premises used for human occupancy anywhere within the corporate limits of the village, and connections to the public water supply and sewer system conforming with the standards set forth in this code may be made thereto.

(2000-O-11, 4/25/00)

(b) P-113.2 Fee schedule. The permit fees for construction, reconstruction, alteration and installation shall be those established from time to time by the village.

(c) P-117.2 Unlawful continuance. Any person who violates a provision of this code, or fails to comply with any of the requirements thereof shall be subject to penalty as provided in Section 9-6.5 of the Village Code. Any person who shall continue any plumbing work in or about the structure 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 conditions, shall be subject to penalty as provided in Section 9-6.5 of the Village Code.

(d) ~~Section P-121, "Means of Appeal" is deleted.~~ All appeals are to be made to the Building Code Board of Appeals.

(e) P-309.3.1 All copper piping shall be protected against galvanic (electrolytic) action by insulating it from any other metallic contact and the use of ~~dielectric unions~~ **brass nipples, brass fittings, or brass unions**.

(f) P-309.4 Freezing. Water service piping and sewers shall be installed below recorded frost penetration, but not less than five feet below grade for water piping and four feet below grade for sewers. Plumbing piping in exterior building walls shall be adequately protected against freezing by insulation or heat or both.

~~(g) P-311.4~~ Openings in fire resistance rated floors. The required fire resistance rating of floor or floor/ceiling or wall assemblies shall be maintained where a penetration is made for plumbing, pipes and stacks.

~~(h) Chapter 6, Section 606, add:~~ "Overhead plumbing. All new buildings **and newly constructed additions** erected after December 31, 1970 with basements, floors, rooms or occupancy areas below ground level at the building site shall have overhead plumbing. No building permit application will be accepted nor any permits issued for construction of any structure in a new building unless plans and specifications therefore provided for overhead plumbing in accordance with this section."

~~(i) P-403.4~~ Water service pipe. Water service pipe shall be made of ductile iron pipe, cast iron pipe, copper pipe, or copper tube. Copper tube when used underground shall be "type K" and shall be put together with cast bronze flared fittings. Water service pipe shall conform to the applicable standards listed in ~~Table P-404.1.2~~ **of the Illinois Plumbing Code as adopted** and shall have a minimum working pressure of 160 pounds per square inch (160 psi/1103.04kPa) at 78.4 degrees F (23 degrees C).

~~(j) P-403.5~~ Building water distribution pipe. The building water distribution system shall be brass or copper pipe, copper tube, galvanized open hearth iron pipe or galvanized steel pipe. Copper tube shall have a weight of not less than copper water tube "type L." The water distribution pipe shall conform to the applicable standards listed in ~~Table P-404.1.3~~ **of the Illinois Plumbing Code as adopted** and shall have a minimum pressure rating of 80 psi (551.20kPa) at 180 degrees F (82 degrees C).

~~(k) P-404.3.1~~ Building sewer - in trench with water services. If the building sewer is installed in the same trench as the water service, the ~~conditions of Section P-1502.2.1 shall be met.~~ Metropolitan Water Reclamation District standards shall be followed.

~~(l) Chapter 4, Table P-404.1 shall be modified so that only~~ **Only** the following nonmetallic pipe and fittings are allowed: clay drain tile, **perforated plastic drain tile**, ~~clay pipe,~~ concrete culvert, concrete sewer, concrete pipe, and poly-vinyl chloride (PVC) for Schedule 40 non-foam core drain, waste and vent pipes, or SDR 26 for exterior underground pipes.

~~(m) Add the following to Section P-601.2:~~ "Sanitary building sewers shall be at least six inches in diameter except where cast iron pipe is used, it may be four inches in diameter."

~~Chapter 8, Section P-801.0 of the Plumbing Code herein adopted is amended to read:~~

~~(n) P-801.1~~ Drainage in Separate System Areas. In those parts of the village which are served by a separate sanitary sewer system, no building shall discharge roof top storm water directly into either the separate sanitary sewer system or the separate storm sewer system by means of downspouts from the building gutters, except as provided in ~~Section P-801.1b~~ **9-6.1(n)(2)**. All downspouts shall be:

(1) Terminated at grade or at the nearest hub to grade and sealed with cement to provide a positive disconnection of the downspout from the separate sewer; or,

(2) ~~Proven to be connected to the separate storm sewer system in accordance with provisions of Section P-801.1b.~~ The disconnected downspout must be directed to splash toward the street or alley, **but no closer than 10' from the public right-of-way,** and should splash in such a manner as to prevent basement seepage into the building foundation or the expulsion of runoff onto adjacent property. Building downspouts adjacent to public sidewalks in business districts shall drain into the separate storm sewer system so as not to drain across the sidewalk. ~~Storm water runoff from other areas, such as paved areas, yards, courts and courtyards, may discharge into the separate storm sewer system provided they have approved restrictors installed at inlets to provide surface detention.~~

~~(o) P-801.1a~~ **Damage and Nuisances Prohibited.** The owner of each building which is subject to ~~Section P-801.1~~ **9-6.1(n)**, or the occupant of each building if the building is not occupied by its owner, shall take all action reasonably necessary to cause storm water from building gutters to discharge to the surface of the ground in a manner which will not damage the same or adjoining properties or become a nuisance to occupants of adjoining properties. ~~or to discharge into the storm sewer system.~~

~~(p) P-801.1b~~ **Responsibility.** It shall be the responsibility of the property owner and occupant of each structure subject to ~~Section P-801.1~~ **9-6.1(n)** to provide, at their own expense, evidence to the Village Department of Engineering that their downspouts are connected to the proper (storm) sewer system or to undertake remedial action as provided in ~~Sections 801.1~~ **9-6.1(n)** and ~~801.1a~~ **9-6.1(n)(1)**.

~~(q) P-801.1.1~~ **Footing drains.** Footing drains shall be connected to sump pumps and discharge shall be made through storm sewers, combination sewers or drainage ditches. No footing drain or drainage tile shall be connected to the sanitary sewer.

~~(r) P-801.1.2~~ **Window wells.** All window wells shall be provided with drains. Window well drains may be connected to the drain tile and drain into the sump pump.

~~Chapter 8, Subsections P-801.2, 801.3 and 801.4 are added to the Plumbing Code which shall read as follows:~~

~~(s) P-801.2~~ **Drainage in Combined System Areas.** In those parts of the village which are served by a combined storm sewer system, no building shall discharge roof top storm water directly into the combined sewer system by means of downspouts from the building gutters unless granted an exception as stipulated in ~~Section P-801.4~~ **9-6.1(u)**. All connected downspouts to the combined system shall be terminated at grade or at the nearest hub to grade and sealed with cement to provide a positive disconnection of the downspout from the sewer. The disconnected downspout must be directed to splash toward the street or alley, and should splash in such a

manner as to prevent basement seepage into the building foundation or the expulsion of runoff onto adjacent property. Building downspouts adjacent to public sidewalks in business districts shall drain into the sewer system so as not to drain across the sidewalk. Storm water runoff from other areas, such as paved areas, yards, courts and courtyards, may discharge into the combined sewer system provided they have approved restrictors installed at inlets, to provide surface detention, according to the direction of the Village Engineer, in addition to any other restrictions said Village Engineer may require.

(t) ~~P-801.3~~ Damage and Nuisances Prohibited. The owner of each building which is subject to ~~Section P-801.2~~ **9-6.1(s)**, or the occupant of each building if the building is not occupied by its owner, shall take all action reasonably necessary to cause storm water from building gutters to discharge to the surface of the ground in a manner which will not damage the same or adjoining properties or become a nuisance to occupants of adjoining properties.

(u) ~~P-801.4~~ Exceptions. Exceptions to the requirements of ~~Section P-801.2~~ **9-6.1(s)** may be made by the Village Engineer or the Village Engineer's designee, if, in the Village Engineer's judgment, compliance with such section will create an associated storm water hazard to the building or any part thereof or to a neighboring building.

(v) ~~P-1225.7~~ Sill cocks. All buildings except accessory buildings shall be provided with two sill cocks.

(w) ~~P-1213.1.1~~ Floor drains. The floor of every public water closet or urinal compartment shall be graded to drain into any floor type urinal, waste opening, or a floor drain.

(x) ~~P-1213.1.2~~ Washing machines and hot water heaters. A pan or receptor with a drain, or a floor drain in an impervious floor, shall be required for all automatic machines, hot water heaters and furnaces with air conditioning compatibility.

(y) ~~P-1226.0~~ Abandoned fixtures. Plumbing fixtures which are not maintained or are abandoned shall be disconnected, removed and sealed.

9-6.1.2 ADDITIONAL METROPOLITAN WATER RECLAMATION DISTRICT REQUIREMENTS.

(a) All new buildings with basements, floors, rooms or occupancy areas below ground level at the building site shall have overhead plumbing, i.e., direct gravity connections from these areas to the sewer system will not be permitted.

(1) In combined sewer areas, floor drains in basements shall be connected to sump pumps and discharged into the combined sewers.

(2) In separate sewer areas, floor drains in basements shall be connected to sump pumps and discharged into the sanitary sewers.

(b) All footing drains shall be connected to sump pumps. No footing drains or drain tile shall be connected directly to the combined sewers or to the separate sanitary sewers or storm sewers.

(1) In combined sewer areas, the sump pump for the footing drains shall may discharge into the combined sewers only upon issuance of a permit approved by the Village Engineer.

(2) In separate sewer areas the sump pump for the footing drains shall may discharge into the storm sewers only upon issuance of a permit approved by the Village Engineer.

(c) A sump pump shall be used for one function only, either the discharge of storm waters or the discharge of sanitary sewage.

SECTION 10: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 9, "Housing and Building Regulations," by amending Subsection 9-8.4 in the manner and form shown below with additions being underlined and deletions being shown in strikethrough text, so that said Subsection shall hereafter provide as follows:

9-8 ROOFING PERMITS

9-8.4 FEES; EXPIRATION AFTER ISSUANCE

The fee for a roofing permit shall be \$35.00. Roofing permits shall expire and become invalid six months from the date of issuance.
(92-O-16, 3/3/92; 2002-O-100, 12/10/02; 2003-O-89, 11/24/03; 2004-O-104, 11//22/04; 2005-O-104, 11/21/05; 2006-O-94, 11/28/06; 2007-O-87, 11/27/07; 2008-O-88, 12/9/08)

SECTION 11: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 9, "Housing and Building Regulations," by amending Subsection 9-9.3 in the manner and form shown below with additions being underlined and deletions being shown in strikethrough text, so that said Subsection shall hereafter provide as follows:

9-9 SWIMMING POOLS

9-9.3 PERMIT FEE.

The fee for a permit to construct a private swimming pool with a capacity of 2,500 gallons or more shall be \$17.90 per \$1,000.00 estimated valuation.

(2002-O-100, 12/10/02; 2004-O-104, 11/22/04; 2007-O-87, 11/27/07; 2008-O-88, 12/9/08)

SECTION 12: The Wilmette Village Code, 1993, as amended, is further amended in Chapter 9, "Housing and Building Regulations," by amending Subsection 9-10.3 in the manner and form shown below with additions being underlined and deletions being shown in strikethrough text, so that said Subsection shall hereafter provide as follows:

9-10 PRIVATE SPAS AND HOT TUBS

9-10.3 PERMIT FEE.

The fee for the permit to construct a private spa or hot tub shall be \$17.90 per \$1,000.00 of estimated value.

(2002-O-100, 12/10/02; 2004-O-104, 11/22/04; 2007-O-87, 11/27/07; 2008-O-88, 12/9/08)

SECTION 13: This Ordinance shall be in full force and effect from its passage, approval and publication as provided by law, and shall be applicable to all permits applied for on or after August 1, 2010.

PASSED by the President and Board of Trustees of the Village of Wilmette, Illinois, on the 11th day of May, 2010, according to the following roll call vote:

AYES: Trustees Swanson, Basil, Krueger and President Canning.

NAYS: Trustees Terman and McKenna.

ABSTAIN: None.

ABSENT: Trustee Spillers.

Clerk of the Village of Wilmette, IL

APPROVED by the President of the Village of Wilmette, Illinois, this 11th day of May, 2010.

President of the Village of Wilmette, IL

ATTEST:

Clerk of the Village of Wilmette, IL