

SPONSORED BY: JIM WEBSTER

ORDINANCE
OF THE
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS

SUBMITTED BY: ZONING COMMITTEE

2016 CO 034

ORDINANCE TO ADOPT THE 2015 EDITION OF THE
INTERNATIONAL RESIDENTIAL CODE

WHEREAS, the Winnebago County Building Department has been involved in a collaborative effort with the City of Rockford and approximately 25 communities and 6 counties in northwest Illinois to create a Regional Building Code to provide some consistency in the adoption of various codes and amendments related to construction; and

WHEREAS, committees consisting of building officials, inspectors, design professionals, contractors, trade associations, labor unions, and local stakeholders were assembled to review new and existing codes as well as local amendments; and

WHEREAS, this collaborative effort resulted in the creation of a proposed Regional Building Code that includes specific agreed upon amendments applicable to the adoption of the 2015 International Residential Code; 2015 International Fire Code; the 2015 International Mechanical Code; the 2015 International Fuel Gas Code; NFPA 70: National Electrical Code, 2015 Edition; and the Illinois State Plumbing Code; and

WHEREAS, the County Board of the County of Winnebago, Illinois, adopted the 2003 International Residential Code for One- and Two-Family Dwellings on April 14, 2005; and

WHEREAS, the Winnebago County Building Department recommends adoption of the 2015 International Residential Code for One- and Two-Family Dwellings with the amendments proposed in the Regional Building Code; and

WHEREAS, the aforesaid 2015 edition of the International Residential Code for One- and Two-Family Dwellings has been filed in the office of the Winnebago County Clerk pursuant to 55 ILCS 5/5-6005.

NOW THEREFORE BE IT ORDAINED by the County Board of the County of Winnebago, Illinois, that the 2015 International Residential Code for One- and Two-Family Dwellings be and the same is hereby adopted by reference pursuant to 55 ILCS 5/5-6002, with modifications as set forth below.

BE IT FURTHER ORDAINED, that Chapter 18, Article VI, of the Winnebago County Code of Ordinances is hereby deleted in its entirety and replaced with the following:

ARTICLE VI. – RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS

Sec. 18-321. – Adopted.

The 2015 International Residential Code for One- and Two-Family Dwellings is hereby adopted by reference thereto as though fully set forth in this section and the whole thereof, save and except those portions as are deleted, modified, or amended in Section 18-322, three copies of which have been on file in the office of the county clerk for use and examination by the public for at least 30 days prior to the adoption thereof.

Sec. 18-322. – Amendments.

The 2015 International Residential Code for One- and Two-Family Dwellings adopted by Section 18-321 is hereby amended as follows:

(1) Section R101.1 is amended to read as follows:

R101.1 Title. These regulations shall be known as the Residential Code for One- and Two-Family Dwellings of Winnebago County, Illinois, hereinafter referred to as “this code.”

(2) Section R103.1 is amended to read as follows:

R103.1 Creation of enforcement agency. The department of building safety is hereby created and the official in charge thereof shall be the Building Official of Winnebago County.

(3) Section R103.2 is amended to read as follows:

R103.2 Appointment. The Building Official shall be appointed by the chief appointing authority of the County.

(4) Section R105.7 is amended to read as follows:

R105.7 Placement of permit. The permit holder shall post the permit in accordance with the building official’s instructions on the site of the work in a conspicuous location at all times until the completion of the project and all final inspections have been made and work approved. The building official is authorized to impose a reinspection fee when the permit is not posted. No inspection of any kind will be performed unless a building permit for the address in question is posted and visible to the inspector.

- (5) Section R108.5 is amended to read as follows:

R108.5 Refunds. The building official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Within one year after a permit has been issued and the required fee paid, provided no construction pursuant to the permit has occurred and no inspections have been made, a permit may be cancelled and, upon cancellation, 80 percent (80%) of the permit may be refunded, without interest thereon, and 20 percent (20%) retained to cover administrative expenses.

- (6) Section R109.1 is amended to read as follows:

R109.1 Type of inspections. For on-site construction, from time to time the building official, upon notification from the permit holder or his agent, may make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with the code. Where the phrase “shall be made” or “shall require” is used in Sections 109.1.1, 109.1.2, 109.1.3, 109.1.4, 109.1.5.1, and 109.1.6, it shall mean “may be made” or “may be required.”

- (7) Section R112.1 is amended to read as follows:

R112.1 General. A person shall have the right to appeal a decision of the building official to the Building/Mechanical Board of Appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served. The board shall not have authority to waive requirements of this code.

- (8) Section R112.2 is deleted in its entirety.

- (9) Section R112.3 is amended to read as follows:

R112.3 Membership and qualifications. The Building/Mechanical Board of Appeals shall consist of seven members appointed by the chief appointing authority for five year terms. The members shall come from the following professions or disciplines, with no more than two members from the same profession or discipline.

1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than ten years' experience, five of which shall have been in responsible charge of work; and/or
2. Registered design professional with structural engineering or architectural experience; and/or
3. Registered design professional with mechanical and plumbing engineering experience; or a mechanical contractor with not less than ten years' experience, five of which shall have been in responsible charge of work; and/or
4. Registered design professional with electrical engineering experience; or an electrical contractor with not less than ten years' experience, five of which shall have been in responsible charge of work; and/or
5. Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than ten years' experience, five of which shall have been in responsible charge of work; and/or
6. Licensed professional engineer;
 - a. At least one engineer shall be a licensed structural or civil engineer with architectural engineering experience; and/or
7. Builder or superintendent of building construction with at least ten years' experience, five of which shall be in responsible charge of work.

(10) Section R112.3.1 is added as follows:

R112.3.1 Postponed hearing. When seven members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

(11) Section R112.3.2 is added as follows:

R112.3.2 Board decision. The board shall modify or reverse the decision of the building official by a concurring vote of four members.

(12) Section R113.2 is amended to read as follows:

R113.2 Notice of violation. The building official shall serve a notice of violation

or order to the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Notices shall be in accordance with Section 4-4(b) of the Winnebago County Code of Ordinances. Such notice shall be deemed to be properly served if a copy thereof is delivered as detailed in Section 4-4(d) of the Winnebago County Code of Ordinances.

- (13) Section R113.3 is amended to read as follows:

R113.3 Prosecution of violation. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be subject to the code hearing provisions established by Winnebago County Code Chapter 4, or may be prosecuted before a court of competent jurisdiction upon proper filing of a complaint seeking appropriate relief. Nothing in this section 113.3 is meant to limit a criminal prosecution of state statutes in any way.

- (14) Section R113.4 is amended to read as follows:

R113.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of the approved construction documents or directives of the code official, or of a permit or certificate issued under the provisions of this code, shall be punished by a fine of not more than \$1,000.00 for each offense. Each day that a violation exists shall be deemed a separate offense.

- (15) Section R113.5 is added as follows:

R113.5 Reinspection. Any item of inspection that fails to meet code requirements on the initial or first reinspection shall be subject to a reinspection fee as set forth in the fee schedule adopted by resolution of the Winnebago County Board.

- (16) Section R114.1 is amended to read as follows:

R114.1 Notice to owner or the owner's authorized agent. Upon notice from the building official that work on any building or structure is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give written notice prior to stopping the work.

- (17) Section R114.2 is amended to read as follows:

R114.2 Unlawful continuance. Any person who shall continue any 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 condition, shall be punished by a fine of not more than \$1,000.00 for each offense. Each day that a violation exists shall be deemed a separate offense.

- (18) Table R301.2(1) is deleted and replaced with the following:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY ⁷	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^o	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARD ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP. ^j
	Speed ^d (mph)	Topographic effects ^k	Special wind region ^l	Wind-borne debris zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c					
30	115	NO	NO	NO	A	SEVERE	42"	MOD/ HEAVY	4 DEG F	YES	SEE LOCAL	SEE TABLE	SEE TABLE

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from Figure R301.2.3. The grade of masonry units shall be determined from ASTM C 34, C 55, C 92, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1.1. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map (Figure R301.2.4.6). Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 97¹/₂-percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and FEFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- h. In accordance with Sections R306.1.7, R306.4.3.1, R306.5.3.1, R306.6.3.1, R306.7.1.1 and R306.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3.2, or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- k. In accordance with Section R301.2.1.6, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- l. In accordance with Figure R301.2.4.4, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- m. In accordance with Section R301.2.1.2, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

- (19) Section R313.1 is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall not be required to be installed in townhouses, including additions and alterations to such townhouses.

Exception: This provision shall not apply where the installation of automatic fire sprinklers is required by local municipal ordinance or ordinance of the local fire protection district.

- (20) Section R313.1.1 is amended to read as follows:

R313.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses, if installed, shall be designed and installed in accordance with the current edition of the Illinois Plumbing Code and NFPA 13D.

- (21) Section R313.1.2 is added to read as follows:

R313.1.2 Other code requirements. All structures built without automatic fire sprinkler systems shall comply with all code requirements of this code for non-sprinklered construction.

- (22) Section 313.2 is amended to read as follows:

R313.2 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall not be required to be installed in one- and two-family dwellings, including additions and alterations to such dwellings.

Exception: This provision shall not apply where the installation of automatic fire sprinklers is required by local municipal ordinance or ordinance of the local fire protection district.

- (23) Section R313.2.1 is amended to read as follows:

R313.2.1 Design and installation. Automatic residential fire sprinkler systems for one- and two-family dwellings shall be designed and installed in accordance with the current edition of the Illinois Plumbing Code and NFPA 13D.

- (24) Section R313.2.2 is added as follows:

R313.2.2 Other code requirements. All structures built without automatic fire sprinkler systems shall comply with all code requirements of this code for non-sprinklered construction.

- (25) Section R322.1.5 is amended to read as follows:

R322.1.5 Lowest floor. The lowest floor shall be the floor of the lowest enclosed area, including basement.

- (26) Section R322.2.1 is amended to read as follows:

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard areas not designated as Coastal A Zones, shall have the lowest floors elevated 12" (30.5 cm) above the design flood elevation.
2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated to a height of not less than the highest adjacent grade as the depth number specified in feet (mm) on the

FIRM plus 1 foot (305 mm), or not less than 3 feet (915 mm) if a depth number is not specified.

3. Basement floors that are below grade on all sides shall be elevated 12" (30.5 cm) above the design flood elevation.

Exception: Enclosed areas below the design flood elevation, including basements with floors that are not below grade on all sides, shall meet the requirements of Section R322.2.2.

- (27) Section R322.2.2 is deleted in its entirety.

- (28) Section 403.3.5 is added as follows:

R403.3.5 Detached garages or sheds. The code official may approve a continuous slab on ground foundations which are located where adequate subsoil drainage frost protection is provided and the following conditions are met:

1. Structure is non-occupiable, unconditioned, detached, of Use Groups S or U, does not contain any masonry and does not exceed one (1) story or 25 feet (7.62 m) in height.
2. Slab/foundation may not bear on peats, organic or other questionable soils.
3. Slab thickness is not less than 4" with a minimum of 6" x 6" 10#/10# WWF reinforcing.
4. The perimeter of the slab turns down to a minimum of 12" below grade and is reinforced with a minimum of 1 continuous [minimum 12" tied laps] #4 steel reinforcing bar.
5. A minimum of 4" of screened and washed gravel or crushed stone under entire slab. The grade surrounding the building shall fall a minimum of 6" within the first 10'.

- (29) Section R1005.1 is amended to read as follows:

R1005.1 Listing and clearances. Factory-built chimneys shall be listed and labeled and shall be installed and terminated in accordance with the manufacturer's installation instruction. Where, upon inspection, listing specifications are not present or visible, combustible materials within 18 inches of the chimney shall be protected with 5/8" Type X gypsum board or equivalent.

- (30) Chapter 11 ENERGY EFFICIENCY is deleted in its entirety and replaced with the following:

CHAPTER 11 ENERGY EFFICIENCY
Section 1101 GENERAL

1101.1 Scope. The provisions of the Illinois Efficient Buildings Act, adopting the International Energy Conservation Code with State of Illinois amendments, shall govern the design and construction of buildings for energy efficiency.

N1101.4 (R102.1.1) Above code programs. Compliance shall be demonstrated by meeting the requirements of the current International Energy Conservation Code as mandated by the State of Illinois.

- (31) Section M1201.2 is amended to read as follows:

M1201.2 Application. In addition to the general administration requirements of Chapter 1, the administrative provisions of this chapter shall also apply the mechanical requirements of Chapter 12 through 24, and the Authority Having Jurisdiction (AHJ).

- (32) Section M1201.3 is added as follows:

M1201.3 Permits. Mechanical permits shall be obtained in accordance with Chapter 1 and the 2015 International Mechanical Code as amended.

- (33) Section 1201 is added as follows:

**SECTION M1203
HEATING REQUIREMENTS**

M1203.1 Heating required. Heat/supply air is required in all rooms (including bathrooms).

Exception: Unoccupied storage or other unoccupied spaces.

- (34) Section M1401.3.1 is added as follows:

M1401.3.1 Calculations required. The permit applicant shall submit a room by room Manual J, S, and D calculation for all HVAC equipment and/or replacement prior to permit issuance.

- (35) Section M1401.6 is added as follows:

M1401.6 Furnace repair. The use of furnace cement or welding for the repair of a furnace heat exchanger is prohibited.

- (36) Section M1408 VENTED FLOOR FURNACES is deleted in its entirety.

(37) Section M1602.2 is amended to read as follows:

M1602.2 Return air openings. Return air openings for HVAC systems for all dwelling units, including manufactured and modular homes, shall comply with all of the following:

1. Openings shall not be located less than 10 feet (3048 mm) measured in any direction from an open combustion chamber or draft hood of another appliance located in the same room or space.
2. The amount of return air taken from any room or space shall be not greater than the flow rate of supply air delivered to such room or space.
3. Return and transfer openings shall be sized in accordance with the appliance or equipment manufacturers' installation instructions, Manual D or the design of the registered design professional.
4. Return air shall not be taken from a closet, bathroom, toilet room, kitchen, garage, mechanical room, boiler room, furnace room or unconditioned attic.

Exceptions:

1. Taking return air from a kitchen is not prohibited where such return air openings serve the kitchen only, and are located not less than 10 feet (3048 mm) from the cooking appliances.
2. Dedicated forced-air systems serving only the garage shall not be prohibited from obtaining return air from the garage.
3. Taking return air from an unconditioned crawl space shall not be accomplished through a direct connection to the return side of a forced-air furnace. Transfer openings in the crawl space enclosure shall not be prohibited.
4. Return air from one dwelling unit shall not be discharged into another dwelling unit.

(38) G2414.10.1.1 is added as follows:

G2414.10.1.1 Welded connections required. All gas lines two and one half inches (2 ½") inside diameter size or larger shall be of welded construction between the consumer's connection to the gas meter and the shut-off valve located immediately adjacent to any gas burning unit. All gas fuel lines carrying gas at one (1) P.S.I.G. or greater, shall be of welded construction between the consumer's connection to the gas meter and the shut-off valve located immediately adjacent to any gas burning unit.

- (39) G2415.12 (404.12) is amended to read as follows:

G2415.12 (404.12) Minimum burial depth. Underground piping systems shall be installed a minimum depth of 12 inches (30.5mm) below grade except as provided for in Section G2415.12.1. Piping systems and electrical wiring shall be separate a minimum of 12 inches horizontal when sharing the same trench. Burial depth may be less than 12 inches as provided for in Section G2415.12.1 (404.12.1).

- (40) Section G2445 (621) UNVENTED ROOM HEATERS is deleted in its entirety.

- (41) Section P2501.1 is amended to read as follows:

P2501.1 Scope. The provisions of this chapter and the Illinois Plumbing Code including local amendments shall govern the installation of plumbing. All work shall be performed by State of Illinois licensed plumbers in accordance with the Illinois Plumbing License Law.

- (42) Appendix E “MANUFACTURED HOUSING USED AS DWELLINGS” is incorporated as part of this Code.
- (43) Appendix F “PASSIVE RADON GAS CONTROLS” is incorporated as part of this Code.
- (44) Appendix G “PIPING STANDARDS FOR VARIOUS APPLICATIONS” is incorporated as part of this Code.
- (45) Appendix H “PATIO COVERS” is incorporated as part of this Code.
- (46) Appendix J “EXISTING BUILDINGS AND STRUCTURES” is incorporated as part of this Code.
- (47) Appendix M “HOME DAY CARE – R-3 OCCUPANCY” is incorporated as part of this Code.

BE IT FURTHER ORDAINED, that the penalty for violation of any of the provisions of the 2015 International Residential Code for One- and Two-Family Dwellings shall be a fine of not more than \$1,000.00 for each offense and that each day that a violation exists shall be considered a separate offense; nothing herein, however, shall preclude enforcement proceedings by means other than a fine, including injunction proceedings.

BE IT FURTHER ORDAINED, that the previously adopted 2003 International Residential Code for One- and Two-Family Dwellings is hereby repealed, provided that such repeal shall not affect the right of the County to institute any action at law or equity to require compliance or prosecute violations thereunder; it being the intention of the

County to preserve the cause of action and not to excuse any violation under the previous code.

BE IT FURTHER ORDAINED, that if there is any conflict between the 2015 International Residential Code for One- and Two-Family Dwellings and other codes adopted by the County, the most restrictive provision shall prevail.

BE IT FURTHER ORDAINED, that the 2015 International Residential Code for One- and Two-Family Dwellings shall become effective April 1, 2016 and that the County Clerk is hereby directed to distribute a certified copy of this Ordinance to the Winnebago County Building Official and the Winnebago County State's Attorney's Office – Civil Bureau.

Respectfully submitted,

**ZONING
COMMITTEE**

AGREE



Jim Webster, Chairman

Angie Goral

John Guevara



Dave Kelley



Faye Lyon

Julio Salgado



Steve Schultz

DISAGREE

Jim Webster, Chairman

Angie Goral

John Guevara

Dave Kelley

Faye Lyon

Julio Salgado

Steve Schultz

The above and foregoing Ordinance was adopted by the County Board of the County of Winnebago, Illinois, this 10th day of March, 2016.



Scott H. Christiansen
Chairman of the County Board
of the County of Winnebago, Illinois

Attested by:



Margie M. Mullins
Clerk of the County Board
of the County of Winnebago, Illinois