

SPONSORED BY: JIM WEBSTER

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

SUBMITTED BY: ZONING COMMITTEE

2016 CO 038

ORDINANCE TO ADOPT THE 2015 EDITION OF THE
INTERNATIONAL MECHANICAL 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 Mechanical Code on April 14, 2005; and

WHEREAS, the Winnebago County Building Department recommends adoption of the 2015 ICC International Mechanical Code with the amendments proposed in the Regional Building Code; and

WHEREAS, the aforesaid 2015 edition of the ICC International Mechanical Code 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 ICC International Mechanical Code 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 V, of the Winnebago County Code of Ordinances is hereby deleted in its entirety and replaced with the following:

ARTICLE V. – MECHANICAL CODE

Sec. 18-296. – Adopted.

The 2015 ICC International Mechanical Code 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 18-297, 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. 18-297. – Amendments.

The 2015 ICC International Mechanical Code adopted by Section 18-296 is hereby amended as follows:

- (1) Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Mechanical Code of Winnebago County, Illinois, hereinafter referred to as “this code.”

- (2) Section 103.1 is amended to read as follows:

103.1 General. The department of mechanical inspection is hereby created and the executive official in charge thereof shall be the Building Official of Winnebago County.

- (3) Section 106.1.3 is added as follows:

106.1.3 Permits required. Mechanical work shall not be commenced until a permit for such work has been issued by the code official. A mechanical permit shall not be transferable. All work shall be performed and completed by the permit holder.

- (4) Section 106.5.2 is amended to read as follows:

106.5.2 Fee schedule. The fees for mechanical work shall be as set forth in the fee schedule adopted by resolution of the Winnebago County Board.

- (5) Section 106.5.3 is amended to read as follows:

106.5.3 Fee refunds. The code 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 108.2 is amended to read as follows:

108.2 Notice of violation. The code official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of mechanical work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents 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.

- (7) Section 108.3 is amended to read as follows:

108.3 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 108.3 is meant to limit a criminal prosecution of state statutes in any way.

- (8) Section 108.4 is amended to read as follows:

108.4 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, install, alter or repair mechanical work 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.

- (9) Section 108.5 is amended to read as follows:

108.5 Stop work orders. Upon notice from the code official that mechanical work 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. Any person who shall continue any work on the system 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.

- (10) Section 109.1 is amended to read as follows:

109.1 Application for appeal. A person shall have the right to appeal a decision of the code 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.

- (11) Section 109.2 is amended to read as follows:

109.2 Membership of board. The Building/Mechanical Board of Appeals shall consist of seven members appointed by the chief appointing authority for five year terms.

- (12) Section 109.2.1 is amended to read as follows:

109.2.1 Qualifications. The Building/Mechanical Board of Appeals shall consist of seven individuals 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.

(13) Section 109.5 is amended to read as follows:

109.5 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.

(14) Section 109.6 is amended to read as follows:

109.6 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of four members.

(15) Section 309.1 is amended to read as follows:

309.1 Space-heating systems. Interior spaces intended for human occupancy shall be provided with active heating systems capable of maintaining a minimum indoor temperature of 68°F (20°C) at a point 3 feet (914 mm) above floor on the design heating day. The installation of portable space heaters shall not be used to achieve compliance with this section.

Exception: Interior spaces where the primary purpose is not associated with human comfort.

- (16) Section 508.1 is amended to read as follows:

508.1 Makeup air. Makeup air shall be supplied during the operation of commercial kitchen exhaust systems that are provided for *commercial cooking appliances*. The amount of *makeup air* supplied to the building from all sources shall be approximately equal to the amount of *exhaust air* for all exhaust systems for the building. The *makeup air* shall not reduce the effectiveness of the exhaust system. *Makeup air* shall be provided by mechanical means. Mechanical *makeup air* systems shall be automatically controlled to start and operate simultaneously with the exhaust system. *Makeup air* intake opening locations shall comply with Section 401.4.

- (17) Section 603.6.1.1 is amended to read as follows:

603.6.1.1 Duct length. Flexible air ducts shall be limited in length to 8 feet overall from termination point and contain no more than the equivalent of one 90 degree turn with no offset greater than 45 degrees. All flexible air ducts shall be of the insulated type. Flexible ducts shall only be used for branches.

- (18) Section 603.6.2.1 is amended to read as follows:

603.6.2.1 Connector length. Flexible air connectors shall be limited in length to 8 feet overall from the termination point and contain no more than the equivalent of one 90 degree turn with no offset greater than 45 degrees. All flexible air connectors shall be of the insulated type. Flexible ducts shall only be used for branches.

- (19) Section 801.2.2 is added as follows:

801.2.2 Fuel burning appliances. PVC vent piping for a fuel burning appliance that is located in a concealed space shall be marked/labeled every 36 inches so as to distinguish it from plumbing or other piping.

- (20) Section 918.7 is added as follows:

918.7 Furnace cement or welding. The use of furnace cement or welding for the repair of furnace heat exchangers is prohibited.

- (21) Section 929 is added as follows:

**SECTION 929
UNVENTED ROOM HEATERS**

929.1 General. Unvented room heaters and/or fireplaces are prohibited.

- (22) Section 1002.1.1 is added as follows:

1002.1.1 Installation. Water heaters greater than 5 gallons shall not be elevated more than 18” above finished floor (AFF). When elevated, the appliance shall be secured in an approved manner.

- (23) Appendix A “Chimney Connector Pass-Throughs” is incorporated as part of this Code.

BE IT FURTHER ORDAINED, that the penalty for violation of any of the provisions of the 2015 ICC International Mechanical Code 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 ICC International Mechanical Code 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 ICC International Mechanical Code and other codes adopted by the County, the most restrictive provision shall prevail.

BE IT FURTHER ORDAINED, that the 2015 International Mechanical Code shall become effective April, 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**

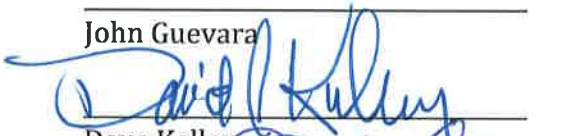
AGREE



Jim Webster, Chairman

Angie Goral

John Guevara

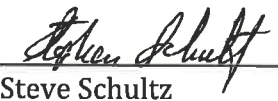


Dave Kelley



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