

---

ORDINANCE NO. 1010

---

AN ORDINANCE AMENDING THE  
KENILWORTH VILLAGE CODE (1959), AS AMENDED,  
REGARDING BUILDING AND CONSTRUCTION REGULATIONS

Passed by the Board of Trustees, April 13, 2009

Printed and Published, April 14, 2009

Printed and Published in Pamphlet Form  
by Authority of the  
President and Board of Trustees

VILLAGE OF KENILWORTH  
COOK COUNTY, ILLINOIS

I hereby certify that this document  
was properly published on the date  
stated above.

---

Village Clerk

ORDINANCE NO. 1010

BE IT ORDAINED by the President and Board of Trustees of the Village of Kenilworth, County of Cook, State of Illinois, that:

AN ORDINANCE AMENDING THE  
KENILWORTH VILLAGE CODE (1959), AS AMENDED,  
REGARDING BUILDING AND CONSTRUCTION REGULATIONS

be and is hereby adopted as follows:

Section 1. BACKGROUND.

The building and construction regulations contained in this Ordinance provide comprehensive updates to the existing codes and regulations which affect construction and building within the Village. These amendments are the result of a joint effort of the Building, Planning and Zoning Committee, Village Board of Trustees and the Village's Community Development Department staff, to create a fair and reasonable set of building and construction regulations to protect the inhabitants of, and the business and the public within, our Village. The addition of articles I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII and XIX, as provided in this Ordinance, completes the update of the Kenilworth building and construction regulations.

Section 2. REPEAL, REPLACEMENT, AND ADDITION OF CERTAIN ORDINANCES.

Chapter 17, entitled "House Drains and Sewers. Building Regulations. Plumbing and Electrical Regulations," of the Kenilworth Village Code (1959), as amended, shall be and is hereby, repealed in its entirety (except as provided in Section 3 below) and replaced with new Articles I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII and XIX, which are added to Chapter 17, as follows:

Chapter 17  
BUILDING AND CONSTRUCTION REGULATIONS

Article I	General Provisions
Article II	Buildings
Article III	One and Two Family Dwellings
Article IV	Plumbing
Article V	Mechanical
Article VI	Electrical
Article VII	Fire Prevention Code
Article VIII	Life Safety Code
Article IX	Automatic Sprinkler Systems
Article X	Standpipe and Hose Systems
Article XI	Fuel Gas
Article XII	Energy Conservation
Article XIII	Elevators and Escalators
Article XIV	Elevators, Escalators, and Moving Walks
Article XV	Existing Elevators and Escalators
Article XVI	Platform Lifts and Stairway Chairlifts
Article XVII	Elevator Inspectors
Article XVIII	Personnel Hoists and Employee Elevators
Article XIX	Automated People Movers

## CHAPTER 17

### BUILDING AND CONSTRUCTION REGULATIONS

#### ARTICLE I. GENERAL PROVISIONS

**Sec. 17-1. Compliance required.**

It shall be unlawful to erect, construct, repair or alter, occupy or maintain, remove or demolish any building or structure in the Village or to perform any work regulated by this Chapter in violation of any of the provisions of this Chapter, or without complying with the provisions of this Chapter. It shall be unlawful to vary from the terms of any building permit, including the plans and specifications relative thereto, in connection with any such work; provided that a building permit may be amended upon proper application as provided herein.

**Sec. 17-2. Standards.**

The standards, regulations and specifications contained in this Code shall be considered as minimum standards for all building and construction for the protection of life safety and public health.

**Sec. 17-3. Code official.**

The code official shall be the building commissioner as provided in this code.

**Sec. 17-4. Permits and certificates of occupancy required.**

Where an article in this Chapter does not have a permit or certificate of occupancy requirement, the work governed by that article shall be governed by the permit or certificate of occupancy requirements of Article III of this Chapter for detached one- and two-family dwellings, and Article II of this Chapter for all other work.

**Sec. 17-5. Fees.**

(a) No permit required by this Chapter shall be issued until all permit fees, as established in this Chapter, or by resolution or ordinance of the Village, have been paid. No amendment of a permit shall be issued until any required additional fees have been paid.

(b) If, in the opinion of the Code Official, any applicant for a permit has provided with his application an incorrect estimate of the cost of the work to be performed thereunder, the Code Official shall make a correct estimate of the cost of the work in accordance with the annual fee ordinance building valuation schedule. The applicant shall pay any increased permit fee, which may be due upon written demand from the Code Official.

**Sec. 17-6. Inspections.**

Where an article in this Chapter does not have an inspection requirement, the work governed by that article shall be governed by the inspection requirements of Article III of this Chapter for detached one- and two-family dwellings, and Article II of this Chapter for all other work.

**Sec. 17-7. Other Requirements.**

When an article in this Chapter does not have administrative and enforcement requirements, the work governed by that article shall be governed by the administrative and enforcement requirements of Article III of this Chapter for detached one- and two-family dwellings, and Article II of this Chapter for all other work.

Sec. 17-8 to 17-10. Reserved.

**Sec. 17-11. Demolitions.** No application for a building permit that contemplates demolition work for which a demolition permit is required pursuant to this Chapter shall be accepted by the code official unless and until a demolition permit shall have been issued by the code official for such demolition work.

[Source: Ord. No. 929, 12/14/04] \*

**Sec. 17-12. Demolition permit required.**

**Sec. 17-12.1. Permit required.** A demolition permit shall be required before any person proceeds with any of the following work:

- (a) The demolition or removal of 50 percent or more of the floor area of any building (or buildings on the same lot) in any residential or business district in the Kenilworth Zoning Ordinance, 1969, as amended; or
- (b) The demolition or removal of 50 percent or more of the structural elements of the walls or facade of a building (or buildings on the same lot) facing a street in any residential or business district in the Kenilworth Zoning Ordinance, 1969, as amended.

[Source: Ord. No. 885, 11/13/01; Ord. No. 1005, 9/8/08]

**Sec. 17-12.2. Demolition work.** No part of any demolition work for which a permit is required under this Chapter shall be commenced unless and until:

- (a) A demolition permit is applied for and issued in the name of the owner and/or applicant in accordance with this Chapter and has not expired; and
- (b) Unless the code official shall issue a demolition permit pursuant to Section 17-13, a building permit is issued by the code official for the proposed new structure or improvements to the existing structure.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04]

**Sec. 17-12.3. Building permit.** No building permit that contemplates demolition work for which a demolition permit is required pursuant to this Chapter shall be applied for or accepted by the code official unless and until:

- (a) A demolition permit shall be applied for, approved and issued in the name of the owner and/or applicant in accordance with this Chapter;

---

\* All bracketed text indicating the source of various provisions of this Chapter are included for information only and not for the purpose of adoption on such bracketed text.

- (b) All required fees shall have been paid by the owner or applicant; and
- (c) The owner or applicant shall have reimbursed the village, pursuant to the demolition escrow required by Section 17-16.1, for all costs that the owner or applicant is required to reimburse under this Chapter.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04; Ord. No. 929, 12/14/04]

**Sec. 17-13. Emergency permit.** A demolition permit may be issued by the code official without compliance with Sections 17-14 through 17-21 upon a determination by the code official that the building or structure in question presents a threat to public safety.

[Source: Ord. No. 885, 11/13/01]

**Sec. 17-14. Permit application.** All applications for demolition permits shall be submitted in accordance with Section 105.3 of Article II on forms provided by the code official, in such number of copies as the code official shall require, and shall include an undertaking to establish a demolition escrow in accordance with Section 17-16.1, to pay expenses of the Village and the Building Review Commission in reviewing and acting on the application, subject to the limitation in Section 17-19. No demolition permit application shall be accepted for processing unless it is complete and is accompanied by all applicable fees, deposits and all items required by Section 17.15.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04]

**Sec. 17-15. Content of application.** Except for a demolition permit to be issued pursuant to Section 17-13, the application for demolition permit shall include the following:

- (a) A legible property survey made within three years prior to the filing of the application, prepared and sealed by a surveyor licensed by the State of Illinois. The survey shall include the legal description of the property and shall accurately depict lot boundaries, lot area and current improvements.
- (b) A list of the addresses of all properties located in whole or in part within 500 feet of the perimeter of the subject property.
- (c) Disclosure and proof, through submission of documents evidencing title and ownership interests, of all persons holding ownership of fee simple title to, as well as any person who is a party to any contract, agreement, option, memorandum of understanding, letter of intent, lease, or other document affecting the owner's interest or providing for transfer of a future interest in, the subject property consisting of one of the following, whichever is applicable:
  - (1) If one or more individuals, the name and address of each such individual;
  - (2) If one or more partnerships, the names and addresses of all general partners, the date the partnership was formed, the name of the partnership, the location of the principal office of the partnership, and evidence that the partnership is registered in the assumed name registry for Cook County for each partnership;

- (3) If one or more corporations or limited liability companies or a partnership of which the general partner(s) is (are) a corporation or limited liability company, the names and addresses of the directors, officers and shareholders of the corporation or the managers, officers and members of the limited liability company, the location of the principal office of the corporation or limited liability company, the name and address of the corporation's or limited liability company's registered agent, and proof that the corporation or limited liability company is authorized to do business in the State of Illinois for each such entity; and
- (4) If one or more trusts, the name and address of the trustees and the names and addresses of all beneficiaries of each trust.

All such persons disclosed shall execute the application and be considered co-applicants, and shall be bound by the terms of this Code in the review of the application and the terms of the permit, if issued.

- (d) A summary of the architectural and historic character of the building to be demolished, including:
  - (1) Original date of construction, including date of issuance of initial building permit, if available;
  - (2) Name of architect, if known;
  - (3) List of previous owners and occupants;
  - (4) Description of architectural features and building materials;
  - (5) Scale drawing of the floor plan of the entire principal building and any accessory buildings on the property, including all dimensions;
  - (6) Summary of a review of previous permits granted for the property by the Village;
  - (7) List of other available historical records regarding the property that are held by the Kenilworth Historical Society,
  - (8) Photographs of all exterior elevations;
  - (9) Photographs of all major interior features, including attic, basement, and garage;
  - (10) Detailed close-up photographs of interior and exterior architectural features; and
  - (11) Photographs of the front elevation of the principal buildings and properties on the same block as the proposed demolition property, on the same side of the street as well as the block directly across the street.

Each photograph shall be clearly labeled with a description of the contents and subject of the photograph, including the address of the property depicted, the direction from which the photograph was taken, the name and contact information of the photographer, and the date on which the photograph was

taken.

- (e) Such other information and documentation of the type described in this Section 17-15 as the code official or the Building Review Commission may determine to be reasonably necessary to process the application in accordance with the provisions of this Chapter.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04; Ord. No. 1005, 9/8/08]

**Sec. 17-15.1. Changes in ownership.** In the event of any change in or addition to the persons required to be disclosed under Section 17-15 above, the persons filing the application shall file an amendment to the application not more than five (5) days after the change containing all disclosures and proof required in Section 17-15 about the additional persons, which shall be executed as provided in Section 17-15. During the period between: (a) either (1) a finding of no special importance under Section 17-17.1 or (2) the end of the stay period required by Section 17-17.3, and (b) the issuance of a demolition permit, no filing under this provision shall be permitted.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04; Ord. No. 929, 12/14/04; Ord. No. 1005, 9/8/08]

**Sec. 17-16. Processing of application.** Upon receipt of an application for a demolition permit, the code official, in consultation with a member of the Building Review Commission designated from time to time by the Chairperson of the Building Review Commission, shall make a final determination as to whether the application is complete within 30 days after the date of filing said application. The code official shall forward any application determined to be complete to the Building Review Commission unless the code official shall determine to issue a demolition permit pursuant to Section 17-13. If the code official, in consultation with a member of the Building Review Commission designated from time to time by the Chairperson of the Building Review Commission, determines that an application is not complete or otherwise fails to comply with this Chapter, the code official shall notify the applicant.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04; Ord. No. 1005, 9/8/08]

**Sec. 17-16.1. Demolition Escrow Requirements.**

- (a) Establishment of Demolition Escrow. In addition to payment of all fees required pursuant to Section 17-5, every application filed for a demolition permit shall be subject to the demolition escrow provisions set forth in this Section.
- (b) Responsibility for Payment. The owner of the property that is the subject of the application and, if different, the applicant, shall be jointly and severally liable for the establishment and payment of the demolition escrow amount of \$11,000.00 at the time of filing the application. By signing the application, the owner and applicant shall be deemed to have agreed to pay, and to have consented to, the demolition escrow amount. The Village shall have no obligation to process or act on any application where the demolition escrow amount has not been paid.
- (c) Demolition Escrow Amount. The demolition escrow amount to be paid by the owner or applicant shall be to reimburse the Village for its actual out-of-pocket expenses: (i) in an amount not to exceed \$3,000.00 for its review of a demolition application prior to a determination of special importance pursuant to 17-17.3; and (ii) in an amount not to exceed \$8,000.00 for the review of demolition alternatives by consultants hired by the Village pursuant to Section 17-19. These

amounts may be amended from time to time by resolution of the board of trustees.

- (d) Demolition Escrow Fee Payment and Establishment of Demolition Escrow.
  - (1) Initial Payment and Demolition Escrow. Every application shall be accompanied by the required demolition escrow amount to be deposited in the demolition escrow account established by the Village. No interest shall be payable on any funds retained in such demolition escrow account.
  - (2) Charges Against Demolition Escrow. From the date of filing of any application, the Village shall maintain an accurate record of the actual costs that may be reimbursed from the escrow amount in connection with processing the application. The Village Manager or his designee shall, from time to time, draw funds from the demolition escrow account established for the application to pay such actual costs and shall transfer the funds to the appropriate Village accounts. The Village Manager or his designee shall maintain an accurate record of all the drawings from the demolition escrow account.
  - (3) Final Settlement. As soon as reasonably feasible following final action on an application, the Village Manager or his designee shall cause a final accounting to be made of the demolition escrow amounts deposited in connection with the application and of the actual costs incurred and reimbursable to the Village in connection with the application. A copy of the accounting shall be provided to the owner and the applicant. Any remaining funds in the demolition escrow after payment of the total actual costs due pursuant to this Section shall be returned to, or applied to the demolition permit fee due at permit issuance from, the owner or applicant, as applicable.
- (e) Condition of All Applications, Approvals, and Permits. No application filed pursuant to Section 17-16 of the Building Code shall be considered complete unless and until all fees and deposits due pursuant to this Section have been paid. Every approval granted and every permit issued for a demolition shall, whether or not expressly so conditioned, be deemed to be conditioned upon payment of demolition escrow fees as required by this Section.
- (f) Tolling of Time Periods. Where the Building Code provides that the passage of time without decision or action shall be deemed an approval or a recommendation for approval, time periods shall be tolled during any period of non-payment of the demolition escrow amounts due pursuant to this Section, but shall otherwise continue to run.
- (g) Failure to Pay Demolition Escrow Fees. The failure to pay in full when due any demolition escrow amount required under this Section shall be grounds for refusing to process an application and for denying, stopping work under, or revoking any demolition permit.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04; Ord. No. 1005, 9/8/08]

**Sec. 17-17. Preliminary historic and architectural review.**

**Sec. 17-17.1. Time and nature of review.** Within 90 days after the later of: (i) the determination that a demolition application is complete, or (ii) any filing of a change in or addition to the persons required to be disclosed under Sections 17-15 and 17-15.1 that is filed after the application is found complete and prior to a determination of special importance on the application, the Building Review Commission shall meet and determine whether the building and/or property that is the subject of the permit application is of special importance under the criteria set forth in Section 17-18. In connection with this review, the Building Review Commission may seek outside professional assistance in gathering factual information regarding the applicability of the criteria to the property. The cost of such assistance will be borne by the applicant and shall be paid out of the demolition escrow established pursuant to Section 17-16.1, provided that such costs charged to the applicant shall not exceed the amount established pursuant to Section 17-16.1(c).

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04; Ord. No. 929, 12/14/04; Ord. No. 1005, 9/8/08]

**Sec. 17-17.2. Notice of preliminary review to applicant.** No less than 10 nor more than 30 days before the Building Review Commission meets to evaluate the application to determine if the building or the property is of special importance, the Building Review Commission shall issue a notice of preliminary review to the owner and the applicant.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04; Ord. No. 1005, 9/8/08]

**Sec. 17-17.3. Notice of preliminary review to the public.** Notice of the public meeting at which any application for demolition permit is to be considered shall be provided by all methods described in this Section.

- (a) Notice by Mail. The applicant shall notify, in writing, by first class mail or hand delivery, all property owners within 500 feet of the boundaries of the property that is the subject of the application not less than 10 days or more than 30 days in advance of the scheduled public meeting date. The mailing of notice, addressed to the name and address on the most recent Cook County real estate tax records, shall be deemed a satisfaction of this notice requirement. The required mail notice for applications shall contain, at a minimum, the following information:
- (1) The street address, legal description, or detailed location description of the property, if any, that is the subject of the application;
  - (2) A statement describing the scope of the demolition permit requested;
  - (3) The name and address of the applicant;
  - (4) The name and address of the legal owner, and beneficial owner if any, of the property;
  - (5) The meeting date, time, and location.

Not less than seven (7) days prior to the public meeting, the applicant shall present to the Building Review Commission an affidavit, certification, or other evidence satisfactory to the Building Review Commission, demonstrating to the satisfaction of the Building Review Commission, that the notice requirement of this section has been satisfied.

- (b) Notice by Sign. The applicant shall provide and post a sign of not less than 48" x 48" in area on the property so as to be visible from the nearest public street, containing the words "Proposed Demolition" printed on the sign in letters at least four (4) inches in height, and such other text as is specified by the Village, including the date and time of the meeting of the Building Review Commission at which the preliminary review of the application will be considered; and the name(s) and address(es) of the owner(s) of the property. The sign must be posted not less than 10 days or more than 30 days in advance of the scheduled meeting date and remain posted until three days after the Building Review Commission reaches a determination of the significance of the property, unless a shorter time is authorized by the Building Review Commission.

[Source: Ord. No. 1005, 9/8/08]

**Sec. 17-17.4. Building review commission determination and findings.** If the Building Review Commission shall determine the demolition permit application does not affect a building or property of special importance, the Building Review Commission shall notify the code official that there are no architectural or historic reasons to delay the issuance of the demolition permit. If the Building Review Commission shall determine that the permit application affects a building or property of special importance, in order to permit adequate time for consideration of alternatives to demolition of the existing building or buildings, it shall order a stay of issuance of a demolition permit for a period ending not later than one year, or such lesser period as the Building Review Commission shall deem appropriate, after the later of: (i) the meeting at which the Building Review Commission adopts such findings of fact pursuant to Section 17-17.4, or (ii) any filing of a change in or addition to the persons required to be disclosed under Sections 17-15 and 17-15.1 that is filed prior to the end of the stay period. The stay order shall be issued to the applicant and the owner, with a copy to the code official.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04; Ord. No. 929, 12/14/04; Ord. No. 1005, 9/8/08]

**Sec. 17-17.5. Record of findings.** The determination of the Building Review Commission under Section 17-17.4 shall be supported by findings of fact based on the record. The findings of fact shall include statements and other evidence as to whether or not the building or property is of special importance.

[Source: Ord. No. 885, 11/13/01; Ord. No. 1005, 9/8/08]

**Sec. 17-18. Criteria for properties of special importance.** The Building Review Commission shall determine that the building or property is of special importance if it meets any one or more of the following criteria:

- (a) The structure, building, object or site has significant character, interest or value as part of the historic, cultural or architectural characteristics of the Village, the State of Illinois or the United States;
- (b) The structure, building, object or site is closely identified with a person or persons who significantly contributed to the culture or development of the Village, the State of Illinois or the United States;
- (c) The structure, building, object or site is the result of the notable efforts of, or is a known example of work by, a master builder, designer, architect, architectural firm or artist whose individual accomplishment has influenced the development of

the Village, the State of Illinois or the United States;

- (d) The location and physical characteristics of the structure, building, object or site make it an established and important visual feature of the Village;
- (e) The activities associated with the structure, building, object or site makes it a current or former focal point of reference in the Village;
- (f) The structure, building or object is of a type or is associated with a use once common but now rare, or is a particularly fine or unique example of a utilitarian structure and possesses a high level of integrity or architectural significance;
- (g) The structure, building, object or site represents distinguishing characteristics of architecture inherently valuable for the study of a time period, type of property, method of construction or use of indigenous materials;
- (h) The structure, building, object or site embodies elements of design, detail, material or craftsmanship of exceptional quality;
- (i) The structure, building, object or site exemplifies a particular architectural style in terms of detail, material, and workmanship;
- (j) The structure, building, object or site is one of the relatively limited remaining examples of a particular architectural style;
- (k) The structure, building, object or site is, or is part of, a contiguous grouping that has a sense of cohesiveness expressed through a similarity of style characteristics, time period, type of property, method of construction, or use of indigenous materials, and accents the architectural significance of an area;
- (l) The structure, building, object or site is an exceptional example of an historic or vernacular style, or is one of the few such remaining properties in the Village;
- (m) The structure, building, object or site has a strong association with the life or activities of a person, persons, organization or group who significantly contributed to or participated in historic or cultural events; or
- (n) The structure, building, object or site is associated with a notable historic event.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04]

**Sec. 17-19. Determination of special importance.** If the Building Review Commission shall determine that the proposed demolition will affect a building or property of special importance and issues a stay order pursuant to Section 17-17.3:

- (a) The Building Review Commission may require the applicant or owner to prepare and submit one or more of the following: an engineer's structural analysis report, an adaptive reuse feasibility study, or a detailed analysis of the estimated cost to repair and rehabilitate the existing building to incorporate features similar to the proposed new construction.
- (b) The Building Review Commission may seek outside professional assistance, develop its own summary plan as to how to save the building, or perform or procure a detailed analysis of rehabilitation versus new construction alternatives.

The cost of all such reviews, consultations or plans will be borne by the applicant, and shall be paid out of the demolition escrow established pursuant to Section 17-16.1, provided that such costs charged to the applicant shall not exceed the amount established pursuant to Section 17-16.1(c).

- (c) The Building Review Commission will call at least one meeting with the applicant or owner to discuss alternatives and offer suggestions and may request additional information from the applicant or owner as reasonably necessary to evaluate the historic and architectural significance of the property or evaluate alternatives to demolition.
- (d) The Building Review Commission will seek (through public hearings or otherwise) the opinions of the residents and property owners within 500 feet of the perimeter of the subject property.
- (e) The Building Review Commission may at any time request additional information or a conference with the applicant or owner as reasonably necessary to evaluate the historic and architectural significance of the property or evaluate alternatives to demolition.
- (f) In the event that the applicant or owner is unwilling or unable to meet on a timely basis as determined by the Building Review Commission or provide information requested by the Building Review Commission, the Building Review Commission may extend the stay period ordered pursuant to Section 17-17.3 for the duration of the delay until such meeting occurs or such information is provided or is determined to be unavailable. Any such order for extension of the stay period shall be issued to the applicant and the owner, with a copy to the code official.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04; Ord. No. 1005, 9/8/08]

**Sec. 17-20. Delay of issuance of permit.**

**Sec. 17-20.1. Delay for public convenience and safety.** The code official may order that the issuance of a demolition permit be delayed if the proposed schedule for the demolition will interfere with previously scheduled work in the public rights-of-way in the immediate vicinity of the subject property, or if the code official determines that delay is necessary to prevent undue congestion and noise in the neighborhoods when the traffic or noise from the proposed demolition combines with traffic or noise from previously scheduled public works projects in the immediate neighborhood.

[Source: Ord. No. 885, 11/13/01; Ord. No. 1005, 9/8/08]

**Sec. 17-20.2. Emergency delay.** The code official may delay the issuance of a demolition permit in the event of an emergency if the code official determines that the demolition work will delay or otherwise interfere with response to the emergency.

[Source: Ord. No. 885, 11/13/01]

**Sec. 17-20.3. Administrative delay.** The code official may delay the issuance of a demolition permit for up to 60 days if two or more building permits for primary structures have been approved for properties, for which work is continuing, within 500 feet of the subject property on either side of the rights-of-way abutting the subject property, or if the code official determines that a delay is necessary to prevent undue congestion and noise in the neighborhood

[Source: Ord. No. 885, 11/13/01]

**Sec. 17-20.4. Permits from other authorities.** Prior to the issuance of any demolition permit, the owner or applicant shall provide the code official with proof that any permits required for the requested demolition from the county, state, or other regulating authorities have been approved.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04]

**Sec. 17-20.5. Duration of delay.** The delays authorized by this Section 17-20 shall begin no earlier than the date of the Building Review Commission's final determination or expiration of the stays ordered by the Building Review Commission. The delays authorized by this Section 17-20 shall be promptly terminated by the person imposing the delay when the conditions giving rise to the delay cease to exist.

[Source: Ord. No. 885, 11/13/01]

**Sec. 17-21. Issuance of demolition permit.** Except as provided in Section 17-20, a demolition permit shall be approved and issued in the following circumstances:

- (a) if the Building Review Commission determines that the subject building or property is not of special importance;
- (b) if the Building Review Commission determines that a delay to seek alternatives to demolition is not warranted; or
- (c) upon the expiration of the stay period and all extensions of the stay period, unless the applicant shall withdraw or amend the application for demolition permit.

[Source: Ord. No. 885, 11/13/01]

**Sec. 17-22. Expiration of permit.** Unless the demolition work authorized by a demolition permit shall have commenced in accordance with such permit and this Chapter prior to the expiration of such permit, a demolition permit issued pursuant to this Chapter shall expire six months after its issuance.

[Source: Ord. No. 885, 11/13/01; Ord. No. 916, 4/9/04]

Sec. 17-23 to 17-49. Reserved.

[The following listed sections, currently codified in Article 4 of Chapter 17, are hereby relocated to Article I of Chapter 17:

- Sec. 17-50     Notice to Adjacent Property Owners
- Sec. 17-51     Municipal Property Damage Deposit
- Sec. 17-52     Certificate of Insurance
- Sec. 17-53     Construction Site Management Regulations]

Sec. 17-54 to 17-60. Reserved.

## ARTICLE II. BUILDINGS

Sec. 17-61. Adoption of International Building Code.

The provisions of the International Building Code, 2006 edition, published by the International Code Council, are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-62 of this Code.

Sec. 17-62. Additions, Deletions and Modifications of the International Building Code.

The following sections of the aforesaid International Building Code, 2006 edition, are hereby amended, deleted or modified as hereinafter set forth:

- 101.1 Title. Insert "the Village of Kenilworth, Cook County, Illinois" for "[name of jurisdiction]".
- 101.4.1 Electrical. Delete "ICC Electrical Code" and substitute "2005 National Electrical Code".
- 101.4.4 Plumbing. Delete "International Plumbing Code" and insert "State of Illinois Plumbing Code".
- 101.4.5 Property maintenance. Delete entire section.
- 102.3 Change of use or occupancy. Delete entire section.
- 102.4 Application of building code. Delete last sentence.
- 102.5 Historic buildings. Delete entire section.
- 102.6 Existing structures. Delete ", the International Property Maintenance Code or"
- 103.1 Department of building safety. Delete "The department of building safety" and substitute "The Community Development Department" and delete "and the official in charge thereof shall be known as the building official."
- 103.3 Deputies. Delete last sentence.
- 105.1.3 Permit for principal structure required. Add new subsection: "A permit to demolish or remove a principal structure for the purpose of constructing a new principal structure on that same property shall not be issued until a building permit is obtained for the purpose of constructing said new principal structure."
- 105.1.4 Permit application for replacement of principal structure. Add new subsection: "No application for a building permit that contemplates demolition work for which a demolition permit is required shall be accepted by the building official unless and until the issuance of a demolition permit is approved by the Building Review Commission."
- 105.2 Work exempt from permit. Building: Delete subparagraphs 1 – 6, 8, 9 and 12.

- 105.5 Expiration. Delete section and substitute: "A permit shall expire if the work covered by the permit:
- (a) is not commenced within six (6) months after issuance of the permit, or
  - (b) is suspended or abandoned for a period of six (6) months or more, or
  - (c) is not completed within eighteen (18) months after issuance of the permit, unless the work under the permit is limited to fences, impervious surfaces, or work with a value of less than \$50,000, in which case the permit shall expire if the work is not completed within twelve (12) months.

An extension must be applied for prior to the expiration of the permit for which extension is sought, and may be granted by the building official because of delays resulting from strikes, fire, windstorm or other circumstances beyond the applicant's control; provided, however, that no single extension shall exceed six (6) months, and the total duration of all extensions granted shall not exceed twelve (12) months. If no such extension is granted and the work is not completed, the applicant shall be required to apply for a new permit under the provisions of this Code. No permit fees shall be refunded because of the expiration of any permit pursuant to the provisions of this section. Fees for all extensions shall be in amounts established by the Board of Trustees by resolution from time to time."

- 106.1.1.2 Signature and seal required. Add to subsection: "All plans, computations and specifications required for a building permit application for new construction work, alteration, repair, expansion, addition or modification work involving the practice of professional architecture or engineering, as defined by the laws of the State of Illinois, shall be prepared by, or under the supervision of, and signed and sealed by a professional architect or engineer registered or licensed in the State of Illinois, unless specifically excepted from this requirement by the Illinois Architecture Practice Act of 1989."

- 108.5.1 Late work fee escrow. Add new subsection: "All building permits shall be accompanied by a late work fee escrow in amounts established by the Board of Trustees by resolution from time to time. The escrow shall be held by the Village for the duration of the work under the permit and returned to the permittee only after the completion and final inspection and approval of all work under the permit within the term of the permit or any lawful extension thereof. If the completion and final inspection and approval of the work occurs after the expiration of the permit or any lawful extension thereof, the escrow shall be retained by the Village to cover the costs and expenses associated with the administration of any final inspections and approvals of the work."

- 109.3.8.1 Re-inspections. Add new subsection: "If any re-inspection is required to verify that corrective work has been done in compliance with this code, a

fee shall be charged to the owner for each re-inspection. The fee shall be in amounts established by the Board of Trustees by resolution from time to time."

110.3

Temporary occupancy. Delete section and substitute: "Within ten (10) working days following receipt of a request by the holder of a permit, the building official may review and determine whether the request meets the requirements to issue a temporary certificate of occupancy of a portion of the work covered under the building permit, before the completion of the entire work covered by the permit, provided that such temporary certificate of occupancy may be issued only where such portion or portions shall be occupied safely prior to full completion of the structure without endangering life or public welfare. Such temporary certificates of occupancy shall be issued for a period of no more than six (6) months, unless an extension is granted by the building official. To obtain a temporary certificate of occupancy, the holder of a building permit must:

- (a) Sign a written agreement with the Village stipulating remaining work to be done and/or deficiencies which must be corrected. Such agreement may contain additional stipulations as may from time to time be deemed in the best interest of the Village by the building official. Such agreement shall be co-signed by the owner, contract purchaser and/or the tenant; and
- (b) Post an additional cash deposit or irrevocable letter of credit acceptable to the Village Manager, in an amount equivalent to 1.) one hundred ten (110%) percent of the estimated cost of completing and/or remedying all items stipulated to in the agreement (which amount shall be not less than an amount established by the Board of Trustees by resolution from time to time) plus 2.) a temporary certificate of occupancy fee in amounts established by the Board of Trustees by resolution from time to time.

Failure by the holder of a temporary certificate of occupancy to obtain a final certificate of occupancy by the date established by the building official shall result in automatic forfeiture of the related cash deposit or irrevocable letter of credit. The building official may, but shall not be obligated to, use such forfeited funds to complete the work indicated on the inspection report attached to the temporary certificate of occupancy, which was issued for the premises. Such forfeiture shall not impair the right of the Village to enforce any and all remedies available to it by reason of any violation, including the right to recover a fine or penalty or seek injunctive relief. In the event that the building official uses such forfeited funds, he or she shall assess and deduct an administrative fee equal to ten (10%) percent of the amount of forfeited funds used. Any balance remaining in the cash deposit or irrevocable letter of credit not required to complete the work shall be refunded to the depositor upon issuance of a final certificate of occupancy."

112

Board of appeals. Delete entire section.

114.2.1

Fees for stop work order. Add new subsection: "If the building official

issues a stop work order pursuant to Section 114.1, the owner shall pay a fee established by the Board of Trustees by resolution from time to time for removal of the stop work order, in addition to any fee payable under Section 109.3.8.1 for re-inspection of the work."

- 903.3.5 Water supplies. At end of paragraph, delete: "International Plumbing Code" and substitute: "State of Illinois Plumbing Code, 2004 edition. Hydrant water flow data used for the design of any sprinkler system shall be witnessed by the Fire Department and shall be no more than six (6) months old."
- 903.4.2 Alarms. At end of paragraph, add: "An outside audio/visual device shall be provided and shall be located above the fire department connection."
- 903.4.2.1 Alarm-indicating devices. Add new subsection: "All sprinklered buildings shall be provided with audio/visual alarm-indicating devices. The alarm-indicating devices shall be of sufficient number and power to be seen and heard in all areas of every building."
- 903.4.2.2 Test Valves. Add new subsection: "Fire sprinkler system inspector test valves shall be accessible at all times and shall be located no more than 6 feet above the finished floor. On multiple riser systems, each test valve shall be marked to identify which riser and area it tests."
- 903.4.3 Floor control valves. At end of paragraph, add: "In multiple story buildings, floor control valves with water flow and tamper switches shall be provided for each floor."
- 903.6 Safety Factor. Add new section: "Provide a minimum 10% safety factor in the fire protection system hydraulic calculation. The system demand shall be 10% minimum below the seasonal low water flow test supply."
- 903.7 Hydraulic nameplate. Add new section: "By each hydraulically calculated area, on each drawing, provide a copy of the hydraulic nameplate."
- 903.8 NFPA standards. Add new section: "The appendixes of all NFPA standards are to be considered as part of each standard and are considered a 'shall' requirement and not 'should' information."
- 903.9 Fire alarm systems. Add new section: "All fire alarm systems shall be of the addressable type and shall be installed per NFPA 72, 1999."
- 903.10 Quick response sprinklers. Add new section: "All offices, assembly, and residential buildings and areas where a sprinkler system is required shall be provided with residential and/or quick response sprinklers."
- 905.3.1 Building height. At end of paragraph, add: "Notwithstanding the foregoing, standpipes shall be required in all buildings that are more than two stories high and/or more than two stories below grade."
- 1101.2 Design. Delete subsection and substitute: "Buildings and facilities shall be designed and constructed to be accessible in accordance with this building code, the State of Illinois Accessibility Code, 1997 Edition, and

	ICC A117.1."
1805.4.5	Timber footings. Delete entire section.
1805.4.5	Wood foundations. Delete entire section.
Chapter 27	Electrical. Delete entire chapter.
Chapter 29	Plumbing systems. Delete entire chapter.
1612.3	Establishment of flood hazard areas. Insert "the Village of Kenilworth, Cook County, Illinois" for "[name of jurisdiction]".
1612.3	Establishment of flood hazard areas. Insert "August 19, 2008" for "[date of issuance]".
3410.2	Applicability. Insert "April 24, 2009" for "[date to inserted by the jurisdiction]".
Sec. 17-63 to 17-70.	Reserved.

### ARTICLE III. ONE AND TWO FAMILY DWELLINGS

Sec. 17-71. Adoption of the International Residential Code, 2006 Edition.

The provisions of the International Residential Code for One- and Two-family Dwellings, 2006 edition, published by the International Code Council, Inc., are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in section 17-72 of this Code.

Sec. 17-72. Additions, deletions and modifications of the International Residential Code.

The following sections of the International Residential Code for One- and Two-family Dwellings, 2006 edition, are hereby amended, deleted or modified as hereinafter set forth:

R101.1 Title. Insert "the Village of Kenilworth, Cook County, Illinois" for "[name of jurisdiction]".

R103.1 Department of building safety. Delete "The department of building safety" and substitute "The Community Development Department" and delete "and the official in charge thereof shall be known as the building official."

R105.1.1 Permit for principal structure required. Add new subsection: "A permit to demolish or remove a principal structure for the purpose of constructing a new principal structure on that same property shall not be issued until a building permit is obtained for the purpose of constructing said new principal structure."

R105.1.2 Permit application for replacement of principal structure. Add new subsection: "No application for a building permit that contemplates demolition work for which a demolition permit is required shall be accepted by the building official unless and until the demolition permit reviewed by the Building Review Commission process as outlined in Article I of the Village Code is approved by the Building Review Commission."

R105.2 Work exempt from permit. Building: Delete subparagraphs 1-5 and 7.

R105.5 Expiration. Delete section and substitute: "A permit shall expire if the work covered by the permit:

(a) is not commenced within six (6) months after issuance of the permit,  
or

(b) is suspended or abandoned for a period of six (6) months or more, or

(c) is not completed within eighteen (18) months after issuance of the permit, unless the work under the permit is limited to fences, impervious surfaces, or work with a value of less than \$50,000, in which case the permit shall expire if the work is not completed within twelve (12) months.

An extension must be applied for prior to the expiration of the permit for which extension is sought, and may be granted by the code official because of delays resulting from strikes, fire, windstorm or other circumstances beyond the applicant's control; provided, however, that no single extension shall exceed six (6) months, and the total duration of all extensions granted shall not exceed twelve (12) months. If no such extension is granted and the work is not completed, the applicant shall be required to apply for a new permit under the provisions of this Code. No permit fees shall be refunded because of the expiration of any permit pursuant to the provisions of this section. Fees for all extensions shall be in amounts established by the Board of Trustees by resolution from time to time."

R106.1 Submittal Documents. Delete 2<sup>nd</sup> sentence and substitute "Construction documents for all new 1 and 2 family residences, additions, and substantial alternations shall be prepared by, or under the supervision of, and signed and sealed by a professional architect or engineer registered or licensed in the State of Illinois.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code."

R108.4.1 Late work fee escrow. Add new subsection: "All building permits shall be accompanied by a late work fee escrow in amounts established by the Board of Trustees by resolution from time to time. The escrow shall be held by the Village for the duration of the work under the permit and returned to the permittee only after the completion and final inspection and approval of all work under the permit within the term of the permit or any lawful extension thereof. If the completion and final inspection and approval of the work occurs after the expiration of the permit or any lawful extension thereof, the escrow shall be retained by the Village to cover the costs and expenses associated with the administration of any final inspections and approvals of the work."

R109.1 Types of inspections. Add new subparagraph: "1. If any re-inspection is required to verify that corrective work has been done in compliance with this code, a fee shall be charged to the owner for each re-inspection. The fee shall be in amounts established by the Board of Trustees by resolution from time to time."

R110.4 Temporary occupancy. Delete section and substitute: "Within ten (10) working days following receipt of a request by the holder of a permit, the building official may review and determine whether the request meets the requirements to issue a temporary certificate of occupancy of a portion of the work covered under the building permit, before the completion of the entire work covered by the permit, provided that such temporary certificate of occupancy may be issued only where such portion or portions shall be occupied safely prior to full completion of the structure without endangering life or public welfare. Such temporary certificates of occupancy shall be issued for a period of no more than six (6) months,

unless an extension is granted by the building official. To obtain a temporary certificate of occupancy, the holder of a building permit must:

- (a) Sign a written agreement with the Village stipulating remaining work to be done and/or deficiencies which must be corrected. Such agreement may contain additional stipulations as may from time to time be deemed in the best interest of the Village by the building official. Such agreement shall be co-signed by the owner, contract purchaser and/or the tenant; and
- (b) Post an additional cash deposit or irrevocable letter of credit acceptable to the Village Manager, in an amount equivalent to (1.) one hundred ten (110%) percent of the estimated cost of completing and/or remedying all items stipulated to in the agreement (which amount shall be not less than an amount established by the Board of Trustees by resolution from time to time) plus (2.) a temporary certificate of occupancy fee in amounts established by the Board of Trustees by resolution from time to time.

Failure by the holder of a temporary certificate of occupancy to obtain a final certificate of occupancy by the date established by the building official shall result in automatic forfeiture of the related cash deposit or irrevocable letter of credit. The building official may, but shall not be obligated to, use such forfeited funds to complete the work indicated on the inspection report attached to the temporary certificate of occupancy, which was issued for the premises. Such forfeiture shall not impair the right of the Village to enforce any and all remedies available to it by reason of any violation, including the right to recover a fine or penalty or seek injunctive relief. In the event that the building official uses such forfeited funds, he shall assess and deduct an administrative fee equal to ten (10%) percent of the amount of forfeited funds used. Any balance remaining in the cash deposit or irrevocable letter of credit not required to complete the work shall be refunded to the depositor upon issuance of a final certificate of occupancy.”

R112 Board of Appeals. Delete entire section.

R114.1.1 Fees for stop work order. Add new subsection: “If the building official issues a stop work order pursuant to Section R114.1, the owner shall pay a fee established by the Board of Trustees by resolution from time to time for removal of the stop work order, in addition to any fee payable under Section R109.1 for re-inspection of the work.”

Table R301.2(1) Climatic and Geographic Design Criteria. Insert under each category:

Ground snow load	30
Wind Speed	90
Seismic Design Category	B
Weathering	Severe
Frost Line Depth	42 inches
Termite	No
Winter Design Temperature for Heating Facilities	68 degrees Fahrenheit to -10 degrees Fahrenheit w/50% humidity
Ice Barrier Underlayment Required	Yes
Flood Hazards	Aug. 19, 2008
Air Freezing Index	1500
Mean Annual Temperature	50

R309.2 Separation required. At end of paragraph, add: "The garage floor shall be no less than six (6) inches below the floor of the attached residence."

R310.2.2 Window well covers. Add new subsection: "Window well covers or a 3 foot railing shall be installed where located within 36 inches of a finished walking surface or where the window well is 30 inches or more below grade and be designed to support a two hundred pound load."

R313.4 Carbon monoxide detectors. Add new subsection: "Carbon monoxide detectors shall be installed within 15 feet of each bedroom. Power source same as smoke detectors."

402.1 Wood foundations. Delete entire section.

403.1 General. In the first sentence delete "wood foundations."

404.2 Wood foundation walls. Delete entire section.

R502.1.4 Prefabricated Wood I-Joists. At end of paragraph, add: "In the event that prefabricated wood I-joists or other engineered wood trusses are used for construction of a floor-ceiling assembly, the engineered joists shall be protected by one-hour rated construction."

Chapter 25 Plumbing administration. Delete entire chapter.

Chapter 26 General plumbing requirements. Delete entire chapter.

Chapter 27 Plumbing fixtures. Delete entire chapter.

Chapter 28 Water heaters. Delete entire chapter.

Chapter 29 Water supply and distribution. Delete entire chapter.

Chapter 30 Sanitary drainage. Delete entire chapter.

Chapter 31	Vents. Delete entire chapter.
Chapter 32	Traps. Delete entire chapter.
Chapter 33	General requirements. Delete entire chapter.
Chapter 34	Electrical definitions. Delete entire chapter.
Chapter 35	Services. Delete entire chapter.
Chapter 36	Branch circuits And Feeder Requirements. Delete entire chapter.
Chapter 37	Wiring methods. Delete entire chapter.
Chapter 38	Power & lighting distribution. Delete entire chapter.
Chapter 39	Devices & luminaries. Delete entire chapter.
Chapter 40	Appliance installation. Delete entire chapter.
Chapter 41	Swimming pools. Delete entire chapter.
Chapter 42	Class 2 remote control signaling & power-limited circuits. Delete entire chapter.
Appendix	Adopt by Reference
Appendix A	Sizing & Capacities of Gas Piping
Appendix B	Sizing of Venting Systems Serving Appliances Equipped With Draft Hoods, Category 1 Appliances And Appliances Listed For Use With Type B Vents.
Appendix G	Swimming Pools, Spas and Hot Tubs
Appendix J	Existing Buildings and Structures
Sec. 17-73 to 17-80.	Reserved.

## ARTICLE IV. PLUMBING

Sec. 17-81. Adoption of State of Illinois Plumbing Code.

The Village of Kenilworth hereby acknowledges the adoption of the 2004 Plumbing Licensing Law and the Illinois Administrative Code Part 890, Illinois Plumbing Code, subject only to the additions, deletions and modifications specifically set forth in Section 17-82 of this Code.

Sec. 17-82. Additions, deletions and modifications of the State of Illinois Plumbing Code.

890.Appendix A Table A, Approved Building Drainage/Vent Pipe. Delete the following materials:  
1) ABS Pipe  
5) Copper Alloy Tubing (DWV)  
7) Glass Fiber Borosilicate Pipe  
10) PVC Pipe and Fittings – above ground only  
11) PVC Pipe with Cellular Core

890.Appendix A Table A, Approved Materials for Building Sewer. Delete the following materials:  
2) Asbestos Cement Pipe  
5) Concrete Pipe  
8) Vitrified Clay Pipe  
9) Solder

890.Appendix A Table A, Approved Materials for Water Service Pipe. Delete the following materials:  
1) ABS Pipe  
4) CPVC Pipe

890.Appendix A Table A, Approved Materials for Water Distribution Pipe. Delete the following materials:  
2) CPVC Pipe  
7) Poly Butylene Pipe  
8) PVC Pipe

890.110(c) General Regulations. Add new subsection: "Plumbing and drainage systems in all buildings, public and private, shall be installed in accordance with the provisions of this ordinance by a licensed plumber in accordance with the provisions of the State of Illinois Plumbing License Law. If a plumbing contractor is found to be using unlicensed plumbers, the contractor's plumbing permit will be revoked."

890.110(d) Potable Water. Add new subsection: "Type L copper piping shall be used for potable water."

890.110(e) Couplings. Add new subsection: "Heavy duty 2 band couplings must be used with no hub soil pipe."

890.110(f) Plumbing Walls. Add new subsection: "Plumbing walls where stacks are located must be built of 2x6 framing at a minimum."

- 890.110(g) Primer. Add new subsection: "Purple primer must be used on all PVC piping."
- 890.110(h) Testing. Add new subsection: "Gas tests are required if any existing gas lines have been moved."
- 890.110(i) Water Service. Add new subsection: "For all new construction, including additions and substantial remodeling, a minimum 1 inch Type K copper water service is required."
- 890.110(j) Existing Conditions. Add new subsection: "All nonconforming plumbing installations or materials discovered or revealed during remodeling, renovation, or other alteration projects, shall be corrected in accordance with this code."
- 890.110(k) Inspections. Add new subsection:
- "1) Inspections Required. All plumbing work shall be done by licensed plumbers or sewer contractors and shall be subject to the inspection and approval of the building official or the plumbing inspector under the supervision of the building official. The plumbing contractor shall be on site when the rough plumbing inspection is conducted.
- 2) Testing by Plumbing Inspector. All plumbing work shall be tested and witnessed by the plumbing inspector, in accordance with this code, while all pipes are uncovered in every part. A water test shall be applied to the drainage system in its entirety, or in sections, as completed. A water pressure test for plumbing work shall be applied by closing the lower end of the vertical pipes and filling the pipes to the highest opening above the roof with water. Special provision shall be made to include all joints and connections to the finished line or face of floors or side walls, so that all vents or revents, including lead work, may be tested with the main stacks. The house drain inside any building shall be tested by closing up the drain at the point where it leaves the building, using the clean out wye provided for, and filling the pipes inside the building with water to a height of at least two feet above the highest point of the drainage system.
- 3) Water Supply for Testing. Licensed plumbers will be allowed to leave the water turned into pipes for forty-eight (48) hours after completing any work for the purpose of testing the same, at the end of which time they shall immediately cut off the supply, unless otherwise instructed by the plumbing inspector.
- 4) Additional Inspections. All plumbing work shall be subject to such further inspections and test as shall be required by the rules and regulations of Community Development Department."
- 890.110(l) Overhead Sewers. Add new subsection: "All new buildings with basements, floors, rooms, or occupancy areas below grade shall have overhead plumbing with ejector pumps."
- 890.110(m) Maintenance of Water Connections and Fixtures. Add new subsection:

"Every person having service from the water mains of the Village shall, at his or her own cost and expense, keep and repair all pipes, accessories, and plumbing fixtures commencing with the tap into the water main to and in said premises. If any such supply pipe be permitted to remain out of repair, the Water Department may, after two (2) days' prior notice, posted on the main entrance to the premises, shut off the water to said premises. When the water is so shut off, it shall not be permitted to be turned on again until such pipe, fixture, meter or accessory shall have been placed in proper repair."

890.110(n) Service Pipes Connections. Add new subsection: "Each private supply pipe and each service pipe, branch or connecting pipe, drawing water directly or indirectly from the water mains in the Village, shall be of copper not less than one inch (1") in diameter of type K, and shall be equipped with corporation cocks, roundway stopcocks, and buffalo or shutoff box of a type specified by the Village and located in accordance with the rules, regulations, and ordinances of this Village, and as approved by the Village."

Each private supply pipe and each service pipe, branch or connecting pipe, drawing water from the water mains in the Village shall be controlled by a meter approved by and obtained from the Village and located in accordance with the rules, regulations, and ordinances of this Village and with the approval of the Village. Except as hereinafter provided, all of the costs of service connection and equipping the same with the accessories shall be borne by the person or concern making application for a permit and without expense to the Village."

890.110(o) Permits Issued Only to Licensed Plumbers. Add new subsection: "Permits to connect to any of the water mains or service pipes, or for the installation or altering of any plumbing fixtures drawing water from any of supply pipes of this Village, shall only be issued to duly licensed plumbers."

890.110(p) New Sewers. Add new subsection: "A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot, and no private sewer is available or where a public sewer cannot be constructed to the rear building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Existing building sewers may be used in connection with new buildings only when they are found, on examination and test, to meet all the requirements of this article."

890.110(q) Maintenance of Private Sanitary Sewers. Add new subsection: "Every property owner having a sewer service connected to the Village's main line public sewer shall, at his or her own expense, keep and repair all pipes, accessories, and plumbing fixtures including the Tee, Y, break in connection, lateral, or service at the Village's main line sewer to any termination point inside the property. If such a sewer service is in need of repair, the Public Works Department may, after two (2) days' prior notice

posted on the main entrance to the premises, shut off the water to the premises. When the water is shut off, it shall not be permitted to be turned on again until such pipe, fixture, or accessory shall be placed in proper repair as determined by the Public Works Superintendent. If no such corrective measures take place and the situation is deemed an emergency situation or an imminent hazard by the Public Works Superintendent, the Village shall do what is necessary to make the repair, and directly bill the property owner and/or impose a lien upon the real estate. This bill shall be no less than the contracted price, or in the case of the Village making the repair, the hourly Public Works rate as well as equipment rate and any administrative costs that would be applicable. The property owner shall also pay for the cost for Public Works to turn on and off water. Any liability imposed by this section shall be a joint and several responsibility of the owner, and the occupant of the premises."

890.110(r) Sewer Abandonment. Add new subsection: "When a building is demolished, all existing sanitary sewer service connections shall be abandoned and removed, and the Village sewer shall be repaired at the expense of the property owner to the reasonable satisfaction the Public Works Superintendent."

890.110(s) Water Abandonment. Add new subsection: "When a building is demolished, all existing water service connections to that building shall be properly removed and the Village water main shall be repaired. This work shall be accomplished at the expense of the property owner and to the reasonable satisfaction the Water Department."

890.1960 Fees. Add new subsection: "The fees to be charged for a permit for the installation and alteration of plumbing systems shall be established by the Board of Trustees by resolution from time to time."

Sec. 17-83 to 17-90. Reserved.

## ARTICLE V. MECHANICAL

Sec. 17-91. Adoption of the International Mechanical Code.

The provisions of the International Mechanical Code, 2006 edition, published by the International Code Council, Inc., are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-92 of this Code.

Sec. 17-92. Additions, deletions and modifications of the International Mechanical Code.

The following sections of the aforesaid International Mechanical Code, 2006 edition, are hereby amended, deleted, or modified as hereinafter set forth:

101.1 Title. Insert "the Village of Kenilworth, Cook County, Illinois" for "[name of jurisdiction]".

106.2 Permits not required. Insert new requirement: "9. Any replacement furnace of the same type and general efficiency rating which utilizes only existing flues, ducts and pipes."

106.5.2 Fee schedule. Delete "in the following schedule." And delete bracketed material and substitute "Fees established by the Village of Kenilworth Board of Trustees by resolution from time to time."

106.5.3 Fee refunds. Delete subsection

108.4 Violation penalties. Delete entire subsection.

109 Means of appeal. Delete entire section.

805.7 Enclosure of Exterior Elements. Add new subsection: "Except as hereinafter provided, the portion of any metal or factory-built chimney rising above the roof of the building, and any other part of such chimney to be located, in whole or in part, on the exterior of the building, shall be enclosed in a fire resistance-rated shaft constructed in accordance with the shaft requirements of the building code. The exterior surfaces of such shaft shall be covered with a material, or shall be painted and maintained, so that the exterior of the shaft shall present an attractive appearance consistent with the architectural style, construction, and materials of the building. Notwithstanding the foregoing, the exterior shaft required by this section shall not be required to cover any chimney cap, hood, screen, or other device installed at the top of a metal chimney and intended to increase draft, control sparks or ashes, protect the chimney from the elements, or prevent the entry into the chimney of birds, insects, and animals. Solely for purposes of this application of any requirement of this code relating to the termination height of a chimney, any exterior shaft required by this section shall not be considered part of the building or roof."

Sec. 17-93 to 17-100. Reserved.

## ARTICLE VI. ELECTRICAL

Sec. 17-101. Adoption of the National Electrical Code.

The provisions of the National Electrical Code, 2005 edition, published by the National Fire Protection Association, are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-104 of this Code.

Sec. 17-102. Permit required.

(a) No electrical equipment shall be installed, altered, or used without first filing an application with the Community Development Department and obtaining all required permits.

(b) All applications shall be accompanied by plans, specifications and schedules in sufficient detail to show the location and capacity of all lighting facilities, fire alarm systems, electrical equipment and light and power circuits required for all service equipment of the building or structure.

Sec. 17-103 Registration required.

No electrical contractor shall perform any work regulated by this article without the required electrical license. The electrical license issued by another municipality shall be submitted to the Community Development Department.

Sec. 17-104. Additions, deletions and modifications of the National Electrical Code.

The following sections of the aforesaid National Electrical Code, 2005 edition, are hereby amended, deleted, or modified as hereinafter set forth:

210.21(B)(3) Receptacle Rating. After the first sentence add: "20-amp receptacles shall be installed wherever 20-amp circuits are required or utilized."

225-27 Outdoor Lighting Guidelines. Add new section: "All outdoor lighting lampholders, fixtures, and other artificial light sources shall be installed, shielded, directed, and locked into position in accordance with outdoor lighting guidelines adopted from time to time by the code official and otherwise so as to direct the light source, to the fullest extent reasonably practicable, away from neighboring residential properties and so as to minimize the amount and intensity of artificial light that is directed or reflected onto or toward neighboring residential properties."

230.11 Conductors and Services General. Add new section:

"(A) Service Entrance Conductors. Service entrance conductors shall be installed in rigid metal conduit or intermediate metal conduit with a panelboard containing not less than twenty (20) circuits. The use of a sub-panel shall require the written approval of the Kenilworth Electrical Inspector after submission and approval of complete load calculations. Mini breakers shall not be permitted.

(B) Residential Occupancies. Those conductors which supply all the current consumed by an individual apartment or dwelling unit shall have a

rating not less than the load required, or a minimum as follows:

(1) Dwelling units of any size shall have a 100 ampere minimum rating with a maximum number of 24 circuits, except that dwelling units in excess of 2,000 square feet shall have a 200 ampere minimum rating and dwelling units over 4,000 square feet shall have a 400 ampere minimum rating.”

- 230.43 Wiring Methods for 600 Volts, Nominal, or Less. Delete the following methods: (1), (2), (5), (6), (7), (12), (13), (14), (15), and (16).
  - 250-146 Connecting Receptacle Grounding Terminal to Box. At end of paragraph, add: “All receptacles to comply with this article.”
  - 334 Nonmetallic-Sheathed Cable: Types NM, NMC, and NMS. Delete entire Article 334
  - 338 Service-Entrance Cable: Types SE and USE. Delete entire Article 338.
  - 340 Underground Feeder and Branch-Circuit Cable: Type UF. Delete entire Article 340.
  - 362 Electrical Nonmetallic Tubing: Type ENT. Delete entire Article 362.
  - 378 Nonmetallic Wireways. Delete entire Article 378.
  - 382 Nonmetallic Extensions. Delete entire Article 382.
  - 388 Surface Nonmetallic Raceways. Delete entire Article 388.
- Sec. 17-105 to 17-110. Reserved.

## ARTICLE VII. FIRE PREVENTION CODE

Sec. 17-111. Adoption of the International Fire Code.

The provisions of the International Fire Code, 2003 edition, published by the International Code Council, Inc. are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in section 17-112 of this code.

Sec. 17-112. Additions, deletions and modifications of the International Fire Code.

The following sections of the aforesaid International Fire Code 2003 edition are hereby amended, deleted or modified as hereinafter set forth:

101.1 Title. Insert "the Village of Kenilworth, Cook County, Illinois" for [name of jurisdiction]."

108 Board of appeals. Delete entire section.

3404.2.13.1.4 Tanks abandoned in place. Delete entire section.

Sec. 17-113 to 17-120. Reserved.

ARTICLE VIII. LIFE SAFETY

Sec. 17-121. Adoption of the NFPA 101 Life Safety Code.

The provisions of the National Fire Protection Association (NFPA) 101 Life Safety Code, 2000 edition, published by the National Fire Protection Association, are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-122 of this Code.

Sec. 17-122. Additions, deletions and modifications of the NFPA 101 Life Safety Code.

None.

Sec. 17-123 to 17-130. Reserved.

ARTICLE IX. AUTOMATIC SPRINKLER SYSTEMS

Sec. 17-131. Adoption of the NFPA Standards for Automatic Sprinkler Systems.

The provisions of the Standards for the Installation of Automatic Sprinkler Systems, National Fire Protection Association (NFPA) Publication 13, 1999 edition, published by the National Fire Protection Association, are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-132 of this Code.

Sec. 17-132. Additions, deletions and modifications of the NFPA Standards for Automatic Sprinkler Systems.

None.

Sec. 17-133 to 17-140. Reserved.

ARTICLE X. STANDPIPE AND HOSE SYSTEMS

Sec. 17-141. Adoption of the NFPA Standards for Standpipe and Hose Systems.

The provisions of the Standards for the Installation of Standpipe and Hose Systems, National Fire Protection Association (NFPA) Publication 14, 2000 edition, published by the National Fire Protection Association, are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-142 of this Code.

Sec. 17-142. Additions, deletions and modifications of the NFPA Standards for Standpipe and Hose Systems.

None.

Sec. 17-143 to 17-150. Reserved.

## ARTICLE XI. FUEL GAS

Sec. 17-151. Adoption of the International Fuel Gas Code.

The provisions of the International Fuel Gas Code, 2006 edition, published by the International Code Council, Inc., are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-152 of this Code.

Sec. 17-152. Additions, deletions and modifications of the International Fuel Gas Code.

The following sections of the aforesaid International Fuel Gas Code, 2006 edition, are hereby amended, deleted, or modified as hereinafter set forth:

101.1 Title. Insert "the Village of Kenilworth, Cook County, Illinois" for "[name of jurisdiction]".

106.5.2 Fee schedule. Delete "in the following schedule." And delete bracketed material and substitute "Fees established by the Village of Kenilworth Board of Trustees by resolution from time to time."

106.5.3 Fee refunds. Delete subsection.

108.4 Violation penalties. Delete entire subsection.

109 Board of appeals. Delete entire section.

Sec. 17-153 to 17-160. Reserved.

ARTICLE XII. ENERGY CONSERVATION

Sec. 17-161. Adoption of the International Energy Conservation Code.

The provisions of the International Energy Conservation Code, 2006 edition, published by the International Code Council, Inc., are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-162 of this Code.

Sec. 17-162. Additions, deletions and modifications of the International Energy Conservation Code.

The following sections of the aforesaid International Energy Conservation Code, 2006 edition, are hereby amended, deleted, or modified as hereinafter set forth:

101.1 Title. Insert "the Village of Kenilworth, Cook County, Illinois" for "[name of jurisdiction]".

Sec. 17-163 to 17-170. Reserved.

### ARTICLE XIII. ELEVATORS AND ESCALATORS

Sec. 17-171. Adoption of the Safety Code for Elevators and Escalators.

The provisions of the Safety Code for Elevators and Escalators (ASME A17.1-2007/CSA B44-07) and Performance-Based Safety Code for Elevators and Escalators (ASME A17.1-2007/CSA B44.7-07), published by the American Society of Mechanical Engineers (ASME), are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-172 of this Code.

Sec. 17-172. Additions, deletions and modifications of the Safety Code for Elevators and Escalators.

None.

Sec. 17-173 to 17-180. Reserved.

ARTICLE XIV. ELEVATORS, ESCALATORS, AND MOVING WALKS

Sec. 17-181. Adoption of the Guide for Inspection of Elevators, Escalators, and Moving Walks.

The provisions of the Guide for Inspection of Elevators, Escalators, and Moving Walks (ASME A17.2-2004), published by the American Society of Mechanical Engineers (ASME), are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-182 of this Code.

Sec. 17-182. Additions, deletions and modifications of the Guide for Inspection of Elevators, Escalators, and Moving Walks.

None.

Sec. 17-183 to 17-190. Reserved.

## ARTICLE XV. EXISTING ELEVATORS AND ESCALATORS

Sec. 17-191. Adoption of the Safety Code for Existing Elevators and Escalators.

The provisions of the Safety Code for Existing Elevators and Escalators (ASME A17.3-2005), published by the American Society of Mechanical Engineers (ASME), are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-192 of this Code.

Sec. 17-192. Additions, deletions and modifications of the Safety Code for Existing Elevators and Escalators.

None.

Sec. 17-193 to 17-200. Reserved.

## ARTICLE XVI. PLATFORM LIFTS AND STAIRWAY CHAIRLIFTS

Sec. 17-201. Adoption of the Safety Standard for Platform Lifts and Stairway Chairlifts.

The provisions of the Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A18.1-2005), published by the American Society of Mechanical Engineers (ASME), are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-202 of this Code.

Sec. 17-202. Additions, deletions and modifications of the Safety Standard for Platform Lifts and Stairway Chairlifts.

None.

Sec. 17-203 to 17-210. Reserved.

## ARTICLE XVII. ELEVATOR INSPECTORS

Sec. 17-211. Adoption of the Standard for the Qualification of Elevator Inspectors.

The provisions of the Standard for the Qualification of Elevator Inspectors (ASME QEI-1-2004), published by the American Society of Mechanical Engineers (ASME), are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-212 of this Code.

Sec. 17-212. Additions, deletions and modifications of the Standard for the Qualification of Elevator Inspectors.

None.

Sec. 17-213 to 17-220. Reserved.

ARTICLE XVIII. PERSONNEL HOISTS AND EMPLOYEE ELEVATORS

Sec. 17-221. Adoption of the Safety Requirements for Personnel Hoists and Employee Elevators.

The provisions of the Safety Requirements for Personnel Hoists and Employee Elevators (ANSI A10.4-2004), published by the American National Standards Institute (ANSI), are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-222 of this Code.

Sec. 17-222. Additions, deletions and modifications of the Safety Requirements for Personnel Hoists and Employee Elevators.

None.

Sec. 17-223 to 17-230. Reserved.

ARTICLE XIX. AUTOMATED PEOPLE MOVERS

Sec. 17-231. Adoption of the Automated People Mover Standards.

The provisions of the Automated People Mover Standards (ASCE 21-2000), published by the American Society of Civil Engineers (ASCE), are hereby adopted by this reference, subject only to the additions, deletions and modifications specifically set forth in Section 17-232 of this Code.

Sec. 17-232. Additions, deletions and modifications of the Automated People Mover Standards.

None.

Section 3. SCOPE OF AMENDMENTS.

The amendments set forth in Section 2 of this Ordinance shall have no effect on the enforcement and validity of the following:

A. Those Sections of Chapter 17 that have previously been adopted and which shall remain in full force and effect and shall henceforth be considered part of Article I, entitled "General Provisions," rather than Article 4, as follows:

- Sec. 17-50 Notice to Adjacent Property Owners
- Sec. 17-51 Municipal Property Damage Deposit
- Sec. 17-52 Certificate of Insurance
- Sec. 17-53 Construction Site Management Regulations

B. Those sections adopted as a part of the BOCA National Building Code pertaining to demolition permits, as Sections 110.4 through 110.13, which sections shall remain in full force and effect and are renumbered and included in Article I of Chapter 17 with no change of meaning or content intended.

Section 4. REPEAL.

Ordinances 810, 845, 846, 847, and 848 are hereby repealed, except as provided in Section 3 above.

Section 5. APPLICATION OF THIS ORDINANCE.

The regulations set forth in this Ordinance shall not apply to any matter for which a complete application for a building permit has been submitted to and received by the Village prior to April 24, 2009. For purposes of this section, a "complete application" shall mean an application that: (1) has been fully executed by all appropriate parties and (2) includes all required and necessary supporting documentation.

Section 6. EFFECTIVE DATE.

This Ordinance shall become effective ten days after its passage and publication in accordance with the laws of the State of Illinois.

PASSED: This 13th day of April, 2009

AYES: (6) Trustees Bossu, Hughes, Smietana, Laier, Terrill and White

NAYS: (0)

ABSENT: (0)

ABSTAIN: (0)

---

Village President

ATTEST:

---

Village Clerk

# 6142501\_v3