

10/8/96

112-O-96

AN ORDINANCE

Adopting by Reference the B.O.C.A. 1996
National Building Code Thirteenth Edition,
and Amending Certain Sections of
Title 4, Chapter 2 of the City Code

WHEREAS, the City Council of the City of Evanston considers it in the public interest to adopt as its standard for issuance of construction, reconstruction, alteration, and installation permits the B.O.C.A. National Building Code, Thirteenth Edition, 1996; and

WHEREAS, the City Council of the City of Evanston has caused three (3) copies of the aforesaid Code to be kept on file in the office of the City Clerk for public inspection for a period of more than thirty (30) days prior to the adoption of this ordinance;

NOW THEREFORE, be it ordained by the City Council of the City of Evanston, Cook County, Illinois:

SECTION 1: That Section 4-2-1, of the City Code of the City of Evanston, 1979, as amended, be and hereby is, further amended by deleting the existing section and substituting therefor to read as follows:

4-2-1: ADOPTION OF THE B.O.C.A. NATIONAL BUILDING CODE:

- (A) Pursuant to the authority granted by Chapter 65, Section 5/1-2-4 of the Illinois Compiled Statutes and pursuant to its home rule powers, the City of Evanston hereby adopts by reference the B.O.C.A. National Building Code, Thirteenth Edition, 1996, with the exceptions and amendments below stated. All advisory or text notes, other than the rules and regulations contained in the B.O.C.A. National Building Code, adopted hereby be and the same are hereby expressly excluded from this Chapter.
- (B) Any reference in the B.O.C.A. Code to "Building Official" shall refer to the Director

of Community Development. Any reference to "municipality" shall mean the City of Evanston.

4-2-1(C):

Amendments, Additions, Exceptions: The B.O.C.A. Code adopted hereby shall read as follows with respect to these sections:

107.5 Construction Documents: The application for permit shall be accompanied by not less than two sets of construction documents. The code official is permitted to waive the requirements for filing construction documents when the scope of the work is of a minor nature. When the quality of the materials is essential for conformity to this code, specific information shall be given to establish such quality and this code shall not be cited or the term "legal" or its equivalent used as a substitute for specific information. All Floor Plans, including mechanical, electrical, plumbing and fire protection plans, shall indicate all required Fire Ratings and where they occur by graphic means with a legend or key.

114.1 General: All design for new construction work, alteration, repair, expansion, addition, or modification work involving the practice of professional architecture or engineering, as defined by the professional registration laws of the State of Illinois shall be prepared by registered professional architects or engineers as licensed by the State of Illinois. All plans, computations, and specifications required for a building permit application for such work shall be prepared by or under the direct supervision of a registered architect or engineer and bear that architect's or engineer's signature and seal in accordance with the State of Illinois statutes and regulations governing the professional registration and certification of architects or engineers. Architects shall sign and seal, in accordance with the state law, all building or remodeling work which involves structural work or new structure.

Exceptions: Decks, exterior stairs, non-habitable detached garages. (Ord. 77-0-90)

108.8 Posting of Permit: A true copy of the notice of building permit shall be kept on the site of operations, open to public inspection during the entire time of prosecution of the work and until the completion of the same. Said notice must be posted within forty eight (48) hours of permit issuance and must be visible from the public way. Failure to post the permit as required by this section will result in revocation of the building permit and forfeiture of all permit fees. (Ord. 75-0-95)

111.5 Hours of Work Permitted for the Construction, Repair and Demolition of Buildings: The creation (including excavating) demolition, alteration or repair of any building within the City, are permitted between the hours of seven o'clock (7:00) a.m. and nine o'clock (9:00) p.m. on weekdays, and eight o'clock (8:00) a.m. and five o'clock (5:00) p.m. on Saturdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the City Manager, his designee, or the Director of Community

Development, which permit may be granted while the emergency continues. If the City Manager, his designee, or the Director of Community Development should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building, or the excavation of streets and highways between the hours of nine o'clock (9:00) p.m. and seven o'clock (7:00) a.m. on weekdays and before eight o'clock (8:00) a.m. and after five o'clock (5:00) p.m. on Saturdays, and if it shall further be determined that loss or inconvenience would result to any party in interest, said official may grant permission for such work to be done between the hours of nine o'clock (9:00) p.m. and seven o'clock (7:00) a.m. on weekdays and before eight o'clock (8:00) a.m. and after five o'clock (5:00) p.m. on Saturdays, upon request. However, sand blasting, jack hammering, or similar noise-producing activities are prohibited between six o'clock (6:00) p.m. and seven o'clock (7:00) a.m. weekdays, between six o'clock (6:00) p.m. Friday and eight o'clock (8:00) a.m. Saturday and between five o'clock (5:00) p.m. Saturday and seven o'clock (7:00) a.m. Monday unless special permission is granted by the City Manager or his designee. In addition, any other construction noise which exceeds a decibel level of eighty (80) (measured from the property line from which the noise is emanating) is prohibited between six o'clock (6:00) p.m. and seven o'clock (7:00) a.m. weekdays, between six o'clock (6:00) p.m. Friday and eight o'clock (8:00) a.m. Saturday, and between five o'clock (5:00) p.m. Saturday and seven o'clock (7:00) a.m. Monday, unless special permission is granted by the City Manager or his designee. (Ord. 20-0-92).

112.3.1 Fee Schedule: Fees for permits for demolition, construction, reconstruction, alteration and installation, as required by the Building Code and related codes, shall be those established from time to time by ordinance of the City Council of the City of Evanston.

113.4 Right of Entry: The Building Official and his authorized representatives are hereby authorized to make inspections of all buildings, structures and premises located within the City to determine their compliance with the provisions of this Chapter. For the purpose of making such inspections, the Building Official and his authorized representatives are hereby authorized to examine and survey all buildings, structures and premises within the City. Such inspections shall be made between the hours of 7:30 a.m. and 8:00 p.m. and any days except Sunday, subject to the following standards and conditions:

a) Such inspections may take place only if 1) a complaint respecting said premises has been received by the Building Official and such complaint, in the opinion of said Building Official, provides reasonable grounds for belief that a violation exists, or 2) if such inspection is undertaken as part of a regular inspection program whereby certain areas of the City are being inspected in their entirety by direction of the Building Official or the City Manager, or 3) if said official has other personal knowledge of conditions providing reasonable grounds to believe that a violation exists;

b) Such inspections shall be made by the Building Official or the City Manager or by any duly authorized representative upon direction of either of said officers;

c) Any person making such inspection shall furnish to the owner or occupant of the structure sought to be inspected, sufficient identification and information to enable the owner or occupant to determine that he is a representative of the City of Evanston and to determine the purpose of said inspection.

117.2 Unlawful Continuance: The penalty for any unlawful continuance of a stop work order issued by the Building Official under Section 117.0 of said B.O.C.A. National Building Code shall be the penalty provided for under Section 4-2-3 of the City Code.

Section 121.0 Means of Appeal, shall be deleted in its entirety from the B.O.C.A. National Building Code, adopted hereby, and these sections 121.1 and 121.2 substituted therefor:

121.1 Application for Appeal: The owner of a building or structure or other aggrieved person may appeal from a decision of the Building Official refusing to grant a modification to the provisions of this Code, concerning the manner of construction or materials to be used in the erection, alteration or repair of a building or structure to the Property Services Board, as provided for under Section 4-18-1 of the City Code. Application for appeal may be made when it is claimed 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 can be used. Written application for appeal must be filed within 20 days after the day the decision, notice or order was served.

The appellant shall establish by a clear preponderance of the evidence that his proposal is equivalent or superior to the adopted code requirement. The application for appeal must be in writing and include a statement of the proposal, prepared by the appellant and approved as to content and form by the Building Official together with any and all documentation which would aid the Board in its deliberations.

121.2 Board Decision: Failure to secure the concurring votes of a majority of Board members present where a quorum has been obtained shall be deemed a confirmation of the decision of the Building Official.

407.10 Carbon Monoxide Detector: A house-current carbon monoxide detector is required within fifteen (15) feet of sleeping areas of single family and multifamily homes with attached garages. In new home construction with attached garages, the detector is to be hard wired.

901.2.1 Emergency Key Box: When a property is protected by a fire detection and/or suppression system, or when a structure is unduly difficult to make entry to due to secure openings, and immediate access is needed for life safety and/or fire fighting purposes, the Fire Official may require that an emergency key box be installed in a location approved by the Fire Official.

The key box shall be a type approved by the Fire Official.

This Section 901.2.1 shall not apply to any individual residential unit.

901.4.2 Contents and Key Box: The key box shall contain:

- a) keys to locked points of ingress, whether on the interior or exterior of the building.
- b) keys to locked mechanical equipment rooms, electrical rooms.
- c) keys to all common areas and any other area as directed by the Code Official.

904.1 Where required: Exception 1, which allows portions of buildings that comply with Sections 406.0 for open parking structures not to be equipped with an automatic fire suppression system, shall be deleted from this code.

906.1.1 Chlorinated Polyvinyl Chloride (CPVC) Piping: Whenever CPVC piping is used for sprinkler systems conforming to the requirements of NFPA 13, the following conditions shall also apply:

1. Steel pipe shall be used for fire department connections and all risers.
2. In areas where it is determined by the Code Official that the CPVC piping may be subject to damage, steel piping shall be required.

906.2.1 NFPA 13 systems: Exception 2, which allows guest room closets in occupancies in Use Group R-1 that are 24 square feet or less, not to have sprinklers, shall be deleted from this code.

906.3.1 Design Safety Factor: Provide a minimum of 10 psi safety factor in the fire protection system hydraulic calculation. The system demand shall be 10 psi below the seasonal low-water test supply.

915.7.1.1 Reducer Cap: A 1½" reducer with a cap connected to a chain shall be required at each hose connection.

916.1.1 Fire Department Connection Locator: Provide white strobe light above the fire department connection(s) to flash upon activation of the fire alarm system. The device(s) shall be mounted at a height that is visible from the street.

Exception: Existing systems, unless the system is altered, modified or upgraded.

921.2 Where required: A portable fire extinguisher shall be installed in the following locations in accordance with NFPA 10 listed in Chapter 35:

1. In all occupancies in Use Group A-1, A-2, A-3, B, E, I-2, R-1 or H;
2. In all areas containing commercial kitchen exhaust hood systems;
3. In all areas where fuel is dispensed;
4. In all areas where a flammable or combustible liquid is used in the operation of spraying, coating or dipping;
5. In all occupancies in Use Group I-3 at staff locations. Access to portable extinguisher shall be permitted to be locked;
6. On each completed floor of buildings under construction, other than occupancies in Use Group R-3.
7. In any laboratory, shop or other room occupied for similar purposes; and
8. Where required by the fire prevention code listed in Chapter 35.

922.4.1.1 Duct detectors reset: Resets for duct detectors shall be located at the main fire alarm panel and labeled as to their location. A floor plan identifying the duct detectors shall be laminated near the fire alarm panel.

924.1 Fire suppression systems: Method number 2, which allows locking open all valves in supply pipes to fire protection devices, shall be deleted from this Code.

1006.3 Exit discharge: All exits shall discharge directly at a public way or at a yard, court or open space of the required width and size to provide all occupants with a safe access to a public way. The exit discharge shall include a paved surface connecting the exit to a public way. The width and slope shall conform to all requirements of the Illinois Accessibility Code. The exit discharge shall be illuminated at exterior.

1007.5.1 Size: Each area of refuge shall be sized to accommodate one wheelchair space of 30 inches (762 mm) by 48 inches (1219 mm) for each 200 occupants or portion thereof, based on the occupant load of the area of refuge and all areas, served by the area of refuge. Such wheelchair spaces shall not reduce the required means of egress width. Access to any of the required wheelchair spaces in an area of refuge shall not be obstructed by more than one adjoining wheelchair space. The floor of the area of refuge shall be designated with striping or other such means and labeled with the International Symbol of Access, such that this area is reserved at all times for the intended purpose.

1011.3.1.1 Floor striping: All warehouses, storage areas, loading docks, and back rooms shall provide yellow floor striping to identify the aisles for egress. This area shall be free of all storage obstructions. The striping shall be at least 2 inches in width.

2706.3 Power source: The emergency electrical system shall not be connected to a standby power system unless the load pickup time complies with Section 2706.1 and the standby system is sized for the additional load. All means of egress lighting and exit signage must be powered by either an emergency generator or have a battery back-up system.

2905.6 Reduced pressure zones: Where there exists any non-potable water source located within 1700 feet of the building (i.e. lake, canal, etc.) a reduced pressure principle backflow preventer shall be required for building water supply, automatic fire sprinkler and standpipe systems.

3006.3.1 Elevators for fire department use: In all structures having a travel distance of 25 feet or more above or below the main floor, at least one elevator shall be provided with a minimum distance between walls, or between wall and door excluding return panels, of not less than 80 inches by 54 inches (1727 mm by 1372 mm), and a minimum distance from wall to return panel not less than 51 inches (1295 mm). The minimum clear width of the door shall be 32 inches (813 mm).

3013.1 Referenced standard: All existing elevators shall conform to the following sections of ASME A17.3 :

1. Emergency 12 volt standby lighting and alarm bell should be installed inside every elevator no later than January 1, 1998.
2. Provide door restriction devices no later than January 1, 1998.
3. Telephones or a means of two-way communications and per ANSI A17.3, Section 3.11, should be installed in every passenger elevator no later than January 1, 1999.
4. Firefighter recall and service should be installed to conform to the requirements of ANSI A17.1 on all elevators with a rise of 25 feet or more above or below the main floor no later than January 1, 2000.

3102.4 Permits and construction documents: A person shall not erect, install, remove, rehang, alter or maintain over public property any sign for which a permit is required under the provisions of this Code until the requirements of Title 4, Chapter 12 of the City Code are met.

2904.1.1 Annual Permit: In lieu of an individual permit for each alteration to an already approved plumbing installation, the Building Official may issue an annual permit upon application therefor to any person, firm or corporation regularly employing one or more licensed plumbers in the building structure or on the premises owned and operated by the applicant for the permit. (Ord. 77-0-90).

- (D) In the event that any provision of the B.O.C.A. National Building Code adopted hereby is in conflict with any provision of the Zoning Ordinance or any provision of any City fire prevention ordinance or safety control ordinance or any amendment thereto, the most stringent shall control.
- (E) Noise levels from any air handling or any other such mechanical or electrical equipment, shall not exceed 55 decibels measured at the property line.

(G) Wrecking, Demolishing or Razing of Buildings:

1. Written notice stating the date on which work is to begin shall be given to the Director of Community Development and to owners/occupants of adjoining property at least forty-eight (48) hours before beginning the wrecking, demolishing, or razing of any building or other structure.
2. On completion of demolition, the site shall be filed where necessary with clean, soil, cinders or other inorganic material and graded to the level of sidewalks, alleys or adjoining property with allowance for settlement.
3. Debris caused from the demolition of a building or structure in excess of that required to fill openings shall be removed from the site as wrecking progresses. Salvaged material, if left on the premises, shall be neatly stored. Debris shall be kept from adjacent properties and public ways at all times.
4. During the erection, alteration or demolition of any building, any temporary structure erected adjacent to or on any public way, used as temporary storage for debris and wreckage, shall be outfitted with reflective orange material outlining every top and bottom corner of said temporary structure, which reflective material will be visible when struck by headlight beams three hundred feet (300') away at night. Said markings shall be approved by the City Engineer.

SECTION 2: That Section 4-2-5 be further amended to read as follows:

4-2-5: Building Contractors:

- (A) Definition: The term "building contractor" means any person, individual, company or corporation engaged in the business of constructing, enlarging, altering, removing or remodeling any structure by furnishing of labor, material and methods necessary to accomplish a given result, and who retains for himself the control of the means, method and manner of accomplishing this desired result. The term "building contractor" shall not be construed to include any person, individual, company or corporation currently licensed as a plumbing contractor, electrical contractor or heating, air conditioning and refrigeration contractor.
- (B) License Required: No person shall engage in the business of building contractor within the City without first having secured a license in the manner provided herein.
- (C) Application for License: Application for license shall be made to the Community Development Department. All licenses shall be subject to the provisions of this Code, other ordinances of the City and the statutes of the State of Illinois. If any person shall violate any of these provisions, he shall be liable to be proceeded against

for any fine or penalty imposed thereby and his license may be revoked at the discretion of the City Manager. Any person so licensed who is aggrieved by the provisions of this section may, within ten working days of the notice of suspension or revocation, upon written request, obtain a hearing by the City Manager or his designee, at which hearing he may present evidence in his own behalf. The City Manager shall promptly advise the licensee of his findings and decision thereon in writing.

- (D) License Fee: The amount of the annual license fee for persons engaged in the business of building contractor shall be established from time to time by action of the City Council.
- (E) Examination Required: No person shall receive such a license until he has passed a standardized examination administered and designed by the Building Division of the Department of Community Development. Said examination shall be for the purpose of determining that all licensees are knowledgeable in the business of building, contracting, and life safety components of the Building Code.

The Department may issue temporary licenses to applicants prior to the examination, but no such temporary license shall be valid if the applicant shall subsequently fail said examination.

- (F) Exemptions: Any building contractor properly licensed in the municipality of his principal place of business in the State of Illinois may, with the approval of the Director of Community Development, be classified as a building contractor in the City, may be issued an Evanston license without additional license fee, provided that such contractor complies with the ordinances and regulations of the City.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: October 14 1996

Adopted December 16, 1996

Approved: December 16, 1996

Lorraine H. Norton
Mayor

ATTEST:

Krista Davis
City Clerk

Approved as to form:

[Signature]
Corporation Counsel