

VILLAGE OF SUGAR GROVE

ORDINANCE NO. 2009-_____

AN ORDINANCE ADOPTING CERTAIN NATIONAL CODES

BE IT ORDAINED by the Board of Trustees of the Village of Sugar Grove, Kane County, Illinois as follows:

WHEREAS; the Village of Sugar Grove is not a home rule municipality within Article VII, Section 6A of the 1970 Constitution of the State of Illinois and therefore pursuant to those powers granted to it under Chapter 24, Paragraph 132 et. seq. of the Illinois Revised Statutes, and,

WHEREAS; the Board of Trustees finds that the best interest of the Village of Sugar Grove and the health and welfare of the residents of the Village are best served by regulating the construction, reconstruction and maintenance of buildings and structure with the Village,

NOW THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

SECTION ONE: That Title 9, Chapter 1 of the Village Code shall be amended as follows:

Adoption: That a certain document entitled “The International Building Code, 2006 Edition” published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, two copies of which are on file at the Building Division of the Community Development Department of the Village of Sugar Grove, is hereby adopted as the “Building Code” for the Village of Sugar Grove for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location , relocation, replacement, addition to, use or maintenance of every building or structure or any appurtenances connected or attached to such buildings or structures in the Village of Sugar Grove as provided; and each and all of the regulations, provisions, penalties, conditions and terms of said “International Building Code, 2006 Edition” are adopted and made a part hereof, as if fully set out in the Code with the additions, insertions, deletions and changes prescribed in this ordinance.

SECTION TWO: That the sections of said codes adopted herein are revised and amended as follows:

Amendments: **2006 International Building Code**

1. Section 101.1 is hereby amended by inserting in the blank “the Village of Sugar Grove”
2. Section 103.1 is hereby amended by replacing “Building Official” with “Code Official” and adding the following sentence: “All references to “Building Official” throughout this code shall be construed to refer to “Code Official”.”

3. Section 103.2 is hereby amended by entirely deleting and replacing with “The Director of Community Development or their designee shall serve as the Code Official for the Village of Sugar Grove.”
4. Section 105.2 is hereby amended by entirely deleting numbers 1, 2, 3, 4, 5, 6, and 10
5. Section 105.5.3 is hereby amended by adding the following sentences: “Every permit shall expire and become invalid after a period of one year from the date of its issuance. Invalid and expired permits shall be subjected to additional plan review, including new fees for such review, as well as administrative fees for issuing said permit.”
6. Section 106.3.1 is hereby amended by replacing “Reviewed for Code Compliance” with “APPROVED”
7. Section 108.6 is hereby amended by entirely deleting and replacing with “The Code Official shall authorize the refunding of fees on a case by case basis.”
8. Section 112.1 is hereby amended by entirely replacing “The Board of Appeals shall be appointed by the governing body and shall hold office at its pleasure.” with “The Board of Appeals shall consist of the Village Board of the Village of Sugar Grove.”
9. Section 112.3 is hereby entirely deleted
10. Section 113.4 is hereby amended by replacing “shall be subject to penalties as prescribed by law” with “shall be guilty of a petty offense, punishable by a fine of not more than \$750.00 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment”
11. Section 114.3 is hereby amended by replacing “shall be subject to penalties as prescribed by law” with “shall be liable for a fine of not less than \$100.00 dollars or more than \$750.00 dollars”
12. Section 702.1 is hereby amended by replacing the definition for Fire Area with “**Fire Area.** The aggregate floor area, including any mezzanines and basements, enclosed and bounded by exterior walls of a building.”
13. Section 903.2 is hereby amended by adding the following sentences:
“An automatic sprinkler system shall be provided throughout all buildings or structures where a fire area of any use or occupancy classification or combination of uses or occupancy classifications exceeds 5,000 square feet.”
14. Section 903.3.1.1 is hereby amended by adding the following at the end of the paragraph: “...in accordance with NFPA 13 except as provided in Section 903.3.1.1.1.”
15. Section 903.3.1.1.1 number 3 is hereby amended by adding “when approved by the Fire Code Official.”
16. Section 903.3.1.1.1 number 4 is hereby entirely deleted

17. Section 1011.1 exception 1 is hereby amended by entirely deleting and replacing with “Exit signs are not required in rooms or areas where only one exit or exit access are provided and it is obviously and clearly identifiable as the exit.”
18. Section 1608 is hereby amended by adding the following subsection:
“**1608.3 Snow Load Minimum.** All structural designs in the Village of Sugar Grove shall meet or exceed a 25 pound ground snow load minimum with no reductions.”
19. Section 1612.3 is hereby amended by inserting in the blanks “the Village of Sugar Grove” and “most recent”
20. Section 1612.4 is hereby amended by adding “and any applicable Kane County Storm Water Ordinance or FEMA requirements.”
21. Section 1801 is hereby amended by adding the following subsection:
“**1801.3 Continuous Foundations.** Buildings and structures and the walls enclosing habitable or occupiable rooms shall be provided with a continuous foundation.”
22. Section 1805.4.5 is hereby amended by entirely deleting
23. Section 1805.4.6 is hereby amended by entirely deleting
24. Section 1812 and all subsections are hereby deleted in their entirety
25. Section 2304.11.4.1 is hereby amended by replacing “of preservative-treated wood.” with “prohibited.”
26. Section 3410.2 is hereby amended by inserting in the blank “January 30, 1965”

SECTION THREE: Miscellaneous

A. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Village of Sugar Grove hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

B. Savings: That nothing in this Ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance

C. Repealer: All ordinance or provisions of ordinances which are in conflict with this ordinance are hereby repealed.

D. Effective Date: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, on this ____ day of January, 2009.

	<u>AYES</u>	<u>NAYS</u>
Heineman	_____	_____
Geary	_____	_____
Johnson	_____	_____
Taylor	_____	_____
Renk	_____	_____
Bohler	_____	_____

P. Sean Michels, Village President,
Village of Sugar Grove, Kane County, Illinois

ATTEST: _____
Cynthia L. Welsch, Village Clerk,
Village of Sugar Grove, Kane County, Illinois