

**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 Section 9-1-1 of the Village Code shall be amended as follows:

**Adoption:** That a certain document entitled “The International Mechanical 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 “Mechanical 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 mechanical systems in the Village of Sugar Grove as provided; and each and all of the regulations, provisions, penalties, conditions and terms of said “International Mechanical 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 Mechanical Code**

1. Section 101.1 is hereby amended by inserting in the blank “the Village of Sugar Grove”
2. Section 103.2 is hereby amended by replacing “The Code Official shall be appointed by the chief appointing authority of the jurisdiction” with “The Director of Community Development or their designee shall serve as the Code Official for the Village of Sugar Grove.”

3. Section 106.4.3 is hereby amended by entirely deleting and replacing with “Every permit issued by the Code Official under the provisions of this code shall become invalid unless the work authorized by such permit is commenced within 180 days from its issuance or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time work is commenced. 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.”
4. Section 106.4.4 is hereby amended by replacing “A permit shall not be extended more than once. The fee for an extension shall be one-half the amount required for a new permit for such work.” with “The Code Official is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 180 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.”
5. Section 106.5.2 is hereby amended by inserting in the blank “Fees shall be determined by resolution of the Village Board of the Village of Sugar Grove”
6. Section 106.5.3 is hereby amended entirely deleting and replacing with “The Code Official shall authorize the refunding of fees on a case by case basis.”
7. Section 107.1.2 and all subsections are hereby amended by entirely deleting and replacing with “The Code Official is authorized to conduct such inspections as are deemed necessary to determine compliance with the provisions of this code. Construction or work for which a permit is required shall be subject to inspection by the code official. The approval of prefabricated construction assemblies in modular housing and mobile structures having concealed mechanical work shall comply with all applicable State of Illinois regulations. All other construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Code Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.”
8. Section 107.2.1 is hereby amended by adding the following subsection:  
“**107.2.4 Certified Test and Balance Report.** A certified test and balance report shall be submitted and approved prior to final occupancy. The Code Official shall have the authority to waive the requirement at his discretion.”
9. Section 108.4 is hereby amended by inserting in the blanks “Petty offenses”, “\$750.00”, and “180 days.”
10. Section 108.5 is hereby amended by inserting in the blanks “\$100.00” and “\$750.00.”
11. Section 109.2 and all subsections are hereby amended by entirely deleting and replacing with “The Board of Appeals shall consist of the Village Board of the Village of Sugar Grove.”

12. Section 305.3 is hereby amended by adding the following sentences: “All mechanical piping and ductwork shall be supported or fastened directly to the structural supports of the building. Mechanical piping and ductwork shall not be hung from the roof or floor deck above or other ductwork or piping.”
13. Section 501 is hereby amended by adding the following subsection:  
“**Section 501.5 Independent system required.** Single or combined mechanical exhaust systems from bath, toilet, urinal, locker, service sink closets and similar rooms shall be independent of all other exhaust systems.”
14. Section 602.2.1 is hereby amended by adding the following sentence: “Nonmetallic ducts shall not be used in a non-combustible plenum.”
15. Section 602.2.1 Exception 1 is hereby amended by entirely deleting and replacing with “Rigid and flexible metallic ducts and connectors shall conform to Section 603.”
16. Section 603.6.2.1 is hereby amended by entirely deleting and replacing with “Flexible air connectors shall be limited in length to ten feet (3048 mm).”
17. Section 603.10 is hereby amended by adding the following sentences: “All duct work or mechanical equipment shall be supported or fastened directly to the structural supports of the building. Mechanical equipment and duct work shall not be hung from the roof or floor deck above or other ductwork or piping.”
18. Section 801.14 is hereby amended by adding the following subsection:  
“**Section 801.14.1 Automatic Shutoff:** Power exhausters shall be electrically connected to each appliance to prevent the operation of the appliance when the power exhauster is not in operation.”
19. Appendix A shall be adopted and inserted.

### **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 it 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