

## ORDINANCE

### **AN ORDINANCE AMENDING CHAPTER 7 (“BUILDINGS”), ARTICLE 6 (“RESIDENTIAL CODE”) OF THE OAK PARK VILLAGE CODE TO ADOPT THE 2021 INTERNATIONAL RESIDENTIAL CODE**

**WHEREAS**, the Village of Oak Park (“Village”) is a home rule unit of government as provided by the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

**WHEREAS**, pursuant to the authority granted by Section 11-30-1 *et seq.* of the Illinois Municipal Code, 65 ILCS 5/11-30-1 *et seq.*, and pursuant to its home rule powers, the Village of Oak Park has determined to adopt *2021 International Residential Code* as set forth in this Ordinance; and

**WHEREAS**, pursuant to the Municipal Adoption of Codes and Records Act, 50 ILCS 220/0.01 *et seq.* (hereinafter referred to as the “Act”) the Village is authorized to adopt by reference any code as that term is defined in the Act; and

**WHEREAS**, the *2021 International Residential Code* is a code as defined in the Act and the *Code* has been available for viewing as required by the Act and pursuant to Section 1-2-4 of the Illinois Municipal Code, 65 ILCS 5/1-2-4.

**NOW THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

**Section 1. Recitals Incorporated.** The above recitals are incorporated herein by reference as though fully set forth.

**Section 2. Village Code Amended.** Chapter 7 (“Buildings”), Article 6 (“Residential Code”), Section 7-6-1 (“Adoption”) of the Oak Park Village Code is amended by deleting the overstricken language and adding the underlined language as follows:

#### **7-6-1: ADOPTION:**

A. The ~~2018~~ 2021 International residential code (IRC) as published by the International Code Council, is hereby adopted by the Village by reference and is made a part hereof as if fully set forth in this section with the additions, insertions, deletions and changes set forth in section 7-6-2 of this article. To the extent that the provisions of the IRC are inconsistent with any codes previously adopted by the Village by reference, the provisions of the IRC shall govern unless specifically set forth in this code. In the event of a conflict between any provisions of the IRC and any provision of the Oak Park Village Code, the provisions of the Oak Park Village Code shall govern.

B. There shall be three (3) copies of the IRC kept on file for public inspection in the office of the ~~Village Clerk~~ Chief Building Official.

**Section 3. Village Code Amended.** Chapter 7 (“Buildings”), Article 6 (“Residential Code”), Section 7-6-2 (“Amendments”) of the Oak Park Village Code is amended to add the underlined language and delete the overstricken language as follows:

**7-6-2: AMENDMENTS:**

The ~~2018~~ 2021 international residential code, as adopted pursuant to section 7-6-1 of this article, is hereby amended by adding the underlined language and deleting the overstricken language as follows:

**CHAPTER 1**

**SECTION R102 - APPLICABILITY**

**R102.5 Appendices.** ~~Provisions in the appendices shall not apply unless specifically referenced in the adopting ordinance.~~ The following appendices are adopted as part of this code:

1. Appendix A - Sizing And Capacities Of Gas Piping;
2. Appendix B - Sizing Of Venting Systems Serving Appliances Equipped With Draft Hoods, Category 1 Appliances, And Appliances Listed For Use With Type B Vents;
3. Appendix C - Exit Terminals Of Mechanical Draft And Direct-Vent Venting Systems;
4. Appendix D - Recommended Procedure For Safety Inspection Of An Existing Appliance Installation;
5. Appendix F - Radon Control Methods, as amended hereinafter;
6. Appendix G - Piping Standards for Various Applications;
7. Appendix H - Patio Covers;
8. Appendix J - Existing Buildings And Structures;
9. Appendix K - Sound Transmission;
10. Appendix M - Home Day Care - R-3 Occupancy; and
11. Appendix X – Electrification For New Residential Buildings.

**TABLE R302.1(1)  
EXTERIOR WALLS**

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EXTERIOR WALLS**

EXTERIOR WALL ELEMENT		MINIMUM FIRE RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire resistance rated	1 hour—tested in accordance with ASTM E119 or UL263 or Section 703.3 of the <i>International Building Code</i> with exposure from both sides	0 feet
	Not fire resistance rated	0 hours	≥ 3 feet
Projections	Not allowed	N/A	< 1 foot
	Fire resistance rated	1 hour on the underside, or heavy timber, or fire-retardant-treated wood <sup>a,b</sup>	1 foot to < 2 feet
	Not fire resistance rated	0 hours	≥ 2 feet
Openings in walls	Not allowed	N/A	< 3 feet
	25% maximum of wall area	0 hours	< 5 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	3 feet

For SI: 1 foot = 304.8mm

NA = Not Applicable.

~~a. The fire resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave overhang if fireblocking is provided from the wall top plate to the underside of the roof sheathing.~~

~~b. The fire resistance rating shall be permitted to be reduced to 0 hours on the underside of the rake overhang where gable vent openings are not installed.~~

**SECTION R313 - AUTOMATIC FIRE SPRINKLER SYSTEMS**

**R313.2 One- And Two-Family Dwellings Automatic Fire Systems.** An automatic residential fire sprinkler system shall be installed in new construction of one- and two-family dwellings.

~~**Exception:** An automatic residential fire sprinkler system shall not be required for *additions or alterations* to existing buildings that are not already provided with an automatic residential sprinkler system.~~

**R313.3 Existing Structures.** See Section AJ101.9 below for sprinkler requirements for existing structures.

## **CHAPTER 15 EXHAUST SYSTEMS**

### **SECTION M1503 – DOMESTIC COOKING EXHAUST EQUIPMENT**

**M1503.6.3 Makeup Air Temperature.** The temperature differential between makeup air and the air in the conditioned space shall not exceed 10°F except where the added heating ~~and cooling loads~~ of the makeup air do not exceed the capacity of the HVAC system.

**CHAPTER 25 PLUMBING ADMINISTRATION** is deleted in its entirety.

## **CHAPTER 26 GENERAL PLUMBING REQUIREMENTS**

### **SECTION P2601 - GENERAL**

**P2601.1 Scope.** The provisions of this chapter shall govern the installation of plumbing not specifically covered in other chapters applicable to plumbing systems. ~~The installation of plumbing, appliances, equipment and systems not addressed by this code shall comply with the applicable provisions of the international plumbing code.~~ The provisions of the current edition of the state of Illinois plumbing code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems

~~**P2601.2 Connection.** Plumbing fixtures, drains and appliances used to receive or discharge liquid wastes or sewage shall be connected to the sanitary drainage system of the building or premises in accordance with the requirements of this code. This section shall not be construed to prevent indirect waste systems.~~

~~**Exception:** Bathtubs, showers, lavatories, clothes washers and laundry trays shall not be required to discharge to the sanitary drainage system where such fixtures discharge to systems complying with Sections P2910 AND 92911.~~

All new one or two-family dwellings shall contain the following:

1. New sewer service from the principle structure to the Village sewer main;
2. Over-head sewer system in buildings with basements;
3. New water service from the principle structure to the Village water main;
4. A new water meter, which shall be purchased from the Village; and
5. A new buffalo box water shut off valve installed in the parkway, which shall be purchased from the Village.

Delete Section P2601.3 Flood Hazard Area in its entirety.  
Delete Sections P2602, Individual Water Supply and Sewage Disposal, through section P2609 Materials Evaluation and Listing, inclusive, in their entirety.  
Delete Chapter 27 Plumbing Fixtures in its entirety.  
Delete Chapter 28 Water Heaters in its entirety.  
Delete Chapter 29 Water Supply and Distribution in its entirety.  
Delete Chapter 30 Sanitary Drainage in its entirety.  
Delete Chapter 31 Vents in its entirety.  
Delete Chapter 32 Traps in its entirety.  
Delete Chapter 33 Storm Drainage in its entirety.

## **CHAPTER 34 GENERAL REQUIREMENTS**

**Sections E3401.2 Scope, E3401.3 Not Covered, E3401.4 Additions and Alterations, E3402 Building Structure Protection and, E403.1 Approval in its entirety** are deleted in their entirety.

**Section E3403.2 Inspection Required.** New electrical work and parts of existing systems affected by new work or alterations shall be inspected by the building official to ensure compliance with the requirements of chapters 34 through 43. Work inspected and approved shall not be modified without obtaining a subsequent approval after the modification. The chief building official may require any equipment, component, or panelboard, or access to these elements to be opened for inspection. The building official may require any project related personnel to be on site for any inspection, including, but not limited to property owners, design professionals, general contractor and/or sub-contractor representatives or owners.

Safe access shall be provided to all areas required for inspection. The building official reserves the right to not perform any inspection where safe access is not provided, including but not necessarily limited to, trenches, ladders, temporary stairs, guardrails, areas requiring the removal of safety equipment such as boots or hard hats, and/or manholes or vaults. Where specialty safety equipment is required to perform an inspection, it shall be provided for the inspector to use for the inspection, by a responsible party to the construction project.

The property owner shall ultimately be responsible for assuring that all the required inspections are approved.

**Sections E3403.3 LISTING AND LABELING IN ITS ENTIRETY, E3404 - GENERAL EQUIPMENT REQUIREMENTS; E3405 - EQUIPMENT LOCATION AND CLEARANCES; E3406 - ELECTRICAL CONDUCTORS AND CONNECTIONS, E3407 CONDUCTOR AND TERMINAL IDENTIFICATION** are deleted in their entirety.

Delete Chapter 35 Electrical Definitions in its entirety.  
Delete Chapter 36 Services in its entirety.

Delete Chapter 37 Branch Circuit And Feeder Requirements in its entirety.  
Delete Chapter 38 Wiring Methods in its entirety.  
Delete Chapter 39 Power And Lighting Distribution in its entirety.  
Delete Chapter 40 Devices And Luminaires in its entirety.  
Delete Chapter 41 Appliance Installation in its entirety.  
Delete Chapter 42 Swimming Pools in its entirety.  
Delete Chapter 43 Class 2 Remote-Control, Signaling And Power-Limited Circuits in its entirety.

## **APPENDIX F RADON CONTROL METHODS**

### **SECTION AF101 - SCOPE**

**Appendix F section AF101.1 General.** This appendix contains requirements for new construction in jurisdictions where radon resistant construction is required. Where installed, radon control methods shall be in accordance with this appendix unless superseded by state law.

## **APPENDIX J EXISTING BUILDINGS AND STRUCTURES**

### **SECTION AJ102 - COMPLIANCE**

**Appendix J sections AJ102.10 and AJ102.11** are added as follows:

**Section AJ102.10 Conversion Into Habitable Space.** When any area not previously approved or utilized as habitable space is converted into and/or utilized as habitable space, regardless of the amount of construction work done in this area, it shall be considered as reconstruction and shall be subject to the requirements of this appendix and the provisions of section R310 of this code.

**Section AJ102.11 Conversion Into A Sleeping Room.** When any area not previously approved or utilized as a sleeping room is converted into and/or utilized as a sleeping room, regardless of the amount of construction work that was or was not done in this conversion or change of utilization, it shall be subject to all requirements for new construction of a sleeping room as found in this code.

#### **AJ102.12 Adding Insulation to Existing Attics**

**Additional structural load of insulation in existing attics:** When insulation is added to existing attics, either at the attic floor level or under the roof deck, winter snow will accumulate on the roof structure potentially adding load beyond the ability of the existing structure to adequately support the added load. Where total attic insulation exceeds R-25, calculations shall be submitted demonstrating proof that the existing structure complies with the requirements of Table 301.2(1) or Table 301.6 whichever is greater. Where existing roof framing does not comply, submit drawings and calculations showing required alterations to the structure to bring the roof structure into compliance.

## **SECTION AJ107 - REPAIRS**

### **AJ107.2 Water Closets**

Where any water closet is replaced with a newly manufactured water closet, the replacement water closet shall comply with the requirements of ~~Section P2903.2~~ the Illinois Plumbing Code.

## **SECTION AJ109 – Alterations**

Add section AJ109.9 as follows:

### **AJ109.9 Automatic Fire Sprinkler Systems in existing one- and two- family dwellings and townhouses:**

**AJ109.9.1 Additions.** An automatic NFPA 13D residential fire sprinkler system shall be installed throughout existing one- and two- family dwellings and townhouses where the building area of an addition is more than 50% of the existing building area. A plan clearly showing the total existing building area and the addition building area shall be provided for approval by the Building Official.

**AJ109.9.2 Alterations.** An automatic NFPA 13D residential fire sprinkler system shall be installed throughout one- and two- family dwellings and townhouses where either or both of the following alterations occur:

1. Where a work area of more than 50% of the existing *building area* is altered. Provide a plan clearly showing the total existing building area except for covered porches and extent of the work area for approval by the Chief Building Official and/or the Fire Official; or
2. Where more than 50% of plaster or drywall interior wall finishes are removed down to the studs and replaced with new drywall or plaster wall finishes. Provide a plan clearly showing the total wall elevation areas of wall finishes to be removed and replaced. The work area shall be considered the square footage area from the wall being altered to the center of the room. Work area calculations shall include the whole house square footage and the altered square footage and submitted for approval by the Chief Building Official and/or the Fire Code Official.

## **APPENDIX X - ELECTRIFICATION FOR NEW RESIDENTIAL BUILDINGS**

### **SECTION 0101- Administration**

**X101.1 Purpose.** The purpose of this appendix is to provide minimum requirements for enhanced environmental features in all new residential buildings regulated by this code.

**X01.2 Objectives.** The objectives of this appendix are to reduce production of greenhouse gasses.

### **SECTION X201- Definition**

**Definitions.** The following words and terms shall for the purpose of this appendix have the meaning set forth below.

**FOSSIL FUELS:** Fossil fuels are made from decomposing plants and animals and contain carbon and include coal, crude oil and natural gas.

**NEW RESIDENTIAL BUILDING:** A new residential building/structure shall mean a new independent or attached residential structure on a newly created foundation.

## **SECTION X301- ELECTRIFICATION REQUIREMENTS**

**X301.1 Electrification requirement for New Residential Buildings.** New residential buildings shall be designed and constructed as follows:

- 1. The source of energy for the building shall be all electric and the source of energy shall not be fossil fuels. Energy from fossil fuels may be provided by generators for emergency backup power.**
- 2. All heating and air conditioning shall be provided by cold climate air source or ground source heat pumps.**
- 3. A building shall contain an energy recovery ventilation system.**
- 4. A building design shall include Manuals J and S calculations, or an equivalent design, by a licensed design professional.**
- 5. All refrigerators, dishwashers, and clothes washers shall be Energy Star certified.**
- 6. Energy for any clothes dryer shall be provided by an electric heat pump.**
- 7. A building shall contain at least one level 2 electric vehicle charging station at one parking location if a building contains a parking space/garage.**
- 8. Directly piped exterior gas fire pits and gas cooking grills whose source of energy are fossil fuels are prohibited.**

**Section 4. Identification of Ordinance with the Illinois Capital Development Board.** This Ordinance shall be identified on the Internet by the Illinois Capital Development Board or any successor agency of the State of Illinois pursuant to Section 1-2-3.1 of the Illinois Municipal Code, 65 ILCS 5/1-2-3.1.

**Section 5. Severability and Repeal of Inconsistent Ordinances.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.



**Section 6. Effective Date.** This Ordinance shall be accepted at the time of adoption and will be in full force and effect after its passage, approval and publication January 1, 2024.

**ADOPTED** this 20<sup>th</sup> day of June, 2023, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enyia				
Trustee Parakkat				
Trustee Robinson				
Trustee Straw				
Trustee Wesley				

**APPROVED** this 20<sup>th</sup> day of June, 2023.

\_\_\_\_\_  
Vicki Scaman, Village President

**ATTEST:**

\_\_\_\_\_  
Christina M. Waters, Village Clerk

Published in pamphlet form this 20<sup>th</sup> day of June, 2023.

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Christina M. Waters, Village Clerk

STATE OF ILLINOIS            )  
  ) ss.  
COUNTY OF COOK            )

**CERTIFICATE**

I, Christina M. Waters, Village Clerk of the Village of Oak Park, County of Cook and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance Number 23-53, “AN ORDINANCE AMENDING CHAPTER 7 (“BUILDINGS”), ARTICLE 6 (“RESIDENTIAL CODE”) OF THE OAK PARK VILLAGE CODE TO ADOPT THE 2021 INTERNATIONAL RESIDENTIAL CODE,” which was adopted by the corporate authorities of the Village of Oak Park and will become in effect thirty days after its approval.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Oak Park, Illinois aforesaid, at the said Village, in the County of Cook and State of Illinois, on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Christina M. Waters, Village Clerk

(SEAL)