



Agenda Item Summary

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Submitted By

Tammie Grossman, Director, Development Customer Services

Reviewed By

A.M. Zayyad, Deputy Village Manager

Agenda Item Title

An Ordinance Amending Chapter 7 (“Buildings”), Article 1 (“Building Code”) of the Oak Park Village Code to Adopt the 2021 International Code Council Building Code as Recommended by the Building Code Advisory Commission

Overview

The Village periodically reviews and adopts updated building and electric codes to attract construction growth by accepting current trends and implementing more modern approved materials and safer building practices. The Building Code Advisory Commission is recommending that the Village Board adopt the 2021 editions of the International Code Council Building Code with decreased number of amendments to simplify and streamline the Village’s building code process.

Recommendation

Adopt the Ordinance.

Background

On August 30, 2021, the Village Board approved a motion to amend the Building Code Advisory Commission (BCAC) 2021 Work Plan to review options to require certain sustainability measures such as all-electric requirements. The BCAC, over an approximate two-year process, interviewed professionals, met with Midwest Energy Efficiency Alliance (MEEA), researched and investigated various construction-related industry measures involving sustainability and electrification. The BCAC created an electrification recommendation along with the adoption of the 2021 International Codes.

On January 23, 2023, Staff presented to the Village Board during a study session an overview of the Building Code Advisory Commission’s recommendations and staff recommendations relative to the adoption and modification of energy codes and regulations. In addition, Staff presented policy and program options for reducing greenhouse gases from building energy. As demonstrated in the adopted plan, Climate Ready Oak Park, 70% of Oak Park’s greenhouse gases are due to building energy (largely from the use of natural gas) and 27% are due to transportation (largely from gas-powered cars). The emissions reduction scenario for Oak Park indicates two efforts will be needed to reach the 2030 climate action goal: 1.) Transition half of the building's natural gas-powered equipment to electricity-powered equipment, and 2.) Shift half of the gas cars to electric vehicles.

At the January 2023 Board meeting, the Village Board directed staff to prepare ordinances for the adoption of the building codes and the creation of the electrification code. Staff created an internal working committee and met with the Building Code Advisory Committee, ComEd, Nicor, and the Midwest Energy Efficiency Alliance.

Staff is recommending the adoption of the 2021 editions of the International Code Council Building Codes, including the 2021 edition of the International Energy Conservation Code. These codes would be allowed upon approval and mandatory effective January 1, 2024. Staff is recommending the amendment for new construction only to the Village Code now to give the public sufficient time to prepare. Staff engagement plans are outlined for the next six months for community outreach to inform the public of the changes (see attached memo). Any new construction projects from now until the end of this year will have the choice to adhere to the adopted 2018 or 2021 Building Codes.

The BCAC chose to have two exceptions out of their 10 requirements. The exceptions are as follows:

1. Building energy sources shall be electric (no fossil fuel energy) except for emergency generators, solely for emergency use, and commercial kitchens.
2. Provide a minimum of Level 2 electric vehicle charging stations at onsite parking areas at the rate of one charging station for every 20 parking spaces or a fraction thereof in each separate parking area. One charging station may serve adjacent pairs of spaces.

Exceptions:

- Electrical vehicle charging stations provided to serve Group R-3 (care facilities/congregate living facilities, etc.) occupancies are not required to comply with this section.
- Electric vehicle charging stations used exclusively by buses, trucks, other delivery vehicles, law enforcement vehicles, and motor pools are not required to comply with this section.

On June 6, 2023, the Environment & Energy Commission received a presentation on the BCAC recommendations from the Chief Building Official. The EEC voted to recommend the proposed ordinance with a friendly amendment:

1. Provide a minimum of Level 2 electric vehicle charging stations at onsite parking areas at the rate of one charging station for every 5 parking spaces or a fraction thereof in each separate parking area.

There is an extension in the development of the stretch energy code. The longer timeline will allow Illinois to base its commercial stretch code on the final, published 2024 International Energy Conservation Code (IECC), streamlining implementation and training needs for municipalities adopting the stretch code. The stretch code must be completed and available for adoption by municipalities by June 30, 2024 (previously December 31, 2023). Given this change, members of ILECAC may consider pausing meetings until such time as the 2024 IECC content approaches finalization, which is anticipated in Fall 2023. This may be a consideration particularly for the commercial stretch code, as it is based primarily on the 2024 IECC, whereas the residential stretch code is based on the 2021 IECC. Staff and the BCAC will monitor the State's action and return with recommendations to the Village Board for any additional amendments once it has been finalized.

Fiscal Impact

Funds were budgeted in the books & subscriptions account (1001.46250.101.550606) in fiscal year 2023 to cover the expense of new code books for staff.

DEI Impact

Adoption of the code will result in a reduction in fossil fuel usage. Studies show that energy-burdened individuals are disproportionately low-income, renters, seniors, and people of color. In Oak Park, natural gas costs approach or exceed electricity costs, and low-income community members pay a higher proportion of their income toward energy costs.

Polluting energy production sites, such as natural gas facilities, are disproportionately located near communities of color and other vulnerable communities; this is a form of environmental racism.

Climate change impacts will harm future generations (generational equity). Greenhouse gas emissions from natural gas and other fossil fuels are driving the climate change that we have observed over the past 60 years. If greenhouse gas emissions are not reduced by 50% globally by 2030, the impacts of climate change will become increasingly destabilizing, leading to natural and economic disasters.

Alternatives

The Village Board could seek additional information from Staff.

The Village Board could elect to not adopt the recommended code changes and maintain the existing 2018 editions of the Code. However, it should be noted that the latest codes reflect the latest technologies and construction materials.

The Village Board could elect to adopt the recommended code changes with an amendment to provide an electric vehicle charging station for every 5 parking spaces or a fraction thereof in each separate parking area, or other modifications as specified.

Previous Board Action

The Village Board, in 2019, had previously accepted the Building Code Advisory Commission recommendations and adopted the newer updated code editions. The 2018 editions of the International Codes currently in existence were adopted by the Village Board in October 2019 and took effect in 2020.

Citizen Advisory Commission Action

The Building Code Advisory Commission is recommending that the Village Board adopt the 2021 editions of the International Building Codes with a decreased number of amendments to simplify and streamline the Village's building code process.

The Environment & Energy voted to recommend the proposed ordinance with a friendly amendment: Provide a minimum of Level 2 electric vehicle charging stations at onsite parking areas at the rate of one charging station for every 5 parking spaces or a fraction thereof in each separate parking area.

Anticipated Future Actions/Commitments

Implement the Building Electrification Outreach Plan.

Intergovernmental Cooperation Opportunities

Staff can collaborate with intergovernmental partners on technical assistance for the voluntary application of building electrification and electric vehicle readiness technologies.

