STATE OF ILLINOIS)
) SS
COUNTY OF WINNEBAGO)

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, the undersigned, do hereby certify that I am the duly qualified and acting Legal Director and ex officio Keeper of the Records and Seal of the City of Rockford, Winnebago and Ogle Counties, Illinois (the "City"), and as such official I am the keeper of the official journal of proceedings, books, records, minutes and files of the City and of the City Council (the "City Council") thereof.

I do further certify that on the 3rd day of November, 2015, there was published in pamphlet form, by authority of the City Council, a true, correct and complete copy of Ordinance No. **2015-224-O** and said resolution was so published on said date readily available for public inspection and distribution, in sufficient number, at my office as Legal Director and ex officio Keeper of the Records and Seal located in the City.

IN WITNESS WHEREOF I have affixed hereto my official signature and the seal of the City, this 4th day of December, 2015.

[SEAL]

LEGAL DIRECTOR AND EX OFFICIO
KEEPER OF THE RECORDS AND SEAL

AH:sa Committee report passed: November 2, 2015

ORDINANCE NO. 2015-224-O

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKFORD, ILLINOIS, THAT:

Chapter 105 of the City of Rockford Code of Ordinances, and the 2015 International Existing Building Code are hereby amended and modified, repealing and replacing any provision of ordinances, as attached hereto.

The provisions and sections of this Ordinance shall be deemed severable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

All orders, resolutions, or ordinances in conflict herewith are hereby repealed insofar as such conflict exists, and this Ordinance shall take effect immediately upon its passage, approval, and publication, as required by law.

A full, true and complete copy of this Ordinance shall be published within ten (10) days after passage in pamphlet form by and under authority of the Corporate Authorities.

APPROVED: November 3, 2015.

MAYOR

AYES: DURKEE, GETCHIUS, MCNAMARA, FROST, CONNELL, THOMPSON-KELLY, ODDO, NEWBURG, BEACH, ELYEA, BECK, CHIARELLI

NAYS: MCNEELY

ABSENT: HERVEY

ABSTAIN:

ATTESTED:

LEGAL DIRECTOR

PASSED: APPROVED: PUBLISHED:

FILED in my office this 3rd day of November, 2015, and published in pamphlet form this 3rd day of November, 2015 by order of the City Council of the City of Rockford, Illinois.

Legal Director and ex officio
Keeper of the Records and Seal

APPROVED BY:

Patrick W. Hayes, Legal Director

RECOMMENDED BY:

Angela Hammer, Assistant City Attorney

ORDINANCE NO. 2015 - _____

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY ROCKFORD, ILLINOIS THAT:

Chapter 105, Article II, Division IX, of the Code of Ordinances of the City of Rockford, Illinois, ~~passed November 30, 1970, approved December 2, 1970 and published December 8, 1970,~~ as amended, be and the same is hereby amended by the following, to wit:

Article II, Division IX, International Existing Building Code is replaced as follows:

Article II, Division, IX International Existing Building Code adopted by reference:

An ordinance establishing minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, maintenance and use of all buildings and structures: providing for the issuance of permits, collection of fees, making of inspections: providing penalties for the violation thereof; known as the Existing Building Code.

The ICC International Existing Building Code/2015, as published by the International Code Council, Inc. is hereby adopted as the International Existing Building Code of the City of Rockford in the State of Illinois; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said ICC International Existing Building Code are hereby referred to, adopted and made a part hereof as if fully set out in the Ordinance, with the additions, insertions, deletions and amendments contained in this article.

Amendments to the Existing Building Code:

The ICC International Existing Building Code/2015 is amended as follows:

(1) Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the *Existing Building Code* of Rockford, State of Illinois, hereinafter referred to as "this code".

(2) Section 101.7 is amended as follows:

101.7 Correction of violations of other codes. *Repairs* or *alterations* mandated by any property, housing, or fire safety maintenance code or mandated by any licensing rule or ordinance adopted pursuant to law shall conform to the requirements of that code, rule, or ordinance and shall also conform to applicable provisions of this code.

(3) Section 101.8 is added as follows:

101.8 Exterior and party walls. When an adjacent structure wall is exposed as a result of demolition, the resulting exposed to the exterior walls shall be protected with waterproof materials during demolition and all necessary repairs to the wall to make it comply with requirements of Chapter 14 shall be made.

(4) Section 101.9 is added as follows:

101.9 Accessibility. When an existing space or structure is to be partially or completely renovated, existing restrooms in the immediate area of work shall be made handicap accessibl5 and comply with the requirements of the Illinois Accessibility Code for new construction.

(5) Section 103.1 is amended as follows:

103.1 Creation of enforcement agency. The Construction and Development Services Division is hereby created, and the official in charge thereof shall be known as the *code official.*

(6) Section 103.4 is added as follows:

103.4 Restriction of employees. An official or employee connected with the enforcement of this code, except whose only connection is that of a member of the board of appeals established under the provisions of section 113 of this code, shall not be engaged in, or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of construction documents thereof, unless that person is the owner of the building; nor shall such officer or employee engage in any work that conflicts with official duties or with the interests of the department.

(7) Section 104.1.1 is added as follows:

104.1.1 Fire Official approval. The Fire Official for the City of Rockford shall have the authority to issue orders based on requirements of this code for matters pertaining to design, materials or equipment when related to fire protection.

(8) Section 105.2 is deleted and replaced with the following:

105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures used as decks, tool storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m^2) and is not supported by another structure.
2. ~~Fences not over 6 feet (1219 mm) high.~~
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from grade at the bottom to grade at the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and patios not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below and which are not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a group R-3 occupancy that are less than 24 inches (610 mm) deep.
10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
11. Swings and other playground equipment.
12. *Awnings* supported by an *exterior wall* and not extending into a City of Rockford right-of-way.
13. Non-fixed Movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1733 mm) in height.
14. Replacement of doors or windows provided the size is not changed and a fire rating is not required.

15. Repair or replacement of interior or exterior wall and ceiling coverings provided:
    a. not more than 50% of coverings in a room are removed,
    b. coverings are not part of a fire rated assembly,
    c. structural elements in a hazardous condition are not exposed.

Electrical:

Repairs and maintenance: Minor repair work including:

1. Temporary cord and plug lighting, provided they are not within a tent requiring a permit.
2. Replacement of plug and switch receptacles, light fixtures or ceiling fans weighing less than 35 lbs. provided wiring and junction box are not altered.
3. Repair or replacement of branch circuit overcurrent devices.
4. Temporary wiring for experimental purposes in suitable experimental testing laboratories.
5. Wiring, devices, appliances, apparatus or equipment operating at less than 25v and 50w.
6. Low voltage wiring and systems not associated with fire alarm or other life safety systems.
7. Repair or replacement of interior or exterior wall and ceiling coverings provided:
    a. not more than 50% of coverings in a room are removed,
    b. framing is not exposed to the extent where smoke alarms are required to be wired to the building's electrical system and be interconnected by section 907.2.10,
    c. electrical wiring in a hazardous condition are not exposed and the minimum standards for receptacles, light switches and light fixtures established in sections 604 and 605 of the *International Property Maintenance Code* as amended have been met,
    d. electrical systems are not being resized, rearranged or extended.
8. Replacement of counters provided they are not lengthened more than two feet where part of a kitchen or wet bar within a dwelling.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio or television transmissions, but do apply to equipment and wiring for power supply, the installations of towers and antennas.

Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Any portable heating *appliance*.
2. Portable ventilation appliances and equipment;
3. Portable cooling units.
4. Portable evaporative coolers.
5. The replacement of any minor part that does not alter the approval of equipment or an appliance or make equipment or appliance unsafe.
6. Self-contained refrigeration package-type equipment in which all components of the refrigeration system are located within a single enclosure without requirement for on-site assembly or piping of any kind whatsoever.

Mechanical:

1. Portable heating appliances;
2. Portable ventilation appliances and equipment;
3. Portable cooling units;
4. Steam, hot water or chilled water piping within any heating or cooling *equipment* or appliances regulated by this code;
5. The replacement of any minor part that does not alter the approval of *equipment* or an appliance or make *equipment* or *appliance* unsafe;
6. Portable evaporative coolers; and
7. Self-contained refrigeration package-type equipment in which all components of the refrigeration system are located within a single enclosure without requirement for on-site assembly or piping of any kind whatsoever.

Plumbing:

1. The stoppage of leaks in drains, water, soil, waste or vent pipe; provided, however, that it does not require the resizing or rearrangement of any defective trap or pipe.
2. The clearing of stoppages, removal of fixtures or the repairing of leaks in pipes, valves or fixtures provided such repairs do not involve or require the resizing or rearrangement of valves, pipes or fixtures.
3. The repair or replacement of fixtures, water softeners or water purifiers in the same location, provided that it does not require the resizing or rearrangement of any trap or piping.
4. Repair or replacement of interior or exterior wall and ceiling coverings provided:
   a. plumbing systems in a hazardous condition are not exposed, or
   b. plumbing systems are not being resized, rearranged or extended.

(9) Section 105.2.2 as amended as follows:

105.2.2 Repairs. Application or notice to the *building official* is not required for ordinary repairs to structures, replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress,* or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition* to, *alteration* of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

(10) Section 105.3.3 is added as follows:

105.3.3 Application for mechanical permit. Each application for a mechanical permit shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location, the proposed occupancy of the building(s) and

other information required by the code official. The application shall be submitted by a City of Rockford mechanical license holder. In the event that more than one license holder is employed by a firm or corporation, the license holder that is submitting an application shall be listed on that application. Permits are not transferable from one license holder to another.

Exception: Work being performed by the owner-occupant of a single family dwelling or owner of a single family dwelling under construction for his or her occupancy upon completion is permitted to plan, install, alter and repair the mechanical and gas piping systems of such dwelling without a license provided that required permits are obtained and such systems comply with the requirements of this code. Any work being performed by other than the owner-occupant shall be performed by a City of Rockford licensed mechanical contractor.

(11) Section 105.3.4 is added as follows:

105.3.4 Application for plumbing permit. Each application for a plumbing permit shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location, the proposed occupancy of the building(s) and other information required by the code official. The application shall be submitted by a State of Illinois plumbing license holder. In the event that more than one license holder is employed by a firm or corporation, the license holder that is submitting an application shall be listed on that application. Permits are not transferable from one license holder to another.

Exception: The owner-occupant of a single family dwelling, or owner of a single family dwelling under construction for his or her occupancy upon completion is permitted to plan, install, alter and repair the plumbing systems of such dwelling without a license provided that required permits are obtained and such systems comply with the requirements of the *Illinois Plumbing Code*. The owner-occupant shall not employ other than a State of Illinois licensed plumber to assist him or her.

(12) Section 105.3.5 is added as follows:

105.3.5 Application for electrical permit. Each application for an electrical permit shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location, the proposed occupancy of the building(s) and other information required by the code official. The application shall be submitted by a City of Rockford registered electrician. In the event that more than one registered electrician is employed by a firm or corporation, the registered electrician that is submitting an application shall be listed on that application. Permits are not transferable from one registered electrician to another.

Exception: The owner-occupant of a single family dwelling, or owner of a single family dwelling under construction for his or her occupancy upon completion is permitted to plan, install, alter and repair the electrical systems of such dwelling without a license provided

that required permits are obtained and such systems comply with the requirements of this code. The owner-occupant shall not employ other than a City of Rockford registered electrician to assist him or her.

(13) Section 106.3 is amended as follows:

106.3 Examination of documents. The *code official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances. The Fire Department may review all plans for issuance of building, fire suppression and fire alarm (electrical) permits. The plans will be made available in the Building Department offices. If the plans do not conform with the requirements set forth by this code, they shall be rejected by the Fire Department pursuant to Section 112 of this code.

(14) Section 107.6 is added as follows:

107.6 Fire Department Records. The registered design professional shall submit project CAD files and PDF files to the Fire Code Official which will be used for incident pre-planning purposes. Files shall contain the following information:

1. Building site plan
2. Building elevations
3. Floor plans, stairways, exits, garage doors, hazards, door markings or designation A, B, C (if used)
4. Location of gas, electric, and water utility shutoffs
5. Location of fire service features including (not limited to) fire hydrants, alarm panel, standpipes, PIV, fire exits, sprinkler control rooms

The documents shall be submitted on a DVD, flash drive, or other medium acceptable to the Fire Code Official.
Records shall be provided to the issuance of a certificate of occupancy. Failure to submit the required documentation to the Fire Code Official shall result in a notice of violation being issued in accordance with Section 114.

(15) Section 108.4 is amended as follows:

108.4 Work commencing before permit issuance. When a permit is required by this code, and work is started or proceeded fees shall be in accordance with the City of Rockford Code of Ordinance. No permit can be issued for any person, company or contractor until any outstanding permit fines/fees have been paid in full.

(16) Section 108.6 is deleted and replaced as follows.

108.6 Refunds. No permit fees shall be refunded.

(17) Section 109.3 is amended as follows:

109.3 Required inspections. The *code official,* upon notification, ~~shall~~ may make the inspections set forth in Sections 109.3.1 through 110.3.9. Where the word "shall make" or "shall be made" appears in Sections 109.3.1 through 109.3.9 it shall mean "may make or may be made".

(18) Section 109.7 is added as follows:

109.7 Re-inspections. Any item of inspection that fails to meet code requirements on the initial or first re-inspection shall be subject to re-inspection fee as determined by the City of Rockford Code of Ordinance, charged to the permit holder for each additional re-inspection performed.

(19) Section 112.1.1 is added as follows:

112.1.1 Automatic appeals. In any case where orders or approvals by the Code Official and Director of the Fire Prevention Bureau are not in full agreement, the matter shall be resolved in the following manner: The case shall be reviewed by the Community Development Director and the Fire Chief. If agreement cannot be reached, the matter shall be referred to the City Administrator for review and decision. The decision of the City Administrator may then be appealed to the Building Board of Appeals pursuant to Section 113.1.

(20) Section 113.4 is amended as follows:

113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to as penalties prescribed by law and punishable by a fine of not less than $50.00 and not more than $750.00 dollars.

(21) Section 115.4 is deleted and replaced as follows:

115.4 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered to the owner personally; or
2. Sent by first class mail, postage prepaid, to the owner at the last known address; or
3. Sent by certified mail, postage prepaid, addressed to the owner at the last known address with return receipt requested, if required by State Law.

(22) Section 410 is deleted in its entirety and replaced with the following:

SECTION 410
ACCESSIBILITY
410.1 General. Accessibility for existing buildings shall comply with the applicable provisions of the Illinois Accessibility Code.

(23) Section 705 is deleted and replaced with the following:

SECTION 705
ACCESSIBILITY
705.1 General. A building, facility or element that is altered shall comply with the applicable provisions of the Illinois Accessibility Code.

(24) Section 806 is deleted and replaced as follows:

SECTION 806
ACCESSIBILITY
806.1 General. A building, facility or element that is altered shall comply with the applicable provisions of the Illinois Accessibility Code.

(25) Section 906 is deleted and replaced with the following:

SECTION 906
ACCESSIBILITY
906.1 General. A building, facility or element that is altered shall comply with the applicable provisions of the Illinois Accessibility Code.

(26) Section 1012.8 is deleted and replaced with the following:

1012.8 Accessibility. A building, facility or element that is undergoing a change of occupancy shall comply with the applicable provisions of the Illinois Accessibility Code.

(27) Section 1105 is deleted and replaced with the following:

SECTION 1105
ACCESSIBILITY
1105.1 General. Additions shall comply with the applicable provisions of the Illinois Accessibility Code.

(28) Section 1204 is deleted and replaced with the following:

SECTION 1204
ACCESSIBILITY
1204.1 General. A building, facility or element that is altered shall comply with the applicable provisions of the Illinois Accessibility Code.

(29) Section 1205.15 is deleted and replaced with the following:

1205.15 Accessibility. A building, facility or element that is undergoing a change of occupancy shall comply with the applicable provisions of the Illinois Accessibility Code.

(30) 1401.2 is amended as follows:

1401.2 Applicability. Structures existing prior to 1985, (rest of section remains unchanged)

The provisions and sections of the Ordinance shall be deemed severable, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

All orders, resolutions, or ordinances in conflict herewith are hereby repealed insofar as such conflict exists, and this Ordinance shall take effect immediately upon its passage, approval and publication as required by law.

A full, true and complete copy of this Ordinance shall be published within ten (10) days after passage in pamphlet form by and under authority of the Corporate Authorities.

APPROVED:

_____

MAYOR

ATTESTED:

_____

LEGAL DIRECTOR

PASSED: APPROVED: PUBLISHED:

ATTESTED and FILED in my office this _____ day of _____, 20____, and published in pamphlet form this _____ day of _____, 20_____.

_____

Legal Director and ex officio
Keeper of the Records and Seal

Published in pamphlet form this _____ day of _____, 20 _____, by order of the City Council of the City of Rockford, Illinois.