



Agenda Item No: 9a

**City Council
Agenda Supplement**

Meeting Date:

February 20, 2018

Item:

Class 16 Temporary Liquor License Request –
Knights of Columbus Council #10678

Staff Recommendation:

Motion to approve issuance of a Class “16” Temporary
Liquor License to the Knights of Columbus Council
#10678

Staff Contact:

Eric T. Helm, Deputy City Manager

Background:

The City has received a request from the Knights of Columbus Council #10678 for the issuance of a Class “16” Temporary Liquor License in order to sell beer and wine at their Irishfest event being held at the St. Elizabeth Ann Seton Church Community Center, located at 1023 McHenry Avenue, on March 10, 2018 from 5:30 p.m. to 10:30 p.m.

Section 329-5-P of the City Code permits the issuance of a Class “16” Temporary Liquor License for the retail sale of beer and wine for consumption upon the premises specified in the license where sold. The license shall be issued to not-for-profit corporations qualified to do business in the State of Illinois. The license shall be for a period not to exceed three (3) days, and shall be issued only for special events sponsored by the not-for-profit corporation requesting the license.

Attached for City Council review is a copy of all support documentation regarding this request.

Votes Required to Pass:

Simple majority



Agenda Item No: 9b

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	February 20, 2018
<u>Item:</u>	Bob Blazier Run for the Arts
<u>Recommendation:</u>	Motion to approve the Special Event for the 2018 Bob Blazier Run for the Arts pursuant to the recommended conditions listed below and a waiver of the Special Event application fee.
<u>Staff Contact:</u>	Michelle Rentzsch, Director of Community Development

Background:

The Raue Center is in the process of planning the 2018 Bob Blazier Run for the Arts, which will be the event's 21st year. The run will take place in Downtown Crystal Lake on Sunday, May 6, 2018. The event includes a 5K run and 1 mile run/walk. The proceeds of this fundraiser benefit the Raue Center.

As part of the event, the Raue Center is requesting the closure of Williams Street between Woodstock Street and Crystal Lake Avenue between 6:00 a.m. and noon. They have also requested that parking be temporarily prohibited on the south side of Woodstock Street between Grant and Williams Streets between 6:00 a.m. and 9:30 a.m.

City staff has reviewed the petitioner's request and does not have concerns regarding the street closures, providing the following conditions are met:

- 1) No items shall be located on the sidewalks.
- 2) Parking should be restricted along the east side of Grant Street and south side of Woodstock Street in addition to the closed portion of Williams Street.
- 3) Signs indicating the road closure to be posted a minimum of 24 hours prior to the event and in the locations designated by the Police Department. Traffic control and signage may be required throughout the 5K and 1-mile race course. The petitioner shall meet with the City's Police, Community Development, and Public Works Departments to discuss signage needed.

- 4) Organizers are to contact the Police Department for official "No Parking" signs. The "No Parking" signs are not to be posted on telephone poles and are to be removed immediately after the race.
- 5) Barricades borrowed from the City of Crystal Lake must be returned to City Hall on the first working day after the event.
- 6) The barricades on Brink Street shall be placed near the alley entrances, instead of the Williams Street intersection, to avoid cars getting trapped at the closure points with no room to turn around. Also, place barricades or cones on the south end of Williams Street to help delineate the limits of the temporary vehicle restriction for pedestrians/event visitors.
- 7) Add cones or other physical separation for the temporary "runners' lane" in the southern bay of parking on Woodstock Street between Grant and Williams.
- 8) All directly affected businesses and residents on North Williams Street shall be notified in advance of the road closure.
- 9) An insurance and hold harmless agreement needs to be provided to the City of Crystal Lake prior to the event.
- 10) Streets along the race route will not be closed. There are several churches in the neighborhoods the 5K race passes through.
- 11) Work with the Police Department as to positioning of volunteers, as well as the number of officers required for this event.
- 12) Runners should be reminded that they are obligated to follow all laws related to pedestrians in the roadway.
- 13) Streets are not to be marked with paint or any permanent materials.
- 14) The site shall be inspected the morning of the event for compliance with canopy spacing (if applicable) and electrical connections. A site visit on April 30 is recommended to address any problems prior to race day, including but not limited to spacing of the canopies/tents, positioning of the garbage cans, etc.
- 15) An access lane greater than 13 feet is required for access to Williams Street by the aerial ladder truck.
- 16) The occupancy limit for the Raue Center shall not be exceeded during the award ceremony.
- 17) This event will require one supervisor and nine officers and a minimum of five volunteers to direct traffic and race participants throughout City streets. If no volunteers are willing and/or able to participate, the additional locations will need to be covered by Police Officers. Volunteers must wear traffic safety vests, and have the ability to communicate via radio or cellular telephone with organizers and police in the event of an emergency. Please contact the Police Department by April 7 to determine/arrange for police officers for traffic control, lead vehicle, etc.
- 18) Ensure that the lead and follow vehicles do not block traffic. The lead vehicle and trail car are required to be police squads to ensure the safety of the participants.
- 19) All trash shall be picked up along the race route, as well as in the downtown area.
- 20) The use of the downtown lighting system to provide electrical power for the sound system is prohibited.
- 21) A temporary sign permit shall be obtained from the Building Division for any signage/banners.

22) No smoking, as well as cooking or open flames shall be permitted under the canopies/tents.

23) In the case of inclement weather, an alternate date can be approved by the City Manager.

The Police Department estimates that the cost for for Police Officer assistance for this event is \$1,734.55. Last year, the Raue Center received approval from the City Council for a waiver of the Special Event Application fee of \$50. This year, they are requesting the same consideration.

The applicant has agreed to meet these conditions. The event applications, information regarding the courses, and a map indicating the race routes have been attached for City Council consideration.

Votes Required to Pass:

Simple majority of City Council present.



Agenda Item No: 9c

**City Council
Agenda Supplement**

Meeting Date: February 20, 2018

Item: Special Service Area (47) – Habitat for Humanity

Staff Recommendation: Motion to adopt an ordinance proposing the establishment of Special Service Area (47).

Staff Contact: Michelle Rentzsch, Community Development Director

Background:

- A new subdivision of 9 lots is being created on this property. To meet the Watershed Ordinance requirements, a rain garden needs to be installed along the backs of the lots.
- Per the City's Watershed Ordinance an SSA needs to be established to fund the City's consultant performing the annual maintenance on the rain garden.
- In order to initiate the Special Service Area process, the Council is requested to adopt the attached ordinance proposing the establishment of the Special Service Area (47).
- This is simply a procedural matter establishing notice which will allow a public hearing to be held at the May 1, 2018 City Council meeting. Following the May 1, 2018 public hearing the Council may adopt an ordinance establishing Special Service Area (47).

Votes Required to Pass: A simple majority vote.

**ORDINANCE NO. 7439
FILE No. 378**

DRAFT

**AN ORDINANCE PROPOSING THE ESTABLISHMENT OF
SPECIAL SERVICE AREA NUMBER 47
IN THE CITY OF CRYSTAL LAKE, ILLINOIS AND
PROVIDING FOR A PUBLIC HEARING
AND OTHER PROCEDURES IN CONNECTION THEREWITH**

WHEREAS, the City of Crystal Lake (the "City") has adopted Chapter 630 of the City of Crystal Lake City Code which provides regulations regarding stormwater management within the City including for the development and management of properties within the Crystal Lake Watershed (the "Watershed"); and

WHEREAS, in accordance with such regulations, and the City of Crystal Lake Watershed Design manual and pursuant to Ordinance 6285, the City adopted the Crystal Lake Watershed Stormwater Management Program Implementation Plan (the "Implementation Plan") which Implementation Plan was further amended on June 18, 2013 by Ordinance 6939; and

WHEREAS, the Implementation Plan imposes certain responsibilities upon the City to inspect, maintain and repair stormwater maintenance facilities within residential developments constructed in the Watershed and that the responsibility for the cost of such inspection, maintenance and repair of such stormwater maintenance facilities be the responsibility of homeowners through the adoption of a Special Service Area; and

WHEREAS, Habitat for Humanity of Northern Fox Valley (the "Owner") has proposed a residential development, within the City upon the property legally described in Exhibit A, attached hereto and made a part hereof (the "Subject Property") and has requested that a special service area be created, thereon in accordance with the Implementation Plan to provide for the cost of inspection, maintenance and repair of the stormwater management facilities within the Watershed Easement to be created within the Subject Property; and

WHEREAS, the Mayor and City Council have found and determined that it is in the public interest of the City that the creation of Special Service Area 47, for the purposes set forth herein, be considered for the real property legally described as follows:

PART OF LOT 28 IN A PLAT OF THE FARMS AT CRYSTAL LAKE, BEING
PART OF SECTIONS: 5, 6, 7 & 8 IN TOWNSHIP 43 NORTH, RANGE 8
EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE
PLAT THEREOF RECORDED OCTOBER 6, 1858 IN BOOK 22 OF DEEDS,
PAGE 1, AND PART OF LOTS 8, 9, 10, 11 AND VACATED KISHWAUKEE
STREET IN BENJAMIN DOUGLAS'S ADDITION TO CRYSTAL LAKE,

BEING A SUBDIVISION OF PART OF SOUTHEAST QUARTER OF SAID SECTION 6, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 14, 1846 IN BOOK G OF DEEDS, PAGE 292, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN DOUVRES SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE NORTH 89 DEGREES 10 MINUTES 33 SECONDS WEST ALONG THE NORTH LINE THEREOF, 219.81 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MCHENRY AVENUE PER PLAT OF DEDICATION RECORDED AS DOCUMENT NO. 532286; THENCE NORTH 12 DEGREES 49 MINUTES 29 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE 318.22 FEET; THENCE NORTHEASTERLY 102.56 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 252.90 FEET, THE CHORD OF WHICH BEARS NORTH 24 DEGREES 26 MINUTES 31 SECONDS EAST, FOR A LENGTH OF 101.85 FEET; THENCE NORTH 36 DEGREES 03 MINUTES 33 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 239.66 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LAKE AVENUE; THENCE SOUTH 53 DEGREES 36 MINUTES 22 SECONDS ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE 194.18 FEET TO THE NORTHWESTERLY CORNER OF LOT 1 IN PFEIFFER'S THIRD RE-SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SAID SECTION 6, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1955 AS DOCUMENT NO. 293627; THENCE SOUTH 36 DEGREES 34 MINUTES 55 SECONDS WEST ALONG THE NORTHWESTERLY LINE OF SAID LOT 1 AND THE NORTHWESTERLY LINE OF LOTS 2 & 3 IN SAID SUBDIVISION 195.34 FEET; THENCE SOUTH 52 DEGREES 06 MINUTES 13 SECONDS EAST ALONG A JOG IN SAID NORTHWESTERLY LINE OF LOT 3, A DISTANCE OF 2.58 FEET; THENCE SOUTH 12 DEGREES 53 MINUTES 20 SECONDS WEST ALONG THE WESTERLY LINE OF LOTS 3 THROUGH 7 IN SAID PFEIFFER'S THIRD RE-SUBDIVISION, 327.73 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.
(hereinafter "the Area")

Commonly known as: 431 S. McHenry Avenue, Crystal Lake, Illinois 60014
PIN: 19-06-481-001; 19-06-481-002

The approximate street location for the Area is on the East side of McHenry Avenue South of the intersection with Lake Street. An accurate map of said territory is on file in the office of the City Clerk and is available for public inspection

WHEREAS, the City hereby proposes the establishment of a special service area under the Law, as well as its home rule powers, which would be designated as Special Service Area 47,

for the Area, whereby the City, in its sole discretion and without obligation to do so, would provide the following special services, including but not limited to:

1. Inspection, maintenance and repair of the stormwater management facilities within the Watershed Easement to be created within the Area; and
2. All legal administrative and professional consultant fees related to the provision of the above described services to Special Service Area 47.

which would constitute the special services (collectively the "Special Services") to be provided in the proposed Special Service Area 47

WHEREAS, the term of the proposed Special Service Area would be perpetual and the nature of the Special Services is the maintenance, inspection and repair of the stormwater management facilities within the Watershed Easement to be created within the Area.

WHEREAS, such Special Services may be provided by the City in its sole discretion without any obligation to do so;

WHEREAS, the provision of such Special Services would not be deemed to be an acceptance of any facilities within, or any portion of the Area by the City.

NOW, THEREFORE, be it ordained by the City Council of the City of Crystal Lake, McHenry County, Illinois, as follows:

Section 1. Preambles. The foregoing recitals are incorporated as though fully set forth herein.

Section 2. Authority to Establish Special Service Area.

Special Service Areas are established pursuant to Article VII, Section 6L of the Constitution of the State of Illinois in force July 1, 1971, which provides:

The General Assembly may not deny or limit the power of home rule units (1) to make local improvement by special assessment and to exercise this power jointly with other counties and municipalities, and other classes of units of local government having that power on the effective date of this Constitution, unless that power is subsequently denied by law to any such other local unit of government, or (2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services and are established pursuant to the provision of an Act to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties pursuant to the Revenue Act of 1939.

The City is further authorized to establish special service areas pursuant to the Special Service Area Tax Law (35 ILCS 200/7-5 *et. seq.*).

Section 3. Special Service Area Proposed. Under and pursuant to the Law as well as the City's home rule power, the City's Corporate Authorities hereby propose the establishment of the Area as a special service area under the Law and its home rule authority in order to provide for the Special Services to the Area being legally and commonly described above and that the levy of special taxes against the Area for the Special Services to be provided be considered.

Section 4. Findings. The City Council finds:

- A. It is in the public interest that the creation of the Area, hereinabove described, as a special service area, be considered in order to provide for the Special Services described herein and to provide for the cost thereof.
- B. That said area is compact and contiguous and constitutes the sole area to be benefitted from the maintenance and operation of said improvements.
- C. That said area is zoned for residential purposes and will benefit specially from the municipal services to be provided and that the proposed municipal services are in addition to municipal services provided to the City of Crystal Lake as a whole and it is, therefore, in the best interest of the City of Crystal Lake that the levy of special taxes against said area for the services to be provided be considered.

Section 5. Public Hearing – Tax Rates.

That a public hearing be held on Tuesday, May 1, 2018 at 7:30 p.m. in the City Council Chambers, 100 West Woodstock Street, Crystal Lake, Illinois, to consider the creation of Special Service Area Number 47 of the City of Crystal Lake, in the territory described in the Notice set forth in Section 5 hereof. At the hearing, there will be considered the levy of an annual tax not to exceed an annual rate of five percent (5%) of the assessed value, as equalized, of the property in the Special Service Area. Said taxes shall be utilized to provide for the Special Services described herein and shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Revenue Act of 1939. The City may annually levy hereunder up to the maximum rate specified herein for the cost of said Special Services, as said services become necessary and are provided for. The proposed amount of the tax levy for Special Services for the initial year in which taxes will be levied will not exceed \$4,000.00

Section 6. Notice of Hearing.

Notice of hearing shall be published at least once not less than fifteen (15) days prior to the public hearing in one or more newspapers in general circulation in the City of Crystal Lake. In addition, notice by mailing shall be given by depositing said notice in the U.S. Mail addressed to the person or persons in whose name the general taxes for the preceding year were paid on each lot, block, tract, or parcel of land lying within the proposed Special Service Area. Said notices shall be mailed not less than ten (10) days prior to the time set for the public hearing. In the event the taxes for last preceding year were not paid, the Notice shall be sent to the person last listed on

the tax rolls prior to that year as the owner of the property. The Notice shall be in substantially the following form:

NOTICE OF HEARING

CITY OF CRYSTAL LAKE SPECIAL SERVICE AREA NUMBER 47

NOTICE IS HEREBY GIVEN that on May 1, 2018 at 7:30 p.m., in the City Council Chambers, 100 West Woodstock Street, Crystal Lake, Illinois, a hearing will be held by the City Council of the City of Crystal Lake, to consider forming a Special Service Area consisting of the following described territory:

PART OF LOT 28 IN A PLAT OF THE FARMS AT CRYSTAL LAKE, BEING PART OF SECTIONS: 5, 6, 7 & 8 IN TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 6, 1858 IN BOOK 22 OF DEEDS, PAGE 1, AND PART OF LOTS 8, 9, 10, 11 AND VACATED KISHWAUKEE STREET IN BENJAMIN DOUGLAS'S ADDITION TO CRYSTAL LAKE, BEING A SUBDIVISION OF PART OF SOUTHEAST QUARTER OF SAID SECTION 6, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 14, 1846 IN BOOK G OF DEEDS, PAGE 292, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN DOUVRES SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE NORTH 89 DEGREES 10 MINUTES 33 SECONDS WEST ALONG THE NORTH LINE THEREOF, 219.81 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MCHENRY AVENUE PER PLAT OF DEDICATION RECORDED AS DOCUMENT NO. 532286; THENCE NORTH 12 DEGREES 49 MINUTES 29 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE 318.22 FEET; THENCE NORTHEASTERLY 102.56 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 252.90 FEET, THE CHORD OF WHICH BEARS NORTH 24 DEGREES 26 MINUTES 31 SECONDS EAST, FOR A LENGTH OF 101.85 FEET; THENCE NORTH 36 DEGREES 03 MINUTES 33 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 239.66 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LAKE AVENUE; THENCE SOUTH 53 DEGREES 36 MINUTES 22 SECONDS ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE 194.18 FEET TO THE NORTHWESTERLY CORNER OF LOT 1 IN PFEIFFER'S THIRD RE-SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SAID SECTION 6, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1955 AS DOCUMENT NO. 293627; THENCE SOUTH 36 DEGREES 34 MINUTES 55 SECONDS WEST ALONG THE NORTHWESTERLY LINE OF SAID LOT 1 AND THE NORTHWESTERLY

LINE OF LOTS 2 & 3 IN SAID SUBDIVISION 195.34 FEET; THENCE SOUTH 52 DEGREES 06 MINUTES 13 SECONDS EAST ALONG A JOG IN SAID NORTHWESTERLY LINE OF LOT 3, A DISTANCE OF 2.58 FEET; THENCE SOUTH 12 DEGREES 53 MINUTES 20 SECONDS WEST ALONG THE WESTERLY LINE OF LOTS 3 THROUGH 7 IN SAID PFEIFFER'S THIRD RE-SUBDIVISION, 327.73 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

Commonly known as: 431 S. McHenry Avenue, Crystal Lake, Illinois 60014

PIN: 19-06-481-001; 19-06-481-002

The approximate street location for the area is on the East side of McHenry Avenue South of the intersection with Lake Street. An accurate map of said territory is on file in the office of the City Clerk and is available for public inspection.

All interested persons affected by the formation of Crystal Lake Special Service Area Number 47, including all persons owning taxable real property within said special service area, will be given the opportunity to be heard regarding the formation and boundaries of the area and may object to the formation of the area and the levy of taxes affecting said area. The hearing may be adjourned by the Council to another date without further notice other than a Motion to be entered upon the minutes of its meeting fixing the time and place of its adjournment.

The purpose of the formation of Crystal Lake Special Service Area Number 47 in general is to provide special municipal services to the area, including, but not limited to, municipal services in connection with the inspection, maintenance repair and replacement of the stormwater management facilities within the Watershed Easement at the subject property and all legal administrative and professional consultant fees related to the provision of the above described services to Special Service Area 47, all in accordance with the provisions of the Crystal Lake Watershed Design manual and the Crystal Lake Stormwater Management Program Implementation Plan.

A special tax will be considered at the public hearing to be levied annually and not exceed an annual rate of five percent (5%) per annum of the assessed value, as equalized, of the property included in the proposed special service area to be levied against the Area. This tax may be levied for an indefinite period of time during and in the years subsequent to the date of this Ordinance.

The proposed amount of the tax levy for special services for the initial year in which taxes are assessed will not exceed \$4,000.00.

If a petition signed by at least fifty-one percent (51%) of the electors residing within the special service area and by at least fifty-one percent (51%) of the owners of record of the land included within the boundaries of the Special Service Area is filed with the City Clerk within sixty (60) days following the final adjournment of the public hearing, objecting to the creation of the special service district, the enlargement thereof, the levy or imposition of a tax for the provision

of special services to the area, or to a proposed increase in the tax, no such district shall be created or enlarged, or tax may be levied or imposed nor the rate increased.

Section 7. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Aaron T. Shepley, Mayor

Dated this 20th day of February 2018

SEAL

ATTEST

Nick Kachiroubas, City Clerk

Passed: February 20, 2018

Published: February 20, 2018

Exhibit A

PART OF LOT 28 IN A PLAT OF THE FARMS AT CRYSTAL LAKE, BEING PART OF SECTIONS: 5, 6, 7 & 8 IN TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 6, 1858 IN BOOK 22 OF DEEDS, PAGE 1, AND PART OF LOTS 8, 9, 10, 11 AND VACATED KISHWAUKEE STREET IN BENJAMIN DOUGLAS'S ADDITION TO CRYSTAL LAKE, BEING A SUBDIVISION OF PART OF SOUTHEAST QUARTER OF SAID SECTION 6, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 14, 1846 IN BOOK G OF DEEDS, PAGE 292, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 IN DOUVRES SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6; THENCE NORTH 89 DEGREES 10 MINUTES 33 SECONDS WEST ALONG THE NORTH LINE THEREOF, 230.03 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MCHENRY AVENUE PER PLAT OF DEDICATION RECORDED AS DOCUMENT NO. 532286; THENCE NORTH 12 DEGREES 49 MINUTES 29 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE 318.22 FEET; THENCE NORTHEASTERLY 102.56 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE, BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 252.90 FEET, THE CHORD OF WHICH BEARS NORTH 24 DEGREES 26 MINUTES 31 SECONDS EAST, FOR A LENGTH OF 101.85 FEET; THENCE NORTH 36 DEGREES 03 MINUTES 33 SECONDS EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 239.66 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF LAKE AVENUE; THENCE SOUTH 53 DEGREES 36 MINUTES 22 SECONDS ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE 204.18 FEET TO THE NORTHWESTERLY CORNER OF LOT 1 IN PFEIFFER'S THIRD RE-SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SAID SECTION 6, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 8, 1955 AS DOCUMENT NO. 293627; THENCE SOUTH 36 DEGREES 34 MINUTES 55 SECONDS WEST ALONG THE NORTHWESTERLY LINE OF SAID LOT 1 AND THE NORTHWESTERLY LINE OF LOTS 2 & 3 IN SAID SUBDIVISION 195.34 FEET; THENCE SOUTH 52 DEGREES 06 MINUTES 13 SECONDS EAST ALONG A JOG IN SAID NORTHWESTERLY LINE OF LOT 3, A DISTANCE OF 2.58 FEET; THENCE SOUTH 12 DEGREES 53 MINUTES 20 SECONDS WEST ALONG THE WESTERLY LINE OF LOTS 3 THROUGH 7 IN SAID PFEIFFER'S THIRD RE-SUBDIVISION, 327.73 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.



Agenda Item No: 10

**City Council
Agenda Supplement**

Meeting Date: February 20, 2018

Item: Ashwood Estates Final Plat of Subdivision Extension

Recommendation: Motion to grant a two-year extension to the Final Plat of Subdivision approval for Ashwood Estates at Huntley Road, south of Oakwood Drive.

Contact: Michelle Rentzsch, Community Development Director

Background:

- The City's Unified Development Ordinance sets expiration time periods for certain approvals. A final plat of subdivision is required to be recorded with the McHenry County Recorder's Office within twelve months following City Council approval. If not recorded within this time, the approval shall be null and void and the final plat would have to be resubmitted for approval, unless the approval is extended by the City Council.
- History: Ashwood Estates was approved in March 2007 for a 28 single-family lot subdivision located on the west side of Huntley Road, south of Oakwood Drive.
- Previous Approvals: The City has approved a final plat of subdivision extension request each year following the approval. In 2016, the City Council granted a 2-year extension.

Key Factors:

- Request: To request a two-year extension of the Ashwood Estates Final Plat of Subdivision approval to March 20, 2020.
- UDO Standard: There is no limit to how many extensions the City Council may grant for a final plat of subdivision.

Votes Required to Pass: A simple majority vote.



Agenda Item No: 11

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	February 20, 2018
<u>Item:</u>	REPORT OF THE PLANNING & ZONING COMMISSION Culver's – 400 Pingree Road
<u>Request:</u>	A Special Use Permit to allow an Electronic Message Center and variations from Article 2-400C to allow an EMC sign on a zoning lot less than two-acres in size and not located on Routes 14 or 31.
<u>Petitioner:</u>	Jim DiVerde, petitioner
<u>PZC Recommendation:</u>	To approve the PZC recommendation and adopt an ordinance granting the Special Use Permit and variations to allow an EMC sign at 400 Pingree Road.
<u>Staff Contact:</u>	Michelle Rentzsch, Community Development Director

Background:

- **Previous Approvals:** The petitioner received zoning approvals in December 2017 to construct a new Culver's at the subject property. The zoning approval included a freestanding sign with manual changeable copy.
- **Request:** The petitioner is requesting a Special Use Permit for an EMC sign and variations to allow the sign to be located on a zoning lot that is not two acres in size and is not located on Routes 14 or 31. The EMC sign cabinet would replace the changeable copy area on the freestanding sign.

PZC Highlights:

- The PZC thought the sign would fit in with the location.
- The PZC felt that the Findings of Fact had been met with the variation requests included.
- The PZC had a discussion on the UDO EMC sign criteria and made a motion to request that the EMC sign criteria be referred back to the PZC for review. The PZC focused their discussion on the sign location and lot size criteria. The PZC is requesting direction from the City Council to see if these criteria are still relevant and if they should be amended.

The PZC recommended **approval (5-2)** of the petitioner's request with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (DiVerde, dated 10/31/17, received 11/01/17)
 - B. Sign Package (Springfield Sign, dated 10/27/17, received 11/01/17, revised 01/10/18)
2. Except for the variations for lot area and lot location, the EMC must meet all other EMC standards provided for in the UDO.
3. The petitioner shall address all of the review comments and requirements of the Community Development Department.

Votes Required to Pass: A simple majority vote.

Ord. No.

File No.

DRAFT



The City of Crystal Lake Illinois

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND VARIATION
AT 400 PINGREE ROAD**

WHEREAS, pursuant to the terms of a Petition (File #2017-50) before the Crystal Lake Planning and Zoning Commission, the Petitioner has requested the issuance of a Special Use Permit to allow an Electronic Message Center and Variations from Article 2-400C to allow an EMC sign on a zoning lot that does not meet the minimum lot area and that is not located on Route 14 or Route 31 for the property located at 400 Pingree Road; and

WHEREAS, the Planning and Zoning Commission of the City of Crystal Lake, pursuant to notice duly published on January 2, 2018 in the Northwest Herald, held a public hearing at 7:30 p.m., on February 7, 2018 at City Hall at 100 W. Woodstock Street, Crystal Lake, Illinois to consider the proposed Special Use Permit; and

WHEREAS, on February 7, 2018, the Planning and Zoning Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the Mayor and City Council of the City of Crystal Lake that the proposed Special Use Permit and Variations be approved, all as more specifically set forth in that certain Report of the Planning and Zoning Commission in Case #2017-50, dated as of February 8, 2018; and

WHEREAS, it is in the best interests of the CITY OF CRYSTAL LAKE that the Special Use Permit be issued as requested in said Petition.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE, McHENRY COUNTY, ILLINOIS, as follows:

Section I: That a Special Use Permit to allow an Electronic Message Center and Variations from Article 2-400C to allow an EMC sign on a zoning lot that does not meet the minimum lot area and that is not located on Route 14 or Route 31 for the property commonly known as 400 Pingree Road (19-04-476-017), Crystal Lake, Illinois.

Section II: Said Special Use is issued with the following conditions:

Ord. No.

File No.

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (DiVerde, dated 10/31/17, received 11/01/17)
 - B. Sign Package (Springfield Sign, dated 10/27/17, received 11/01/17, revised 01/10/18)
2. Except for the variations for lot area and lot location, the EMC must meet all other EMC standards provided for in the UDO.
3. The petitioner shall address all of the review comments and requirements of the Community Development Department.

Section III: That the City Clerk be and is hereby directed to amend all pertinent records of the City of Crystal Lake to show the issuance of a Special Use Permit in accordance with the provisions of this Ordinance, as provided by law.

Section IV: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provide by law.

DATED at Crystal Lake, Illinois, this 20th day of February, 2018.

City of Crystal Lake, an
Illinois municipal corporation

Aaron T. Shepley, Mayor

SEAL

ATTEST:

Nick Kachiroubas, City Clerk

Passed: February 20, 2018

Approved: February 20, 2018



Agenda Item No: 12

**City Council
Agenda Supplement**

Meeting Date:

February 20, 2018

Item:

Residential Curbside Refuse, Recycling, and Yard Waste Collection

Staff Recommendation:

Motion to adopt a resolution authorizing the City Manager to execute a five-year agreement with Prairieland Disposal for the curbside collection and disposal of refuse, recycling, yard waste, in the submitted proposal amounts with the selection of the base program and alternates listed in Option One.

Staff Contact:

Eric T. Helm, Deputy City Manager
Nick Hammonds, Management Assistant

Background:

Marengo Disposal Company Environmental Services (MDCES) has been the refuse, recycling and yard waste hauler for the City since 2003. The initial agreement with MDCES was for five years, with options that would allow for contract extensions. Having reached the maximum limit of contract extensions allowable under the original contract, MDCES' contract will expire on April 30, 2018. Recently, City staff prepared a Request for Proposals for the curbside collection of refuse, recycling and yard waste, as well as potential alternates. An open bidding process from multiple vendors allows the City to choose pricing and services that provide the best value to residents at the lowest cost.

Recommendation:

City staff recommends a motion to authorize the City Manager to execute a five year agreement with Prairieland Disposal for the curbside collection and disposal of refuse, recycling, yard waste, with the selection of the base program and alternates in **Option One** (alternates 1C and 1G) listed below.

Prairieland Disposal is the lowest responsive and responsible bidder, and the pricing submitted by Prairieland will be a significant reduction compared to the current price charged to residents. The following table details the monthly and annual savings for residents with Prairieland:

Recommended Option One	Current Pricing	Prairieland Disposal Proposed Pricing	Monthly Savings	Annual Savings	Savings Percentage
Single-Family	\$23.13	\$16.89	\$6.24	\$74.88	27%
Senior Rate	\$19.25	\$15.20	\$4.05	\$48.60	21%
Multi-Family*	\$15.14	\$13.51	\$1.63	\$19.56	11%

*Multi-family pricing is lower since these properties utilize centralized billing and have more efficient collection routes.

Value Added Services:

Not only did Prairieland Disposal provide the most competitive pricing, but the proposed annual increase is very competitive. Prairieland proposes using the Consumer Price Index (CPI) on the U.S. Department of Labor statistics website to calculate their pricing increases, with a minimum increase of 1.5% and a maximum increase of 3%. The 2017 CPI was 1.8%. Prairieland Disposal proposed the lowest price increase, with a range of 1.5 - 3%. This range allows for the possibility of lower annual increases than proposed by other Contractors.

Prairieland will also offer additional value added services built into the base rate at no cost to the City or its residents:

- “One-Pass” truck collection. Prairieland proposes using one vehicle to collect both refuse and recycling at the same time. This vehicle will have separate compartments to ensure that refuse is not co-mingled with recycling material. This will limit the number of vehicles operating in the City and allow for a more efficient collection of waste. An additional vehicle will be needed to collect yard waste.
- Two curbside electronics collection dates; or, one document destruction event and electronic waste collection event in the City.
- Free electronics drop-off accepted at Prairieland’s headquarters address (21N988 Pepper Road, Lake Barrington, IL) six days per week, year round.
- Free food scraps composting program. Residents will be allowed to include food scraps in their yard waste bins.

Prairieland Disposal also offers collection of residential paint for a small fee. The City currently collaborates with a separate company to allow holiday light recycling at City Hall, and Prairieland Disposal offers free holiday light recycling at various City locations from November through January.

Reference Check:

City staff contacted the references provided by Prairieland Disposal. The overall feedback was positive regarding Prairieland Disposal’s services. The City of McHenry, one of Prairieland’s largest accounts, had a positive reference regarding the collection and transition. North Barrington advised that Prairieland Disposal’s services and responsiveness were exemplary. Island Lake stated that Prairieland Disposal was consistent with their service and had no issues with the implementation of the program. McHenry County Department of Health advised that Prairieland Disposal was responsive and the department has received very few complaints regarding the waste hauler’s service. The Village of Port Barrington also commented on Prairieland’s responsiveness and coordination with the Village and residents.

All of the references stated that Prairieland Disposal provided a seamless transition process and handled all complaints in a timely fashion when implementing the program.

A community comparison of services and rates provided by waste hauling Contractors is attached for reference.

Implementation Timeline:

Prairieland Disposal has notified the City of their ability to implement the program by May 1, 2018. Staff will work with Prairieland Disposal to conduct community outreach, establish collection days and routes, and set up totes and dumpsters for residents and the City’s municipal locations. The following timeline has been proposed by Prairieland Disposal for full implementation of the program by the May 1 starting date:

- February 20: Council consideration of proposal and contract.
- February 21: Website link and social media release regarding new waste hauler.
- March 1: Prairieland to submit program guidelines for City approval and order totes.
- March 9: Brochure and survey approval deadline.
- March 30: Prairieland to mail program letter and invoice to residents.
- April 2: Prairieland will deliver yard waste stickers (if chosen).
- April 9-30: Delivery of totes to residents (15 days).
- April 20: Delivery of commercial containers.
- Tuesday, May 1: First day of contract, collection with Prairieland begins.
- May 1-31: Residents receive totes and can request modified toter sizes.

In conjunction with the delivery of the new totes, the City’s current waste hauler will collect the existing totes before the May 1 start date.

Options:

City staff structured the RFP to allow the selection of alternates that are in the best interest of the City. The following table outlines City staff recommendations.

<u>Alternate</u>	<u>Recommendation</u>
1A – Brush Collection Program	Reject this alternate at this time.
1B – Brush Drop-off Program	Reject this alternate at this time.
1C – Curbside Electronics Waste Collection (pay-for-service)	<i>Accept.</i>
1D – Curbside Electronics Waste Collection (weekly; built into all rates)	Reject these alternates at this time. The selection of these alternates are not necessary since Prairieland has agreed to offer two curbside electronics collection events at no additional cost. The curbside collection events and pay-per-use program (Alternate 1C), would eliminate the justification for the costs of weekly electronics collection or the need for a specific electronics collection event.
1E – Electronic Waste Collection Event.	
1F – Street Sweeping	Reject this alternate at this time.
1G – Document Destruction Event	<i>Accept</i>

City staff recommends the following options for the City Council’s consideration, which are variations of the base proposals and the recommended alternates. Based on the submitted pricing, Prairieland Disposal is the lowest responsive and responsible proposer when utilizing the following options.

Option 1: Base One with Alternates 1C (Curbside Electronics Collection-pay per use) and 1G (Document Destruction Event)

This option includes unlimited waste collection (Base One), along with Alternate 1C curbside electronics collection of up to six items. Alternate 1C is a per use fee service that residents would pay to have a scheduled collection on their regular pickup day of electronics. The acceptance of alternates 1C and 1G would offer residents a service that is not available through the City’s current refuse program.

	Prairieland Monthly Rate	Added Cost (1C-Electronics Collection)	Added Cost (1G-Document Destruction Event)
Single Family, Unlimited with Totes	\$16.89	Optional Cost \$25 for six items / \$10 for each additional item	\$525 Per Event*
Senior, Unlimited with Totes	\$15.20		
Multi-Family, Unlimited with Totes	\$13.51		

*Any additional events would be subject to the \$525 cost as shown in the table above.

Option 2: Volume/Sticker Program Option

This option offers residents a choice of either an unlimited collection program or a volume based collection, where residents pay for a sticker to be affixed on an approved bag or container. This option would result in higher monthly rates for residents that utilize the unlimited collection option. MDCES has a lower sticker price, but Prairieland Disposal provides the lowest unlimited collection rates with the implementation of a sticker program. The table below shows a comparison of the first year base bid 2 pricing for unlimited refuse collection and the sticker cost submitted by all contractors.

Base Two Pricing	Current	Prairieland	MDCES	DC Trash	Flood Bros.	Advanced	WM
Refuse Sticker	<i>N/A</i>	\$3.00	\$2.50	N/A	\$4.15	\$3.05	\$3.75
Yard Waste Sticker	<i>N/A</i>	\$3.00	\$2.50	N/A	\$4.15	\$3.05	\$3.75
Single-Family	\$23.13	\$20.87	\$26.86	N/A	\$23.25	\$22.60	\$24.70
Senior Rate	\$19.25	\$16.70	\$19.00	N/A	\$19.76	\$20.34	\$21.00
Multi-Family	\$15.14	\$16.70	\$15.00	N/A	\$19.76	\$14.00	\$17.29

If this option is preferable, the alternates noted in Option 1 could be implemented.

Request for Proposal Structure and Alternates

The RFP specifications requested pricing for an initial term of 5 years. The agreement would allow for four additional three-year extensions of the contract at the discretion of the City. The specifications requested pricing for two base options and seven alternates:

Base One - Unlimited Collection:

The City currently has unlimited refuse, recycling and yard waste collection. This option mirrors the services that are currently offered by the City’s existing hauler. The pricing for this option includes one refuse tote, one recycling tote and unlimited yard waste collection, including one bulk item free per week.

Base Two – Unlimited Collection and Volume Based Alternative

This option is the specifications for base bid one, including an option for residents to purchase a sticker for refuse and yard waste collection. This would provide resident who do not generate much refuse and yard waste to pay for collection “by the bag”. Based on a survey of other communities that offer this option, the overall cost of collection for those that utilize unlimited collection is higher.

Proposal Pricing:

On January 26, 2018 the City opened proposals submitted by six (6) waste hauling contractors for the City’s residential curbside refuse, recycling and yard waste collection contract. The City received proposals from MDCES, Prairieland Disposal, DC Trash, Flood Brothers Disposal, Advanced Disposal, and Waste Management. A breakdown of the bid tabulation with pricing submitted by each contractor is attached to this document and summarized below.

Base One – Unlimited Collection

	<i>Current</i>	Prairieland*	DC Trash	MDCES	Flood Bros.	Advanced	WM
Single-Family							
<i>Base Rate includes totes</i>	\$23.13	\$16.89	\$17.48	\$18.50	\$19.95	\$22.00	\$24.70
Tote for Yard Waste (optional)	\$2.00	\$3.00	\$3.00	\$2.00	\$1.50	\$2.50	\$3.00
Base Rate with Yard Waste Tote	\$25.13	\$19.89	\$20.48	\$20.50	\$21.45	\$24.50	\$27.70
Add. Refuse/ Recycling Tote (optional)	\$2.00	\$3.00	\$3.00	\$2.00	\$1.25	\$2.50	\$3.00
Two Totes	\$25.13	\$19.89	\$20.48	\$20.50	\$21.20	\$24.50	\$27.70
Senior Rate							
<i>Base Rate includes totes</i>	\$19.25	\$15.20	\$16.61	\$15.73	\$16.40	\$19.80	\$21.00
Tote for Yard Waste (optional)	\$2.00	\$3.00	\$3.00	\$2.00	\$1.50	\$2.50	\$3.00
Base Rate with Yard Waste Tote	\$21.25	\$18.20	\$19.61	<u>\$17.73**</u>	\$17.90	\$22.30	\$24.00
Add. Refuse/ Recycling Tote	\$2.00	\$3.00	\$3.00	\$2.00	\$1.25	\$2.50	\$3.00
Two Totes	\$21.25	\$18.20	\$19.61	\$17.73	<u>\$17.65**</u>	\$22.30	\$24.00
Multi-Family							
<i>Base Rate includes totes</i>	\$15.14	\$13.51	\$13.95	\$14.61	\$15.10	\$14.00	\$17.29
Tote for Yard Waste (optional)	\$2.00	\$3.00	\$3.00	\$2.00	\$1.50	\$2.50	\$3.00
Base Rate with Yard Waste Tote	\$17.14	\$16.51	\$16.95	\$16.61	\$16.60	<u>\$16.50**</u>	\$20.29
Add. Refuse/ Recycling Tote	\$2.00	\$3.00	\$3.00	\$2.00	\$1.25	\$2.50	\$3.00
Two Tote	\$17.14	\$16.51	\$16.95	\$16.61	<u>\$16.35**</u>	\$16.50	\$20.29
Additional Services:							
White Goods	\$35.00	\$35.00	\$30.00	\$30.00	\$20.00	\$35.00	\$30.00
Additional Bulk	\$20.00	\$25.00	\$15.00	\$20.00	\$6.75	\$35.00	\$25.00
Special Collection	\$20.00	\$20.00	\$15.00	\$25.00	\$10.00	\$12.00	\$20.00
<i>Annual Increase</i>	-	1.5% - 3%	3%	3%	3%	3%	2.5%

* Recommended Proposer. After reviewing the pricing and possible alternate services provided by each contractor, the City has identified Prairieland Disposal as the lowest bidder.

** Due to differing rates for an extra tote rental and yard waste subscription toter, in a small number of circumstances Prairieland does not provide the lowest rate.

Base Two – Unlimited Collection with Volume Based Option

	<i>Current</i>	Prairieland*	Advanced	Flood Bros.	MDCES	WM	DC Trash
Refuse Sticker	<i>N/A</i>	\$3.00	\$3.05	\$4.15	\$2.50	\$3.75	<i>No Bid</i>
Yard Waste Sticker	<i>N/A</i>	\$3.00	\$3.05	\$4.15	\$2.50	\$3.75	<i>No Bid</i>
Single-Family							
Base Rate Includes Totes	\$23.13	\$20.87	\$22.60	\$23.25	\$26.86	\$24.70	<i>No Bid</i>
Tote for Yard Waste (Optional)	<i>\$2.00</i>	\$3.00	\$2.50	\$3.00	\$2.00	\$3.00	No Bid
Base Rate With Yard Waste Tote	<i>\$25.13</i>	\$23.87	\$25.65	\$26.25	\$29.36	\$28.45	No Bid
Add. Refuse/ Recycling Tote	<i>\$2.00</i>	\$3.00	\$2.50	\$3.00	\$2.00	\$3.00	No Bid
Two Totes	<i>\$25.13</i>	\$23.87	\$25.65	\$26.25	\$29.36	\$28.45	No Bid
Senior Rate							
Base Rate Includes Totes	\$19.25	\$16.70	\$20.34	\$19.76	\$19.00	\$21.00	<i>No Bid</i>
Tote for Yard Waste (Optional)	<i>\$2.00</i>	\$3.00	\$2.50	\$3.00	\$2.00	\$3.00	No Bid
Base Rate With Yard Waste Tote	<i>\$21.25</i>	\$19.70	\$23.39	\$22.76	\$21.50	\$24.75	No Bid
Add. Refuse/ Recycling Tote	<i>\$2.00</i>	\$3.00	\$2.50	\$3.00	\$2.00	\$3.00	No Bid
Two Totes	<i>\$21.25</i>	\$19.70	\$23.39	\$22.76	\$21.50	\$24.75	No Bid
Multi-Family							
Base Rate Includes Totes	\$15.14	\$16.70	<u>\$14.00**</u>	\$19.76	\$15.00	\$17.29	<i>No Bid</i>
Tote for Yard Waste (Optional)	<i>\$2.00</i>	\$3.00	\$2.50	\$3.00	\$2.00	\$3.00	No Bid
Base Rate With Yard Waste Tote	<i>\$17.14</i>	\$19.70	<u>\$17.05**</u>	\$22.76	\$17.50	\$21.04	No Bid
Add. Refuse/ Recycling Tote	<i>\$2.00</i>	\$3.00	\$2.50	\$3.00	\$2.00	\$3.00	No Bid
Two Totes	<i>\$17.14</i>	\$19.70	<u>\$17.05**</u>	\$22.76	\$17.50	\$21.04	No Bid
Additional Services:							
White Goods	<i>\$35.00</i>	\$35.00	\$35.00	\$20.00	\$30.00	\$30.00	No Bid
Additional Bulk	<i>\$20.00</i>	\$25.00	\$35.00	\$6.75	\$20.00	\$25.00	No Bid
Special Collection	<i>\$20.00</i>	\$20.00	\$12.00	\$10.00	\$25.00	\$20.00	No Bid
<i>Annual Increase</i>	-	1.5% - 3%	3%	3%	3%	2.5%	3%

* Recommended Proposer. After reviewing the pricing and possible alternate services provided by each contractor, the City has identified Prairieland Disposal as the lowest bidder.

** Due to differing rates for an extra tote rental and yard waste subscription toter, in a small number of circumstances Prairieland does not provide the lowest rate.

The submitted alternate pricing and the financial impact of the alternate's selection is outlined below:

Alternate Pricing:

In addition to the two base bids, a total of seven (7) alternates were included in the request for proposals. The alternates were:

- Alternate 1A: Brush Collection Program
This alternate requested pricing for a city-wide spring and fall brush collection.
- Alternate 1B: Brush Drop-Off Program
This alternate requested pricing for the staffing of a brush drop-off site for yard waste.
- Alternate 1C: Curbside Electronic Waste Collection (6 Items)
Emerging trends in the surrounding area have shown an increased need for electronics waste collection. This service allows residents to arrange in advanced a collection of up to six (6) electronic waste items for fee.
- Alternate 1D: Weekly Curbside Electronic Waste Collection
This service allows residents to place one electronic item per week at the curb for collection. The pricing for this service would be built into the flat rate for residents as the collection would occur on the regularly scheduled day. Residents would be required to provide advanced notice to the Contractor that electronics would be placed for collection.
- Alternate 1E: Electronic Waste Collection Event
As an additional option that can be included with alternate 1C and/or 1D, this service would be an electronic waste collection event hosted at a City facility for residents to drop off residential electronic waste. The pricing for this service can be built into the flat rate for residents, or a lump sum cost to the City (as detailed below).
- Alternate 1F: Street Sweeping
This alternate requested pricing for street sweeping services.
- Alternate 1G: Document Destruction Event
This service has been provided in surrounding communities for residents to drop off a limited amount of residential paper and documents. Document destruction events could be coordinated to coincide with the electronic waste collection events. The pricing for this service can be built into the flat rate for residents, or a lump sum cost to the City (as detailed below).

The contractors submitted pricing for the various City alternates. Prairieland Disposal was the only contractor to submit pricing for all alternates.

Alternate 1A: Brush Collection Program

	PRAIRIELAND	MDC	DC TRASH	FLOOD	ADVANCED	WM
Monthly Rate	\$0.25	No Bid	No Bid	No Bid	No Bid	No Bid
Lump Sum Cost to City	\$15,860 Per Pickup	No Bid	No Bid	No Bid	No Bid	No Bid

Alternate 1B: Brush Drop-Off

	PRAIRIELAND	MDC	DC TRASH	FLOOD	ADVANCED	WM
Monthly Rate	\$0.02	No Bid	No Bid	\$2.95	No Bid	\$0.33
Lump Sum Cost to City	\$2,500	No Bid	No Bid	\$9,450	No Bid	\$2,495

Alternate 1C: Curbside Electronics Collection (6 Items)

	PRAIRIELAND	MDC	DC TRASH	FLOOD	ADVANCED	WM
Six Items	\$25.00	No Bid	\$50.00	\$25.00	\$50.00	N/A
Additional Item	\$10.00	No Bid	\$10.00	\$2.50	\$10.00	N/A

This is an electronics waste collection service of up to six items. This is a separate fee that residents would pay for collection and would not affect the base rate.

Alternate 1D: Curbside Electronics Collection (One Item Weekly)

	PRAIRIELAND	MDC	DC TRASH	FLOOD	ADVANCED	WM
Monthly Rate	\$0.95	No Bid	\$0.35	\$3.00	\$2.00	\$1.30

This alternate would be a monthly fee for all residents to have the availability of curbside electronics collection built into all resident's monthly rate.

Alternate 1E: Electronic Waste Collection Event

	PRAIRIELAND	MDC	DC TRASH	FLOOD	ADVANCED	WM
Monthly Rate	\$0.02	No Bid	No Bid	\$0.75	No Bid	\$0.05
Lump Sum Cost to City	\$2,500	No Bid	No Bid	\$8,500	No Bid	\$5,900

Alternate 1F: Street Sweeping

	PRAIRIELAND	MDC	DC TRASH	FLOOD	ADVANCED	WM
Monthly Rate	\$1.26	No Bid	\$0.00	\$1.28	\$0.58	\$2.35
Lump Sum Cost to City	\$170,000	No Bid	\$162,360	\$172,101.60	\$76,800	\$303,600

Alternate 1G: Document Destruction Event

	PRAIRIELAND	MDCES	DC TRASH	FLOOD	ADVANCED	WM
Monthly Rate	\$0.01	Included in Base	\$0.09	\$0.00	\$0.10	\$0.02
Lump Sum Cost to City	\$525	Included in Base	\$12,000	\$450	\$900	\$2,150

Document destruction events have been a growing trend in the surrounding area, and all Contractors submitted some form of pricing for this event.

Votes Required to Pass:

Simple Majority



DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a five year agreement, with an option of four additional three-year extensions, between the CITY OF CRYSTAL LAKE and PRAIRIELAND DISPOSAL, INC in the submitted proposal amounts.

DATED this 20th day of February, 2018.

CITY OF CRYSTAL LAKE, an
Illinois Municipal Corporation,

By: _____
Aaron T. Shepley, Mayor

SEAL

ATTEST

Nick Kachiroubas, City Clerk

PASSED: February 20, 2018
APPROVED: February 20, 2018



Agenda Item No: 13

**City Council
Agenda Supplement**

<u>Meeting Date:</u>	February 20, 2018
<u>Item:</u>	Massage Establishment License
<u>Recommendation:</u>	Motion to adopt an ordinance creating a Massage Establishment License.
<u>Staff Contact:</u>	James Black, Chief of Police Michelle Rentzsch, Director of Community Development

Background:

Several years ago, the State of Illinois passed legislation that changed the manner in which massage therapists were regulated. As a result of this change, all massage therapists are now licensed and regulated by the Illinois Department of Financial and Professional Regulations (IDPR). Local municipalities no longer have the authority to license or regulate massage therapists.

Legislation does, however, allow local jurisdictions to license and regulate massage establishments. There are over 30 neighboring communities in the northern Illinois area that have established massage licenses for massage establishments. The attached ordinance creates a process for a massage establishment license, as well as the standards by which they will be regulated. Licensing massage establishments is an important component of ensuring that only legitimate massage businesses operate within the City.

Since December of 2013, the Crystal Lake Police Department has made arrests for the offense of *Prostitution* at six separate massage establishments. After several arrests made in 2017, Police Department staff observed potential code violations occurring at some establishments. Specifically, there were resident complaints on a current massage establishment, where the resident felt that there were employees living in the business and that there was 24 hour activity occurring at the business. The Police Department, during one investigation, also discovered that a business owner of a Crystal Lake establishment was also an owner of a massage business in a different municipality where there were prostitution arrests made. Some of the Crystal Lake establishments are no longer in business, while others remain open. While the Police Department can continue to enforce criminal activity and make arrests where appropriate, it is difficult to enforce City code without a massage ordinance in place. Having the ability to regulate the **establishment** will give the City the authority to involve the business owner and potentially

employ an administrative process to close their business in response to the illegal activity. Ultimately, this sends the message that the City will not tolerate this illegal activity and thereby lessen the chance of its occurrence and potentially prevent any future illicit business from opening in the city.

An invitation was sent to the City's massage establishments to an Open House, which was held on September 11, 2017, at 6pm, at City Hall to review the parameters of the proposed Massage Establishment License Ordinance, collect feedback and answer any questions. A summary of feedback that staff received is attached.

At the February 6, 2018, City Council meeting, business owners of massage establishments presented the City Council with some suggested changes to the proposed massage ordinance. The changes to correct the term "masseur" and to include a sentence that exempt businesses should not have their clients disrobe were added. Based on advice from our special counsel for this, the other suggested change could not be accommodated, without interfering with free speech rights. Adding some of the suggested changes are outside of the City's purview and are best regulated by the State's provisions.

Key Factors:

- This license would be for the business, not the massage therapists employed by the business. They are licensed separately by the State.
- The massage business license fee of \$50 applies only to new massage establishments. Massage establishments existing prior to 2016 would not be charged a fee for their license.
- The license application requires the business to complete the application, complete a background check, and provide annual updates of the information.
- This is a similar process to the tattoo parlor license that has been enforced by the City for many years.

The City's special counsel has reviewed the attached ordinance and it is in an acceptable format.

Votes Required to Pass: A simple majority vote.

CITY OF CRYSTAL LAKE

DRAFT

ORDINANCE NO. _____

AN ORDINANCE ADOPTING CHAPTER 335 OF THE CRYSTAL LAKE ILLINOIS
MUNICIPAL CODE RELATING TO MASSAGE ESTABLISHMENTS

Adopted by the
Mayor and City Council
of
the City of Crystal Lake
McHenry, Illinois
this _____ day of _____, 2018

Published in pamphlet form by direction
and authority of the City of Crystal Lake
McHenry County, Illinois
this _____ day of _____, 2018

AN ORDINANCE ADOPTING CHAPTER 335 OF THE CITY OF CRYSTAL LAKE ILLINOIS MUNICIPAL CODE RELATING TO MASSAGE ESTABLISHMENTS

WHEREAS, the regulation of massage establishments is a matter of growing importance to prevent the proliferation of unlawful conduct and to prevent such establishments from being used for the purposes of prostitution in violation of the Illinois Criminal Code; and

WHEREAS, the City of Crystal Lake is a home rule unit of local government pursuant to Article VII, Section 6 of the Illinois Constitution of 1970 and may exercise any power and legislate as to matters which pertain to its local government and affairs; and

WHEREAS, massage establishments directly affect the public health, safety and welfare of the residents of the City of Crystal Lake; and

WHEREAS, in addition to those powers conferred upon the City of Crystal Lake as home rule unit of local government, the Illinois Municipal Code provides that the Corporate Authorities of the City of Crystal Lake Illinois may define, prevent, and abate nuisances, 65 ILCS 5/11-60-2; and

WHEREAS, prostitution and obscenity are nuisance problems associated with massage establishments and the licensing of massage establishments assists to prevent and abate such nuisances; and

WHEREAS, the City of Crystal Lake is authorized do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of diseases; and

WHEREAS, prostitution is a problem associated with massage establishments and the licensing of massage establishments assists to prevent prostitution and the spread of sexually transmitted diseases; and

WHEREAS, massage therapists are licensed by the Illinois Department of Financial and Professional Regulations pursuant to the Massage Licensing Act, 225 ILCS 57/1, *et seq.*, however the Illinois Department of Financial and Professional Regulations does not regulate massage establishments; and

WHEREAS, the Corporate Authorities of the City of Crystal Lake desire to protect the public health by preventing the spread of diseases through unsanitary practices and facilities; and

WHEREAS, the City of Crystal Lake Illinois is authorized to enact such ordinances as they will assist in the prevention of prostitution within the corporate boundaries of the City of Crystal Lake; and

WHEREAS, Crystal Lake, as a home rule authority and as expressly permitted by the Illinois Municipal Code may classify, regulate and restrict the location of trades and industries and the locations of buildings designed for specified industrial, business, residential, and other uses, 65

ILCS 5/11-13-1(4), and further to prohibit uses, buildings, or structures incompatible with the character of such districts 65 ILCS 5/11-13-1(7). Accordingly, the City of Crystal Lake may zone and regulate where such businesses may be conducted; and

WHEREAS, Crystal Lake as a home rule authority and as expressly permitted by the Illinois Municipal Code may license, tax, regulate, or prohibit theatricals and other exhibitions, shows and amusements and may license, tax, and regulate all places for eating or amusement, 65 ILCS 5/11-42-5. Accordingly, the City of Crystal Lake may regulate nontherapeutic massage establishments that constitute a recreation; and

WHEREAS, Crystal Lake as a home rule authority and as expressly permitted by the Illinois Municipal Code may do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of diseases, 65 ILCS 5/11-20-5. Accordingly, the City of Crystal Lake may regulate massage establishments to prevent prostitution and the spread of sexually transmitted diseases; and

WHEREAS, the Corporate Authorities of the City of Crystal Lake have determined that it is in the interest of the public health, safety and welfare of the citizens of the City of Crystal Lake to regulate massage establishments.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Crystal Lake, McHenry County, Illinois, as follows:

SECTION 1: The foregoing recitals are true and correct and are incorporated into the text of this ordinance as its findings to the same extent as if each such recital had been set forth herein in its entirety.

SECTION 2: The Municipal Code of the City of Crystal Lake is hereby amended to add Chapter 335 to be entitled "MASSAGE ESTABLISHMENTS" which shall hereinafter provide as follows:

ARTICLE IX. MASSAGE ESTABLISHMENTS

Sec. 335-1. - Definitions.

For purposes of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Massage Therapist – Any person licensed by the Illinois Department of Financial and Professional Regulation, who, for consideration or gratuity whatsoever, engages in the practice of massage as defined herein.

License. A massage establishment license as provided in this article.

Massage. Any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft tissues of the body with the hands or with aid of any mechanical, electrical apparatus or appliances or by the application of air, liquid, or vapor baths of any kind with or without such supplementary aids as rubbing alcohol, liniments,

antiseptics, oils, powder, creams, lotions, ointments, or other similar preparations used in this practice.

Massage establishment. Any establishment that provides massage therapy, employs at least one licensed massage therapist, and does not offer illicit sexual services under the guise of therapeutic massage. This shall include any establishment having a fixed place of business where any person, firm, association, partnership, or corporation engages in, carries on or permits to be engaged in, carried on any of the activities mentioned in the definition of massage, including but not limited to what are commonly known and referred to as spas, suntan spas, parlors, bathhouses and massage parlors. A massage business shall not include any accredited educational facility that teaches massage therapy or massage techniques, nor shall it include any licensed health care facilities, or establishment of duly licensed doctors. A massage establishment may employ only persons that have a state license issued by the Illinois Department of Professional Regulation pursuant to the Illinois Massage Licensing Act, 225 ILCS 57/1 et seq., as it may be amended from time to time, to engage in the practice of massage. An establishment whose primary business is beauty salon, barber shop or similar which offers massage limited to the head, neck, shoulders, hands, feet and legs below the knee, which does not have the clients disrobe are not considered massage establishments.

Patron. An individual who receives a massage under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefore.

Person. Any individual, partnership, association, joint stock company, limited liability company, corporation or combination of individuals of any form, kind or character whatsoever.

Sexual or genital area. The genitals, pubic area, anus or perineum of any person; or the vulva or breasts of any female.

Sec. 335-2. - License required.

Massage establishment license required. It shall be unlawful for any person to engage in, conduct, carry on, or permit to be engaged in, conducted, or carried on, in or upon any premises in the City, the business of operating a massage establishment without having first obtained a valid and current license therefore issued by the City pursuant to the terms of this article. A separate license shall be required for each massage establishment location regardless of whether multiple establishments are operated by the same person.

Sec. 335-3. - Application for massage establishment license.

(a) An application for a massage establishment license as required in section 335-2 hereof shall be filed with the Director of Community Development or his/her designated representative. The application shall be made in writing upon a form provided by the Director of Community Development or his/her designated representative and shall be completed in full and signed by the applicant, if an individual, or by a duly authorized agent thereof, if not an individual, verified by oath or affidavit, that all of the information in the application is complete, true and correct and shall include but shall not be limited to the following:

(1) The name and type of ownership of the business, i.e., whether individual, partnership, limited liability company, corporation, or otherwise.

(2) The name under which the business is to be conducted, including any trade name(s) or assumed business name(s).

(3) The location and description of the premises or place of business which is to be operated under such license as well as all telephone numbers where the business is to be operated.

a. If a leased premises, a copy of the lease shall be provided. The term of such lease must not end until after the expiration date of the license for which application is being made.

b. The name and address of the owner(s) of the premises, and, if said premises is held in trust, the names and addresses of all the owners of the beneficial interest of a trust.

c. Whether any other activities or business will be conducted at the same location and the physical facilities to be used.

(4) In the case of an individual, the full name, residence address with zip code, date of birth, gender and a physical description of the applicant including height, weight, color of hair and eyes.

(5) In the case of a partnership, the full name, residence address with zip code, date of birth, gender and a physical description including height, weight, color of hair and eyes of all partners (whether general or limited) and any other persons entitled to share in the profits thereof.

(6) In the case of a limited liability company or corporation, the purpose for which said limited liability company or corporation is organized, the full name, residence address with zip code, gender, date of birth and a physical description including height, weight, color of hair and eyes of all members and managers of the limited liability company, the directors and officers of the corporation and/or of all persons acting as managers or assistant managers or other persons principally in charge of the operation of the Massage Establishment situated or to be situated in the City.

(7) The date of formation of the partnership or limited liability company, if a partnership or limited liability company, the date of incorporation, if an Illinois corporation, or the date of becoming qualified under the Illinois Business Corporation Act, 805 ILCS 5/1.01 et seq., to transact business in Illinois, if a foreign corporation.

(8) A copy of the state issued ID of all licensed massage therapists engaged in massage at the massage establishment, as well as current copies of the licenses of all licensed massage therapists.

(9) A complete list of the full name, residence address with zip code, date of birth, gender and a physical description of the managers, assistant managers or other persons principally in charge of the operation of the massage establishment including height, weight, color of hair and eyes of the managers, assistant managers or other persons principally in charge of the operation of the massage establishment.

(10) The business, occupation, employment of applicant, if an individual, for three (3) years preceding the date of application.

(11) Whether applicant or its duly authorized agent, if not an individual, ever made an application for a license under this article, or a massage business license or similar license to a state or county, City or other unit of local government and was denied or not granted such license, and if so, where and when, and the reasons for the denial or why such license was not granted.

(12) Whether a license issued to the applicant or its duly authorized agent, if not an individual, under this article, or a massage business license or similar license issued by any state or county, city or City or other unit of local government, has ever been suspended or revoked and the reasons for the suspension and/or revocation.

(13) Whether the applicant or its duly authorized agent, if not an individual, has ever plead guilty or been found guilty of a violation of any of the provisions of this article or any ordinance of any other Illinois municipality or unit of government which regulates massage establishments or the providing of massages, or any Illinois statute regulating massage establishments or massage therapy.

(14) A complete statement of all instances in which the applicant has plead guilty or has been found guilty under the laws of any state or under the laws of the United States as provided in this section. If the applicant is a limited liability company or corporation, the statement shall include applicant's duly authorized agent and all of the applicant's members, managers, officers and directors, and all persons acting as managers or assistant managers or other persons principally in charge of the operation of the Massage Establishment. If the applicant is a partnership, such statement shall include all general partners and any limited partner. Such listing shall include the following:

a. Any offense involving sexual misconduct with children or other sex offenses as defined in Chapter 720 ILCS 5/1-1 et seq.

b. Any felony based upon conduct or involvement in such related business activity or similar business activity.

c. Any felony unrelated to conduct or involvement in such related business activity or similar business activity, but which felony involved the use of a deadly weapon, traffic in narcotic drugs or controlled substances, or violence against another person, including rape or other sexual misconduct.

d. Any misdemeanor or licensing ordinance violation, based upon conduct or involvement in such related business activity or similar business activity.

(b) Except in the case of an application for a renewal of a license and fingerprints are already on file for all persons who are required to provide a complete set of fingerprints, the applicant shall submit a complete set of fingerprints with the application. If the applicant is a corporation, partnership or limited liability company, fingerprints must be submitted for all persons acting as managers or assistant managers or other persons principally in charge of the operation of the

Massage Establishment. The owners, partners and principal managers of any other legal entity entitled to do business in the state shall also be fingerprinted. The City may, in its sole discretion, either require the applicant to have his/her fingerprints taken and submitted for processing by the Illinois State Police and direct that the results be sent directly to the City, c/o the Chief of Police or the City may require that all such fingerprinting shall be done by the City Police Department. If the City does the fingerprinting then the fingerprints shall be submitted to the appropriate state and/or federal agencies for processing as available. The cost of fingerprinting shall be paid by the applicant in addition to any application or license fee.

(c) The applicant shall submit a written authorization for the City, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for a license.

(d) The applicant shall submit a copy of identification which shall include but shall not be limited to a driver's license, if any, and two copies of a current portrait photograph of the applicant at least two (2) inches by two (2) inches. The portrait shall include the head and shoulder area with the face forward pose. A new and current portrait shall be required with each renewal application. If the applicant is a corporation, partnership or limited liability company, the identification and the portrait must be submitted for each person acting as a manager or assistant manager or other person principally in charge of the operation of the Massage Establishment. The City, in its sole discretion, may require that any portrait photograph required by these provisions be taken by the City Police Department.

(e) The applicant shall submit proof of professional and/or general liability insurance in the minimum amount of \$1,000,000 per occurrence.

(f) The applicant shall submit a current copy of any draping protocols, sexual conduct policies or other similar policies and procedures for the proposed massage establishment.

(g) The applicant shall submit such other information, documentation, and identification of the applicant as the Director of Community Development or his/her designated representative and/or the Chief of Police shall deem necessary to determine the identity of the applicant or to process the application.

Sec. 335-4. - Limitation and restriction on issuance and renewal of license.

Upon receipt of a properly completed application including payment in full of all fees in connection therewith for a massage establishment license, the Director of Community Development or his/her designated representative shall submit the completed application to the Chief of Police or his/her designated representative for evaluation. Upon receiving the application for a massage establishment license, the Chief of Police, or his/her designated representative, shall conduct an investigation.

The Director of Community Development or his/her designated representative shall request the premises be inspected by or on behalf of the Fire Rescue Department, the Building Commissioner, the appropriate health inspector and any other applicable department or inspector to assure that the proposed operation complies with all applicable laws, including building, electrical, plumbing,

health, housing, zoning, and fire codes of the City and any other regulations of the City relating to the public health, safety and welfare. The appropriate departments and/or inspectors shall inspect the premises proposed to be operated as a massage establishment, make an investigation of the application and make written recommendations to the Director of Community Development or his/her designated representative concerning compliance with City codes and federal or state laws. The Chief of Police or his/her designated representative shall promptly deliver to the Director of Community Development or his/her designated representative all of the written recommendations along with his written recommendation with respect to whether the application for a license should be approved, denied or held for further review.

Within forty-five (45) days of the date that a fully completed application, including payment of all fees therefore is filed, the Director of Community Development or his/her designated representative shall issue a license if he or she has received a recommendation of approval from the Chief of Police and provided that all of the requirements of this article have been satisfied, or the Director of Community Development or his/her designated representative shall notify the applicant in writing that the application has been denied or is held for further review. The period of such additional review shall not exceed an additional thirty (30) days unless otherwise agreed to by the applicant. Upon the conclusion of such additional review, and after receiving the above described written recommendations from the Chief of Police or his/her designated representative, the Director of Community Development or his/her designated representative shall advise the applicant in writing whether the application is granted or denied consistent with the recommendation of the Chief of Police or his/her designated representative. The license shall be denied if the applicant fails to comply with the requirements of this article or with the requirements of any other provision of this City Code which is applicable to the business and/or activities of the applicant.

(1) No massage establishment license shall be issued to or renewed for:

a. An applicant, where the applicant or its duly authorized agent, or any of the applicant's members, managers, officers, directors, limited partners, general partners, or any persons acting as managers or assistant managers or other persons principally in charge of the operation of the Massage Establishment has pled guilty to or has been found guilty of any one or more of the following offenses:

1. Any offense involving sexual misconduct with children or other sex offenses as defined in Chapter 720 ILCS 5/1-1 et. seq.
2. Any felony based upon conduct or involvement in such related business activity or similar business activity, within the past ten (10) years.
3. Any felony unrelated to conduct or involvement in such related business activity or similar business activity, but which felony involved the use of a deadly weapon, traffic in narcotic drugs or controlled substances, or violence against another person, including rape or other sexual misconduct, within the past five (5) years.
4. Any misdemeanor or licensing ordinance violation by any state or other unit of local government based upon conduct or involvement in such related

business activity or similar business activity, within the past five (5) years of the date of the application including but not limited to the denial, suspension or revocation of such a similar license by any state or other unit of local government within five (5) years of the date of the application.

b. An applicant whose license issued under this article has been revoked for cause or the applicant has been found guilty of any violation of any provision of this article.

c. An applicant who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.

d. An applicant under the age of eighteen (18) years of age.

e. An applicant who has failed to submit a complete application and who has failed to cure the defect(s) within ten (10) days after written notice of any such failure to cure. Unless additional time is granted by the City.

f. An applicant who has been convicted of any other criminal offense involving dishonesty, fraud, deceit or moral turpitude within five (5) years of the date of the application.

g. An applicant who has knowingly made or provided false, misleading or fraudulent statements or information to the City to disclose information required in the license application.

(2) In addition to the provisions in subsection (1) above, no massage establishment license shall be issued to or renewed for:

a. An applicant who is not an owner or a beneficial owner of the business to be operated by the licensee.

b. A partnership, if any general partners thereof, or any limited partner owning any interest in such partnership has pled guilty to or has been found guilty of any one or more of the offenses listed in this article.

c. A corporation or limited liability company, if any officer, manager or director, of such limited liability company or corporation has pled guilty to or has been found guilty of any one or more of the offenses listed in this article.

d. A corporation unless it is incorporated in Illinois, or unless it is a foreign corporation which is qualified under the Illinois Business Corporation Act 805 ILCS 5/1.01 et. seq. to transact business in the state.

e. An applicant if the premises in which the massage establishment is to be operated shall not be in compliance with all applicable codes and ordinances of the City, including but not limited to, zoning, building, and life safety codes.

Sec. 335-5. - Review by the City Manager of denial of an application for a license.

The denial by the Director of Community Development or his/her designated representative to issue a license pursuant to an application made therefore shall be subject to review by the City Manager or his/her designated representative provided that a request for such review is made in writing by the applicant to the City Manager or his/her designated representative within ten (10) days of the issuance of the written denial of the application. The City Manager or his/her designated representative shall conduct a hearing to review the application submitted to the City by the applicant, the report of the Chief of Police or his/her designated representative and/or any other reports of inspections made and of any other relevant facts and evidence determined. The applicant may present any relevant evidence in support of his/her request that the denial of the application be reviewed and reversed. The City Manager or his/her designated representative shall determine whether the denial of the application shall be affirmed or whether the denial shall be reversed and the application approved. If the City Manager or his/her designated representative reverses the decision and approves the application, the license applied for shall be issued. The decision of the City Manager or his/her designated representative to affirm the denial of the application shall be final and subject to judicial review only by a court of competent jurisdiction to the extent otherwise provided by law.

Sec. 335-6 – Suspension or revocation of massage establishment license.

(a) Any license issued for a massage establishment may be suspended for a period not to exceed thirty (30) days by the Chief of Police or his/her designated representative upon written notice to the license holder, which notice shall state a basis or charge as listed in Section 335-6 (b) below. The notice shall be served by mailing a copy thereof by regular U.S. Mail, addressed to the licensee at the address of the licensed premises and shall be deemed served on the date of mailing (the "service date") and/or by delivering a copy of the notice to the manager of the licensed premises or to any other employee on the licensed premises. The business shall not operate under a suspended license. The license holder may request in writing a hearing before the City Manager or his/her designated representative within ten (10) days of the service date. If a written request for a hearing is not made within ten (10) days of the service date, the Chief of Police or his/her designated representative may revoke any license permanently.

(b) The Chief of Police or his/her designated representative may suspend or revoke a license if he/she determines that any one or more of the following have occurred:

(1) A licensee has violated or is not in compliance with the provisions of this article

(2) A licensee has knowingly allowed prostitution, as defined by the Illinois Criminal Code, or allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, bestiality, prostitution, or flagellation to occur in or on the licensed premises. If any employee has been charged with prostitution or engaged in any of the other acts as listed above, the licensee is assumed to be knowledgeable of the activity.

(3) A licensee will be revoked knowingly conducted or allowed to be conducted massage activities in the City during a period of time when the licensee's license was suspended.

(4) There is no licensed massage therapist employed by the licensee or otherwise engaged or committed to provide massage services on the licensed premises.

(5) A licensee or its authorized agent knowingly advertises for the providing of services within the massage establishment which are unlawful.

(6) Any employee of the licensee, including a licensed massage therapist, is engaged in any conduct at licensee's place of business which violates any of the provisions of this article, any Unlawful Acts as stated in Section 335-19, or any other ordinances of the City relating to the license, the licensed premises, or any state law.

(7) Where any applicant has committed any fraud, misrepresentation or made a false statement on an application for a license under this article.

(8) In any case where the licensee refuses to permit any duly authorized police officer or inspector of the City to inspect the premises or the operations therein.

(9) The failure or refusal of the licensee to pay any fine, penalty or charge owed to the City.

(10) In the event that the licensee would not now qualify for the issuance of a license or the renewal thereof

(11) By the recommendations of the health officer that such business is being managed, conducted, or maintained without regard for the public health or health of patrons or without due regard to proper sanitation or hygiene.

(12) The licensee shall be deemed to have actual or constructive knowledge of any violations hereinabove set forth if they occur on the licensed premises by any person(s) acting as an agent or otherwise receiving compensation. Such license may also be suspended by the Director of Community Development or his/her designated representative upon the recommendations of the health officer that such business is being managed, conducted, or maintained without regard for the public health or health of patrons or without due regard to proper sanitation or hygiene. The licensee shall be permitted to present any relevant evidence bearing on the alleged violations set forth in the notice

(c) Any decision of the Chief of Police or his/her designated representative to suspend or revoke a license may be appealed to the City Manager or his/her designated representative by the licensee by a request in writing therefore made to the City Manager or his/her designated representative within ten (10) days of the issuance by the City Manager of any

order of suspension. The City Manager or his/her designated representative shall review the record of the hearing held before the City Manager or his/her designated representative if any was held or if no hearing was held, the basis for such order of suspension, and based upon such review shall make a decision to either affirm or reverse the decision of the Chief of Police or his/her designated representative to suspend the license. If the City Manager or his/her designated representative decides to affirm the decision to suspend the license, he or she may also modify the term of the suspension provided that in no event shall the suspension exceed thirty (30) days. Any suspension ordered by the provisions hereof shall be stayed until all administrative appeals made to officials of the City as provided herein (and not including any appeal of a decision of a City official made to any court of competent jurisdiction) have been concluded. The decision of the City Manager or his/her designated representative to affirm or reverse a suspension shall be final and subject to judicial review only by a court of competent jurisdiction to the extent otherwise provided by law.

(d) Any order to suspend or revoke a license shall be stayed until all administrative appeals made to officials of the City as provided herein (and not including any appeal of a decision of a City official made to any court of competent jurisdiction) have been concluded. The decision of the City Manager or his/her designated representative shall be final and subject to judicial review only by a court of competent jurisdiction to the extent otherwise provided by law.

(e) Any licensee whose license has been revoked is barred from applying for a new license.

Any suspension or revocation of the license, if ordered, shall not preclude prosecution and imposition of any other penalties provided for the violation of other applicable provisions of this article or other ordinances of the City.

Sec. 335-7. - Facility requirements.

No license to conduct a massage establishment shall be issued unless an inspection by the City reveals that the establishment complies with each of the following minimum requirements:

(1) Rooms used for toilets, tubs, steam baths and showers shall be made waterproof with approved waterproofed materials and shall be installed in accordance with the Illinois Plumbing Code and the City building code. Plumbing fixtures shall be installed in accordance with the Illinois Plumbing Code and City plumbing code.

a. A utility sink or mop basin with a source of hot water must be available within the immediate vicinity of dry and wet heat rooms to facilitate cleaning.

(2) Restrooms, including toilet facilities, shall be provided in convenient locations, which meet all of the current plumbing code requirements.

(3) If dressing or locker facilities shall be provided for the patrons to be served at any given time. In the event male and female patrons are to be served simultaneously, segregated dressing, locker and massage room facilities shall be provided.

(4) All equipment shall be installed in accordance with the requirements of the current City codes.

(5) The massage establishment premises shall be in compliance with all applicable codes and ordinances of the City, including but not limited to, zoning, building and life safety codes.

Sec. 335-8. - Operating requirements.

(a) Every portion of the massage establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition.

(b) No use of residential furniture in the space, which includes dressers, beds, sofas, etc.

(c) Price rates for all massage services shall be prominently posted and/or pricing sheets shall be available for review to all prospective patrons, at the front desk and/or in the massage treatment areas. A placard must also be posted and visible in the massage treatment area or in a location available to all prospective patrons advising: "No massage services other than those posted or listed on a pricing sheet available for customer review shall be provided for any compensation whatsoever. There shall be no bargaining or solicitation for massage services between patrons, massage therapists, and/or employees."

(d) All employees, including licensed massage therapists, shall be clean and shall be fully covered by wearing clean, nontransparent outer garments, completely covering the sexual and genital areas.

(e) All massage establishments shall be provided with clean, laundered sheets and towels in sufficient quantity and shall be laundered after each use thereof and stored in a sanitary manner.

(f) No massage establishment granted a license under the provisions of this article shall place, publish or distribute or cause to be placed, published distributed any advertisement, picture, or statement which is known or through the exercise of reasonable care should be known to be false, deceptive or misleading in order to induce any person to purchase or utilize any massage services.

(g) Eating in the massage work areas shall not be permitted. Animals, except seeing eye dogs, shall not be permitted in the massage work areas.

(h) The sexual or genital areas of patrons shall be completely covered at all times when in the presence of an employee of the massage establishment or any licensed massage therapist.

(i) No licensed massage therapist or massage establishment employee or agent shall administer a massage to any part of a patron's body which exhibits a skin fungus, skin infection, skin inflammation or skin eruption, unless a physician duly licensed in the state has certified in writing, that such patron may safely be massaged on that area and prescribing the conditions thereof.

(j) Each licensed massage therapist shall wash his or her hands in hot running water with proper disinfectant before administering a massage to each patron.

(k) No massage establishment licensee under the provisions of this article shall knowingly permit any person to remain in or upon the licensed premises who commits any act of public indecency or obscenity as provided in this Code or as provided in the Illinois Criminal Code.

(l) Oils, creams, lotions or other preparations used in administering massages shall be kept in clean, closed containers or cabinets and shall be dispensed in unit doses so that bulk containers are not contaminated between clients.

(m) Each massage establishment shall operate in compliance with all applicable local, state and federal laws and regulations, including but not limited to any such laws and regulations relating to discrimination based on race, color, religion, national origin, gender, disability or age.

Sec. 335-9. - Manager on premises.

At all times during the operation of a massage establishment, while massage activities are taking place, there shall be present a manager, assistant manager or other persons principally in charge of the operations of the licensee, and a licensed massage therapist, each of whom shall not be less than eighteen (18) years of age. A licensed massage therapist may also serve as a manager, assistant manager or person principally in charge.

Sec. 335-10. - Alcoholic beverages prohibited.

No person shall sell, give, dispense, provide or keep, or cause to be sold, given, dispensed, provided or kept, any alcoholic beverage on the premises of any massage establishment and no massage establishment shall be located on any premises for which a license to sell alcoholic liquor has been issued.

Sec. 335-11. - Hours of operation.

No massage establishment shall be open for business or in operation between the hours of 9:00 p.m. and 7:00 a.m., except to complete massage services scheduled and initiated prior to 8:30 p.m.

Sec. 335-12. - Employment of massage therapist.

No person shall employ as a massage therapist any person unless said person is a properly licensed massage therapist pursuant to Illinois law and the Massage Licensing Act, 225 ILCS 57/1, *et seq.*

Sec. 335-13. - Display of license.

The massage business license and the massage therapy license of each and every licensed massage therapist employed in the massage establishment shall be displayed in an open and conspicuous place in the massage establishment or available upon request.

Sec. 335-14. - Inspection of massage establishments.

Whenever inspections of the premises used for or in connection with the operation of a licensed massage establishment are provided for or required by this article, or any ordinance of the City or are reasonably necessary to assure compliance with the provisions of any ordinance or regulation of the City, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to admit thereto for the purpose of making the inspection any officer or employee of the City who is duly authorized to make such inspection at any reasonable time that such admission or entry is requested. Each such inspection shall be made at reasonable times and in a reasonable manner. It shall be unlawful for any licensee to fail to allow such inspection officer(s) access to the premises or to hinder such officer(s) in any manner.

Sec. 335-15. - Name and place of business.

No person granted a license hereunder shall operate the massage establishment under a name not specified in the license, nor shall the business be conducted under any different designation or at any location not specified in the massage establishment license.

Sec. 335-16. - Transfer-changes in ownership or management.

(a) Any license issued pursuant to this article shall be applicable only to the specific licensee and location designated, and may not be sold, transferred, or otherwise assigned. Notwithstanding the foregoing, if the licensee remains the same and a request is made to designate and substitute a different location, the Director of Community Development or his/her designated representative may approve such new location upon submission of proof that such location is in compliance with all of the provisions of this article and receives zoning approval. A fee of fifteen dollars (\$15.00) shall be required for processing a request to change the location of the massage establishment.

(b) A transfer in the ownership or control of a massage establishment shall constitute a change in the licensee and the existing license shall be deemed surrendered and extinguished. A new application for license shall be filed and processed as provided in this article prior to such transfer taking effect. Any transfer in the ownership or control of a massage establishment in violation of this article shall constitute the operation of an unlicensed massage establishment.

(c) Notice shall be provided prior to any change of the designated manager conducting business for the massage establishment licensee. The new manager must be qualified to operate the massage establishment as provided in this article. The licensee shall, not less than ten (10) business days before such change is to take effect, give the Director of Community Development or his/her designated representative notice of such change. The notice shall include any information concerning the new manager which is required in this article.

Sec. 335-17. - Exemptions.

The provisions of this article shall not apply and no license shall be required for any units of government, hospitals, nursing homes, and sanitariums or for any individual while engaged in the personal performance of their respective professions provided such individual is holding an unrevoked certificate to practice the healing arts under the laws of the state, including but not limited to physicians, surgeons, chiropractors, osteopaths, physical therapists, nurses, paramedics, state registered athletic licensees who administer athletic related massages in the normal course of

training duties or to those working under the direction of any such individuals in any such units of government, hospitals, nursing homes and sanitariums.

Sec. 335-18. - License fee and period of license.

(a) The fee for the original application for a massage establishment shall be fifty dollars (\$50.00). There shall be no fee for each renewal application. This amount shall be non-refundable. All fees shall be paid at the time each application is submitted to the City. No application shall be processed without the payment in full of the applicable fees even if the application is made for a period of less than a full year.

(b) Commencing with May 1, 2018, each license year shall commence on May 1 of each year and shall expire on April 30 of the following year unless an application is submitted after May 1 for any year (but before April 30 in the following year) in which case the license shall commence when issued but shall expire on the 30th day of April following the date of issuance.

(c) An application for the renewal of a license shall be submitted not later than forty-five (45) days prior to the expiration of the license.

Sec. 335-19. - Unlawful acts.

(a) It shall be unlawful for any individual, in a massage establishment, to knowingly place his or her hand or hands upon, to touch with any part of his or her body, to fondle in any manner, or to massage, a sexual or genital area or part of any other person.

(b) It shall be unlawful for any individual, in a massage establishment, to knowingly allow a patron of the massage establishment to place his or her hand or hands upon, to touch with any part of his or her body, to fondle in any manner, or to massage, a sexual or genital area or part of any licensed massage therapist or any other employee of the massage establishment.

(c) It shall be unlawful for any individual, in a massage establishment, to expose his or her sexual or genital area or part, or any portion thereof, to any other individual.

(d) It shall be unlawful for any individual, while in the presence of any other individual in a massage establishment, to fail to conceal with a fully opaque covering, the sexual or genital area or part of his or her body.

(e) It shall be unlawful for any agent, employee or representative of a massage establishment, while in the presence of a patron in the massage establishment, to wear clothing that is not modest, professional and appropriate for street wear.

(f) It shall be unlawful for any individual owning, operating, or managing a massage establishment, to knowingly cause, allow or permit in or about such massage establishment any agent, employee, or any other individual under his control or supervision to perform any such acts deemed to be unlawful by the provisions in subsections (a), (b), (c), (d), and (e) of this section.

(g) It shall be unlawful for any person who holds a license to operate a massage establishment within the City to fail to comply with any of the conditions and regulations set forth in this article.

Sec. 335-20. - Public nuisance.

Any location used as a massage establishment in violation of this article is hereby declared to be a nuisance.

Sec. 335-21. - Violation and penalty.

Every person, except those persons who are specifically exempted by this article, whether acting as an individual owner, employee of the owner, operator or employee of the operator, or whether acting as a mere agent or independent contractor for the owner, employee or operator, or acting as a participant or worker in any way directly or indirectly who gives massages or operates a massage establishment or provides any of the services defined in this article without first obtaining a license and paying a fee to do so from the City or who violates any provision of this article shall upon a finding of guilty be punished by a fine of not less than two hundred fifty dollars (\$250.00) and shall not exceed seven hundred fifty dollars (\$750.00). A separate offense shall be deemed committed on each day during or upon which a violation occurs or continues.

Sec. 335-22. - Application to existing massage establishments.

The owner of any massage establishment which was in operation within the City prior to the effective date of the ordinance from which this article derives shall submit a completed application for a license to the Director of Community Development or his/her designated representative, as required by this article, within sixty (60) days of the effective date of this article. In the event that such license is granted, such massage establishment may only be operated, following the granting of such license, in full compliance with the provisions of this article. In the event that such license is denied, or in the event that the owner of a massage establishment fails to submit a completed application within said sixty (60) day period, the massage establishment shall cease all operations effective on the earlier of the third day following the date on which the Director of Community Development or his/her designated representative mails notification of the denial of the license, or the sixty-first (61st) day following the effective date of this article in the event that a completed application is not filed (hereinafter, "the termination date") in the event that the massage establishment continues to operate following the termination date, such continued operation shall be deemed to be in violation of the provisions of this article. Any initial license granted to an existing and operational massage establishment after the effective date of this ordinance shall be valid until April 30th, 2019.

SECTION 3: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith. Each section and provision of this ordinance are hereby declared to be independent divisions and subdivisions and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provisions of said chapter, or the application thereof to any person or circumstance is held to be invalid, the remaining sections or provisions and the application of such sections and provisions to any person or circumstances other than those to which it is held invalid, shall not be

affected thereby, and it is hereby declared that such sections and provisions would have been passed independently of such section or provision so known to be invalid.

SECTION 4: All ordinance or parts of ordinance in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5: This ordinance shall be enforced from and after May 1, 2018.

PASSED THIS 20th DAY OF February, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this 20th day of February, 2018.

Aaron Shepley, Mayor

ATTEST:

Nick Kachiroubas, City Clerk



Agenda Item No: 14

**City Council
Agenda Supplement**

Meeting Date: February 20, 2018

Item: Discussion of 2018 International Building Codes

Recommendation: For information only.

Staff Contact: Michelle Rentzsch, Director of Community Development
Michael Magnussen, Building Commissioner

Background:

The City last had a significant update in its building codes in 2008, when it adopted the 2006 International Code Council codes. The City has been reviewing various updates that have been published by the ICC and other agencies, and is suggesting that the City Council adopt the 2018 building codes. Below is a table that shows the current version that the City is using, and the version or code that will either update or replace the code:

<i>Proposed Code Version</i>	<i>Current Code Version</i>	<i>Year Adopted</i>
2018 International Building Code	2006 International Building Code	2008
2018 International Existing Building Code	N/A	N/A
2018 International Fire Code	2006 Fire Code	2008
2018 International Fuel Gas Code	2006 International Fuel Gas Code	2008
2018 International Mechanical Code	2006 International Mechanical Code	2008
2018 International Property Maintenance Code	2006 International Property Maintenance Code (Currently called the "Housing Code")	2008
2018 International Residential Code	2006 International Residential Code	2008
2017 National Electrical Code	2005 National Electrical Code	2008

The updated codes represent the most current advances in life safety building codes and add clarity to the City's existing codes. The updated codes will address the amendments that the City has adopted in the past, as well as the amendments that are outdated and ineffective, and should not be perpetuated. Any development or permit application that was formally submitted to the City prior to the date of adopting the new codes will be subject to enforcement under the previous version of the code.

Benefits of Adopting the 2018 Codes

- The 2018 Codes would represent an update to our existing codes by incorporating life safety provisions that have been added since the adoption of the 2006 ICC code series. Specifically; language has been added to compensate for single family homes constructed without sprinklers in the form of fire rated assemblies, regulations for operable window opening limitations to protect children from accidental falls and revisions to the Means of Egress section.
- Many of the discrepancies in the older codes have been corrected in the new proposed codes. The new 2018 Residential Code has a section that specifically addresses deck construction. This will provide the contractors, plan reviewers and inspectors with specific guidelines for deck construction.
- The new codes will also incorporate braced wall construction techniques which are currently not enforced. This provision provides for a structure which is constructed to withstand higher wind speeds which will be a benefit for owners and occupants of structures.

Summary of Changes from Existing Codes to the Proposed Codes

INTERNATIONAL BUILDING CODE

1. Provisions specific to the construction of public parking garages added to code
2. Provisions for storm shelter construction included in the code

Provisions apply to new construction of educational use group buildings

3. Requirements specific to ambulatory care facilities added to code
4. Means of egress chapter expanded and clarified providing more detail
5. Load calculation for business use group altered to allow for a larger space to be used

Change will benefit property owners as existing buildings may have additional opportunities for reuse.

6. Requirements for window fall protection.

Change provides for an enhanced safety feature for residents

7. Requirements for carbon monoxide detectors

Change provides for an enhanced safety feature for residents

8. Chapter addressing existing building repairs and remodel removed from code and new Existing Building Code created by ICC

Change was initiated in 2015 code series. New code provides property owners with clarification and may provide for some code provision relief on remodeling of existing buildings

9. Provisions for braced wall panels created

Requirement expected to add minimal cost to overall construction cost

INTERNATIONAL RESIDENTIAL CODE

1. Fire sprinkler requirement added for all new single family, duplex and townhome construction

Sprinkler requirement added to code in 2012. The 2018 code has provisions to add safety features such as drywall or limited area sprinkler for the floor joists of basements. The removal of the sprinkler requirement for single family and duplex construction matches our existing codes and will not add cost to construction.

2. Requirements for floor protections in buildings not equipped with an automatic fire sprinkler system

The addition of the floor protection for sprinkled buildings allows for the removal of the requirement in single family and duplex construction and provides an enhanced level of protection.

3. Fire resistant construction section expanded for fire separation requirements for added protection when sprinklers are not installed.

The addition of the floor protection for sprinkled buildings allows for the removal of the requirement in single family and duplex construction and provides an enhanced level of protection.

4. Door into house from garage required to be self-closing.

Requirement provides additional life safety protection for residents

5. Requirements for window fall protection.

Change provides for an enhanced safety feature for residents

6. Requirements for carbon monoxide detectors

Change provides for an enhanced safety feature for residents

7. Section 507 Decks created

Change provides contractors, property owners and plan reviewers with a set of standards specific to deck construction.

8. Additional requirements for deck attachments to resist lateral loads added

Change provides for an increased level of safety for decks. Requirement for additional connections adds minimal costs.

9. Provisions for braced wall panels created

Requirement expected to add minimal cost to overall construction cost.

10. Provisions created for basement remodel of existing homes that may not require an emergency egress window

Change provides for an enhanced ability to remodel an existing basement without additional costs.

INTERNATIONAL PROPERTY MAINTENANCE CODE

1. Minimum area requirements for overcrowding provided.

Change will provide clear area requirements for occupancy

2. Requirements for grease trap maintenance.

Change will allow for the ability to ensure compliance. This ability will provide Public Works the ability to ensure responsible use of municipal sewer services.

3. Language added for repairs to electrical systems due to water damage

Change will provide the ability to ensure electrical systems are fully operational after subject to a flooding event. This will provide an enhanced level of safety for residents.

4. Language added for repairs to electrical systems due to fire damage

Change will provide the ability to ensure electrical systems are fully operational after subject to a flooding event. This will provide an enhanced level of safety for residents.

5. Chapter 7 Fire Safety Requirements expanded

This will provide an enhanced level of safety for residents.

INTERNATIONAL EXISTING BUILDING CODE

1. Provisions of new code are intended to replace Chapter 34 of the current IBC and provide designers with an alternate path for compliance

2. Section 305.8.10 similar to the IAC. Compliance is only required when the work includes the bathroom during a change of occupancy

This provision will allow property owners to reuse existing structures for new tenants without requirement for the creation of compliant bathrooms in some instances.

3. Section 405.2.1 allows for the repair of an existing element that does not meet current code requirements

Provision can be used in the case of an older house with porch that has low guardrail. This would be a cost saving for homeowners allowing the reuse of an existing guardrail.

4. Section 503.1 allows for the alteration of a building that doesn't meet code requirements as long as the structure is not less compliant when complete.

Current practice now specifically covered under code as allowable. This would be a cost saving for homeowners.

5. Section 505.3 allows for a non-compliant egress window to be installed as a replacement in an existing opening

Current practice now covered under code as allowable. This would be a cost saving for homeowners.

NATIONAL ELECTRIC CODE

1. Allow for the use of non-metallic cable- Romex.

Use currently prohibited, change will provide homeowners another option which may reduce overall construction costs.

2. Requirement for all ceiling boxes to have 3-wire installation

Minimal cost at time of installation which would provide a cost savings for future ceiling fan installation

3. Requirement to provide 20 amp dedicated circuit to garage

Will provide additional power for potential heavy load uses

4. Requirement to provide 20 amp dedicated circuit to outside electrical outlet

Will provide additional power for potential heavy load uses

5. Requirement for GFCI protection of dishwasher power supply

Requirement expected to add minimal cost to overall construction cost.

6. AFCI protection expanded to include entire house

Change was initiated in 2014 NEC. Requirement expected to add minimal cost to overall construction cost.

7. Requirement for GFCI protection of all outlets in laundry room

Exception created for outlets serving unit. Requirement expected to add minimal cost to overall construction cost.

INTERNATIONAL MECHANICAL CODE

1. Locking access port caps required to prevent unauthorized access to potentially dangerous chemicals if inhaled

Change is a life safety issue and should not have a significant impact on cost

2. Where exhaust duct equivalent length exceeds 35 feet the equivalent length shall be identified on a permanent label or tag. Label or tag shall be mounted within 6 feet of the exhaust duct connection.

Change is for future information and should not have a significant impact on cost

3. Section 805.7 added providing specific clearance requirements for factory built chimneys which pass through insulated assemblies

Change is a life safety issue and should not have a significant impact on cost

4. Section 14 Solar Thermal Systems multiple changes to provide more details on installation and safety measures

Change is a life safety issue and should not have a significant impact on cost

INTERNATIONAL FIRE CODE

Fire code officials, building officials, contractors, and others involved in the field of fire safety recognize the need for a modern, up-to-date fire code. The International Fire Code (IFC), 2018 Edition, is intended to meet these needs through model code regulations that safeguard the public health and safety.

Adoption of the 2018 IFC will allow the Fire Rescue Department to keep current with changes in the building industry such as: mobile food preparation vehicle requirements, Lockdown plans for schools, carbon monoxide detection requirements, solar photovoltaic power system requirements, outdoor assembly event requirements, and on-demand mobile fueling operations.

Many of the revisions to the City's Fire Code and amendments are minor revisions to section numbers or titles to remain consistent with the 2018 IFC or language changes to clarify code

requirements. In the 2018 IFC, Chapter 31 has been expanded greatly over the years and now includes the language from Section 2405, Public Events, rendering this section unneeded.

No changes are being proposed to the other building codes utilized by the City, including:

- 2014 Illinois Plumbing Code
 - The City adopted and updated the 2014 Illinois State Plumbing Code on May 17, 2016
- 2015 International Energy Conservation Code
 - Adoption of the most current Energy Conservation Code is automatic by State mandate. The State typically notifies municipalities of enforcement start date between March and June of year created. That notification of enforcement of 2018 IECC will begin soon. A review of the code does not indicate major revisions or additional costs associated with update.
- 1997 Illinois Accessibility Code
 - This is a State code and this the most current version of this code
- 2000 National Fire Protection Association Life Safety Code
 - This is this the most current version of this code adopted by the State of Illinois

The City adopted and updated the 2014 Illinois State Plumbing Code on May 17, 2016.

The City is adopting the new International Existing Building Code. This new code from ICC addresses the alteration, remodeling, and maintenance of existing buildings. Previously, these requirements were in the International Building Code. The City is also inserting the separate swimming pool section of the City Code into the Residential Code Chapter. Additionally, the Property Maintenance Code chapter is being renamed from the old Housing Code title to reflect the codes therein more accurately.

Public Outreach

After the initial informational presentation to the City Council on February 20, 2018, then the proposed Codes will be available on the City's website for comment; a public input session will be held on February 28, 2018 at 4:00pm; and a presentation will be provided to the Chamber of Commerce's Business Committee. Any comments or questions from the development community will be compiled for the City Council's information.

DRAFT



The City of Crystal Lake Illinois

AN ORDINANCE AMENDING CHAPTER 230: ELECTRICAL CODE OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That Chapter 230: Electrical Code be amended to read as follows:

Chapter 230: Electrical Code

[HISTORY: Adopted by the City Council of the City of Crystal Lake 1-19-1993 as amended 12-17-2002 by Ord. No. 5593 (Art. III, Ch. II, Section B, of the 1993 Code); amended in its entirety 6-17-2008 by Ord. No. 6370. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

- Building Code — See Ch. 187.
- Existing Building Code – See Ch. 239.
- Fees — See Ch. 241.
- Fire Code – See Ch. 251
- Mechanical Code — See Ch. 336.
- Plumbing Code — See Ch. 392.
- Residential Code — See Ch. 422.

§ 230-1. Adoption of standards by reference.

The National Electrical Code, 2017 Edition, as amended by § 230-2 of this chapter, published by the National Fire Protection Association, Quincy, Massachusetts, shall be and is hereby adopted by reference as the Electrical Code for the City of Crystal Lake for all buildings and structures. All terms and conditions contained in the National Electrical Code, 2017 Edition, and subsequent amendments thereto, published by the National Fire Protection Association, Quincy, Massachusetts, shall be part of the ordinances of the City of Crystal Lake the same as if they were adopted verbatim.

§ 230-2. Additions, insertions and amendments.

The following sections of the International Building Code are hereby revised and amended as follows:

- A. Article 210.8(A)(2) is amended by adding the following to the end of the article:
 - Exceptions:
 - 1. Receptacles that are not readily accessible.

2. A single receptacle or a duplex receptacle for appliances located within a dedicated space, behind the appliance in normal use, is not easily moved from one place to another and that is cord and plug connected. In accordance with 400.10(A)(6), (A)(7), or (A)(8).
- B. The exceptions to Article 210.8(A)(5) are amended as follows:
- Exceptions:*
1. *A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection.*
 2. *A single dedicated receptacle located within a dedicated space serving a cord-and-plug connected sump pump shall not be required to have ground-fault circuit-interrupter protection.*
 3. *A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection.*
- C. The following exception is added the end of Article 210.8(A) (10):
- Exception:*
- 1) A single receptacle or a duplex receptacle for appliances located within a dedicated space, behind the appliance in normal use, is not easily moved from one place to another and that is cord and plug connected. In accordance with 400.10(A)(6), (A)(7), or (A)(8).
- D. The following is inserted as Article 210.8(A)(11): All lights located within the enclosure of a shower or tub.
- E. The following is inserted as Article 210.11(C)(5): **Outside Branch Circuits.** In addition to the number of branch circuits required by other parts of this section, at least one 120-volt, 20-ampere branch circuit shall be installed to supply the outside receptacle outlets required by 210.52(E). This circuit shall have no other outlets.
- F. Article 210.52(G)(1), Garages, is amended as follows: In each attached garage and in each detached garage with electric power, at least one receptacle outlet shall be installed in each vehicle bay and not more than 1.7 m (5 ½ ft) above the floor. At least one receptacle outlet shall also be installed for each overhead garage door.
- G. Article 210.70(1) is amended as follows: At least one wall switch-controlled lighting outlet shall be installed in every habitable room, kitchen and bathroom. Switches controlling lights shall be located within the finished space of a room at the point of entry, if the room is provided with a door.
- H. Article 210.70(A)(3), Storage or equipment spaces, is amended as follows: For attics, underfloor spaces, utility rooms, closets larger than 10 square feet and basements at least one lighting outlet containing a switch or controlled by a wall switch shall be installed where these spaces are used for storage or contain equipment requiring servicing.
- I. The following is inserted as Article 230.30(C): **Location.** Electrical services for single-family homes shall be located on the side of the house closest to the electrical source. The service may only be located on the rear of the house if the garage is located on the side closest to the electrical source. All conductors running from the electrical source shall run parallel to the property line to a point 90 degrees from the electrical service. Conductors shall not run through any portion of the rear yard that would prevent the homeowner from constructing an addition or pool without having to relocate the electrical service conductors.
- J. The following is inserted as Article 230.70(A)(1)a: **Meter disconnect.** An outside disconnecting means shall be provided when service conductors travel more than five (5) feet within the building envelope before entering the panel board.

- K. The following is inserted as Article 230.70(A)(4): **Service disconnect height.** The service disconnect switch, when in its highest position, shall not be located more than 6 feet above the floor or working platform.
- L. Article 314.27(C), Boxes at ceiling-suspended (paddle) fan outlets, is amended as follows: All ceiling-mounted outlet boxes in a location acceptable for a ceiling-suspended (paddle) fan in a one-family or two-family, or multifamily dwellings, the outlet box or outlet box system shall be listed for sole support of a ceiling-suspended (paddle) fan.
- M. The following is inserted as Article 320.104(A): AC Cable run from a switch to a ceiling mounted box, capable of ceiling mounted fan installation, shall contain a minimum of 3 insulated conductors of a type listed in Table 310.104 or those identified for use in this cable.
- N. The following is inserted as Article 330.104(A): MC Cable run from a switch to a ceiling mounted box, capable of ceiling mounted fan installation, shall contain a minimum of 3 insulated conductors of a type listed in Table 310.104 or those identified for use in this cable.
- O. Article 334.10, Uses permitted, is amended as follows: Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following, except as prohibited in 334.12:
- 1) One- and two-family dwellings and their attached or detached garages, and their storage buildings.
- P. The following is inserted Article 334.104(A): NM Cable run from a switch to a ceiling mounted box, capable of ceiling mounted fan installation, shall contain a minimum of 3 insulated conductors of a type listed in Table 310.104 or those identified for use in this cable.

§ 230-3. Penalty.

Any person, firm or corporation who or which violates, disobeys, omits, neglects or refuses to comply with or who or which resists the enforcement of any of the provisions of this chapter shall be fined as set forth in Chapter 248, Fines, for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION II: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provide by law.

DATED at Crystal Lake, Illinois, this 6th day of March, 2018.

CITY OF CRYSTAL LAKE, an Illinois Municipal
Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: March 6, 2018

APPROVED: March 6, 2018

Published in pamphlet form by the authority of the Mayor and City Council of the City of
Crystal Lake.

DRAFT



The City of Crystal Lake Illinois

AN ORDINANCE AMENDING CHAPTER 187: BUILDING CODE OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That Chapter 187: Building Code be amended to read as follows:

Chapter 187: BUILDING CODE

[HISTORY: Adopted by the City Council of the City of Crystal Lake 1-19-1993 as amended 12-17-2002 by Ord. No. 5590 (Art. III, Ch. II, Section A, § 3.43, of the 1993 Code); amended in its entirety 6-17-2008 by Ord. No. 6372. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Electrical Code — See Ch. 230.
Existing Building Code – See. Ch. 239
Fees — See Ch. 241.
Mechanical Code — See Ch. 336.
Plumbing Code — See Ch. 392.
Residential Code — See Ch. 422.
Property Maintenance Code - See Ch. 400

§ 187-1. Adoption of standards by reference.

The International Building Code, 2018 as amended by § 187-2 of this chapter, published by the International Code Council, Inc. shall be and is hereby adopted by reference as the Building Code for the City of Crystal Lake, for the rules and regulations for the design, construction, alteration, addition, quality of materials, erection, installation, repair, location, relocation, replacement, conversion, movement, enlargement, use, occupancy or maintenance of all buildings and structures for all buildings and structures in the City of Crystal Lake. All terms and conditions contained in the International Building Code, 2018, and amendments thereto, shall be part of the ordinance of the City of Crystal Lake, the same as if it were adopted verbatim.

§ 187-2. Additions, insertions and amendments.

The following sections of the International Building Code are hereby revised and amended as follows:

- A. Section 101.1: Insert City of Crystal Lake as the name of jurisdiction.

B. That Section 105.2 be amended to read as follows:

Section 105.2 Work exempt from permit.

Building:

1. Oil derricks.
 2. Painting, papering, tiling, carpentry, cabinets, counter tops and similar finish work.
 3. Temporary motion picture, television and theater stage sets and scenery.
 4. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, are not greater than 5,00 gallons and are installed entirely above ground.
 5. Shade cloth structures constructed for nursery or agricultural purposes not including service systems.
 6. Swings and other playground equipment accessory to detached one- and two-family dwellings.
 7. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
- C. The following is inserted as Section 105.2.2.1: **Fence repairs.** Repair or replacement of up to 2 fence panel sections or 3 support posts.
- D. The following is inserted as Section 105.2.2.2: **Roof Repairs.** Repair or replacement of up to an aggregate total 200 square feet of roofing material.
- E. The following is inserted as Section 105.2.2.3: **Siding repairs.** Repair or replacement of up to an aggregate total 200 square feet of siding material.
- F. Section 105.5, Expiration, is amended by adding the following sentence at the end of the section: All permits for new construction and additions not specifically listed below shall become invalid if not completed within one year from the date of issuance. Permits for roofing, siding, sheds, decks, windows, furnaces, water heaters, air conditioners, pools, fireplaces, driveways and similar minor projects shall become invalid if not completed within six months from the date of issuance. See Chapter 241 for permit extension fees.
- G. Section 109.2, Schedule of Permits Fees, is amended by adding the following sentence at the end of the section: See Chapter 241: Fees.
- H. Section 109.6, Refunds, is amended as follows: The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 7 days after the date of fee payment.
- I. Section 111.1, Change of occupancy, is amended as follows: A building or structure shall not be used or occupied, and a change of occupancy, tenant or business owner, regardless of use of a building or structure or portion thereof shall not be made until the building official has issued a certificate of occupancy therefore as provided herein. A change of occupancy, tenant or business owner requires a certificate of occupancy and is subject to a life-safety inspection conducted by the Building and Fire Departments.
- J. Section 113.1, General, is amended as follows: In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and hereby is created a board of appeals. The board of appeals shall consist of the City's Administrative Law Judge.

- K. All parts of Section 113 after Section 113.1 are deleted in their entirety.
- L. Section 114.4, Violation penalties, is amended as follows: 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 penalties as prescribed by law as set forth in Chapter 248: Fines.
- M. Section 115.32, Unlawful continuance, is amended as follows: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law as set forth in Chapter 248, Fines.
- N. The definition of High-rise building in Chapter 2 is amended as follows: **High-rise building.** A building with an occupied floor located more than 55 feet above the lowest level of fire department vehicle access.
- O. The following definitions are inserted into Chapter 2 in alphabetical order:

Barrier. A permanent fence, wall, building wall, or combination thereof that completely surrounds the pool or spa and obstructs the access to the pool or spa. The term permanent shall mean not being able to be removed, lifted, or relocated without the use of a tool.

Design waterline. The centerline of the skimmer or other point as defined by the designer of the pool or spa

Hot Tub. See "Spa"

Inground Pool. See "swimming pool"

Ladder. A structure for ingress and egress that usually consists of two long parallel side pieces joined at intervals by cross pieces such as treads.

Safety Cover. A structure, fabric or assembly, along with attendant appurtenances and anchoring mechanisms, that is temporarily placed or installed over an entire pool, spa or hot tub and secured in place after all bathers are absent from the water.

Shallow Areas. Portions of a pool or spa with water depths of less than 5 feet.

Slip Resistant. A surface that has been treated or constructed to significantly reduce the chance of a user slipping. The surface shall not be an abrasion hazard.

Spa. A product intended for the immersion of persons in temperature-controlled water circulated in a closed system, and not intended to be drained and filled with each use. A spa usually includes a filter, an electric motor, solar or gas heater, a pump or pumps and a control, and can include other equipment, such as lights, blowers, and water sanitizing equipment.

Swimming Pool. Any structure intended for swimming or recreational bathing that is capable of containing water over 24 inches deep. This includes in-ground, above ground and on-ground swimming pools, hot tubs and spas.

Swimming Pool, Indoor. A swimming pool, which is, totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

Swimming Pool, Outdoor. Any Swimming pool, which is not an indoor pool.

Swimout. An underwater seat area that is placed completely outside of the perimeter shape of the pool. Where located at the deep end, swimouts are permitted to be used as the deep-end means of entry and exit to the pool.

Waterline. See "Design waterline"

- P. Section 903.2, Where required, is amended as follows: Approved automatic sprinkler systems in new buildings and structures shall be provided. Approved automatic sprinkler systems in existing buildings and structures undergoing change of use group or shall be provided in the locations described in Section 903.2.1 through 903.2.12.

Exceptions:

1. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided that those spaces are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with Section 707 or not less than 2-hour horizontal assemblies constructed in accordance with Section 711, or both.
 2. Normally unoccupied structures such as sheds, garages and cell towers where approved by the Fire Code Official.
 3. Buildings approved by the Fire Code Official due to special circumstances, such as available water supply or location.
- Q. Section 903.3.5, Water supplies, is amended as follows: Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the Illinois State Plumbing Code. Hydrant water flow data used for the design of any sprinkler system shall be not more than one-year old.
- R. The following is inserted as Section 903.3.7.1: **Hydrant use for fire department connection.** Unless approved by the Fire Code Official, a fire hydrant shall be located within 100 feet of the Fire Department connection for use by the Fire Department. The hydrant shall be located no closer than a distance of 1.5 times the building height.
- S. Section 903.4.1, Monitoring, is amended by adding the following sentence at the end of the section: The remote supervising station shall be the City of Crystal Lake's dispatch center. The method of connection shall be the CLWAN.
- T. Section 907.2, Where required-new buildings and structure, is amended as follows: An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in all new buildings and structures unless approved by the Code Official in accordance with Section 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code. All fire alarm control panels shall be installed in locations approved by the Fire Department. All fire alarm systems shall be of the addressable type and shall be installed per NFA 72. Otherwise each unit and floor is to be independently zoned.
- U. Section 907.6.6, Monitoring, is amended by adding the following sentence as the end of the section: The remote supervising station shall be the City of Crystal Lake's dispatch center. The method of connection shall be the CLWAN.
- V. Section 1507.1.2, Ice barriers, is amended as follows: In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier shall be installed for asphalt shingles, metal roof

shingles, mineral surfaced roll roofing, slate and slate type shingles, wood shingles and wood shakes. The ice barrier shall consist of a self-adhering polymer-modified bitumen sheet used in place of normal underlayment. The ice barrier shall be a minimum of 72 inches wide or extend from the lowest edges of all roof surfaces to a point not less than 24 inches inside the exterior wall line of the building whichever is greater.

- W. Section 1608.2, Ground snow loads, is amended as follows: The ground snow loads to be used in determining the design snow loads for roofs shall be 30 pounds per square foot.
- X. Section 1612, Flood Loads, is amended as follows: All flood loads shall comply with Chapter 595.
- Y. Section 1805.4.3, Drainage discharge, is amended as follows: The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an approved drainage system that complies with the Illinois State Plumbing Code. Grading, drainage, or both, shall be performed so that the water will drain away from the building on all sides and off the lot in a manner which will provide reasonable freedom from erosion and pocketed surface water. Construction of walks, driveways, retaining walls, patios, fences and similar structures shall be installed so that they will not interfere with drainage. Grading and drainage shall be subject to the approval of the City Engineer or his/her designee.
- Z. The following is inserted as Section 1805.4.3.1: **Sump pump and downspout discharge.** When a sump pump or gutter downspout is not connected to the City storm sewer, it shall be discharged at a point located no closer to the abutting property line than one-half (1/2) the overall distance as measured between the building and the abutting property line. The discharged waster shall not be allowed to directly flow across walking or street surfaces. When the point of discharge is located within five feet (5') from the abutting property line, the discharge pipe shall be directed to the front or rear of the property. The City Engineer or his/her designee may vary the requirements of this section if warranted by site conditions.
- AA. Section 1612.3, Establishment of flood hazard area, is amended as follows: See Chapter 595 for establishment of flood hazard area.
- BB. Section 3109, Swimming Pools, is deleted in its entirety.
- CC. The following is inserted as Chapter 34, Swimming Pools:

CHAPTER 34 SWIMMING POOLS

SECTION 3401

GENERAL

3401.1 Scope. The provisions of this chapter shall govern the general design and construction of public pools and spas and related piping, equipment and materials.

SECTION 3402

BARRIER REQUIREMENTS

3402.1 General. The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are equipped with a powered safety cover that complies with ASTM F1346, the areas where these spas, hot tubs or pools are located shall not be required to comply with Sections 3402.2 through 3402.7

3402.2 Outdoor swimming pools and spas. Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 3402.2.1 through 3402.7.

3402.2.1 Barrier height and clearances. Barrier heights and clearances shall be in accordance with all of the following:

1. The top of the barrier shall be not less than 48 inches above grade where measured from the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire

perimeter of the barrier and for a distance of 3 feet measured horizontally from the outside of the required barrier.

2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches where measured on the side of the barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on the top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches.

3402.2.2 Openings. Openings in the barrier shall not allow passage of a 4-inch diameter sphere.

3402.2.3 Solid barrier surfaces. Solid barriers that do not have openings shall not contain indentations or protrusions that form handholds and footholds, except for normal construction tolerances and tooled masonry joints.

3402.2.4 Mesh fence as a barrier. Mesh fences, other than chain link fences in accordance with Section 3402.2.7, shall be installed in accordance with manufacturer's instructions and shall comply with the following:

1. The bottom of the mesh fence shall not be more than 1 inch above the deck or installed surface or grade.
2. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches from grade or decking.
3. The fence shall be designed and constructed so that it does not allow passage of a 4-inch sphere under any mesh panel. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches from grade or decking.
4. An attachment device shall attach each barrier section at a height not lower than 45 inches above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye-type latch incorporating a spring actuated retaining lever such as a safety gate hook.
5. Where a hinged gate is used with a mesh fence, the gate shall comply with section 3402.3.
6. Patio deck sleeves such as vertical post receptacles that are placed inside the patio surface shall be of a nonconductive material.
7. Mesh fences shall not be installed on top of onground pools.

3402.2.5 Closely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed 1 ¾ inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ inches in width.

3402.2.6 Widely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members should not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ inches in width.

3402.2.7 Chain link dimensions. The maximum opening formed by a chain link fence shall be not more than 2 ½ inches. Where the fence is provided with slats fastened at the top or the bottom that reduce the openings, such openings shall be not greater than 1 ¾ inches.

3402.2.8 Diagonal members. Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall not be more than 1 ¾ inches. The angle of diagonal members shall not be greater than 45 degrees from vertical.

3402.3 Gates. Access gates shall comply with the requirements of Section 3402.3.1, through 3402.3.3 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool or spa, shall be self-closing and have a self-latching device.

3402.3.1 Utility or service gates. Gates not intended for pedestrian use, such as utility or service gates, shall remain locked while not in use.

3402.3.2 Double or multiple gates. Double gates or multiple gates shall have not less than one leaf secured in place and the adjacent leaf shall be secured with a self-closing and self-latching device. The gate and barrier shall not have an opening larger than ½ inch within 18 inches of the latch release mechanism. The self-latching device shall comply with the requirements of Section 3402.3.3.

3402.3.3 Latches. Where the release mechanism of the self-latching device is located less than 54 inches from grade, the release mechanism shall be located on the pool or spa side of the gate not less than 3 inches below the top of the gate, and the gate and barrier shall not have openings greater than ½ inch within 18 inches of the release mechanism.

SECTION 3403

SUCTION ENTRAPMENT AVOIDANCE

3403.1 General. Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7.

Exceptions:

1. Portable spas and portable exercise spas listed and labeled in accordance with UL 1563 or CSA C22.2 No. 218.1.
2. Suction entrapment avoidance for wading pools shall be provided in accordance with Section 3410.

SECTION 3404

PUMPS AND MOTORS

3404.1 General. The provisions of this section apply to pumps and motors for pools and spas.

3404.2 Performance. A pump shall be provided for circulation of the pool water. The pump shall be capable of providing the flow required for filtering the pool water and filter cleaning, if applicable, against the total dynamic head development by the complete system.

3404.3 Intake protection. A cleanable strainer, skimmer basket, or screen shall be provided for pools and spas, upstream or as an integral part of circulation pumps, to remove solids, debris, hair and lint on pressure filter systems.

3404.4 Location. Pumps and motors shall be acceptable for inspection and service in accordance with manufacturer's specifications.

3404.5 Safety. The design, construction and installation of pumps and component parts shall be in accordance with the manufacturer's specifications.

3404.6 Isolation valves. Shutoff valves shall be installed on the suction and discharge sides of pumps that are located below the waterline. Such valves shall be provided with access.

3404.7 Motor performance. Motors shall comply with UL 1004-1, UL 1081, CSA C22.2 No. 108 or the relevant motor requirements of UL 1563 or CSA C 22.2 No. 218.1, as applicable.

SECTION 3405

SKIMMERS

3405.1 General. The provisions of the section apply to skimmers for pools and spas.

3405.2 Required. A surface skimming system shall be provided for public pools and spas. Surface skimming systems shall be listed and labeled in accordance with NSF 50. Surface skimming systems shall be designed and constructed to create a skimming action on the pool water surface when the water level in the pool is within operational parameters.

Exception: Skimmers that are an integral part of a spa that has been listed and labeled in accordance with UL 1563 shall not be required to be listed and labeled in accordance with NSF 50.

3405.2.1 Circulation systems. Public pool circulation systems shall be designed to process not less than 100 percent of the turnover rate through skimmers.

3405.3 Skimmer sizing. Where automatic surface skimmers are used as the sole overflow system, not less than one surface skimmer shall be provided for the square foot areas, or fraction thereof, indicated in Table 3405.3. skimmers shall be located to maintain effective skimming action.

TABLE 3405.3
Skimmer Sizing Table

POOL OR SPA	AREA PER SKIMMER (SQ. FT)
Public pool	500
Spas	150

3405.4 Perimeter coverage. Where a perimeter-type surface skimming system is used as the sole surface skimming system, the surface system shall extend around not less than 50 percent of the pool perimeter.

3405.4.1 Surge capacity. Where perimeter surface skimming systems are used, they shall be connected to a circulation system with a system surge capacity of not less than 1 gallon for each square foot of water surface. The capacity of the perimeter overflow system and related piping is permitted to be considered as a portion of the surge capacity.

3405.5 Equalizers. Equalizers on skimmers shall be prohibited.

3405.6 Hazard. Skimming devices shall be designed and installed so as not to create a hazard to the user.

SECTION 3406

AIR BLOWER AND AIR INDUCTION SYSTEM

3406.1 General. This section applies to devices and systems that induce or allow air to enter pools and spas either by means of a powered pump or passive design.

3406.2 Backflow prevention. Air blower systems shall be equipped with backflow protection as specified in UL 1563, CSA C22.2 No.218.1 or the Illinois State Plumbing Code.

3406.3 Air intake source. Air intake sources shall not induce water, dirt or contaminants.

3406.4 Sizing. Air induction systems shall be sized in accordance with the manufacturer's specifications.

3406.5 Inspection and service. Air blowers shall be provided with access for inspection and service.

SECTION 3407

LIGHTING

3407.1 Artificial lighting required. When a pool is open during periods of low natural illumination, artificial lighting shall be provided so that all areas of the pool, including all suction outlets on the bottom of the pool, will be visible. Illumination shall be sufficient to enable a lifeguard or other persons standing on the deck or sitting in a lifeguard stand adjacent to the pool edge to determine if a pool user is laying on the bottom of the pools and that the pool water is transparent and free from cloudiness.

These two conditions must be met when all suction outlets are visible from the edge of the deck at all times when artificial lighting is illuminated and when an 8-inch diameter black disk, placed on the bottom of the pool in the deepest point, is visible from the edge of the pool deck at all times when artificial lighting is illuminated.

3407.1.1 Pool and deck illumination. Overhead lighting, underwater lighting or both shall be provided to illuminate the pool and adjacent deck areas. The lighting shall be listed and labeled in accordance with NFPA 70.

3407.1.2 Illumination intensity. For outdoor pools, any combination of overhead and underwater lighting shall provide maintained illumination of not less than 10 foot-candles at the pool water surface. For indoor pools, any combination of overhead and underwater lighting shall provide maintained illumination of not less than 30 foot-candles at the pool water surface. Deck area lighting for both indoor and outdoor pools shall provide maintained illumination of not less than 10 foot-candles at the walking surface of the deck.

3407.1.3 Underwater lighting. Underwater lighting shall provide not less than 8 foot-candles at the pool water surface area, or not less than a total wattage of ½ watt per square foot of pool water surface for incandescent underwater lighting where the fixtures are rated in watts.

Exception: this requirement of this section shall not apply where overhead lighting provides not less than 15 foot-candles of maintained illumination at the pool water surface, the overhead lighting provides visibility, without glare, of all areas of the pool, and the requirements of Section 3407.1.2 are met or exceeded.

3407.2 Emergency illumination. Public pools and public pool areas that operate during periods of low illumination shall be provided with emergency lighting that will automatically turn on to permit evacuation of the pool and

securing of the area in the event of power failure. Emergency lighting facilities shall be arranged to provide initial illumination that is not less than .1 foot-candle measured at any point on the water surface and at any point on the walking surface of the deck, and not less than an average of 1 foot-candle. A maximum-to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded.

SECTION 3408

LADDERS AND RECESSED TREADS

3408.1 General. Ladders and recessed treads shall comply with the provisions of this section and the applicable provisions of Sections 3410 through 3413 based on the type of pool or spa.

3408.2 Outside diving envelope. Where installed, steps and ladders shall be located outside of the minimum diving water envelope as indicated in Figure 3408.2.

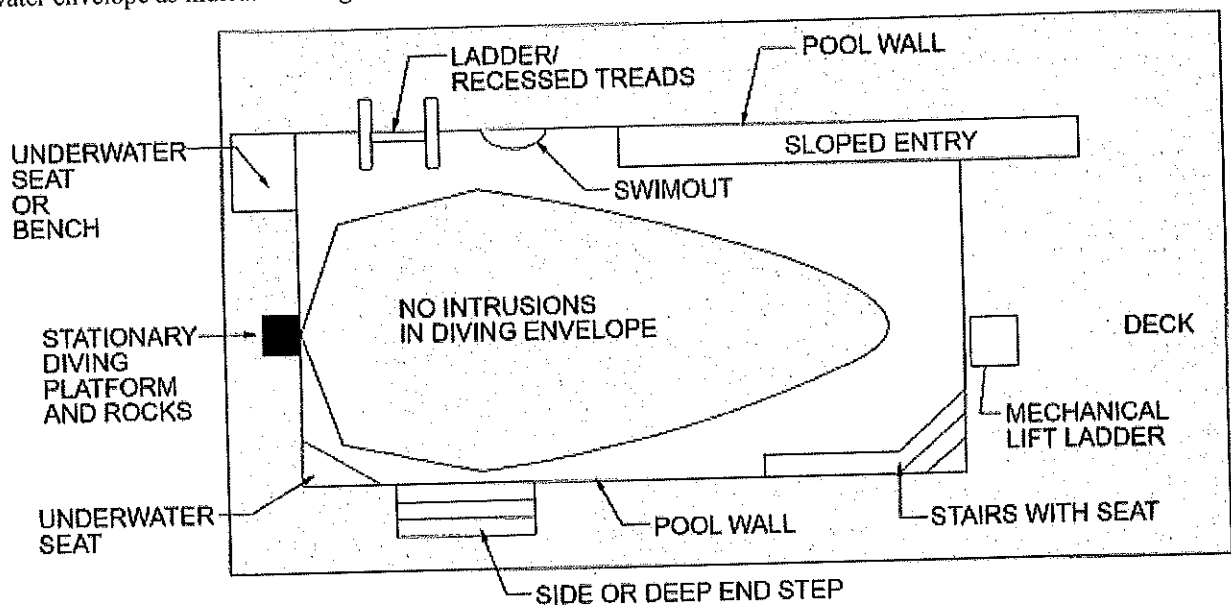


Figure 3408.2
MINIMUM WATER DIVING ENVELOPE

3408.3 Ladders. Ladder treads shall have a uniform horizontal depth of not less than 2 inches. There shall be a uniform distance between ladder treads, with a distance of not less than 7 inches and not greater than 12 inches. The top tread of a ladder shall be located not greater than 12 inches below the top of the deck or coping. Ladder treads shall have slip-resistant surfaces.

3408.3.1 Wall clearance. There shall be a clearance of not less than 3 inches and not greater than 6 inches between the pool wall and the ladder.

3408.3.2 Handrails and handholds. Ladders shall be provided with two handholds or two handrails. The clear distance between ladder handrails shall be not less than 17 inches and not greater than 24 inches.

3408.4 Recessed treads. Recessed treads shall have a minimum depth of not less than 5 inches and a width of not less than 12 inches. The vertical distance between the pool coping edge, deck, or step surface and the uppermost recessed tread shall not be greater than 12 inches. Recessed treads shall have slip-resistant surfaces.

3408.4.1 Vertical spacing. Recessed treads at the centerline shall have a uniform vertical spacing of not less than 7 inches and not greater than 12 inches.

3408.4.2 Drainage. Recessed treads shall drain into the pool.

3408.4.3 Handrails and grab rails. Recessed treads shall be provided with a handrail or grab rail on each side of the treads. The clear distance between handrails and grab rails shall be not less than 17 inches and not greater than 24 inches.

SECTION 3409

SAFETY

3409.1 Handholds required. Where the depth below the design waterline of a pool or spa exceeds 42 inches, handholds along the perimeter shall be provided. Handholds shall be located at the top of deck or coping.

Exceptions:

1. Handholds shall not be required where an underwater bench, seat or swim out is installed.
2. Handholds shall not be required for wave action pools and action rivers.

3409.1.1 Height above water. Handholds shall be located not more than 12 inches above the design waterline.

3409.1.2 Handhold type. Handholds shall be one or more of the following:

1. Top of pool deck or coping
2. Secured rope
3. Rail
4. Rock
5. Ledge
6. Ladder
7. Stair step
8. Any design that allows holding on with one hand while at the side of the pool.

3409.1.3 Handhold spacing. Handholds shall be horizontally spaced not greater than 4 feet apart.

3409.2 Handrails. Where handrails are installed, they shall conform to this section.

3409.2.1 Height. The top of the gripping surface of handrails for public pools and spas shall be 34 inches to 38 inches above the ramp or step surface as measured at the nosing of the step or finished surface of the slope.

3409.2.2 Material. Handrails shall be made of corrosion-resistant materials.

3409.2.3 Nonremovable. Handrails shall be installed so that they cannot be removed without the use of tools.

3409.2.4 Leading edge distance. The leading edge of handrails for stairs, pool entries and exits shall be located not greater than 18 inches from the vertical face of the bottom riser.

3409.2.5 Diameter. The outside diameter or width of handrails shall be not less than 1 ¼ inches and not greater than 2 inches.

3409.3 Obstructions and entrapment avoidance. There shall not be obstructions that can cause the user to be entrapped or injured. Types of entrapment include, but are not limited to, wedge or pinch-type openings and rigid, nongiving cantilevered protrusions.

SECTION 3410

WADING POOLS

3410.1 Wading pools. Wading pools shall be separate pools with an independent circulation system, shall be physically separated from the main pool and shall be constructed in accordance with Sections 3410.2 through 3410.6.

3410.2 Nonentry area. The areas where the water depth at the edge of the pool exceeds 9 inches shall not be considered to be nonentry areas.

3410.3 Floor slope. The floors of wading pools shall be uniform and sloped with a maximum slope of 1 unit vertical in 12 units horizontal.

3410.4 Maximum depth. The water depth shall not exceed 18 inches.

3410.5 Distance from deck to waterline. The maximum distance from the top of the deck to the waterline shall not exceed 6 inches.

3410.6 Suction entrapment avoidance. Wading pools shall not have suction outlets. Skimmers and overflow gutters shall be installed and shall accommodate 100 percent of the circulation system flow rate.

SECTION 3411

SPECIAL FEATURES

3411.1 Pool stairs. The design and construction of stairs extending into the pool in either the shallow or deep water including recessed pool stairs, shall comply with Sections 4513.2.1 through 4513.2.4.

3411.1.1 Tread dimension and area. Treads shall not be less than 24 inches at the leading edge. Treads shall have an unobstructed surface area of not less than 240 square inches and an unobstructed horizontal depth of not less than 10 inches at the centerline.

3411.1.2 Risers. Risers, except for the bottom riser, shall have a uniform height of not greater than 12 inches measured at the centerline. The bottom riser height is allowed to vary to the floor.

3411.1.3 Top tread. The vertical distance from the pool coping, deck, or step surface to the uppermost tread shall be not greater than 12 inches.

3411.1.4 Bottom tread. Where stairs are located in water depths greater than 48 inches, the lowest tread shall not be less than 48 inches below the deck and shall be recessed in the pool wall.

SECTION 3412

SIGANCE

3412.1 Safety signage. Safety signage advising on the danger of diving into shallow areas and on the prevention of drowning shall be provided as required by the authority that governs such pools. Safety signage shall be as shown in Figure 3412.1 or similar thereof.

3412.2 Emergency telephone signs. A sign indicating the location of the nearest landline that can be used to call emergency services shall be posted within sight of the main entry into a pool facility. The sign shall indicate the telephone numbers, including area code, that can be called for emergency services including, but not limited to, police, fire, ambulance and rescue services. If "9-1-1" telephone service is available for any of these services, "9-1-1" shall be indicated next to the telephone number for such services. The sign shall include the street address and city where the pool is located. The nearest landline telephone indicated by the sign shall be one that can be used free of charge to call for emergency services. A sign with the telephone number and address information required by this section shall be posted within sight of the landline telephone.

3412.3 Sign placement. Signs shall be positioned for effective visual observation by users as required by the authority that governs such pools.

3412.4 Emergency shutoff switch. Signs shall be posted that clearly indicate the location of the pump emergency shutoff switch. Such switch shall be clearly identified as the pump emergency shutoff switch.



Actual Size:
11" x 13-3/8"
16" x 18-1/2"
18-3/8" x 24"

SECTION 3413

PUBLIC SPAS AND EXERCISE SPAS

3413.1 Scope. This section shall govern the design, installation, construction and repair of public spas and exercise spas regardless of whether a fee is charged for use.

3413.2 General. In addition to the requirements of this section, public spas and exercise spas shall comply with the requirements of Sections 3402 through 3409.

3413.3 Pumps and motors. Pumps and motors shall be listed and labeled for use in spas.

3413.4 Water depth. The maximum water depth for spas shall be 4 feet measured from the design waterline except for spas that are designed for special purposes and approved by the authority having jurisdiction. The water depth for exercise spas shall not exceed 6 feet 6 inches measured from the design waterline.

3413.5 Multilevel seating. Where multilevel seating is provided, the maximum water depth of any seat or sitting bench shall be 28 inches measured from the design waterline to the lowest measurable point.

3413.6 Floor slope. The slope of the floor shall not exceed 1 unit vertical in 12 units horizontal (8.3-percent slope). Where multilevel floors are provided, the change in depth shall be indicated.

3413.7 Emergency shutoff switch. One emergency shutoff switch shall be provided to disconnect power to circulation and jet system pumps and air blowers. Emergency shutoff switches shall be accessible, located within sight of the spa and shall be located not less than 5 feet but not greater than 10 feet horizontally from the inside walls of the spa.

3413.7.1 Alarms. Emergency shutoff switches shall be provided with an audible alarm rated at not less than 80 decibel sound pressure level and a light near the spa that will operate continuously until deactivated when the shutoff switch is operated. The following statements shall appear on a sign that is posted in a location that is visible from the spa:

ALARM INDICATES SPA PUMPS OFF. DO NOT USE SPA WHEN ALARM SOUNDS AND LIGHT IS ILLUMINATED UNTIL ADVISED OTHERWISE.

3413.8 Water temperature controls. Components provided for water temperature controls shall be suitable for the intended application.

3413.8.1 Water temperature regulating controls. Water temperature regulating controls shall comply with UL 873 or UL 372. A means shall be provided to indicate the water temperature in the spa

Exception: Water temperature regulating controls that are integral to the heating appliance and listed in accordance with the applicable end use appliance standard.

3413.8.2 Water temperature limiting controls. Water temperature limiting control shall comply with UL 873 or UL 372. Water temperature at the heater return outlet shall not exceed 140 degrees F.

3413.9 Water temperature. The temperature of the incoming makeup water shall not exceed 104 degrees F.

DD. The following are inserted in Chapter 35 Referenced Standards in their appropriate sections in alphabetical and numerical order.

APSP

ANSI/APSP/ICC 7-13: American National Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Catch Basins
4504.1

ASTM

F1346-91(2010): Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs
3402.1

CSA

C22.2 No.108-14: Liquid Pumps
3404.7

C22.2 No.218.1-13: Spas, Hot Tubs and Associated Equipment

3403.1; 3406.2; 3404.7

NSF

NSF 50-2015: Equipment for Swimming Pools, Spas, Hot Tubs, and Other Recreational Water Facilities
3405.2

UL

372-2007: Automatic Electrical Controls for Household and Similar Use- Part 2: Particular Requirements for Burner Ignition Systems and Components- with revisions through July 2012
3413.8.1; 3413.8.2

873-2007: Temperature-indicating and Regulating Equipment- with revisions through February 2018
3413.8.1; 3413.8.2

1004-1-12: Standard for Rotating Electrical Machines General Requirements- with revisions through June 2011
3404.7

1081-2008: Standard for Swimming Pool Pumps, Filters and Chlorinators- with revisions through March 2014
3404.7

1563-2009: Standard for Electric Hot Tubs, Spas and Associated Equipment-with revisions through March 2015
3403.1.1; 3404.7; 3405.2; 3406.2

EE. Appendix C is adopted.

SECTION II: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provide by law.

DATED at Crystal Lake, Illinois, this 6th day of March, 2018.

CITY OF CRYSTAL LAKE, an Illinois Municipal
Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: March 6, 2018

APPROVED: March 6, 2018

Published in pamphlet form by the authority of the Mayor and City Council of the City of
Crystal Lake.

DRAFT



The City of Crystal Lake Illinois

AN ORDINANCE CREATING CHAPTER 239: EXISTING BUILDING CODE OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That CHAPTER 239: Existing Building Code be created and shall read as follows:

Chapter 239: BUILDING CODE

GENERAL REFERENCES

Building Code — See Ch. 187

Electrical Code — See Ch. 230.

Fees — See Ch. 241.

Mechanical Code — See Ch. 336.

Plumbing Code — See Ch. 392.

Residential Code — See Ch. 422.

Property Maintenance Code - See Ch. 400

§ 239-1. Adoption of standards by reference.

The International Building Code, 2018 as amended by § 187-2 of this chapter, published by the International Code Council, Inc. shall be and is hereby adopted by reference as the Building Code for the City of Crystal Lake, for the rules and regulations for the design, construction, alteration, addition, quality of materials, erection, installation, repair, location, relocation, replacement, conversion, movement, enlargement, use, occupancy or maintenance of all buildings and structures for all buildings and structures in the City of Crystal Lake. All terms and conditions contained in the International Building Code, 2018, and amendments thereto, shall be part of the ordinance of the City of Crystal Lake, the same as if it were adopted verbatim.

§ 239-2. Additions, insertions and amendments.

The following sections of the International Building Code are hereby revised and amended as follows:

- A. Section 101.1, Title: Insert City of Crystal Lake as the name of jurisdiction.
- B. Section 112.1, Board of Appeals, is amended as follows: In order to hear and decide appeals of orders, decisions, or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be the City's Administrative Law Judge.

- C. Section 112.3, Qualifications, is deleted in its entirety
- D. Section 302.3, Additional codes, is amended as follows: Alterations, repairs, additions and changes of occupancy to, or relocation of, existing buildings and structures shall comply with the provisions for alterations, repairs, additions and changes of occupancy or relocation, respectively, in this code and the International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, Illinois State Plumbing Code, Disposal Code, International Property Maintenance Code, International Residential Code and NFPA 70. Where provisions of the other codes conflict with provisions of this code, the provisions of this code shall take precedence.
- E. Section 305.4, Change of occupancy, is amended as follows: Existing buildings that undergo a change of occupancy classification shall comply with this section.
- F. The following is inserted as Section 402.2: **Repair and replacement.** Whenever repair, replacement or maintenance of a roof or siding assembly in excess of two hundred square feet is performed, the entire roof or siding assembly must be replaced.
- G. Section 1007.3, Service Upgrade is deleted in its entirety
- H. The following is inserted at the end of Chapter 14, Relocated or Moved Buildings

Section 1403.1 Permit required. No persons, firm or corporation shall move any building on, though, or over any street, alley, sidewalk or other public place in the City of Crystal Lake without having obtained a permit therefor from the Building Commissioner. An application for permit shall contain names and addresses of the building owner, the person hired to transport or move the building, the intended date, time, proposed route and the number of days it is intended that the building shall occupy any portion of any street, alley, sidewalk or other public place, removal and/or trimming of trees, and temporary interference with public utilities. No permit shall be issued without the prior approval of the proposed route by the Chief of Police.

Section 1403.2 Bond; Insurance. Every person, firm or corporation applying for a permit under this article shall submit with his/her application a bond as required by Chapter 241, Fees, of the Code of Ordinances, establishing a permit fee schedule. Every person, firm or corporation shall also submit a liability insurance policy issued by an insurance company authorized to do work in the State of Illinois. Such policy shall show on its face limits of not less than \$100,000 for property damage and \$1,000,000 for public liability. Said insurance policy shall not be canceled by the principal or surety until after 30 days' written notice to the Building Commissioner. Each person applying for a permit under this section shall submit with his/her application a cash bond with a corporate surety approved by the Building Commissioner, conditioned upon compliance by the applicant with the provision of this section, and containing an agreement to pay and hold the City harmless from any claim which may be made against it, arising from moving the building.

Section 1403.3 Approval. Upon approval of the intended route, a permit shall be issued and a fee paid pursuant to Chapter 241, Fees, of the Code of Ordinances, establishing a permit fee schedule. An additional payment of \$200 for each day or fraction thereof over and above the time stated on the permit during or on which any building shall occupy such public place shall be paid.

Section 1403.4 Lights and warnings. Whenever a street or alley is blocked by a building which is being moved, warnings to that effect shall be placed by the person, firm or corporation, and approved by the Police Department, so as to warn vehicles and persons from entering that portion of the street so blocked. The person, firm or corporation moving any building through the streets shall keep warning signs, lanterns, lights or barricades on at night in an operating condition and maintain same.

Section 1403.5 Removal/Cutting of wires. Whenever it shall be necessary to interfere with wires or cables of public utility companies, the terms of any special or franchise ordinance or agreement shall apply. It shall be the duty of the person moving the building to make all necessary arrangements for the removal and care of such wires, and to obtain prior approval of such utility companies.

Section 1403.6 Fire alarm wires. When any such building being moved approaches any fire alarm wire or pole, which shall be endangered by the moving of such building, it shall be the duty of the persons, firm or corporation to notify the Fire Chief at least six hours before reaching such wire.

Section 1403.7 State, county or township approval. If the proposed route for the moving of a building will cause the building to cross or travel upon any state, county, or township road or highway, it shall be the duty of the person moving the building to obtain the approval of the appropriate governmental authority.

Section 1403.8 Safety measures. The Building Commissioner shall have the power to prescribe such conditions for the moving of buildings as may be necessary to promote the public safety and to prevent damage to City road foundations, surfaces or structures. In addition, whenever a street or alley is blocked by a building which is being moved, warnings to that effect shall be placed by the person, firm or corporation, and approved by the Police Department so as to warn people from entering that portion of the street so blocked. If a building is transported at night, the person moving the building shall provide adequate illumination for the building, and take all other steps necessary to ensure that the building does not constitute a hazard to the public safety. In no event shall the time required to move any building extend beyond 24 hours.

Section 1403.9 Costs. It shall be the duty of the person moving a building to reimburse the City for all fees and costs incurred in connection therewith, including, but not limited to, the costs of providing police supervision, tree trimming, and removing and replacing City signs.

SECTION II: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provide by law.

DATED at Crystal Lake, Illinois, this 6th day of March, 2018.

CITY OF CRYSTAL LAKE, an Illinois Municipal
Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: March 6, 2018

APPROVED: March 6, 2018

Published in pamphlet form by the authority of the Mayor and City Council of the City of
Crystal Lake.

DRAFT



The City of Crystal Lake Illinois

AN ORDINANCE AMENDING CHAPTER 264: FUEL GAS CODE OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That Chapter 264 Fuel Gas Code be amended to read as follows:

Chapter 264: FUEL GAS CODE

[HISTORY: Adopted by the City Council of the City of Crystal Lake 1-19-1993 as amended 12-17-2002 by Ord. No. 5592 (Art. III, Ch. II, Section G, §§ 3.65 and 3.66, of the 1993 Code); amended in its entirety 6-17-2008 by Ord. No. 6371. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Building Code — See Ch. 187.
Electrical Code — See Ch. 230.
Existing Building Code — See Ch. 239
Fire Code — See Ch. 251.
Mechanical Code — See Ch. 336.
Plumbing Code — See Ch. 392.
Property Maintenance Code — See Ch. 400.
Residential Code — See Ch. 422.

§ 264-1. Adoption of standards by reference.

The International Fuel Gas Code, 2018 Edition and subsequent amendments thereto, published by the International Code Council, Inc., shall be and is hereby adopted by reference as the Fuel Gas Code for the City of Crystal Lake. All terms and conditions contained in the International Fuel Gas Code, 2018 Edition, and subsequent amendments thereto, published by the International Code Council, Inc., shall be part of the ordinances of the City of Crystal Lake the same as if they were adopted verbatim.

§ 264-2. Additions, insertions and amendments.

The following sections of the International Fuel Gas Code are hereby revised and amended as follows:

- A. Section 101.1, Title: Insert City of Crystal Lake as the name of jurisdiction.
- B. Section 106.6, Fee schedule, is amended as follows: The fees for all fuel gas work shall be paid in accordance with Chapter 241, Fees, of the Code of Ordinances.

C. Section 106.6.3, Fee refunds, is amended as follows: The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 7 days after the date of fee payment.

D. Section 108.4, Violation penalties, is amended as follows: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code shall be fined as set forth in Chapter 248, fines for each offense.. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

E. Section 108.5, Stop work orders, is amended as follows: Upon notice from the code official that mechanical work is being performed contrary to the provisions of the code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owners authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as set forth in Chapter 248, Fines.

F. Section 109.2, Membership of board, is amended as follows: The board of appeals shall consist of the City's Administrative Law Judge.

G. The remainder of Section 109 after Section 109.2 is deleted in its entirety.

H. Appendix C is hereby adopted.

SECTION II: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provide by law.

DATED at Crystal Lake, Illinois, this 6th day of March, 2018.

CITY OF CRYSTAL LAKE, an Illinois Municipal
Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: March 6, 2018

APPROVED: March 6, 2018

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.



The City of Crystal Lake Illinois

AN ORDINANCE AMENDING CHAPTER 336: MECHANICAL CODE OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That Chapter 336: Mechanical Code be amended to read as follows:

Chapter 336: Mechanical Code

[HISTORY: Adopted by the City Council of the City of Crystal Lake 1-19-1993 as amended 12-17-2002 by Ord. No. 5592 (Art. III, Ch. II, Section G, §§ 3.63 and 3.64, of the 1993 Code); amended in its entirety 6-17-2008 by Ord. No. 6373. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

- Building Code — See Ch. 187.
- Electrical Code — See Ch. 230.
- Existing Building Code — See Ch. 239.
- Fire Code — See Ch. 251.
- Fuel Gas Code — See Ch. 264.
- Plumbing Code — See Ch. 392.
- Property Maintenance Code — See Ch. 400
- Residential Code — See Ch. 422.

§ 336-1. Adoption of standards by reference.

The International Mechanical Code, 2018 Edition, and subsequent amendments thereto, published by the International Code Council, Inc., shall be and is hereby adopted by reference as the Mechanical Code for the City of Crystal Lake. All terms and conditions contained in the International Mechanical Code, 2018 Edition, and subsequent amendments thereto, published by the International Code Council, Inc., shall be part of the ordinances of the City of Crystal Lake the same as if they were adopted verbatim.

§ 336-2. Additions, insertions and amendments.

The following sections of the International Mechanical Code are hereby revised and amended as follows:

- A. Section 101.1: Insert City of Crystal Lake as the name of jurisdiction.
- B. Section 106.5.2, Fee schedule, is amended as follows: The fees for mechanical work shall be in the following schedule: Chapter 241, Fees, of the Code of Ordinances.

C. Section 106.5.3, Fee refunds, is amended as follows: The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 7 days after the date of fee payment.

D. Section 108.4, Violation penalties, shall be amended to read as follows: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code shall be fined as set forth in Chapter 248, fines for each offense. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

E. Section 108.5, Stop work orders, is amended as follows: Upon notice from the code official that mechanical work is being performed contrary to the provisions of the code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owners authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as set forth in Chapter 248, Fines.

F. Section 109.2, Membership of board, is amended as follows: The board of appeals shall consist of the City's Administrative Law Judge.

G. The remainder of Section 109 after Section 109.2 is deleted in its entirety.

H. Section 918.2, Heat pumps, is amended as follows: Electric heat pumps shall be prohibited with the exception of replacement of an existing heat pump system tested in accordance with UL 1995.

I. Section 1006.6.13, Safety and relief valve discharge, is amended as follows: Be constructed of those materials listed in section 890 Appendix A Table A of the Illinois State Plumbing Code or materials tested, rated and approved for such use in accordance with ASME A112.4.1.

SECTION II: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provide by law.

DATED at Crystal Lake, Illinois, this 6th day of March, 2018.

CITY OF CRYSTAL LAKE, an Illinois Municipal
Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: March 6, 2018

APPROVED: March 6, 2018

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

DRAFT



The City of Crystal Lake Illinois

**AN ORDINANCE CREATING CHAPTER 400: PROPERTY MAINTENANCE CODE
OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
CRYSTAL LAKE** as follows:

SECTION I: That Chapter 400: Property Maintenance Code be created and shall read as follows:

Chapter 400: Property Maintenance Code

GENERAL REFERENCES

- General penalty — See Ch. 1, Art. II
- Building Code — See Ch. 187.
- Electrical Code — See Ch. 230.
- Existing Building Code — See Ch. 239
- Fire Code — See Ch. 251.
- Fuel Gas Code — See Ch. 264.
- Mechanical Code — See Ch. 336.
- Plumbing Code — See Ch. 392.
- Residential Code — See Ch. 422.

§ 400-1. Adoption of standards by reference.

The International Property Maintenance Code, 2018 Edition, and subsequent amendments thereto, published by the International Code Council, Inc., shall be and is hereby adopted by reference as the International Property Maintenance Code for the City of Crystal Lake. All terms and conditions contained in the International Property Maintenance Code, 2018 Edition, and subsequent amendments thereto, published by the International Code Council, Inc., shall be part of the ordinances of the City of Crystal Lake the same as if they were adopted verbatim.

§ 400-2. Additions, insertions and amendments.

The following sections of the International Property Maintenance Code are hereby revised and amended as follows:

- A. Section 101.1: Insert City of Crystal Lake as the name of jurisdiction.
- B. Section 102.3, Application of other codes, is amended as follows: Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, Illinois State Plumbing Code, and NFPA 70.

- C. Section 103.5, Fees, is amended as follows: The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule: Chapter 241: Fees
- D. Section 111.2, Membership of board, is amended to read as follows: The board of appeals shall consist of the City's Administrative Law Judge.
- E. The remainder of Section 111 after Section 111.2 is deleted in its entirety.
- F. That Section 112.4, Failure to comply, is amended as follows: Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as set forth in Chapter 248, Fines.
- G. The following definition is inserted into Section 202 in alphabetical order:

Storage

The act of keeping, placing or maintaining real property regardless of functionality or proposed future use for a period of longer the 30 days.

- H. The following section is inserted as section 302.2.1: **Sump pump discharge.** Sump pumps not connected to a storm sewer, shall be discharged at a point located no closer to the abutting property line than 1/2 the overall distance as measured between the building and the abutting property line. The discharged water shall not be allowed to directly flow across walking or street surfaces. When the point of discharge is located within five feet from the abutting property line, the discharge pipe shall be directed to the front or rear of the property.
- I. Section 302.4, Weeds, is amended as follows: Premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches. Noxious weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided; however, this term shall not include cultivated flowers and gardens.
- J. Section 302.8, Motor vehicle, is amended as follows: Except as provided for in other regulations, inoperative or unlicensed motor vehicles and trailers shall not be parked, kept or stored on any premises, and vehicles shall not at any time be in a state of majority disassembly, disrepair, or in the process of being stripped or dismantled.
- K. The following is inserted as Section 302.10: **Exterior property area.** Exterior property areas including grass, trees and bushes damaged by vehicular travel or construction activity shall be restored.
- L. The following is inserted as section 302.11: **Exterior storage.** All items *stored* on the exterior property area must meet the following:
 1. Items stored must be designed or normally intended to be stored outdoors
 2. Items must be maintained in a neat orderly fashion
 3. Must be stored a minimum of five feet from any property line
 4. Storage shall not be located in a front yard
- M. The following is inserted as section 302.12: **Garbage and recycle containers.** All garbage and recycle containers stored in the area between the front elevation of the house and the public walk shall be placed on an approved concrete or asphalt surface and placed as close to the principle structure as possible.
- N. Section 303.2, Enclosures, is amended as follows: Private swimming pools, hot tubs and spas, designed to hold water 24 inches in depth or greater shall be completely surrounded by a fence or barrier not less than 48 inches in height above the finished ground level measured on the side of the barrier away from the pool.

- O. The following is inserted as section 304.1.2: Whenever repair, replacement or maintenance of exterior structures is required to comply with this section, such repair, replacement or maintenance shall be completed to substantially match, conform and be consistent with the existing exterior structures in color, material and appearance.
- P. The following is inserted as section 304.1.3: Whenever repair, replacement or maintenance of a roof or siding assembly in excess of two hundred square feet is performed, the entire roof or siding assembly must be replaced.
- Q. Section 304.14, Insect screens, is amended as follows: During the period from April 1 to October 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working order.
- R. The following is inserted as section 310:

310: Signage

310.1 Illumination. Means of illumination shall be fully operational to maintain illumination levels. Broken, missing or damaged lighting devices must be replaced or repaired.

310.2 Maintenance. Signs, sign panels and inserts must be maintained free from holes, defects and missing parts.

- S. Section 502.5, Public toilet facilities, is amended as follows: Public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance with the Illinois State Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.
- T. Section 505.1, General, is amended as follows: Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered water and cold running water in accordance with the Illinois State Plumbing Code.
- U. The following is inserted as section 507.2: **Downspout discharge.** Downspouts not connected to a storm sewer, shall be discharged at a point located no closer to the abutting property line than 1/2 the overall distance as measured between the building and the abutting property line. The discharged water shall not be allowed to directly flow across walking or street surfaces. When the point of discharge is located within five feet from the abutting property line, the discharge pipe shall be directed to the front or rear of the property.
- V. Section 602.3, Heat supply, is amended as follows: Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to April 30 to maintain a minimum temperature of 68 degrees F (20 degrees C) in all habitable rooms, bathrooms and toilet rooms.
- W. Section 602.4, Occupiable work spaces, is amended as follows: Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to April 30 to maintain a minimum temperature of 65 degrees F (18 degrees C) during the period the spaces are occupied.

SECTION II: That Chapter 302: Housing Code be repealed in its entirety.

SECTION III: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provide by law.

DATED at Crystal Lake, Illinois, this 6th day of March, 2018.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: March 6, 2018

APPROVED: March 6, 2018

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

DRAFT



The City of Crystal Lake Illinois

AN ORDINANCE AMENDING CHAPTER 422: RESIDENTIAL CODE OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That Chapter 442: Residential Code be amended to read as follows:

Chapter 442: Residential Code

[HISTORY: Adopted by the City Council of the City of Crystal Lake 1-19-1993 as amended 12-17-2002 by Ord. No. 5591 (Art. III, Ch. II, Section B, § 3.44, of the 1993 Code); amended in its entirety 6-17-2008 by Ord. No. 6375. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Building Code — See Ch. 187.
Electrical Code — See Ch. 230.
Existing Building Code — See Ch. 239.
Fire Code — See Ch. 251.
Fuel Gas Code — See Ch. 264.
Housing Code — See Ch. 301.
Mechanical Code — See Ch. 336.
Plumbing Code — See Ch. 392.

§ 442-1. Adoption of standards by reference.

The International Residential Code 2018 Edition, as amended by § 422-2 of this chapter, published by the International Code Council, Inc., shall be and is hereby adopted by reference as the rules and regulations for the design, construction, alteration, addition, quality of materials, erection, installation, repair, location, relocation, replacement, conversion, movement, enlargement, equipment, use, occupancy, or maintenance of all buildings and structures for detached one- and two-family dwellings, multiple single-family dwellings (townhomes) and buildings and structures customarily accessory to the foregoing in the City of Crystal Lake. All terms and conditions contained in the International Residential Code 2018 Edition and amendments thereto, published by the International Code Council, Inc., shall be part of the ordinances of the City of Crystal Lake the same as if they were adopted verbatim.

§ 442-2. Additions, insertions and amendments.

The following sections of the International Residential Code are hereby revised and amended as follows:

- A. Section 101.1: Insert City of Crystal Lake as the name of jurisdiction.
- B. The Building Permits section of Section 105.2, Work exempted from permit is amended as follows:

Building:

1. Painting, papering, tiling, carpentry, cabinets, counter tops and similar finish work.
2. Prefabricated swimming pools that are less than 24 inches deep.
3. Swings and other playground equipment.

C. The Mechanical Permits section of Section 105.2, Work exempted from permits, is amended as follows:

Mechanical:

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
5. Portable evaporative coolers.
6. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

- D. The following is inserted as Section 105.2.2.1: **Fence repairs.** Repair or replacement of up to 2 fence panel sections or 3 support posts.
- E. The following is inserted as Section 105.2.2.2: **Roof repairs.** Repair or replacement of up to an aggregate of 200 square feet of roofing material.
- F. The following is inserted as Section 105.2.2.3: **Siding repairs.** Repair or replacement of up to an aggregate total 200 square feet of siding material.
- G. Section 105.5, Expiration, is amended as follows: Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. All permits for new single-family construction and additions not specifically listed below shall become invalid if not completed within one year from the date of issuance. Permits for roofing, siding, sheds, decks, windows, furnaces, water heaters, air conditioners, pools, fireplaces, driveways and similar minor projects shall become invalid if not completed within six months from the date of issuance. See Chapter 241 for applicable fees.
- H. Section 108.2, Schedule of permit fees, is amended as follows: On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, see Chapter 241: Fees.
- I. Section 108.5, Refunds, is amended as follows: The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 7 days after the date of fee payment.
- J. Section 112.1, General, is amended as follows: In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and hereby is created a board of appeals. The board of appeals shall consist of the City's Administrative Law Judge
- K. The remainder of Section 112 after 112.1 is deleted in its entirety.
- L. Section 113.4, Violation penalties, is amended as follows: 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 as set forth in Chapter 248: Fines.

M. Section 114.2. Unlawful continuance, be amended as follows: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition as set forth in Chapter 248: Fines.

N. That the following definitions in Chapter 2 be amended:

Accessible. Signifies access that requires the removal of an access panel or similar removable obstruction.

O. That the following definitions be inserted into Chapter 2 in alphabetical order:

Barrier. A permanent fence, wall, building wall, or combination thereof that completely surrounds the pool or spa and obstructs the access to the pool or spa. The term permanent shall mean not being able to be removed, lifted, or relocated without the use of a tool.

Design waterline. The centerline of the skimmer or other point as defined by the designer of the pool or spa.

Hot Tub. See "Spa"

In-ground Pool. See "swimming pool"

Ladder. A structure for ingress and egress that usually consists of two long parallel side pieces joined at intervals by cross pieces such as treads.

On-ground storable pool. A pool capable of containing 24 inches of water that can be disassembled for storage or transport. This includes portable pools with flexible or non-rigid walls that achieve their structural integrity by means of uniform shape, a support frame or combination thereof, and that can be disassembled for storage.

Safety Cover. A structure, fabric or assembly, along with attendant appurtenances and anchoring mechanisms, that is temporarily placed or installed over an entire pool, spa or hot tub and secured in place after all bathers are absent from the water.

Shallow Areas. Portions of a pool or spa with water depths of less than 5 feet.

Slip Resistant. A surface that has been treated or constructed to significantly reduce the chance of a user slipping. The surface shall not be an abrasion hazard.

Slope Break. Occurs at the point where the slope of the pool floor changes to a greater slope.

Spa. A product intended for the immersion of persons in temperature-controlled water circulated in a closed system, and not intended to be drained and filled with each use. A spa usually includes a filter, an electric motor, solar or gas heater, a pump or pumps and a control, and can include other equipment, such as lights, blowers, and water sanitizing equipment.

Swimming Pool. Any structure intended for swimming or recreational bathing that is capable of containing water over 24 inches deep. This includes in-ground, above ground and on-ground swimming pools, hot tubs and spas.

Swimming Pool, Indoor. A swimming pool, which is, totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

Swimming Pool, Outdoor. Any Swimming pool, which is not an indoor pool.

Swimout. An underwater seat area that is placed completely outside of the perimeter shape of the pool. Where located at the deep end, swimouts are permitted to be used as the deep-end means of entry and exit to the pool.

Waterline. See "Design waterline"

P. Table 301.2(1) is amended as follows:

Table R301.2(1)
Climatic and Geographic Reference Criteria

GROUND SNOW LOAD	WIND DESIGN			SEISMIC DESIGN CATEGORY	SUBJECT FROM Weathering	DAMAGE		WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIREMENT	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (MPH)	Topographic effects	Special Wind Region			Frost Line Depth	Termite					
30 pounds per square foot	115 (51) MPH	None	No	B	Yes	42 inches	No	4 degrees F	Yes	Per Chapter 595	1500	47.8 degrees F

Q. The Manual J Design Criteria portion of Table 301.2(1) is deleted.

- R. Section 313.1.1, Design and installation, is amended as follows: Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13D.
- S. Section 313.2, One and two-family dwellings automatic fire sparkler systems, is deleted in its entirety.
- T. Section 401.3, Drainage, is amended as follows: Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall not fewer than 6 inches within the first 10 feet. Grading, drainage, or both, shall be performed so that the water will drain away from the building on all sides and off the lot in a manner which will provide reasonable freedom from erosion and pocketed surface water. Construction of walks, driveways, retaining walls, patios, fences and similar structures shall be installed so that they will not interfere with drainage. Grading and drainage shall be subject to the approval of the City Engineer or his/her designee.
- U. The following is inserted as section 401.4: **Sump pump and downspout discharge.** When a sump pump or gutter downspout is not connected to the City storm sewer, it shall be discharged at a point located no closer to the abutting property line than one-half (½) the overall distance as measured between the building and the abutting property line. The discharged waster shall not be allowed to directly flow across walking or street surfaces. When the point of discharge is located within five feet (5') from the abutting property line, the discharge pipe shall be directed to the front or rear of the property. The City Engineer or his/her designee may vary the requirements of this section if warranted by site conditions.
- V. Section 401.5, Soil tests, is amended as follows: Soils tests shall be required on all new construction. The test shall be done by an approved agency using an approved method. Soils reports shall be submitted for review and approved before footing and foundation placement. Soils test requirement can be waived by the building official.
- W. Exception 3 in Section 403.1.4.1, Frost protection, is deleted.
- X. Section 507.3.2, Minimum size, is amended as follows: The minimum size of concrete footings shall be 12 inches.
- Y. Table R507.3.1, Minimum footing size for decks, is deleted in its entirety.
- Z. The exceptions in Section 507.3.2, Minimum depth, are deleted in their entirety.
- AA. Section 507.9.2, Lateral connection, is amended as follows: Lateral loads shall be transferred to the ground or to a structure capable of transmitting them to the ground. Where the lateral load connection is provided in accordance with Figure R507.9.2(1), hold-down tension devices shall be installed in not less than two locations per deck elevation or change in deck height, within 24 inches of each end of the deck. Each device shall have an allowable stress design capacity of not less than 1,500 pounds. Where the lateral load connections are provided in accordance with Figure R507.9.2(2), the hold-down tension devices shall be installed in not less than four locations per deck elevation or change in deck height, and each device shall have an allowable stress design capacity of not less than 750 pounds.
- BB. The following is inserted as Section 609.1: **Replacement windows and doors.** All replacement windows and doors shall be connected to the water resistive barrier of the structure by one of the following methods or a combination thereof:
1. Perimeter flashing at all sides allowing water drainage to the building exterior or water resistive barrier
 2. Approved flashing tape/membrane attached to all sides and connected to the water resistive barrier in accordance with Section 703.4.
- CC. Section 905.1.2, Ice barriers, is amended as follows: In areas where there has been a history of ice forming along the eaves causing a backup of water as designated in table R301.2(1), an ice barrier shall be installed

for asphalt shingles, metal roof shingles, mineral surfaced roll roofing, slate and slate type shingles, wood shingles and wood shakes. The ice barrier shall consist of a self-adhering polymer-modified bitumen sheet used in place of normal underlayment. The ice barrier shall be a minimum of 72 inches wide or extend from the lowest edges of all roof surfaces to a point not less than 24 inches inside the exterior wall line of the building whichever is greater.

Exception: Detached accessory structures less than 200 square feet not containing conditioned floor space.

DD. The following are inserted in Chapter 44 Referenced Standards in their appropriate sections in alphabetical and numerical order.

APSP

ANSI/APSP/ICC 7-13: American National Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Catch Basins
4504.1

ASTM

F1346-91(2010): Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs
4502.1, 4502.4.2

UL

2017-2008: General Purpose Signaling Devices and Systems- with revisions through May 2011
4505.4.1

EE. The following is inserted as Chapter 45:Swimming Pools:

**CHAPTER 45
SWIMMING POOLS**

SECTION 4501

GENERAL

4501.1 Scope. The provisions of this chapter shall govern the general design and construction of pools and spas and related piping, equipment and materials.

SECTION 4502

BARRIER REQUIREMENTS

4502.1 General. The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are equipped with a powered safety cover that complies with ASTM F1346, the areas where these spas, hot tubs or pools are located shall not be required to comply with Sections 4502.2 through 4502.7

4502.2 Outdoor swimming pools and spas. Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 4502.2.1 through 4502.7.

4502.2.1 Barrier height and clearances. Barrier heights and clearances shall be in accordance with all of the following:

1. The top of the barrier shall be not less than 48 inches above grade where measured from the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet measured horizontally from the outside of the required barrier.
2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.

3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches where measured on the side of the barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on the top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches.

4502.2.2 Openings. Openings in the barrier shall not allow passage of a 4-inch diameter sphere.

4502.2.3 Solid barrier surfaces. Solid barrier that do not have openings shall not contain indentations or protrusions that form handholds and footholds, except for normal construction tolerances and tooled masonry joints.

4502.2.4 Mesh fence as a barrier. Mesh fences, other than chain link fences in accordance with Section 4502.2.7, shall be installed in accordance with manufacturer's instructions and shall comply with the following:

1. The bottom of the mesh fence shall not be more than 1 inch above the deck or installed surface or grade.
2. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches from grade or decking.
3. The fence shall be designed and constructed so that it does not allow passage of a 4-inch sphere under any mesh panel. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches from grade or decking.
4. An attachment device shall attach each barrier section at a height not lower than 45 inches above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye-type latch incorporating a spring actuated retaining lever such as a safety gate hook.
5. Where a hinged gate is used with a mesh fence, the gate shall comply with section 4502.3.
6. Patio deck sleeves such as vertical post receptacles that are placed inside the patio surface shall be of a nonconductive material.
7. Mesh fences shall not be installed on top of onground pools.

4502.2.5 Closely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed 1 ¾ inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ inches in width.

4502.2.6 Widely spaced horizontal members. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members should not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ inches in width.

4502.2.7 Chain link dimensions. The maximum opening formed by a chain link fence shall be not more than 2 ½ inches. Where the fence is provided with slats fastened at the top or the bottom that reduce the openings, such openings shall be not greater than 1 ¾ inches.

4502.2.8 Diagonal members. Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall not be more than 1 ¾ inches. The angle of diagonal members shall not be greater than 45 degrees from vertical.

4502.2.9 Clear zone. There shall be a clear zone of not less than 36 inches between the exterior of the barrier and any permanent structures or equipment such as pumps, filters and heaters that can be used to climb the barrier.

4502.2.10 Poolside barrier setbacks. The pool or spa side of the required barrier shall be not less than 20 inches from the water's edge.

4502.3 Gates. Access gates shall comply with the requirements of Section 4502.3.1, through 4502.3.3 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool or spa, shall be self-closing and have a self-latching device.

4502.3.1 Utility or service gates. Gates not intended for pedestrian use, such as utility or service gates, shall remain locked while not in use.

4502.3.2 Double or multiple gates. Double gates or multiple gates shall have not less than one leaf secured in place and the adjacent leaf shall be secured with a self-closing and self-latching device. The gate and barrier shall not have an opening larger than ½ inch within 18 inches of the latch release mechanism. The self-latching device shall comply with the requirements of Section 4502.3.3.

4502.3.3 Latches. Where the release mechanism of the self-latching device is located less than 54 inches from grade, the release mechanism shall be located on the pool or spa side of the gate not less than 3 inches below the top of the gate, and the gate and barrier shall not have openings greater than ½ inch within 18 inches of the release mechanism.

4502.4 Structure wall as a barrier. Where a wall of a dwelling or structure serves as part of the barrier and where doors provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Doors shall have an alarm that produces an audible warning when the door or its screen is opened. The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017. The alarm system shall be equipped with a manual means, such as touch pad or switch, to temporarily deactivate the alarm for a single opening. The operable parts of the alarm deactivation switch(es) shall be located 54 inches or more above the finished floor.
2. A safety cover that is listed and labeled in accordance with ASTM F 1346 is installed for the pool or spa.
3. An approved means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by item 1 or 2.

4502.5 Onground pool structure as a barrier. An onground pool wall structure or a barrier mounted on top of an onground pool wall structure shall serve as a barrier where all of the following conditions are present:

1. Where only the pool wall serves as the barrier, the bottom of the wall is on grade, the top of the wall is not less than 48 inches above grade for the entire perimeter of the pool and the wall complies with the requirements of Section 4502.2.
2. Where a barrier is mounted on top of the pool wall, the top of the barrier is not less than 48 inches above grade for the entire perimeter of the pool and the wall and the barrier on top of the wall comply with the requirements of Section 4502.2.
3. Ladders or steps used as a means of access to the pool are capable of being secured, locked or removed to prevent access except where the ladder or steps are surrounded by a barrier that meets the requirements of Section 4502.2.
4. Openings created by the securing, locking or removal of ladders and steps do not allow the passage of a 4-inch diameter sphere.
5. Barriers that are mounted on top of onground pool walls are installed in accordance with the pool manufacturer's instructions.

SECTION 4503

DIMENSIONAL DESIGN

4503.1 Floor slope. The slope of the floor from the point of the first slope change to the deep area shall not exceed one unit vertical in three units horizontal (33-percent slope).

Exception: Portable spas and portable exercise spas.

4503.2 Walls. Walls shall intersect with the floor at an angle or transition profile. Where a transitional profile is provided at water depths of 3 feet or less, a transitional radius shall not exceed 6 inches and shall be tangent to the wall and is permitted to be tangent or intersect the floor.

Exceptions:

1. Portable spas and portable exercise spas.
2. Onground storable pools.

4503.3 Shape. This chapter is not intended to regulate the shape of a pool or spa other than to take into account the effect that a given shape will have on the safety of the occupants and to maintain the minimum required level of circulation to ensure sanitation.

SECTION 4504

SUCTION ENTRAPMENT AVOIDANCE

4504.1 General. Suction entrapment avoidance for pools and spas shall be provided in accordance with APSP 7.

Exception: Portable spas and portable exercise spas listed and labeled in accordance with UL 1563 or CSA C22.2 No. 218.1.

SECTION 45057

PUMPS AND MOTORS

4505.1 General. The provisions of this section apply to pumps and motors for pools and spas.

Exceptions:

1. Portable spas and portable exercise spas
2. Ongoing storable pools supplied by the pool manufacturer as a kit that includes a pump and motor that is in accordance with Section 4509.5.

4505.2 Performance. A pump shall be provided for circulation of the pool water. The pump shall be capable of providing the flow required for filtering the pool water and filter cleaning, if applicable, against the total dynamic head development by the complete system.

4505.3 Intake protection. A cleanable strainer, skimmer basket, or screen shall be provided for pools and spas, upstream or as an integral part of circulation pumps, to remove solids, debris, hair and lint on pressure filter systems.

4505.4 Location. Pumps and motors shall be acceptable for inspection and service in accordance with manufacturer's specifications.

4505.5 Safety. The design, construction and installation of pumps and component parts shall be in accordance with the manufacturer's specifications.

4505.6 Isolation valves. Shutoff valves shall be installed on the suction and discharge sides of pumps that are located below the waterline. Such valves shall be provided with access.

SECTION 4506

SKIMMERS

4506.1 General. The provisions of the section apply to skimmers for pools and spas.

Exceptions:

1. Portable spas and portable exercise spas
2. Ongoing storable pools supplied by the pool manufacturer as a kit that includes a pump and motor that is in accordance with Section 4509.5.

4506.2 Required. Either a surface skimming system or perimeter overflow system shall be provided for permanent inground pools and permanent spas. Where installed, surface skimming systems shall be designed and constructed to create a skimming action on the pool water surface when the water level in the pool is within operational parameters.

Exception: Skimmers that are an integral part of a spa that has been listed and labeled in accordance with UL 1563 shall not be required to be listed and labeled in accordance with NSF 50.

4506.3 Equalizers. Equalizers on skimmers shall be prohibited.

4506.4 Hazard. Skimming devices shall be designed and installed so as not to create a hazard to the user.

SECTION 4507

LADDERS AND RECESSED TREADS

4507.1 General. Ladders and recessed treads shall comply with the provisions of this section and the applicable provisions of Sections 4509 through 4512 based on the type of pool or spa.

4507.2 Outside diving envelope. Where installed, steps and ladders shall be located outside of the minimum diving water envelope as indicated in Figure 4507.2.

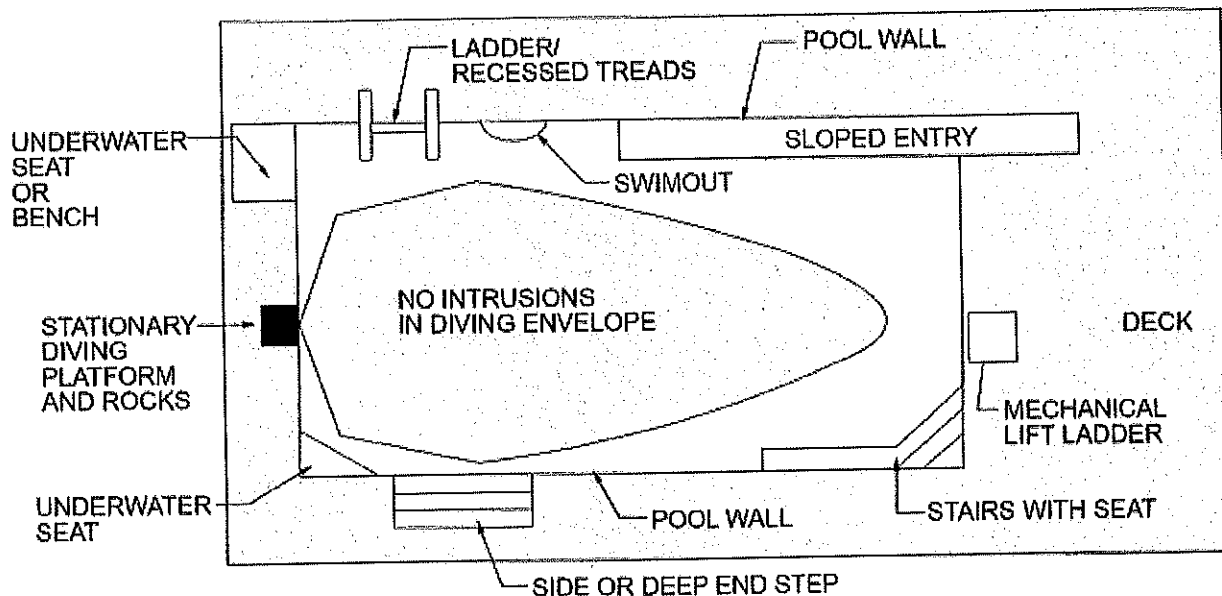


Figure 4507.2
MINIMUM WATER DIVING ENVELOPE

4507.3 Ladders. Ladder treads shall have a uniform horizontal depth of not less than 2 inches. There shall be a uniform distance between ladder treads, with a distance of not less than 7 inches and not greater than 12 inches. The top tread of a ladder shall be located not greater than 12 inches below the top of the deck or coping. Ladder treads shall have slip-resistant surfaces.

4507.3.1 Wall clearance. There shall be a clearance of not less than 3 inches and not greater than 6 inches between the pool wall and the ladder.

4507.3.2 Handrails and handholds. Ladders shall be provided with two handholds or two handrails. The clear distance between ladder handrails shall be not less than 17 inches and not greater than 24 inches.

4507.4 Recessed treads. Recessed treads shall have a minimum depth of not less than 5 inches and a width of not less than 12 inches. The vertical distance between the pool coping edge, deck, or step surface and the uppermost recessed tread shall not be greater than 12 inches. Recessed treads shall have slip-resistant surfaces.

4507.4.1 Vertical spacing. Recessed treads at the centerline shall have a uniform vertical spacing of not less than 7 inches and not greater than 12 inches.

4507.4.2 Drainage. Recessed treads shall drain into the pool.

4507.4.3 Handrails and grab rails. Recessed treads shall be provided with a handrail or grab rail on each side of the treads. The clear distance between handrails and grab rails shall be not less than 17 inches and not greater than 24 inches.

SECTION 4508

SAFETY

4508.1 Handholds required. Where the depth below the design waterline of a pool or spa exceeds 42 inches, handholds along the perimeter shall be provided. Handholds shall be located at the top of deck or coping.

Exception: Handholds shall not be required where an underwater bench, seat or swim out is installed.

4508.1.1 Height above water. Handholds shall be located not more than 12 inches above the design waterline.

4508.1.2 Handhold type. Handholds shall be one or more of the following:

1. Top of pool deck or coping
2. Secured rope
3. Rail
4. Rock
5. Ledge
6. Ladder
7. Stair step
8. Any design that allows holding on with one hand while at the side of the pool.

4508.1.3 Handhold spacing. Handholds shall be horizontally spaced not greater than 4 feet apart.

4508.2 Handrails. Where handrails are installed, they shall conform to this section.

4508.2.1 Height. The top of the gripping surface of handrails for pools and spas shall be 30 inches to 38 inches above the step or finished surface of the slope.

4508.2.2 Material. Handrails shall be made of corrosion-resistant materials.

4508.2.3 Nonremovable. Handrails shall be installed so that they cannot be removed without the use of tools.

4508.2.4 Leading edge distance. The leading edge of handrails for stairs, pool entries and exits shall be located not greater than 18 inches from the vertical face of the bottom riser.

4508.2.5 Diameter. The outside diameter or width of handrails shall be not less than 1 ¼ inches and not greater than 2 inches.

4508.3 Obstructions and entrapment avoidance. There shall not be obstructions that can cause the user to be entrapped or injured. Types of entrapment include, but are not limited to, wedge or pinch-type openings and rigid, nongiving cantilevered protrusions.

SECTION 4509

ONGROUND STORABLE SWIMMING POOLS

4509.1 Scope. This section describes certain criteria for the design, manufacturing, and testing of onground storable pools. This includes portable pools with flexible or nonrigid side walls that achieve their structural integrity by means of uniform shape, support frame or a combination thereof, and that can be disassembled for storage or relocation. This section includes what has been commonly referred to in past standards or codes as onground or above-ground pools.

4509.1.1 Permanent inground swimming pool. This section does not apply to permanent inground pools as defined in section 4510.

4509.2 General. In addition to the requirements of this section, onground storable swimming pools shall comply with the requirements of Sections 4501 through 4508.

4509.3 Installation. Ongoing storable pools shall be installed in accordance with the manufacturer's instructions.

4509.4 Ladders and stairs. Pools shall have a means of entry and exit consisting of not less than one ladder or a ladder and staircase combination.

4509.5 Circulation system. A circulation system consisting of pumps, hoses, tubing, piping, return inlets, suction outlets, filters and other related equipment that provides for the circulation of water throughout the pool shall be located so that such items cannot be used by young children as a means of access to the pool.

4509.5.1 Turnover. A pump including a motor shall be provided for circulation of the pool water.

The equipment shall be sized to provide turnover of the pool water not less than once every 12 hours.

4509.5.2 Pumps. Pool pumps shall be tested and certified by a nationally recognized testing laboratory in accordance with UL 1081.

SECTION 4510

PERMANENT INGROUND SWIMMING POOLS

4510.1 Scope. The provisions of this section shall govern permanent inground swimming pools. Permanent inground swimming pools shall include pools that are partially or entirely above grade. This chapter does not cover pools that are specifically manufactured for above-ground use and are capable of being disassembled and stored. This section covers new construction, modification and repair of inground swimming pools.

4510.2 General. In addition to the requirements of this section, permanent inground pools shall comply with the requirements of Sections 4501 through 4508.

4510.3 Materials of components and accessories. The materials of components and accessories used for permanent inground swimming pools shall be suitable for the environment in which they are installed. The materials shall be capable of fulfilling the design, installation and intended use requirements on the International Residential code.

4510.4 Structural design. The structural design and materials shall be in accordance with the International Residential code.

4510.5 Diving water envelopes. The minimum diving water envelopes shall be in accordance with Table 4510.1 and Figure 4510.1. Negative construction tolerances shall not be applied to the dimensions of the minimum diving water envelopes given in Table 4510.1.

**TABLE 4510.1
MINIMUM DIVING WATER ENVELOPE FOR SWIMMING POOLS**

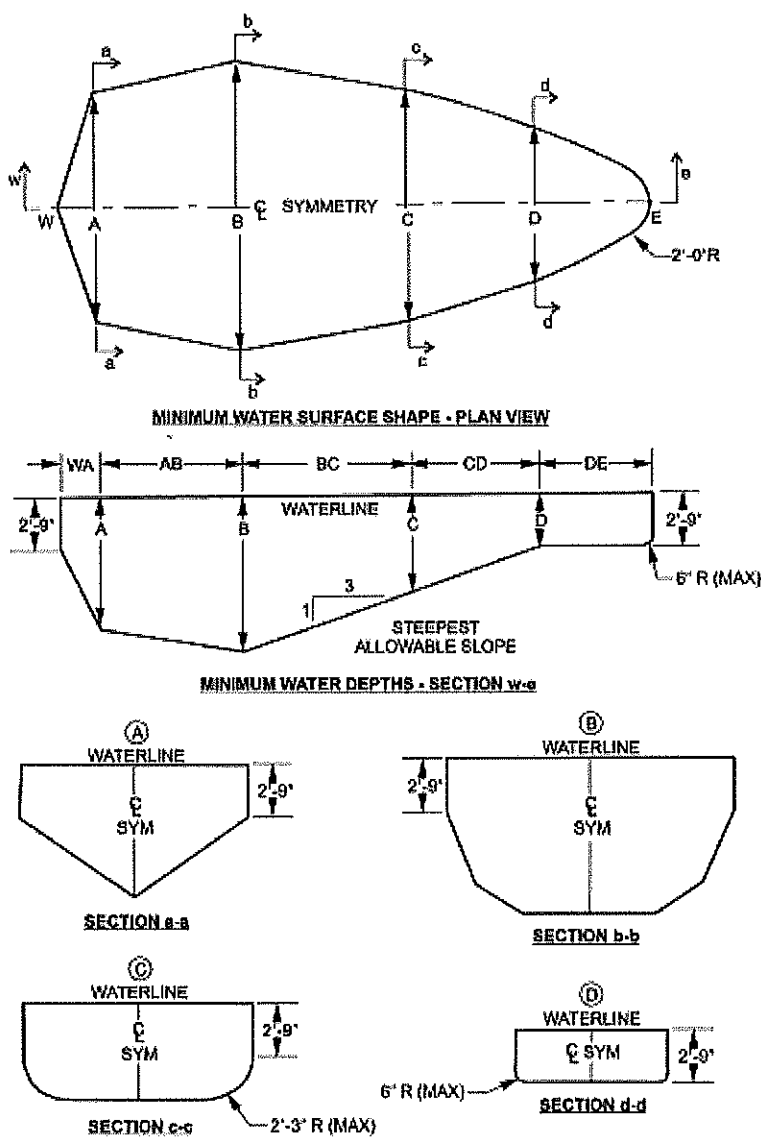
POOL TYPE	MINIMUM DEPTHS AT POINT FEET-INCHES				MINIMUM WIDTHS AT POINT FEET-INCHES				MINIMUM LENGTHS BETWEEN POINTS FEET-INCHES					
	A	B	C	D	A	B	C	D	WA	AB	BC	CD	DE	WE
I	6-0	7-6	5-0	2-9	10-0	12-0	10-0	8-0	1-6	7-0	7-6	Note a	6-0	28-9
II	6-0	7-6	5-0	2-9	12-0	15-0	12-0	8-0	1-6	7-0	7-6	Note a	6-0	28-9
III	6-10	8-0	5-0	2-9	12-0	15-0	12-0	8-0	2-0	7-6	9-0	Note a	6-0	31-3
IV	7-8	8-0	5-0	2-9	15-0	18-0	15-0	9-0	2-6	8-0	10-6	Note a	6-0	31-3
V	8-6	9-0	5-0	2-9	15-0	18-0	15-0	9-0	3-0	9-0	12-0	Note a	6-0	36-9

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

a. The minimum length between points C and D varies based on water depth at point D and the floor slope between points C and D.

b. See Figure 804.1 for location of points.

**FIGURE 4510.1
MINIMUM DIVING WATER ENVELOPE**



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

4510.6 Walls. Walls in the shallow area and deep area of the pool shall have a wall-to-floor transition point that is not less than 33 inches below the design waterline. Above the transition point, the walls shall be within 11 degrees of vertical.

4510.7 Offset ledges. Offset ledges shall be not greater than 8 inches in width.

4510.7.1 Reduced width required. Where an offset ledge is located less than 42 inches below the design waterline, the width of such ledge shall be proportionally less than 8 inches in width so as to fall within 11 degrees of vertical as measured from the top of the design waterline.

4510.8 Floor slopes. Floor slopes shall be in accordance with Sections 4510.8.1 through 4510.8.3.

4510.8.1 Shallow end. The slope of the floor from the beginning of the shallow end to the deep area floor slope transition point, indicated in Figure 4510.1 as point E to Point D, shall not exceed 1 unit vertical in 7 units horizontal.

4510.8.2 Shallow to deep transition. The shallow to deep area floor slope transition point, indicated in Figure 4510.1 as Point D, shall occur at a depth of not less than 33 inches below the design waterline and at a point not less than 6 feet from the beginning of the shallow end, indicated in Figure 4510.1 as Point E.

4510.8.3 Deep end. The slope of the floor in the deep end, indicated in Figure 4510.1 as Point B to Point D, shall not exceed a slope of 1 unit vertical in 3 units horizontal.

4510.8.4 Shallow end water depths. The design water depth as measured at the shallowest point in the shallow area shall be not less than 33 inches and not greater than 4 feet.

4510.9 Diving equipment. Manufactured diving equipment shall be designed for swimming pool use.

4510.9.1 Installation. Where manufactured diving equipment is installed, the installation shall be located in the deep area of the pool so as to provide the minimum dimensions as shown in Table 4510.1, and shall be installed in accordance with the manufacturer's instructions.

4510.9.2 Labeling. Manufactured diving equipment shall have a permanently affixed label indicating the manufacturer's name and address, the date of manufacture, the minimum diving envelope and the maximum weight limitation.

4510.9.3 Slip resistant. Diving equipment shall have slip-resistant walking surfaces.

4510.9.4 Point A. for the application of Table 4510.1, Point A shall be the point from which all dimensions of width, length and depth are established for the minimum diving envelope. If the tip of the diving board or diving platform is located at a distance of WA or greater from the deep end wall and the water depth at that location is equal to or greater than the water depth requirement at Point A, then the point on the water surface directly below the center of the tip of the diving board or diving platform shall be identified as Point A.

4510.9.5 Location of pool features in a diving pool. Where a pool is designed for use with diving equipment, the location of steps, pool stairs, ladders, underwater benches, special features and other accessory items shall be outside of the minimum diving water envelope as indicated in Figure 4507.2.

4510.9.6 Stationary diving platforms and diving rocks. Stationary diving platforms and diving rocks built on-site shall be permitted to be flush with the wall and shall be located in the diving area of the pool. Point A shall be in front of the wall at the platform or diving rock centerline.

4510.9.7 Location. The forward tip of manufactured or fabricated diving equipment shall be located directly above Point A as defined by Section 4510.9.4.

4510.9.8 Elevation. The maximum elevation of a diving board above the design waterline shall be in accordance with the manufacturer's instructions.

4510.9.9 Minimum water envelope. Manufactured diving equipment installation and the use instructions shall be provided by the diving equipment manufacturer and shall specify the minimum water dimensions required for each diving board and diving stand combination. The board manufacturer shall indicate the water envelope type by dimensionally relating their products to Point A on the water envelopes as shown in Figure 4510.1 and Table 4510.1.

4510.9.10 Platform height above waterline. The height of a stationary diving platform or diving rock above the design waterline shall not exceed the dimensions in Table 4510.9.

**TABLE 4510.9
DIVING PLATFORM OR APPURTENANCE HEIGHT ABOVE DESIGN WATERLINE**

POOL TYPE	HEIGHT INCHES
I	42
II	42
III	50
IV	60
V	69

For SI: 1 inch = 25.4 mm.

4510.9.11 Headroom above the board. The diving equipment manufacturer shall specify the minimum headroom required above the board tip.

4510.10 Slides. Slides shall be installed in accordance with the manufacturer's instructions.

4510.11 Entry and exit. Pools shall have a means of entry and exit in all shallow areas where the design water depth of the shallow area at the shallowest point exceeds 24 inches. Entries and exits shall consist of one or a combination of the following: steps, stairs, ladders, treads, ramps, beach entries, underwater seats, benches, swimouts and other approved designs. The means of entry and exit shall be located on the shallow side of the first slope change.

4510.12 Secondary entries and exits. Where water depth in the deep area of the pool exceeds 5 feet, a means of entry and exit as indicated in Section 4510.11 shall be provided in the deep end of the pool.

Exception: Where the required placement of a means of exit from the deep end of a pool would present a potential hazard, handholds shall be provided as an alternative for the means of exit.

4510.13 Over 30 feet in width. Pools over 30 feet in width at the deep area shall have an entry and exit on both sides of the deep area of the pool.

4510.14 Pool stairs. The design and construction of stairs into the shallow end and recessed pool stairs shall conform to Sections 4510.14.1 through 4510.14.3.

4510.14.1 Tread dimension and area. Treads shall have a minimum unobstructed horizontal depth of 10 inches and a minimum unobstructed walking surface area of 240 square inches.

4510.14.2 Riser heights. Risers, other than the top and bottom riser, shall have a uniform height of not greater than 12 inches. The top riser height shall be any dimension not exceeding 12 inches for the width of the walking surface. The bottom riser height shall be any dimension not exceeding 12 inches. The top and bottom riser heights shall not be required to be equal to each other or equal to the uniform riser height. Riser heights shall be measured at the horizontal centerline of the walking surface area.

4510.14.3 Additional steps. In design water depths exceeding 48 inches, additional steps shall not be required.

4510.15 Maximum depth. The horizontal surface of underwater seats, benches and swimouts shall not be greater than 20 inches below the design waterline.

4510.16 Turnover rate. The circulation system equipment shall be sized to provide a turnover of the pool water not less than once every 12 hours.

SECTION 4511

PERMANENT SPAS AND EXERCISE SPAS

4511.1 Scope. This section shall govern the design, installation, construction and repairs of permanently installed spas and exercise spas.

4511.2 General. In addition to the requirements of this section, permanent spas shall comply with the requirements of Sections 4501 through 4508.

4511.3 Pumps and motors. Pumps and motors shall be listed and labeled for use in spas.

4511.4 Water depth. The maximum water depth for spas shall be 4 feet measured from the design waterline except for spas that are designed for special purposes and approved by the authority having jurisdiction. The water depth for exercise spas shall not exceed 6 feet 6 inches measured from the design waterline.

4511.5 Multilevel seating. Where multilevel seating is provided, the maximum water depth of any seat or sitting bench shall be 28 inches measured from the design waterline to the lowest measurable point.

4511.6 Floor slope. The slope of the floor shall not exceed 1 unit vertical in 12 units horizontal (8.3-percent slope). Where multilevel floors are provided, the change in depth shall be indicated.

4511.7 Emergency shutoff switch. One emergency shutoff switch shall be provided to disconnect power to circulation and jet system pumps and air blowers. Emergency shutoff switches shall be accessible, located within sight of the spa and shall be located not less than 5 feet but not greater than 10 feet horizontally from the inside walls of the spa.

4511.8 Water temperature controls. Components provided for water temperature controls shall be suitable for the intended application.

4511.8.1 Water temperature regulating controls. Water temperature regulating controls shall comply with UL 873 or UL 372. A means shall be provided to indicate the water temperature in the spa

Exception: Water temperature regulating controls that are integral to the heating appliance and listed in accordance with the applicable end use appliance standard.

SECTION 4512

PORTABLE SPAS AND EXERCISE SPAS

4512.1 Scope. This section shall govern the design, installation, construction and repairs of portable installed spas and exercise spas.

4512.2 General. In addition to the requirements of this section, portable spas shall comply with the requirements of Sections 4501 through 4508.

4512.3 Listing. Equipment and appliances shall be listed and labeled, and installed as required by the terms of their approval, in accordance with the conditions of the listing, the manufacturer's instructions and this code.

4512.4 Certification. Factory-built portable spas and exercise spas shall be listed and labeled in compliance with UL 1563 or CSA C22.2 No. 218.1

4512.5 Installation. Spa equipment shall be supported to prevent damage from misalignment and settling in accordance with the manufacturer's instructions.

4512.6 Access. Electrical components that require placement or servicing shall be accessible.

SECTION II: That Chapter 458: Swimming Pools, is hereby repealed in its entirety.

SECTION III: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provide by law.

DATED at Crystal Lake, Illinois, this 6th day of March, 2018.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

CITY CLERK

PASSED: March 6, 2018

APPROVED: March 6, 2018

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.

DRAFT



The City of Crystal Lake Illinois

**AN ORDINANCE AMENDING CHAPTER 251: FIRE CODE OF THE CODE
OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE
CITY OF CRYSTAL LAKE** as follows:

SECTION I: That CHAPTER 251 FIRE CODE shall be amended as follows

(deletions are designated by strikethroughs additions are added by red and underline):

Chapter 251: Fire Code

[History: Adopted by the City Council of the City of Crystal Lake 2-20-2007 by Ord. No. 6161; amended in its entirety 6-17-2008 by Ord. No. 6376. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Alarms-See Ch. 154.

Building Code-See Ch. 187.

Numbering of Buildings-See Ch. 192.

Electrical Code-See Ch. 230.

Fuel Gas Code-See Ch. 264.

Housing Code-See Ch. 301.

Mechanical Code-See Ch. 336.

Plumbing Code-See Ch. 392.

§ 251-1. Adoption of standards by reference.

The 2018 International Fire Code and amendments thereto, published by the International Code Council, Inc., Falls Church, Virginia, shall be and is hereby adopted by reference as the Fire Code for the City of Crystal Lake for all buildings and structures. All terms and conditions contained in the 2018 International Fire Code, and amendments thereto, published by the International Code Council, Inc., Falls Church, Virginia, shall be part of the Code of the City of Crystal Lake the same as if it was adopted verbatim.

SECTION II: That CHAPTER 251 FIRE CODE Section 251-2 Additions,
insertions, and amendments shall be amended as follows (deletions are designated by
strikethrough, additions are added by underline).

§ 251-2. Additions, insertions and amendments.

The following sections or chapters of the International Fire Code are hereby revised and amended as follows:

- (1) **Section 101.1:** Insert City of Crystal Lake as the name of jurisdiction.
- (2) **Section 101.2.1, Appendices,** shall be amended as follows:
 - (a) Appendix B, C, E, F, G, H, and I are adopted in entirety.
 - (b) Appendix D is adopted in entirety with the following amendments:
 - [1] D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 28 feet (back of curb to back of curb). See Figure D103.1.
 - [2] D103.6.1 Roads 20 feet to 24 feet in width. Fire apparatus access roads 20 feet wide up to but less than 24 feet wide (back of curb to back of curb) shall be posted on both sides as a fire lane.
 - [3] D103.6.2 Roads 24 feet to 28 feet in width. Fire apparatus access roads 24 feet wide up to but less than 28 feet wide (back of curb to back of curb) shall be posted on one side of the road as a fire lane.
 - [4] D103.6.3 Roads more than 28 feet in width. Fire apparatus access roads greater than or equal to 28 feet wide (back of curb to back of curb) shall not be required to post either side as a fire lane.
 - (c) Appendix N is adopted in entirety with the following amendment:
 - [1] N101.1.2, **Sprinklered buildings,** is deleted in its entirety.
- (3) **Section 102.4, Application of Building Code,** is amended as follows: The design and construction of new structures shall comply with the Crystal Lake Building Code, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the Crystal Lake Building Code, shall be made in accordance therewith. References within this code to the International Building Code shall be to the adopted Crystal Lake Building Code.
- (4) **Section 102.7, Referenced Codes and Standards,** is amended as follows: The codes and standards referenced in this code shall be the most current editions available of those that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.
- (5) **Section 109.1, Board of Appeals Established,** is amended as follows: In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official relative to the application and interpretation of this code, all appeals shall be made to the City's Administrative Law Judge.
- (6) **Section 109.2, Limitations of Authority,** is amended as follows: An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The City's Administrative Law Judge shall have no authority to waive requirements of this code.
- (7) **Section 109.3, Qualifications,** shall be and the same is hereby deleted.

- (8) **Section 110.4, Violation Penalties**, is amended as follows: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this code, shall be fined not less than \$100, nor more than \$500 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.
- (9) **Section 112.4, Failure to Comply**, is amended as follows: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties by a fine of not less than \$100, nor more than \$500 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.
- (10) **Section 202, General Definitions**, the following definition is amended: **High-Rise Building**. A high-rise building shall be a building with an occupied floor located more than 55 feet above the lowest level of fire department vehicle access, which may contain any use group classification or combination of use group classifications. (References to 75 feet for high-rise buildings shall refer back to the revised definition of 55 feet).
- (11) **Section 307.4.3, Portable Outdoor Fireplaces**, is amended as follows: **Exception** is deleted in its entirety.
- (12) **Section 503.4, Obstruction of Fire Apparatus Access Roads**, is amended to add the following: Any person found guilty of violating the provisions of this subsection shall be fined as set forth in Chapter 248, Fines. In addition to the fine, all tickets paid more than 30 days after issuance shall incur a late payment administrative fee charge as set forth in Chapter 248, Fines.
- (13) **Section 506.2.1, Exterior Access Doors**, is added as follows: Where required by the Fire Code Official exterior doors shall be keyed alike.
- (14) **Section 506.2.2, Additional Key Sets**, is added as follows: For larger buildings additional keys may be required by the Fire Code Official for the key box.
- (15) **Section 606.1.1, Elevator Car to Accommodate Ambulance Stretcher**, is added as follows:

Where elevators are provided in buildings, at least one elevator shall be provided for Fire Department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate a 24-inch by 84-inch (610 mm by 1930 mm) ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway doorframe.

Exceptions:

1. Existing buildings requiring installation of an elevator to meet accessibility requirements of Chapter 11 of the adopted City of Crystal Lake Building Code, with travel distance no greater than one floor above or below grade.
 2. Single- and two-family detached homes.
- (16) **Section 901.2.2, Sprinkler System Hydraulic Nameplate**, is added as follows: By each hydraulically calculated area, on each drawing, provide a copy of the hydraulic nameplate.

(17) **Section 901.4, Installation**, is amended as follows: Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards. All Chapter 9 references to NFPA standards are to be considered part of this code.

(18) **Section 901.6.3, Records**, is amended as follows: Records of all system inspections, test, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years. Contractors performing system inspections, testing, and maintenance shall submit all records electronically only through the online reporting system established by the Third-Party Inspection Reporting Company approved by the City Council and contracted by the City of Crystal Lake to provide Third Party Inspection Reporting Services. In the event that the online reporting system has not yet been established at the time that the test report is due, such report shall be submitted to the City, directly.

Each contractor performing system testing, inspection, and maintenance, and reporting through the online system will be required to pay a filing fee to the Third Party Inspection Reporting Company. The filing fee shall be in such amount as is approved pursuant to the contract entered into between Third Party Inspection Reporting Company and the City. The filing fee shall be paid directly to the Third Party Inspection Reporting Company. The contractor submitting the records may elect to absorb the filing fee for competitive marketing purposes or pass the fee along to the property owner.

(19) **Section 901.6.3.2, Required Test Certificate Submission**, is added as follows:

Records of the following tests shall be submitted to the contracted Third-Party Inspection Reporting company as stated in Section 901.6.3. Tests shall be completed by a qualified person.

- 901.6.3.2.1 Annual test of the Fire Sprinkler System (Wet, Dry, Pre-Action/Deluge)
- 901.6.3.2.2 Annual test of the Fire Alarm System
- 901.6.3.2.3 Six month test of Kitchen Hood Extinguishing Systems
- 901.6.3.2.4 Annual Standpipe Inspection
- 901.6.3.2.5 Annual test of the Special Suppression (Clean Agent) System
- 901.6.3.2.6 Annual test of a Fire Pump
- 901.6.3.2.7 Annual test of a Spray Booth Fire Suppression System
- 901.6.3.2.8 Annual test of an Emergency Generator
- 901.6.3.2.9 Annual Active Smoke Control System Test
- 901.6.3.2.10 Annual Foam System Inspection
- 901.6.3.2.11 Annual Private Hydrant System Inspection
- 901.6.3.2.12 5-Year Obstruction/Internal Inspection of the Fire Sprinkler System
- 901.6.3.2.13 5-Year Standpipe Hydrostatic Test
- 901.6.3.2.14 5-Year Fire Escape Inspection

(20) **Section 903.2, Where Required**, is amended as follows:

Approved automatic sprinkler systems in new buildings and structures shall be provided in all Use Groups.

Exceptions:

1. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided that those spaces or areas are equipped throughout with an automatic fire alarm system

in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with Section 707 of the International Building Code or not less than 2-hour horizontal assemblies constructed in accordance with Section 711 of the International Building Code, or both.

2. Single- and Two-Family Detached Homes (Townhomes and attached single-family homes with 3 or more units in a structure shall require an automatic sprinkler system).
3. Normally unoccupied structures such as sheds, garages and cell towers where approved by the Fire Code Official.
4. Buildings approved by the Fire Code Official due to special circumstances such as available water supply, temporary use, or location.

(21) **Section 903.2.13, Existing Buildings**, is added as follows:

Automatic sprinkler systems shall be installed in existing buildings in accordance with this section and Section 1103.5 Sprinkler Systems.

Exception: Single- and Two-Family Detached Homes excluding townhomes or multifamily homes with three or more units.

903.2.13.1 Change of Use. An approved automatic sprinkler system shall be installed in existing buildings with a change of use group or change of division within a use group where required by this code or the Building Code in the locations described in Sections 903.2.1 through 903.2.12.

903.2.13.2 Additions. Every existing building, except for one- and two-family detached dwellings, when expanding the total square footage to 5,000 square feet or more, shall have an approved automatic sprinkler system installed as required in Section 903.2 regardless of fire area, fire partitions, or firewalls that are present or proposed.

903.2.13.3 Remodeling, Repairs or Alterations. An existing building or portion thereof greater than 5,000 square feet, which does not comply with the requirements of this code for new construction, shall not be altered or repaired in such a manner that results in the building being less safe than such building is currently. If, in the alteration or repair, the current level of safety is to be reduced, the building altered or repaired shall conform to the requirements for new construction. To determine if the alteration or repair reduces the current level of safety the evaluation process and scoring in Chapter 4 of the International Existing Building Code shall be utilized.

903.2.13.4 Buildings with Automatic Sprinkler Systems. Additions to buildings with an installed automatic sprinkler system shall install an approved automatic sprinkler system into the addition regardless of fire area, fire partitions, or firewalls that are present or proposed.

903.2.13.5 Apartments to Condominiums Conversions. All apartments to condominiums conversions shall require an automatic sprinkler system to be installed in accordance with Section 903.3.

(22) **Section 903.3, Installation Requirements**, is amended as follows: Automatic sprinkler systems shall be designed and installed in accordance with Sections 903.3.1 through 903.3.8.

(23) **Section 903.3.5, Water Supplies**, is amended as follows: Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the Illinois State Plumbing Code. For connections to public waterworks systems, the water supply test used for design of fire protection systems shall be adjusted to account for seasonal and daily pressure fluctuations based on information from the water supply authority and as approved

by the fire code official. Hydrant water flow data used for the design of any sprinkler system shall be not more than 1 year old. Flow testing of the City of Crystal Lake's water supply system for this purpose is the responsibility of the property owner. The City of Crystal Lake's Water Division shall be the sole operators of the City's fire hydrants during a flow test.

(24) **Section 903.3.7.1, Hydrant for use with Fire Department Connection**, is added as follows: Unless approved by the Fire Code Official, a fire hydrant shall be located within a 100' distance of the fire department connection for use by the fire department. The hydrant shall be located no closer than a distance of 1.5 times the building height.

(25) **Section 903.3.9, Warehouse Buildings Use Groups S or F**, is added as follows: Provide all spec warehouse buildings (Use groups S or F) with a ceiling roof height of 25 feet or greater to be protected with an ESFR fire sprinkler system or a hydraulically calculated system for class IV commodities with rack storage calculated to the greatest storage height.

(26) **Section 903.3.9.1, Hose Valves**, is added as follows:

In all warehouse storage areas exceeding 30,000 square feet, and where storage exceeds 12' high, provide inside 2½" fire hose valves. Locate the hose valves at each door entrance to the warehouse and/or storage area. Provide additional 2½" fire hose valves so that no portion of the warehouse and/or storage area is more than 120' maximum travel distance to a fire hose valve. Show the location of all obstructions and/or racks on the drawing.

Where Hose Valves are required, the following shall apply:

- a. A total water allowance of 50 gpm for a single hose valve station installation shall be added to the sprinkler requirements.
- b. A total water allowance of 100 gpm for a multiple hose valve station installation shall be added to the sprinkler requirements.
- c. The water allowance shall be added in 50-gpm increments beginning at the most remote hose valve station, with each increment added at the pressure required by the sprinkler system design at that point.

The fire hose valves system piping shall be:

- d. A separate riser piping system.
- e. The 2 ½ " valves shall be supplied by a minimum of 4" pipe with 2 ½ " drops to each valve.
- f. Where system pressures exceed 100 psi provide a reduced pressure field adjustable type valves.

(27) **Section 903.3.10, Fire Sprinkler System Inspectors Test Valves**, is added as follows: Shall be accessible at all times and located no more than 6 feet above the finished floor. On multiple riser systems, test valves shall be marked as to which riser and area it tests.

(28) **Section 903.3.11, Additional Fire Detection**, is added as follows: Where automatic sprinklers provide protection to an area with an approved flow switch interconnected to the fire alarm system, and the area is easily identifiable as to the location of the activation, additional automatic fire detection is not required. When a building has numerous rooms protected by a zoned sprinkler system, the Fire Code Official may require additional smoke detection for a rapid means to identify the location of smoke or fire.

(29) **Section 903.3.12, Safety Factor**, is added as follows: Provide a minimum 10% or 5 psi safety factor in the fire protection system hydraulic calculation. The system demand shall be 5-psi minimum below the seasonal low water flow test supply.

(30) **Section 903.4.1, Monitoring**, is amended as follows:

903.4.1 Monitoring. Alarm, supervisory, and trouble signals shall be distinctly different and shall be automatically transmitted to an approved remote supervising station as defined in NFPA 72 or, when approved by the Fire Code Official, shall sound an audible signal at a constantly attended location. The remote supervising station shall be the City's dispatch center. The method of connection shall be the CLWAN.

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

(31) **Section 903.4.2.1, Alarms**, is added as follows: An outdoor weather resistant 24-volt audio/visual device (Horn/Strobe) shall be installed above the fire department connection and powered by the fire alarm control panel.

(32) **Section 903.7, Occupant Notification**, is added as follows: Existing buildings with an installed automatic sprinkler system shall meet the minimum requirements for occupant notification as required in NFPA 72 with change of use or occupancy.

(33) **Section 907.2, Where Required-New Buildings and Structures**, is amended as follows:

An approved manual, automatic or manual and automatic fire alarm system shall be provided in all Use Groups unless approved by the Fire Code Official. Specific occupancy requirements in Section 907.2.1 through 907.2.23 shall be applicable. All fire alarm control panels shall be installed in a location approved by the Fire Department. All fire alarm systems shall be of the addressable type and shall be installed per NFPA 72.

Exceptions:

1. As specified in section 907.2.6 of this code.
2. Single- and two-family homes shall meet the requirements of the International Residential Building Code.

An approved manual fire alarm system shall be installed in all Use Groups provided with an automatic sprinkler system, and in accordance with NFPA 72. An approved automatic fire detection system shall be installed in all Use Groups, not provided with an automatic sprinkler system, and in accordance with NFPA 72. Devices, combination of devices, appliances, and equipment shall comply with Section 907.1.3. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where during normal operation products of combustion are present in sufficient quantity to activate a smoke detector. A reduction of requirements is prohibited unless approved by the Fire Code Official.

(34) **Section 907.2.12, High-rise Buildings**, is amended as follows:

High-rise buildings with a floor used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system

and automatic smoke detection system in accordance with Section 907.2.12.1, a fire department communication system in accordance with Section 907.2.12.2, and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

Exceptions:

1. Airport traffic control towers in accordance with Section 907.2.21 and Section 412 of the International Building Code.
2. Open parking garages in accordance with Section 406.5 of the International Building Code.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.5 of the International Building Code.
4. Low-hazard special occupancies in accordance with Section 503.1.1 of the International Building Code.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415 of the International Building Code.
6. In Group I-1 and I-2 occupancies, the alarm shall sound at a constantly attended location and occupant notification shall be broadcast by the emergency voice/alarm communication system.

(35) **Section 907.2.12.3, Multiple-Channel Voice Evacuation**, is amended as follows: In buildings with an occupied floor more than 55 feet above the lowest level of fire department vehicle access, voice evacuation systems for high-rise buildings shall be multiple-channel systems.

(36) **Section 907.5.2.3, Visible Alarms**, is amended as follows: Exception #1 is deleted in its entirety.

(37) **Section 907.5.2.3.1, Public Use Areas and Common Use Areas**, is amended as follows: **Exception** is deleted in its entirety.

(38) **Section 907.6.4.2, High-rise Buildings**, is amended as follows:

In buildings with a floor used for human occupancy that is located more than 55 feet above the lowest level of Fire Department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water-flow devices.
3. Manual fire alarm boxes.
4. Other approved types of automatic fire detection devices or suppression systems.

(39) **Section 907.6.6, Monitoring**, is amended as follows:

907.6.6 Monitoring. Fire alarm systems required by this chapter or by the International Building Code or non-required systems shall be automatically transmitted to an approved remote supervising station in accordance with NFPA 72. The remote supervising stations shall be the City's dispatch center. The method of connection shall be the CLWAN.

Exception: Monitoring by a remote supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

(40) **Section 918, Fire System Room Requirements**, is added as follows:

918.1 Fire Equipment Room. New Buildings or structures with required fire protection or

detection equipment shall require a separate room for installed controls of fire protection or detection equipment unless approved by the Fire Code Official.

918.2 Access. An outside access door is required for use by Fire Department personnel into the Fire Equipment Room when required.

918.2.1 Approved Walk. An approved walk is required for access to the room.

918.3 Room Dimensions. Room Dimensions shall not be less than 6 feet by 8 feet. Access aisles of 36 inches shall be maintained to fire protection and detection controls and equipment. All controls shall be accessible to firefighters in full gear.

918.4 Separation. The room shall have a minimum 1-hour wall separation from the rest of the building. Where required by other sections of this code, additional separation will be required.

918.5 Document Storage. Document storage devices shall be placed near the panel and be placarded or marked "Fire Prevention Documents, Do Not Remove". Storage devices shall meet the minimum requirements unless approved by the Fire Code Official: Cabinet is to be no less than (1) 14 inches high by 14 inches wide by 4 ½ inches deep; or (2) four-inch diameter three-foot long PVC pipe with both ends capped, with one being a screw-off end.

918.5.1 Required Documents. The following approved fire protection or detection system documentation is required within the document storage device:

1. Fire Alarm Systems
 - a. Approved As-Built Plans
 - b. Sequence of Operation
 - c. Battery and Circuit calculations
2. Fire Sprinkler Systems
 - a. Approved As-Built Plans
 - b. Cut sheets of all sprinkler head types installed in system
 - c. Hydraulic Calculations
3. Other Protection Systems
 - a. Approved As-Built Plans
 - b. Flow point chart or diagrams if applicable
 - c. Other documentation as required by the code official.

918.6 Fire Alarm Control Panel Location. The Fire Alarm Control Panel top shall not be mounted more than 6 feet from the floor and a working space of 30" by 36" by 78" shall be provided in front of panel. The Fire Alarm Control Panel shall not be blocked by the sprinkler system. A separate dedicated circuit is required with lockout for Fire Alarm equipment.

918.7 Room Heaters. A heater shall be provided in rooms with sprinkler controls to prevent freezing. Heaters shall be rheostat controlled with all power switches locked out.

918.8 Low Temperature Supervisory Alarm. Rooms with sprinkler controls require a low temperature warning device to be installed. Device shall send a supervisory signal to the fire alarm control panel when temperature in the room drops below 40 degrees Fahrenheit. Low temperature alarm shall be non-latching.

918.9 Sprinkler Floor Drain. Rooms with sprinkler controls require the Main drain to be piped to the appropriate sized floor drain or directly to the exterior with no obstructions.

(41) **Section 3106.5.2, Protection,** is amended as follows: Cooking equipment using combustible oils or solids shall meet the following:

1. A noncombustible lid shall be immediately available. The lid shall be of sufficient size to cover the cooking well completely.
 2. The equipment shall be placed on a noncombustible surface.
 3. An approved portable fire extinguisher for protection from cooking grease fires shall be provided at a location approved by the Fire Code official.
 4. Fire extinguishers with a minimum 2A-10BC rating shall be required and accessible for immediate use in all cooking areas in accordance with Section 906 of this code.
- (42) **Section 3106.5.4, Cooking Clearance**, is added as follows: A minimum clearance of 30 inches shall be provided between the public and any heat producing devices to ensure children or adults do not receive severe burns.
- (43) **Section 3107.4.1, Deep Fryers**, is added as follows: Open flame shall be kept a minimum of 2 feet from the surface of any deep fryers or similar equipment using oils for cooking.

SECTION III: That this Ordinance shall be in full force and effect from and after its passage and approval according to law.

SECTION IV: That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 6th day of March, 2018.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PASSED: _____

APPROVED: _____

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Agenda Item No: 15

**City Council
Agenda Supplement**

Meeting Date: February 20, 2018

Item: Building Permit Fee Code Update

Recommendation:

1. Motion to adopt an Ordinance revising Section 241, Fees, of the City Code.
2. Motion to adopt a resolution adopting the August 2017 Building Valuation Data as published by the International Code Council for the basis of calculating permit fees for the construction of new buildings.

Staff Contact: Michelle Rentzsch, Director of Community Development
Mike Magnussen, Building Commissioner

Background: For over 25 years, the permit fees have not been reviewed or adjusted. In 2014, the Building Division introduced a tiered flat fee structure for common types of permits, such as roofs, fences, and siding. These have worked very well to simplify and respond to our customers' number one request, which is an estimate of what their permit fee will be.

In response to the feedback received at the February 20, 2018, City Council meeting, the proposed increases to residential alteration fees have been scaled back with a proposed small increase and then subject to the CPI. To summarize the proposed changes:

- New Construction permit fees would be based on the ICC chart with a market adjustment that lowers the permit fee to area costs.
- The chart provides a rationale method for our customers to calculate their permit fee.
- The multiplier is not based on the Building Department's budget, but is designed to help the local municipality adjust for area conditions so that the permit fee corresponds to the local market.

Example residential and commercial new construction using the ICC chart.

Project	Existing Permit Fee	Proposed Permit Fee
2,500 SF HOME	\$1,992.97	\$2,087.21
5,000 SF RESTAURANT	\$2,160.87	\$3,698.13

A customer can calculate their building permit fee with a simple calculation.
 Permit Fee = Square Feet X Permit Fee Multiplier X Square Foot Construction Cost

Example

Type of Construction: R-3, one and two family

Area: 2,000 sq. ft.

Permit Fee Multiplier = 0.007

Use Group: VB

Gross area: 2,000 square feet X permit fee multiplier 0.007 X 113.85 = permit Fee \$1,593.90

- The ICC chart is adopted by resolution by the City Council. It could be adopted by the City Council every year or at whatever schedule the City Council would like to follow.
- The ICC chart automatically includes adjustments for inflation and cost increases.

As an example, ICC chart for a single family house has increased by 2.19% between 2014 and 2017. The construction cost per square foot of a residential house in August of 2014 was \$111.36; the August 2017 cost, which is the most recent published by ICC, is \$113.85.

- Building Alterations would be based on valuation as the primary factor plus each trade and adjusted by the CPI each year.

Example residential alteration projects.

Improvement	Current Fee	Fee Effective May 1, 2018,	Fee Effective May 1, 2019 ¹
Basement remodel electrical work (1,290 sf, \$10,000 valuation)	\$91.25	\$115.00	\$117.30
Basement remodel electrical, heating and plumbing (1,388 sf, \$32,000 valuation)	\$220.75	\$263.00	\$268.26
Bathroom remodel, plumbing work, (100 sf, \$7,400 valuation)	\$88.25	\$95.00	\$96.90
Kitchen remodel electric work (159 sf, \$9,700 valuation)	\$91.25	\$95.00	\$96.90
Bump up remodel electrical, heating, and plumbing (350 sf, \$20,000 valuation)	\$157.75	\$175.00	\$178.50

¹. Adjusted due to CPI. Assumes a CPI 2%

- Tier 1, 2 and 3 permits, our most common permits, would be adjusted as shown below.

Improvement	Current Fee	Fee Effective May 1, 2018	Fee Effective May 1, 2019	Fee Effective May 1, 2020	Fee Effective May 1, 2021	Fee Effective May 1, 2022 ¹
Tier 1 Water Heater 1 inspection	\$30	\$35	\$40	\$45	\$50	\$51.00
Tier 2 Fence 2 inspections	\$35	\$40	\$45	\$50	\$55	\$56.10
Tier 3 – Deck 3 inspections	\$45	\$50	\$55	\$60	\$65	\$66.30

¹ Flat fees subject to CPI Adjustment after 2021. Assumes a CPI 2%

Based on the proposed changes, the City's permit fees would still be at the average or below average of our surrounding communities. Below is a table that summarizes this information.

Municipality	5,000 sq ft restaurant	Four bedroom 2,000 sf house	Multifamily apartment building 8 Units	10,000 sq ft office building	30,000 sq ft industrial building	25,00 sq ft tenant building out (vanilla box)	1,500 sq ft attached townhouse (row home)
Algonquin	\$ 6,196	\$ 2,300	\$ 7,936	\$ 10,360	\$ 17,492	\$ 665	\$ 2,133
Huntley	\$ 2,482	\$ 2,889	\$ 13,271	\$ 4,594	\$ 12,594	\$ 513	\$ 2,279
Lake In The Hills	\$ 3,403	\$ 1,677	\$ 6,933	\$ 6,628	\$ 19,653	\$ 1,000	\$ 1,267
McHenry	\$ 906	\$ 692	\$ 2,995	\$ 1,456	\$ 2,162	\$ 707	\$ 567
Cary	\$ 2,565	\$ 1,455	\$ 7,148	\$ 6,415	\$ 6,255	\$ 230	\$ 1,535
Fox River Grove	\$ 5,496	\$ 2,348	\$ 9,147	\$ 9,422	\$ 25,575	\$ 1,354	\$ 1,976
Lakewood	\$ 6,883	\$ 1,192	\$ 5,977	\$ 11,007	\$ 21,600	\$ 4,824	\$ 912
Marengo	\$ 4,550	\$ 2,725	\$ 7,993	\$ 7,825	\$ 14,825	\$ 2,475	\$ 2,630
Woodstock	\$ 2,060	\$ 970	\$ 10,516	\$ 2,920	\$ 6,590	\$ 1,245	\$ 870
Average	\$ 3,838	\$ 1,805	\$ 7,991	\$ 6,736	\$ 14,083	\$ 1,446	\$ 1,574
Existing Crystal Lake Fee	\$ 2,748	\$ 1,610	\$ 4,763	\$ 4,822	\$ 10,510	\$ 505	\$ 1,201
Proposed Crystal Lake Fee	\$ 3,731	\$ 1,594	\$ 4,262	\$ 6,942	\$ 15,910	\$ 850	\$ 799

The proposed changes, if approved, would:

- 1) Simplify the factors in calculating permit fees so our customers can estimate their permit fees, and
- 2) Adjust permit fees in correlation with the amount of staff review/inspections and be more in line with nearby communities.

Challenges with Current Method of Permit Fee Calculation

A common issue that the Building Division cannot answer is how much a commercial building permit fee will be without detailed information. This calculation of a permit fee for this type of

activity can include the number of electrical outlets, the number of plumbing fixtures, the output of the air conditioning and heating system, and the cubic footage of the building itself. The fees that relied on these factors could only be calculated once a detailed review of the final plans was completed. Commonly, builders ask the City to calculate the building fee for their project. Given that Crystal Lake permit fees are based on these very detailed factors, it is very difficult and time intensive to respond to these inquiries.

New Construction Fees: For new building construction, the City currently has a very complex way of calculating fees. First, there is a permit fee based on square footage. Then there is a plan review fee that is based on both cubic footage and square footage. Then, there are permit fees for plumbing, electrical, air conditioning, and heating systems that are based on factors such as number of fixtures, number of outlets, and BTU output.

The International Code Council (ICC) has established a best practice recommendation that uses square footage, average construction costs based on use and construction method, and a market adjustment that lowers the permit fee to area costs. The ICC publishes this in its Building Valuation Data update and is published twice per year. Each update makes small adjustments to the square foot construction costs.

This ICC best-practice method is proposed to calculate new building construction as it streamlines how the City would collect fees, is based on a substantiated system developed by the industry's leading authority, and last but not least, provides an easier way for our customers to estimate their permit fees. This method includes permit fees, plan review fees, and fees for plumbing, electric, and HVAC.

The City Council would approve a resolution to adopt the yearly ICC updated valuation chart, or may choose to adopt the ICC chart on a bi-annual basis. The City Council would have a thorough analysis with each updated ICC chart to understand the percentage change and how it would affect Crystal Lake's permit rates.

Building Alteration Fees: Currently, the fee for an alteration or remodeling permit is based on the valuation of remodel, plus the plan review, plumbing, HVAC, and electrical fees described above. The proposed fee still uses valuation as one of the primary factors for the basic permit fee. The proposed plan review fee is based solely on square footage, and no longer uses cubic footage as a factor. Also, plumbing, electrical, and HVAC fees would be based on square footage and no longer calculated based on fixture count, outlet count, BTU output, or any other detailed factors.

Other Proposed Enhancements:

- A) ***Automatic Consumer Price Index (CPI) Adjustment:*** Building fees would now be subject to an automatic annual adjustment based on the CPI for the Chicago-Gary-Kenosha region. The CPI adjustment would take place each year on May 1. Any adjustment would be rounded up to the nearest cent. This will mean that most fees will go up a few dollars each year and help eliminate any large jumps in fees in future years.

B) *Flat Fee Tiers*: The flat fees were instituted in 2014 as a way to simplify the fee structures of several small residential projects. This has been successful. The proposed language increases each tier \$5 per year for four years, at which point they would be subject to the CPI. Additionally, some of the projects were moved into different tiers based on the number of inspections conducted for each request.

C) *Certificates of Occupancy*: The City currently charges the following fees for certificates of occupancy:

- Residential: \$15
- Commercial: \$40
- Industrial: \$50

As part of the survey of other communities, the City found that many communities are charging more than double that amount. The proposed increase for all certificates of occupancy is \$50, then the fee will increase by \$10 every year for four years, at which point it would be subject to the annual CPI increase. This would bring the certificate of occupancy fee in line with other communities.

D) *Elevator Review and Inspection Fees*: Elevator reviews and inspections are conducted by a third party on behalf of the City. The proposed \$50 increase would help to cover the City's costs for administering the reviews and inspections and still keep us below the average of area communities.

E) *Zoning Fees*: Currently, a zoning fee between \$5 and \$30 is being charged for new and alteration building permits. To streamline the overall fees collected, this is being eliminated and the cost for this service is being absorbed into other fees.

F) *Small Wireless Facility Permit Fees*: A recent change in Illinois law has granted local units of government the ability to charge permit fees for small wireless facilities. The City has incorporated this change into its building fee code in accordance with the provisions of the new law.

G) *Planning Services Fees*: Planning services fees are currently located in the Unified Development Ordinance (City Code Chapter 650). In an effort to locate all fees in one City Code chapter, the Planning fees will be moved to Chapter 241. The fees themselves remain unchanged, with the exceptions of the addition of an Administrative Variation fee of \$25 and the elimination of tree removal permit fees and limited use permit fees.

H) *Reinspection Fees*: Currently, the City charges \$100 for each inspection after the second failed inspection. The fee is being raised to \$150.

I) *Same Day Inspection Fees*: A same day inspection fee of \$150 has been added to the fee schedule. The intent of this fee is to discourage permittees from calling for an inspection request on that same day. The Building Division informs our customers that all inspection should be made at least one business-day in advance, but does accommodate these same-day requests.

Votes Required to Pass:

Simple majority of City Council present.

DRAFT



The City of Crystal Lake Illinois

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that, pursuant to City Code Section 241-3A(1), the Building Valuation Data update of August 2017 published by the International Code Council is adopted for the basis of calculating permit fees for the construction of new buildings.

DATED at Crystal Lake, Illinois, this 20th day of February, 2018.

CITY OF CRYSTAL LAKE, an Illinois
Municipal Corporation

BY: _____
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

NICK KACHIROUBAS, CITY CLERK

PASSED: February 20, 2018

APPROVED: February 20, 2018

Important Points

- The BVD is not intended to apply to alterations or repairs to existing buildings. Because the scope of alterations or repairs to an existing building varies so greatly, the Square Foot Construction Costs table does not reflect accurate values for that purpose. However, the Square Foot Construction Costs table can be used to determine the cost of an addition that is basically a stand-alone building which happens to be attached to an existing building. In the case of such additions, the only alterations to the existing building would involve the attachment of the addition to the existing building and the openings between the addition and the existing building.
- For purposes of establishing the Permit Fee Multiplier, the estimated total annual construction value for a given time period (1 year) is the sum of each building's value (Gross Area x Square Foot Construction Cost) for that time period (e.g., 1 year).
- The Square Foot Construction Cost does not include the price of the land on which the building is built. The Square Foot Construction Cost takes into account everything from foundation work to the roof structure and coverings but does not include the price of the land. The cost of the land does not affect the cost of related code enforcement activities and is not included in the Square Foot Construction Cost.

Square Foot Construction Costs ^{a, b, c}

Group (2015 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	229.26	221.37	216.01	207.16	194.94	189.29	200.61	178.00	171.48
A-1 Assembly, theaters, without stage	210.11	202.22	196.86	188.01	175.94	170.29	181.46	158.99	152.48
A-2 Assembly, nightclubs	179.28	174.08	169.68	162.81	153.48	149.24	157.08	138.97	134.26
A-2 Assembly, restaurants, bars, banquet halls	178.28	173.08	167.68	161.81	151.48	148.24	156.08	136.97	133.26
A-3 Assembly, churches	212.12	204.22	198.87	190.01	178.14	172.49	183.47	161.20	154.68
A-3 Assembly, general, community halls, libraries, museums	176.94	169.04	162.69	154.83	141.96	137.30	148.28	125.01	119.50
A-4 Assembly, arenas	209.11	201.22	194.86	187.01	173.94	169.29	180.46	156.99	151.48
B Business	182.98	176.21	170.40	161.91	147.69	142.14	155.55	129.66	123.97
E Educational	194.27	187.38	182.00	173.88	162.37	154.12	167.88	141.89	137.57
F-1 Factory and industrial, moderate hazard	109.64	104.60	98.57	94.77	85.03	81.17	90.78	71.30	66.75
F-2 Factory and industrial, low hazard	108.64	103.60	98.57	93.77	85.03	80.17	89.78	71.30	65.75
H-1 High Hazard, explosives	102.63	97.58	92.55	87.75	79.22	74.36	83.76	65.48	N.P.
H234 High Hazard	102.63	97.58	92.55	87.75	79.22	74.36	83.76	65.48	59.94
H-5 HPM	182.98	176.21	170.40	161.91	147.69	142.14	155.55	129.66	123.97
I-1 Institutional, supervised environment	183.95	177.72	172.57	165.30	152.29	148.15	165.39	136.43	132.19
I-2 Institutional, hospitals	307.93	301.16	295.35	286.86	271.68	N.P.	280.50	253.65	N.P.
I-2 Institutional, nursing homes	213.36	206.59	200.78	192.29	179.07	N.P.	185.93	161.04	N.P.
I-3 Institutional, restrained	208.19	201.43	195.62	187.12	174.39	167.85	180.76	156.37	148.68
I-4 Institutional, day care facilities	183.95	177.72	172.57	165.30	152.29	148.15	165.39	136.43	132.19
M Mercantile	133.57	128.37	122.97	117.10	107.27	104.03	111.38	92.75	89.05
R-1 Residential, hotels	185.63	179.39	174.24	166.97	153.72	149.58	167.06	137.86	133.61
R-2 Residential, multiple family	155.74	149.50	144.35	137.09	124.57	120.43	137.17	108.71	104.47
R-3 Residential, one- and two-family ^d	145.23	141.28	137.64	134.18	129.27	125.87	131.94	120.96	113.85
R-4 Residential, care/assisted living facilities	183.95	177.72	172.57	165.30	152.29	148.15	165.39	136.43	132.19
S-1 Storage, moderate hazard	101.63	96.58	90.55	86.75	77.22	73.36	82.76	63.48	58.94
S-2 Storage, low hazard	100.63	95.58	90.55	85.75	77.22	72.36	81.76	63.48	57.94
U Utility, miscellaneous	78.63	74.24	69.76	66.20	59.84	55.88	63.23	47.31	45.09

- Private Garages use Utility, miscellaneous
- For shell only buildings deduct 20 percent
- N.P. = not permitted
- Unfinished basements (Group R-3) = \$21.00 per sq. ft.



DRAFT

The City of Crystal Lake Illinois

AN ORDINANCE AMENDING CHAPTER 241: FEES OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That Section 241-2 be amended to read as follows:

§ 241-2. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

Addition: Any construction, retrofit or renovation to an existing structure that include installing a new foundation.

Alteration: Any construction, retrofit or renovation to an existing structure other than repair or addition that requires a permit. Also, a change in a building, electrical, gas, mechanical or plumbing system that involves any extension, addition or change to the arrangement, type or purpose of the original installation that requires a permit.

Dwelling Unit: See the definition for "dwelling unit" in Chapter 650, Unified Development Ordinance

Gross Area: See definition for Square Footage.

Square Footage: The square footage, where used as the basis of a building permit fee, shall be computed from the outside perimeters of such buildings, structures, or space. All floor levels are to be added in computing the total square footage.

Small Wireless Facility: A wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet; and (ii) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than 25 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power

transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

Valuation: The reasonable value of all services, labor, materials, and use of scaffolding and other appliances or devices entering into and necessary to the prosecution and completion of the work ready for occupancy.

SECTION II: That Section 241-3 be amended to read as follows:

§ 241-3. Building Review and Permit Fees

A. New Construction

- (1) The permit fee for new building construction shall be calculated using the following formula:

$$\text{Permit Fee} = \text{GA} \times \text{SFCC} \times \text{PFM}$$

Where:

- GA is the gross area of new building
- SFCC is the square foot construction cost as calculated using the Building Valuation Data update published by the International Code Council (ICC) and adopted by City Council Resolution
- PFM is the Permit Fee Multiplier found in § 241-3A(2)

- (2) The permit fee multiplier is as follows:

Type of Construction	Multiplier
Residential, including duplex and townhouse construction	0.007
Commercial, industrial, office, church, institutional and multifamily	0.0051

The Permit Fee multiplier may be administratively adjusted based on market conditions; including CPI, ICC Building Valuation data, and other factors, to better correlate with area permit fees, provided that such adjustment shall be made not more once annually prior to May 1 of any year and that the adjusted multiplier shall be posted on the City's website and available for inspection at the office of the City Manager.

- (3) For the purposes of calculating permit fees, building additions that include installing a new foundation will be calculated using the new construction fee formula. Building alterations that do not include installing a new foundation, such as adding a second story onto a building, will be treated as an alteration for the purposes of calculating fees.
- (4) The calculation of the new building construction includes fees for building reviews and fees for electrical, plumbing, and heating, ventilation, and air conditioning (HVAC). Additional fees for these services shall not be included.

B. Alteration Permit. The permit fee for alteration permits shall be:

Valuation	Fee
Up to \$5,000	\$40.00
\$5,001 to \$10,000	\$50.00
Over \$10,000	\$50.00 + \$4 per \$1,000, or portion thereof, over \$10,000

C. Flat fees for miscellaneous projects.

(1) The following table shall be used to calculate fees for miscellaneous projects contained in this section:

Tier	Fee Effective May 1, 2018	Fee Effective May 1, 2019	Fee Effective May 1, 2020	Fee Effective May 1, 2021
Tier 1	\$35.00	\$40.00	\$45.00	\$50.00
Tier 2	\$40.00	\$45.00	\$50.00	\$55.00
Tier 3	\$50.00	\$55.00	\$60.00	\$65.00

(2) The following permit types are Tier 1 permits; this fee includes a minimum of one inspection:

- (a) Residential furnace and air conditioning together.
- (b) Residential furnace separate.
- (c) Residential air conditioning separate.
- (d) Water heater.
- (e) Irrigation systems.
- (f) Other permits requiring one inspection.

(3) The following permit types are Tier 2 permits; this fee includes a minimum of two inspections and a review as necessary:

- (a) Roofs.
- (b) Siding.
- (c) Windows.
- (d) Fences.
- (e) Driveways.
- (f) Sidewalks/Stoops/Porches.
- (g) Fire pits separate.
- (h) Electrical service upgrade or repair.
- (i) Water service repair.
- (j) Sewer service repair.
- (k) Other permits requiring a minimum of two inspections.

(4) The following permit types are Tier 3 permits; this fee includes a detailed plan review, and a minimum of two inspections:

- (a) Gazebos.
- (b) Decks.
- (c) Sheds.
- (d) Patios.
- (e) Pergolas.
- (f) Fireplaces.
- (g) Permanent above ground swimming pools.
- (h) Storable swimming pools.
- (i) Hot tubs.
- (j) Other permits requiring a detailed plan review and a minimum of two inspections.

D. Building alteration plan review. Building alteration plan review fees shall be as follows, per dwelling unit, or units, except that each separate office, store, or business within a building shall be considered a separate unit:

(1) Commercial (including industrial, office, church, institutional and multi-family)

Square Footage	Fee
0 - 1,000	\$50.00
1,001 - 3,000	\$100.00 plus \$0.0400 per square foot
3,001 - 20,000	\$150.00 plus \$0.0400 per square foot
20,001 - 50,000	\$200.00 plus \$0.0400 per square foot
50,001 - 100,000	\$250.00 plus \$0.0400 per square foot
Over 100,000	\$300.00 plus \$0.0400 per square foot

(2) Residential (detached single family home, townhouse, and duplex)

Square Footage	Fee
0 - 400	\$25.00
401 - 1,000	\$30.00
1,001 - 5,000	\$35.00
Over 5,000	\$50.00

E. Electrical. Electrical fees shall be as follows, per dwelling unit, or units, except that each separate office, store, or business within a building shall be considered a separate unit:

(1) Commercial (including industrial, office, church, institutional and multi-family)

Square Footage	Fee
0 - 1,000	\$50.00
1,001 - 3,000	\$100.00
3,001 - 20,000	\$150.00
20,001 - 50,000	\$200.00
50,001 - 100,000	\$250.00
Over 100,000	\$300.00

(2) Residential (detached single family home, townhouse and duplex)

Square Footage	Fee
0 - 400	\$20
401 - 1,000	\$25
1,001 - 5,000	\$30
Over 5,000	\$40

F. Plumbing. Plumbing fees shall be as follows, per dwelling unit or units, except that each separate office, store, or business within a building shall be considered a separate unit:

(1) Commercial (including industrial, office, church, institutional and multi-family)

Square Footage	Fee
0 - 1,000	\$50.00
1,001 - 3,000	\$100.00
3,001 - 20,000	\$150.00
20,001 - 50,000	\$200.00
50,001 - 100,000	\$250.00
Over 100,000	\$300.00

(2) Residential (detached single family home, townhouse and duplex)

Square Footage	Fee
0 - 400	\$20
401 - 1,000	\$25
1,001 - 5,000	\$30
Over 5,000	\$40

(3) Water and sewer tap inspection fees:

Item	Fee
Water tap inspection	\$150.00
Sewer tap inspection	\$150.00

G. Heating, ventilating, and air conditioning (HVAC). Heating, ventilating and air conditioning fees shall be as follows, per dwelling unit or units, except that each separate office, store, or business within a building shall be considered a separate unit:

(1) Commercial, industrial, office, church, institutional and multi-family.

Square Footage	Fee
0 - 1,000	\$50.00
1,001 - 3,000	\$100.00
3,001 - 20,000	\$150.00
20,001 - 50,000	\$200.00
50,001 - 100,000	\$250.00
Over 100,000	\$300.00

(2) Residential (detached single family home, townhouse and duplex)

Square Footage	Fee
0 – 400	\$20
401 – 1,000	\$25
1,001 – 5,000	\$30
Over 5,000	\$40

H. Parking lot review and inspection fee: \$150.

I. Elevators, dumbwaiters, escalators, moving walks and hoisting equipment. Elevator, dumbwaiter, escalator, moving walk and hoisting equipment fees shall be as follows:

Item	Fee
New permit inspections for elevators, escalators, platform lifts, dumbwaiters, and dock lifts	\$225.00
Re-inspection for existing elevators, escalators, platform lifts, dumbwaiters, and dock lifts	\$75.00

J. Certificates of occupancy.

(1) Schedule of fees.

	Fee Effective May 1, 2018	Fee Effective May 1, 2019	Fee Effective May 1, 2020	Fee Effective May 1, 2021
Certificate of Occupancy	\$50.00	\$60.00	\$70.00	\$80.00

(2) Temporary occupancy with a hold-harmless agreement signed by the owner and Building Commissioner, or his/her designee, for any unfinished items of a minor or nonhazardous nature when approved only by the Community Development Department official: \$35.00.

K. In-ground swimming pool review and inspection: \$150.

L. Building demolition, flat fee per building: \$150.

M. Moving of buildings, with bond and insurance as required by ordinance: \$150.00.

N. Starting work without a permit. A charge of 100% of the permit fee will be added if work is started without a permit.

O. Performance/Completion deposit requirement.

(1) Every applicant shall post with the City, at the time of issuance or approval of a temporary occupancy certificate, a performance/completion deposit in the following amounts:

(a) All building permits when a temporary occupancy certificate is granted:

Use	Cost/Size	Fee
Residential	Any new	\$1,500.00
Residential	Addition valued over \$10,000	\$500.00
Commercial/Industrial/Other	0 - 2,500 square feet	\$1,500.00
Commercial/Industrial/Other	2,501 square feet - 15,000 square feet	\$3,000.00
Commercial/Industrial/Other	15,001 square feet - 75,000 square feet	\$5,000.00
Commercial/Industrial/Other	75,001 square feet - 250,000 square feet	\$10,000.00
Commercial/Industrial/Other	250,001 square feet and over	\$15,000.00

(2) The City shall have the right, at all times at its option, to draw on the performance/completion deposit for costs, including, without limitation, legal fees and administrative expenses incurred or to be incurred by the City in exercising any of its rights under the City Code of Crystal Lake in the event:

- (a) The applicant undertakes any work in violation of any provision of the City Code or any permit issued or plan approved pursuant to the City Code; or
- (b) The applicant fails or refuses to complete the work or conditions authorized by any temporary occupancy certificate in accordance with all plans and conditions approved in connection with a temporary occupancy certificate. Once it reaches the expiration, 10% of the initial deposit will be deducted monthly until the work is completed or the deposit is exhausted. Once the deposit has been depleted, the applicant will be subject to citations and fines outlined in § 248-2. The City's determination of such costs shall be based either on costs actually incurred by the City or reasonable estimates of costs to be incurred.

(3) The City shall return any unused portion of the performance/completion deposit to the applicant without interest, as follows:

- (a) For all temporary occupancy certificates: after completion of all work and conditions within the approved time frame.

(4) A deposit posted pursuant to this subsection shall be forfeited to the City in full if the permittee does not complete the conditions or requirements of a temporary occupancy certificate on or before the date specified within the temporary occupancy certificate.

P. Signs. The fee to be charged for permits issued for the erection, construction, or alteration of any sign or other advertising structure shall be as follows:

Item	Fee
Alteration of existing sign	\$20.00
Fixed canopy and fixed awning signs	\$20.00, plus \$0.10 per square foot of plan area, horizontally projected
Illuminated signs and illuminated awning signs	\$30.00, plus \$0.10 per square foot of gross surface area of each face thereof
Nonilluminated signs (unless temporary or limited duration)	\$25.00, plus \$0.10 per square foot of gross surface area of each face thereof
Retractable canopies and awnings	\$20.00
Limited duration signs	\$20.00
New or altered illuminated sign, electrical inspection	\$25.00 per sign

Q. Small wireless facilities. Permit application fees for small wireless facilities shall be as follows:

Item	Permit Application Fee
Small wireless facility with new pole	\$1,000.00
One small wireless facility on an existing utility pole	\$650.00
Two or more small wireless facilities on an existing utility pole	\$350.00 per small wireless facility

R. Permit extension.

1. Fee for permit extensions.

Item	Fee
First six month extension	25% of original permit fee
Second six month extension	50% of original permit fee
Third six month extension and every extension thereafter	100% of original permit fee

2. The Building Commissioner or his/her designee may waive the permit extension fee.

S. Annual fee adjustments.

(1) Fees in § 241-3 shall be adjusted on May 1 of each calendar year using the December to December Consumer Price Index percentage change for the Chicago-Gary-Kenosha area (the "CPI") as determined by the United States Bureau of Labor Statistics, unless otherwise provided for in § 241-3. All adjustments will be

rounded up to the nearest cent. If any CPI percentage change is less than zero, then the fees shall remain the same.

(2) Exceptions:

(a) The following fees are exempted from § 241-3S(1):

- [1] Subsection A, new building construction permit fee.
- [2] Subsection O, performance/completion deposit requirement.
- [3] Subsection Q, small wireless facilities.
- [4] Subsection R, permit extensions.

(b) The following fees will be subject to § 241-3S(1) only after May 1, 2021:

- [1] Subsection C, flat fees for miscellaneous projects.
- [2] Subsection J(1), certificates of occupancy.

(c) Any per square foot fees in the following section shall be rounded up to the next one-thousandth of a cent and not the nearest cent.

- [1] Subsection D, building alteration plan review
- [2] Subsection P, signs

(3) For the purposes of calculating future fee adjustments, the baseline year for all fees in § 241-3 is 2018.

(4) If the CPI is discontinued or replaced, such other governmental cost of living index or computation which replaces the CPI shall be used in order to obtain substantially the same result as would be obtained if the CPI had not been discontinued or replaced.

SECTION III: That Section 241-4 be deleted and the following inserted:

§ 241-4: Planning services fees.

The following fees shall apply for the following planning services. The application fee for temporary use permit applications filed after the applicant has implemented the temporary use shall be twice the fees stated in this section. Additionally, this does not prevent the City from taking further actions authorized by the Code of Ordinances of the City.

Request	Fee
Administrative variation	\$25.00
Annexation	\$750.00/acre
Appeal	\$250.00
Cul-de-sac	\$5,000.00 (per cul-de-sac)
PUD amendment	\$355.00
PUD, conceptual review	\$200.00
PUD, preliminary	≤2 acres = \$755.00 >2 acres = \$755.00 + \$50.00/additional acre or portion thereof

Request	Fee
PUD, final	≤ 2 acres = \$505.00 > 2 acres = \$505.00 + \$50.00/additional acre or portion thereof
PUD, watershed	≤ 2 acres = \$355.00 > 2 acres = \$505.00 + \$50.00/additional acre or portion thereof
Rezoning (to nonresidential)	≤ 2 acres = \$505 > 2 acres = \$505.00 + \$50.00/additional acre or portion thereof
Rezoning (to residential)	≤ 2 acres = \$305 > 2 acres = \$305.00 + \$50.00/additional acre or portion thereof
Right-of-way vacation	\$300.00
Special meetings	\$500.00
Sign variation	\$100.00
Special event	\$50.00
Special use permit	≤ 2 acres = \$355.00 > 2 acres = \$505.00 + \$50.00/additional acre or portion thereof
Special use permit, home day care	\$80.00
Subdivisions, administrative	\$175.00
Subdivisions, minor	≤ 2 acres = \$300.00 > 2 acres = \$300.00 + \$50.00/additional acre or portion thereof
Subdivisions, major (preliminary plat)	≤ 2 acres = \$300.00 > 2 acres = \$300.00 + \$50.00/additional acre or portion thereof
Subdivisions, major (final plat)	≤ 2 acres = \$600.00 > 2 acres = \$600.00 + \$50.00/additional acre or portion thereof
Temporary use permit, administrative or City Council approval	\$40.00

Request	Fee
Text amendment	\$350.00
Variation, simplified residential	\$100.00
Variation, nonresidential	≤2 acres = \$305.00 >2 acres = \$505.00
Zoning verification	\$25.00

SECTION IV: That Section 241-18 be amended to read as follows:

§ 241-18. Street, curb, and sidewalk breaks.

- A. Street break, new or repair: \$125.00.
- B. Curb or sidewalk break, new or repair: \$10.00 per each break.

SECTION V: That Section 241-37 be amended to read as follows:

§ 241-37. Additional inspection fees.

- A. Reinspection fee. Whenever the Community Development or Fire Rescue Department shall make an inspection after a second failed inspection pursuant to the issuance of a notice under the ordinances of the City of Crystal Lake, a fee of \$150.00 shall be paid for that inspection and each subsequent inspection. Said fee shall be paid at the time the inspection is requested. The Building Commissioner, or his/her designee, may waive this fee.
- B. Same-day inspection fee: Inspection requests made without a minimum of 24 hours' notice shall incur a fee of \$150.00. Said fee shall be paid at the time the inspection is requested. The Building Commissioner, or his/her designee, may waive this fee.

SECTION VI: That the following sections be deleted:

- 241-5. Industrial, commercial, offices, church, and schools.
- 241-6. Alteration, remodeling, and repair of any building or structures
- 241-7. Electrical
- 241-8. Plumbing
- 241-9. Heating
- 241-10. Air conditioning
- 241-11. Sewer/water tap
- 241-19. Curb or sidewalk break.
- 241-21. Building plan review
- 241-23. Driveway
- 241-24. Parking Lots
- 241-25. Fences

- 241-26. Housing
- 241-27. Elevators, dumbwaiters, escalators, moving walks and hoisting equipment
- 241-28. Swimming pools
- 241-29. Building demolition
- 241-30. Moving of buildings
- 241-31. Zoning fees
- 241-32. Certificate of occupancy
- 241-40. Definitions
- 241-41. Computation of floor area
- 241-42. Surcharge
- 241-43. Performance/Completion deposit requirement
- 241-44. Signs

SECTION VII: That all remaining sections be renumbered in sequential order.

SECTION VIII: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION IX: That this Ordinance shall be in full force and effect from and after May 1, 2018 as provide by law.

DATED at Crystal Lake, Illinois, this 20th day of February, 2018.

CITY OF CRYSTAL LAKE, an Illinois Municipal Corporation

BY: _____
Aaron T. Shepley, Mayor

SEAL
ATTEST:

Nick Kachiroubas, City Clerk

PASSED: February 20, 2018

APPROVED: February 20, 2018

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.



Agenda Item No: 16

**City Council
Agenda Supplement**

Meeting Date:

February 20, 2018

Item:

Consultant Selection Approval for the rehabilitation of Water Treatment Plan #2

Staff Recommendation:

Motion to award the proposal for design and construction engineering services for the rehabilitation of Water Treatment Plan #2 to the most qualified, responsible, and responsive proposer, Engineering Enterprises, Inc. and adopt a resolution authorizing the City Manager to execute an agreement with Engineering Enterprises, Inc. in the amount of \$469,801 and approve changes in scope by 10 percent of the original price.

Staff Contact:

Michael Magnuson, Director of Public Works

Background:

Water Treatment Plant #2 was constructed in 1963 (54 years old), and is in need of significant upgrades to the electrical, mechanical and water treatment equipment. This project includes the relocation and replacement of the 2,400 volt electrical control panel away from water hazards. This project is identified in the City's Water System Master Plan report and is included in the current budget. This project is necessary to improve the reliability of this water plant and meet the supply demands of potable water to the City.

In order for the City to design this project, the City must engage a qualified engineering consultant to complete the design and construction engineering.

Consultant Selection Process

The City sent the Request for Qualifications & Proposal (RFQ&P) directly to qualified engineering firms and the City's standard advertising practices were followed. A pre-proposal meeting was held on December 18, 2017 and four companies attended. Qualifications and proposals were received from two companies on January 8, 2018.

Public Works staff reviewed the proposals, conducted interviews and contacted project references. Staff scored the consultants based on these various efforts. The results are depicted on the table below along with the proposed costs:

**Water Treatment Plant 2 Design and Construction Services
Summary of Staff Rankings**

Category	<i>B&W</i>	<i>EEI</i>
	<i>RFP 1</i>	<i>RFP 2</i>
1. Experience (max. 10 pts)	7.5	9.5
2. Project Examples (max. 10 pts)	6.75	9
3. Scope of Services (max. 10 pts)	7.75	8.75
4. References (max. 10 pts)	6	7.25
5. Org Chart and Resume (max. 10pts)	8	9.25
6. Interview (Max 10 pts)	7.75	10
TOTAL (Max 60 pts):	43.75	53.75
COST	\$454,750	\$469,801

Copies of the proposals and interview material are attached.

Discussion:

Baxter and Woodman provided design and construction engineering services for recent upgrades to Wastewater Treatment Plants #2 and #3. During construction, there were a number of design errors that required significant staff time, resources and contractor coordination to resolve during construction. In staff's opinion, the number of design errors exceeded what is typical for this type of project. The project was completed within the approved budget contingency and is operating successfully.

The proposal, interview, and reference review process revealed that EEI's project team recently completed several successful multi-million dollar projects of similar size and scope of work.

Staff has worked with Engineering Enterprises, Inc. on projects in the past and were satisfied with their performance.

Recommendation:

Based on a review of the firm's proposals, qualifications, experience, interview and references, it is staff's recommendation to select Engineering Enterprises, Inc. for the project. The City has budgeted for this project.

Votes Required to Pass:

Simple majority of the City Council



DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a contract with Engineering Enterprises, Inc for design and construction engineering services for the rehabilitation of Water Treatment Plan #2 in the amount of \$469,801 and approve changes in scope by 10 percent of the original price.

DATED this 20th day of February, 2018.

CITY OF CRYSTAL LAKE, an
Illinois municipal corporation,

By: _____
MAYOR

SEAL

ATTEST

CITY CLERK

PASSED: February 20, 2018
APPROVED: February 20, 2018