

## **BUILDING REGULATIONS**

### **DARIEN BUILDING CODE**

#### **4-1-1: TITLE, CITATIONS AND SUBSTITUTIONS:**

**4-1-1-1: TITLE:** This Chapter shall be known as the DARIEN BUILDING CODE.

**4-1-1-2: CITATIONS:** In citing this Chapter, Section numbers shall be used except in cases where Codes have been adopted and incorporated by reference, in which case the section shall be followed by sections used in such Code adopted and incorporated by reference.

**4-1-1-3: SUBSTITUTIONS:** Where Codes have been adopted and incorporated by reference, the words "City of Darien" shall be substituted for words referring to the applicable municipality and where such Codes contain provisions which are in conflict with specific provisions of this Chapter the specific provisions of this Chapter shall prevail and shall rule.

#### **4-1-2: GENERAL PROVISIONS:**

##### **4-1-2-1: ESTABLISHMENT OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT:**

(A) There is hereby established a department of the City known as the Department of Community Development which shall embrace a Director of Community Development, Senior Planner and such assistants, clerks and employees as may be necessary.

(B) All references in the City Code, the Building Code, the Zoning Ordinance, the Sign Code, the Subdivision Regulations, the Fire Prevention Code, and in all other ordinances, resolutions and motions, and rules and regulations of the City to the "Building Department", the "Building and Zoning Department", the "Bureau of Fire Prevention", shall henceforth be construed to refer to and mean the Department of Community Development.

##### **4-1-2-2: DIRECTOR OF COMMUNITY DEVELOPMENT:**

(A) The Director of Community Development shall be appointed by the Mayor with the advice and consent of the City Council and subject to removal by the Mayor. The Director shall be in charge of the Department of Community Development and shall institute such measures and prescribe such rules and regulations for the control of subordinate officers and employees and shall secure the inspection of buildings while in the process of construction, alteration, repair or removal, and enforcement of all provisions of the Building Code.

The Director of Community Development is hereby authorized to employ, by and with

in the consent of the City Administrator, such inspectors or assistants as may be necessary in the execution of the duties mentioned in the Building Code or other ordinances as may be from time to time required.

The Director of Community Development is hereby authorized to require as a condition to an application and issuance of a permit that the applicant pay fees in addition to those otherwise provided herein of review by other than staff members of plans and specifications.

- (B) The duties of the Director of Community Development shall include, but are not limited to, all of the duties of the Building Department Supervisor, the Building Official, the Director of Building and Zoning, the Fire Official, the Code Official, the Fire Marshall, the Chief of the Bureau of Fire Prevention, the Zoning Enforcement Officer, the Building Commissioner, the City Planner, the Building Inspector, the Building and Zoning Director and the Building Supervisor as set forth in this City Code, in the Building Code, in the Zoning Ordinance, in the Sign Code, in the Subdivision Regulations, in the Fire Prevention Code, and in all other ordinances, resolutions and motions, and rules and regulations of the City.

All references in said City Code, the Building Code, the Zoning Ordinance, the Sign Code, the Subdivision Regulations, the Fire Prevention Code, and in all other ordinances, resolutions and motions, and rules and regulations of the City to the "Building Department Supervisor", the "Building Official", the "Director of Building and Zoning", the "Fire Official", the "Code Official", the "Fire Marshall", the "Chief of the Bureau of Fire Prevention", the "Zoning Enforcement Officer", the "Building Commissioner", the "City Planner", the "Building Inspector", the "Building and Zoning Director" and the "Building Supervisor" shall henceforth be construed to refer to and mean the Director of Community Development.

**4-1-3: SINGLE-FAMILY DWELLINGS, DUPLEXES AND TWO-FLAT BUILDING-CONSTRUCTION REGULATIONS AND STANDARDS:**

**4-1-3-1: ADOPTION OF THE 2006 INTERNATIONAL RESIDENTIAL CODE:**

There is hereby adopted and incorporated by reference as a part of this Section, the Code entitled, "2006 International Residential Code", three (3) copies of which are on file in the office of the City.

**4-1-3-2: AMENDMENTS TO CODE:** The 2006 International Residential Code, as adopted in Section 4-1-3-1 of this Chapter shall be amended as follows:

- (A) Section 101.1 - Insert the "City of Darien" for [Name of Jurisdiction].
- (B) Section R-108.2 – Revise to read as follows:

See City Code of Darien for appropriate fee schedules.

(C) Section R-113.4 - Revise to read as follows:

Violation penalties: See the City Code of Darien for penalties for violations of the provisions of this Code.

(D) Section R-1006.1 - Revise to read as follows:

R1006-1 – Exterior Air: Factory-built or masonry fireplaces covered in this chapter shall be equipped with an exterior air supply to assure proper fuel combustion unless the room is mechanically ventilated and controlled so that the indoor pressure is neutral or positive. Ventless or vent-free fireplaces are prohibited.

(E) Section R-309 - Revise to read as follows:

R-309.9 – A ducted cold air return is required in every sleeping room.

(F) Chapter 26 - Delete. (General Plumbing Requirements)

(G) Chapter 27 - Delete. (Plumbing Fixtures)

(H) Chapter 28 - Delete. (Water Heaters)

(I) Chapter 29 - Delete. (Water Supply and Distribution)

(J) Chapter 30 - Delete. (Sanitary Drainage)

(K) Chapter 31 - Delete. (Vents)

(L) Chapter 32 - Delete. (Traps)

(M) Chapter 33 - Delete. (General Requirements)

(N) Chapter 34 - Delete. (Electrical Definitions)

(O) Chapter 35 - Delete. (Services)

(P) Chapter 36 - Delete. (Branch Circuit and Feeder Requirements)

(Q) Chapter 37 - Delete. (Wiring Methods)

(R) Chapter 38 - Delete. (Power and Lighting Distribution)

(S) Chapter 39 - Delete. (Devices and Luminaries)

- (U) Chapter 40 - Delete. (Appliance Installation)
- (V) Chapter 41 - Delete. (Swimming Pools)
- (W) Chapter 42 - Delete. (Class 2 Remote Control Signaling and Power-Limited Circuits)
- (X) 2006 International Residential Code electrical provisions/national code cross reference (appendix Q) - Delete.
- (Y) Agricultural exception: Accessory buildings on existing, legal nonconforming agricultural properties that are utilized as stables and livestock shelters, where no vehicle storage will take place will be allowed in accordance with the following requirements:
  1. Required concrete floor slabs may be omitted in those specific areas of livestock buildings or structures used by the livestock upon approval of the Director of Community Development.
  2. Other than in subsection (Y)1 of this Section, floors shall be concrete, asphalt or wood installed to prevent the seepage of hazardous, toxic or combustible liquids into the ground.
  3. All accessory buildings shall be securely anchored to the ground.
  4. Preengineered accessory building kits shall be installed in accordance with manufacturer's specifications and plans.

**4-1-3-3: APPLICATION TO BUILDINGS AND STRUCTURES:** The rules and regulations adopted in Section 4-1-3-1 of this Chapter shall apply to the following buildings and structures:

- (A) Single-family detached residences.
- (B) Duplex houses (2 units side by side) and two-family apartments or flats.
- (C) Detached accessory structures.

**4-1-4: REGULATIONS AND STANDARDS FOR CONSTRUCTION OF ALL OTHER BUILDINGS, INCLUDING RESIDENTIAL (OTHER THAN ONE- AND TWO-FAMILY), ASSEMBLY, COMMERCIAL, OFFICE, STORAGE, EDUCATIONAL, INDUSTRIAL AND INSTITUTIONAL:**

**4-1-4-1: ADOPTION OF THE 2006 INTERNATIONAL BUILDING CODE:** There is hereby adopted and incorporated by reference as part of this Section, the Code entitled the "2006 International Building Code", three (3) copies of which are on file in the office of the City.

**4-1-4-2: AMENDMENTS TO CODE:** The 2006 International Building Code, as adopted in Section 4-1-4-1 of this Chapter shall be amended as follows:

- (A) Section 101.1 - Insert the "City of Darien" for [Name of Jurisdiction].
- (B) Section 108.2 – Revise to read as follows:  
See City Code of Darien for appropriate fee schedules.
- (C) Section 113.4 – Revise to read as follows:  
Violation penalties: See City Code of Darien for penalties for violations of the provisions of this Code.
- (D) Section 114.3 – Revise to read as follows:  
A fine of not less than \$100.00 or more than \$1,000.00 for each day the above violation shall be imposed.
- (E) Section 903.2.1.1 – Revise to read as follows:  
An automatic fire suppression system shall be provided in use Group A-1 occupancies when a structure’s gross square footage is 2,500 square feet or more.
- (F) Section 903.2.1.2 – Revise to read as follows:  
An automatic fire suppression system shall be provided in all use Group A-2 occupancies.
- (G) Section 903.2.1.3 – Revise to read as follows:  
An automatic fire suppression system shall be provided in all use Group A-3 occupancies when a structure’s gross square footage is 2,500 square feet or more.
- (H) Section 903.2.1.4 – Revise to read as follows:  
An automatic fire suppression system shall be provided in all use Group A-4 occupancies when a structure’s gross square footage is 2,500 square feet or more.
- (I) Section 903.2.5 – Revise to read as follows:  
An automatic fire suppression system shall be provided in all use Group I occupancies.  
Exception:
  - 1. Where use Group I-2 child care facilities are located in R-3 and R-4 occupancies in compliance with the Illinois Department of Child and Family Services.
- (J) Section 903.2 – Revise to read as follows:

An automatic fire suppression system shall be provided in all use Group B, E, F, M and S occupancies when a structure's gross square footage is 2,500 square feet or more.

**4-1-4-3: APPLICATION TO BUILDINGS AND STRUCTURES:** The Building Code adopted in Section 4-1-4-1 of this Chapter shall apply to all buildings and structures other than one- and two-family residences and other buildings normally accessory to them.

**4-1-5: REGULATIONS AND STANDARDS GOVERNING THE CONSTRUCTION AND USE OF MECHANICAL EQUIPMENT:**

**4-1-5-1: ADOPTION OF THE INTERNATIONAL MECHANICAL CODE:** There is hereby adopted and incorporated by reference as part of this Section, the Code entitled "2006 International Mechanical Code", three (3) copies of which are on file in the office of the City.

**4-1-5-2: AMENDMENTS TO CODE:** The 2006 International Mechanical Code as adopted in Section 4-1-5-1 of this Chapter shall be amended as follows:

- (A) Insert "The City of Darien" wherever the code refers to jurisdiction.
- (B) Wherever fee schedules, dollar amounts, offenses, or time limits are referred to in this code, the code of the City of Darien shall apply.
- (C) Section 927 – Revise to read as follows:

Ventless and vent free fireplaces are prohibited.

**4-1-6: STANDARDS AND SPECIFICATIONS, RULES AND REGULATIONS OF THE NATIONAL ELECTRICAL CODE:**

**4-1-6-1: ADOPTION OF THE NATIONAL FIRE PROTECTION ASSOCIATION NATIONAL ELECTRICAL CODE, 2005 EDITION:** The standards and specifications, rules and regulations of the National Fire Protection Association National Electrical Code, 2005 Edition, as published by the national fire protection association except as amended herein, are hereby adopted as the standards and specifications, rules and regulations for installation, alteration, repair and use of electrical equipment, subject however, to the additional standards and specifications, rules and regulations as hereinafter set forth, and except where they are in conflict with the other provisions of this Code and said Code is hereby incorporated herein by reference.

**4-1-6-2: AMENDMENTS TO CODE:** The National Fire Protection Association National Electrical Code, as adopted in Section 4-1-6-1 of this Chapter shall be amended to read as follows:

- (A) Article 394- Concealed Knob End Tube - Delete.

- (B) Article 334 - Nonmetallic-Sheathed Cable - Delete.
- (C) Article 330 - Metal Clad Cable; Shielded Nonmetallic Sheathed Cable; 338 Service Entrance Cable. The provisions of these articles may be permitted only upon written authorization of the Building Official after sufficient justification as to the special circumstances making necessary such permission.
- (D) Article 352 - Rigid Nonmetallic Conduit. The provisions of this Article may be permitted only upon the written authorization of the Building Official after sufficient justification as to the special circumstances making necessary such permission.

**4-1-7: PLUMBING INSTALLATION, ALTERATION AND USE REGULATIONS AND STANDARDS:**

**4-1-7-1: ADOPTION OF THE PLUMBING CODE OF THE STATE OF ILLINOIS:**

There is hereby adopted and incorporated by reference as part of this section, the code entitled "Illinois State Plumbing Code 2004 Edition", three (3) copies of which are on file in the office of the City.

**4-1-7-2: ADDITIONS TO CODE:** Additions to the Illinois State Plumbing Code, as adopted in Section 4-1-7-1 of this Chapter, are as follows:

- (A) The installation of water conserving plumbing fixtures in all new construction and in all repair and/or replacement of fixtures shall be required according to the following table:

Fixtures	Maximum Flow *
Water closets, tank top	2.5 gals per flush
Water closets, flushometer type	3.0 gals per flush
Urinals, tank type	3.0 gals per flush
Urinals, flushometer type	3.0 gals per flush
Shower heads	3.0 GPM
Lavatory, sink faucets	3.0 GPM
*Note: Flow based on 40 to 50 psi pressure.	

- (B) Closed water systems shall be required on all water using air conditioning systems in new construction or remodeling.
- (C) Metering or self-closing faucets shall be required on all lavatories for public use in new construction or remodeling.
- (D) Water recycling systems shall be required on all new construction or remodeled car wash equipment installations.

**4-1-7-3: AMENDMENTS TO CODE:** The Illinois State Plumbing Code, as adopted in Section 4-1-7-1 of this Chapter shall be amended as follows:

(A) Table A - Items 3) and 4) add footnote 3 for Type M copper. Type M copper is not permitted for water distribution systems.

(B) All drain lines must be permitted smaller than four inch (4") diameter material.

**4-1-8: FIRE PREVENTION AND CONTROL REGULATIONS AND STANDARDS:**

**4-1-8-1: ADOPTION OF THE BASIC/NATIONAL FIRE PREVENTION CODE OF THE BUILDING OFFICIALS AND CODE ADMINISTRATORS INTERNATIONAL, INC.:** There is hereby adopted and incorporated by reference as part of this Section, the Code entitled "2006 International Fire Code", printed in pamphlet form by the Building Officials and Code Administrators International, Inc., including no errata sheets inserted, three (3) copies of which are on file with the City.

**4-1-8-2: AMENDMENTS TO CODE:** The 2006 International Fire Code, as adopted in Section 4-1-8-1 of this Chapter shall be amended as follows:

(A) Section F-101.1 – Insert "City of Darien" for [Name of Jurisdiction].

(B) Section 108 – Revise Board of Appeals to read:

Whenever the Chief of the Bureau of Fire Prevention shall disapprove an application, or refuse to grant a permit, or when it is claimed that the provisions of this article have been misconstrued or wrongly interpreted, the applicant or person affected may appeal from the decision of the Director of Building and Zoning to the Planning and Zoning Commission of the City of Darien. Appeals made pursuant to this section shall be in accordance with the procedures set forth in the City's Zoning Ordinance.

(C) Section 503.1 – Revise to read:

Fire apparatus access roads shall be provided so that:

1. Public or private access is provided to each building so that the first responding fire district pumper unit will be able to be so located that all points of the interior of the building may be reached by one hundred fifty (150) feet of initial attack hose.
  - a. Where the size of the building does not allow this regulation to be met, an interior standpipe system equipped with fire department hose connections approved by the Fire Official may be allowed as an exception. The standpipe system shall be connected to a public water system.
2. Public or private access for motor fire apparatus shall be provided around the building so that there may be proper operation of ladders and mechanically

elevated mechanisms.

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3. Access routes shall be so arranged that fire department apparatus may respond from all points of the building to adjacent fire hydrants along routes not to exceed two hundred fifty (250) feet from the most remote point of the building to closest fire hydrant.
  4. Fire lanes on private property shall be approved by the Fire Official, and parking of motor vehicles otherwise obstructing such fire lanes or access routes shall be prohibited at all times. Permanent all-weather signs identifying fire lanes and access ways shall be posted.
  5. In commercial developments public or private fire department access roads and ways shall be all weather, properly maintained and accessible at all times. A minimum of eight (8) inches of granular stone surfaced by at least two (2) inches of bituminous asphalt material. Fire lanes in residential developments shall be reviewed by the Fire Official for adequacy.
  6. Access roads or fire lanes shall be not less than fifteen (15) feet from the building and further if the height of the building requires a greater setback to ladder the buildings.
  7. Access routes shall be continuous around the building.
    - a. This requirement may be modified by the Fire Official where adequate building access openings, a complete fire suppression system and high rise provisions are provided.

(D) Add Section 316 – Revise to read:

Section 316.0 – Fire Department Rapid Entry System.

Section 316.1 – General. The Fire Official shall require all new and existing construction that is required to be equipped with an approved fire alarm system that consists of smoke and/or heat detection and all buildings required to be equipped with a complete sprinkler system to have an approved key box system except of 1 and 2-family dwellings thirty (30) days after approval of ordinance.

Section 316.2 – Purpose. The purpose of the rapid entrance key system is to allow the fire department to gain immediate access to a building in emergency situations without forcible entry.

Section 316.3 – Location. The approved key box shall not be located more than 5 feet from the adjacent grade, and shall be approved by the Code Official.

Section 316.4 – Contents. The approved key box shall contain key, keycards, etc. needed to gain necessary access as required by the Code Official.

Section 316.5 – Alarms. At the request of the owner or lessee, the Fire Code Official shall permit him to install a key box tamper switch connected to the building's alarm system. If the owner or lessee chooses to connect the key box to an alarm, then they shall comply with the following requirements:

1. If the building is protected by a burglar alarm system, the key box shall be connected to that system.
2. If the building is not protected by a burglar alarm system, the key box may be connected to the fire alarm providing the connection is on the trouble side signaling an alarm. Connection to the fire alarm requires the key box to be zoned separately from any fire detection and noted on the fire alarm annunciator panel  
KEY BOX.

as

(E) Add Section 317 to read:

Section 317.0 – Miscellaneous Provisions.

Section 317.1 – Hazardous Areas - Room used for storage, boiler or furnace rooms, fuel storage, janitors' closets, and maintenance shops shall be separated from other building areas by assemblies having a fire resistance rating of not less than one hour with appropriate protection of openings into the rooms.

Section 317.2 – Fire Evacuation Procedure Notice. Owners, managers, and agents of multiple dwelling units with three (3) or more units, motels, hotels and places of assembly, served by a common entrance, shall post and maintain in a conspicuous location within each dwelling unit and in access routes, a written notice which explains what procedures to use in the event of a fire. The notice shall contain a diagram of all  
fire exits.

(F) Add Section 318 – Packing Materials. Materials used for protective packing shall be kept in approved noncombustible containers.

Section 318.1 – Removal of Packing and Waste Materials. No persons shall store in any building excess amounts of combustible empty packing cases, wooden or plastic pallets, barrels, boxes, rubber tires, shavings, excelsior, rubbish, paper bags, litter, hay, straw and similar combustibles. Aisle ways and storage of the abovementioned combustibles necessary for the performance of business shall be kept in an orderly and neat manner. Combustible materials shall be removed daily or more often as is necessary to suitable vaults, bins, dumpsters, compactors or separate buildings. Such practices shall be as approved by the Fire Official.

(G) Section 505.1 – Address Numbers. In the third line from the bottom, delete “or alphabet”.

(H) Section 806.1.1 – Restricted Occupancies. Revise to read as follows:

Natural cut trees shall only be permitted in the dwelling units of Group R-2 and R-3 occupancies.

(I) Section 807.4.3.1 – Storage in Corridors and Lobbies. Delete exceptions 1 and 2.

(J) Section 807.4.4.1 – Storage in Corridors and Lobbies. Delete exceptions 1 and 2.

(K) Add Sections 901.7.1 and 901.7.2 to read:

Section 901.7.1 – Systems Out of Service. Automatic fire suppression systems shall not be out of service for more than eight (8) hours for additions, alterations, maintenance or repairs without the approval of the Fire Official or the designated representative.

Section 901.7.2 – Control Valve Operator/Fire Watch. When any fire suppression system must be taken out of service, for any length of time, a responsible person shall be stationed at the control valve(s) to immediately activate the system in case of fire.

(L) Section 905 – Standpipe Systems. Add the following:

Class I standpipe systems shall be installed in all buildings where any portion of the building’s interior area is more than two hundred (200) feet of travel from the nearest point of fire district vehicle access.

(M) Add Section 905.12 to read:

Section 905.12 – Standpipe Flow Switch. All standpipe systems shall have flow switches interconnected to the building fire alarm system.

(N) Section 906.1 – Where Required. Add the following:

7. Within five (5) feet of all exit doors in all but Group R-3 occupancies, and within seventy-five (75) feet of travel distance. If there are practical difficulties in locating the fire extinguisher within five (5) feet of an exit door, then the fire extinguisher shall be located as directed by the Code Official.

(O) Revise Section 907 to read:

Section 907 – Fire Alarm and Automatic Detection Required.

Section 907.1 – All Other Use Groups Except R-3. In all buildings with floor areas

greater than two thousand (2,000) square feet, automatic and manual fire alarm systems shall be required and approved by the Code Official for the particular application and shall only be used for detection and signaling in the event of fire. Detection devices shall be compatible with the hazards and purpose for alarm.

Each building which is required to be built pursuant to the 2006 International Building Code as adopted by the City of Darien, shall be equipped with a wireless radio connection, approved by the Code Official, between its automatic fire detection equipment and such appropriate dispatch station as utilized by the Fire Protection District or Department which services the structure.

Assembly. Both new and existing educational and institutional use groups shall be equipped with an approved fire alarm system. This shall include assembly and educational uses with 20 or more occupants.

Section 907.2 – Alarm systems in Use Group R-1, R-2 and R-3 (except for detached single-family dwelling structures) shall comply with the following: Approved automatic fire protection shall be provided to protect new and existing multi-family buildings, which include apartments of three (3) or more units, townhouses and similar uses.

1. Approved automatic smoke detection devices wired to an activated living unit electrical circuit shall be provided in the vicinity of all bedrooms and elsewhere, based on room arrangements, in each living unit.
  - (a) The wiring shall allow for easy removal and replacement of the device.
  - (b) Each detector shall include an audible alerting device.
    - i. Approved fixed temperature devices shall be provided in each living unit near the kitchen and living room areas, with not less than one installed on each floor level. These shall be part of the fire alarm system.
    - ii. Generally unattended areas such as storage rooms, garages, combustibles unattended areas, elevator shafts, furnace basements, attic spaces, crawl spaces and similar rooms, areas shall be protected by approved heat detection devices.
    - iii. Approved smoke detection devices shall be provided in all public or common egress routes, including corridors, stairways, exit hallways, etc.
    - iv. All devices, except living unit smoke detectors (from (a) above), shall be interconnected to an approved control panel with an audible alerting system servicing all floors of the building.

- v. A zone indicator panel shall be provided in any building having multiple living units, with each zone serving more than one floor.
2. Assembly. Both new and educational and institutional use groups shall be equipped with an approved fire alarm system.

Section 907.3 – Design. The system shall be designed and installed in accordance with the National Fire Protection Association No. 72, Installation, Maintenance and Use of Protective Signaling Systems, 2007 Edition, with automatic detectors designed and installed in accordance with the National Fire Protection Association.

Section 907.4 – Power Supplies. A primary power supply source for the operation of the system under normal conditions shall be provided. A secondary power supply for operation of the system shall be by an U.L. approved energy device or minimum 60-hour storage battery or engine driven generator.

Section 907.5 – No alarm shall be out of service for more than 24 consecutive hours.

Section 907.6 – Automatic Sprinklers. Where automatic sprinklers provide protection to an area, approved flow and tamper switches interconnected to the fire alarm system shall be provided.

Section 907.7 – Zones. Each floor and each area over 15,000 square feet in area shall be separately zoned. Each type of system (sprinkler, halon, alarm, etc.) shall be separately zoned.

Section 907.8 – Each sprinkler system need only be zoned per floor for a flow alarm.

Section 907.9 – The fire protection district shall have access at any time of the day or night to the fire alarm control panel without entering an individual living (dwelling) unit. The fire alarm panel must be installed in an approved climate controlled, weather protected closet with 24-hour access from the exterior of the building.

(P) Add Section 915 to read:

Section 915 – Fire Hydrant Locations.

Section 915.1 – Fire Hydrant Locations. Water supplies shall be delivered under pressure to fire hydrants located as follows:

1. Fire hydrants shall be located along public streets, fire lanes, or access routes so that no portion of the building will be over 250 feet from a public fire hydrant. Where this is not possible, additional hydrants shall be located on the premises and be accessible to motorized fire apparatus.

2. In apartments, townhouses, condominiums, town/row or cluster housing areas where streets or parking lots dead end, hydrants shall be placed along the access route at a location approved by the fire official.
3. At least two (2) fire hydrants shall be located within 300 feet of the building.
4. Hydrants should be so located that:
  - a. Hydrants will be located approximately ten (10) feet from all weather roadways. If this cannot be done, the closest part of the hydrant shall be set back at least two (2) feet from the curb.
  - b. Hydrants shall not be located further than 75 feet from any fire department sprinkler or standpipe connection as determined by the Code Official.
  - c. Hydrants shall not be located closer than 25 feet to a building.
  - d. Hydrant outlets shall be a minimum of 18 inches but not more than 36 inches above the finished grade.
  - e. Access to fire hydrants shall be all-weather roadways adequate in width, clearance and strength for fire fighting purposes. Such routes including private roadways, shall be maintained accessible during all seasons of the year.
5. Fire hydrants used in conjunction with water supplies shall have two (2 1/2) inch and one (4 1/2) inch outlets with auxiliary gate valves on the hydrant branch line. Threads shall be American National Standard. Pumper outlets shall face roadways.
6. Fire hydrants shall be protected from accidental damage by approved methods when located in areas subject to vehicular damage.

(Q) Section 1006.3 Illumination emergency power – revise to read as follows:

Emergency lighting shall be equipped with power supplies from an independent, approved reliable source (battery or automatic starting generator). Emergency lighting shall be provided in all rooms and spaces over 2,000 square feet in area, or in rooms with an occupancy load of 20 or more. When required, emergency lighting shall be installed in stairways, corridors, access routes and other exit components. Multi-family building - emergency lighting will be required in all existing and new multi-family buildings in stairways, corridors, exit access and other exit components.

(R) Add Section 1004.10 – Number and Location of Exits. All rooms or spaces with accommodations for 20 or more persons or over 2,000 square feet in area and each floor shall have 2 separate means of egress.

(S) Add Section 3308.12 – to read:

Section 3308.12 – Bond and Responsibility. Bond and responsibility for fireworks Display and Discharge requires "Public Liability Insurance" in the amounts of not less than \$1,000,000.00 bodily injury and \$250,000.00,. The City of Darien and the local Fire Protection District shall be added as an "Additional Insured."

(T) Add Section 3406.9 – to read:

Section 3406.9 – Special Dispensers. Special type dispensers such as coin, key or card-operated devices, for self service operation by the general public are prohibited unless there is an attendant on duty at all times.

(U) Delete Sections 803.4.3.1.1 and 803.4.3.1.2.

(V) Chapter 45, Reference Standards: Revise the NFPA Standard Reference Numbers as follows:

From 13-02 to 13-07

From 13D-02 to 13D-7

From 13R-02 to 13R-07

**4-1-8-3: DEFINITIONS AND ADDITIONAL REGULATIONS OF THE 2006 INTERNATIONAL FIRE CODE:**

(A) Definitions:

1. FIRE PREVENTION CODE OR CODE: Wherever the words "Fire Prevention Code" or "Code" are used in the codes adopted herein by reference, they shall be to mean the City of Darien 2006 International Fire Code.
2. MUNICIPALITY: Wherever the word "municipality" is used in the Codes adopted herein by reference, it shall be held to mean the City of Darien.
3. CITY: Wherever the word "City" is used in the codes adopted herein by reference, it shall be held to mean the City of Darien.
4. CORPORATION COUNSEL: Wherever the term "corporation counsel" is used in the Codes adopted herein by reference, it shall be held to mean the legal counsel for the City of Darien.

5. FIRE OFFICIAL, CODE OFFICIAL, FIRE MARSHALL, AUTHORITY HAVING JURISDICTION OR CHIEF OF THE BUREAU OF FIRE PREVENTION: Wherever the term "Fire Official", "Code Official", "Fire Marshal", "Authority Having Jurisdiction" or "Chief of the Bureau of Fire Prevention" is used in the codes adopted herein by reference, it shall be held to mean the Director of Building and Zoning or his designee.
6. BUREAU OF FIRE PREVENTION: Wherever the term "Bureau of Fire Prevention" is used in the Codes adopted herein by reference, it shall be held to mean Department of Community Development.

(B) Administrative Bodies:

1. The Fire Prevention Code shall be enforced by the Department of Community Development of the City.
2. The person in general charge of the Department of Community Development shall be the Director of Community Development.
3. The Director of the Community Development may detail additional personnel as inspectors to assist in enforcing this Chapter.

(C) Application of Provisions: Except as stated elsewhere in this Chapter, any existing building and/or structure shall be brought into compliance with all applicable provisions of the Fire Prevention Code in the following situations:

1. If the structure or building is increased in floor area or in height, the entire structure or building shall be made to conform with the requirements of this Chapter.
2. If any portion is changed in occupancy, that portion separated by approved fire-rated construction shall be made to conform with the requirements of this Chapter.
3. If any portion is altered or remodeled costing in excess of fifty percent (50%) of the fair market value of the building or structure, such building or structure shall be made to conform to the requirements of this Chapter.
4. If a building or structure is damaged by fire or other cause to the extent in excess of fifty percent (50%) of the fair market value before the damage was insured, the entire structure or building (exclusive of foundation) shall meet the requirements of this Chapter.

(D) Permits And Approvals:

shall 1. Special Permits: Where special permits are required, application shall be made to the Director of the Department of Community Development. The Director determine criteria, limitations and duration of permits until the appropriate requirements are met.

(E) Explosives And Blasting Agents:

1. The storage, handling and use of explosives and blasting agents is prohibited within the City.

(a) Exception: By special permit from the Director of the Department of Community Development.

(F) Flammable Liquids; Liquefied Petroleum Gases:

1. The storage of flammable liquids in outside aboveground tanks is prohibited.

(a) Exception: By special permit from the Director of the Department of Community Development.

2. The bulk storage of liquefied petroleum gases in excess of one thousand (1,000) gallons water capacity is prohibited.

(a) Exception: By special permit from the Director of the Department of Community Development.

(G) Manufacturing And Storage Of Fireworks Prohibited: The manufacture and storage of fireworks is prohibited within the corporate limits of the City, except by special permit issued by the Code Official.

(H) Motor Vehicle Routes For Vehicles Transporting Hazardous Chemicals Or Other Dangerous Articles, Including Liquefied Petroleum Gases And Combustible And Flammable Liquids: The routes referred to in section 20.14 of the Fire Prevention Code for vehicles transporting hazardous chemicals and other dangerous articles are hereby established as routes approved by State, County or Federal governments.

No tank vehicles shall be parked for over one hour or left unattended at any time.

(I) Emergency Conditions: When in the opinion of the Director of the Department of Community Development or his designee there is actual and immediate danger because of hazardous conditions which endanger life or may cause effects upon adjoining properties, the Bureau may order the building to be immediately vacated and cause immediate remedial action if necessary. The cost of such remedial action shall be borne by the owner of the premises.

- (J) Modifications: The Director of the Department of Community Development and the City Administrator shall have power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the Code; provided that the spirit of the Code shall be observed, public safety and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of the Fire Marshall shall be entered upon the records of the Department and a signed copy shall be furnished the applicant.
- (K) New Materials, Processes Or Occupancies Requiring Permits: Upon a written request to employ new materials, processes or occupancies which require a permit or otherwise alter the provisions of the Fire Code, in addition to those now enumerated in said Code, the Director of Community Development shall forward said request along with supporting documentation and other applicable information as determined by the Director of Community Development and City Administrator to the building plan review and building inspection consultants employed by the City, to the local Fire District and when applicable, to the City Engineer, for their review and recommendation. Upon receipt of the recommendations from these sources, the Director of Community Development and City Administrator shall either approve or deny said request. In either situation, the determination made shall be posted in a conspicuous place at the Darien City Hall, and copies shall be distributed to all parties.
- (L) Penalties: The penalty for violation of this code shall be in accordance with the City Code penalty Section.

**4-1-9: EXISTING STRUCTURES REGULATIONS:**

**4-1-9-1: ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE:**

There is hereby adopted and incorporated by reference as part of this Section, the Code entitled "2006 The International Property Maintenance Code", printed in pamphlet form by the International Code Council, including no errata sheets inserted therein as modified in certain respects as set forth herein, three (3) copies of which are on file in the office of the City.

**4-1-9-2: AMENDMENTS TO CODE:** The International Property Maintenance Code, as adopted in Section 4-1-9-1 of this Chapter shall be amended as follows:

- (A) Section 101.1 – Insert “City of Darien for [Name of Jurisdiction].
- (B) Section 106.4 – Penalties. Revise to read as follows:

See the City Code of Darien for penalties for violations of the provisions of this Code.

**4-1-10: PERMITS AND FEES:**

**4-1-10-1: PERMIT REQUIRED; ISSUANCE:** A building permit, as provided for herein,

shall first be required before any construction, alteration, repair or removal within the City shall be commenced. No work shall be done and no permit as required by these regulations shall be issued until the fee prescribed therefore has been paid and all other requirements for such permit have been met.

**4-1-10-2: GENERAL REQUIREMENTS:**

- (A) Plat Of Survey With Application: A plat of survey shall be submitted with a building permit application. The plat of survey shall be prepared by a registered land surveyor of the state of Illinois and include topographical data showing existing contours at vertical intervals of not less than two feet (2'), proposed changes in contours, proposed foundation and elevations and other land improvements within the platted property and surrounding properties. Topographical data shall refer to true USGS elevation standards.
- (B) Spotted Survey Required: Two (2) copies of a spotted survey will be required within fourteen (14) days after the foundation is placed on the lot. The spotted survey shall include the true USGS elevations of the top of foundation wall and existing grade of curb, sidewalk or existing grade of street or roadway. It shall also include all building setbacks from the property boundaries. No construction will be permitted past the decking over the foundation except for water, sanitary sewer and related items unless such survey has been filed and approved by the Department of Community Development staff.
- (C) Final Grading Survey Required: Two (2) copies of a final grading survey will be required no less than four (4) days prior to the request for final occupancy. The final grading survey shall include topographical data showing final contours at vertical intervals of not less than two feet (2) based on true USGS elevation standards. A certificate of occupancy will not be issued until the final grading survey is approved by the City Engineer.

In any residential zoning district, no permit may be issued for additional work if there remains uncompleted other work on the premises for which a building permit has been issued for more than twelve (12) months.

(D) Duration Of Permits:

- 1. Duration: The duration of a building permit shall be one year from the date of issuance.
- 2. Permit Extensions: Upon approval of the Building Official, a building permit may be extended for a period not to exceed six (6) months on payment of fifty percent (50%) of the original building permit fee.
- 3. One Permit Limit: No more than one building permit shall be issued for a property unless construction required under the first building permit continues at a reasonable level.

4. Suspension Of Permit: Any building permit issued, but under which no work has commenced within six (6) months after issuance of the permit, or if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing, the permit shall expire by its own terms. The permit must be surrendered to the building inspector within ten (10) days after its expiration, and fees paid therefore shall be forfeited to the City. Upon such surrender, fifty (50) percent of the total permit fee shall be refunded.

(E) Contractor Registration Requirements:

1. All contractors, except electrical and plumbing contractors, shall obtain a city contractor's license. This shall include all subcontractors. The Darien license year runs from May 1 to April 30. There is an annual fee with a one-half (1/2) year fee after November 1.
2. Electrical contractors shall give evidence of good standing by supplying a copy of the registration with any other city, county or state jurisdiction in Illinois.
3. Plumbing contractors must be licensed with the state of Illinois and shall submit a copy of their license. Plumbing contractors doing sewer work shall be required to obtain a contractor's license.
4. Roofing contractors must be licensed with the state of Illinois and shall submit a copy of their license and shall be required to obtain a contractor's license.
5. All contractors including plumbing, electrical and roofing contractors, shall submit the following to the City:
  - (a) A ten thousand dollar (\$10,000.00) license bond. The general contractor may submit a twenty thousand dollar (\$20,000.00) license bond in lieu of separate bonds on each subcontractor.
6. License bond requirement may be waived where the owner of a single-family house is acting as a general contractor.

(F) Construction Vehicle Driveways: For any construction which does not include a hard surface for construction vehicles, a stone driveway must be laid within five (5) days of the placement of a foundation on a property.

(G) Erosion Control Devices: Erosion control devices such as silt fencing or hay bales shall be erected around the perimeter of any property under construction which includes earthwork.

(H) Sidewalk Construction Required Along Major Arterial Streets:

1. The City shall not issue any building permits for construction taking place along "major arterial streets", as defined hereafter, unless the applicant for the building permit and the owner of the property shall execute an acknowledgment that no occupancy permit for the building or structure will be issued unless sidewalks, constructed in accordance with the ordinances of the City, are installed along such major arterial streets prior to the occupancy of the building or structure. In lieu of the installation of the sidewalk prior to occupancy, and at the option of the City, the owner of the property may post a cash deposit with the City equal to the then current cost of installing the sidewalk or such other security acceptable to the City. This cash sum or other security shall be retained by the City until such time as it is most convenient for the City to install or to have installed such sidewalk segment either singly or as part of a larger sidewalk construction program. If, at the time the sidewalk is eventually installed, the cost of installing the sidewalk shall exceed the amount of the cash sum or other security posted, the owner shall be obligated, upon thirty (30) days' written notice, to increase amount of that cash sum or other security in an amount sufficient to enable City to install or to have installed the sidewalk. In the event that the cost installing the sidewalk shall be less than the cash sum or other security deposited with the City, the amount of such excess will be returned to the owner after the sidewalk is installed and all costs for the installation of the sidewalk have been paid.

2. For the purpose of this subsection, "major arterial streets" within the City shall be defined as follows:

- (a) Route 83.
- (b) Clarendon Hills Road.
- (c) Plainfield Road
- (d) Cass Avenue.
- (e) 75th Street.
- (f) Bailey Road.
- (g) North and South Frontage Roads.
- (h) Manning Road.
- (i) Lemont Road
- (j) 83<sup>rd</sup> Street

3. Any person who violates any provision of this subsection (H) shall upon conviction thereof be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). Every day upon which a violation of this subsection (H) takes place shall be deemed to be a separate offense.

(I) Permitted Hours Of Construction:

1. No construction for which a building permit is required under this Chapter shall commence before the hour of six thirty o'clock (6:30) A.M. or continue after the hour of ten o'clock (10:00) P.M. on Monday through Friday, or commence before the hour of seven thirty o'clock (7:30) A.M. or continue after the hour of ten o'clock (10:00) P.M. on Saturday or Sunday.
2. Any person who violates any provision of this subsection (I) shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for a first offense. Any person who violates any provision of this subsection (I) a second or subsequent time shall be fined not less than one-hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). In addition, violation of this provision may be deemed cause for revocation of the building permit.

**4-1-10-3: PERMIT FEES:**

(A) Plan Review Fees: Plan review fees are assessed through outside professional services.

Single-family residence	\$315.00
Residential additions	215.00
Detached garage	115.00
Multi-family residence	315.00 per dwelling unit
Basement remodeling, deck, shed, etc.	115.00
Commercial, office, industrial	0.003 x construction cost as determined by the most current publication of the Means Cost Estimating Guide
Elevators, escalators, dumb-waiters, platform lifts	100.00
Parking lots	100.00
Sign permits	50.00
Resubmittals	65.00 for each

The City reserves the right to employ outside review of any and all plans submitted and the cost of such review will be paid by the applicant.

(B) Construction Permit Fees:

1. **Computing Fees:** For the purposes of computing fees, all subordinate detached buildings, the use of which is clearly related to that of the main building located on the same plot, shall be considered to constitute a part of the main building when included in the same application for a building permit or when a permit is obtained for the detached subordinate building or buildings before occupancy of the main building.
2. **Building Permit:** The building permit fee for all new construction, additions, and alterations shall be based on the estimated cost of construction including all structural, electrical, plumbing, mechanical interior finish and site preparation elements. The following table sets forth said fees:

<u>Construction Cost</u>		<u>Fee</u>
\$0.00 -	\$8,000.00	\$75.00
8,001 -	15,000.00	150.00
15,001.00 -	20,000.00	200.00
20,001.00 -	25,000.00	250.00
25,001.00 -	35,000.00	500.00
35,001.00 -	50,000.00	750.00
50,001.00 -	75,000.00	1,000.00
75,001.00 -	100,000.00	1,250.00
100,001.00 -	150,000.00	1,500.00
150,001.00 -	200,000.00	2,000.00
Over 200,000.00		2,500.00
		+ 10.00/\$1,000.00

3. **Plumbing Permits:** A separate plumbing permit shall be required when plumbing work is not performed in connection with a required building permit for new construction, alterations, additions, repairs or accessory uses. The plumbing permit fee shall be based on the following schedule:
  - (a) Residential - \$10.00 per fixture
  - (b) Nonresidential - \$20.00 per fixture
4. **Electrical Permits:** An electrical permit shall be required when electrical work is not performed in connection with a required building permit for new construction, alterations, additions, repairs or accessory uses. The electrical permit fee shall be based on the following schedule:
  - (a) Residential - \$ 3.00 per outlet plus 10.00 per circuit

(b) Nonresidential - \$ 3.00 per outlet plus 10.00 per circuit

5. Elevator Permits:

Elevator	\$50.00
Escalator	50.00
Dumbwaiter	30.00
Movable stage or orchestra floor	50.00
Platform lift	50.00
Hinged platform lift	50.00

All existing elevators shall be inspected annually, at the cost of the property owner.

6. Permits For Tanks For Flammable Liquids:

- (a) Class 1 and 2 (1,000 gallon capacity - \$50.00  
 Each 100 gallons or fraction thereof over 1,000 – add 2.00
- (b) Class 3 and 4 (550 gallons or less) - \$40.00  
 Each additional 1,000 gallons or  
 fraction thereof over 550 - add 2.0

7. Other Permits Which May Require Plan Review Fee:

Fire protection systems, including but not limited to range hoods, sprinklers, alarms	\$50.00
Heating system/furnace	50.00
Residential air conditioner	50.00
Commercial conditioner	150.00
Building demolition	
500 square feet or less	50.00
Over 500 square feet	100.00
Tank removal	100.00
Swimming pool	
Aboveground	50.00
Inground	100.00
Fence	25.00
Deck	50.00
Satellite dish	50.00
Detached garage (up to 800 square feet)	100.00
Shed	50.00

(100 to 800 square feet)	
Steam boiler	75.00
Incinerator (state approved)	
5 square feet or less	50.00
Each additional 5 square feet	5.00
Driveways/parking lots	
Residential	25.00
Nonresidential	50.00
Other permits	50.00

8. Sign Permits: The erection, construction or alteration of any sign, or its advertising structure, marquee, canopy or awning, requires a sign permit based on the following schedule:

Nonilluminated signs (unless temporary) plus \$1.00 per square foot of gross surface area of each face thereof	\$100.00
Temporary signs	35.00
Marquees, canopies and awnings plus \$0.20 per square foot of gross surface area	20.00
Illuminated signs plus \$2.00 per square foot of gross surface area of each face thereof	200.00
Reface of existing sign	100.00
Permanent residential development sign as described in subsection 4-3-10(A)3 of this Title	no charge

9. Other Fees:

Reinspection	
First occurrence	\$80.00
Second occurrence	100.00
Work started without permit	2 x standard fee
Final occupancy	50.00
Violation of Building Code	
First offense	100.00
Subsequent offense	200.00
Elevator inspection	50.00

- (C) Independent Inspectors: The city may, from time to time, hire an independent inspector to make inspections which cannot be performed by the staff building inspectors. The cost of said inspections shall be paid by the builder.
- (D) Reinspections: Whenever a reinspection is required, due to inaccurate information or

construction, an additional fee of eighty dollars (\$80.00) shall be charged for the first reinspection. A one hundred dollar (\$100.00) fee shall be charged for each additional reinspection after the first reinspection. This fee shall be payable prior to the reinspection being performed.

(E) Failure To Receive Required Inspection: If a builder fails to receive a required inspection and continues to work, there shall be a one hundred dollar (\$100.00) fee. A building inspector may require removal of any unauthorized work in order to adequately make a required inspection.

(F) Work Started Without A Permit: Whenever work for which a permit is required is commenced without a permit, the applicant shall pay the following additional fees:

Fifty dollars (\$50.00) for the first three thousand dollars (\$3,000.00) of construction cost, and twenty dollars (\$20.00) per one thousand dollars (\$1,000.00) of additional cost of construction in order to reimburse the city for clerical, inspection and other administrative expenses.

(G) Permit Pickup: Building permits must be picked up within sixty (60) days of approval. If a permit is not picked up within sixty (60) days, it will become null and void and the applicant will be charged the applicable plan review fee.

(H) Temporary Certificate Of Occupancy (Valid For A Period Not To Exceed 120 Days):

Residential	\$100.00 + cash bond for cost of outstanding work
Commercial	\$150.00 + cash bond for cost of outstanding work

In addition, the seller/owner of any property for which a temporary certificate of occupancy is sought shall post the following sums to ensure the completion of incomplete items as follows:

Site grading	5,000.00
Sidewalk	15.00 per square foot
Concrete driveway approach/private driveway	15.00 per square foot
Asphalt driveway approach/private driveway	10.00 per square foot
Private landscaping	4,000.00
Public landscaping, infrastructure, storm sewer, storm sewer structure and water valves.	3,000.00

Such sums shall be released upon the issuance of a final certificate of occupancy. In the event all or a portion of said work is not completed by the expiration of the prescribed period of not to exceed one hundred twenty (120) days, the City may, in its discretion, release such funds to the property owner or cause uncompleted work to be completed.

(I) Final Certificate Of Occupancy: \$50.00

**4-1-10-4: DUPAGE COUNTY FAIR SHARE TRANSPORTATION IMPACT FEE:**

In addition to any other requirements of this code, no building permit or occupancy permit shall issue for improvements subject to the requirements of the DuPage County fair share transportation impact fee ordinance, county ordinance OTD-021-89, as said ordinance may be amended from time to time, until the applicant for such permit furnishes the City with a copy of a receipt of payment of DuPage County's impact fee.