

ORDINANCE NO. 1802-17

AN ORDINANCE ADOPTING THE VILLAGE OF HAWTHORN WOODS
ONE AND TWO FAMILY DWELLING BUILDING CODE

WHEREAS, the Mayor and the Board of Trustees have determined that it is in the best interest of the Village of Hawthorn Woods to create a new Hawthorn Woods One and Two Family Building Code using the 2015 Edition of the International Residential Code; and

WHEREAS, the 2015 Edition of the International Residential Code is a comprehensive compilation of codes designed to meet the needs of local building jurisdictions through model code regulations that prescribe safeguards for the safety and public health of all communities; and

WHEREAS, the 2015 International Residential Code, as amended, is founded on principles intended to establish provisions consistent with the scope of a building code that adequately protects health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types of classes of materials, products or methods of construction; and

WHEREAS, the International Code Council (ICC) offers a complete set of building codes without the regional limitations or technological disparities of the past. These codes are fully compatible with a larger set of codes also promulgated by the ICC. Those codes are the International Building Code (IBC), International Energy Conservation Code (IECC), International Fuel Gas Code (IFGC), International Mechanical Code (IMC), International Residential Code (IRC), the International Property Maintenance Code (IPMC), International Fire Code (IFC), and International Existing Building Code (EBC); and

WHEREAS, one of the main benefits of this Code is the model code development process under which it has been designed. This offers an international forum for building

professionals to discuss and debate the various requirements found herein. The model code system also encourages international consistency in the application of the provisions within the code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and the Village Board of Trustees of the Village of Hawthorn Woods, Lake County, Illinois, as follows:

Section I.

Chapter 8-1-2 of the Hawthorn Woods Municipal Code is hereby deleted and replaced by the following:

...“

8-1-2 – RESIDENTIAL CODE

This chapter shall be known and cited as the Hawthorn Woods Residential Code.

A – RESIDENTIAL CODE CREATED

There is created and established, in and for the Village of Hawthorn Woods, the Hawthorn Woods Residential Code.

B – ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE

A certain document, a copy of which is on file in the office of the village clerk, being marked and designated as International Residential Code, 2015 edition, as published by the International Code Council, Inc., be and is hereby adopted as the one- and two-family residential building code of the village, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the one- and two-family residential building code are hereby referred to, adopted and made a part hereof as if fully set out in this section, with the additions, insertions and changes, if any, prescribed in subsection B of this section.

The 2015 International Residential Code be and is adopted as the rules and regulations for the construction, alterations, additions, repairs or conversions of all one and two family dwellings, with the amendments, modifications and additions as hereafter set forth, in the Village of Hawthorn Woods, Lake County, Illinois, applicable to existing or proposed new one and two family buildings or structures.

C – AMENDMENTS TO THE INTERNATIONAL RESIDENTIAL CODE

CHAPTER 1 – SCOPE AND ADMINISTRATION

SECTION R101 – GENERAL

R101.1 Title

Delete in its entirety and replace with the following:

These regulations shall be known as the One- and Two-Family Residential Building Code of the Village of Hawthorn Woods, hereafter referred to as “this Code”.

SECTION R102 – APPLICABILITY

R102.4 Referenced Codes and Standards

Add the following at the end of the section:

Whenever the International Plumbing Code is referenced in this Code, it shall be replaced with “the current edition of the Hawthorn Woods Plumbing Code as adopted and amended from time to time by the Village of Hawthorn Woods”.

SECTION R103 – DEPARTMENT OF BUILDING SAFETY

Delete this section, including the title, and replace with the following:

Section R103 – Building Division

R103.1 Creation of Enforcement Agency

The Building Division, under the direction of the Community Development Director, is charged with the enforcement of this Code. The official in charge of the Building Division shall

be known as the “Building Official” and also referred to as the Community Development Director.

R103.2 Appointment

Delete in its entirety and replace with the following:

The Community Development Director shall be appointed by the Village Mayor with consent of the Board of Trustees and operate under the direction of the Chief Operating Officer.

SECTION R104 – DUTIES AND POWERS OF THE BUILDING OFFICIAL

Add as an additional section:

R104.1.1 Duties of the Community Development Director

Supervise and direct all operations and employees of the Building Division. Provide for the enforcement of all ordinance provisions relating to building, zoning or housing, and the inspection of all buildings or structures being erected or altered within the Village. Make recommendations for the health, safety and welfare of the community or for the improvement of the department. Maintain safe working conditions in the department and oversee compliance with the safety procedures and policies of the Village Board.

Add as an additional section:

R104.1.2 Duties of the Building Inspector

Serve as the building inspector for all new construction, alterations or modifications on residential, commercial and industrial buildings. Under the direction of the Community Development Director perform all plan reviews and field inspections associated with residential, commercial and industrial construction, inform contractors of violations, meet with owners, tenants, contractors, businesses and others to review and explain code requirements, violations, and potential violations. Assist in establishing, enforcing and maintaining current codes, ordinances, rules and regulations. Investigate and follow up on building related and other complaints. Issue citations for building and zoning violations, issue stop-work orders, and

appear and testify in court when necessary. Comply with all safety procedures and policies of the Village. Perform special tasks, projects and plan reviews as assigned.

Assist the Building Official with enforcement of the Village building, zoning, and property maintenance codes.

Add as an additional section:

R104.1.3 Duties of the Plumbing Inspector

Serve as the plumbing inspector for all new construction, alterations, and repairs. Under the direction of the Community Development Director, perform all plumbing plan reviews and field inspections, inform builders and property owners of violations, and meet with owners, tenants, contractors, businesses and others to review and explain code requirements, violations, and potential violations. Assist the Building Official with enforcement of the Hawthorn Woods Plumbing Code. Assist in establishing and maintaining current codes, ordinances, rules and regulations. Investigate and follow up on plumbing related and other complaints. Comply with all safety procedures and policies of the Village. Perform special tasks, projects and plan reviews as assigned.

Add as an additional section:

R104.1.4 Duties of the Code Enforcement Officer

Serve as the property maintenance inspector for existing residential, commercial and industrial properties under the direction of the Community Development Director, perform field inspections and assist with enforcement of ICC Property Maintenance Code and Village building, zoning and related ordinances. Assist in establishing and maintaining the current codes, ordinances, regulations, programs and policies of the Village. Comply with all safety procedures and policies of the Village. Perform special tasks and projects as assigned.

SECTION R105 – PERMITS

R105.2 Work Exempt from Permit

Delete the following numbered items:

Building:

1. One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet.
2. Fences not over 7 feet high.
4. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter of width does not exceed 2:1.
5. Sidewalks and driveways.
10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

R105.3.2 Time Limitation of Application

Delete 180 days as the timeframe for abandoned permits and insert 90 days in its place.

R105.5 Expiration

Delete in its entirety and replace with the following:

All building permits shall expire as identified in Section 8-2-5 of the Hawthorn Woods Municipal Code. If approved, permits may be extended as outlined per Section 8-2-5.

Add as an additional section:

105.5.1 Permit Renewal

Permits may be renewed per Section 8-2-5.B, Term of Permit, of the Hawthorn Woods Municipal Code.

R105.7 Placement of Permit

Delete in its entirety and replace with the following:

The building permit placard must be displayed at all times during construction. The placard must be placed in a position to be plainly legible and visible from the street or road fronting the property.

SECTION R106 – CONSTRUCTION DOCUMENTS

R106.1.1 Information on Construction Documents

Delete the first sentence in this section and replace with the following:

Construction documents shall be dimensioned and drawn upon a maximum of 24"x36" suitable material with the number of sets submitted to the Village to be determined by the Community Development Department.

Add as an additional section:

R106.2.1 Permit Plat Requirements

Surveys will be prepared by an Illinois Licensed Land Surveyor and must be submitted with the following information during the course of the building construction (for all new construction and additions): J Sll plats will be prepared in North American Vertical Datum 1988 (N.A.V.D. 88-W-2012 Geoid or most current).

1. Permit Plat. (Submitted with the building permit application)
 - Be clearly labeled as "permit plat"
 - Legal description, per most current recorded deed
 - Lot corner and grade break spot elevations
 - Indicate proposed location, including setbacks
 - Top of foundation elevations including all steps in the foundation
 - Finished garage floor elevation
 - Slab on grade buildings must indicate finished floor elevations
 - Locations of all existing and proposed utilities to the lot and on the lot
 - Lot number
 - Street address number
 - Grading contours
 - Driveway slope
 - Easements and any other encumbrances
 - Note the found or set monuments (type) at the lot corners
2. Spot Survey
 - Survey must be labeled as "Spot Survey"

- Legal description, per most current recorded deed
- Indicate true location of foundation from all property lines
- True top of foundation elevation
- Walkout and lookout elevations including all foundation steps
- Lot number
- Street address number
- Easements and any other encumbrances
- Note the found or set monuments (type) at the lot corners

3. Final Survey

- Must be labeled as “Final – As Built Survey”
- Legal description, per most current recorded deed
- Setbacks from all property lines
- True grading contours
- As built spot elevations
- Locations of all sidewalks
- Driveway slope
- Driveway location
- Utility connection locations, b-box, sanitary, storm hydrants, light poles, etc.
- Air conditioning unit location
- Location of any patios, decks, or other permanent structures on the lot
- Lot number
- Street address number
- Easements and any other encumbrances
- Note the found or set monuments (type) at the lot corners

Add as an additional section:

R106.2.2 Construction Site Requirements

All driveway culverts shall be of a minimum twelve (12) gauge corrugated metal, N-12, high density polyethylene corrugated pipe, or other material as approved by the village engineer and shall have flared end sections. All driveway culverts shall be fifteen inches (15") minimum diameter, provided, however, if the village engineer determines that the preservation of the ditch line and/or the drainage patterns upstream and/or downstream of the building site requires a larger or smaller driveway culvert and/or a particular placement thereof, the village engineer shall direct such installation and/or placement, which direction shall control. All driveway culverts shall be installed on top of six inches (6") of compacted granular base (CA-6, grade 8 or 9).

All driveway and driveway approaches, residential and non-residential, shall be hard-surfaced, dustproof, and shall not be gravel. An indemnification shall be required for driveway approaches in the right-of-way constructed of a material other than asphalt or concrete. Building sites shall be graded to conform to approved subdivision design. Required drainage swales shall be graded or maintained as detailed on the approved subdivision plans. Detention or retention areas on private property shall not be altered and shall be maintained as originally designed and constructed.

Construction debris shall be removed from the building site to maintain an orderly and safe condition. Construction debris and materials shall be stored in such a manner as to prevent it from being carried or deposited by the elements. Construction debris or materials shall not be deposited or placed on property other than the property for which a building permit has been issued. No burning of construction materials or debris shall be allowed.

A Building Official may determine that each construction site shall have a minimum of a twenty (20) yard dumpster at all times for the disposal of construction debris, which shall be a minimum of five feet (5') from the property line.

A Building Official may determine that each construction site shall have portable toilets for the length of the construction, which shall be a minimum of five feet (5') from the property line.

Add as an additional section:

R106.2.2.1 Residential Driveway Connections to Public Streets

A residential driveway that provides access to a garage shall be limited to one (1) curb opening of no more than twenty feet (20') in width plus a maximum of a one-and-a-half-foot (1'-6") wide decorative ribbon adjacent and connecting to each side of the driveway, except for circular drives as specifically approved by the Community Development Department. The decorative ribbon may extend to the curb in the right-of-way. Single-family and two-family

residential dwellings are permitted only one driveway per zoning lot. A driveway apron, the width of the garage, is permitted to extend for a distance (depth) of twenty feet (20') back from the garage doors before tapering back to the required driveway width to allow access to the additional spaces. This section shall supersede any conflicting language provided elsewhere in the Village Code.

R106.3.1 Approval of Construction Documents

Add the following sentence at the end of this section:

Upon final approval of the construction documents the applicant shall submit an electronic version of all approved construction documents in a format acceptable to the Village of Hawthorn Woods at the time of permit issuance.

SECTION R107 – TEMPORARY STRUCTURES AND USES

R107.1 General

Delete “180 days” and replace with “90 days”

SECTION R108 – FEES

R108.2 Schedule of Permit Fees

Delete in its entirety and replace with the following:

On alterations requiring a permit, a fee for each plan review, building permit, inspection, certificate of occupancy or impact fee shall be paid in accordance with the Village of Hawthorn Woods fee schedule listed in Title 11 of the Hawthorn Woods Municipal Code and as amended from time to time, or in accordance with any applicable annexation agreement.

SECTION R109 – INSPECTIONS

R109.4 Approval Required

Add the following language at the end of this section:

Any person who commences any work on a building, structure, electrical, gas, mechanical, or plumbing system before obtaining the necessary permits shall be subject to a fine of twice the Building Permit Fee for said project, or a minimum of \$100, whichever is greater, in addition to all other permit fees. The Community Development Director is authorized to waive or reduce such fee as determined by the circumstances surrounding the commencement of work without first obtaining a permit.

Add as an additional section:

R109.5 Additional Fees

Additional fees related to the performance of the plan examination, inspection or the evaluation of a submittal, or the professional services rendered to complete these duties shall become additional fees. These fees and services may be provided only with the concurrence of the developer, owner, or applicant in advance of securing these services.

The costs associated with this performance shall become additional fees paid to the Village of Hawthorn Woods prior to approval of the submittal, or providing the results to the developer, owner, or applicant.

SECTION R112 – BOARD OF APPEALS

R112 Board of Appeals

Delete in its entirety and replace with the following:

The owner or lessee of a building or structure, or their duly authorized agent, may appeal any determination or decision of the Community Development Director to the Village Board of Trustees by serving a written notice thereof on the Village Clerk within thirty (30) days after being notified of the determination or decision. In the event of such an appeal, the Village Board of Trustees shall affirm, reverse or modify the determination or decision.

SECTION R113 – VIOLATIONS

R113.4 Violation Penalties

Delete in its entirety and replace with the following:

Any person who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, shall be subject to the penalty as provided in Section 1-4-1 of the municipal code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION R114 – STOP WORK ORDER

Add as an additional section:

R114.3 Unlawful Notice Removal

Any person, firm or corporation who removes a stop work order, violation notice or other posted notices from the Village shall be subject to a fine of \$750.00.

CHAPTER 3- BUILDING PLANNING

Add as an additional section:

R301.9 Approved and Prohibited Exterior Building Materials

The following materials are approved for exterior use in the construction of residential buildings and accessory structures in the village of Hawthorn Woods:

1. Face brick (minimum 4" thickness)
2. Stone (minimum 4" thickness, or 2" thinset as approved by building division)
3. Cedar or equivalent wood sidings
4. Stucco
5. Architectural concrete block (samples must be submitted for approval)
6. Aluminum materials for soffits and fascia boards
7. Standing seam metal roofing and canopy covers in earth-tone colors (samples must be submitted for approval)
8. Wood shake shingles

9. Architectural grade asphalt shingles (30 year minimum)
10. Individual glass windows in wood, vinyl or aluminum frames (glass curtain walls are not included in this category)
11. Glass block for accenting purposes (glass block walls are not included in this category)
12. Limestone
13. Fiber-cement board
14. Fiber-cement material for trim, freeze boards, soffits and fascia boards, provided that corner trim be but a minimum of five and one-quarter inches ($5\frac{1}{4}$ ") wide and siding cannot protrude beyond the face of the corner trim board.

Samples of all materials to be used, in the color to be used, must be submitted to the building department.

Without in any way limiting the prohibition on the exterior use of any materials not included in the above list for construction of residential buildings and accessory structures in the village of Hawthorn Woods, the village of Hawthorn Woods has considered and expressly rejects the inclusion of the following materials in the list of approved exterior building materials set forth above:

1. Concrete block
2. Precast concrete wall panels
3. Aggregate matrix panels
4. Vinyl, or aluminum, steel or other metal, sidings, cornerboards or trim
5. Plywood or masonite siding
6. Panel brick
7. Curtain wall construction
8. Reflective glass

9. Glazed wall tile or glazed masonry units
10. Bright wall flashings or copings
11. Metal wall panels
12. Exposed structural framing and miscellaneous metals
13. Staccato boards
14. Fiber-cement panel sheeting material

Add as an additional section:

R301.10 New Home Exterior Design Guidelines

Exterior elevation designs shall have harmonious materials with a maximum of three (3) dissimilar materials. Masonry design at the front elevation only must be avoided by continuing the masonry on the side elevations, continuing the masonry on all elevations or providing a pleasing termination of the masonry material. In general, masonry materials should terminate at inside corners or at a change of plan. All sides of a structure shall be designed with a pleasing balance of architectural elements, features, windows or doors. A façade unrelated to the rest of the structure is not in keeping with acceptable design. The Village reserves the right to review all plans for design compliance.

House design shall take existing site conditions into account. Changing or altering existing site contours shall be restricted to a maximum change of four feet (4') without approval of the Village. Foundations should be "stepped" to comply with existing contours. Homes with side or rear elevations that back up to an arterial street may be requested to have masonry installed on the rear elevation.

R313.2 One- and Two-Family Dwellings Automatic Fire Systems

Delete the text of this section, but keep the Exception, and replace with the following:

An automatic residential fire sprinkler system may be installed in one- and two-family dwellings, but shall not be required.

R313.2.1 Design and Installation.

Delete in its entirety and replace with the following:

Automatic residential fire sprinkler systems shall be designed and installed in accordance with NFPA 13D, and the Hawthorn Woods Plumbing Code.

Add as an additional section:

R313.2.1.1 Freeze Protection

All fire sprinkler piping located in floor or ceiling joists, exterior cold wall cavities, in unconditioned cold concealed attic spaces, shall be protected from freezing.

Add as an additional section:

R313.2.1.3 Electrical Power Disconnect

There shall be no electrical power disconnect located at the fire pump.

Add as an additional section:

R313.2.1.5 Detached Structures

Detached structures, which comply with all of the following items, do not require automatic fire sprinklers.

1. Less than one thousand (1,000) square feet in floor area.
2. Single story
3. Not used as a dwelling
4. Not a High Hazard Use Group
5. Not used for high hazard products or hazardous materials storage
6. No basement level
7. Minimum 20 feet separation to other buildings

Add as an additional section:

R313.2.1.6 Vertical Shafts

Fire sprinkler protection is not required in vertical shafts for residential handicap lifts or elevators.

Add as an additional section:

R313.2.2 Additional requirements

Builders, developers and contractors of new one and two family dwellings are required to offer a complete residential fire sprinkler to purchasers of new one and two family dwellings. Builders, developers, contractors and purchasers of the new one and two family dwellings may elect to have the complete residential fire sprinkler installed throughout the home and in accordance with NFPA13D and the Hawthorn Woods Plumbing Code or the limited area fire suppression system. Builders, developers and contractors must provide the Village of Hawthorn Woods a signed statement from all purchasers stating they have been offered the complete residential fire sprinkler and indicating their choice on the installation. Said statement must be provided to the Village at time of permit, or prior to a rough inspection on the new home.

Add as an additional section:

R313.2.3. Alterations, repairs and additions

Alterations, repairs and additions to existing one and two family dwellings shall not be required to install a residential fire sprinkler system in buildings not already provided with an automatic residential fire sprinkler system.

Exception: In accordance with Title 9, Chapter 10, Nonconforming Buildings and Uses, of the Municipal Code, dwelling units undergoing substantial renovations or alterations where the building structure is removed from the foundation, razed due to damage from fire or acts of god, additions that add more than 50 percent of the current square footage, or if the water service is increased in size due to enlargement of the dwelling, shall install a residential fire sprinkler system in accordance with this Section.

Part VII – PLUMBING

Delete Chapters 26-33 entirely and insert:

The provisions of the current Hawthorn Woods Plumbing Code, as adopted and amended by the Village of Hawthorn Woods from time-to-time, shall apply to the installation, alterations, repairs, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and when connected to a water and sewer system and all aspects of a medical gas system. Whenever the International Plumbing Code or other plumbing requirements are referenced in this Code, it shall be replaced with “the current edition of the Hawthorn Woods Plumbing Code as adopted and amended from time to time by the Village of Hawthorn Woods”.

...”

Section II.

That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, superseded by this Ordinance.

Section III.

If any section, clause, paragraph, or provision of this ordinance shall be found invalid by a court of competent jurisdiction, such judgment shall not effect, impair, invalidate, or nullify the remainder of this ordinance, but only the part found to be invalid by such court.

Section IV.

This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form, as provided by law.

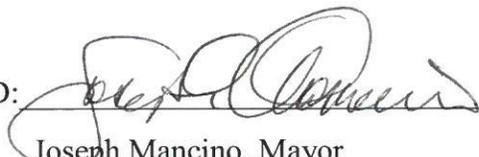
The foregoing Ordinance was passed by a roll call vote as follows:

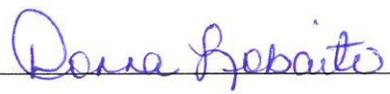
AYES: Kaiser, Kosik, Riess, Corrigan, Dimaggio, David

NAYS: 0

ABSTENTIONS: 0

ABSENT: 0

APPROVED: 
Joseph Mancino, Mayor

ATTEST: 
Donna Lobaito, Village Clerk

PASSED: December 13, 2017

APPROVED: December 13, 2017

PUBLISHED: December 15, 2017