

Village of Carol Stream

BOARD MEETING

AGENDA

MAY 4, 2009

All matters on the Agenda may be discussed, amended and acted upon

A. ROLL CALL AND PLEDGE OF ALLEGIANCE:

B. MINUTES:

1. Approval of the Minutes of the April 20, 2009 Meeting.

C. AUDIENCE PARTICIPATION & PUBLIC HEARINGS:

1. Swearing in of Pamela Fenner, Matthew McCarthy and Anthony Manzzullo as Village Trustees.
2. Declaring May 2009 as Bicycle Safety Month in Carol Stream.
3. Proclamation Declaring May as Motorcycle Awareness Month.
4. Proclamation Supporting the Village of Carol Stream 10th Annual Pond and Stream Sweep – Saturday, May 16, 2009.
5. Historical Recollection Series – Early Development of Fire Services – Mr. Richard Gieser, Sr.

D. SELECTION OF CONSENT AGENDA:

If you are here for an item which is added to the consent agenda and approved, the Village Board has acted favorably on your request.

E. BOARD AND COMMISSION REPORTS:

F. OLD BUSINESS:

1. #09069 – Heartland Food Corp., (Burger King) – 840 Army Trail Rd.
Special use – Outdoor Seating
RECOMMENDED APPROVAL SUBJECT TO CONDITIONS (6-0).
Zoning approvals for a patio seating area at the Burger King at Heritage Plaza.

G. STAFF REPORTS & RECOMMENDATIONS:

1. Presentation of 2008 Annual Report.
The 2008 Annual Report includes details on accomplishments by Department in carrying out the policies and direction from the Mayor and Village Board of Trustees.

Village of Carol Stream

BOARD MEETING

AGENDA

MAY 4, 2009

All matters on the Agenda may be discussed, amended and acted upon

2. GIS Data Sharing Agreement – Memorandum of Understanding (MOU).
This MOU establishes the terms under which the County and the Village agree to share digital geographic data at no cost to either party.
3. Write-off of Uncollectible Receivables.

H. ORDINANCES:

1. Ordinance No. _____, Providing for the Collection of Administrative Fees for Services Provided by the Police Department in the Village of Carol Stream.
2. Ordinance No. _____, Granting a Special Use (Burger King, 840 Army Trail Road).
See F1.
3. Ordinance No. _____, Amending Chapter 6 of the Carol Stream Code of Ordinances to Adopt New Building Construction and Maintenance Codes with Local Amendments.
Adoption of the 2008 National Electrical Code, the 2004 Illinois Plumbing Code, and seven codes from the 2006 ICC International Code Series, with local amendments, as the Village's Building Construction and Maintenance Codes.
4. Ordinance No. _____, Local Amendments to the Adopted Building Construction and Maintenance Codes.
Creation of a stand-alone document for the Village's local amendments to the adopted Building Construction and Maintenance Codes.
5. Ordinance No. _____, Amending the Municipal Code of the Village of Carol Stream by the Addition of Article 5, of Chapter 12, Establishing Standards for the Construction of Facilities on the Rights-of-Way.
This ordinance will establish regulations and standards for any construction within the Village rights-of-way and public easements.
6. Ordinance No. _____, Amending Chapter 17 of the Municipal Code of the Village of Carol Stream Addressing the Construction Standards of Facilities on the Rights-of-Way.
This ordinance amends Chapter 17 Telecommunications Code to be in accordance with the newly established Article 5 of Chapter 12.

Village of Carol Stream

BOARD MEETING

AGENDA

MAY 4, 2009

All matters on the Agenda may be discussed, amended and acted upon

I. RESOLUTIONS:

1. Resolution No. _____, Accepting Public Improvements, Water Main and Sanitary Sewer (Wheaton Bible Church).
This is the resolution accepting the public improvements for the Wheaton Bible Church.
2. Resolution No. _____, Recognizing the Village of Carol Stream Citizens Corps.
This resolution acknowledges the Board's support for the establishment of a Citizen's Corps program in Carol Stream. Establishing a Citizens Corps Council will allow the current police volunteer group to take advantage of benefits available as a Citizens Corps, Volunteers in Police Service (VIPS) program.
3. Resolution No. _____, Establishing the Carol Stream Census 2010 Complete Count Committee.

J. NEW BUSINESS:

1. Fire and Police Commission Reappointment.
Reappointment of John Kauffman to the Fire & Police Commission.
2. Raffle License Application and Waiver of Fees.
Hope for Jayne Zenker Campaign on behalf of COTA has submitted a raffle license application and is requesting a waiver of fees and manager's fidelity bond.

K. PAYMENT OF BILLS:

1. Regular Bills:
2. Addendum Warrant:

L. REPORT OF OFFICERS:

1. Mayor:
2. Trustees:
3. Clerk:

M. EXECUTIVE SESSION:

Village of Carol Stream

BOARD MEETING

AGENDA

MAY 4, 2009

All matters on the Agenda may be discussed, amended and acted upon

1. Collective Negotiating Matters

N. ADJOURNMENT:

LAST ORDINANCE: 2009-04-17

LAST RESOLUTION: 2406

NEXT ORDINANCE: 2009-05-18

NEXT RESOLUTION: 2407

**REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County Illinois**

April 20, 2009

Mayor Frank Saverino, Sr. called the Regular Meeting of the Board of Trustees to order and directed Village Clerk Beth Melody to call the roll.

Present: Mayor Frank Saverino, Trustees Mike Drager, Don Weiss, Greg Schwarze, Matt McCarthy, and Rick Gieser

Also Present: Village Manager Joe Breinig, Assistant Village Manager Bob Mellor, Attorney Stewart Diamond, Village Clerk Beth Melody And Deputy Village Clerk Wynne Progar

Absent: Trustee Pam Fenner

Mayor Saverino led those in attendance in the Pledge of Allegiance.

MINUTES:

Trustee McCarthy moved and Trustee Weiss made the second to approve the Minutes of the Meeting of April 6th as presented. The results of the roll call vote were:

Ayes: 5 Trustees Drager, Weiss, Schwarze, McCarthy & Gieser
Nays: 0
Absent: 1 Trustee Fenner

AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:

Resolution 2401 Commending Lloyd Smith Upon His Retirement from Village Service.

Mayor Saverino read the resolution and Trustee Gieser made the motion to adopt the Resolution and Trustee McCarthy made the second. The motion passed by unanimous vote, Mayor Saverino then presented a plaque to Lloyd and thanked him for his service to the residents of the village. Lloyd thanked everyone for their support and said that he really enjoyed his time here and that he will miss a lot of people. He was given a standing ovation for his service.

Resolution 2402 Commending Michael Drager for his Service to the Village of Carol Stream.

Mayor Saverino read the Resolution and Trustee Weiss made the motion to adopt the Resolution 2402 and Trustee McCarthy made the second. The motion passed by unanimous vote. Trustee Drager said that he thanks all of the Village residents, his fellow Trustees, the staff and support secretaries for giving him the opportunity to do this for the last two years. He said that he has always wanted to be involved with local government and he thanked Mayor Saverino for appointing him and making all this possible. He thanked his family for allowing him to have the time to contribute to the Village and he ended by saying God Bless each and every one please remember to pray for our Troops. There was standing ovation for Trustee Drager. Mayor Saverino recognized the incoming Trustee, Anthony "Tony" Manzullo and said that it was a great thing that he is attending the meetings even before he is sworn in.

Mayor Saverino said that there is a public hearing on the agenda in regard to the Annual Operating Budget. Trustee Schwarze moved and Trustee Gieser made the second to open the Public Hearing. The results of the roll call vote were:

Ayes: 5 Trustees Drager, Weiss, Schwarze, McCarthy & Gieser
Nays: 0
Absent: 1 Trustee Fenner

There were no comments or questions from those in attendance at the call for Public Hearing.

Trustee Weiss moved and Trustee Drager made the second to close the Public Hearing The results of the roll call vote were:

Ayes: 5 Trustees Drager, Weiss, Schwarze, McCarthy & Gieser
Nays: 0
Absent: 1 Trustee Fenner

Proclamation Declaring May 24, 2009 as Arbor Day in the Village of Carol Stream:
Mayor Saverino read a Proclamation Declaring May 24th 2009 Arbor Day in Carol Stream.

Proclamation Declaring May 4, 2009 through May 10, 2009 Public Service Recognition Week:
Mayor Saverino read a Proclamation Declaring May 4 – 10,2009 as Public Service Recognition Week.

Historical Recollection Series:
Barbara O’Rahilly, former Director of the Carol Stream Park District gave a brief talk about the development of the Park District and some of the amusing anecdotes that happened during her time.

CONSENT AGENDA:
Trustee Drager moved and Trustee Gieser made the second to establish a Consent Agenda for this meeting. The results of the roll call vote were:

Ayes: 6 Trustees Drager, Weiss, Schwarze, McCarthy & Gieser
Nays: 0
Absent: 1 Trustee Fenner

Trustee Weiss moved and Trustee McCarthy made the second to put the following items on the Consent Agenda for this meeting. The results of the roll call vote were:

Ayes: 6 Trustees Drager, Weiss, Schwarze, McCarthy & Gieser
Nays: 0
Absent: 1 Trustee Fenner

- 1. Special Use: Outdoor seating-840 ATR- continued until May 4,2009
- 2. Variations – Sign Code – No Board action required
- 3. Variations – Landbanked Parking- 494 Lies Rd. - Ord. 2009-04-15
- 4. Plat of Consolidation/Easement Abrogation - R. 2404

5. Award of Contract-Engineer design services-Lies Road Pavement Rehab
6. Approve waiver of bid & purchase of Traffic Squad car
7. Renewal of contract with Northern for GIS/GPS maintenance
8. 2009-2010 Employee Compensation Plan
9. Ord. 2009-04-16: Transfers that Amend Annual Budget-2008-2009
10. Ord. 2009-04-17: Adopt 2009-2010 Annual Budget
11. Res. 2403: Accept ingress/ egress – Maintenance 302 Kuhn Road
12. Resolution regarding bond recall – passed over
13. Res. 2405: Declaring surplus property – incident command vehicle
14. Res. 2406: Urging passage of a Comprehensive Capital Infrastructure program
15. Approve fee waiver and Raffle License – WDRSA – Town Center
16. Approve fee waiver for Senior Class Luncheon – Town Center
17. Approve fee waiver/ tent rental and amplification- Teacher Retirement- TC
18. Regular Bills, Addendum Warrant of bills
19. Receive Treasurer’s Report – March 31. 2009

Trustee McCarthy moved and Trustee Drager made the second to approve the Consent Agenda for this meeting by Omni vote. The results of the roll call vote were:

Ayes:	6	Trustees Drager, Weiss, Schwarze, McCarthy & Gieser
Nays:	0	
Absent:	1	Trustee Fenner

The following is a brief description of the items approved for the Consent Agenda for this meeting.

Variations – Landbanked Parking- 494 Lies Rd. - Ord. 2009-04-15:

At their meeting on April 13th, the Combined Plan Commission/ Zoning Board of Appeals recommended approval of the variation for landbanked parking in accordance with staff recommendations. The Board concurred with the recommendations and adopted Ordinance 2009-04015, AN ORDINANCE GRANTING VARIATIONS FROM SECTION 16-13-2(G) FOR PARKING SPACE LANDBANKING (494 E. LIES ROAD).

Plat of Consolidation/Easement Abrogation - R. 2404:

At their meeting on April 13th, the Combined Plan Commission/Zoning Board of Appeals recommended approval of a Plat of Consolidation and Plat of Easement Abrogation. The Board concurred with the recommendation and adopted Resolution 2024, A RESOLUTION APPROVING A PLAT OF ABROGATION – (545-595 GUNDERSEN DRIVE).

Award of Contract-Engineer design services-Lies Road Pavement Rehab:

The Board made an award of bid for consulting engineering services for the Lies Road Pavement Rehabilitation Project Phase I and Phase II to TranSystems Corporation in the amount of \$36,311.26. This project has been granted construction funds from the American Recovery & Reinvestment Act funding.

Approve waiver of bid & purchase of Traffic Squad car:

The Board approved the waiver of bid and the purchase of a traffic sports utility vehicle under State bid for the cost of \$26,399.66.

Renewal of contract with Northern for GIS/GPS maintenance:

The Board approved a contract renewal with Northern Illinois University for 2009-2010 Geographic Information System (GIS)/Global Positioning System (GPS) Maintenance Project in the amount of \$19,863. This is a 6.6% reduction in cost from last year's contract.

2009-2010 Employee Compensation Plan:

The Board approved the 2009- 2010 Employee Compensation Plan.

Ord. 2009-04-16: Transfers that Amend Annual Budget-2008-2009:

The Board adopted Ordinance 2009-04-16, AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE VILLAGE OF CAROL STREAM FOR THE YEAR COMMENCING MAY 1, 2008 AND ENDING APRIL 30, 2009.

Ord. 2009-04-17: Adopt 2009-2010 Annual Budget:

The Board adopted Ordinance 2009-04-17, AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE VILLAGE OF CAROL STREAM FOR THE YEAR COMMENCING MAY 1, 2009 AND ENDING APRIL 30, 2010.

Res. 2403: Accept ingress/ egress – Maintenance 302 Kuhn Road:

The Board adopted Resolution 2403, A RESOLUTION ACCEPTING AN INGRESS/EGRESS AND MAINTENANCE EASEMENT TO THE VILLAGE OF CAROL STREAM.

Res. 2405: Declaring surplus property – incident command vehicle:

The Board adopted Resolution 2405, A RESOLUTION DECLARING SURPLUS PROPERTY OWNED BY THE VILLAGE OF CAROL STREAM – (INCIDENT COMMAND VEHICLE).

Res. 2406: Urging passage of a Comprehensive Capital Infrastructure program:

The Board adopted Resolution 2406, A RESOLUTION URGING THE PASSAGE OF A COMPREHENSIVE CAPITAL INFRASTRUCTURE PROGRAM.

Approve fee waiver and Raffle License – WDRSA – Town Center:

The Board approved a waiver of fee and manager's fidelity bond for the WDSRA event at the Town Center Run, Rock and Roll 5K on May 31, 2009.

Approve fee waiver for Senior Class Luncheon – Town Center:

The Board approved the waiver of fees for the tent at Town Center for the Senior Class Luncheon on May 29, 2009.

Approve fee waiver/ tent rental and amplification- Teacher Retirement- TC:

The Board approved the waiver of fees for the tent rental and amplification permit for the 3rd annual Teacher Retirement Reception to be held on May 18, 2009.

Regular Bills, Addendum Warrant of bills:

The Board approved the payment of the Regular Bills in the amount of \$446,622.27. The Board approved the payment of the Addendum Warrant of Bills in the amount of \$700,117.17.

The Board received the Treasurer's Report for the month ending March 31, 2009.

Report of Officers:

Trustee Drager said that he wished Lloyd health and happiness in this retirement. He thanked Jan Smith for all of work for the Village and he asked everyone to pray for our troops.

Trustee McCarthy apologized for coughing throughout the meeting. He thanked Mike and Lloyd for their service to the Village.

Trustee Weiss commented that along with the Historical Recollections being shown on Channel 6, the Village will begin streaming videos of the Village Board meetings, so residents can see their Trustees at work. Trustee Weiss thank Trustee Drager for his time on the Board and said that he will continue his closing remarks of Pray for our Troops, especially for his nephew who has been assigned to Afghanistan.

Trustee Schwarze thanked Barb O’Rahilly for her part in the Recollection Series, he thanked Lloyd for all of his service to the Village and for being the backbone of the Public Works streets and sewer programs. Trustee Schwarze told Trustee Drager that he will definitely be missed and thanked him for his contributions to the residents. He ended his comments with Shop Carol Stream.

Trustee Gieser said to Trustee Drager that it was an honor and a privilege to serve with him on the Board and thanked him for his input. Trustee Gieser thanked Lloyd for all of the hard work over the years. Trustee Gieser reminded everyone that Culvers will be having a benefit for the 4th of July Parade committee on April 29th and that there will be a round table historical recollection with past leaders of the Park District. Trustee Gieser thanked Barb O’Rahilly and said GO BULLS, HAWKS, CUBS and SOX!!

Village Clerk Melody said that Mike Drager will be missed by everyone and wished Lloyd well in his retirement.

Deputy Clerk Progar said that she will miss seeing Lloyd in either a plow truck, or running street sweeper, and she told Mike Drager that he is irreplaceable and will definitely be missed.

Village Manager Breinig commented that Mike Drager has worked hard through good and bad and he has been a shining star in interaction with the residents and on behalf of the staff he thanked him for all of his service the Village and its residents. Mr. Breinig said that there will be an electronics and shredding event at Town Center on April 25th and a Mother’s Day Continental Breakfast on May 9th and that the drop box for prescription medications will be in the Police Lobby starting April 27th.

Mayor Saverino said that he would like to offer his heartfelt sympathy to former Clerk Jan Koester and her family on the loss of her daughter Janine. He thanked Dirk Enger, DuPage County Representative for his appearance and for bringing good news of jobs available for teens this summer, and for his help in addressing the flooding problems in the Village. Mayor Saverino said that Lloyd was a first class guy, a great Hawks and Sox fan and he thanked him for his 27 years of service. Mayor Saverino said that he would be going to Springfield with Trustees Gieser, Fenner , Weiss and Stan Helgerson next week to discuss our needs with the Senate and the House of Representatives and ask for their assistance in getting Stimulus Funding for the shovel ready projects in the Village.

At 8:45 p.m. Trustee McCarthy moved and Trustee Drager made the second to adjourn. The results of the roll call vote were:

Ayes:	6	Trustees Drager, Weiss, Schwarze, McCarthy & Gieser
Nays:	0	
Absent:	1	Trustee Fenner

FOR THE BOARD OF TRUSTEES

PROCLAMATION

**DECLARING MAY 2009 AS
BICYCLE SAFETY MONTH IN CAROL STREAM**

Whereas, the residents of Carol Stream appreciate the benefits of living healthy and smart lifestyles, and today, more of them are making a conscious effort to develop habits that are practical as well as advantageous to themselves, their families and society; and

Whereas, bicycles are used by people of all ages for a variety of purposes – including transportation, fitness, recreation and sport – whereby many participate in races, tours, and other special events; and

Whereas, the bicycle is part of our American lifestyle, often providing our first form of independent transportation and, as the fair weather brings an increase in bicycle traffic. May marks the observance of National Bicycle Safety Month and traffic safety professionals, bicyclists and bicycling organizations across the United States recognize the convenience and enjoyment of this unique human-powered vehicle; and

Whereas, Illinois ranks fourth in the nation in terms of people who bicycle to work, and the safety to those who bicycle for recreational and practical purposes is a primary concern to all road users; and

Whereas, bicycling is an economical and non-polluting form of transportation that helps improve air quality, and an alternative means of public mobility; and

Whereas, each year, the Carol Stream Police Department's Traffic Safety Division works to promote the "Sharing the Road Safely" program and in addition supports the efforts of IDOT, the DuPage County and Township Highway Departments, community programs, businesses and other organizations to encourage safe bicycle riding and the use of properly fitted helmets; and

Whereas, these efforts call for greater awareness of safety for bicyclists and the need for better access to parks and other public facilities, and it is fitting that all Carol Stream residents support this observance which reminds motorists, bicyclists and pedestrians to courteously share our streets; and

Whereas, local children and their parents are invited to the 36th Annual Bike Safety Rodeo scheduled for Saturday, May 30th from 10 am – 2 pm at the Ross Ferraro Town Center to learn about all aspects of bike safety, especially the rules of the road pertaining to bicycle riders.

NOW, THEREFORE BE IT PROCLAIMED THAT the Mayor and the Village Board of Trustees of the Village of Carol Stream, DuPage County, Illinois, in the exercise of its home rule powers do hereby proclaim May 2009 as Bicycle Safety Month in the Village and encourage all residents to join the Village Board and staff in fostering the increased use of the local pedestrian pathways as well as the Great Western Trails for a mode of transportation as well as a source of recreation.

PROCLAIMED THIS 4th DAY OF MAY 2009.

Frank Saverino Sr., Mayor

Beth Melody, Village Clerk

AGENDA ITEM

C-3 5-4-09

PROCLAMATION

DECLARING MAY AS MOTORCYCLE AWARENESS MONTH

WHEREAS, safety is the highest priority for the highways and streets of our Village and State; and

WHEREAS, the great State of Illinois is proud to be a national leader in motorcycle safety, education and awareness; and

WHEREAS, motorcycles are a common and economical means of transportation that reduces fuel consumption and road wear, and contributes in a significant way to the relief of traffic and parking congestion; and

WHEREAS, it is especially important that the citizens of our Village and State be aware of motorcycles on the roadways and recognize the importance of motorcycle safety; and

WHEREAS, the members of A.B.A.T.E. of Illinois, Inc., continually promote motorcycle safety, education and awareness in high school drivers' education programs and to the general public in our Village and State, presenting motorcycle awareness programs to over 100,000 participants in Illinois in the past three years alone; and

WHEREAS, all motorcyclists should join A.B.A.T.E. of Illinois, Inc. in actively promoting the safe operation of motorcycles, as well as promoting motorcycle safety, education and awareness to the citizens of our Village and State; and

WHEREAS, the motorcyclists of Illinois have contributed extensive time, money and community service to national and community charitable organizations such as Easter Seals, Make-A-Wish Foundation, Northern Illinois Food Bank, Salvation Army, and CASA Kane County; and

WHEREAS, during the month of May, all roadway users should unite in the safe sharing of roadways within the Village of Carol Stream and throughout the great State of Illinois.

NOW, THEREFORE, I, FRANK SAVERINO, SR., MAYOR OF THE VILLAGE OF CAROL STREAM, in the great State of Illinois, in recognition of the 23rd Anniversary of the efforts of A.B.A.T.E. of Illinois, Inc., and the over 305,000 registered motorcyclists statewide, and in recognition of the continued role Illinois serves as a leader in motorcycle safety, education and awareness, do hereby proclaim the month of May, this year 2009 as **MOTORCYCLE AWARENESS MONTH** in the Village of Carol Stream and urge all motorists to join in an effort to improve safety and awareness on our roadways.

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

AGENDA ITEM

C-4 5-4-09

PROCLAMATION

SUPPORTING THE VILLAGE OF CAROL STREAM 10TH ANNUAL POND & STREAM SWEEP – SATURDAY, MAY 16TH, 2009.

WHEREAS, public lands in and around Carol Stream includes parks, forest preserves and wildlife refuges, bike and nature trails like the Great Western Trail, natural streams like the Klein & Thunderbird Creeks, native wetlands, public flower gardens such as Daylily Park, storm water detention/retention ponds as well as landmark properties like the Historic Farmhouse and are all important resources; and

WHEREAS, the Village of Carol Stream recognizes the importance of these valuable lands; and

WHEREAS, the Village has been conducting its annual Pond & Stream Sweep since 2000; and

WHEREAS, the purpose of the Pond & Stream Sweep is to encourage citizens and volunteer groups to help “sweep our streams clean” by picking up trash and debris in and along our waterways; and

WHEREAS, the Pond and Stream Sweep has been highly successful with 750 volunteers removing more than 11 tons of garbage from the Village’s ponds and streams; and

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR AND BOARD OF TRUSTEES, that all residents of the Village of Carol Stream, DuPage County, Illinois are encouraged to learn about the environmental importance of clean waterways, and are further urged to support and participate in the Carol Stream 10th Annual 2009 Pond & Stream Sweep to be held on the morning of Saturday, May 16th, PASSED THIS 4th DAY OF MAY, 2009.

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

AGENDA ITEM

C-5 5-4-09

Village of Carol Stream

Interdepartmental Memo

DATE: May 1, 2009

TO: Mayor Frank Saverino Sr. & the Village Board of Trustees
Joseph E. Breinig, Village Manager

FROM: Christopher M. Oakley, Asst. to the Village Manager

RE: Historical Recollection Series – The Early Development of Fire Services

Mr. Richard Gieser Sr., a longtime resident and former volunteer fireman with the Kenneyville Fire Protection District will be attending the upcoming May 4th meeting to talk about the Kenneyville Fire Company and the gradual formation of the Carol Stream Fire Protection District. Attached is a page from 'Build Your Own Town' by Jean Moore that chronicles some of the early developments in the establishment of this district and its associated facilities.

1960

Property in the development lay in three different fire protection districts (Keeneyville, Bloomingdale, and Winfield). A hearing was held at the courthouse in Wheaton to decide who would protect the new town of Carol Stream. Judge Guild awarded it to Keeneyville.

The District borrowed money from a Roselle bank to purchase a 1960 Ford fire engine from the John Beam Company at a cost of \$17,628.01. The Carol Stream Company of the Keeneyville Fire Protection District was formed. Jay Stream made a deal with Dick Kammes that he would build a lean-to on the Durable Construction garage to house the 1947 fire truck. This was the first Carol Stream Fire Station and the first fire truck to serve the Village of Carol Stream.

Firefighters dismantled an old farm building on Kuhn Road and built a fire station on the site of the village's sewer treatment plant. Joe Jirsa and Joe Zielonski, among others, were volunteers. This fire station remained in use until the new station was built on Kuhn Road in 1969.

1961

Richard Kammes was appointed as President of the Board after Earl Tedrahn's resignation.

1962

The District annexed territory on the west end of the District, which extended the boundaries to North Avenue and St. Charles Road, north on the section line to Lies Road. The District boundary was 80 rods (rod = 5.5 yards) west of Kuhn Road with a line that ran north and south from North Avenue to Lies Road. The District purchased a 1500-gallon GMC tanker from Franklin Park.

1963

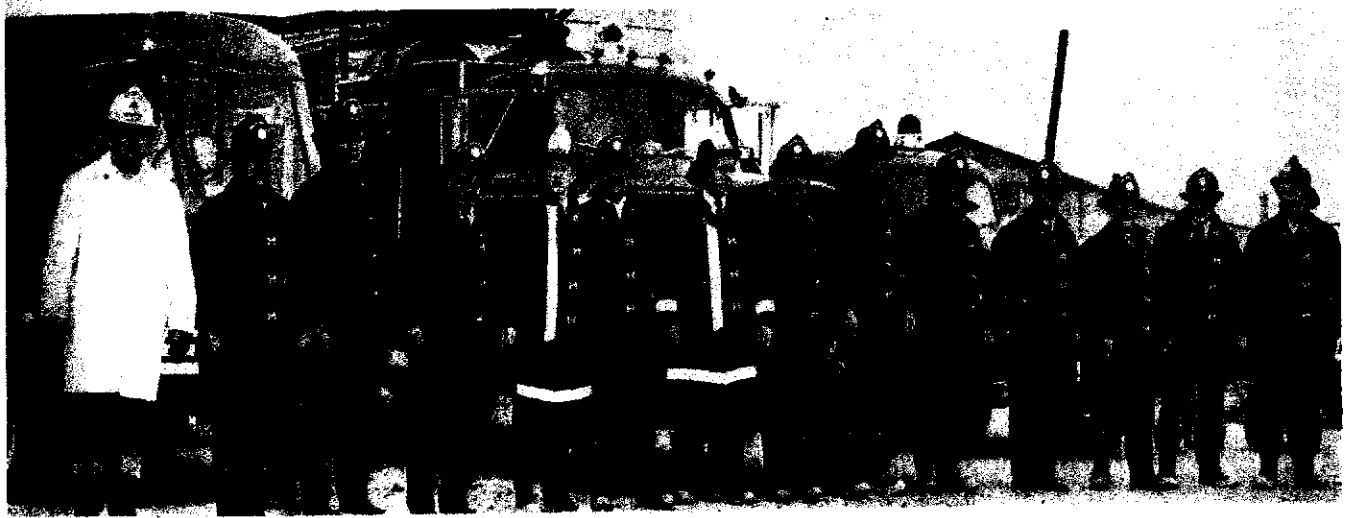
On April 6, Volunteer Firefighter Edwards T. Mangels died in the line of duty while fighting a barn/house fire. Mangels was a member of the Carol Stream Company of the Kenneyville Fire District. Mangels was 34 years old.



The black bunting was draped on the original Carol Stream Fire Station in honor of Ed Mangels.

- 1963 The District passed its first bond referendum to purchase two new fire pumpers, a rescue truck and fire hose.
 - 1964 Delivery was made on the new trucks. A dispatch system was started, and two-way radios were installed in the fire trucks.
- The fire district started the Fire Prevention Bureau, consisting of a Deputy Chief and 2 Lieutenants.
- Art Van Allen was appointed to the Board of Trustees.

THE DAILY JOURNAL, Wheaton. Page 2-Fri., Oct. 5, 1964



CAROL STREAM FIRE DEPARTMENT—From left, Fire Chief Dick McKenzie, Don Vi-
 lendor, Dan Piaroni, Eugene Davis, Engineer Ron Madena, Lt. Norm O'Dell, Engineer
 George Budeanu, Lt. Jerry Walter, Dick Tesnov, Joe Jirsa, Bob Thompson, Edward Wein-
 mann, and Jim McGee. Not pictured are the Rev. Robert Roxburgh and Don Davis. All are
 celebrating Fire Prevention Week. (Daily Journal Photo)

Fire Prevention Week is being celebrated.

- 1965 Len Pauling was appointed to the Board of Trustees.
- 1966 The District purchased alerting radios (Plectrons) for all firefighters. Prior to this firefighters were called by phone to tell them of an emergency. Earl Tedrahn volunteered to have a radio tower put at the Cloverdale General Store on Army Trail Road. Earl and his family took all the fire and emergency calls 24 hours a day. He volunteered this service for many years.



VOLUNTEER FIREMEN of the Carol Stream Fire Co. of the Keeneyville Protection District completed the advanced course in first aid offered by the American Red Cross on Jan. 10. Bud Miller was the instructor for the course and is presenting badges to the men in the photograph: (front row) Robert Wieczorek, Harvey Hallberg, Ronald Medema, Ed Weinmann, Jr., (second row) Ralph Wiering, Joseph Zielorski, Mr. Miller, George Budreau, Richard Gieser, and Ed Gershon. The men will also receive certificates of completion. (TIMES Photo)

Volunteer fireman received their badges after completing the American Red Cross First Aid course.

1968 The District passed a bond referendum of \$ 185,000.00 to purchase a 75-foot snorkel, build a new Carol Stream Fire Station, and remodel and enlarge the Keeneyville Station.

1969 Construction on the Keeneyville Station began. The new station on Kuhn Road for the Village of Carol Stream was completed.

1970 Delivery was made on the snorkel in April at a cost of \$70,000.00.

The Inspection & Rating Bureau dropped the District to a 10 rate.

The District negotiated with Bloomingdale Fire District, also with Mr. Fischer, to annex his 80 acres of farmland into the Keeneyville District.


The District negotiated with Winfield for 40 acres on the corner of North Ave and Gary Ave.


AGENDA ITEM

Village of Carol Stream F-1 5-4-09

Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager

FROM: Donald T. Bastian, Assistant Community Development Director 

THROUGH: Robert J. Glees, Community Development Director 

DATE: April 15, 2009

RE: **Agenda item for the Village Board meeting of April 20, 2009**
PC/ZBA Case No. 09069, Heartland Food Corporation – 840 Army Trail Road
Special Use for Outdoor Seating (Burger King)

Heartland Food Corporation, a Burger King franchisee that operates the Burger King restaurant at 840 Army Trail Road, is in the process of renovating and “re-imaging” the restaurant. As part of the project, Heartland Food Corporation would like to offer outdoor customer seating on a new patio that will be constructed on the north side of the building. The plans identify two round tables with umbrellas, one of which will provide wheelchair accessibility. The new tables would accommodate seating for about 14 customers, and the plans include two new trash receptacles and a bicycle rack. As the Zoning Code lists *outdoor seating ancillary to a restaurant use* as a special use, Heartland Food Corporation has submitted an application seeking special use approval.

The staff report presenting the request, with supporting documentation, was transmitted to the Village Board with the Plan Commission/Zoning Board of Appeals (PC/ZBA) packet on April 10, 2009. At their April 13, 2009, meeting, by a vote of 6-0, the PC/ZBA recommended approval of the special use to allow outdoor seating, subject to the conditions noted in the staff report. The PC/ZBA also recommended an additional condition that bollards be installed between the handicapped accessible parking spaces and the outdoor seating area. Since the PC/ZBA meeting, the applicant has submitted a plan showing the proposed bollard installation. Staff has no objection to the plan.

If the Village Board concurs with the PC/ZBA recommendation regarding the special use for the outdoor seating, they should approve the special use, subject to the conditions contained in the Ordinance, and adopt the necessary Ordinance.


DTB:db

c: John Kayser, Director of Construction with Heartland Food Corporation (via e-mail)

AGENDA ITEM
6-2 5-4-09

Village of Carol Stream
Interdepartmental Memo

TO: Joseph Breinig, Village Manager

FROM: James T. Knudsen, Director of Engineering Services 

DATE: April 29, 2009

RE: GIS Data Sharing Agreement – Memorandum of Understanding (MOU)

DuPage County has provided the Village with an agreement in a MOU form. See attached. This MOU establishes the terms under which the County and the Village agree to share digital geographic data at no cost to either party. Currently the Village pays DuPage County an annual fee of \$5,400 for them to provide us with their GIS files. With the approval of this agreement, this annual fee would no longer be necessary because the Village would be agreeing to share its GIS data with the County. The MOU has been reviewed by Staff and the Village Attorney and found acceptable. Therefore, it's recommended the Village Board approve the MOU to enter into a GIS data sharing agreement.

Cc: Al Turner, Director of Public Works
Bob Mellor, Assistant Village Manager
Bob Glees, Community Development Director
William N. Cleveland, Assistant Village Engineer

**Geographic Information System Data Sharing
Memorandum of Understanding – March 3, 2009**

This Memorandum of Understanding is established between DuPage County, Illinois and the Village of Carol Stream for the purpose of sharing digital geographic information.

The County and the Village agree to exchange digital geographic information subject to the following understanding and may continue to do so as long as both parties deem such exchange to be beneficial, without further written agreements.

1. All information is provided on an as-is basis, with no guarantee of accuracy, completeness or currency, and at no cost.
2. Provided information will not be used as a base for engineering design, establishing or reestablishing land boundaries, or as a substitute for an on-site survey for regulatory functions.
3. Information received from the other party will not be sold, given or distributed in hardcopy or digital form to any other person or entity, except in the following instances:
 - A. The receiving party may display on a public Internet site map images only, and will not provide access to the underlying map data.
 - B. The receiving party may provide the data to an external person, agency or firm only for the purpose of obtaining a service that requires the use of the data. The external person, agency or firm will not be permitted to sell, give or distribute the data beyond the scope of said service.
 - C. Map products may incorporate information received from the other party, but may not consist exclusively of data received from the other party. A citation shall be placed on any map product that includes information from the other party acknowledging the source and date.
4. Both parties agree to share the data in the format they use internally, without translation.
5. The receiving party will not alter provided information in any manner.
6. Both parties agree to limit access to each other's FTP data servers only to internal staff and any external person, agency, or firm under contract with the County or Village that is providing a service that requires access to the GIS data.

DuPage County

Title

Date

Village of Carol Stream

Title

Date

Village of Carol Stream
Interdepartmental Memo

TO: Joseph Breinig, Village Manager
FROM: Stan W. Helgerson, Finance Director *SWH*
DATE: April 14, 2009
RE: Write-off of Uncollectible Receivables

Upon review of the aged accounts receivable listing for March 31, 2009, I would propose writing off the following account:

<u>Invoice #</u>	<u>Date</u>	<u>Name</u>	<u>Service Performed</u>	<u>Amount</u>
5136	03/08/07	Andy Patel	SMA review	\$1,224.00
5161	03/22/07	Andy Patel	SMA review	\$1,134.00
5233	05/23/07	Andy Patel	SMA review	\$1,745.50
5682	08/19/08	Cypress Development	SMA review	\$ 590.00
5732	10/10/08	Parsons Commercial	SMA review	\$1,101.00
			Total	<u>\$5,794.50</u>

The debt owed by Andy Patel, Cypress Development and Parsons Commercial has been placed with our collection agent NCI, Inc. and it is recommended that this receivable be removed from the general ledger as well. Should our collection agent prove successful, the Village will be able to receive a percentage of the proceeds collected.

As the proposed write-off listed above exceeds the \$500.00 individual limitation stipulated in § 2-3-6 of the Village Code, it will require Board approval. Please let me know if you have any questions or require additional information.

Included is a memo from Jim Knudsen, Director of Engineering Services, stating that the process for collecting plan review fees going forward has changed and should eliminate the need for write-offs in the future.

If you have any questions, please give me a call.

Village of Carol Stream
Interdepartmental Memo

TO: Donald T. Bastian, Assistant Community Development Director
William N. Cleveland, Assistant Village Engineer
Donna M. Hawco, Administrative Secretary
Robert J. Glees, Community Development Director
Stan W. Helgerson, Finance Director
Al Turner, Director of Public Works

FROM: James T. Knudsen, Director of Engineering Services

DATE: March 2, 2009

RE: Pre-Plan Review Deposits

The Village has experienced difficulty in recouping plan review fees for outsourced engineering review services, particularly storm water reviews. For the most part these fees have been invoiced and paid, but there are instances where significant fees have not been paid.

In order to ensure the Village recoups these paid fees, Engineering will begin requiring all developments to post a cash deposit with the Village. The cash deposit will be held by the Village until the entire project has been constructed and approved. Finance will continue to invoice builders for fees the Village has paid to our storm water engineering consultant.

Attached you will find a "Storm Water Permit Review Fee Retainer" document prepared by our storm water engineering consultant, CBBEL. Engineering will use this document to calculate the amount of the deposit required for each developer project based on the complexity of the review. As the example shows, this deposit can be substantial. However, it is needed to ensure the Village is protected against builders that fail to pay for fees the Village has expended for their plan reviews.

In addition to the deposit, Engineering, Community Development and Public Works will not continue with any plan review or inspection services if a builder fails to pay their invoices in a timely manner. Finance will notify all three departments when invoices are 60 days past due or longer. Services will not be reinitiated until past invoices have been paid and Finance has informed all three departments.

If a builder continues failing to pay the fees invoiced, the Village may terminate the application and review/inspection process and utilize the deposit to recoup Village paid review costs. Any surplus deposit would be returned to the builder. In order to return the project to active status the builder must resubmit the necessary deposit. When a project has been completed and approved, the deposit may also be returned, but only if all invoice have been paid.

The measures will begin immediately upon receiving this memo. Your cooperation and efforts in implementing these procedures will help ensure the Village recoups all of its costs for these services and is appreciated. Please feel free to contact me if you have any questions or concerns.

cc: Joe Breinig, Village Manager



Village of Carol Stream

500 N. Gary Ave.
 Carol Stream, IL 60188-1899
 630/665-7050 - FAX 630/665-7058

Invoice

DATE	INVOICE #
3/8/2007	5136

BILL TO
Andy Patel 27W121 Geneva Winfield, IL 60190-

SERVICE ADDRESS

TERMS	30 Days
--------------	---------

DESCRIPTION	QTY	RATE	RECEIVABLE	REVENUE#	AMOUNT
SMA Review (see attached invoice number 65944)	1	\$1,124.00	01.1201	01.340.357	\$1,124.00
SMA Review Fee	1	\$100.00	01.1201	01.340.357	\$100.00
				TOTAL	\$1,224.00

Comments:



Village of Carol Stream

Invoice

500 N. Gary Ave.
Carol Stream, IL 60188-1899
630/665-7050 - FAX 630/665-7058

DATE	INVOICE #
3/22/2007	5161

Carol Stream
Village of Carol Stream

BILL TO

Andy Patel
315 Wildberry Lane
Bartlett, IL 60103-

SERVICE ADDRESS

TERMS	30 Days
-------	---------

DESCRIPTION	QTY	RATE	RECEIVABLE	REVENUE#	AMOUNT
SMA Review (see attached invoice 66736)	1.0	\$1,134.00	01.1201	01.340.357	\$1,134.00

Total: \$1,134.00

Comments:



Village of Carol Stream

Invoice

500 N. Gary Ave.
Carol Stream, IL 60188-1899
630/665-7050 - FAX 630/665-7058

DATE	INVOICE #
5/23/2007	5233

BILL TO

Andy Patel
315 Wildberry Lane
Bartlett, IL 60103-

SERVICE ADDRESS

--

TERMS 30 Days

DESCRIPTION	QTY	RATE	RECEIVABLE	REVENUE#	AMOUNT
SMA Review (see attached invoice # 68167 & 67334)	1.0	\$1,745.50	01.1201	01.340.357	\$1,745.50

Total: \$1,745.50

Comments:

W



Village of Carol Stream

500 N. Gary Ave.
Carol Stream, IL 60188-1899
630/665-7050 - FAX 630/665-7058

Invoice

DATE	INVOICE #
8/19/2008	5682

BILL TO
Cypress Development 2563 Adamsway Drive Aurora, IL 60502-

SERVICE ADDRESS

TERMS	30 Days
--------------	---------

DESCRIPTION	QTY	RATE	RECEIVABLE	REVENUE#	AMOUNT
SMA Review (see attached invoice #81148)	1.0	\$490.00	01.12010	01000000-44357	\$490.00
Administrative Fee	1.0	\$100.00	01.12010	01000000-44357	\$100.00

Total: \$590.00

Comments:



Village of Carol Stream

Invoice

500 N. Gary Ave.
Carol Stream, IL 60188-1899
630/665-7050 - FAX 630/665-7058

DATE	INVOICE #
10/10/2008	5732

BILL TO

Parsons Commercial
20550 S. LaGrange Road Ste 105
Frankfort, IL 60423-

SERVICE ADDRESS

Empty box for service address.

TERMS 30 Days

DESCRIPTION	QTY	RATE	RECEIVABLE	REVENUE#	AMOUNT
SMA Review (see attached invoice)	1.0	\$1,101.00	01.12010	01000000-44357	\$1,101.00

Total: \$1,101.00

Comments:

ML

AGENDA ITEM
H-1 5-4-09

ORDINANCE NO. _____

**AN ORDINANCE PROVIDING FOR THE COLLECTION OF ADMINISTRATIVE FEES
FOR ADMINISTRATIVE SERVICES PROVIDED BY THE POLICE DEPARTMENT IN
THE VILLAGE OF CAROL STREAM**

BE IT HEREBY ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: The Village hereby determines to establish administrative fees for certain services provided by the Police Department.

SECTION 2: The schedule of fees and services shall be, as follows:

- (a) Fingerprinting - Carol Stream residents and citizens employed within Carol Stream shall be \$15 for a maximum of two cards, \$7.50 for each additional card. All other applicants shall be charged \$20 for a maximum of two cards, \$7.50 for each additional card.
- (b) Vehicle Release for Arrestees - \$25
- (c) Subpoena Processing - \$25
- (d) Administrative Fee for Stop Teen Alcohol Abuse Together Program - \$50
- (e) Traffic Accident Reports - \$5
- (f) Reconstruction Traffic Accident Reports - \$20

SECTION 3: This Ordinance shall be in full force and effect from and after the date of its passage, approval and publication as provided by law. If any portion of this Ordinance is held to be invalid, then that portion shall be stricken from this Ordinance and the remaining portions of this Ordinance shall continue in full force and effect to the extent possible.

PASSED AND APPROVED THIS 4TH DAY OF MAY 2009.

AYES:

NAYS:

ABSENT:

Frank Saverino Sr., Mayor

Attest:

Beth Melody, Village Clerk

Village of Carol Stream
Interdepartmental Memo

To: Village Manager Joe Breinig

From: Chief Kevin Orr 

Date: April 27, 2009

Re: Police Department requests that the Village Board approve the attached ordinance establishing administrative fees for certain services provided by the Department: Administrative Fee ordinance.

The attached proposed ordinance establishes administrative fees for certain services provided by the Police Department. I had Stewart Diamond review this ordinance and he has approved its content as attached.

H-2 5-4-09

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A SPECIAL USE
(BURGER KING, 840 ARMY TRAIL ROAD)**

WHEREAS, John Kayser, Director of Construction with Heartland Food Corporation, has requested a Special Use in accordance with Sections 16-9-4-(C)(1) and 16-9-3(C)(17) of the Carol Stream Zoning Code to allow for an outdoor seating area ancillary to the existing restaurant use; and

WHEREAS, the Combined Plan Commission and Zoning Board of Appeals, pursuant to proper legal notice, held a public hearing on April 13, 2009 concerning this request and has recommended that the Special Use be granted; and

WHEREAS, the Corporate Authorities find that granting of this Special Use would not be inconsistent with surrounding uses, nor would it be contrary to the intent of the Zoning Code of the Village of Carol Stream provided certain conditions are met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the property legally described in Section 1 of this Ordinance, commonly known as 840 Army Trail Road, be granted a Special Use Permit to allow outdoor seating at the Burger King Restaurant at 840 Army Trail Road subject to the following conditions:

1. That bollards shall be installed between the parking stalls on the north side of the building and the new patio.
2. That tables, bike rack and garbage receptacles shall be installed as shown on the detailed site plan (Exhibit "C").

3. That the business use and maintenance of the property shall comply with all state, county and Village codes and requirements.

LEGAL DESCRIPTION:

Lot 9 in "Heritage Plaza PUD Phase 2", being a Resubdivision of part of the northeast quarter of Section 24, Township 40 North, Range 9, East of the Third Principal Meridian, according to the plat recorded November 28, 1988 as Document No. R88-1355387, in DuPage County, Illinois.

SECTION 2: This Ordinance shall be in full force and effect from and after the passage, approval and publication in pamphlet form as provided by law, provided, however, that this Ordinance is executed by the owners of the subject property or such other party in interest, consenting to and agreeing to be bound by the terms and conditions contained within this Ordinance. Such execution and delivery to the Village shall take place within sixty (60) days after the passage and approval of this Ordinance, or within such extension of time as may be granted by the corporate authorities by motion.

SECTION 3: That failure of the owner or other party in interest, or a subsequent owner or other party in interest, to comply with the terms of this Ordinance, after execution of said Ordinance, shall subject the owner or party in interest to the penalties set forth in Section 16-17-7, A and B of the Village of Carol Stream Zoning Code, and/or termination of the special use after notice and public hearing in accordance with the procedures required by statute and the Carol Stream Zoning Code.

PASSED AND APPROVED THIS 4TH DAY OF MAY 2009.

AYES:

NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

I, _____, being the owner or other party of interest of the
(please print)
property legally described within this Ordinance, having read a copy of the Ordinance,
do hereby accept, concur and agree to develop and use the subject property in
accordance with the terms of this Ordinance.

(Date)

(signature)



PLAT OF SURVEY

LOT 9 IN HERITAGE PLAZA P.L.D. PHASE 27, BEING A RESUBDIVISION OF PART OF THE NORTH EAST QUARTER OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED NOVEMBER 20, 1988 AS DOCUMENT NO. R88-135337, IN DUPage COUNTY, ILLINOIS.

BASIS OF BEARINGS
RECORD AND ASSUMED THE SOUTH LINE OF ARMY TRAIL ROAD TO BE S 82°45'00" E 12' PER D.C. NO. R88-135337 AS SHOWN HEREON

PARKING SPACE COUNT
40 PARKING SPACES
4 HANDICAP PARKING
44 TOTAL PARKING SPACES

AREA TABLE:
36,370 S.F. ±
0.835 ACRE ±



LEGEND

- EXISTING BUILDING LOCATION
- FENCE LINE
- QUARTER SECTION LINE
- QUARTER-QUARTER SECTION LINE
- EXISTING E.O.M. LINE
- EASEMENT
- BUILDING SETBACK LINE
- SECTION CORNER
- QUARTER SECTION CORNER
- P.O.C.
- P.A.B.
- BEARING DISTANCE
- RECORD DISTANCE
- COMPUTED DISTANCE
- RADIUS
- LENGTH OF CURVE
- CHORD BEARING
- FENCE LINE
- STORM SEWER
- SANITARY SEWER
- OVERHEAD WIRE
- ELECTRIC WIRE
- GAS LINE
- TELEPHONE LINE
- WATERMAIN LINE
- FIBER OPTIC LINE
- MANHOLE
- CURB INLET
- CATCH BASIN/VAULT
- B-BOX
- WATER VALVE VAULT
- WATER VALVE
- HYDRANT
- SPRINKLER HEAD
- SPRINKLER CONTROL VALVE
- POWER POLE
- ANCHOR
- LIGHT STANDARD
- GAS VALVE
- GAS MARKER POST
- SIGN
- TRAFFIC SIGNAL VAULT
- MAILBOX
- PAINTED WATER MAIN MARKER
- PAINTED TELEPHONE LINE MARKER
- PAINTED ELECTRIC LINE MARKER
- PAINTED GAS LINE MARKER
- PAINTED FIBER OPTIC MARKER
- PAINTED CABLE TELEVISION MARKER
- CONCRETE SURFACE
- GRAVEL SURFACE
- ASPHALT SURFACE
- DECORATIVE PILE
- CONCRETE TILE
- SIGN

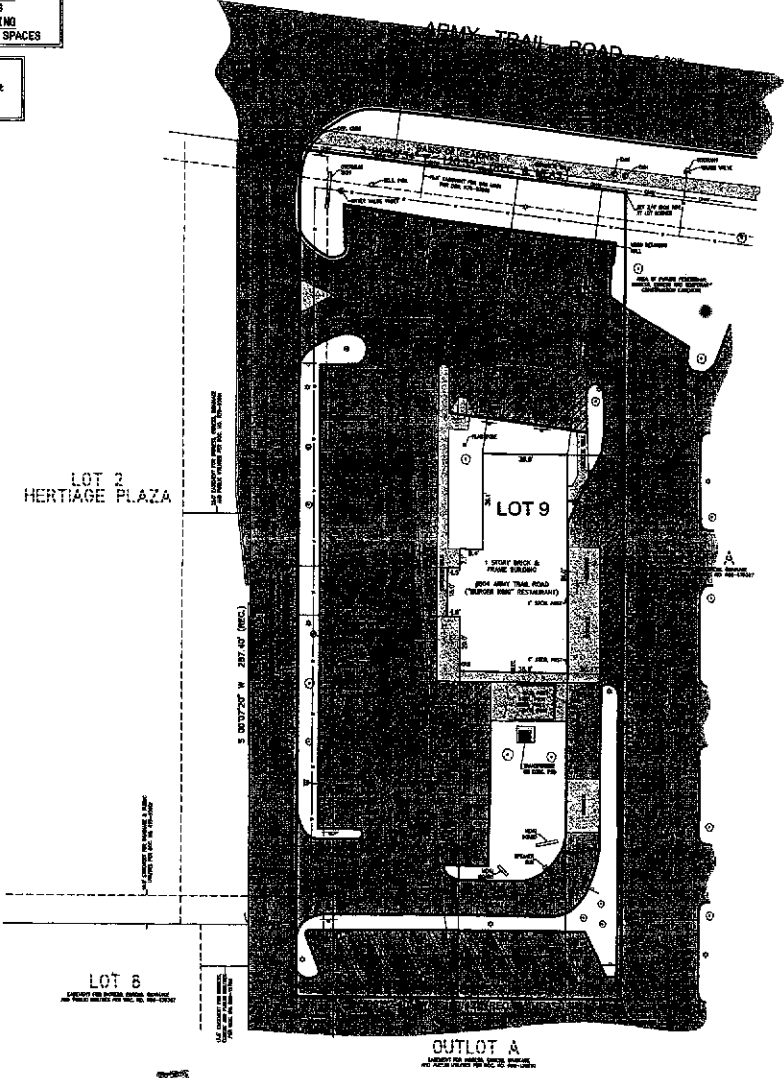


Exhibit A



RECEIVED
MAY 10 2009
COMMUNITY
DEVELOPMENT DEPT

NOTES:
- ALL MEASUREMENTS TAKEN FROM CONCRETE FOUNDATION
- FOR BUILDING RESTRICTIONS AND EASEMENTS NOT SHOWN HEREON, REFER TO YOUR ABSTRACT, G.E.D., GUARANTEE POLICY AND LOCAL ORDINANCES.
- COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DEFICIENCIES AT ONCE.

NOTES:
1. CONTACT JULLI.C. AT 1-800-892-8123 FOR EXACT LOCATION OF BURIED CABLES PRIOR TO DIGGING (ELECTRIC, GAS, TELEPHONE, FIBER OPTICS AND CABLE TV).
2. NO RESPONSE TO LETTERS OF REQUEST FOR LOCATION OF EXISTING UTILITIES BY HONESTY TECHNICAL CONSULTANTS, INC. DATED JANUARY 9, 2008 RECEIVED PRIOR TO SIGNATURE DATE OF THIS SURVEY. COMPANIES CONTACTED CONTAINED IN INFORMATION REFERENCES LIST REFER TO ABOVE REFERENCED NOTE NO. 1.
3. NO RESPONSE TO JULLI.C. DESIGN STATE SHEET NO. 100 AUGUST 10, 2008 RECEIVED PRIOR TO SIGNATURE DATE OF SURVEY. REFER TO ABOVE REFERENCED NOTE NO. 1.
4. WATERMANS, SANITARY AND STORM SEWERS AS SHOWN HEREON ARE DERIVED FROM VISIBLE EVIDENCE IN FIELD AND ASBESTOS SITE PLAN PROVIDED BY CLIENT. REFER TO ABOVE REFERENCED NOTE NO. 1.
SANITARY SEWERS, WATERMAIN AND STORM DRAINS WERE NOT EXPOSED FOR LOCATION BY SURVEYOR. USE OF THESE LOCATIONS IS SUBJECT TO VERIFICATION BY CLIENT, ENGINEER OR CONTRACTOR. RECOMMENDED PROCEDURES ARE TV INSPECTION OF THE INTERIOR OF SANITARY AND STORM DRAIN LINES AND METAL DETECTION METHOD USED TO VERIFY POSITION OF CAST IRON WATERMAIN IF LINES ARE NOT UNCOVERED.

INFORMATION REFERENCES

- COM ED
- DAMAGE PREVENTION
- 2 LINCOLN CENTER
- CLARKSBURG, IL 61811
- TRM 8/7/2008
- (630) 437-2236
- COMCAST
- 688 BUCKLEDRIVE DRIVE
- CLARKSBURG, IL 61811
- MARTHA DEBAS
- (630) 660-8302
- VILLAGE OF CAROL STREAM
- JOHN BUNGER, DIRECTOR OF PUBLIC WORKS
- 124 DEWENSHAW LANE
- CLARKSBURG, IL 61811
- INCOR GAS
- CONSTANCE LAKE
- 1544 FERRY ROAD
- MARSHVILLE, IL 60565-0900
- (630) 368-3030
- AT&T
- (630) 573-5450

THE PROFESSIONAL SURVEY CONFORMS TO THE CURRENT ILLINOIS SURVEY STANDARDS FOR A SURVEYOR SURVEY.

STATE OF ILLINOIS } ILL.
COUNTY OF DUPage }

WE, HONESTY TECHNICAL CONSULTANTS, INC., PROFESSIONAL SURVEYORS, HEREBY CERTIFY THAT THIS PLAT SURVEY REPRESENTS A CORRECT REPRESENTATION OF A SURVEY PERFORMED AT AND UNDER OUR DIRECTION.

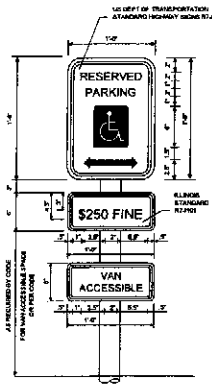
ALL DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF.
GIVEN UNDER MY HAND AND SEAL IN MARSHVILLE, ILLINOIS THIS 27TH DAY OF JANUARY, A.D. 2009.

STEVEN A. HORN, P.L.S. #055
M.E. #00000000
LICENSE EXPIRES 11/29/2010

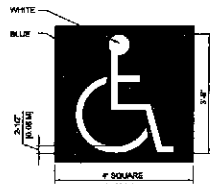
FIELD WORK COMPLETED: 1/13/09

 MIDWEST TECHNICAL CONSULTANTS, INC. LAND SURVEYORS 1544 FERRY ROAD MARSHVILLE, ILLINOIS 60565-0900 (630) 368-3030	PREPARED FOR: WINDYBROOK POWER CORPORATION
	DRAWN BY: JA DATE: 01/27/09

- PARKING LOT ASPHALT AND STRIPING SPECIFICATIONS**
1. THE ENTIRE PARKING LOT PAVED AREA SHALL RECEIVE A NEW 2" SURFACE COURSE (COMPACTED TO 1 1/2"), TYPE H-11, 85-95% COMPACTION RATE. G.C. TO REPAIR/REPLACE DAMAGED BASE PRIOR TO OVERLAY. CONSULT WITH OWNER FOR EXTENT OF BASE REPLACEMENT. PROVIDE UNIT PRICE IN BID FOR REPLACEMENT OF BASE COURSE. G.C. TO PROVIDE PETROMAT PAVING FABRIC BY "PETMOCO" OR EQ. COMP. WITH ALL MANUFACTURER REQUIREMENTS FOR INSTALLATION OF PETROMAT PRIOR TO ASPHALT OVERLAY.
 2. PARKING LOT STRIPING TO BE WITH LEAD-FREE HEAVY YELLOW ZONE MARKING PAINT, SPRAY APPLIED AS SHOWN ON SITE PLAN.
 3. BUTT EDGE GRINDING OF EXISTING ASPHALT SURFACE AT CURBS. CONSULT WITH OWNER FOR EXACT AMOUNT.
 4. G.C. TO RESTRIPE LOT AS SHOWN ON DRAWING. STRIPING TO COMPLY WITH CODE REQUIREMENTS.
 5. ALL NEW ASPHALT TO PROVIDE POSITIVE DRAINAGE.
 6. AT HANDICAPPED ACCESSIBLE STALLS ONLY, G.C. TO PROVIDE A MAX. 2% (1:50) SLOPE IN ANY DIRECTION FOR ENTIRE LENGTH OF STALL AND ACCESS AISLE.



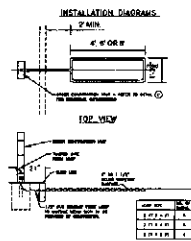
1 H.C. SIGN DETAIL
N.T.S.



NOTES FOR HANDICAP PARKING STALLS

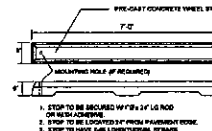
1. EACH PARKING SPACE SHALL BE AT LEAST EIGHT FEET WIDE, WITH AN EIGHT FEET WIDE ACCESS AISLE, FOR A TOTAL OF SIXTEEN FEET.
2. ADJACENT HANDICAP PARKING SHALL NOT SHARE A COMMON ACCESS AISLE.
3. SIGNS SHALL BE VERTICALLY MOUNTED ON THE WALL AT THE FRONT CENTER OF THE PARKING SPACE AND MORE THAN 5 FEET HORIZONTALLY FROM THE FRONT OF A PARKING SPACE AND SET AS REQUIRED FOR CODE.
4. REFER TO HANDICAP PARKING SIGNS AS SHOWN IN DETAIL 1 ON THIS PAGE.

2 H.C. STRIPING
N.T.S.

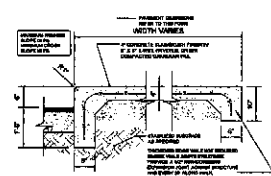


- GENERAL NOTES:**
1. G.C. SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC AND ALL APPLICABLE LOCAL ORDINANCES.
 3. ALL MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
 4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 5. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL AUTHORITY.

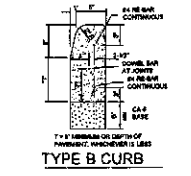
3 PRE-FAB DETECTOR LOOP
N.T.S.



4 CONC. WHEEL STOP
N.T.S.



5 BRUSHED CONCRETE WALK
N.T.S.



6 CONC. CURB DETAIL
N.T.S.

PARKING DATA

NO. OF PARKING SPACES - #	INCLUDES 2 H.C. STALLS
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	

A PROPOSED SITE PLAN
1" = 20'-0"

- 1. SITE PLAN REVEAL NOTES FOR SHEETS SP-1 & SP-2**
1. METAL NEW WALK BEHIND DRIVE UP TO CONC. WALK. MAX. SLOPE 1:12. REFER TO PARKING STRIPING REQUIREMENTS OF DETAIL 2 ON SP-2.
 2. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 3. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 4. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 5. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 6. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 7. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 8. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 9. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 10. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 11. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 12. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 13. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 14. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 15. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 16. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 17. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 18. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 19. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 20. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 21. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 22. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 23. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 24. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 25. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 26. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 27. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 28. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 29. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 30. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 31. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 32. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 33. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 34. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 35. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 36. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 37. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 38. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 39. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 40. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 41. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 42. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 43. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 44. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 45. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 46. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 47. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 48. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 49. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.
 50. METAL NEW CONCRETE PATIO TO AREA. SLOPE 1:20. REFER TO DETAIL 5 ON SP-1.

PROSI DESIGN, INC.
ARCHITECTURE & INTERIOR DESIGN

BURGER KING #6432
RESTAURANT REMODELING
340 SUNNY TRAIL RD.
CAROL STREAM, IL

SP-1

DATE: _____

SCALE: _____

PROJECT NO: _____

DRAWING NO: _____

REVISIONS:

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

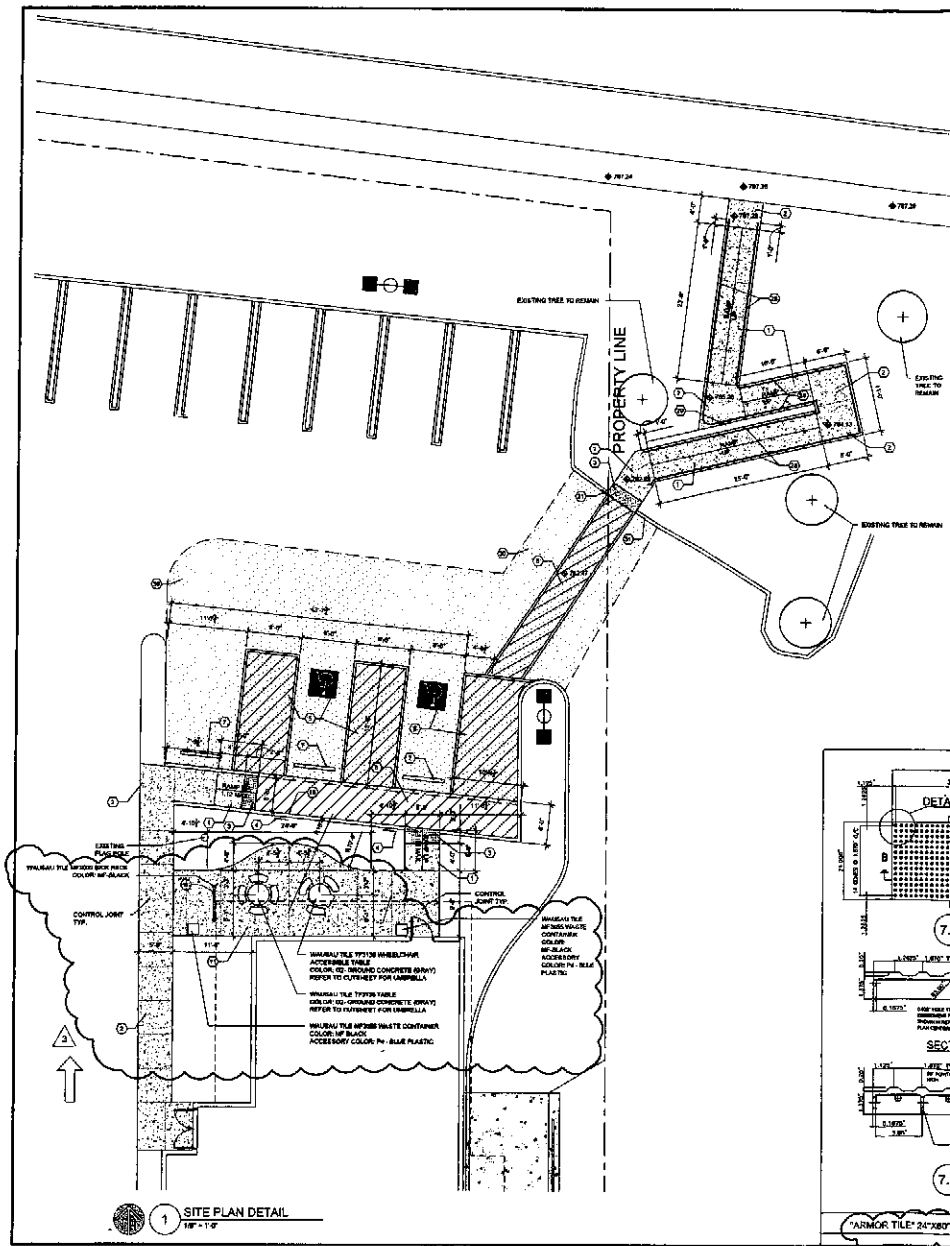
CONTRACT NO. _____

PROJECT LOCATION: _____

OWNER: _____

DATE: _____

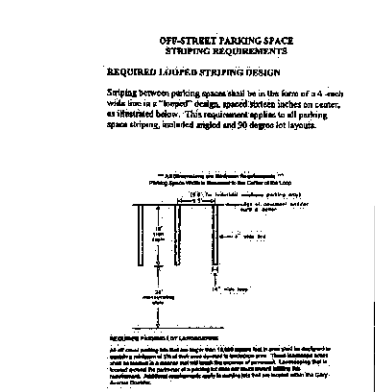
Exhibit B



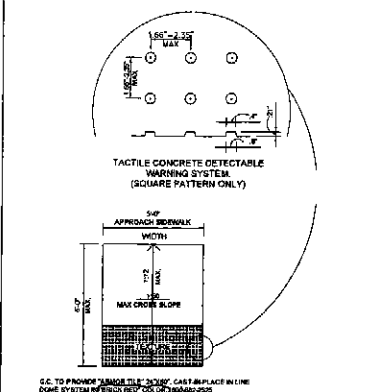
1 SITE PLAN DETAIL
N.T.S.

SITE PLAN KEY NOTES FOR SHEETS SP-1 & SP-2

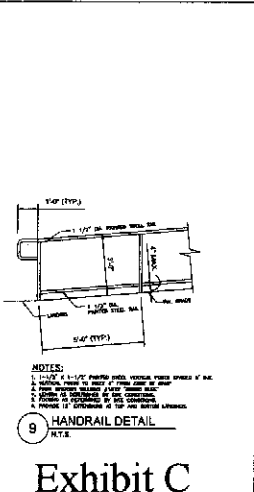
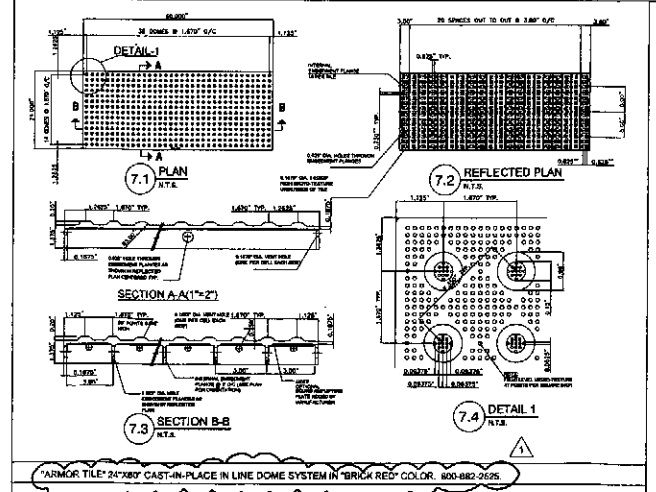
1. INSTALL NEW 6" SLP RESISTANT RAMP UP TO CONC. WALK WALK SLOPE 1:12 WITH MAX. CROSS SLOPE OF 10% DETAIL AS SHOWN IN DETAIL 1 ON SP-1.
2. INSTALL NEW CONCRETE WALK WITH MAX. SLOPE 1:12 WITH MAX. CROSS SLOPE OF 10% SEE DETAIL 1 ON SP-1.
3. INSTALL TRUNCATED CONE AT END OF CONC. WALK. REFER TO DETAIL 1 THROUGH DETAIL 4.
4. INSTALL HANDCAPPED PARKING SPA. SEE DETAIL 1 ON SP-1.
5. INSTALL HANDCAPPED STRIPING AND MARKINGS AS SHOWN TYP. REFER TO DETAILS ON SP-1.
6. INSTALL NEW CHAIN LINK FENCE. YANBAU TILE SIGN. REFER TO DETAIL 1 ON SP-1.
7. INSTALL NEW WALKWAY TO TOPS. SEE DETAIL 1 ON SP-1.
8. INSTALL NEW ADA STRIPPED ACCESS PATH AS SHOWN.
9. REMOVE EXISTING STRIPING IN ITS ENTIRETY INCLUDING FOUNDATION.
10. INSTALL NEW FACING LOT STRIPING AS SHOWN. REFER TO STRIPING REQUIREMENTS ON DETAIL 2 ON SP-1.
11. INSTALL NEW CONCRETE AS TO MAX. SLOPE 1:12 WITH MAX. CROSS SLOPE OF 10%.
12. REMOVE EXISTING WOOD FRAMING. PREPARE BOARD AND JOIST LOCATIONS INDICATED. CONCRETE THROUGH EXISTING CONCRETE.
13. REMOVE AND REPLACE EXISTING CONCRETE SLAB. PREPARE BOARD AND JOIST LOCATIONS INDICATED. CONCRETE THROUGH EXISTING CONCRETE.
14. REMOVE EXISTING WOOD FRAMING WALLS AND INSTALL NEW INTERIOR CONCRETE BLOCK WITH FACING WALL TYP.
15. REMOVE TYPE 3 BURNT CLUMS IN 8' DIA. FOR 8" DIA. TYP.
16. REMOVE EXISTING CONCRETE RAMM.
17. FILL GAPS IN EXISTING CONCRETE DECK THROUGH AS REQUIRED. SMOOTH CONCRETE AND INSTALL NEW TOP FINISH. FURNISHED BY OWNER. REFER TO DETAIL 2 ON SP-1.
18. INSTALL POWER COATED GALVANNEAL IN BEAM WALL CLUSURE. VERIFY LENGTH AND COLOR WITH OWNER PRIOR TO ORDERING.
19. PREP AND OVERLAY PARKING LOT TREE FACING LOT SPECIFICATIONS ON THIS SHEET.
20. REMOVE AND REPLACE EXISTING CONCRETE CURB. REINSTALL LEVEL WITH EXISTING CONCRETE WALK. APPROXIMATELY 18" O.C. V.P.
21. REMOVE AND REPLACE EXISTING CONCRETE TRASH ENCLOSURE. PREPARE NEW 24" X 14" O.C. DETAIL AS TO BE PROVIDED BY STRUCTURE ENGINEER.
22. REMOVE AND REPLACE EXISTING CONCRETE WALK. REINSTALL LEVEL WITH EXISTING CONCRETE WALK. APPROXIMATELY 18" O.C. V.P. OF CONCRETE WALK. REFER TO KEY NOTE 2.
23. REMOVE AND REPLACE EXISTING 16" X 12" O.C. CONCRETE. FILL WITH NEW 16" X 12" O.C. CONCRETE. FURNISHED BY OWNER. REFER TO DETAIL 2 ON SP-1.
24. REMOVE AND REPLACE EXISTING 16" X 12" O.C. CONCRETE. FILL WITH NEW 16" X 12" O.C. CONCRETE. FURNISHED BY OWNER. REFER TO DETAIL 2 ON SP-1.
25. REMOVE AND REPLACE EXISTING 16" X 12" O.C. CONCRETE. FILL WITH NEW 16" X 12" O.C. CONCRETE. FURNISHED BY OWNER. REFER TO DETAIL 2 ON SP-1.
26. FURNISH AND INSTALL NEW EXISTING LIGHTING UNIT.



2 STRIPING REQUIREMENTS
N.T.S.





7 HANDICAPPED RAMP DETAIL
N.T.S.



- NOTES:**
1. HANDRAIL SHALL BE PROVIDED WITH 1/2" DIA. ROUNDS FOR THE SUPPORT OF THE HANDRAIL.
 2. HANDRAIL SHALL BE PROVIDED WITH 1/2" DIA. ROUNDS FOR THE SUPPORT OF THE HANDRAIL.
 3. HANDRAIL SHALL BE PROVIDED WITH 1/2" DIA. ROUNDS FOR THE SUPPORT OF THE HANDRAIL.
 4. HANDRAIL SHALL BE PROVIDED WITH 1/2" DIA. ROUNDS FOR THE SUPPORT OF THE HANDRAIL.
 5. HANDRAIL SHALL BE PROVIDED WITH 1/2" DIA. ROUNDS FOR THE SUPPORT OF THE HANDRAIL.

9 HANDRAIL DETAIL
N.T.S.

Exhibit C

DATE		SCALE & REVISIONS
<p>PROSI DESIGN, INC. ARCHITECTURE • PLANNING • INTERIOR DESIGN</p>  <p>10000 BURBANK BLVD. BURBANK, CA 91508 TEL: 818.338.8888 WWW.PROSIDESIGN.COM</p>		
<p>BURGER KING #6432 RESTAURANT REMODELING 10000 BURBANK BLVD. BURBANK, CA 91508</p> 		
DESIGNED BY	EGAC	
CHECKED BY	STP	
<p>SP-2</p>		

AGENDA ITEM

H-3 5-4-09

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 6 OF
THE CAROL STREAM CODE OF ORDINANCES
(BUILDING CONSTRUCTION AND MAINTENANCE CODES)**

WHEREAS, the Village of Carol Stream has traditionally codified in full its Building Construction and Maintenance Codes, in force from time-to-time, in the Code of Ordinances of the Village; and

WHEREAS, the Village wishes to update the editions of the nationally utilized codes, which it wishes to adopt; and

WHEREAS, the Village has traditionally amended standard codes with provisions that specifically relate to the needs and conditions present in the Village; and

WHEREAS, the Village wishes to place within its Code of Ordinances a reference to the existence of a set of Building Construction and Maintenance Codes, as amended, but to make the current version of those codes available in their latest versions; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That Chapter 6, Article 1, Sections 1 through 11 of the Carol Stream Code of Ordinances shall be repealed, and in their place Section 6-1-1 shall be inserted, as follows:

§ 6-1-1 ADOPTION OF BASIC BUILDING CODE

Three (3) document copies, in accordance with 50 ILCS 220/2, and 65 ILCS 5/1-3-2, have been available for public use, inspection and examination for thirty (30) days and one copy for permanent public use in the office of the Village Clerk of the Village of

Carol Stream, being marked and designated as “ICC International Building Code, 2006 Edition,” as published by the International Code Council Inc., be and is hereby adopted as the Building Code of the Village of Carol Stream, State of Illinois, for the control of buildings and structures as therein provided, and each and all of the regulations, provisions, conditions, terms of offenses thereunder of the ICC International Building Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this article, with additions, insertions, deletions and changes, if any, prescribed in other Village ordinances which contain local amendments to national codes.

SECTION 2: That Chapter 6, Article 2, Sections 1 through 10 of the Carol Stream Code of Ordinances shall be repealed, and in their place Section 6-2-1 shall be inserted as follows:

§ 6-2-1 ADOPTION OF ELECTRICAL CODE

Three (3) document copies, in accordance with 50 ILCS 220/2, and 65 ILCS 5/1-3-2, have been available for public use, inspection and examination for thirty (30) days and one copy for permanent public use in the office of the Village Clerk of the Village of Carol Stream, being marked and designated as “NFPA 70, National Electrical Code, 2008 Edition,” as published by the National Fire Protection Association, be and is hereby adopted as the Electrical Code of the Village of Carol Stream, State of Illinois, for the control and regulation of the installation of electrical equipment within the Village, and each and all of the regulations, provisions, conditions, terms of offenses thereunder of NFPA 70, National Electrical Code, 2008 Edition, are hereby referred to, adopted and made part hereof, as if fully set out in this article, with additions, insertions, deletions and changes, if any, prescribed in other Village ordinances which contain local amendments to national codes.

SECTION 3: That Chapter 6, Article 3, Sections 1 through 9 of the Carol Stream Code of Ordinances shall be repealed, and in their place Section 6-3-1 shall be inserted as follows:

§ 6-3-1 ADOPTION OF PLUMBING CODE

Three (3) document copies, in accordance with 50 ILCS 220/2, and 65 ILCS 5/1-3-2, have been available for public use, inspection and examination for thirty (30) days and one copy for permanent public use in the office of the Village Clerk of the Village of Carol Stream, being marked and designated as “Illinois Plumbing Code, Current Edition,” as published by the Illinois Department of Public Health, be and is hereby adopted as the Plumbing Code of the Village of Carol Stream, State of Illinois, for the control of buildings and structures as therein provided, and each and all of the regulations, provisions, conditions, terms of offenses thereunder of the Illinois Plumbing Code, Current Edition, are hereby referred to, adopted and made part hereof as if fully set out in this article, with additions, insertions, deletions and changes, if any, prescribed in other Village ordinances which contain local amendments to national codes.

SECTION 4: That Chapter 6, Article 4, Sections 1 through 6 of the Carol Stream Code of Ordinances shall be repealed, and in their place Section 6-4-1 shall be inserted, as follows:

§ 6-4-1 ADOPTION OF MECHANICAL CODE

Three (3) document copies, in accordance with 50 ILCS 220/2, and 65 ILCS 5/1-3-2, have been available for public use, inspection and examination for thirty (30) days and one copy for permanent public use in the office of the Village Clerk of the Village of Carol Stream, being marked and designated as “ICC International Mechanical Code, 2006 Edition,” as published by the International Code Council Inc., be and is hereby adopted as the Mechanical Code of the Village of Carol Stream, State of Illinois, for the

control of buildings and structures as therein provided, and each and all of the regulations, provisions, conditions, terms of offenses thereunder of the ICC International Mechanical Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this article, with additions, insertions, deletions and changes, if any, prescribed in other Village ordinances which contain local amendments to national codes.

SECTION 5: That Chapter 6, Article 5, Sections 1 through 9 of the Carol Stream Code of Ordinances shall be repealed, and in their place Section 6-5-1 shall be inserted, as follows:

§ 6-5-1 ADOPTION OF FIRE CODE

Three (3) document copies, in accordance with 50 ILCS 220/2, and 65 ILCS 5/1-3-2, have been available for public use, inspection and examination for thirty (30) days and one copy for permanent public use in the office of the Village Clerk of the Village of Carol Stream, being marked and designated as “ICC International Fire Code, 2006 Edition,” as published by the International Code Council Inc., be and is hereby adopted as the Fire Code of the Village of Carol Stream, State of Illinois, for the control of buildings and structures as therein provided, and each and all of the regulations, provisions, conditions, terms of offenses thereunder of the ICC International Fire Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this article, with additions, insertions, deletions and changes, if any, prescribed in other Village ordinances which contain local amendments to national codes.

SECTION 6: That Chapter 6, Article 6, Sections 1 through 10 of the Carol Stream Code of Ordinances shall be repealed, and in their place Section 6-6-1 shall be inserted, as follows:

§ 6-6-1 ADOPTION OF RESIDENTIAL CODE

Three (3) document copies, in accordance with 50 ILCS 220/2, and 65 ILCS 5/1-3-2, have been available for public use, inspection and examination for thirty (30) days and one copy for permanent public use in the office of the Village Clerk of the Village of Carol Stream, being marked and designated as “ICC International Residential Code for One- and Two-Family Dwellings, 2006 Edition,” as published by the International Code Council Inc., be and is hereby adopted as the Residential Code of the Village of Carol Stream, State of Illinois, for the control of buildings and structures as therein provided, and each and all of the regulations, provisions, conditions, terms of offenses thereunder of the ICC International Residential Code for One- and Two-Family Dwellings, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this article, with additions, insertions, deletions and changes, if any, prescribed in other Village ordinances which contain local amendments to national codes.

SECTION 7: That Chapter 6, Article 7, Sections 1 through 9 of the Carol Stream Code of Ordinances shall be repealed, and in their place Section 6-7-1 shall be inserted, as follows:

§ 6-1-1 ADOPTION OF PROPERTY MAINTENANCE CODE

Three (3) document copies, in accordance with 50 ILCS 220/2, and 65 ILCS 5/1-3-2, have been available for public use, inspection and examination for thirty (30) days and one copy for permanent public use in the office of the Village Clerk of the Village of Carol Stream, being marked and designated as “ICC International Property Maintenance Code, 2006 Edition,” as published by the International Code Council Inc., be and is hereby adopted as the Property Maintenance Code of the Village of Carol Stream, State

of Illinois, for the control of buildings and structures as therein provided, and each and all of the regulations, provisions, conditions, terms of offenses thereunder of the ICC International Property Maintenance Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this article, with additions, insertions, deletions and changes, if any, prescribed in other Village ordinances which contain local amendments to national codes.

SECTION 8: That Chapter 6, Article 10 of the Carol Stream Code of Ordinances shall be repealed.

SECTION 9: That Chapter 6, Article 16, Sections 1 through 5 of the Carol Stream Code of Ordinances shall be repealed, and in their place Section 6-16-1 shall be inserted, as follows:

§ 6-16-1 ADOPTION OF FUEL GAS CODE

Three (3) document copies, in accordance with 50 ILCS 220/2, and 65 ILCS 5/1-3-2, have been available for public use, inspection and examination for thirty (30) days and one copy for permanent public use in the office of the Village Clerk of the Village of Carol Stream, being marked and designated as “ICC International Fuel Gas Code, 2006 Edition,” as published by the International Code Council Inc., be and is hereby adopted as the Fuel Gas Code of the Village of Carol Stream, State of Illinois, for the control of buildings and structures as therein provided, and each and all of the regulations, provisions, conditions, terms of offenses thereunder of the ICC International Fuel Gas Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this article, with additions, insertions, deletions and changes, if any, prescribed in other Village ordinances which contain local amendments to national codes.

SECTION 10: That Chapter 6, Article 17, Sections 1 through 3 of the Carol Stream Code of Ordinances shall be repealed, and in their place Section 6-17-1 shall be inserted, as follows:

§ 6-17-1 ADOPTION OF ENERGY CONSERVATION CODE

Three (3) document copies, in accordance with 50 ILCS 220/2, and 65 ILCS 5/1-3-2, have been available for public use, inspection and examination for thirty (30) days and one copy for permanent public use in the office of the Village Clerk of the Village of Carol Stream, being marked and designated as “ICC International Energy Conservation Code, 2006 Edition,” as published by the International Code Council Inc., be and is hereby adopted as the Energy Conservation Code of the Village of Carol Stream, State of Illinois, for the control of buildings and structures as therein provided, and each and all of the regulations, provisions, conditions, terms of offenses thereunder of the ICC International Energy Conservation Code, 2006 Edition, are hereby referred to, adopted and made part hereof as if fully set out in this article, with additions, insertions, deletions and changes, if any, prescribed in other Village ordinances which contain local amendments to national codes.

SECTION 11: That Chapter 2, Article 7, Section 13 of the Carol Stream Code of Ordinances shall be repealed, and in its place Section 2-7-13 shall be inserted as follows:

§ 2-7-13 POLICE POWERS OF CERTAIN EMPLOYEES

For the purpose of enforcing this Code of Ordinances, the Subdivision Code, Zoning Code, and Building Construction and Maintenance Codes of the Village, the following employees shall be vested with police powers in the enforcement of code compliance and issuance of citations for ordinance violations: Community Service Technicians, Engineering Services Director, Assistant Village Engineer, Engineering

Inspectors, Community Development Director, Assistant Community Development Director, Code Professionals, Public Works Director and Assistant Public Works Director.

For the purpose of enforcing the Fire Code, the above officials and employees shall all be vested with Police Powers as shall employees of the Carol Stream Fire Protection District acting under an intergovernmental agreement with the Village.

SECTION 12: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

PASSED AND APPROVED THIS 4TH DAY OF MAY 2009.

AYES:

NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

ORDINANCE NO. _____

**LOCAL AMENDMENTS TO THE ADOPTED BUILDING
CONSTRUCTION AND MAINTENANCE CODES**

WHEREAS, the Village of Carol Stream has traditionally codified in full its Building Construction and Maintenance Codes, in force from time to time, in the Code of Ordinances of the Village; and

WHEREAS, it has been difficult to keep that Code up to date with ordinance revisions; and

WHEREAS, the Village wishes to update the editions of the nationally utilized codes, which it wishes to adopt; and

WHEREAS, the Village has traditionally amended standard codes with provisions that specifically relate to the needs and conditions present in the Village; and

WHEREAS, the Village wishes to place within its Code of Ordinances references to the existence of Building Construction and Maintenance Codes, as amended, but to have the local amendments approved in a separate ordinance and not printed in the codified Code; and

WHEREAS, the Village wishes to adopt in this Ordinance, and in future amendments, the local changes it wishes to make to the national code, along with other applicable ordinances of the Village; and

WHEREAS, persons with an interest in determining the ordinances of the Village relating to building construction and maintenance regulations will need to review the Building Construction and Maintenance Codes as amended from time-to-time, and such other ordinances as may constitute later expression of the legislative determination of the Village Board in accordance with established rules of ordinance interpretation;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: The preamble provisions of this ordinance are intended by the Village Board to be an expression of its legislative intent, and shall be considered as such by any entity or tribunal seeking to interpret or apply the legislative actions of the Village.

SECTION 2: That the Village of Carol Stream, by the passage of Ordinance _____, passed on the _____ day of _____, 2009, has adopted a nationally-produced set of Building Construction and Maintenance Codes, namely the ICC International Building Code, 2006 Edition, as the Building Code of the Village; NFPA 70, the National Electrical Code, 2008 Edition, as the Electrical Code; the Illinois Plumbing Code, 2004 edition, as the Plumbing Code; the ICC International Mechanical Code, 2006 Edition, as the Mechanical Code; the ICC International Fire Code, 2006 Edition, as the Fire Code; the ICC International Residential Code, 2006 Edition, as the Residential Code; the ICC International Property Maintenance Code, 2006 Edition, as the Property Maintenance Code; the ICC International Fuel Gas Code, 2006 Edition, as the Fuel Gas Code; and the ICC International Energy Conservation Code, 2006 Edition, as the Energy Conservation Code.

SECTION 3: That additions, insertions, deletions and changes, if any, to the aforementioned adopted codes are as found in the Village's *Local Amendments to the Adopted Building Construction and Maintenance Codes*, attached hereto as Exhibit 1 and made a part of this ordinance.

SECTION 4: That the Village of Carol Stream has chosen not to codify the local amendments to the adopted Building Construction and Maintenance Codes in the loose-leaf volume known as the Carol Stream Code of Ordinances. Instead, this ordinance shall constitute

the Local Amendments to the Adopted Building Construction and Maintenance Codes of the Village as this ordinance may be amended from time-to-time, and as other ordinances may expressly or by implication amend the provisions of that Code. The Community Development Department of the Village shall, from time-to-time, make available publications which shall seek to codify all then-presently applicable amendments to the Village's Building Construction and Maintenance Codes. The legislative determination of the Corporate Authorities of the Village of Carol Stream regarding building regulations shall, however, be comprised from time-to-time by the legislative and administrative enactments of the Village, which are to be interpreted in accordance with general rules of ordinance interpretation, including rules relating to the latest expression of legislative authority, and rules regarding expressed and implied amendment or repeal.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

PASSED this _____ day of _____, 2009.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2009.

Mayor


ATTEST:

Village Clerk

Village of Carol Stream

Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager

FROM: Robert J. Glees, Community Development Director 

DATE: April 30, 2009

RE: **Agenda Item for the Village Board Meeting of May 4, 2009**
Adoption of New Building Construction and Maintenance Codes

PURPOSE

The purpose of this memorandum is to request approval from the Village Board for adoption of nine new building construction and maintenance codes with local amendments. This memorandum summarizes information provided previously

BACKGROUND

During 2008, staff commenced the process of adopting updated building construction and maintenance codes. As part of this process, a peer review of the Village's local amendments to the adopted building construction and maintenance codes was conducted. The results of the peer review were presented during a workshop meeting with the Village Board, which was also attended by representatives from the Carol Stream Fire Protection District and the Village's building codes consultant. As a result of the peer review, staff received clear direction in several areas, including specific requirements for construction materials and fire protection. In addition, it was emphasized that, as part of the Village's efforts to streamline and improve its development approval processes, the Village's adopted building codes and local amendments must be clear, consistent, unambiguous, current, and widely accepted by comparable Chicago-area communities.

With the adoption of the nine codes with local amendments as attached, the Village's goal will be met. Seven of the nine codes are part of the International Code Council's 2006 series, which is the most widely-adopted set of codes used by municipalities across the nation. The proposed new electrical code is the *2008 National Electrical Code*, which is the code included by reference in the International Code Council series, and so staff is proposing the Village simply adopt the *2008 National Electrical Code* directly. Finally, the *Illinois Plumbing Code* will be referenced as the Village's sole standard for plumbing work, with a few local amendments.

DISCUSSION

As a result of extensive collaboration with the Carol Stream Fire Protection District and B&F Technical Code Services, staff has been able to greatly reduce and simplify the Village's local amendments. In order to assist the Village Board in its review of the proposed new codes, we offer the following summaries of the proposed new code requirements.

Building Code – The vast majority of the proposed local amendments have to do with housekeeping items, such as identifying the Appeals Board for example, as well as innocuous local requirements such as the size of lettering for wall addresses. For the most part, Village and Fire Protection District staff have elected to agree with the requirements of the national code, unamended, or adopt local amendments that are typical in Chicago-area communities. In the case of buildings that have mixed uses, such as multi-tenant commercial strip centers, the new requirements will not be as burdensome as in the past. The new 2006 International Building Code exempts small room areas from the separation wall requirement, and the new local amendments allow the fireresistance rating of separation walls to be reduced by use of sprinklers, but not lower than a one-hour rating.

Electrical Code – The proposed local amendments have been greatly simplified and made easier to interpret by eliminating redundancies and ambiguities that existed in the previous local amendments. The result is that Carol Stream's local amendments to the 2008 National Electrical Code are comparable to Chicago-area communities. There are no unusual local requirements.

Plumbing Code – The significant change to the Village's plumbing requirements is that staff has elected to omit the ICC International Plumbing Code from the adopted codes, and simply write local amendments to the Illinois Plumbing Code. There are two advantages to this: First, the Illinois Plumbing Code is regulatory throughout the State of Illinois, and so adoption of another plumbing code creates duplicity in the Village's code requirements, with the stricter requirement to apply. Staff views this as an unnecessary complication. Second, the vast majority of plumbers and designers in Illinois are completely familiar with the Illinois Plumbing Code, but are unfamiliar with the ICC International Plumbing Code. Staff believes it is preferable to use a code that is familiar to the Village's customers. For these reasons, the Illinois Plumbing Code is designated as the plumbing code for the Village of Carol Stream, with only a few minor and customary amendments.

Mechanical Code – No significant local amendments are proposed for the 2006 ICC International Mechanical Code.

Fire Code – As with the Building Code, most of the proposed local amendments to the Fire Code have to do with housekeeping items and clarifications of local requirements. For the most part, Village and Fire Protection District staff have elected to agree with the requirements of the national code, unamended, or adopt local amendments that are typical in Chicago-area communities. One significant new requirement is that the resumption of use of a building that has been vacant for at least 24 months will require that a full fire protection system be provided. This is a new local amendment requested by the CSFPD.

Residential Code – The local amendments proposed for the 2006 ICC International Residential Code reflect long-standing Village standards. Unnecessary and unusual amendments have been deleted. The significant departure from the previous local amendments is that townhomes no longer need be separated by masonry wall, but can be separated by fire-rated wall meeting the requirements of the code. This provides design options to architects and builders.

Property Maintenance Code – No significant local amendments are proposed for the 2006 ICC International Property Maintenance Code.

Fuel Gas Code – No significant local amendments are proposed for the 2006 ICC International Fuel Gas Code.

Energy Conservation Code – No significant local amendments are proposed for the 2006 ICC International Energy Conservation Code.

RECOMMENDATION

The new codes and local amendments have been available at the Community Development Department and on the Village website for the required 30-day review period, and proper notice was given to the State of Illinois.

Staff recommends the Village Board approve the attached ordinances for adoption of new building construction and maintenance codes with local amendments.

RJG:bg

\\\\scorpio\bglees\$\codes\2008 code adoptions\village board memo 2.doc

Village of Carol Stream

Carol Stream



1959 - 2009

**LOCAL AMENDMENTS
TO THE ADOPTED
BUILDING CONSTRUCTION
AND
MAINTENANCE CODES**

Community Development Department
(630)871-6231
communitydevelopment@carolstream.org

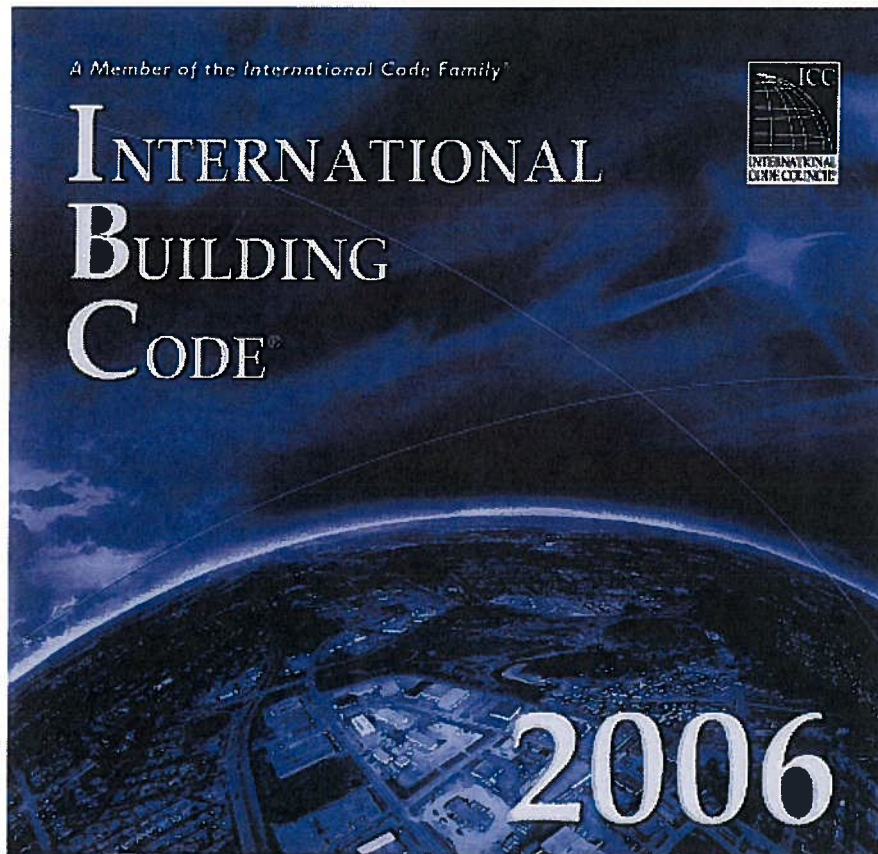
Exhibit 1

Table of Contents

1	International Building Code 2006 Edition	
2	NFPA 70 National Electrical Code 2008 Edition	
3	Illinois Plumbing Code Current Edition	
4	International Mechanical Code 2006 Edition	
5	International Fire Code 2006 Edition	
6	International Residential Code 2006 Edition	
7	International Property Maintenance Code 2006 Edition	
8	International Fuel Gas Code 2006 Edition	
9	International Energy Conservation Code 2006 Edition	

Village of Carol Stream

Local Amendments to
ICC International Building Code, 2006 Edition



Community Development Department
(630)871-6230
communitydevelopment@carolstream.org

5/15/09

Village of Carol Stream

Community Development Department

Local Amendments to ICC International Building Code, 2006 Edition

CONTENTS

	PAGE NO.
Amendments to Chapter 1	1
Amendments to Chapter 2	7
Amendments to Chapter 4	8
Amendments to Chapter 5	9
Amendments to Chapter 7	14
Amendments to Chapter 9	15
Amendments to Chapter 10	16
Amendments to Chapter 11	19
Amendments to Chapter 14	20
Amendments to Chapter 16	21
Amendments to Chapter 23	22
Amendments to Chapter 34	23
Amendments to Appendices A through J	24

AMENDMENTS TO CHAPTER 1

**CHAPTER 1
ADMINISTRATION**

**SECTION 101
GENERAL**

101.1 Title. These regulations shall be known as the *Building Code of the Village of Carol Stream*, hereinafter referred to as “this code.”

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code as amended and adopted by the Village of Carol Stream*.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Electrical. The provisions of the ICC *Electrical Code as amended and adopted by the Village of Carol Stream* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. All references to the *ICC Electrical Code* shall be construed to refer to the *Electrical Code as amended and adopted by the Village of Carol Stream*.

101.4.2 Gas. The provisions of the *International Fuel Gas Code as amended and adopted by the Village of Carol Stream* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.3 Mechanical. The provisions of the *International Mechanical Code as amended and adopted by the Village of Carol Stream* shall apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy-related systems.

Village of Carol Stream

Local Amendments to ICC International Building Code, 2006 Edition

101.4.4 Plumbing. The provisions of the *International Illinois Plumbing Code* as amended and adopted by the Village of Carol Stream shall apply to the installation, alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. ~~The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems.~~

101.4.5 Property maintenance. The provisions of the *International Property Maintenance Code* as amended and adopted by the Village of Carol Stream shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

101.4.6 Fire prevention. The provisions of the *International Fire Code* as amended and adopted by the Village of Carol Stream shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.7 Energy. The provisions of the *International Energy Conservation Code* as amended and adopted by the Village of Carol Stream shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.8 Residential. All references to the *International Residential Code* shall be construed to refer to the *Residential Code* as amended and adopted by the Village of Carol Stream.

SECTION 103

DEPARTMENT OF BUILDING SAFETY

103.1 Creation of enforcement agency. The Community Development Department of Building Safety is hereby created shall be responsible for building code enforcement and the official in charge thereof Community Development Director shall be known as the building official.

SECTION 105

PERMITS

105.1.1 Annual permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application therefore to any person, firm or corporation regularly employing one or more qualified licensed tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit. The electrician shall be a licensed electrical contractor, and the plumber shall be a

Village of Carol Stream

Local Amendments to ICC International Building Code, 2006 Edition

licensed plumber in the State of Illinois or City of Chicago and have a valid Illinois plumbing contractor's license.

105.1.3 Special permits. At the discretion of the building official, a special permit may be issued to allow the removal and installation of equipment to proceed concurrent with the processing of the permit. An owner or authorized agent for a firm or corporation that is able to demonstrate to the satisfaction of the building official that ⁽ⁱ⁾rapid equipment changes are made on more than an occasional basis, ⁽ⁱⁱ⁾that the nature of the industry requires rapid changes of this kind, ⁽ⁱⁱⁱ⁾that the reason for the simultaneous application is not a delay in seeking the permit, and ^(iv)that all fire protection systems and means of egress shall be maintained at all times, shall notify the building official of their intent to begin this type of work, and shall schedule the required inspections during the installation phase and prior to the newly installed equipment being placed into production. The work controlled by the special permit shall be allowed to proceed concurrently with the processing of the permit request. This shall not abnegate the permit requirements specified in Section 105.1. If the permit is denied, subject to a court order enjoining the enforcement of the denial, the processing or use of the new equipment shall not be started or shall cease until a permit is approved.

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

Building:

1. ~~One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²).~~
2. ~~Fences not over 6 feet (1829 mm) high.~~
3. ~~Oil derricks.~~
4. ~~Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III A liquids.~~
5. ~~Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927L) and the ratio of height to diameter or width does not exceed 2 to 1.~~
6. ~~Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and which are not part of an accessible route.~~
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. ~~Temporary motion picture, television and theater stage sets and scenery.~~
9. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (19 000 L) and are installed entirely above ground.

Village of Carol Stream

Local Amendments to ICC International Building Code, 2006 Edition

- ~~10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.~~
11. Swings and other playground equipment accessory to one- and two-family dwellings.
12. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, ~~and Group U occupancies.~~
13. Non-fixed and movable fixtures, cases, racks counters and partitions not over 5 feet 9 inches (1753 mm) in height, which do not contain any electrical devices or fixtures.

105.4 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

105.4.1 Decisions involving water and sewer. No permit shall be issued for connection to the Village water system and connection to the Village wastewater treatment facilities without the approval of the Director of Public Works, or where the property to be served lies within the boundaries of the Wheaton Sanitary District, unless a copy of the Wheaton Sanitary District connection permit has been received.

105.4.2 DuPage County Fair Share Transportation Impact Fee Ordinance. No permit shall be authorized for construction, enlarging or altering any building or structure until the Village has received a copy of a receipt of payment of the fee or fees imposed by the DuPage County Fair Share Transportation Impact Fee Ordinances.

105.6 Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code, or for failure to call for and pass the inspections required for the work. Once a building permit has been suspended or revoked, it shall only be reinstated with the approval of the building official and with the payment of fees as set forth in Chapter 6, Article 13, of the Village Code. No further inspections shall be performed by the Village until the permit is reinstated.

105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until the completion of the project.

Village of Carol Stream

Local Amendments to ICC International Building Code, 2006 Edition

SECTION 108 FEES

108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the **Schedule of Fees as set forth in Chapter 6, Article 13 of the Village Code.** ~~as established by the applicable governing authority.~~

108.4 Work commencing before permit issuance. 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 an additional fee established by the building official that shall be in addition to the required permit fees **in accordance with the Schedule of Fees.**

108.6 Refunds. The building official is authorized to establish a refund policy. **Permit fees shall not be refunded for any direct costs to the Village, such as but not limited to consultant plan review fees, restocking fees for water meters and fees collected and paid to other entities.**

SECTION 112 BOARD OF APPEALS

112.1 General. 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 is hereby created a board of appeals. ~~The board of appeals shall be appointed by the governing body and shall hold office at its pleasure.~~ The board shall adopt rules of procedure for conducting its business.

Section 112.1.1 Membership of Board. The Board of Appeals shall consist of the Village President and Board of Trustees of the Village of Carol Stream. The Village President shall serve as Chairman and the Village Clerk shall serve as Secretary.

Section 112.1.2 Fees. Fees for appeal hearings shall be in accordance with the **Schedule of Fees contained in Article 13 of Chapter 6 of the Village Code.**

112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. ~~The board shall have no authority to waive requirements of this code.~~

~~**112.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.~~

112.4 Jurisdiction. The Board of Appeals shall have no jurisdiction to hear an appeal when the facts and issues raised in the application for appeal are subject of a quasi-criminal

complaint brought in the name of the Village charging a violation of the Code of Ordinances of the Village. The filing of such a complaint shall constitute a determination that a decision of the building official, refusing to grant a modification of the provisions of this code, is correct. Any appeal pending at the time of filing of such a complaint shall be dismissed for want of jurisdiction.

SECTION 113 VIOLATIONS

113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official or of a permit or certificate issued under the provisions of this code, shall be guilty of a code violation, punishable by a fine of not less than seventy-five dollars (\$75.00) or more than seven-hundred and fifty dollars (\$750.00). Each day that a violation continues after due notice has been served shall be deemed a separate offence.

SECTION 114 STOP WORK ORDER

114.3 Unlawful continuance. 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 as prescribed by law. 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 liable to a fine of not less than seventy-five dollars (\$75.00) or not more than seven-hundred and fifty dollars (\$750.00).

AMENDMENTS TO CHAPTER 2

**CHAPTER 2
DEFINITIONS**

**SECTION 201
GENERAL**

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies or the definition in the current version of the Merriam-Webster Dictionary.

AMENDMENTS TO CHAPTER 4

CHAPTER 4
SPECIAL DETAILED REQUIREMENTS BASED ON
USE AND OCCUPANCY

SECTION 402
COVERED MALL BUILDINGS

402.4.5 Access to exits. Where more than one exit is required, they shall be so arranged that it is possible to travel in either direction from any point in a mall to separate exits. The minimum width of an exit passageway or corridor from a mall shall be 66 inches (1676 mm).

~~**Exception:** Dead ends not exceeding a length equal to twice the width of the mall measured at the narrowest location within the dead end portion of the mall.~~

402.6 Types of construction. The area of any covered mall building, including anchor buildings of Types I, II and IIIA, and IV construction, shall not be limited provided the covered mall building and attached anchor buildings and parking structures are surrounded on all sides by a permanent open space of not less than 60 feet (18 288 mm) and the anchor buildings do not exceed three stories in height. The allowable height and area of anchor buildings greater than three stories in height shall comply with Section 503, as modified by Sections 504 and 506. The construction type of open parking garages and enclosed parking garages shall comply with Sections 406.3 and 406.4, respectively.

AMENDMENTS TO CHAPTER 5

**CHAPTER 5
GENERAL BUILDING HEIGHTS AND AREAS**

**SECTION 501
GENERAL**

501.2 Address numbers. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals ~~or alphabetical letters~~. Numbers shall be a minimum ~~4~~ 6 inches (102 ~~152~~ mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

501.2.1 Tenant Identification. All buildings equipped with elevators, and with multiple tenants or units, shall have directional signs provided on the corridor wall across from the elevator door. This directional signage shall indicate the direction to each numbered tenant space. All tenant spaces shall be provided with a sign which indicates the tenant space number. The signs shall be constructed of durable materials, be permanently installed, and be readily visible. Letters and numbers shall contrast with the background and shall be a minimum of 2 inches (51 mm) in height.

Village of Carol Stream

Local Amendments to ICC International Building Code, 2006 Edition

TABLE 503
ALLOWABLE HEIGHT AND BUILDING AREAS
 Height limitations shown as stories and feet above grade plane.
 Area limitations as determined by the definition of "Area, building," per story

		TYPE OF CONSTRUCTION								
		TYPE I		TYPE II		TYPE III		TYPE IV	TYPE V	
		A	B	A	B	A	B	HT	A	B
GROUP	Hgt (ft)	UL	160	65	55	65	55	65	50	40
	Hgt (S)	UL	5	3	2	3	2	3	2	1
A-1	S	UL	5	3	2	3	2	3	2	1
	A	UL	UL	15,500	8,500	14,000	8,500	15,000	11,500	5,500
A-2	S	UL	11	3	2	3	2	3	2	1
	A	UL	UL	15,500	9,500	14,000	9,500	15,000	11,500	6,000
A-3	S	UL	11	3	2	3	2	3	2	1
	A	UL	UL	15,500	9,500	14,000	9,500	15,000	11,500	6,000
A-4	S	UL	11	3	2	3	2	3	2	1
	A	UL	UL	15,500	9,500	14,000	9,500	15,000	11,500	6,000
A-5	S	UL	UL	UL	UL	UL	UL	UL	UL	UL
	A	UL	UL	UL	UL	UL	UL	UL	UL	UL
B	S	UL	11	5	4	5	4	5	3	2
	A	UL	UL	37,500	23,000	28,500	19,000	36,000	18,000	9,000
E	S	UL	5	3	2	3	2	3	1	1
	A	UL	UL	26,500	14,500	23,500	14,500	25,500	18,500	9,500
F-1	S	UL	11	4	2	3	2	4	2	1
	A	UL	UL	25,000	15,500	19,000	12,000	33,500	14,000	8,500
F-2	S	UL	11	5	3	4	2	5	2	2
	A	UL	UL	37,500	23,000	28,500	18,000	50,500	21,000	13,000
H-1	S	1	1	1	1	1	1	1	1	NP
	A	21,000	16,500	11,000	7,000	9,500	7,000	10,500	7,500	NP
H-2	S	UL	3	2	1	2	1	2	1	1
	A	21,000	16,500	11,000	7,000	9,500	7,000	10,500	7,500	3,000
H-3	S	UL	6	4	2	4	2	4	2	1
	A	UL	60,000	26,500	14,000	17,500	13,000	25,500	10,000	5,000
H-4	S	UL	7	5	3	5	2	5	2	2
	A	UL	UL	37,500	17,500	28,500	17,500	36,000	18,000	6,500
H-5	S	4-3	4-3	3	3	3	3	3	3	2
	A	UL	UL	37,500	23,000	28,500	19,000	36,000	18,000	9,000
I-1	S	UL	9	4	3	4	2	4	2	2
	A	UL	55,000	19,000	10,000	16,500	10,000	18,000	10,500	4,500
I-2	S	UL	4	2	1	1	NP	1	1	NP
	A	UL	UL	15,000	11,000	12,000	NP	12,000	9,500	NP
I-3	S	UL	4	2	1	2	1	2	2	1
	A	UL	UL	15,000	11,000	10,500	7,500	12,000	7,500	5,000
I-4	S	UL	5	3	2	3	2	3	1	1
	A	UL	60,500	26,500	13,000	23,500	13,000	25,500	18,500	9,000
M	S	UL	11	4	4	4	4	4	2	1
	A	UL	UL	21,500	12,500	18,500	12,500	20,500	14,000	9,000
R-1	S	UL	11	4	4	4	4	4	2	2
	A	UL	UL	24,000	16,000	24,000	16,000	20,500	12,000	7,000
R-2	S	UL	11	4	4	4	4	4	2	2
	A	UL	UL	24,000	16,000	24,000	16,000	20,500	12,000	7,000
R-3	S	UL	11	4	4	4	4	4	3	3
	A	UL	UL	UL	UL	UL	UL	UL	UL	UL
R-4	S	UL	11	4	4	4	4	4	2	2
	A	UL	UL	24,000	16,000	24,000	16,000	20,500	12,000	7,000
S-1	S	UL	11	4	3	3	2	4	2	1
	A	UL	48,000	26,000	17,500	26,000	17,500	25,500	14,000	9,000
S-2 ^{b,c}	S	UL	11	5	4	4	4	5	4	2
	A	UL	79,000	39,000	26,000	39,000	26,000	38,500	21,000	13,500
U ^c	S	UL	5	4	2	3	2	4	2	1
	A	UL	35,500	19,000	8,500	14,000	8,500	18,000	9,000	5,500

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m².

UL = Unlimited, NP = Not permitted

a. See the following sections for general exceptions to Table 503:

Village of Carol Stream
Local Amendments to ICC International Building Code, 2006 Edition

1. Section 504.2, Allowable height increase due to automatic sprinkler system installation.
 2. Section 506.2, Allowable area increase due to street frontage.
 3. Section 506.3, Allowable area increase due to automatic sprinkler system installation.
 4. Section 507, Unlimited area buildings .
- b. For open parking structures, see Section 406.3.
c. For private garages, see Section 406.1.
d. See Section 415.5 for limitations.

SECTION 507
UNLIMITED AREA BUILDINGS

507.2 Nonsprinklered, one story. The area of a one-story, Group F-2 or S-2 building shall not be limited when the building is surrounded and adjoined by public ways or unoccupied yards not less than 60 feet (18 288 mm) in width. The yards shall be accessible for firefighting purposes, and shall have a maximum slope of 6%.

507.3 Sprinklered, one story. The area of a one-story, Group B, F, M or S building or a one-story Group A-4 building of other than Type V construction shall not be limited when the building is provided with an automatic sprinkler system throughout in accordance with Section 903.3.1.1, and is surrounded and adjoined by public ways or unoccupied yards not less than 60 feet (18 288 mm) in width. The yards shall be accessible for firefighting purposes, and shall have a maximum slope of 6%.

507.4 Two story. The area of a two-story, Group B, F, M or S building shall not be limited when the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, and is surrounded and adjoined by public ways or unoccupied yards not less than 60 feet (18 288 mm) in width. The yards shall be accessible for firefighting purposes, and shall have a maximum slope of 6%.

507.5 Reduced open space. The permanent unoccupied open space of 60 feet (18 288 mm) required in Sections 507.2, 507.3, 507.4, 507.6 and 507.10 shall be permitted to be reduced to not less than 40 feet (12 192 mm) provided the following requirements are met:

1. The reduced unoccupied open space shall be not allowed for more than 75 percent of the perimeter of the building.
2. The exterior wall facing the reduced unoccupied open space shall have a minimum fire-resistance rating of 3 hours.
3. Openings in the exterior wall, facing the reduced unoccupied open space, shall have opening protectives with a fire-resistance rating of 3 hours.
4. The reduced open space shall be unoccupied and accessible for firefighting purposes, and shall have a maximum slope of 6%.

507.6 Group A-3 buildings. The area of a one-story, Group A-3 building used as a place of religious worship, community hall, dance hall, exhibition hall, gymnasium, lecture hall, indoor swimming pool or tennis court of Type I or II construction shall not be limited when all of the following criteria are met:

1. The building shall not have a stage other than a platform.

Village of Carol Stream
Local Amendments to ICC International Building Code, 2006 Edition

2. The building shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.
3. The assembly floor shall be located at or within 21 inches (533 mm) of street or grade level and all exits are provided with ramps complying with Section 1010.1 to the street or grade level.
4. The building shall be surrounded and adjoined by unoccupied public ways or yards not less than 60 feet (18 288 mm) in width. The yards shall be accessible for firefighting purposes, and shall have a maximum slope of 6%.

507.7 Group H occupancies. Group H-2, H-3 and H-4 fire areas shall be permitted in unlimited area buildings containing Groups F and S occupancies, in accordance with Sections 507.3 and 507.4 and the limitations of this section. The aggregate floor area of the Group H occupancies located at the perimeter of the unlimited area building shall not exceed 10 percent of the area of the building nor the area limitations for the Group H occupancies as specified in Table 503 as modified by Section 506.2, based upon the percentage of the perimeter of each Group H fire area that fronts on a street or other unoccupied space. The aggregate floor area of Group H occupancies not located at the at the perimeter of the building shall not exceed 10 percent of the area of the building nor exceed 25 percent of the area limitations for the Group H occupancies as specified in Table 503. Group H fire areas shall be separated from the rest of the unlimited area building and from each other in accordance with Table 508.3.3. For two-story unlimited area buildings, the Group H fire areas shall not be located above the first story unless permitted by the allowable height in stories and feet as set forth in Table 503 based on the type of construction of the unlimited area building.

507.8 Aircraft paint hangar. The area of a one-story, Group H-2 aircraft paint hangar shall not be limited where such aircraft paint hangar complies with the provisions of Section 412.4 and is entirely surrounded by public ways or unoccupied yards not less in width than one and one-half times the height of the building. The yards shall be accessible for firefighting purposes, and shall have a maximum slope of 6%.

507.9 Group E buildings. The area of a one-story Group E building of Type II, IIIA or IV construction shall not be limited when the following criteria are met:

1. Each classroom shall have not less than two means of egress, with one of the means of egress being a direct exit to the outside of the building complying with Section 1018.
2. The building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.
3. The building is surrounded and adjoined by public ways or unoccupied yards not less than 60 feet (18 288 mm) in width. The yards shall be accessible for firefighting purposes, and shall have a maximum slope of 6%.

507.10 Motion picture theaters. In buildings of Type II construction, the area of a one-story motion picture theater shall not be limited when the building is provided with an automatic

Village of Carol Stream

Local Amendments to ICC International Building Code, 2006 Edition

sprinkler system throughout in accordance with Section 903.3.1.1 and is surrounded and adjoined by public ways or unoccupied yards not less than 60 feet (18 288 mm) in width. The yards shall be accessible for firefighting purposes, and shall have a maximum slope of 6%.

SECTION 508 MIXED USE AND OCCUPANCY

508.3.2 Nonseparated occupancies. Buildings or portions of buildings that comply with the provisions of this section shall qualify as nonseparated occupancies.

508.3.2.1 Occupancy classification. Nonseparated occupancies shall be individually classified in accordance with section 302.1. Code requirements shall apply to each portion of the building based on the occupancy classification of that space except that the most restrictive application provisions of Section 403 and Chapter 9 shall apply to the entire building or portion thereof.

508.3.2.2 Allowable area and height. The allowable area and height of the building or portion thereof shall be based on the most restrictive allowances for the occupancy groups under consideration for the type of construction of the building in accordance with section 503.1.

508.3.2.3 Separation. ~~No separation is required between occupancies.~~ Fire separations for subdividing walls, tenant separation walls, and other walls or floor assemblies provided for the purpose of separating uses shall be rated in accordance with Table 508.3.3

**TABLE 508.3.3
REQUIRED SEPARATION OF OCCUPANCIES (HOURS)**

OCCUPANCY	A ^c , E		I		R ^d		F-2, S-2 ^{c,d} , U ^d		B ^b , F-1, M ^b , S-1		H-1		H-2		H-3, H-4, H-5	
	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS	S	NS
A ^c , E ^c	N	N	1	2	1	2	N 1	1	1	2	NP	NP	3	4	2	3 ^a
I	—	—	N	N	1	NP	1	2	1	2	NP	NP	3	NP	2	NP
R ^d	—	—	—	—	N	N	1	2	1	2	NP	NP	3	NP	2	NP
F-2, S-2 ^{c,d} , U ^d	—	—	—	—	—	—	N	N	1	2	NP	NP	3	4	2	3 ^a
B ^b , F-1, M ^b , S-1	—	—	—	—	—	—	—	—	N	N	NP	NP	2	3	1	2 ^a
H-1	—	—	—	—	—	—	—	—	—	—	N	NP	NP	NP	NP	NP
H-2	—	—	—	—	—	—	—	—	—	—	—	—	N	NP	1	NP
H-3, H-4, H-5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	N	NP

For SI: 1 square foot = 0.0929 m².

S = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.

NS = Buildings not equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.

N = No separation requirement.

NP = Not permitted.

a. For Group H-5 occupancies, see Section 903.2.4.2.

b. Occupancy separation need not be provided for storage areas within Groups B and M if the:

1. Area is less than 10 percent of the floor area;
2. Area is equipped with an automatic fire-extinguishing system and is less than 3,000 square feet; or
3. Area is less than 1,000 square feet.

c. Areas used only for private or pleasure vehicles shall be allowed to reduce separation by 1 hour.

d. See Section 406.1.4.

e. Commercial kitchens need not be separated from the restaurant seating areas they serve.

AMENDMENTS TO CHAPTER 7

**CHAPTER 7
FIRE-RESISTANCE-RATED CONSTRUCTION**

**SECTION 706
FIRE BARRIERS**

706.3 Fire-resistance rating. The fire-resistance rating of fire barriers shall comply with this section.

706.3.10 Tenant separations. All walls separating tenant spaces in the same building shall have a minimum of a one-hour fire-resistance rating.

**SECTION 711
HORIZONTAL ASSEMBLIES**

711.3 Fire-resistance rating. The fire-resistance rating of floor and roof assemblies shall not be less than that required by the building type of construction. Where the floor assembly separates mixed occupancies, the assembly shall have a fire-resistance rating of not less than that required by Section 508.3.2 based on the occupancies being separated. Where the floor assembly separates a single occupancy into different fire areas, the assembly shall have a fire-resistance rating of not less than that required by Section 706.3.9. Floor assemblies separating dwelling units in the same building or sleeping units in occupancies in Group R-1, hotel occupancies, R-2 and I-1 shall be a minimum of 1-hour fire-resistance rated construction.

711.3.4 Tenant separations. All floor assemblies separating tenant spaces in the same building shall have a minimum of a one-hour fire-resistance rating.

AMENDMENTS TO CHAPTER 9

NOTE: Local amendments to the requirements of
CHAPTER 9 – FIRE PROTECTION SYSTEMS
shall be as contained in Chapter 9 of the *International Fire Code*
as amended and adopted by the Village of Carol Stream

AMENDMENTS TO CHAPTER 10

**CHAPTER 10
MEANS OF EGRESS**

**SECTION 1007
ACCESSIBLE MEANS OF EGRESS**

1007.1 Accessible means of egress required. Accessible means of egress shall comply with this section and the current version of the Illinois Accessibility Code. In the event of conflict between the two codes, the stricter requirement shall apply. Accessible spaces shall be provided with not less than one accessible means of egress. Where more than one means of egress is required by Section 1015.1 or 1019.1 from any accessible space, each accessible portion of the space shall be served by not less than two accessible means of egress.

Exceptions:

- ~~1. Accessible means of egress are not required in alterations to existing buildings.~~
2. One accessible means of egress is required from an accessible mezzanine level in accordance with Section 1007.3, 1007.4 or 1007.5.
3. In assembly spaces with sloped floors, one accessible means of egress is required from a space where the common path of travel of the accessible route for access to the wheelchair spaces meets the requirements in Section 1025.8.

**SECTION 1008
DOORS, GATES AND TURNSTILES**

1008.1.2 Door swing. Egress doors shall be side-hinged swinging. Doors shall swing in the direction of egress travel where serving an occupant load of ~~50~~ **30** or more persons or a Group H occupancy.

1008.1.8 Door operations. Except as specifically permitted by this section egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

1008.1.8.3 Locks and latches. Locks and latches shall be permitted to prevent operation of doors where any of the following exists:

1. Places of detention or restraint.
- ~~2. In buildings in occupancy Group A having an occupant load of 300 or less, Groups B, F, M and S, and in places of religious worship, the main~~

Village of Carol Stream

Local Amendments to ICC International Building Code, 2006 Edition

~~exterior door or doors are permitted to be equipped with key operated locking devices from the egress side provided:~~

- ~~2.1. The locking device is readily distinguishable as locked,~~
 - ~~2.2. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: **THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED.** The sign shall be in letters 1 inch (25 mm) high on a contrasting background.~~
 - ~~2.3. The use of the key operated locking device is revocable by the building official for due cause.~~
3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface-mounted hardware.
 4. Doors from individual dwelling or sleeping units of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool.

SECTION 1011 EXIT SIGNS

1011.2 Illumination. Exit signs shall be internally ~~or externally~~ illuminated.

SECTION 1015 EXIT AND EXIT ACCESS DOORWAYS

1015.1 Exit or exit access doorways required. Two exits or exit access doorways from any space shall be provided where one of the following conditions exists:

1. The occupant load of the space exceeds the values in Table 1015.1
2. The common path of egress travel exceeds the limitations of Section 1014.3
3. Where required by Sections 1015.3, 1015.4 and 1015.5.
4. Where shared truck dock facilities are provided in Group B, S, and F occupancies in multiple tenant buildings.

Exception: Group I-2 occupancies shall comply with Section 1014.2.2.

**SECTION 1017
CORRIDORS**

**TABLE 1017.1
CORRIDOR FIRE-RESISTANCE RATING**

OCCUPANCY	OCCUPANT LOAD SERVED BY CORRIDOR	REQUIRED FIRE-RESISTANCE RATING (hours)	
		Without sprinkler system	With sprinkler system ^c
H-1, H-2, H-3	All	Not Permitted	1
H-4, H-5	Greater than 30	Not Permitted	1
A, B, E, F, M, S, U	Greater than 30	1	0
R	Greater than 10	Not Permitted	0.5
I-2 ^a , I-4	All	Not Permitted	0 1
I-1, I-3	All	Not Permitted	1 ^b

a. ~~For requirements for occupancies in Group I-2, see Section 407.3.~~

b. ~~For a reduction in the fire-resistance rating for occupancies in Group I-3, see Section 408.7.~~

c. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

AMENDMENTS TO CHAPTER 11

**CHAPTER 11
ACCESSIBILITY**

**SECTION 1101
ACCESSIBILITY**

1101.2 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with the Illinois Accessibility Code, this code and ICC A117.1. In the event of conflict between the two codes, the stricter requirement shall apply.

AMENDMENTS TO CHAPTER 14

CHAPTER 14 EXTERIOR WALLS

SECTION 1404 MATERIALS

1404.1 General. Materials used for the construction of exterior walls shall comply with the provisions of this section. Materials not prescribed herein shall be permitted, provided that any such alternative has been approved.

1404.1.1 Restriction in the use of concrete block: The use of plain concrete block as an exterior finish shall be prohibited. Plain concrete block may be used in exterior walls provided the exterior surface is covered or coated with a suitable material for exterior surfaces, such as, but not limited to: brick, stone, stucco, wood, metal, or other material meeting the provisions of this code and approved by the building official. Decorative concrete block in certain colors may be used upon approval by the building official.

1404.1.2 Exterior finish restrictions. The use of unfinished pre-cast concrete, unfinished poured-in-place concrete or fabricated metal shall be restricted as follows:

- a) Unfinished pre-cast concrete or unfinished poured-in-place concrete shall not be used on any front façade or on any façade that is visible from public ways.
- b) Fabricated metal shall cover no more than fifty percent (50%) of any front façade or visible façade.

AMENDMENTS TO CHAPTER 16

**CHAPTER 16
STRUCTURAL DESIGN**

**SECTION 1612
FLOOD LOADS**

1612.3. Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for Village of Carol Stream, Illinois," dated July 6, 1981, and "Flood Insurance Study for DuPage County, Illinois," dated December 4, 1985, as amended or revised with the accompanying Digital Flood Insurance Rate Map (DFIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

AMENDMENTS TO CHAPTER 23

**CHAPTER 23
WOOD**

**SECTION 2303
MINIMUM STANDARDS AND QUALITY**

2303.1.2 Prefabricated wood I-joists. Structural capacities and design provisions for prefabricated wood I-joists shall be established and monitored in accordance with ASTM D 5055.

2303.1.2.1 Fire protection requirements. In all use groups except R-3 and R-4, prefabricated wood I-joists must be protected by a one-hour rated fire separation assembly or a fire sprinkler system installed in accordance with Section 903. In use groups R-3 and R-4, prefabricated wood I-joists supporting floor construction shall be protected with impenetrate 5/8 inch gypsum board or a fire sprinkler system installed in accordance with Section 903.

2303.1.3 Structural glued-laminated timber. Glued-laminated timbers shall be manufactured and identified as required in AITC A190.1 and ASTM D 3737.

2303.1.3.1 Fire protection requirements. In all use groups except R-3 and R-4, glued-laminated structural components must be protected by a one-hour rated fire separation assembly or a fire sprinkler system installed in accordance with Section 903. In use groups R-3 and R-4, glued-laminated structural components supporting floor construction shall be protected with impenetrate 5/8 inch gypsum board or a sprinkler system installed in accordance with Section 903.

2303.4 Trusses

2303.4.3 Fire Protection requirements. In all use groups except R-3 and R-4, prefabricated wood trusses must be protected by a one-hour rated fire separation assembly or a fire sprinkler system installed in accordance with Section 903. In use groups R-3 and R-4, prefabricated wood trusses supporting floor construction shall be protected with impenetrate 5/8 inch gypsum board or a sprinkler system installed in accordance with Section 903.

AMENDMENTS TO CHAPTER 34

**CHAPTER 34
EXISTING STRUCTURES**

**[EB] SECTION 3410
COMPLIANCE ALTERNATIVES**

3410.2 Applicability. Structures existing prior to the effective date of the adoption of this code, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section and the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

AMENDMENTS TO APPENDIX A THROUGH APPENDIX J

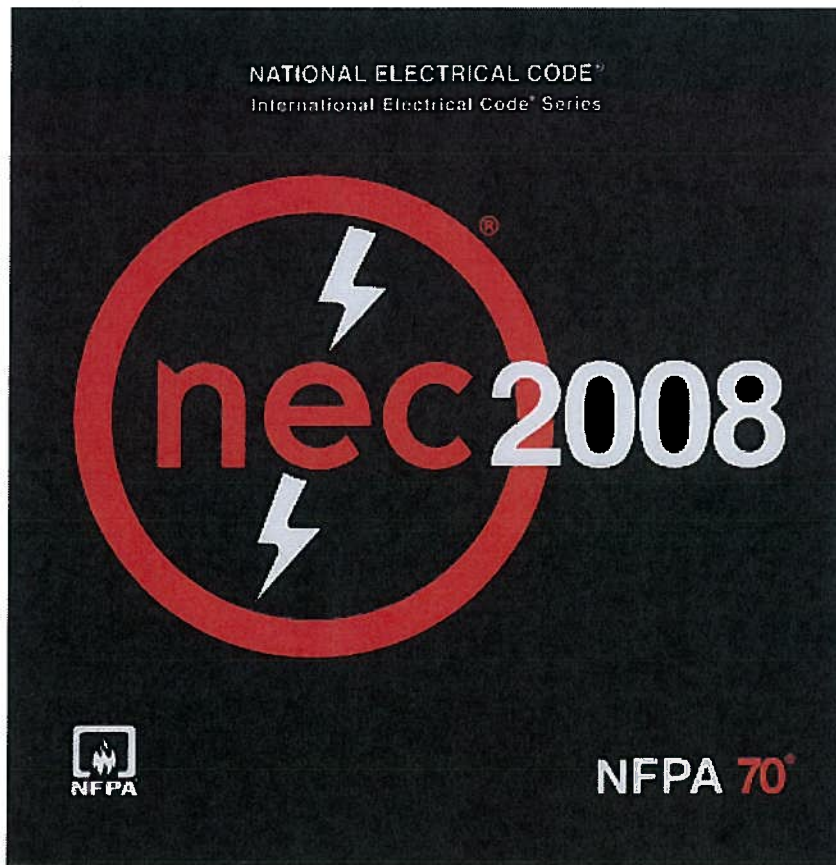
The following appendices are hereby adopted as part of the Building Code of the Village of Carol Stream. No other appendices or portions of appendices shall apply to this code.

Appendix H, Section H105 – Design and Construction

Appendix H, Section H106 – Electrical

Village of Carol Stream

Local Amendments to NFPA 70 National Electrical Code, 2008 Edition



Community Development Department
(630)871-6230
communitydevelopment@carolstream.org

5/15/09

Village of Carol Stream

Community Development Department

Local Amendments to NFPA 70, National Electrical Code, 2008 Edition

CONTENTS

	PAGE NO.
Amendments to Chapter 1	1
Amendments to Chapter 2	2
Amendments to Chapter 3	6
Amendments to Chapter 4	13
Amendments to Chapter 5	14
Amendments to Chapter 6	15
Amendments to Chapter 7	16
Amendments to Chapter 8	18
Amendments to Annex H	19

AMENDMENTS TO CHAPTER 1

Chapter 1 General

ARTICLE 100

Definitions

I. General

Other Conditioned Air Space: Conditioned air spaces not associated with HVAC systems used for environmental air.

ARTICLE 110

Requirements For Electrical Installations

I. General

110.8. Wiring Methods. Only wiring methods recognized as suitable are included in this *Code*. The recognized methods of wiring shall be permitted to be installed in any type of building or occupancy, except as otherwise provided in this *Code*. Where any wiring method or material permitted by NFPA 70 *National Electrical Code* (2008) shall have been prohibited by these amendments, such wiring method or materials shall be considered to be prohibited when referred to in any section or provision of NFPA 70 *National Electrical Code* (2008).

110.14 Electrical Connections. Because of different characteristics of dissimilar metals, devices such as pressure terminal or pressure splicing connectors and soldering lugs shall be identified for the material of the conductor and shall be properly installed and used. Conductors of dissimilar metals shall not be intermixed in a terminal or splicing connector where physical contact occurs between dissimilar conductors (such as copper and aluminum, copper and copper-clad aluminum, or aluminum and copper-clad aluminum), unless the device is identified for the purpose and conditions of use. Materials such as solder, fluxes, inhibitors, and compounds, where employed, shall be suitable for the use and shall be of a type that will not adversely affect the conductors, installation, or equipment. All terminations on electrical devices shall be installed using a compression type connection. No back stabbing of the device shall be allowed.

FPN: Many terminations and equipment are marked with a tightening torque.

AMENDMENTS TO CHAPTER 2

Chapter 2 Wiring And Protection

ARTICLE 210
Branch Circuits

I. General Provisions

210.11 Branch Circuits Required. Branch circuits for lighting and for appliances, including motor-operated appliances, shall be provided to supply the loads calculated in accordance with 220.10 where required elsewhere in this *Code* and for dwelling unit loads as specified in 210.11(C).

(C) Dwelling Units.

(4) Sump Pump Branch Circuits. In addition to the number of branch circuits required by other parts of this section, at least one branch circuit shall be provided to supply the necessary loads to the sump pump(s) in accordance with the manufacturer's requirements. This circuit shall have no other outlets.

II. Branch-Circuit Ratings

210.21 Outlet Devices. Outlet devices shall have an ampere rating that is not less than the load to be served and shall comply with 210.21 (A) and (B). Outlet devices installed on an individual branch circuit shall have an ampere rating of not less than that of the branch circuit.

Table 210.21(B)(2) Maximum Cord-and-Plug-Connected Load to Receptacle

Circuit Rating (Amperes)	Receptacle Rating (Amperes)	Maximum Load (Amperes)
15 or 20	15	12
20	20	16
30	30	24

Table 210.21(B)(3) Receptacle Ratings for Various Size Circuits

Circuit Rating (Amperes)	Receptacle Rating (Amperes)
15	Not over 15
20	15 or 20
30	30
40	40 or 50
50	50

Village of Carol Stream

Local Amendments to NFPA 70, National Electrical Code, 2008 Edition

Table 210.24 Summary of Branch Circuit-Requirements

Circuit Rating	15A	20A	30A	40A	50A
Conductors (min. size):					
Circuit wires ¹	14	12	10	8	6
Taps	14	12	10	12	6
Fixture wires and cords – See Section 240.5					
Overcurrent Protection					
Outlet devices:					
Lampholders permitted	Any type	Any type	Heavy duty	Heavy duty	Heavy duty
Receptacle rating ²	15 max. A	15 or 20 A	30A	40 or 50 A	50A
Maximum Load					
Permissible load	See 210.23(A)	See 210.23(A)	See 210.23(B)	See 210.23(C)	See 210.23(C)

¹ These gauges are for copper conductors.

² For receptacle rating of cord-connected electric-discharge lighting fixtures, see 410-30 (C).

210.52 Dwelling Unit Receptacle Outlets.

(E) Outdoor Outlets. Outdoor receptacle outlets shall be installed in accordance with (E)(1) through (E)(3). [See 210.8(A)(3).] **The required outdoor receptacle outlet(s) shall be switch-controlled, and the switch(es) shall be located inside the dwelling.**

210.70 Lighting Outlets Required. Lighting outlets shall be installed where specified in 210.70(A), (B), and (C).

(A) Dwelling Units. In dwelling units, lighting outlets shall be installed in accordance with 210.70(A)(1), (A)(2), and (A)(3).

(1) Habitable Rooms. At least one wall switch-controlled lighting outlet shall be installed in every habitable room and bathroom. **In all habitable rooms with more than one entrance, the switches for the lighting outlet(s) shall be located near each entrance.**

Exception No. 1: In other than kitchens and bathrooms, one or more receptacles controlled by a wall switch shall be permitted in lieu of lighting outlets.

Exception No. 2: Lighting outlets shall be permitted to be controlled by occupancy sensors that are (1) in addition to wall switches or (2) located at a customary wall switch location and equipped with a manual override that will allow the sensor to function as a wall switch.

(2) Additional Locations. Additional lighting outlets shall be installed in accordance with (A)(2)(a), (A)(2)(b), and (A)(2)(c).

(a) At least one wall switch-controlled lighting outlet shall be installed in hallways, stairways, attached garages, and detached garages with electric power. **The switches for switch-controlled lighting outlet(s) in a hallway shall be located at each entrance to the hallway.**

(b) For dwelling units, attached garages, and detached garages with electric power, at least one wall switch-controlled lighting outlet shall be installed to provide illumination on the exterior side of outdoor entrances or exits with grade level access. A vehicle door in a garage shall not be considered as an outdoor entrance or exit. The switches for such lighting outlet(s) shall be located within the dwelling as well as within the garage.

(c) Where one or lighting outlet(s) are installed for interior stairways, there shall be a wall switch at floor level, and landing level that includes an entry way, to control the lighting outlet(s) where the stairway between floor levels has six risers or more.

Exception to (A)(2)(a), (A)(2)(b), and (A)(2)(c): In hallways, in stairways, and at outdoor entrances, remote, central, or automatic control of lighting shall be permitted.

ARTICLE 230

Services

IV. Service-Entrance Conductors.

230.43 Wiring Methods for 600 Volts, Nominal, or Less. Service-entrance conductors shall be installed in accordance with the applicable requirements of this *Code* covering the type of wiring method used and shall be limited to the following methods, except where such methods have been prohibited by these amendments:

V. Service Equipment — General

230.62 Service Equipment — Enclosed or Guarded. Energized parts of service equipment shall be enclosed as specified in 230.62(A) or guarded as specified in 230.62(B). Every service equipment enclosure and meter base enclosure shall be permanently marked or labeled with the address of the premises or unit which it serves.

ARTICLE 250

Grounding and Bonding

III. Grounding Electrode System and Grounding Electrode Conductor.

250.50 Grounding Electrode System. All grounding electrodes as described in 250.52(A)(1) through (A)(7) that are present at each building or structure served shall be bonded together to form the grounding electrode system. Where none of these grounding electrodes exist, one or more of the grounding electrodes specified in 250.52(A)(4) through ~~(A)(8)~~ (A)(7) shall be installed and used. The grounding electrode conductor shall be connected to the domestic or fire suppression water service on the street side of the water meter and/or the sprinkler control system devices.

250.52 Grounding Electrodes.

(A) Electrodes permitted for grounding.

(1) **Metal Underground Water Pipe.** A metal underground water pipe in direct contact with the earth for 3.0 m (10 ft) or more (including any metal well casing bonded to the pipe) and

Village of Carol Stream

Local Amendments to NFPA 70, National Electrical Code, 2008 Edition

electrically continuous (or made electrically continuous by bonding around insulating joints or insulating pipe) to the points of connection of the grounding electrode conductor and the bonding conductors. Interior metal water piping located more than 1.52 m (5 ft) from the point of entrance to the building shall not be used as a part of the grounding electrode system or as a conductor to interconnect electrodes that are part of the grounding electrode system.

~~*Exception: In industrial, commercial, and institutional buildings or structures where conditions of maintenance and supervision ensure that only qualified persons service the installation, interior metal water piping located more than 1.52 m (5 ft) from the point of entrance to the building shall be permitted as a part of the grounding electrode system or as a conductor to interconnect electrodes that are part of the grounding electrode system, provided that the entire length, other than short sections passing perpendicularly through walls, floors, or ceilings, of the interior metal water pipe that is being used for the conductor is exposed.*~~

~~**(8) Other Local Metal Underground Systems or Structures.** Other local metal underground systems or structures such as piping systems, underground tanks, and underground metal well casings that are not bonded to a metal water pipe.~~

250.53 Grounding Electrode System Installation.

(D) Metal Underground Water Pipe.

(2) Supplemental Electrode Required. A metal underground water pipe shall be supplemented by an additional electrode of a type specified in 250.52(A)(2) through (A)(8). Where the supplemental electrode is a rod, pipe, or plate type, it shall comply with 250.56. The supplemental electrode shall be permitted to be bonded to the grounding electrode conductor, the grounded service-entrance conductor, the nonflexible grounded service raceway, or any grounded service enclosure.

~~*Exception: The supplemental electrode shall be permitted to be bonded to the interior metal water piping at any convenient point as covered in 250.52(A)(1), Exception.*~~

AMENDMENTS TO CHAPTER 3

CHAPTER 3 Wiring Methods And Materials

ARTICLE 300

Wiring Methods

300.5 Underground Installations.

(L) Grounding Conductor. All conduit installed underground or within concrete shall contain a grounding conductor sized in accordance with Table 250.122, and said grounding conductor shall be bonded to the conduit system as described in this *Code*.

300.6 Protection Against Corrosion and Deterioration. Raceways, cable trays, cablebus, auxiliary gutters, cable armor, boxes, cable sheathing, cabinets, elbows, couplings, fittings, supports, and support hardware shall be of materials suitable for the environment in which they are to be installed.

(A) General. Ferrous raceways, cable trays, cablebus, auxiliary gutters, cable armor, boxes, cable sheathing, cabinets, metal elbows, couplings, fittings, supports, and support hardware shall be suitably protected against corrosion inside and outside (except threads at joints) by a coating of approved corrosion-resistant material such as zinc, cadmium, or enamel. Where protected from corrosion solely by enamel, they shall not be used outdoors or in wet locations as described in 300.6(C). Where boxes or cabinets have an approved system of organic coatings and are marked "Raintight," "Rainproof," or "Outdoor Type," they shall be permitted outdoors. Where corrosion protection is necessary and the conduit is threaded in the field, the threads shall be coated with an approved electrically conductive, corrosion-resistant compound. Aluminum conduit shall not come in contact with concrete. All aluminum conduit shall contain a grounding conductor sized in accordance with Table 250.122, and said grounding wire shall be bonded to the conduit system as described in this *Code*.

(B) In Concrete or in Direct Contact with the Earth. Ferrous or nonferrous metal raceways, cable armor, boxes, cable sheathing, cabinets, elbows, couplings, fittings, supports, and support hardware shall be permitted to be installed in concrete or in direct contact with the earth, or in areas subject to severe corrosive influences where made of material judged suitable for the condition, or where provided with corrosion protection approved for the condition. Any conduit installed in concrete at or below grade shall be rigid metal conduit or intermediate metal conduit.

ARTICLE 310

Conductors For General Wiring

310.2 Conductors.

(B) Conductor Material. Conductors in this article shall be of aluminum, copper-clad aluminum, or copper unless otherwise specified. Conductors of size 4/0 AWG and smaller shall be copper.

Table 310.5 Minimum Size of Conductors

Conductor Voltage Rating (Volts)	Minimum Conductor Size (AWG)	
	Copper	Aluminum or Copper-Clad Aluminum
0-200	14	12
2001-8000	8	8
8001-15,000	2	2
15,001-28,000	1	1
28,001-35,000	1/0	1/0

Exception: In all other uses except residential, conductors used in systems exceeding 50 volts shall be #12 or larger.

ARTICLE 312

Cabinets, Cutout Boxes, And Meter Socket Enclosures

II. Construction Specifications

312.10 Material.

(C) **Nonmetallic Cabinets.** Nonmetallic cabinets shall be listed, or they shall be submitted for approval prior to installation. **are not permitted.**

ARTICLE 314

Outlet, Device, Pull, and Junction Boxes; Conduit Bodies; Fittings; and Handhole Enclosures

I. Scope and General

314.3 Nonmetallic Boxes. Nonmetallic boxes shall be **are not** permitted only with open wiring on insulators, concealed knob and tube wiring, cabled wiring methods with entirely nonmetallic sheaths, flexible cords, and nonmetallic raceways.

Exception No. 1: Where internal bonding means are provided between all entries, nonmetallic boxes shall be permitted to be used with metal raceways or metal armored cables.

Exception No. 2: Where integral bonding means with a provision for attaching an equipment bonding jumper inside the box are provided between all threaded entries in nonmetallic boxes listed for the purpose, nonmetallic boxes shall be permitted to be used with metal raceways or metal armored cables.

ARTICLE 320

Armored Cable: Type AC

This article shall be deleted in its entirety. Type AC cable is not permitted.

ARTICLE 322

Flat Cable Assemblies: Type FC

This article shall be deleted in its entirety. Type FC cable is not permitted.

ARTICLE 324

Flat Conductor Cable: Type FCC

This article shall be deleted in its entirety. Type FCC cable is not permitted.

ARTICLE 326

Integrated Gas Spacer Cable: Type IGS

This article shall be deleted in its entirety. Type IGS cable is not permitted.

ARTICLE 328

Medium Voltage Cable: Type MV

This article shall be deleted in its entirety. Type MV cable is not permitted.

ARTICLE 330

Metal-Clad Cable: Type MC

This article shall be deleted in its entirety. Type MC cable is not permitted.

ARTICLE 332

Mineral-Insulated, Metal-Sheathed Cable: Type MI

This article shall be deleted in its entirety. Type MI cable is not permitted.

ARTICLE 334

**Nonmetallic-Sheathed Cable:
Types NM, NMC, And NMS**

I. General

334.6 Listed. Type NM, and Type NMC, and Type NMS cables shall be listed.

Village of Carol Stream

Local Amendments to NFPA 70, National Electrical Code, 2008 Edition

II. Installation

334.10 Uses Permitted. Type NMS cables are not permitted. Type NM, and Type NMC, and Type NMS cables shall be permitted to be used in the following: for low voltage (50 volts or less) wiring systems for cable tray installations and shall be identified for this use. **The remainder of this section shall be deleted in its entirety.**

334.12 Uses Not Permitted. **This section shall be deleted in its entirety.**

334.15 Exposed Work. **This section shall be deleted in its entirety.**

334.17 Through or Parallel to Framing Members. **This section shall be deleted in its entirety.**

334.23 In Accessible Attics. **This section shall be deleted in its entirety.**

334.24 Bending Radius. **This section shall be deleted in its entirety.**

334.30 Securing and Supporting. **This section shall be deleted in its entirety.**

334.40 Boxes and Fittings.

(A) Boxes of Insulating Material. Nonmetallic outlet boxes shall be **are not** permitted as provided in 314.3.

~~**(B) Devices of Insulating Material.** Switch, outlet, and tap devices of insulating material shall be permitted to be used without boxes in exposed cable wiring and for rewiring in existing buildings where the cable is concealed and fished. Openings in such devices shall form a close fit around the outer covering of the cable, and the device shall fully enclose the part of the cable from which any part of the covering has been removed. Where connections to conductors are by binding screw terminals, there shall be available as many terminals as conductors.~~

~~**(C) Devices with Integral Enclosures.** Wiring devices with integral enclosures identified for such use shall be permitted as provided in 300.15(E).~~

334.80 Ampacity. **This section shall be deleted in its entirety.**

III. Construction Specifications

334.100 Construction. **This section shall be deleted in its entirety.**

334.108 Equipment Grounding. **This section shall be deleted in its entirety.**

334.112 Insulation. **This section shall be deleted in its entirety.**

334.116 Sheath. **This section shall be deleted in its entirety.**

ARTICLE 336

Power And Control Tray Cable: Type TC

II. Installation

336.10 Uses Permitted. Type TC tray cable shall be permitted to be used in the following: for low voltage systems (50 volts or less) only. **The remainder of this section shall be deleted in its entirety.**

ARTICLE 338

Service-Entrance Cable: Types SE and USE

This article shall be deleted in its entirety. Types SE and USE cable are not permitted.

ARTICLE 340

Underground Feeder and Branch-Circuit Cable: Type UF

II. Installation

340.10 Uses Permitted. Type UF cable shall be permitted as follows:

- (1) For use underground, including direct burial in the earth. For underground requirements, see 300.5.
 - ~~(2) As single conductor cables. Where installed as single conductor cables, all conductors of the feeder grounded conductor or branch circuit, including the grounded conductor and equipment grounding conductor, if any, shall be installed in accordance with 300.3.~~
 - ~~(3) For wiring in wet, dry, or corrosive locations under the recognized wiring methods of this Code.~~
 - ~~(4) Installed as nonmetallic sheathed cable. Where so installed, the installation and conductor requirements shall comply with Parts II and III of Article 334 and shall be of the multiconductor type.~~
 - ~~(5) For solar photovoltaic systems in accordance with 690.31.~~
 - ~~(6) As single conductor cables as the nonheating leads for heating cables as provided in 424.43.~~
 - ~~(7) Supported by cable trays. Type UF cable supported by cable trays shall be of the multiconductor type.~~
- ~~FPN: See 310.10 for temperature limitation of conductors.~~

ARTICLE 342

Intermediate Metal Conduit: Type IMC

II. Installation

342.10.Uses Permitted.

~~(C) Cinder Fill. IMC shall be permitted to be installed in or under cinder fill where subject to permanent moisture where protected on all sides by a layer of noncinder concrete not less than 50~~

~~mm (2 in.) thick; where the conduit is not less than 450 mm (18 in.) under the fill; or where protected by corrosion protection and judged suitable for the condition.~~

ARTICLE 352

Rigid Polyvinyl Chloride Conduit: Type PVC

II. Installation

352.10 Uses Permitted. The use of PVC conduit shall be permitted in accordance with ~~352.10(A) through (H)~~ 352.10(B), 352.10(D) and 352.10(G) only.

ARTICLE 356

Liquidtight Flexible Nonmetallic Conduit: Type LFNC

This article shall be deleted in its entirety. Type LFNC cable is not permitted.

ARTICLE 358

Electrical Metallic Tubing: Type EMT

II. Installation

358.42 Couplings and Connectors. Couplings and connectors used with EMT shall be made up tight. Where buried in masonry or concrete, they shall be concretetight type. Where installed in wet locations, they shall comply with 314.15. Only set-screw and compression type fittings shall be used.

ARTICLE 362

Electrical Nonmetallic Tubing: Type ENT

This article shall be deleted in its entirety. Type ENT cable is not permitted.

ARTICLE 372

Cellular Concrete Floor Raceways

**This article shall be deleted in its entirety.
Cellular Concrete Floor Raceways are not permitted.**

ARTICLE 378

Nonmetallic Wireways

This article shall be deleted in its entirety. Nonmetallic Wireways are not permitted.

ARTICLE 380
Multioutlet Assembly

This article shall be deleted in its entirety. Multioutlet Assemblies are not permitted.

ARTICLE 382
Nonmetallic Extensions

This article shall be deleted in its entirety. Nonmetallic Extensions are not permitted.

ARTICLE 388
Surface Nonmetallic Raceways

This article shall be deleted in its entirety.
Surface Nonmetallic Raceways are not permitted.

ARTICLE 394
Concealed Knob-and-Tube Wiring

This article shall be deleted in its entirety.
Concealed Knob-and-Tube Wiring is not permitted.

ARTICLE 396
Messenger-Supported Wiring

This article shall be deleted in its entirety. Messenger-Supported Wiring is not permitted.

ARTICLE 398
Open Wiring on Insulators

This article shall be deleted in its entirety. Open Wiring on Insulators is not permitted.

AMENDMENTS TO CHAPTER 4

Chapter 4 Equipment For General Use

ARTICLE 404

Switches

404.14 Rating and Use of Snap Switches.

(C) CO/ALR Snap Switches. CO/ALR snap switches shall not be permitted. Snap switches rated 20 amperes or less directly connected to aluminum conductors shall be listed and marked CO/ALR.

ARTICLE 410

Luminaires, Lampholders, And Lamps

410.16 Luminaires in Clothes Closets. Every clothes closet shall have a luminaire. Luminaires in clothes closets larger than thirty (30) square feet shall be controlled by a wall switch.

VI. Wiring of Luminaires

410.54 Pendant Conductors for Incandescent Filament Lamps. Pendant conductors for incandescent filament lamps shall not be permitted. The remainder of Section 410.54 shall be deleted in its entirety.

AMENDMENTS TO CHAPTER 5

CHAPTER 5 Special Occupancies

ARTICLE 550

Mobile Homes, Manufactured Homes, And Mobile Home Parks

I. General

550.4 General Requirements.

(E) Inspection Access. All electrical wiring, luminaires, equipment and appurtenances related to electrical installations within or on mobile and manufactured homes shall be made accessible for inspection.

AMENDMENTS TO CHAPTER 6

CHAPTER 6 Special Equipment

ARTICLE 604

Manufactured Wiring Systems

**This article shall be deleted in its entirety.
Manufactured Wiring Systems are not permitted.**

ARTICLE 605

**Office Furnishings (Consisting
Of Lighting Accessories
And Wired Partitions)**

605.2 General. Wiring systems shall be of approved wiring methods contained in this *Code*, and shall be identified as suitable for providing power for lighting accessories and appliances in wired partitions. These partitions shall not extend from floor to ceiling.

AMENDMENTS TO CHAPTER 7

CHAPTER 7 Special Conditions

ARTICLE 760 Fire Alarm Systems

I. General

760.3 Other Articles. Circuits and equipment shall comply with 760.3(A) through ~~(G)~~ (H). Only those sections of Article 300 referenced in this article shall apply to fire alarm systems.

(G) Abandoned Fire Alarm Wiring and Equipment. All abandoned fire alarm wiring and associated equipment shall be removed.

760.53 Multiconductor NPLFA Cables.

(A) NPLFA Wiring Method. Multiconductor non-power-limited fire alarm circuit cables shall be installed in accordance with 760.53 (A)(1), (A)(2), and (A)(3).

(1) Exposed or Fished in Concealed Spaces. In raceway to a height of 3 m (10 ft.) or exposed on surface of ceiling and sidewalls above a height of 3 m (10 ft.) or fished in concealed spaces in a metal raceway. Cable splices or terminations shall be made in listed fittings, boxes, enclosures, fire alarm devices, or utilization equipment. Where installed exposed, cables shall be adequately supported and installed in such a way that maximum protection against physical damage is afforded by building protection such as baseboards, door frames, ledges, and so forth. Where located within 2.1 m (7 ft.) of the floor, cables shall be securely fastened in an approved manner at intervals of not more than 450 mm (18 in.) a metal raceway to the building structure.

(2) Passing through a Floor or Wall. In metal raceway or rigid nonmetallic conduit where passing through a floor or wall to a height of 2.1 m (7 ft.) 3 m (10 ft.) above the floor unless adequate protection can be afforded by building construction such as detailed in 760.53(A)(1) or unless an equivalent solid guard is provided.

760.130 Wiring Methods and Materials on Load Side of the PLFA Power Source.

(B) PLFA Wiring Methods and Materials.

(1) Exposed or Fished in Concealed Spaces. In raceway or exposed on the surface of ceiling and sidewalls or fished installed in flexible metal conduit in concealed spaces. Cable splices or terminations shall be made in listed fittings, boxes, enclosures, fire alarm devices, or utilization equipment. Where installed exposed, cables shall be adequately supported and installed in such a way that maximum protection against physical damage is afforded by building construction such as baseboards, door frames, ledges, and so forth. Where located within 2.1 m (7 ft.) of the floor, cables shall be securely fastened in an approved manner at intervals of not more than 450 mm (18 in.) a metal raceway to the building structure.

Village of Carol Stream

Local Amendments to NFPA 70, National Electrical Code, 2008 Edition

(2) Passing Through a Floor or Wall. In metal raceways ~~or rigid nonmetallic conduit~~ where passing through a floor or wall to a height of ~~2.1 m (7 ft.)~~ **3m (10 ft.)** above the floor, unless adequate protection can be afforded by building construction such as detailed in 760.130(B)(1) or unless an equivalent solid guard is provided.

AMENDMENTS TO CHAPTER 8

CHAPTER 8 Communications Systems

ARTICLE 800
Communications Circuits

V. Installation Methods Within Buildings

800.133 Installation of Communications Wires, Cables, and Equipment. Communications wires and cables from the protector to the equipment or, where no protector is required, communications wires and cables attached to the outside or inside of the building shall comply with 800.133 (A) through ~~(C)~~ (D).

(D) Orientation. Communications wires and cables shall be run perpendicular or parallel to the wall or roof framing systems. All changes in direction shall be done at a 90° angle.

AMENDMENTS TO ANNEXES A THROUGH H

Annex A Product and Safety Standards

Annex A shall be adopted in its entirety and made a part of this Code.

Annex B Application Information for Ampacity Calculation

Annex C Conduit and Tubing Fill Tables for Conductors and Fixture Wires of the Same Size

Annex D Examples

Annex E Types of Construction

Annex F Availability and Reliability for Critical Operations Power Systems; and Development and Implementation of Functional Performance Tests (FPTs) for Critical Operations Power Systems

Annex G Supervisory Control And Data Acquisition (SCADA)

Annexes B through G are for informational purposes only and are not adopted as part of this Code.

Annex H Administration and Enforcement

Annex H shall be adopted in its entirety and made a part of this Code as amended herein.

80.2 Definitions.

Chief Electrical Inspector. ~~An electrical inspector who either is the authority having jurisdiction or is designated by the authority having jurisdiction~~ The Community Development Director, or his or her designee, is the Chief Electrical Inspector of the Village of Carol Stream, and is responsible for administering the requirements of this Code.

80.3 Purpose. The purpose of this article shall be to provide requirements for administration and enforcement of the *National Electric Code* as amended and adopted by the Village of Carol Stream.

80.7 Title The title of this code shall be NFPA 70, National Electrical Code[®], of the National Fire Protection Association. The short title of this Code shall be the NEC[®]. This amended code shall be known as the Electrical Code as amended and adopted by the Village of Carol Stream.

80.15 Electrical Board. Article 80.15 shall be deleted in its entirety, and replaced with the following:

Village of Carol Stream

Local Amendments to NFPA 70, National Electrical Code, 2008 Edition

80.15 Electrical Board.

- (A) **Creation of the Electrical Commission.** The creation of an Electrical Commission shall be done in accordance with Section 3-4-1(A) of the Carol Stream Code of Ordinances.
- (B) **Appointments.** Electrical Commission members shall be appointed in accordance with Section 3-4-1(B) of the Carol Stream Code of Ordinances.
- (C) **Terms.** The terms of Electrical Commission members shall be in accordance with Section 3-4-1(B) of the Carol Stream Code of Ordinances.
- (D) **Duties.** The duties of the Electrical Commission shall be in accordance with Section 3-4-2 of the Carol Stream Code of Ordinances.
- (E) **Appeals.** In order to hear and decide appeals of orders, decisions or determinations made by the Chief Electrical Inspector or the Electrical Commission relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board shall adopt rules of procedure for conducting its business.
- (1) **Membership of Board.** The Board of Appeals shall consist of the Village President and Board of Trustees of the Village of Carol Stream. The Village President shall serve as Chairman and the Village Clerk shall serve as Secretary.
- (2) **Fees.** Fees for appeal hearings shall be in accordance with the Schedule of Fees contained in Article 13 of Chapter 6 of the Village Code.
- (3) **Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed.
- (4) **Jurisdiction.** The Board of Appeals shall have no jurisdiction to hear an appeal when the facts and issues raised in the application for appeal are subject of a quasi-criminal complaint brought in the name of the Village charging a violation of the Code of Ordinances of the Village. The filing of such a complaint shall constitute a determination that a decision of the building official, refusing to grant a modification of the provisions of this code, is correct. Any appeal pending at the time of filing of such a complaint shall be dismissed for want of jurisdiction.

80.19 Permits and Approvals. Permits and approvals shall conform to 80.19(A) through (H).

(A) Application.

- (1) Activity authorized by a permit issued under this *Code* shall be conducted by the permittee or the permittee's agents or employees in compliance with all requirements of this *Code* applicable thereto and in accordance with the approved plans and specifications. No permit issued under this *Code* shall be interpreted to justify a violation of any provision of this code or any other applicable law or regulation. Any addition or alteration of approved plans or specifications shall be approved in advance by the authority having jurisdiction, as evidenced by the issuance of a new or amended permit.
- (2) A copy of the permit shall be posted or otherwise readily accessible at each work site or carried by the permit holder as specified by the authority having jurisdiction.
- (3) Electrical work shall be performed by Electrical Contractors licensed by any municipality in the State of Illinois after having obtained a permit to do so from the Village of Carol Stream. Electrical wiring to connect and operate heating, ventilating and air conditioning devices may

Village of Carol Stream

Local Amendments to NFPA 70, National Electrical Code, 2008 Edition

be performed by HVAC contractors after having obtained a permit from the Village of Carol Stream.

(4) The owner of a single family residence in which he or she lives or intends to live may perform his or her own electrical wiring, provided he or she obtains a permit and that such wiring is done without the assistance of any other person.

(C) Issuance of permits. The authority having jurisdiction shall be authorized to establish and issue permits, certificates, notices, and approvals, or orders pertaining to electrical safety hazards pursuant to 80.23. No electrical wiring, equipment or devices shall be installed, altered or removed without first obtaining an electrical permit, except that no permit shall be required to execute any of the classes of electrical work specified in the following:

(1) Installation or replacement of equipment such as lamps and of electric utilization equipment approved for connection to suitable permanently installed receptacles. Replacement of flush or snap switches, fuses, lamp sockets, and receptacles, and other minor maintenance and repair work, such as replacing worn cords and tightening connections on a wiring device.

(2) The process of manufacturing, testing, servicing, or repairing electric equipment or apparatus.

(D) Annual permits. In lieu of an individual permit for each installation or alteration, an annual permit shall, upon application, be issued to any person, firm, or corporation regularly employing one or more employees for the installation, alteration, and maintenance of electric equipment in or on buildings or premises owned or occupied by the applicant for the permit. The person employed shall be a licensed electrical contractor. Upon application, an electrical contractor as agent for the owner or tenant shall be issued an annual permit. The applicant shall keep records of all work done, and such records shall be transmitted periodically to the Electrical Inspector.

(E) Fees. Any political subdivision that has been provided for electrical inspection in accordance with the provisions of Article 80 may establish fees that shall be paid by the applicant for a permit before the permit is issued. Fees shall be charged in accordance with Article 13 of Chapter 6 of Appendix C of the Village of Carol Stream Code of Ordinances.

(F) Inspection and Approvals.

(1) Upon the approval of any installation of electrical equipment that has been made under a permit other than an annual permit, it shall be the duty of the person, firm, or corporation making the installation to notify the Electrical Inspector having jurisdiction, who shall inspect the work within a reasonable time.

(2) Where the Inspector finds the installation to be in conformity with the statutes of all applicable local ordinances and all rules and regulations, the Inspector shall issue to the person, firm, or corporation making the installation a certificate of approval, with duplicate copy for delivery to the owner, authorizing the connection to the supply of electricity and shall send written notice of such authorization to the supplier of electric service. When a certificate of temporary approval is issued authorizing the connection of an installation, such certificates shall be issued to expire at a time to be stated therein and shall be revocable by the Electrical Inspector for cause.

(3) When any portion of the electrical installation within the jurisdiction of an Electrical Inspector is to be hidden from view by a permanent placement of parts of the building, the person, firm, or corporation installing the equipment shall notify the Electrical Inspector, and such equipment shall not be concealed until it has been approved by the Electrical Inspector. ~~or until ___ days have elapsed from the time of such notification, provided that on~~ On large

Village of Carol Stream

Local Amendments to NFPA 70, National Electrical Code, 2008 Edition

installations, where the concealment of equipment proceeds continuously, the person, firm, or corporation installing the equipment shall give the Electrical Inspector due notice in advance, and inspections shall be made periodically during the progress of the work. No work shall be concealed without an inspection. Any electrical work that has been concealed without an inspection shall be exposed for inspection at the owner's expense.

- (4) At regular intervals, the Electrical Inspector having jurisdiction shall visit all buildings and premises where work may be done under annual permits and shall inspect all electric equipment installed under such permits since the date of the previous inspection. The Electrical Inspector shall issue a certificate of approval for such work as is found to be in conformity with the provisions of Article 80 and all applicable ordinances, orders, rules, and regulations, after payments of all required fees.
- (5) If, upon inspection, any installation is found not to be fully in conformity with the provisions of Article 80, and all applicable ordinances, rules, and regulations the Inspector making the inspection shall at once forward to the person, firm, or corporation making the installation a written notice stating the defects that have been found to exist.

(H) Applications and Extensions. Applications and extensions of permits shall conform to the following:

- (1) An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the authority having jurisdiction is authorized to grant one or more extensions of time for additional periods not exceeding 90 dayseach. The extension shall be requested in writing and justifiable cause demonstrated. Every permit issued shall become invalid within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The authority having jurisdiction shall be permitted to grant an extension of the permit time period upon presentation by the permittee of a satisfactory reason for failure to start or complete the work or activity authorized by the permit. Such extension shall be for a period of 180 days.

80.23 Notice of Violations, Penalties. Notice of violations and penalties shall conform to 80.23(A) and (B).

(A) Violations.

- (1) Whenever the authority having jurisdiction determines that there are violations of this *Code*, a written notice shall be issued to confirm such findings. The written form shall be on an official document that is consistent with the policies and procedures of the authority having jurisdiction.
- (2) Any order or notice issued pursuant to this *Code* shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either by personal service or mail or by delivering the same to and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such order or notice shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the order or notice shall be mailed by registered or certified mail, ~~with return receipt requested~~, to the last known address of the owner, occupant, or both.

Village of Carol Stream

Local Amendments to NFPA 70, National Electrical Code, 2008 Edition

(B) Penalties.

- (1) Any person who fails to comply with the provisions of this *Code* or who fails to carry out an order made pursuant to this *Code* or violates any condition attached to a permit, approval, or certificate shall be subject to the penalties established by this jurisdiction.
- (2) Failure to comply with the time limits of an abatement notice or other corrective notice issued by the authority having jurisdiction shall result in each day that such violation continues being regarded as a new and separate offence.
- (3) Any person, firm or corporation who shall willfully violate any of the applicable provisions of this ~~article~~ *Code*, or who shall fail to comply with any of the requirements thereof, or who shall install, extend, alter or remove an electrical wiring system in violation of any approved plan or direction of the authority having jurisdiction or of a permit issued under the provisions of this code, shall be guilty of a ~~misdemeanor~~ code violation and, upon conviction thereof, shall be punished by a fine of not less than seventy-five dollars (\$75.00) or more than seven hundred fifty dollars (\$750.00) for each offense, together with the costs of prosecution, imprisonment, or both, for not less than _____ (____) days or more than _____ (____) days.

80.25 Connection to Electricity Supply. Connections to the electric supply shall conform to 80.25 (A) through (E).

(A) Authorization. Except where work is done under an annual permit and except as otherwise provided in 80.25, it shall be unlawful for any person, firm, or corporation to make connection to a supply of electricity or to supply electricity to any electric equipment installation for which a permit is required or that has been disconnected or ordered to be disconnected. No electrical service shall be connected until the utility company has been notified by the authority having jurisdiction.

(B) Special Consideration. By special permission of the authority having jurisdiction after having performed an inspection, temporary power shall be permitted to be supplied to the premises for specific needs of the construction project. The Board shall determine what needs are permitted under this provision.

(C) Notification. If, within 90 business days after the Electrical Inspector is notified of the completion of an installation of electric equipment, other than a temporary approval installation, the Electrical Inspector has neither authorized connection nor disapproved the installation, the supplier of electricity is authorized to make connections and supply electricity to such installation.

80.27 Inspector's Qualifications.

~~**(A) Certificate.** All electrical inspectors shall be certified by a nationally recognized inspector certification program accepted by the Board. The certification program shall specifically qualify the inspector in electrical inspections. No person shall be employed as an Electrical Inspector unless that person is the holder of an Electrical Inspector's certificate of qualification issued by the Board, except that any person who on the date on which this law went into effect was serving as a legally appointed Electrical Inspector of _____ shall, upon application and payment of the prescribed fee and without examination, be issued a special certificate permitting him or her to continue to serve as an Electrical Inspector in the same territory.~~

Village of Carol Stream

Local Amendments to NFPA 70, National Electrical Code, 2008 Edition

(B) Experience. Electrical inspector applicants shall demonstrate the following:

- (1) Have a demonstrated knowledge of the standard materials and methods used in the installation of electric equipment.
- (2) Be well versed in the approved methods of construction for safety to persons and property.
- ~~(3) Be well versed in the statutes of _____ relating to electrical work and the National Electrical Code, as approved by the American National Standards Institute~~
- ~~(4) Have had at least _____ years' experience as an Electrical Inspector or _____ years in the installation of electrical equipment. In lieu of such experience, the applicant shall be a graduate in electrical engineering or of a similar curriculum of a college or university considered by the Board as having suitable requirements for graduation and shall have had two years' practical electrical experience.~~

~~(C) Recertification.~~ Electrical inspectors shall be recertified as established by provisions of the applicable certification program.

~~(D) Revocation and Suspension of Authority.~~ The Board shall have the authority to revoke an inspector's authority to conduct inspections within a jurisdiction.

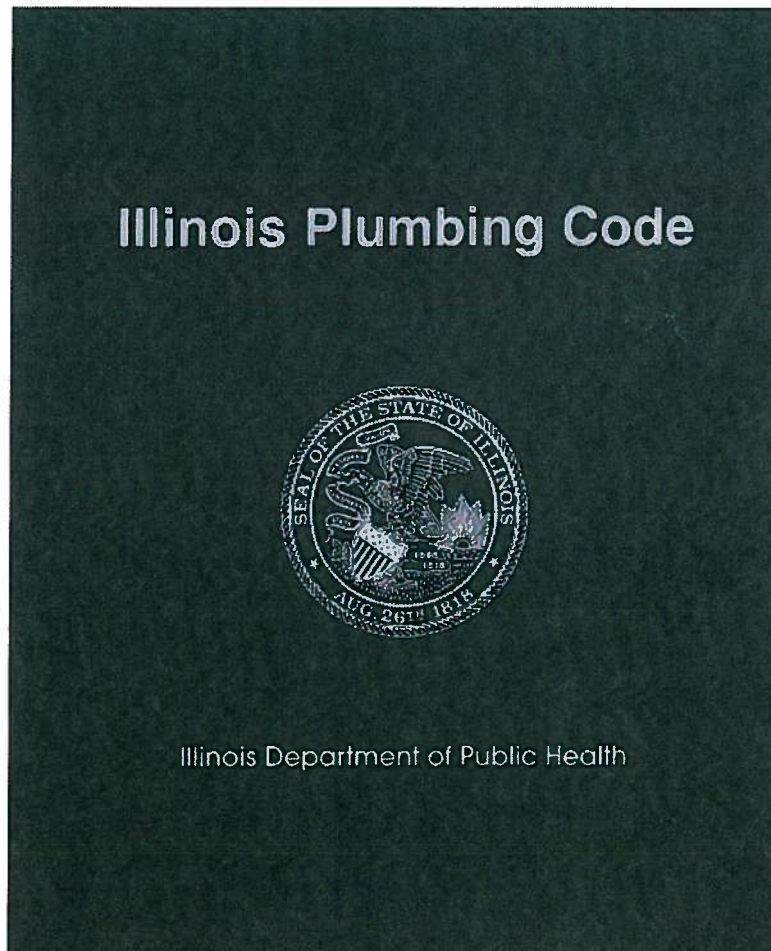
80.29 Liability for Damages. Article 80 shall not be construed to affect the responsibility or liability of any party owning, designing, operating, controlling, or installing any electric equipment for damages to persons or property caused by a defect therein, nor shall the **Village of Carol Stream** or any of its employees be held as assuming any such liability by reason of the inspection, reinspection, or other examination authorized.

~~**80.33 Repeal of Conflicting Acts.** All acts or parts of acts in conflict with the provisions of Article 80 are hereby repealed.~~

~~**80.35 Effective Date.** Article 80 shall take effect _____ (_____) days after its passage and publication.~~

Village of Carol Stream

Local Amendments to
Illinois Plumbing Code, 2004 Edition



Community Development Department
(630)871-6230
communitydevelopment@carolstream.org

5/15/09

Village of Carol Stream
Community Development Department
Local Amendments to Illinois Plumbing Code, Current Edition

CONTENTS

	PAGE NO.
Amendments to Subpart A	1

AMENDMENTS TO SUBPART A

SUBPART A: DEFINITIONS AND GENERAL REGULATIONS

Section 890.110 General Regulations

The following local amendments shall be added to Section 890.110 (highlighting omitted).

c) **Fee schedule.**

The fees for all plumbing work shall be as set forth in Chapter 6, Article 13, of the Carol Stream Village Code.

d) **Violation penalties.**

Any person 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 plumbing 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 guilty of a misdemeanor, punishable of a fine of not more than 750.00 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

e) **Stop work order.**

Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's 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 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 liable to a fine of not less than 75.00 dollars or more than 750.00 dollars.

f) **Local amendments – General.**

- (1) **Faucets and supply fittings.** In all new construction and replacement of fixtures, faucets or lavatories located in restrooms intended for public use, faucets shall be of the self-closing type.
- (2) **Industrial Wastewater Discharge Permit.** All applicants for a building permit to connect to the Village sanitary sewer system shall submit a completed Industrial Wastewater Discharge Permit Application.
- (3) **Minimum size of building sewer.** The minimum size of building sewer shall be 6 inches.

Village of Carol Stream
Local Amendments to Illinois Plumbing Code

- (4) **Storm sewer depth.** Building storm sewers that connect to the public storm sewer system shall be a minimum of 42 inches below finished grade at the point of connection.
 - (5) **Water service burial depth.** Water service pipe shall be installed not less than five feet six inches below finished grade.
 - (6) **Required floor drains:** A floor drain shall be located within 3 feet of any water meter, water heater or reduced pressure backflow prevention device.
- g) Local amendments – Lawn Irrigation Systems.**
- (1) **Connection to potable water.** The connection to the potable water system shall be made by a licensed plumber, and shall be located downstream from the water meter.
 - (2) **Connection to the potable water system.** The potable water supply to lawn irrigation systems shall be protected against backflow by a reduced pressure backflow prevention device. A valve shall not be installed downstream from an atmospheric vacuum breaker. Chemicals shall not be introduced through the lawn sprinkler system.
 - (3) **Backflow prevention.** The required reduced pressure backflow prevention device shall be installed in the lawn irrigation system between the point of connection to the potable water system and the first flow or control device. Certification for the backflow prevention device shall be submitted to the code official.
 - (4) **Gate valves.** A full-flow gate valve shall be installed on each side of the backflow prevention device.
 - (5) **Floor drain.** If the backflow prevention device is located within a building, a floor drain shall be located within three feet of the device.
 - (6) **Sleeves for irrigation pipe.** Irrigation pipe installed beneath pavement shall be sleeved in galvanized steel pipe, schedule 40, or polyvinyl chloride (PVC) plastic pipe, schedule 80.

Village of Carol Stream

Local Amendments to ICC International Mechanical Code, 2006 Edition



Community Development Department
(630)871-6230
communitydevelopment@carolstream.org

5/15/09

Village of Carol Stream

Community Development Department

Local Amendments to ICC International Mechanical Code, 2006 Edition

CONTENTS

	PAGE NO.
Amendments to Chapter 1	1
Amendments to Chapter 2	5
Amendments to Chapter 6	6
Amendments to Appendices A and B	7

AMENDMENTS TO CHAPTER 1

**CHAPTER 1
ADMINISTRATION**

**SECTION 101
GENERAL**

101.1 Title: These regulations shall be known as the Mechanical Code of the Village of Carol Stream, hereinafter referred to as “this code.”

**SECTION 102
APPLICABILITY**

102.5 Change in occupancy. It shall be unlawful to make a change in the occupancy of any structure which will subject the structure to any special provision of this code applicable to the new occupancy without approval. ~~The code official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public, safety and welfare.~~

102.8 Referenced codes and standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

102.8.1 Electrical code. All references to the *ICC Electrical Code* shall be construed to refer to the Electrical Code as amended and adopted by the Village of Carol Stream.

102.8.2 Gas code. All references to the *International Fuel Gas Code* shall be construed to refer to the Fuel Gas Code as amended and adopted by the Village of Carol Stream.

102.8.3 Residential code. All references to the *International Residential Code* shall be construed to refer to the Residential Code as amended and adopted by the Village of Carol Stream.

102.8.4 Plumbing code. All references to the *International Plumbing Code* shall be construed to refer to the pertinent sections of the *Illinois Plumbing Code* as amended and adopted by the Village of Carol Stream.

102.8.5 Property maintenance code. All references to the *International Property Maintenance Code* shall be construed to refer to the Property Maintenance Code as amended and adopted by the Village of Carol Stream.

Village of Carol Stream

Local Amendments to ICC International Mechanical Code, 2006 Edition

102.8.6 Energy conservation code. All references to the *International Energy Conservation Code* shall be construed to refer to the Energy Conservation Code as amended and adopted by the Village of Carol Stream.

102.8.7 Fire code. All references to the *International Fire Code* shall be construed to refer to the Fire Code as amended and adopted by the Village of Carol Stream.

102.8.8 Building code. All references to the *International Building Code* shall be construed to refer to the Building Code as amended and adopted by the Village of Carol Stream.

SECTION 103 DEPARTMENT OF MECHANICAL INSPECTION

103.1 General. ~~The department of mechanical inspection is hereby created~~ Community Development Department shall be responsible for inspection and code enforcement, and the ~~executive official in charge thereof~~ Community Development Director shall be known as the code official.

SECTION 106 PERMITS

106.5.2 Fee schedule. The fees for mechanical work shall be as indicated in the following schedule set forth in Chapter 6, Article 13, of the Carol Stream Village Code.

106.5.3 Fee refunds. The code official shall authorize the refunding of fees as follows.

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. ~~Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.~~
3. ~~Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid when the application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.~~

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

SECTION 108.0 VIOLATIONS

108.4 Violation penalties. 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 guilty of a code violation, punishable by a fine of not less than 75.00 dollars or more than 750.00 dollars ~~or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Village of Carol Stream

Local Amendments to ICC International Mechanical Code, 2006 Edition

108.5 Stop work orders: Upon notice from the code official that mechanical work is being done contrary to the provisions of this 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 owner's agent, or to the person doing the work. This 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 a 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 of not less than **75.00 dollars** or more than **750.00 dollars**.

SECTION 109 MEANS OF APPEAL

109.1.1 Limitation of authority. The board of appeals shall have no authority relative to interpretations of the administration of this code ~~nor shall such board be empowered to waive requirements of this code.~~

109.2 Membership of Board of Appeals. The Board of Appeals shall consist of five members ~~appointed by the chief appointing authority as follows: one for five years; one for four years; one for three years; one for two years; and one for one year~~ **the President and Board of Trustees of the Village of Carol Stream.** ~~Thereafter, each new member shall serve for five years or until a successor has been appointed.~~

109.2.1 Qualifications. ~~The board of appeals shall consist of five individuals, one from each of the following professions or disciplines.~~

- ~~1. Registered design professional who is a registered architect; or builder or superintendent of building construction with at least ten years' experience, five of which shall been in responsible charge of work.~~
- ~~2. Registered design professional with structural engineering or architectural experience.~~
- ~~3. Registered design professional with mechanical and plumbing engineering experience; or mechanical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.~~
- ~~4. Registered design professional with electrical engineering experience; or an electrical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.~~
- ~~5. Registered design professional with fire protection engineering experience; or fire protection contractor with at least ten years' experience, five of which shall have been in responsible charge of work.~~

109.2.2 Alternate members. ~~The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for five years, or until a successor has been appointed.~~

Village of Carol Stream

Local Amendments to ICC International Mechanical Code, 2006 Edition

109.2.3 Chairman. ~~The board shall annually select one of the members to~~ Village President shall serve as chairman.

~~**109.2.4 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

109.2.5 Secretary. ~~The chief administration officer shall designate a qualified clerk to~~ Village Clerk shall serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

~~**109.2.6 Compensation of members.** Compensation of members shall be determined by law.~~

109.8 Jurisdiction. The Board of Appeals shall have no jurisdiction to hear an appeal when the facts and issues raised in the application for appeal are subject of a quasi-criminal complaint brought in the name of the Village charging a violation of the Code of Ordinances of the Village. The filing of such a complaint shall constitute a determination that a decision of the building official, refusing to grant a modification of the provisions of this code, is correct. Any appeal pending at the time of filing of such a complaint shall be dismissed for want of jurisdiction.

AMENDMENTS TO CHAPTER 2

**CHAPTER 2
DEFINITIONS**

**SECTION 201
GENERAL**

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies or the definition in the current version of the Merriam-Webster Dictionary.

AMENDMENTS TO CHAPTER 6

**CHAPTER 6
DUCT SYSTEMS**

**SECTION 606
SMOKE DETECTION SYSTEMS CONTROL**

606.3 Installation. Smoke detectors required by this section shall be installed in accordance with NFPA 72. The required smoke detectors shall be installed to monitor the entire airflow conveyed by the system including return air and exhaust or relief air. Access shall be provided to smoke detectors for inspection and maintenance. A remote annunciator and test switch shall be installed for each detector in the area of the detector installation. The test switch shall be located in an easily accessible location.

606.4.1 Supervision. The smoke detectors shall not be connected to a fire alarm system. The actuation of the duct smoke detector shall activate a visible and audible supervisory signal at a constantly attended location.

Exceptions:

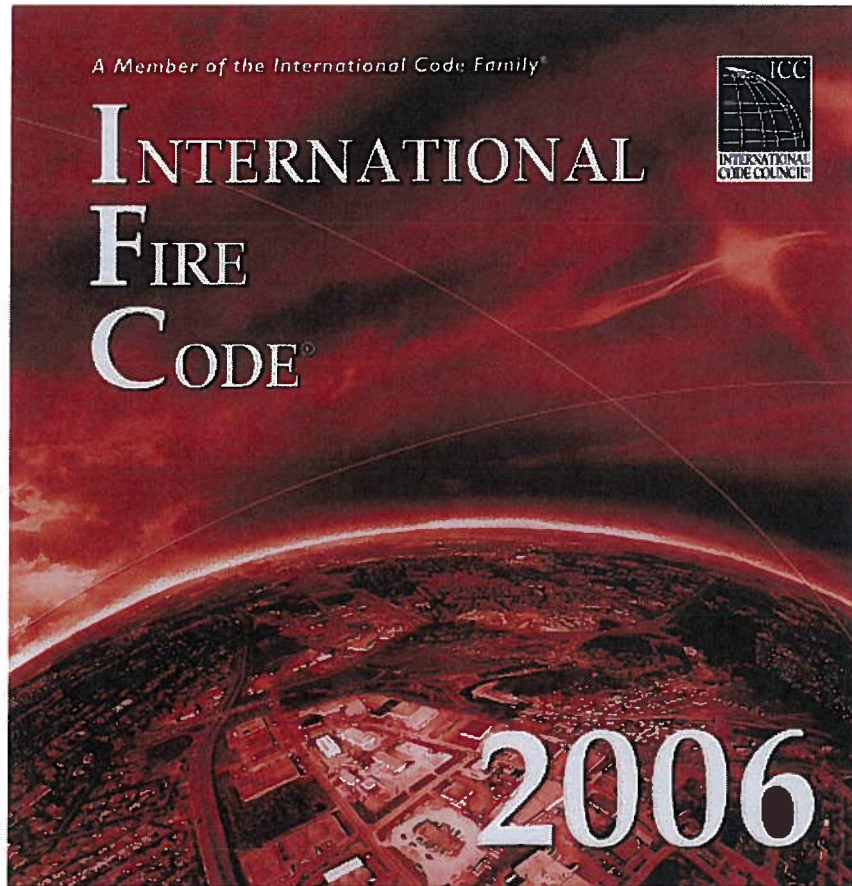
- ~~1. The supervisory signal at a constantly attended location is not required where the smoke detector activates the building's alarm indicating appliances.~~
- ~~2. In occupancies not required to be equipped with a fire alarm system, actuation of a smoke detector shall activate a visible and an audible signal in an approved location. Smoke detector trouble conditions shall activate a visible or audible signal in an approved location and shall be identified as air duct detector trouble.~~

AMENDMENTS TO APPENDICES A AND B

**Appendices A and B are for informational purposes only
and are not adopted as part of this *Code*.**

Village of Carol Stream

Local Amendments to ICC International Fire Code, 2006 Edition



Community Development Department
(630)871-6230
communitydevelopment@carolstream.org

5/15/09

Village of Carol Stream

Community Development Department

Local Amendments to ICC International Fire Code, 2006 Edition

CONTENTS

	PAGE NO.
Amendments to Chapter 1	1
Amendments to Chapter 2	4
Amendments to Chapter 3	5
Amendments to Chapter 5	6
Amendments to Chapter 9	7
Amendments to Chapter 10	13
Amendments to Appendices A through G	15

AMENDMENTS TO CHAPTER 1

**CHAPTER 1
ADMINISTRATION**

**SECTION 101
GENERAL**

101.1 Title. These regulations shall be known as the *Fire Code* of the Village of Carol Stream, hereinafter referred to as “this code.”

**SECTION 102
APPLICABILITY**

102.6 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 45 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

102.6.1 Electrical code. All references to the *ICC Electrical Code* shall be construed to refer to the Electrical Code as amended and adopted by the Village of Carol Stream.

102.6.2 Gas code. All references to the *International Fuel Gas Code* shall be construed to refer to the Fuel Gas Code as amended and adopted by the Village of Carol Stream.

102.6.3 Mechanical code. All references to the *International Mechanical Code* shall be construed to refer to the Mechanical Code as amended and adopted by the Village of Carol Stream.

102.6.4 Plumbing code. All references to the *International Plumbing Code* shall be construed to refer to the pertinent sections of the *Illinois Plumbing Code* as amended and adopted by the Village of Carol Stream.

102.6.5 Property maintenance code. All references to the *International Property Maintenance Code* shall be construed to refer to the Property Maintenance Code as amended and adopted by the Village of Carol Stream.

102.6.6 Energy conservation code. All references to the *International Energy Conservation Code* shall be construed to refer to the Energy Conservation Code as amended and adopted by the Village of Carol Stream.

102.6.7 Residential code. All references to the *International Residential Code* shall be construed to refer to the Residential Code as amended and adopted by the Village of Carol Stream.

102.6.8 Building code. All references to the *International Building Code* shall be construed to refer to the Building Code as amended and adopted by the Village of Carol Stream.

**SECTION 103
DEPARTMENT OF FIRE PREVENTION**

103.1 General. The department of fire prevention is established within the jurisdiction under the direction of the fire code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code. The President and Board of Trustees of the Village of Carol Stream are hereby authorized to enter into contracts or agreements with the Carol Stream Fire Protection District, which can be modified from time to time, for the various functions of the Fire Prevention Bureau.

**SECTION 105
PERMITS**

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in use and handling of any quantity of explosive material, fireworks, or pyrotechnic special effects within the scope of Chapter 33. Sections 105.6.1 through 105.6.46 shall be deleted in their entirety.

**SECTION 108
BOARD OF APPEALS**

108.1 Board of appeals established. 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 appointed by the governing body and shall hold office at its pleasure.~~ The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The Board of Appeals shall consist of the President and Board of Trustees of the Village of Carol Stream. The President shall serve as Chairman and the Village Clerk shall serve as Secretary. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.

108.2 Limitations on authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive the requirements of this code.

~~**108.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems and are not employees of the jurisdiction.~~

108.4 Fees. Fees for appeal hearings shall be in accordance with the Schedule of Fees contained in Article 13 of Chapter 6 of the Village Code.

108.5 Jurisdiction. The Board of Appeals shall have no jurisdiction to hear an appeal when the facts and issues raised in the application for appeal are subject of a quasi-criminal complaint

Village of Carol Stream

Local Amendments to ICC International Fire Code, 2006 Edition

brought in the name of the Village charging a violation of the Code of Ordinances of the Village. The filing of such a complaint shall constitute a determination that a decision of the building official, refusing to grant a modification of the provisions of this code, is correct. Any appeal pending at the time of filing of such a complaint shall be dismissed for want of jurisdiction.

SECTION 109 VIOLATIONS

109.3 Violation penalties. 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 issued under provisions of this code, shall be guilty of a **code violation**, punishable by a fine of not **less than \$75.00 dollars or more than \$750.00 dollars** ~~or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment~~. Each day that a violation continues after due notice has been served shall be deemed a separate offence.

SECTION 111 STOP WORK ORDER

111.4 Failure to comply. 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 liable to a fine of not less than **\$75.00** dollars or more than **\$750.00** dollars.

AMENDMENTS TO CHAPTER 2

**CHAPTER 2
DEFINITIONS**

**SECTION 201
GENERAL**

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. ~~Webster's Third New International Dictionary of the English Language, Unabridged,~~ The current version of the Merriam-Webster Dictionary shall be considered as providing ordinarily accepted meanings.

AMENDMENTS TO CHAPTER 3

**CHAPTER 3
GENERAL PRECAUTIONS AGAINST FIRE**

**SECTION 311
VACANT PREMISES**

311.1 General. Temporarily unoccupied buildings, structures, premises or portions thereof, including tenant spaces, shall be safeguarded and maintained in accordance with this section. Fire protection systems required by this code or the *Building Code* as amended and adopted by the Village of Carol Stream shall be installed, repaired, operated, tested and maintained in accordance with this code. The building owner shall provide updated key holder information as required by the fire code official.

311.1.3 Resumption of occupancy. Structures which have been unoccupied for more than 24 consecutive months, or which have been determined to be abandoned in accordance with Section 311.1.1, shall be required to be inspected prior to occupancy. The building or portion thereof to be reoccupied shall be required to be equipped with a full fire protection system in accordance with Chapter 9 of this code.

**SECTION 313
FUELED EQUIPMENT**

313.3 Parking. Motorized vehicles shall only be parked or stored in properly designated areas designed specifically for vehicle parking or storage.

AMENDMENTS TO CHAPTER 5

**CHAPTER 5
FIRE SERVICE FEATURES**

**SECTION 503
FIRE APPARATUS ACCESS ROADS**

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.6 Security Gates. The installation of security gates across a fire apparatus access road or entrance shall be approved by the fire chief code official. Where security gates are installed, they shall have an approved means of emergency operation. Security gates shall be equipped with an approved key switch that activates the operation of the gate. The key switch and its location shall be approved by the fire code official. At properties equipped with security gates, provisions shall be made for securing the gate in a locked position using a double padlock system, consisting of the occupant's padlock and a padlock approved for this use by the fire code official. The security gates and the emergency operation shall be maintained operational at all times.

**SECTION 505
PREMISES IDENTIFICATION**

501.2 Address numbers. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or ~~alphabet letters~~. Numbers shall be a minimum ~~4~~ 6 inches (102 ~~127~~ 152 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

AMENDMENTS TO CHAPTER 9

**CHAPTER 9
FIRE PROTECTION SYSTEMS**

**SECTION 903
AUTOMATIC SPRINKLER SYSTEMS**

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section **all occupancies.**

Exceptions:

1. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls 2-hour fire-resistance-rated floor/ceiling assemblies.
2. Accessory buildings or structures in any occupancy group with the exception of Group H occupancies, provided the building or structure is less than 1,000 square feet in floor area, is a minimum of 30 feet away from the primary building or other outside structures, is no more than one story in height, has no basement or lower level, is not used for sleeping or as a dwelling unit, and is accessible for firefighting purposes on at least three sides.

903.2.10 Windowless stories in all occupancies. An automatic sprinkler system shall be installed in the locations set forth in Sections 903.2.10.1 through 903.2.10.1.3.

Exception: Group R-3 and Group U.

903.2.10.1 Stories and basements without openings. An automatic sprinkler system shall be installed throughout every story or basement of all buildings. ~~where the floor area exceeds 1,500 square feet (139.4 m²) and where there is not provided at least one of the following types of exterior wall openings:~~

- ~~1. Openings below grade that lead directly to ground level by an exterior stairway complying with Section 1009 or an outside ramp complying with Section 1010. Openings shall be located in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on at least one side.~~
- ~~2. Openings entirely above the adjoining ground level totaling at least 20 square feet (1.86 m²) in each 50 linear feet (15 240 mm), or fraction thereof, of exterior walls in the story on at least one side.~~

Village of Carol Stream

Local Amendments to ICC International Fire Code, 2006 Edition

903.3.2 Quick-response and residential sprinklers. Where automatic sprinkler systems are required by this code, quick-response or residential automatic sprinklers shall be installed in the following areas in accordance with Section 903.3.1 and their listings:

1. Throughout all spaces within a smoke compartment containing patient sleeping units in Group I-2 in accordance with the *International Building Code*.
2. Dwelling units and sleeping units in Group R and I-1 occupancies.
3. ~~Light hazard occupancies as defined in NFPA 13.~~

903.3.5 Water supplies. Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the *International Plumbing Code* as adopted and amended by the Village of Carol Stream. Hydrant water flow data used for the design of any sprinkler system shall be no more than one year old.

903.3.5.1 Domestic services. Where the domestic service provides the water supply for the automatic sprinkler system, the supply shall be installed in accordance with this section.

Exception: Domestic water services shall be separate from the water supply for automatic sprinkler systems unless approved by the fire code official.

903.4 Sprinkler system monitoring and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised unless otherwise approved by the fire code official.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. ~~Limited area systems serving fewer than 20 sprinklers.~~
3. ~~Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.~~
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

903.4.1 Signals. Alarm, ~~supervisory~~ and trouble signals shall be distinctly different and automatically transmitted to an approved central station, ~~remote supervising station or proprietary 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.~~

903.4.2 Alarms. Approved audible devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

903.4.2.1 Audio/visual indicating devices. In addition to the required water-flow alarm device, a weather-tight visual warning device shall be provided above the fire department hose connection. The color of the warning device shall be approved by the fire code official.

903.4.2.2 Alarm indicating appliances (audio/visual devices). Alarm indicating appliances (audio/visual devices) shall be provided, seen and heard in all areas of every building in accordance with the requirements of NFPA 72. All sprinklered buildings shall be provided with occupant notification devices or as approved by the fire code official.

903.4.2.3 Fire sprinkler inspection test valves. Inspection test valves shall be provided in the most practical area remote from the riser. Inspection test valves shall be accessible at all times and located no more than 6 feet above the finished floor. On multiple riser systems, inspection test valves shall be marked to indicate which riser and area is controlled by each valve.

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in ~~high-rise~~ multiple-story buildings.

903.4.4 Supplemental detection. Where automatic sprinklers provide protection to an area with an approved water-flow switch interconnected to the fire alarm system, and the area is easily identifiable as to the location of the activation, automatic smoke detectors are not required. When a building has numerous rooms protected by the zoned sprinkler system, automatic smoke detectors may be required by the fire code official in order to provide a rapid means to identify the location of smoke or fire.

Section 903.7 Additional automatic sprinkler system design requirements. All automatic sprinkler systems shall comply with these additional design requirements:

1. The design pressure used to design the sprinkler system shall be the actual municipal system pressure for the site less a factor of safety. The factor of safety shall be a minimum of 10 psi or 10 percent of the design pressure required by this *Code*, whichever is greater.
2. A floor plan showing the sprinkler and alarm zones shall be provided in the sprinkler riser room. The plan shall be affixed to the wall at a location approved by the fire code official.
3. A copy of the hydraulic nameplate with hydraulic calculations shall be provided on each design drawing, for each hydraulically calculated area.

**SECTION 905
STANDPIPE SYSTEMS**

905.3.1 Building height. Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than ~~30 feet (9144 mm)~~ **25 feet (7620 mm)** above the lowest level of fire department vehicle access, or where the floor level of the lowest story is located more than ~~30 feet (9144 mm)~~ **25 feet (7620 mm)** below the highest level of fire department vehicle access.

**SECTION 907
FIRE ALARM AND DETECTION SYSTEMS**

907.2.1 Group A. A manual fire alarm system shall be installed in Group A occupancies ~~having an occupant load of 300 or more~~. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

~~**Exception:** Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system and the alarm notification appliances will activate upon sprinkler water flow.~~

907.3.3 Smoke and heat detection: Approved smoke or heat detectors shall be installed and maintained in return air ducts or plenums in each recirculating air system with a capacity of more than 2,000 cfm (0.94 ml/sec) in accordance with the *Mechanical Code* as amended and adopted by the Village of Carol Stream. Actuation of the detector shall stop the fan(s) automatically, and the system shall be of the manual-reset type. Automatic fan shutdown is not required where the system is part of an approved smoke control system. The smoke and heat detectors shall not be connected to the fire alarm control panel.

907.9 Zones. Each floor shall be zoned separately and a zone shall not exceed 22,500 square feet (2090 m²). The length of any zone shall not exceed 300 feet (91 440 mm) in any direction.

907.9.3 Zone disconnection. All fire alarm systems shall be capable of disconnection of a zone at the control panel. Disconnection of a zone shall cause the fire alarm system to transmit a trouble signal.

907.15 Monitoring. Fire alarm systems required by this chapter or the *International Building Code* shall be monitored by an approved supervising station in accordance with NFPA 72.

Exception: Supervisory service 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.

907.15.1 Wireless radio fire alarm systems. All new fire alarm systems shall transmit trouble, supervisory, and fire signals via a wireless transmitter in accordance with NFPA 72. Transmitter equipment shall be approved by the fire code official.

**SECTION 910
SMOKE AND HEAT VENTS**

910.1 General. Where required by this code or otherwise installed, smoke and heat vents or mechanical smoke exhaust systems and draft curtains shall conform to the requirements of this section. Buildings or portions thereof in all occupancies of Groups A, E, F, I, M, and S having more than 30,000 square feet (2787 m²) in floor area shall be provided with a mechanical smoke exhaust system.

Exceptions:

1. ~~Frozen food warehouses used solely for storage of Class I and Class II commodities where protected by an automatic sprinkler system.~~
2. Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, automatic smoke and heat vents shall not be required within these areas.

910.2 Where required. Smoke and heat vents shall be installed in the roofs of one-story buildings or portions thereof occupied for the uses set forth in Sections 910.2.1 through 910.2.3.

910.2.1 Group F-1 or S-1. Buildings and portions thereof used as a Group ~~F-1 or S-1~~ F or S occupancy ~~having more than 50,000 square feet (4645 m²) in undivided area.~~ shall provide smoke and heat vents as follows:

1. For buildings greater than or equal to 30,000 square feet in undivided area, a mechanical system is required
2. For buildings less than 30,000 square feet in undivided area, a mechanical system or smoke and heat vents can be used.

Exception: Group S-1 aircraft repair hangars.

**SECTION 915
CARBON MONOXIDE DETECTORS:**

913.1 General. Carbon monoxide alarms or detectors, where required by this code, shall meet the current UL Standard 2034 or its equivalent. Carbon monoxide alarms or detectors shall be installed per the requirements of NFPA 720.

913.2 Where required. Carbon monoxide alarms or detectors are required in the following locations:

1. Carbon monoxide alarms or detectors are required in any building which contains sleeping facilities and relies on the combustion of fossil fuel for heat, ventilation or hot water, or contains a fireplace within the building. Carbon monoxide alarms are required in any building which has an attached garage.
2. Carbon monoxide alarms or detectors are required in any building which has an attached garage.
3. Carbon monoxide alarms or detectors are required to be located within 15 feet of all sleeping areas.

SECTION 916
RADIO COMMUNICATIONS

When conditions exist in which radio equipment as required in this chapter interferes with the efficiency and use of fire protection equipment or the response of the fire prevention district, a bi-directional radio amplification system shall be required to be installed within or upon the building. This system shall be designed to operate in conjunction with the equipment utilized by the fire prevention district. When any required fire communication enhancement system is installed and becomes inoperative, thus affecting the fire safety of the building, structure, or the occupants therein, the fire code official shall order the system, unit, or device to be repaired and returned to full service, or the building shall be vacated until the inoperative system, unit or device is repaired and returned to full service. It shall be the responsibility of the owner or occupants to make tests, repairs, alterations or additions.

AMENDMENTS TO CHAPTER 10

CHAPTER 10 MEANS OF EGRESS

[B] SECTION 1007 ACCESSIBLE MEANS OF EGRESS

1007.1 Accessible means of egress required. Accessible means of egress shall comply with this section and the current version of the Illinois Accessibility Code. Accessible spaces shall be provided with not less than one accessible means of egress. Where more than one means of egress is required by Section 1015.1 or 1019.1 from any accessible space, each accessible portion of the space shall be served by not less than two accessible means of egress.

Exceptions:

- ~~1. Accessible means of egress are not required in alterations to existing buildings.~~
2. One accessible means of egress is required from an accessible mezzanine level in accordance with Section 1007.3, 1007.4 or 1007.5.
3. In assembly spaces with sloped floors, one accessible means of egress is required from a space where a common path of travel of the accessible route for access to the wheelchair spaces meets the requirements of Section 1025.8.

[B] SECTION 1008 DOORS, GATES AND TURNSTILES

1008.1.2 Door swing. Egress doors shall be side-hinged swinging. Doors shall swing in the direction of egress travel where serving an occupant load of ~~50~~ 30 or more persons or a Group H occupancy.

1008.1.8 Door operations. Except as specifically permitted by this section egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

1008.1.8.3 Locks and latches. Locks and latches shall be permitted to prevent operation of doors where any of the following exists:

1. Places of detention or restraint.
- ~~2. In buildings in occupancy Group A having an occupant load of 300 or less, Groups B, F, M and S, and in places of religious worship, the main exterior or doors are permitted to be equipped with key operated locking devices from the egress side provided:~~
 - ~~2.1. The locking device is readily distinguishable as locked,~~
 - ~~2.2. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN~~

Village of Carol Stream

Local Amendments to ICC International Fire Code, 2006 Edition

~~**BUILDING IS OCCUPIED.** The sign shall be in letters 1 inch (25 mm) high on a contrasting background.~~

- 2.3. The use of the key-operated locking device is revocable by the fire code official for due cause.
3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface-mounted hardware.
4. Doors from individual dwelling or sleeping units of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool.

[B] SECTION 1011 EXIT SIGNS

1011.2 Illumination. Exit signs shall be internally ~~or externally~~ illuminated.

[B] SECTION 1017 CORRIDORS

**TABLE 1017.1
CORRIDOR FIRE-RESISTANCE RATING**

OCCUPANCY	OCCUPANT LOAD SERVED BY CORRIDOR	REQUIRED FIRE-RESISTANCE RATING (hours)	
		Without sprinkler system	With Sprinkler system ^c
H-1, H-2, H-3	All	Not permitted	1
H-4, H-5	Greater than 30	Not permitted	1
A, B, E, F, M, S, U	Greater than 30	1	0
R	Greater than 10	Not permitted	0.5
I-2 ^a , I-4	All	Not permitted	0 1
I-1, I-3	All	Not permitted	1 ^b

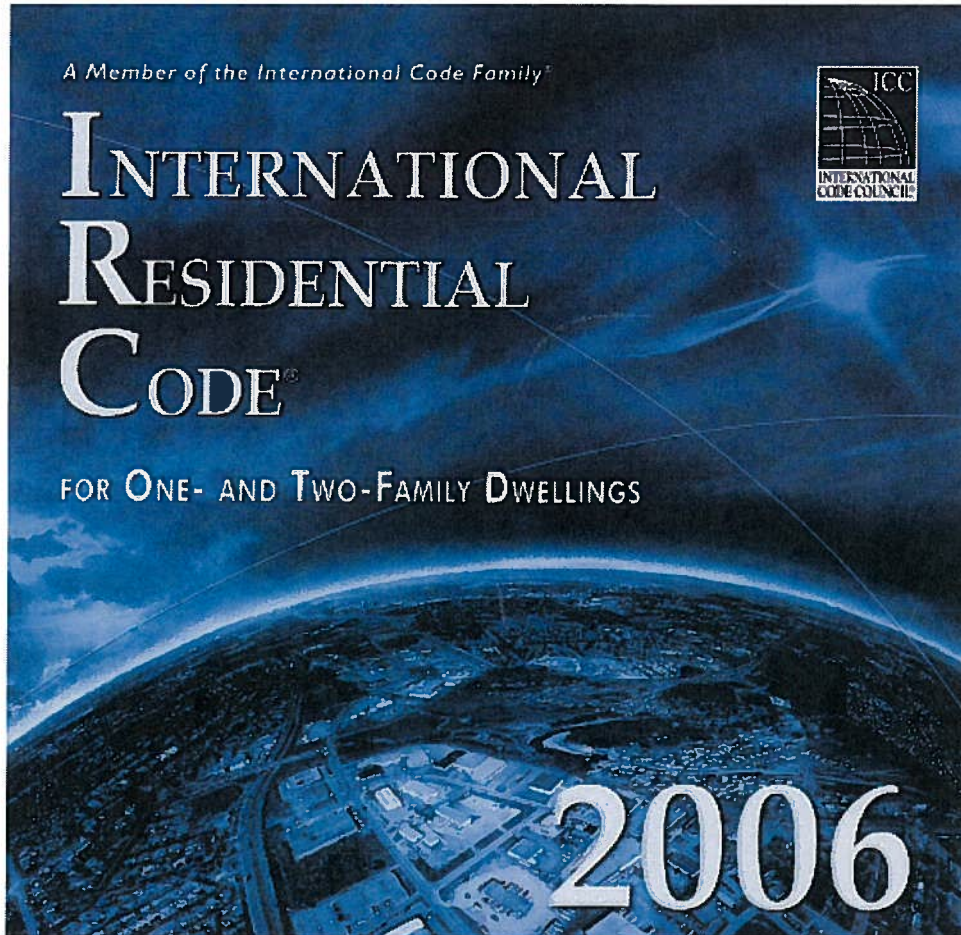
- ~~a. For requirements for occupancies in Group I-2, see Section 407.3 of the International Building Code.~~
- ~~b. For a reduction in the fire resistance rating for occupancies in Group I-3, see Section 408.7 of the International Building Code.~~
- c. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.

AMENDMENTS TO APPENDIX A THROUGH APPENDIX G

**Appendices A through G are for informational purposes only
and are not adopted as part of this *Code*.**

Village of Carol Stream

Local Amendments to
ICC International Residential Code, 2006 Edition



Community Development Department
(630)871-6230
communitydevelopment@carolstream.org

5/15/09

Village of Carol Stream

Community Development Department

Local Amendments to ICC International Residential Code, 2006 Edition

CONTENTS

	PAGE NO.
Amendments to Chapter 1	1
Amendments to Chapter 2	7
Amendments to Chapter 3	8
Amendments to Chapter 4	13
Amendments to Chapter 6	15
Amendments to Chapter 8	16
Amendments to Parts V – VIII	17
Adoption of Appendices	18

AMENDMENTS TO CHAPTER 1

**CHAPTER 1
ADMINISTRATION**

**SECTION R101
TITLE, SCOPE AND PURPOSE**

R101.1 Title. These provisions shall be known as the *Residential Code for One and Two-Family Dwellings* of the Village of Carol Stream, and shall be cited as such and will be referred to herein as “this code.” All references to the *International Residential Code for One and Two-Family Dwellings* shall be construed to refer to the Residential Code as amended and adopted by the Village of Carol Stream.

**SECTION R102
APPLICABILITY**

R102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer’s instructions shall apply.

102.4.1 Electrical code. All references to the *ICC Electrical Code* shall be construed to refer to the Electrical Code as amended and adopted by the Village of Carol Stream.

102.4.2 Gas code. All references to the *International Fuel Gas Code* shall be construed to refer to the Fuel Gas Code as amended and adopted by the Village of Carol Stream.

102.4.3 Mechanical code. All references to the *International Mechanical Code* shall be construed to refer to the Mechanical Code as amended and adopted by the Village of Carol Stream.

102.4.4 Plumbing code. All references to the *International Plumbing Code* shall be construed to refer to the pertinent sections of the *Illinois Plumbing Code* as amended and adopted by the Village of Carol Stream.

102.4.5 Property maintenance code. All references to the *International Property Maintenance Code* shall be construed to refer to the Property Maintenance Code as amended and adopted by the Village of Carol Stream.

Village of Carol Stream

Local Amendments to ICC International Residential Code, 2006 Edition

102.4.6 Energy conservation code. All references to the *International Energy Conservation Code* shall be construed to refer to the Energy Conservation Code as amended and adopted by the Village of Carol Stream.

102.4.7 Fire code. All references to the *International Fire Code* shall be construed to refer to the Fire Code as amended and adopted by the Village of Carol Stream.

102.4.8 Building code. All references to the *International Building Code* shall be construed to refer to the Building Code as amended and adopted by the Village of Carol Stream.

SECTION R103 DEPARTMENT OF BUILDING SAFETY

R103.1 Creation of enforcement agency. ~~The department of building safety is hereby created~~ Community Development Department shall be responsible for building code enforcement and the ~~official in charge thereof~~ Community Development Director shall be known as the building official.

SECTION R105 PERMITS

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses provided the floor area does not exceed 120 64 square feet (11.15 5.95 m²).
- ~~2. Fences not over 6 feet (1829mm) high.~~
- ~~3. Retaining walls that are not over 4 feet (1219mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.~~
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- ~~5. Sidewalks and driveways.~~
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610mm) deep.
8. Swings and other playground equipment accessory to a one- and two-family dwelling and Park Districts.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

R105.6 Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code, or for failure to call for and pass the inspections called for by the permit. Once a building permit has been suspended or revoked, it shall only be

Village of Carol Stream

Local Amendments to ICC International Residential Code, 2006 Edition

reinstated with the approval of the building official and with the payment of fees as set forth in Chapter 6, Article 13, of the Village Code. No further inspections shall be performed by the Village until the permit is reinstated.

SECTION R106 CONSTRUCTION DOCUMENTS

R106.1 Submittal documents. Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets, with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional. Plans for new houses, second floor additions, additions over 300 square feet, or any change to a building with unique structural conditions shall be prepared by or under the supervision of a person registered as an architect or structural engineer by the State of Illinois, and bear the seal and signature of such person. Plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and shall show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Plans shall include a site plan or plat of survey drawn to scale showing the location of all easements, drainage facilities, adjacent grades, property lines, the proposed building and every existing building on the property

Exceptions:

1. The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.
2. Plans drawn to scale for changes to the structure or portion thereof that do not alter, change or add to the structural elements of the building shall not be required to have an architect or structural engineer's seal. Such changes and plans not requiring an architect or structural engineer's seal shall include finished basements, garage conversions, sheds less than 144 square feet, detached and attached decks, patios, gazebos and three-season rooms added to decks or patios.

SECTION R112 BOARD OF APPEALS

R112.1 General. 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 is hereby created a board of appeals. ~~The building official shall be the ex-officio member of said board but shall have no vote on any matter before the board.~~ The board of appeals shall consist of the President and Board of Trustees of the Village of Carol Stream. The President shall serve as Chairman and the Clerk shall serve as Secretary ~~be appointed by the governing body and shall hold office at its pleasure.~~ The board shall adopt rules of procedure for conducting

Village of Carol Stream

Local Amendments to ICC International Residential Code, 2006 Edition

its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

~~**R112.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.~~

R112.5 Fees. Fees for appeal hearings shall be in accordance with §6-13-24 of the Carol Stream Village Code.

R112.6 Jurisdiction. The Board of Appeals shall have no jurisdiction to hear an appeal when the facts and issues raised in the application for appeal are subject of a quasi-criminal complaint brought in the name of the Village charging a violation of the Code of Ordinances of the Village. The filing of such a complaint shall constitute a determination that a decision of the building official, refusing to grant a modification of the provisions of this code, is correct. Any appeal pending at the time of filing of such a complaint shall be dismissed for want of jurisdiction.

SECTION R113 VIOLATIONS

R113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official or of a permit or certificate issued under the provisions of this code, shall be guilty of a code violation, punishable by a fine of not less than seventy-five dollars (\$75.00) nor more than seven-hundred and fifty dollars (\$750.00). Each day that a violation continues after due notice has been served shall be deemed a separate offence.

SECTION R115 BUILDING OPERATIONS

R115.1 Night operations. No construction or alteration operations shall be carried on prior to 6:00 a.m. or after 9:00 p.m. if accompanied by loud and annoying noises.

R115.2 Public sidewalks. No public sidewalk shall be obstructed in the course of building operations, and whenever a removal of a public sidewalk is required, such work shall not be done until a permit is obtained.

Village of Carol Stream

Local Amendments to ICC International Residential Code, 2006 Edition

R115.3 Street use. It shall be unlawful for any person to cause, create or maintain any obstruction upon any street, alley, sidewalk or anywhere within a public right-of-way. Building operations shall comply with the requirements of §12-3-4 of the Carol Stream Village Code.

R115.4 Street numbers. Address numbers shall be displayed prior to the issuance of a Certificate of Occupancy. Street numerals shall be Arabic Numerals and placed near the main entrance doorway, except that if this location is not visible from the street, the numbers shall be located on another portion of the building that is clearly visible from the street. Numbers shall be at least 6 inches in height and of a color that contrasts with the background.

R115.4.1 Lot numbers. Buildings under construction shall have the lot numbers posted in a conspicuous place on the property. Said lot numbers shall be clearly visible from the street.

R115.5 Subdivision code restrictions. No building, earthwork or excavation shall be sought by any owner, duly authorized agent or successors and assigns, nor shall any permits be issued for the construction of any building, structure or improvement to any lot within a subdivision until the provisions of §7-6-5 of the Carol Stream Village Code shall have been complied with.

SECTION R116

SODDING AND LANDSCAPING REQUIREMENTS

R116.1 General. The home builder for any single family lot shall be required to cover all the unimproved portions of the lot with sod and other approved forms of landscape plantings, including the front, side and rear yards of the lot. Sod shall be free of noxious weeds and other plants, and shall not contain substances injurious to growth. All sod used shall comply with the state and federal laws with respect to inspection for plant diseases and insect infestation.

R116.2 Requirements for Certificate of Occupancy. No Certificate of Occupancy for a one- or two- family dwelling shall be issued until the lot has been sodded and landscaped in accordance with the provisions of this section.

R116.3 Variance. A variance from any part of the requirements for the Certificate of Occupancy may be granted by the building official in light of an inability of the builder to complete the sodding and landscaping requirements due to inclement weather or upon good cause shown. When a variance is so issued, there shall be deposited with the Village a cash payment in the amount of an approved cost estimate for the work, which shall be known as the occupancy variance deposit. The purpose of this occupancy deposit shall be to ensure that the required sodding and landscaping work will be completed within 60 days after the weather, soil conditions or other impediment to completion allows for the uncompleted work to be finished. The amount of the deposit shall be held by the Village for a period of no more that one year after the sod requirements have been completed unless the Village shall notify the person depositing the occupancy variance deposit of a specific defect. In the event that the sodding or landscaping is not completed or any defect is not corrected within the 60-day period set forth above, the Village may, after reasonable notice, utilize the funds to correct the defect or complete the sodding and landscaping; provided, however, that the use of this occupancy variance deposit shall not prevent

Village of Carol Stream

Local Amendments to ICC International Residential Code, 2006 Edition

the Village from taking action against the person responsible for the defect or uncompleted work preventing the issuance of the Certificate of Occupancy, including, but not limited to, the filing of a lawsuit for injunction, ordinance violation or the withdrawal of the occupancy permit. Without regard to any provision contained within this ordinance, the occupancy variance deposit shall not be released by the Village until the entire lot or lots immediately affected by the uncompleted work of the individual lot shall have also been found to comply with the ordinances of the Village.

AMENDMENTS TO CHAPTER 2

CHAPTER 2 DEFINITIONS

SECTION R201 GENERAL

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies or the definition in the current version of the Merriam-Webster Dictionary.

SECTION R202 DEFINITIONS

AREA (FLOOR SURFACE MEASUREMENT). The horizontal projected floor area between exterior walls or between exterior walls and fire walls.

ATTIC, HABITABLE. A habitable attic is an attic which has a stairway as a means of access and egress, and in which the ceiling is at a height of not less than seven feet four inches (7' 4") above the attic floor, and in which the ceiling area is not more than one third (1/3) the area of the attic floor.

OCCUPANCY. For the purposes of issuance of a certificate of occupancy, the terms "occupancy" or "occupied" shall mean the installation of any appliance, decoration, furnishing, stock, storage or inhabitants that are not incidental to construction or that are not designed to be installed permanently. Installation of items such as refrigerators, stoves, ovens, plumbing fixtures, stationary electrical fixtures, furnaces, boilers, or decorative items attached to walls, floors or ceilings shall not constitute "occupancy."

AMENDMENTS TO CHAPTER 3

**CHAPTER 3
BUILDING PLANNING**

**SECTION R301
DESIGN CRITERIA**

**TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

Ground Snow Load	25 psf
Wind Speed^d (mph)	3-second gust - 90 mph Fastest mile - 75mph
Seismic Design Category^f	B
Weathering^a	Severe
Frost line depth^b	42 inches
Termite^c	Moderate to heavy
Winter Design Temperature^e	-5° Fahrenheit
Ice Barrier Underlayment Required^h	Yes
Flood Hazards^g	See current DFIRM and FBFM available in Engineering Services Department
Air Freezing Indexⁱ	2,000
Mean Annual Temperature^j	50° Fahrenheit

**SECTION R303
LIGHT, VENTILATION AND HEATING**

R303.9 Basements. Basements and stories below grade shall be provided with an aggregate glazed area in windows of not less than two percent (2%) of the floor area.

**SECTION R304
MINIMUM ROOM AREAS**

R304.1 Minimum area. Every dwelling unit shall have at least one habitable room that shall have not less than 120 square feet (11 m²) of gross floor area. In addition, except as otherwise provided by ordinance, minimum room sizes for uses specified hereinafter shall meet the

Village of Carol Stream

Local Amendments to ICC International Residential Code, 2006 Edition

standards specified below. Minimum floor area of individual rooms shall be determined by total available floor space.

Living, Dining And Cooking Rooms:	Minimum Area (square feet)
Living room only	180
Dining room only	100
Kitchen (includes area occupied by equipment)	100
Living - dining (one room)	260
Living - dining - kitchen (one room)	340
Kitchen - dining (one room)	180

Sleeping Rooms:	Minimum Area (square feet)
Master bedroom (excluding closet)	120
Bedrooms (excluding closets)	100

Bedroom Closets: Each bedroom shall have at least one clothes closet having minimum dimensions of:

- Floor area7 square feet.
- Depth2 feet.
- Height6 feet.

Utility room without a water heater and furnace: Each such utility room shall be of sufficient size so that a clear, unobstructed space of not less than 3 feet can be maintained in front of both a wash machine and clothes dryer for the full width of both appliances. No other appliance or piece of equipment shall be installed so as to obstruct the required clear space.

Utility room with water heater and furnace: Each such utility room shall be of sufficient size to meet the requirements set forth above, and, in addition, each such utility room must be of sufficient size so that a clear, unobstructed space of not less than 3 feet can be maintained in front of the water heater and a separate clear, unobstructed space of not less than 3 feet can be maintained in front of the furnace. The water heater and furnace shall each be not less than 3 feet from the front of any appliance located in the utility room. No water softener, laundry tub or other fixture shall be installed so as to obstruct the required clear space. The requirements for space for heating units shall also be satisfied.

Closet-type enclosure containing a water heater and/or furnace and/or washing machine and/or clothes dryer: Each such enclosure shall be arranged so that when the door to the enclosure is open there is a clear, unobstructed space of not less than 3 feet in front of each of the following units if they are located in the enclosure. Combustion air requirements shall be in accordance with NFPA 54.

Space for heating units: Space shall be provided within the building for heating units or a

Village of Carol Stream

Local Amendments to ICC International Residential Code, 2006 Edition

heating system, including clearances for maintenance and repair. All fuel-fired equipment shall be installed in accordance with the manufacturer's installation instructions.

R304.2 Other rooms. Other habitable rooms not specified herein shall have a floor area of not less than 70 100 square feet (6.5 9.3 m²).

Exception: Kitchens.

R304.3 Minimum dimensions. Habitable rooms shall not be less than 7 feet (2134 mm) in any horizontal dimension.

Exception: Kitchens.

SECTION R305 CEILING HEIGHT

R305.1 Minimum height. Habitable rooms, hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 7 feet (2134 mm). The required height shall be measured from the finish floor to the lowest projection from the ceiling.

Exceptions:

1. Beams and girders spaced not less than 4 feet (1219 mm) on center may project not more than 6 inches (152 mm) below the required ceiling height.
2. Ceilings in basements without habitable spaces may project to within 6 feet, 8 inches (2032 mm) of the finished floor; and beams, girders, ducts or other obstructions may project to within 6 feet 4 inches (1931 mm) of the finished floor.
3. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet (2134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1524 mm).
4. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) over the fixture and at the front clearance area for fixtures as shown in Figure R307.1. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.
5. For remodelling projects in existing buildings, the required ceiling height of a basement to be converted to habitable space shall be not less than 6 feet 6 inches (1981 mm). The required height shall be measured from the finished floor to the lowest projection from the ceiling.

SECTION R306 SANITATION

R306.1.1 Unacceptable bathroom arrangements.

1. No bath or toilet room shall open directly into a kitchen.
2. No bath or toilet room shall provide the sole access to any other room.

Village of Carol Stream

Local Amendments to ICC International Residential Code, 2006 Edition

3. No bath or toilet room in a basement shall serve as the only bath or toilet room in a living unit.

R306.1.2 Surrounding material. For water closets, the flooring under the fixture base shall be of non-absorbent material extending to at least 18 inches (457.2mm) from the front and both sides and extending from the back of the fixture to the wall.

R306.2.1 Floor Material. The flooring in the kitchen shall be of non-absorbent material.

R306.3 Sewage disposal. All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system.

SECTION R309 GARAGES AND CARPORTS

R309.3 Floor surface. Garage floor surfaces shall be of approved noncombustible material.

The area of floor used for parking of automobiles or other vehicles shall be sloped to facilitate the movement of liquids to a drain or toward the main vehicle entry doorway. The garage floor shall have a minimum slope from back to front of 2 inches (50.8mm) for drainage.

SECTION R311 MEANS OF EGRESS

R311.4.1 Exit door required. ~~Not less than one exit door conforming to this section shall be provided for each dwelling unit.~~ Each dwelling unit shall be provided with two means of egress, located as remotely from each other as possible. The sliding door at a patio or deck can be used as one of the required means of egress. The required exit doors shall provide for direct access from the habitable portions of the dwelling to the exterior without requiring travel through a garage. Access to habitable levels not having an exit in accordance with this section shall be by a ramp in accordance with Section R311.6 or a stairway in accordance with Section R311.5. A balcony constructed of non-combustible material or fire-retardant treated wood with a minimum width of 7 feet and a minimum area of 70 square feet may be used as the second means of egress from the top dwelling unit in multiple single family dwellings.

R311.4.2 Door type and size. The required exit door shall be a side-hinged door not less than 3 feet (914 mm) in width and 6 feet 8 inches (2032 mm) in height. Other doors shall not be required to comply with these minimum dimensions.

R311.4.2.1 Interior Doors. A door shall be provided for each opening to a bedroom, bathroom, and toilet compartment. The minimum interior door size shall be two feet four inches wide by six feet eight inches high.

**[F] SECTION R321
SITE ADDRESS**

R321.1 Premises identification. Approved numbers ~~or addresses~~ shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals. Numbers shall be a minimum of 6 inches ((154mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

**SECTION R324
FLOOD-RESISTANT CONSTRUCTION**

R324.1.6 Protection of water supply and sanitary sewage systems. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems in accordance with the plumbing provisions of this code. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into systems and discharges from systems into floodwaters in accordance with the plumbing provisions of this code ~~and Chapter 3 of the *International Private Sewage Disposal Code*.~~

R324.1.8 Manufactured housing. New or replacement manufactured housing shall be elevated in accordance with Section R324.2 and the anchor and tie-down requirements of Sections AE604 and AE605 of Appendix E shall apply. The foundation and anchorage of manufactured housing to be located in identified flood ways as established in Table R301.2(1) shall be designed and constructed in accordance with the applicable provisions in the *International Building Code*. Manufactured and prefabricated construction shall meet all of the code provisions for standard construction.

AMENDMENTS TO CHAPTER 4

**CHAPTER 4
FOUNDATIONS**

**SECTION R404
FOUNDATION AND RETAINING WALLS**

R404.1.6 Height above finished grade. Concrete and masonry foundation walls shall extend above the finished grade adjacent to the foundation at all points a minimum of ~~4 inches (102 mm) where masonry veneer is used and a minimum of 6 inches (152 mm) elsewhere.~~

R404.4.9 Height above finished ground. ICF foundation walls shall extend above the finished ground adjacent to the foundation at all points a minimum of ~~4 inches (102 mm) where masonry veneer is used and a minimum of 6 inches (152 mm) elsewhere.~~

**SECTION R405
FOUNDATION DRAINAGE**

R405.1 Concrete or masonry foundations. Drains shall be provided to drain the porous backfill layer around all concrete or masonry foundations that retain earth and enclose habitable or usable spaces located below grade. Drainage tiles, ~~gravel or crushed stone drains,~~ perforated pipe or other approved systems or materials shall be installed on the exterior perimeter of the foundation or footing and at or below the area to be protected and shall discharge by gravity or mechanical means into an approved drainage system or to daylight. ~~Gravel or crushed stone drains~~ shall extend at least 1 foot (305mm) beyond the outside edge of the footing and 6 inches (152 mm) above the top of the footing and be covered with an approved filter membrane material. ~~The top of open joints of drain tiles shall be protected with strips of building paper, and the drainage tiles or~~ Perforated pipe shall be placed on a minimum of 2 inches (51 mm) of washed gravel or ~~crushed rock~~ at least one sieve size larger than the tile joint opening or perforation and covered with not less than 6 inches (152 mm) of the same material.

Exception: ~~A drainage system is not required when the foundation is installed on well-drained ground or sand gravel mixture soils according to the Unified Soil Classification System, Group I Soils, as detailed in Table R405.1.~~

R405.2.3 Drainage system. In other than Group I soils, a sump shall be provided to drain the porous layer and footings. The sump shall be at least 24 inches (610 mm) in diameter or 20 inches square (0.0129 m²), shall extend at least ~~24 inches (610 mm)~~ 30 inches (762 mm) below the bottom of the basement floor and shall be capable of positive gravity or mechanical

Village of Carol Stream

Local Amendments to ICC International Residential Code, 2006 Edition

drainage to remove any accumulated water. The drainage system shall discharge into an approved sewer system or to daylight.

SECTION R408 UNDER-FLOOR SPACE

R408.4 Access. Access shall be provided to all under-floor spaces. Access openings through the floor shall be a minimum of ~~18 inches by 24 inches (457 mm x 610 mm)~~ **22 inches by 24 inches (559 mm x 610 mm)**. Openings through a perimeter wall shall be not less than 16 inches by 24 inches (407 mm x 610 mm). When any portion of the through-wall access is below grade, an areaway of not less than 16 inches by 24 inches (407 mm x 610 mm) shall be provided. The bottom of the areaway shall be below the threshold of the access opening. Through wall access openings shall not be located under a door to the residence. See ~~Section M1305.1.4~~ **Mechanical Code Section 306.4** for access requirements where mechanical equipment is located under floors.

R408.6 Finished grade. The finished grade of under-floor surface may be located at the bottom of the footings; however, where there is evidence that the groundwater table can rise to within 6 inches (152 mm) of the finished floor at the building perimeter or where there is evidence that the surface water does not readily drain from the building site, the grade in the under-floor space shall be as high as the outside finished grade, unless an approved drainage system is provided. **Where mechanical equipment exists within the under-floor space, the finished grade shall meet the requirements of Mechanical Code Section 306.4.**

AMENDMENTS TO CHAPTER 6

**CHAPTER 6
WALL CONSTRUCTION**

**SECTION R606
GENERAL MASONRY CONSTRUCTION**

R606.1.1 Professional registration not required. When the empirical design provisions of ACI 530/ACSE 5/TMS 402 Chapter 5 or the provisions of this section are used to design masonry, project drawings, typical details and specifications are ~~not~~ required to bear the seal of the architect or engineer responsible for design, ~~unless otherwise required by the state law or of the jurisdiction having authority.~~

AMENDMENTS TO CHAPTER 8

CHAPTER 8 ROOF-CEILING CONSTRUCTION

SECTION R807 ATTIC ACCESS

R807.1 Accessible attic access. Buildings with combustible ceiling or roof construction shall have an attic access opening to attic areas that exceed 30 square feet (2.8 m²) and have a vertical height of 30 inches (762 mm) or more.

The rough-framed opening shall not be less than 22 inches by 30 inches (559 mm by 762 mm) and shall be located in a hallway or other readily accessible location. A 30 inch (762 mm) minimum unobstructed headroom in the attic space shall be provided at some point above the access opening. See Section M1305.1.3 for access requirements where mechanical equipment is located in attics. **The attic access shall not be located in any closet except a readily accessible walk-in closet.**

Exception: The attic access may be located in a readily accessible closet wall that abuts an attic.

AMENDMENTS TO PARTS V THROUGH VIII

Part V – Mechanical shall be deleted in its entirety. For mechanical requirements refer to the Mechanical Code as amended and adopted by the Village of Carol Stream.

Part VI – Fuel Gas shall be deleted in its entirety. For fuel gas requirements refer to the Fuel Gas Code as amended and adopted by the Village of Carol Stream.

Part VII – Plumbing shall be deleted in its entirety. For plumbing requirements refer to the Plumbing Code as amended and adopted by the Village of Carol Stream.

Part VIII – Electrical shall be deleted in its entirety. For mechanical requirements refer to the Electrical Code as amended and adopted by the Village of Carol Stream.

ADOPTION OF APPENDICES

APPENDICES NOT ADOPTED

Appendices A, B, C, D, E, J, I, L, N, P and Q are not adopted as part of this Code.

APPENDICES ADOPTED

Appendix F – *Radon Control Methods* is hereby adopted as part of the Residential Code of the Village of Carol Stream.

Appendix H – *Patio Covers* is hereby adopted as part of the Residential Code of the Village of Carol Stream.

Appendix K – *Sound Transmission* is hereby adopted as part of the Residential Code of the Village of Carol Stream.

Appendix M – *Home Day Care—R-3 Occupancy* is hereby adopted as part of the Residential Code of the Village of Carol Stream.

Appendix O – *Gray Water Recycling Systems* is hereby adopted as part of the Residential Code of the Village of Carol Stream.

APPENDICES ADOPTED WITH AMENDMENTS

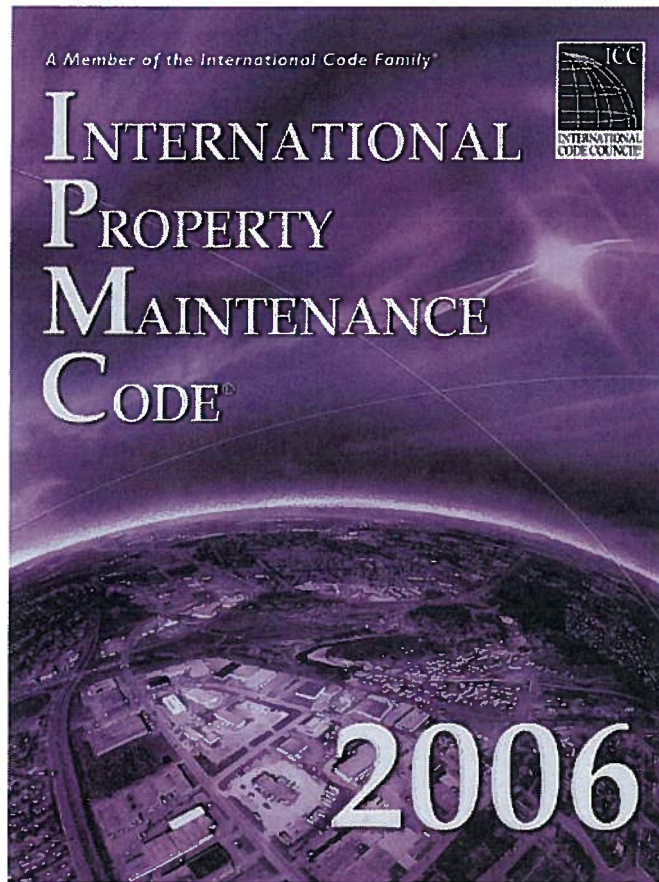
Appendix G – *Swimming Pools, Spas and Hot Tubs* is hereby adopted in its entirety and made a part of this Code as amended herein.

SECTION AG105 BARRIER REQUIREMENTS

AG105.5 Barrier exceptions. Spas, swimming pools or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the barrier provisions of this appendix section.

Village of Carol Stream

Local Amendments to ICC International Property Maintenance Code, 2006 Edition



Community Development Department
(630)871-6230
communitydevelopment@carolstream.org

5/15/09

Village of Carol Stream
Community Development Department
Local Amendments to
ICC International Property Maintenance Code, 2006 Edition

CONTENTS

	PAGE NO.
Amendments to Chapter 1	1
Amendments to Chapter 2	4
Amendments to Chapter 3	5
Amendments to Chapter 6	8
Amendments to Chapter 8	9

AMENDMENTS TO CHAPTER 1

CHAPTER 1 ADMINISTRATION

SECTION 101 GENERAL

101.1 Title: These regulations shall be known as the *Property Maintenance Code* of the Village of Carol Stream, hereinafter referred to as “this code.”

SECTION 102 APPLICABILITY

102.3 Application of other codes. 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 Fuel Gas Code, International Mechanical Code, and the ICC Electrical Code.*~~ current version of the following codes as adopted by the Village of Carol Stream: *Building Code, Plumbing Code, Mechanical Code, Fire Code, Residential Code, Fuel Gas Code, Electrical Code, and Energy Conservation Code.* Nothing in this code shall be construed to cancel, modify or set aside any provision of the ~~*International Village of Carol Stream Zoning Code.*~~

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

102.7.1 Electrical code. All references to the *ICC Electrical Code* shall be construed to refer to the Electrical Code as amended and adopted by the Village of Carol Stream.

102.7.2 Residential code. All references to the *International Residential Code* shall be construed to refer to the Residential Code as amended and adopted by the Village of Carol Stream.

102.7.3 Mechanical code. All references to the *International Mechanical Code* shall be construed to refer to the Mechanical Code as amended and adopted by the Village of Carol Stream.

102.7.4 Plumbing code. All references to the *International Plumbing Code* shall be construed to refer to the pertinent sections of the *Illinois Plumbing Code* as amended and adopted by the Village of Carol Stream.

102.7.5 Fuel gas code. All references to the *International Fuel Gas Code* shall be construed to refer to the Fuel Gas Code as amended and adopted by the Village of Carol Stream.

Village of Carol Stream

Local Amendments to ICC International Property Maintenance Code, 2006 Edition

102.7.6 Energy conservation code. All references to the *International Energy Conservation Code* shall be construed to refer to the Energy Conservation Code as amended and adopted by the Village of Carol Stream.

102.7.7 Fire code. All references to the *International Fire Code* shall be construed to refer to the Fire Code as amended and adopted by the Village of Carol Stream.

102.7.8 Building code. All references to the *International Building Code* shall be construed to refer to the Building Code as amended and adopted by the Village of Carol Stream.

SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

103.1 General. The department of **Community Development Department** shall be responsible for property maintenance inspection ~~is hereby created~~ and the ~~executive official in charge thereof~~ **Community Development Director** shall be known as the code official.

103.5 Fees. 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~~ **Village of Carol Stream Code of Ordinances, Chapter 6, Article 13, Permit And Inspection Fees.**

SECTION 106 VIOLATIONS

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. **Upon conviction thereof, said person shall be subject to a fine of not less than seventy-five dollars (\$75.00) or more than seven hundred fifty dollars (\$750.00), at the discretion of the court.** Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 111 MEANS OF APPEAL

111.2 Membership of board. The board of appeals shall consist of **the Village President and Board of Trustees of the Village of Carol Stream** ~~a minimum of three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The code official shall be an ex officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.~~

~~**111.2.1 Alternate members.** The chief appointing authority shall appoint two or more alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.~~

Village of Carol Stream

Local Amendments to ICC International Property Maintenance Code, 2006 Edition

111.2.2 Chairman. The **Village President shall** ~~board shall annually select one of its members to serve as chairman.~~

~~**111.2.3 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

111.2.4 Secretary. The **Village Clerk shall** ~~chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.~~

~~**111.2.5 Compensation of members.** Compensation of members shall be determined by law.~~

111.9 Jurisdiction. The Board of Appeals shall have no jurisdiction to hear an appeal when the facts and issues raised in the application for appeal are subject of a quasi-criminal complaint brought in the name of the Village charging a violation of the Code of Ordinances of the Village. The filing of such a complaint shall constitute a determination that a decision of the building official, refusing to grant a modification of the provisions of this code, is correct. Any appeal pending at the time of filing of such a complaint shall be dismissed for want of jurisdiction.

AMENDMENTS TO CHAPTER 2

**CHAPTER 2
DEFINITIONS**

**SECTION 201
GENERAL**

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies or the definition in the current version of the Merriam-Webster Dictionary.

AMENDMENTS TO CHAPTER 3

**CHAPTER 3
GENERAL REQUIREMENTS**

**SECTION 302
EXTERIOR PROPERTY AREAS**

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of (~~jurisdiction to insert height in inches~~) **8 inches (203 mm)**. All noxious weeds shall be prohibited. 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.

Upon failure of the owner or agent having charge of the property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property

Exceptions: All areas designated by the Village Engineer as natural prairie planting areas for the purpose of storm water management shall be exempted from the requirements of this section.

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle, **watercraft, all-terrain vehicle, snowmobile, trailer, or truck camper** shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. **Painting of vehicles, watercraft, all-terrain vehicle, snowmobile, trailer, or truck camper is prohibited unless conducted inside an approved spray booth.** The provisions of this section include devices used to **transport motor vehicles, watercraft, all-terrain vehicles, snowmobiles, trailers, or truck campers.**

Exception: A vehicle, **watercraft, all-terrain vehicle, snowmobile, trailer, or truck camper** of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.8.1 Parking of specific motor vehicles and trailers prohibited. It shall be unlawful to park or stand on any public right of way at any time any trailer unless the trailer is properly connected to an operational motor vehicle that has correct motor vehicle permits and license plates.

Village of Carol Stream

Local Amendments to ICC International Property Maintenance Code, 2006 Edition

SECTION 303 SWIMMING POOLS, SPAS, AND HOT TUBS AND DECORATIVE PONDS

303.1 Swimming pools, spas, hot tubs and decorative ponds. Swimming pools, spas and hot tubs and decorative ponds shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs, and spas and decorative ponds, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gate post. No existing pool enclosure of a pool, spa, hot tub or decorative pond shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

SECTION 304 EXTERIOR STRUCTURE

[F] 304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of ~~4 inches (102 mm)~~ 6 inches (154mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

304.14 Insect screens. ~~During the period from [DATE] to [DATE],~~ 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 or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm) and every screeed door used for insect control shall have a self-closing device in good working condition.

SECTION 307 RUBBISH AND GARBAGE

307.1 Accumulation of rubbish or garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. Collection of recycling, rubbish or garbage shall be made by public or private scavengers in accordance with the requirements of Chapter 9, Article 1 of the Carol Stream Code of Ordinances.

Village of Carol Stream

Local Amendments to ICC International Property Maintenance Code, 2006 Edition

307.3.2 Containers. The operator of every establishment producing recycling, garbage or refuse shall provide, and at all times cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal. Containers shall comply with the requirements of Chapter 9, Article 1 of the Carol Stream Code of Ordinances.

307.3.3 Placement of containers in One-Family Residence Zoning Districts. All containers for recycling, rubbish and garbage shall be placed by residents at the curb line of the premises served not earlier than 6:00 p.m. on the day before the scheduled collection, and shall be removed on or before midnight of the day on which collection is made. Thereafter, containers shall be situated or located so as to be hidden from view from the street and shall not be placed so as to constitute a nuisance to adjacent property or to the occupants thereof.

AMENDMENTS TO CHAPTER 6

**CHAPTER 6
MECHANICAL AND ELECTRICAL REQUIREMENTS**

**SECTION 602
HEATING FACILITIES**

602.3 Heat supply. 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 **September 15** to **May 15** to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from **September 15** to **May 15** to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

**SECTION 606
ELEVATORS, ESCALATORS AND DUMBWAITERS**

606.2 Elevators. In buildings equipped with passenger elevators, ~~at least one~~ **all** elevators shall be maintained in operation at all times when the building is occupied.

Exception: Buildings ~~equipped with only one elevator~~ shall be permitted to have ~~the~~ elevators temporarily out of service for testing or servicing.

AMENDMENTS TO CHAPTER 7

**CHAPTER 7
FIRE SAFETY REQUIREMENTS**

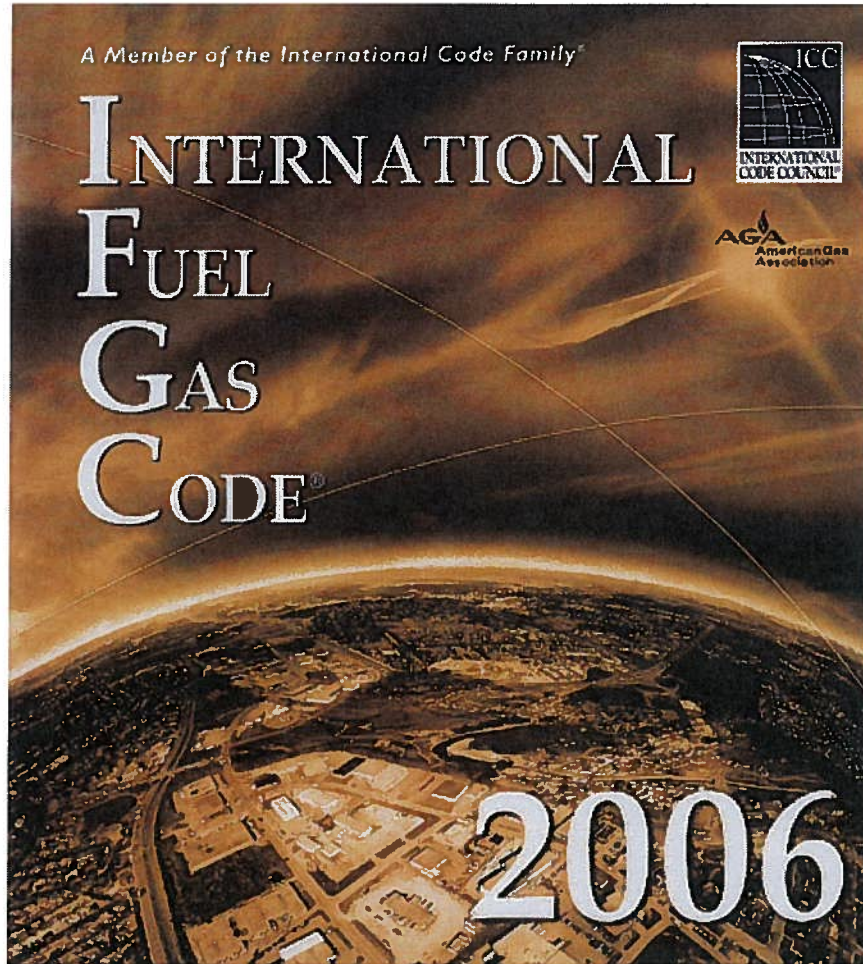
**SECTION 701
GENERAL**

702.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the *International Fire Code*. Rubbish, garbage or other materials shall not be stored or allowed to accumulate in stairways, passageways, doorways, windows, fire escapes or other means of egress.

701.3 Hazardous material: Combustible, flammable, explosive or other hazardous materials, such as paints, volatile oils and cleaning fluids, or combustible rubbish such as wastepaper, boxes and rags shall not be accumulated or stored unless such storage complies with the applicable requirements of the Building Code and the Fire Code as amended and adopted by the Village of Carol Stream.

Village of Carol Stream

Local Amendments to ICC International Fuel Gas Code, 2006 Edition



Community Development Department
(630)871-6230
communitydevelopment@carolstream.org

5/15/09

Village of Carol Stream

Community Development Department

Local Amendments to ICC International Fuel Gas Code, 2006 Edition

CONTENTS

	PAGE NO.
Amendments to Chapter 1	1
Amendments to Chapter 2	4
Amendments to Appendices A through D	5

AMENDMENTS TO CHAPTER 1

CHAPTER 1 ADMINISTRATION

SECTION 101 (IFGC) GENERAL

101.1 Title. These regulations shall be known as the *Fuel Gas Code* of the Village of Carol Stream, hereinafter referred to as “this code.”

SECTION 102 (IFGC) APPLICABILITY

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and the manufacturer’s installation instructions shall apply.

102.8.1 Electrical code. All references to the *ICC Electrical Code* shall be construed to refer to the Electrical Code as amended and adopted by the Village of Carol Stream.

102.8.2 Residential code. All references to the *International Residential Code* shall be construed to refer to the Residential Code as amended and adopted by the Village of Carol Stream.

102.8.3 Mechanical code. All references to the *International Mechanical Code* shall be construed to refer to the Mechanical Code as amended and adopted by the Village of Carol Stream.

102.8.4 Plumbing code. All references to the *International Plumbing Code* shall be construed to refer to the pertinent sections of the *Illinois Plumbing Code* as amended and adopted by the Village of Carol Stream.

102.8.5 Property maintenance code. All references to the *International Property Maintenance Code* shall be construed to refer to the Property Maintenance Code as amended and adopted by the Village of Carol Stream.

102.8.6 Energy conservation code. All references to the *International Energy Conservation Code* shall be construed to refer to the Energy Conservation Code as amended and adopted by the Village of Carol Stream.

102.8.7 Fire code. All references to the *International Fire Code* shall be construed to refer to the Fire Code as amended and adopted by the Village of Carol Stream.

102.8.8 Building code. All references to the *International Building Code* shall be construed to refer to the Building Code as amended and adopted by the Village of Carol Stream.

**SECTION 103 (IFGC)
DEPARTMENT OF INSPECTION**

103.1 General. The **Community Development** Department of Inspection is hereby created shall be responsible for inspection and code enforcement, and the executive official in charge thereof **Community Development Director** shall be known as the code official.

**SECTION 106 (IFGC)
PERMITS**

106.5.2 Fee schedule. The fees for work shall be as indicated in the following schedule **Chapter 6, Article 13, of the Carol Stream Village Code.**

106.5.3 Fee refunds. The code official shall authorize the refunding of fees as follows.

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. ~~Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid when no work has been done under the permit issued in accordance with this code.~~
3. ~~Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid when the application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

**SECTION 108 (IFGC)
VIOLATIONS**

108.4 Violation penalties. Persons who shall violate a provision of this code, or shall fail to comply with any of the requirements thereof or 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 guilty of a **code violation**, punishable by a fine of not **less than 75.00 dollars or more than 750.00 dollars** ~~or by imprisonment not exceeding _____, or both such fine and imprisonment.~~ Each day that a violation continues after due notice has been served shall be deemed a separate offence.

108.5 Stop work orders. Upon notice from the code official that work is being done contrary to the provisions of this 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 owner's 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 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 to a fine of not less than **75.00** dollars or not more than **750.00** dollars.

Village of Carol Stream

Local Amendments to ICC International Fuel Gas Code, 2006 Edition

SECTION 109 (IFGC) MEANS OF APPEAL

109.2 Membership of Board of Appeals. The board of appeals shall consist of ~~five members appointed by the chief appointing authority as follows: one for five years; one for four years; one for three years; one for two years; and one for one year. Thereafter, each new member shall serve for five years or until a successor has been appointed.~~ **the President and Board of Trustees of the Village of Carol Stream.**

109.2.1 Qualifications. ~~The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:~~

- ~~1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with at least ten years' experience, five of which shall have been in responsible charge of work.~~
- ~~2. Registered design professional with structural engineering or architectural experience.~~
- ~~3. Registered design professional with fuel gas and plumbing engineering experience; or a fuel gas contractor with at least ten years' experience, five of which shall have been in responsible charge of work.~~
- ~~4. Registered design professional with electrical engineering experience; or a fire protection contractor with at least ten years' experience, five of which shall have been in responsible charge of work.~~
- ~~5. Registered design professional with fire protection engineering experience; or an electrical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.~~

109.2.2 Alternate members. ~~The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for five years, or until a successor has been appointed.~~

109.2.3 Chairman. ~~The board shall annually select one of its members to~~ **Village President shall** serve as chairman.

109.2.4 Disqualification of member. ~~A member shall not hear an appeal in which that member has a personal, professional or financial interest.~~

109.2.5 Secretary. ~~The chief administrative officer shall designate a qualified clerk to~~ **Village Clerk shall** serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

109.2.6 Compensation of members. ~~Compensation of members shall be determined by law.~~

109.8 Jurisdiction. **The Board of Appeals shall have no jurisdiction to hear an appeal when the facts and issues raised in the application for appeal are subject of a quasi-criminal complaint brought in the name of the Village charging a violation of the Code of Ordinances of the Village. The filing of such a complaint shall constitute a determination that a decision of the building official, refusing to grant a modification of the provisions of this code, is correct. Any appeal pending at the time of filing of such a complaint shall be dismissed for want of jurisdiction.**

AMENDMENTS TO CHAPTER 2

**CHAPTER 2
DEFINITIONS**

**SECTION 201 (IFGC)
GENERAL**

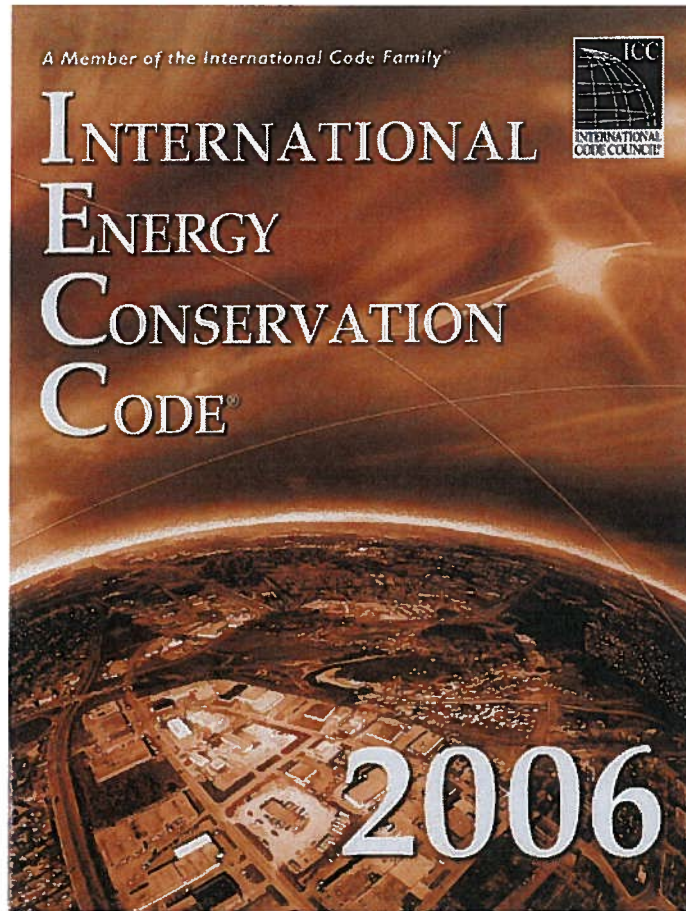
201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies or the definition in the current version of the Merriam-Webster Dictionary.

AMENDMENTS TO APPENDIX A THROUGH APPENDIX D

**Appendices A through D are for informational purposes only
and are not adopted as part of this *Code*.**

Village of Carol Stream

Local Amendments to
ICC Energy Conservation Code, 2006 Edition



Community Development Department
(630)871-6230
communitydevelopment@carolstream.org

5/15/09

Village of Carol Stream

Community Development Department

Local Amendments to ICC International Energy Conservation Code, 2006 Edition

CONTENTS

	PAGE NO.
Amendments to Chapter 1	1

AMENDMENTS TO CHAPTER 1

CHAPTER 1 ADMINISTRATION

SECTION 101 SCOPE AND GENERAL REQUIREMENTS

101.1 Title. This code shall be known as the *Energy Conservation Code* of the Village of Carol Stream, and shall be cited as such. It is referred to herein as “this code.”

SECTION 107 REFERENCED STANDARDS

107.1 General. The standards, and portions thereof, which are referred to in this code and listed in Chapter 6, shall be considered part of the requirements of this code to the extent of such reference.

107.1.1 Electrical code. All references to the *ICC Electrical Code* shall be construed to refer to the Electrical Code as amended and adopted by the Village of Carol Stream.

107.1.2 Gas code. All references to the *International Fuel Gas Code* shall be construed to refer to the Fuel Gas Code as amended and adopted by the Village of Carol Stream.

107.1.3 Mechanical code. All references to the *International Mechanical Code* shall be construed to refer to the Mechanical Code as amended and adopted by the Village of Carol Stream.

107.1.4 Plumbing code. All references to the *International Plumbing Code* shall be construed to refer to the pertinent sections of the *Illinois Plumbing Code* as amended and adopted by the Village of Carol Stream.

107.1.5 Property maintenance code. All references to the *International Property Maintenance Code* shall be construed to refer to the Property Maintenance Code as amended and adopted by the Village of Carol Stream.


107.1.6 Residential code. All references to the *International Residential Code* shall be construed to refer to the Residential Code as amended and adopted by the Village of Carol Stream.

107.1.7 Fire code. All references to the *International Fire Code* shall be construed to refer to the Fire Code as amended and adopted by the Village of Carol Stream.

107.1.8 Building code. All references to the *International Building Code* shall be construed to refer to the Building Code as amended and adopted by the Village of Carol Stream.

Village of Carol Stream
Interdepartmental Memo

TO: Joseph Breinig, Village Manager

FROM: William N. Cleveland, Assistant Village Engineer 

DATE: April 30, 2009

RE: Standards for Construction of Facilities on the Right-of-Way

An ordinance amending the Municipal Code by the addition of Article 5, Chapter 12 has been created Establishing Standards for the Construction of Facilities on the Rights-of-Way. This ordinance was developed by the Illinois Municipal League (IML) in response to concerns over AT&T's Project Lightspeed (U-Verse). Although slightly modified to represent the Village of Carol Stream, it is essentially the same ordinance created by the IML group, represented by municipalities, attorneys, and utility companies.

The standards also include insurance and bonding requirements that are available to the Village, but have not been used in the past. Upon discussion among Engineering Staff and with utility companies relating to costs, utility taxes, and ICC rules, we have decided not to implement these portions of the code at this time. Based on our previous experience with utility permits, these requirements have not been needed, but as utilities increasingly use subcontractors and consultants for permits, we may choose to impose these requirements in the future.

These new standards apply to all entities using the public rights-of-way, except for companies operating under an existing franchise agreement. All amendments to the Village code have been reviewed and approved by the Village Attorney, therefore Engineering Staff recommends that adding Article 5, Chapter 12 "Standards for Construction of Facilities on the Rights-of-Way" be approved and adopted.

Attachment

Cc: James T. Knudsen, Director of Engineering Services
Bob Glees, Community Development Director
Al Turner, Director of Public Works

ORDINANCE NO.

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE
VILLAGE OF CAROL STREAM BY THE ADDITION OF
ARTICLE 5, of CHAPTER 12 ESTABLISHING STANDARDS FOR THE CONSTRUCTION
OF FACILITIES ON THE RIGHTS-OF-WAY

WHEREAS, the Village of Carol Stream is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations governing the use of public right-of-way and that protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Village uses the public rights-of-way within its corporate limits to provide essential public services to its residents and businesses, including traffic control signals, water, sanitary sewer and storm sewer; and

WHEREAS, other utility service providers, including electricity, telephone, natural gas and cable television and video service providers have placed, or from time to time may request to place, certain utility facilities in the public rights-of-way within the Village; and

WHEREAS, legislatures and regulatory agencies at the State and federal levels have implemented changes in the regulatory framework to enhance competition in the providing of various utility services; and

WHEREAS, the combination of legislative and regulatory changes and the development of new technologies has led additional service providers to seek opportunities to provide services in the Village; and

WHEREAS, these regulatory and technological changes have resulted in demands for access to and use of the public rights-of-way in the Village as service providers, particularly in the video and communications services, attempt to provide new or additional services to compete with incumbent service providers; and

WHEREAS, unlike prior deregulations of utility services in which incumbent service providers have been required to make their transmission and/or distribution systems available to competitors, video and communications services seeking to compete with incumbent service providers are seeking to install their own facilities for delivering competing video and communications services; thereby increasing the number of service providers seeking access to and use of the public rights-of-way in the Village; and

WHEREAS, the public rights-of-way within the Village are a limited public resource held in trust by the Village for the benefit of its citizens and the Village has a custodial duty to ensure that the public rights-of-way are used, repaired and maintained in a manner that best serves the public interest; and

WHEREAS, the corporate authorities of the Village find and determine that it is necessary to and in the best interests of the public health, safety and general welfare to establish uniform standards and regulations for access to and use of the public rights-of-way in the Village by utility service providers and other persons and entities that desire to place structures, facilities or equipment in the public rights-of-way, so as to (i) prevent interference with the use of streets, sidewalks, alleys and other public ways and places by the Village and the general public, (ii) protect against visual and physical obstructions to vehicular and pedestrian traffic, (iii) prevent interference with the facilities and operations of the Village's utilities and of other utilities lawfully located in public rights-of-way or property, (iv) protect against environmental damage, including damage to trees, from the installation of utility facilities, (v) preserve the character of the neighborhoods in which facilities are installed, (vi) prevent visual blight, and (vii) assure the continued safe use and enjoyment of private properties adjacent to utility facilities locations; and

WHEREAS, this Ordinance is enacted in the exercise of the Village's home rule powers, the Corporate Authorities having determined that the regulation of the use of the public rights-of-way in the Village is a matter pertaining to the affairs of the Village as provided in Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of (i) the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, including, without limitation, Sections 11-20-5, 11-20-10, 11-42-11, 11-42-11.2, 11-80-1, 11-80-3, 11-80-6, 11-80-7, 11-80-8, 11-80-10, and 11-80-13; (ii) Section 4 of the Telephone Company Act, 220 ILCS 65/4; (iii) the Illinois Highway Code, including, without limitation, Articles 7 and 9 thereof, 605 ILCS 5/1-101 *et seq.*; (iv) the Simplified Municipal Telecommunications Tax Act, 35 ILCS 636/1 *et seq.* and (v) the Cable and Video Competition Law of 2007, 220 ILCS 5/21-100 *et seq.*; and

WHEREAS, this Ordinance establishes generally applicable standards for construction on, over, above, along, upon, under, across, or within the public right-of-way, and for the use of and repair of the public right-of-way; and

WHEREAS, in the enactment of this ordinance, the Village has considered a variety of standards for construction on, over, above, along, under, across, or within, use of and repair of the public right-of-way, including, but not limited to, the standards relating to Accommodation of Utilities on Right-of-Way of the Illinois State Highway System promulgated by the Illinois Department of Transportation and found at 92 Ill. Adm. Code § 530.10 *et seq.*; and

WHEREAS, the Village hereby finds that it is in the best interest of the Village, the public and the utilities using the public rights-of-way to establish a comprehensive set of construction standards and requirements to achieve various beneficial goals, including, without limitation, enhancing the planning of new utility facilities; minimizing interference with, and damage to, rights-of-way and the streets, sidewalks, and other structures and improvements located in, on, over and above the rights-of-way; and reducing costs and expenses to the public.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Carol Stream as follows:

Section 1. Recitals. The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Adoption. Chapter 12 of the Municipal Code of the Village of Carol Stream shall be amended by the addition of Article 5 that will read as follows:

ARTICLE 5. CONSTRUCTION OF
UTILITY FACILITIES IN THE RIGHTS-OF-WAY

12-5-1 Purpose and Scope.

a) **Purpose.** The purpose of this Article is to establish policies and procedures for constructing facilities on rights-of-way within the Village's jurisdiction, which will provide public benefit consistent with the preservation of the integrity, safe usage, and visual qualities of the Village rights-of-way and the Village as a whole.

b) **Intent.** In enacting this Article, the Village intends to exercise its authority over the rights-of-way in the Village and, in particular, the use of the public ways and property by utilities, by establishing uniform standards to address issues presented by utility facilities, including without limitation:

- 1) prevent interference with the use of streets, sidewalks, alleys, parkways and other public ways and places;
- 2) prevent the creation of visual and physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;
- 3) prevent interference with the facilities and operations of the Village's utilities and of other utilities lawfully located in rights-of-way or public property;
- 4) protect against environmental damage, including damage to trees, from the installation of utility facilities;
- 5) protect against increased stormwater run-off due to structures and materials that increase impermeable surfaces;
- 6) preserve the character of the neighborhoods in which facilities are installed;
- 7) preserve open space, particularly the tree-lined parkways that characterize the Village's residential neighborhoods;
- 8) prevent visual blight from the proliferation of facilities in the rights-of-way; and

- 9) assure the continued safe use and enjoyment of private properties adjacent to utility facilities locations.

c) Facilities Subject to This Article. This Article applies to all facilities on, over, above, along, upon, under, across, or within the rights-of-way within the jurisdiction of the Village. A facility lawfully established prior to the effective date of this Article may continue to be maintained, repaired and operated by the utility as presently constructed and located, except as may be otherwise provided in any applicable franchise, license or similar agreement.

d) Franchises, Licenses, or Similar Agreements. The Village, in its discretion and as limited by law, may require utilities to enter into a franchise, license or similar agreement for the privilege of locating their facilities on, over, above, along, upon, under, across, or within the Village rights-of-way. Utilities that are not required by law to enter into such an agreement may request that the Village enter into such an agreement. In such an agreement, the Village may provide for terms and conditions inconsistent with this Article.

- e) Effect of Franchises, Licenses, or Similar Agreements.

1) Utilities Other Than Telecommunications Providers. In the event that a utility other than a telecommunications provider has a franchise, license or similar agreement with the Village, such franchise, license or similar agreement shall govern and control during the term of such agreement and any lawful renewal or extension thereof.

2) Telecommunications Providers. In the event of any conflict with, or inconsistency between, the provisions of this Article and the provisions of any franchise, license or similar agreement between the Village and any telecommunications provider, the provisions of such franchise, license or similar agreement shall govern and control during the term of such agreement and any lawful renewal or extension thereof.

f) Conflicts with Other Articles. This Article supersedes all Articles or parts of Articles adopted prior hereto that are in conflict herewith, to the extent of such conflict.

g) Conflicts with State and Federal Laws. In the event that applicable federal or State laws or regulations conflict with the requirements of this Article, the utility shall comply with the requirements of this Article to the maximum extent possible without violating federal or State laws or regulations.

h) Sound Engineering Judgment. The Village shall use sound engineering judgment when administering this Article and may vary the standards, conditions, and requirements expressed in this Article when the Village so determines. Nothing herein shall be construed to limit the ability of the Village to regulate its rights-of-way for the protection of the public health, safety and welfare.

12-5-2 Definitions.

As used in this Article and unless the context clearly requires otherwise, the words and terms listed shall have the meanings ascribed to them in this Section. Any term not defined in this Section shall have the meaning ascribed to it in 92 Ill. Adm. Code § 530.30, unless the context clearly requires otherwise.

“AASHTO” - American Association of State Highway and Transportation Officials.

“ANSI” - American National Standards Institute.

“Applicant” - A person applying for a permit under this Article.

“ASTM” - American Society for Testing and Materials.

“Backfill” - The methods or materials for replacing excavated material in a trench or pit.

“Bore” or “Boring” - To excavate an underground cylindrical cavity for the insertion of a pipe or electrical conductor.

“Cable operator” - That term as defined in 47 U.S.C. 522(5).

“Cable service” - That term as defined in 47 U.S.C. 522(6).

“Cable system” - That term as defined in 47 U.S.C. 522(7).

“Carrier Pipe” - The pipe enclosing the liquid, gas or slurry to be transported.

“Casing” - A structural protective enclosure for transmittal devices such as: carrier pipes, electrical conductors, and fiber optic devices.

“Clear Zone” - The total roadside border area, starting at the edge of the pavement, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a non-recoverable slope, and a clear run-out area. The desired width is dependent upon the traffic volumes and speeds, and on the roadside geometry. Distances are specified in the AASHTO Roadside Design Guide.

“Coating” - Protective wrapping or mastic cover applied to buried pipe for protection against external corrosion.

“Code” - The Municipal Code of the Village of Carol Stream.

“Conductor” - Wire carrying electrical current.

“Conduit” - A casing or encasement for wires or cables.

“Construction” or “Construct” - The installation, repair, maintenance, placement, alteration, enlargement, demolition, modification or abandonment in place of facilities.

“Cover” - The depth of earth or backfill over buried utility pipe or conductor.

“Crossing Facility” - A facility that crosses one or more right-of-way lines of a right-of-way.

“Director of Public Works” - The Village Director of Public Works or his or her designee.

“Community Development Director” – The Village Director of Community Development of his or her designee.

“Disrupt the Right-of-Way” - For the purposes of this Article, any work that obstructs the right-of-way or causes a material adverse effect on the use of the right-of-way for its intended use. Such work may include, without limitation, the following: excavating or other cutting; placement (whether temporary or permanent) of materials, equipment, devices, or structures; damage to vegetation; and compaction or loosening of the soil, and shall not include the parking of vehicles or equipment in a manner that does not materially obstruct the flow of traffic on a highway.

“Easement” – A grant by a property owner for the use of a strip of land by the general public, a corporation, or a certain person or persons for a specific purpose or purposes.

“Emergency” - Any immediate maintenance to the facility required for the safety of the public using or in the vicinity of the right-of-way or immediate maintenance required for the health and safety of the general public served by the utility.

“Encasement” - Provision of a protective casing.

“Engineer” - The Village Engineer or his or her designee.

“Equipment” - Materials, tools, implements, supplies, and/or other items used to facilitate construction of facilities.

“Excavation” - The making of a hole or cavity by removing material, or laying bare by digging.

“Extra Heavy Pipe” - Pipe meeting ASTM standards for this pipe designation.

“Facility” - All structures, devices, objects, and materials (including, but not limited to, track and rails, wires, ducts, fiber optic cable, antennas, vaults, boxes, equipment enclosures, cabinets, pedestals, poles, conduits, grates, covers, pipes, cables, and appurtenances thereto) located on, over, above, along, upon, under, across, or within rights-of-way under this Article. For purposes of this Article, the term “facility” shall not include any facility owned or operated by the Village.

“Freestanding Facility” - A facility that is not a crossing facility or a parallel facility, such as an antenna, transformer, pump, or meter station.

“Frontage Road” - Roadway, usually parallel, providing access to land adjacent to the highway where it is precluded by control of access to a highway.

“Hazardous Materials” - Any substance or material which, due to its quantity, form, concentration, location, or other characteristics, is determined by the Village Engineer or Director of Public Works or designee to pose an unreasonable and imminent risk to the life, health or safety of persons or property or to the ecological balance of the environment, including, but not limited to explosives, radioactive materials, petroleum or petroleum products or gases, poisons, etiology (biological) agents, flammables, corrosives or any substance determined to be hazardous or toxic under any federal or state law, statute or regulation.

“Highway Code” - The Illinois Highway Code, 605 ILCS 5/1-101 et seq., as amended from time to time.

“Highway” - A specific type of right-of-way used for vehicular traffic including rural or urban roads or streets. “Highway” includes all highway land and improvements, including roadways, ditches and embankments, bridges, drainage structures, signs, guardrails, protective structures and appurtenances necessary or convenient for vehicle traffic.

“Holder” - A person or entity that has received authorization to offer or provide cable or video service from the ICC pursuant to the Illinois Cable and Video Competition Law, 220 ILCS 5/21-401.

“IDOT” - Illinois Department of Transportation.

“ICC” - Illinois Commerce Commission.

“Jacking” - Pushing a pipe horizontally under a roadway by mechanical means with or without boring.

“Jetting” - Pushing a pipe through the earth using water under pressure to create a cavity ahead of the pipe.

“Joint Use” - The use of pole lines, trenches or other facilities by two or more utilities.

“J.U.L.I.E.” - The Joint Utility Locating Information for Excavators utility notification program.

“Major Intersection” - The intersection of two or more major arterial highways.

“Occupancy” - The presence of facilities on, over or under right-of-way.

“Parallel Facility” - A facility that is generally parallel or longitudinal to the centerline of a right-of-way.

“Parkway” - Any portion of the right-of-way not improved by street or sidewalk, trail, path or driveway apron..

“Pavement Cut” - The removal of an area of pavement for access to facility or for the construction of a facility.

“Permittee” - That entity to which a permit has been issued pursuant to Sections 12-5-4 and 12-5-5 of this Article.

“Practicable” - That which is performable, feasible or possible, rather than that which is simply convenient.

“Pressure” - The internal force acting radially against the walls of a carrier pipe expressed in pounds per square inch gauge (psig).

“Petroleum Products Pipelines” - Pipelines carrying crude or refined liquid petroleum products including, but not limited to, gasoline, distillates, propane, butane, or coal-slurry.

“Prompt” - That which is done within a period of time specified by the Village. If no time period is specified, the period shall be 30 days.

“Public Entity” - A legal entity that constitutes or is part of the government, whether at local, state or federal level.

“Restoration” - The repair of a right-of-way, highway, roadway, or other area disrupted by the construction of a facility.

“Right-of-Way” or "Rights-of-Way"- Any street, alley, other land or waterway, dedicated or commonly used for pedestrian or vehicular traffic or other similar purposes, including utility easements, in which the Village has the right and authority to authorize, regulate or permit the location of facilities other than those of the Village. “Right-of-way” or "Rights-of-way" shall not include any real or personal Village property that is not specifically described in the previous two sentences and shall not include Village buildings, fixtures and other structures or improvements, regardless of whether they are situated in the right-of-way.

“Roadway” - That part of the highway that includes the pavement, curb and gutter and shoulders.

“Sale of Telecommunications at Retail” - The transmitting, supplying, or furnishing of telecommunications and all services rendered in connection therewith for a consideration, other than between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries, when the gross charge made by one such corporation to another such corporation is not greater than the gross charge paid to the retailer for their use or consumption and not for sale.

“Security Fund” - That amount of security required pursuant to Section 12-5-10.

“Shoulder” - A width of roadway, adjacent to the pavement, providing lateral support to the pavement edge and providing an area for emergency vehicular stops and storage of snow removed from the pavement.

“Sound Engineering Judgment” - A decision(s) consistent with generally accepted engineering principles, practices and experience.

“Telecommunications” - This term includes, but is not limited to, messages or information transmitted through use of local, toll and wide area telephone service, channel services, telegraph

services, teletypewriter service, computer exchange service, private line services, mobile radio services, cellular mobile telecommunications services, stationary two-way radio, paging service and any other form of mobile or portable one-way or two-way communications, and any other transmission of messages or information by electronic or similar means, between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite, or similar facilities. "Private line" means a dedicated non-traffic sensitive service for a single customer that entitles the customer to exclusive or priority use of a communications channel, or a group of such channels, from one or more specified locations to one or more other specified locations. "Telecommunications" shall not include value added services in which computer processing applications are used to act on the form, content, code and protocol of the information for purposes other than transmission. "Telecommunications" shall not include purchase of telecommunications by a telecommunications service provider for use as a component part of the service provided by such provider to the ultimate retail consumer who originates or terminates the end-to-end communications. "Telecommunications" shall not include the provision of cable services through a cable system as defined in the Cable Communications Act of 1984 (47 U.S.C. Sections 521 and following), as now or hereafter amended, or cable or other programming services subject to an open video system fee payable to the Village through an open video system as defined in the Rules of the Federal Communications Commission (47 C.F.R. §76.1500 and following), as now or hereafter amended.

"Telecommunications Provider" - Means any person that installs, owns, operates or controls facilities in the right-of-way used or designed to be used to transmit telecommunications in any form.

"Telecommunications Retailer" - Means and includes every person engaged in making sales of telecommunications at retail as defined herein.

"Trench" - A relatively narrow open excavation for the installation of an underground facility.

"Utility" - The individual or entity owning or operating any facility as defined in this Article.

"Vent" - A pipe to allow the dissipation into the atmosphere of gases or vapors from an underground casing.

"Video Service" - That term as defined in section 21-201 (v) of the Illinois Cable and Video Competition Law of 2007, 220 ILCS 21-201(v).

"Village" - The Village of Carol Stream.

"Village Manager" - The Village Manager or his or her designee.

"Water Lines" - Pipelines carrying raw or potable water.

"Wet Boring" - Boring using water under pressure at the cutting auger to soften the earth and to provide a sluice for the excavated material.

12-5-3 Annual Registration Required.

Every utility that occupies right-of-way within the Village shall register on January 1 of each year with the Engineer, providing the utility's name, address and regular business telephone and telecopy numbers, the name of one or more contact persons who can act on behalf of the utility in connection with emergencies involving the utility's facilities in the right-of-way and a 24-hour telephone number for each such person, and evidence of insurance as required in Section 12-5.8 of this Article, in the form of a certificate of insurance. No permit shall be issued to any utility without meeting the regulation requirements of this section.

12-5-4 Permit Required; Applications and Fees.

a) Permit Required. No person shall construct (as defined in this Article) any facility on, over, above, along, upon, under, across, or within any Village right-of-way which (1) changes the location of the facility, (2) adds a new facility, (3) disrupts the right-of-way (as defined in this Article), or (4) materially increases the amount of area or space occupied by the facility on, over, above, along, under across or within the right-of-way, without first filing an application with the Village Engineer and obtaining a permit from the Village therefor, except as otherwise provided in this Article. No permit shall be required for installation and maintenance of service connections to customers' premises where there will be no disruption of the right-of-way.

b) Permit Application. All applications for permits pursuant to this Article shall be filed on a form provided by the Village and shall be filed in such number of duplicate copies as the Village may designate. The applicant may designate those portions of its application materials that it reasonably believes contain proprietary or confidential information as "proprietary" or "confidential" by clearly marking each page of such materials accordingly.

c) Minimum General Application Requirements. The application shall be made by the utility or its duly authorized representative and shall contain, at a minimum, the following:

- 1) The utility's name and address and telephone and telecopy numbers;
- 2) The applicant's name and address, if different than the utility, its telephone, telecopy numbers, e-mail address, and its interest in the work;
- 3) The names, addresses and telephone and telecopy numbers and e-mail addresses of all professional consultants, if any, advising the applicant with respect to the application;
- 4) A general description of the proposed work and the purposes and intent of the facility and the uses to which the facility will be put. The scope and detail of such description shall be appropriate to the nature and character of the work to be performed, with special emphasis on those matters likely to be affected or impacted by the work proposed;
- 5) Evidence that the utility has placed on file with the Village:
 - i) A written traffic control plan demonstrating the protective measures and devices that will be employed consistent with the

Illinois Manual on Uniform Traffic Control Devices, to prevent injury or damage to persons or property and to minimize disruptions to efficient pedestrian and vehicular traffic; and

ii) An emergency contingency plan which shall specify the nature of potential emergencies, including, without limitation, construction and hazardous materials emergencies, and the intended response by the applicant. The intended response shall include notification to the Village and shall promote protection of the safety and convenience of the public. Compliance with ICC regulations for emergency contingency plans constitutes compliance with this Section unless the Village finds that additional information or assurances are needed;

- 6) Drawings, plans and specifications showing the work proposed, including the certification of an engineer that such drawings, plans, and specifications comply with applicable codes, rules, and regulations;
- 7) Evidence of insurance as required in Section 12-5-8 of this Article;
- 8) Evidence of posting of the security fund as required in Section 12-5-10 of this Article;
- 9) Any request for a variance from one or more provisions of this Article (See Section 12-5-21); and
- 10) Such additional information as may be reasonably required by the Village.

d) Supplemental Application Requirements for Specific Types of Utilities. In addition to the requirements of Subsection c) of this Section, the permit application shall include the following items, as applicable to the specific utility that is the subject of the permit application:

- 1) In the case of the installation of a new electric power, communications, telecommunications, cable television service, video service or natural gas distribution system, evidence that any "Certificate of Public Convenience and Necessity" or other regulatory authorization that the applicant is required by law to obtain, or that the applicant has elected to obtain, has been issued by the ICC or other jurisdictional authority;
- 2) In the case of natural gas systems, state the proposed pipe size, design, construction class, and operating pressures;
- 3) In the case of water lines, indicate that all requirements of the Illinois Environmental Protection Agency, Division of Public Water Supplies, have been satisfied;

- 4) In the case of sewer line installations, indicate that the land and water pollution requirements of the Illinois Environmental Protection Agency, Division of Water Pollution Control and Wheaton Sanitary District, have been satisfied; or
- 5) In the case of petroleum products pipelines, state the type or types of petroleum products, pipe size, maximum working pressure, and the design standard to be followed.

e) Applicant's Duty to Update Information. Throughout the entire permit application review period and the construction period authorized by the permit, any amendments to information contained in a permit application shall be submitted by the utility in writing to the Village within thirty (30) days after the change necessitating the amendment.

f) Application Fees. Unless otherwise provided by franchise, license, or similar agreement, all applications for permits pursuant to this Article shall be accompanied by a fee in the amount of \$115 as compensation for costs incurred in processing the application. No application fee is required to be paid by any electricity utility that is paying the municipal electricity infrastructure maintenance fee pursuant to the Electricity Infrastructure Maintenance Fee Act.

12-5- 5 Action on Permit Applications.

a) Village Review of Permit Applications. Completed permit applications, containing all required documentation, shall be examined by the Village Engineer within a reasonable time after filing. If the application does not conform to the requirements of applicable ordinances, codes, laws, rules, and regulations, the Village Engineer shall reject such application in writing, stating the reasons therefor. If the Village Engineer is satisfied that the proposed work conforms to the requirements of this Article and applicable ordinances, codes, laws, rules, and regulations, the Village Engineer shall issue a permit therefor as soon as practicable. In all instances, it shall be the duty of the applicant to demonstrate, to the satisfaction of the Village Engineer, that the construction proposed under the application shall be in full compliance with the requirements of this Article.

b) Additional Village Review of Applications of Telecommunications Retailers.

- 1) Pursuant to Section 4 of the Telephone Company Act, 220 ILCS 65/4, a telecommunications retailer shall notify the Village that it intends to commence work governed by this Article for facilities for the provision of telecommunications services. Such notice shall consist of plans, specifications, and other documentation sufficient to demonstrate the purpose and intent of the facilities, and shall be provided by the telecommunications retailer to the Village not less than ten (10) days prior to the commencement of work requiring no excavation and not less than thirty (30) days prior to the commencement of work requiring excavation. The Village Engineer shall specify the portion of the right-of-way upon which the facility may be placed, used and constructed.

- 2) In the event that the Village Engineer fails to provide such specification of location to the telecommunications retailer within either (i) ten (10) days after service of notice to the Village by the telecommunications retailer in the case of work not involving excavation for new construction or (ii) twenty-five (25) days after service of notice by the telecommunications retailer in the case of work involving excavation for new construction, the telecommunications retailer may commence work without obtaining a permit under this Article.
- 3) Upon the provision of such specification by the Village, where a permit is required for work pursuant to Section 12-5-4 of this Article the telecommunications retailer shall submit to the Village an application for a permit and any and all plans, specifications and documentation available regarding the facility to be constructed. Such application shall be subject to the requirements of Subsection (a) of this Section.

c) Additional Village Review of Applications of Holders of State Authorization Under the Cable and Video Competition Law of 2007. Applications by a utility that is a holder of a State-issued authorization under the Cable and Video Competition Law of 2007 shall be deemed granted forty-five (45) days after submission to the Village, unless otherwise acted upon by the Village, provided the holder has complied with all applicable Village codes, ordinances, and regulations.

12-5-6 Effect of Permit.

a) Authority Granted; No Property Right or Other Interest Created. A permit from the Village authorizes a permittee to undertake only certain activities in accordance with this Article on Village rights-of-way, and does not create a property right or grant authority to the permittee to impinge upon the rights of others who may have an interest in the rights-of-way.

b) Duration. No permit issued under this Article shall be valid for a period longer than six (6) months unless construction is actually begun within that period and is thereafter diligently pursued to completion.

c) Pre-construction meeting required. No construction shall begin pursuant to a permit issued under this Article prior to attendance by the permittee and all major contractors and subcontractors who will perform any work under the permit at a pre-construction meeting. The pre-construction meeting shall be held at a date, time and place designated by the Village with such Village representatives in attendance as the Village deems necessary. The meeting shall be for the purpose of reviewing the work under the permit, and reviewing special considerations necessary in the areas where work will occur, including, without limitation, presence or absence of other utility facilities in the area and their locations, procedures to avoid disruption of other utilities, use of rights-of-way by the public during construction, and access and egress by adjacent property owners. The Village Engineer may waive the mandatory attendance requirement for a pre-construction meeting.

d) Compliance with All Laws Required. The issuance of a permit by the Village does not excuse the permittee from complying with other requirements of the Village and applicable statutes, laws, ordinances, rules, and regulations.

12-5-7 Revised Permit Drawings.

Any deviation from the permit shall require approval of the Village Engineer or designee prior to the work being performed. The Village Engineer may require revised plans, drawings and specifications as necessary to allow for the proper review and approval of the deviation.

12-5-8 Insurance.

a) Required Coverages and Limits. Unless otherwise provided by franchise, license, or similar agreement, each utility occupying right-of-way or constructing any facility in the right-of-way not including utility easements, shall secure and maintain the following liability insurance policies insuring the utility as named insured and naming the Village, and its elected and appointed officers, officials, agents, and employees as additional insureds on the policies listed in paragraphs 1 and 2 below:

- 1) Commercial general liability insurance, including premises-operations, explosion, collapse, and underground hazard (commonly referred to as "X," "C," and "U" coverages) and products-completed operations coverage with limits not less than:
 - i) Five million dollars (\$5,000,000) for bodily injury or death to each person;
 - ii) Five million dollars (\$5,000,000) for property damage resulting from any one accident; and
 - iii) Five million dollars (\$5,000,000) for all other types of liability;
- 2) Automobile liability for owned, non-owned and hired vehicles with a combined single limit of one million dollars (\$1,000,000) for personal injury and property damage for each accident;
- 3) Worker's compensation with statutory limits; and
- 4) Employer's liability insurance with limits of not less than one million dollars (\$1,000,000) per employee and per accident.

If the utility is not providing such insurance to protect the contractors and subcontractors performing the work, then such contractors and subcontractors shall comply with this Section and shall meet with the approval of the Village Manager.

b) Excess or Umbrella Policies. The coverages required by this Section may be in any combination of primary, excess, and umbrella policies. Any excess or umbrella policy must provide excess coverage over underlying insurance on a following-form basis such that when

any loss covered by the primary policy exceeds the limits under the primary policy, the excess or umbrella policy becomes effective to cover such loss.

c) Copies Required. The utility shall provide copies of any of the policies required by this Section to the Village within ten (10) days following receipt of a written request therefor from the Village.

d) Maintenance and Renewal of Required Coverages. The insurance policies required by this Section shall contain the following endorsement:

"It is hereby understood and agreed that this policy may not be canceled nor the intention not to renew be stated until thirty (30) days after receipt by the Village, by registered mail or certified mail, return receipt requested, of a written notice addressed to the Village Manager of such intent to cancel or not to renew."

Within ten (10) days after receipt by the Village of said notice, and in no event later than ten (10) days prior to said cancellation, the utility shall obtain and furnish to the Village evidence of replacement insurance policies meeting the requirements of this Section.

e) Self-Insurance. A utility may self-insure all or a portion of the insurance coverage and limit requirements required by Subsection a) of this Section. A utility that self-insures is not required, to the extent of such self-insurance, to comply with the requirement for the naming of additional insureds under Subsection a), or the requirements of Subsections b), c) and d) of this Section. A utility that elects to self-insure shall provide to the Village evidence sufficient to demonstrate its financial ability to self-insure the insurance coverage and limit requirements required under Subsection a) of this Section, such as evidence that the utility is a "private self insurer" under the Workers Compensation Act.

f) Effect of Insurance and Self-Insurance on Utility's Liability. The legal liability of the utility to the Village and any person for any of the matters that are the subject of the insurance policies or self-insurance required by this Section shall not be limited by such insurance policies or self-insurance or by the recovery of any amounts thereunder.

g) Insurance Companies. All insurance provided pursuant to this section shall be effected under valid and enforceable policies, issued by insurers legally able to conduct business with the licensee in the State of Illinois. All insurance carriers and surplus line carriers shall be rated "A-" or better and of a class size "X" or higher by A.M. Best Company.

12-5-9 Indemnification.

By occupying or constructing facilities in the right-of-way, a utility shall be deemed to agree to defend, indemnify and hold the Village and its elected and appointed officials and officers, employees, agents and representatives harmless from and against any and all injuries, claims, demands, judgments, damages, losses and expenses, including reasonable attorney's fees and costs of suit or defense, arising out of, resulting from or alleged to arise out of or result from

the negligent, careless or wrongful acts, omissions, failures to act or misconduct of the utility or its affiliates, officers, employees, agents, contractors or subcontractors in the construction of facilities or occupancy of the rights-of-way, and in providing or offering service over the facilities, whether such acts or omissions are authorized, allowed or prohibited by this Article or by a franchise, license, or similar agreement; provided, however, that the utility's indemnity obligations hereunder shall not apply to any injuries, claims, demands, judgments, damages, losses or expenses arising out of or resulting from the negligence, misconduct or breach of this Article by the Village, its officials, officers, employees, agents or representatives.

12-5-10 Security.

a) Purpose. The permittee shall establish a Security Fund in a form and in an amount as set forth in this Section. The Security Fund shall be continuously maintained in accordance with this Section at the permittee's sole cost and expense until the completion of the work authorized under the permit. The Security Fund shall serve as security for:

- 1) The faithful performance by the permittee of all the requirements of this Article;
- 2) Any expenditure, damage, or loss incurred by the Village occasioned by the permittee's failure to comply with any codes, rules, regulations, orders, permits and other directives of the Village issued pursuant to this Article; and
- 3) The payment by permittee of all liens and all damages, claims, costs, or expenses that the Village may pay or incur by reason of any action or non-performance by permittee in violation of this Article including, without limitation, any damage to public property or restoration work the permittee is required by this Article to perform that the Village must perform itself or have completed as a consequence solely of the permittee's failure to perform or complete, and all other payments due the Village from the permittee pursuant to this Article or any other applicable law.

b) Form. The permittee shall provide the Security Fund to the Village in the form, at the permittee's election, of cash, or an irrevocable in a form acceptable to the Village in a form acceptable to the Village. Any letter of credit provided pursuant to this Subsection shall be provided on the Village's form.

c) Amount. The dollar amount of the Security Fund shall be sufficient to provide for the reasonably estimated cost to restore the right-of-way to at least as good a condition as that existing prior to the construction under the permit, as determined by the Village Engineer, and may also include reasonable, directly related costs that the Village estimates are likely to be incurred if the permittee fails to perform such restoration. Where the construction of facilities proposed under the permit will be performed in phases in multiple locations in the Village, with each phase consisting of construction of facilities in one location or a related group of locations, and where construction in another phase will not be undertaken prior to substantial completion of

restoration in the previous phase or phases, the Village Engineer may, in the exercise of sound discretion, allow the permittee to post a single amount of security which shall be applicable to each phase of the construction under the permit. The amount of the Security Fund for phased construction shall be equal to the greatest amount that would have been required under the provisions of this Subsection (c) for any single phase.

d) Withdrawals. The Village, upon ten (10) days' advance written notice clearly stating the reason for, and its intention to exercise withdrawal rights under this Subsection, may withdraw an amount from the Security Fund, provided that the permittee has not reimbursed the Village for such amount within the ten (10) day notice period. Withdrawals may be made if the permittee:

- 1) Fails to make any payment required to be made by the permittee hereunder; or
- 2) Fails to pay any liens relating to the facilities that are due and unpaid or if any of the improvements have been or are likely to be, the subject of liens or other claims by contractors, subcontractors or third parties; or
- 3) Fails to reimburse the Village for any damages, claims, costs or expenses which the Village has been compelled to pay or incur by reason of any action or non-performance by the permittee; or
- 4) Fails to comply with any provision of this Article that the Village determines can be remedied by an expenditure of an amount in the Security Fund; or
- 5) Fails to satisfactorily complete or carry on the work of the installation, construction and restoration of the permitted work in accordance with its permit, the Village's rules and regulations and a schedule approved by the Village, or if no schedule is approved or even if no one is set out, in accordance with the faster pace as deemed necessary by the Village for the installation of the improvement; or
- 6) Fails to provide a new letter of credit or amendment of the letter of credit, containing equivalent terms, within sixty (60) days of the actual expiration of the original letter of credit; or
- 7) If the sums remaining within the letter of credit are believed to be insufficient.

e) Replenishment. Within fourteen (14) days after receipt of written notice from the Village that any amount has been withdrawn from the Security Fund, the permittee shall restore the Security Fund to the amount specified in Subsection c) of this Section.

f) Interest. The permittee may request that any and all interest accrued on the amount in the Security Fund be returned to the permittee by the Village, upon written request for said withdrawal to the Village, provided that any such withdrawal does not reduce the Security Fund below the minimum balance required in Subsection c) of this Section.

g) Closing and Return of Security Fund. Upon completion of the work authorized under the permit, the permittee shall be entitled to the return of the Security Fund, or such portion thereof as remains on deposit, within a reasonable time after account is taken for all offsets necessary to compensate the Village for failure by the permittee to comply with any provisions of this Article or other applicable law. In the event of any revocation of the permit, the Security Fund, and any and all accrued interest therein, shall become the property of the Village to the extent necessary to cover any reasonable costs, loss or damage incurred by the Village as a result of said revocation, provided that any amounts in excess of said costs, loss or damage shall be refunded to the permittee.

h) Rights Not Limited. The rights reserved to the Village with respect to the Security Fund are in addition to all other rights of the Village, whether reserved by this Article or otherwise authorized by law, and no action, proceeding or exercise of right with respect to said Security Fund shall affect any other right the Village may have. Notwithstanding the foregoing, the Village shall not be entitled to a double monetary recovery with respect to any of its rights which may be infringed or otherwise violated.

12-5-11 Permit Suspension and Revocation.

a) Village Right to Revoke Permit. The Village may revoke or suspend a permit issued pursuant to this Article for one or more of the following reasons:

- 1) Fraudulent, false, misrepresenting, or materially incomplete statements in the permit application;
- 2) Non-compliance with this Article;
- 3) Permittee's physical presence or presence of permittee's facilities on, over, above, along, upon, under, across, or within the rights-of-way presents a direct or imminent threat to the public health, safety, or welfare; or
- 4) Permittee's failure to construct the facilities substantially in accordance with the permit and approved plans.

b) Notice of Revocation or Suspension. The Village shall send written notice of its intent to revoke or suspend a permit issued pursuant to this Article stating the reason or reasons for the revocation or suspension and the alternatives available to permittee under this Section 12-5-11.

c) Permittee Alternatives Upon Receipt of Notice of Revocation or Suspension. Upon receipt of a written notice of revocation or suspension from the Village, the permittee shall have the following options:

- 1) Immediately provide the Village with ample documented evidence that no cause exists for the revocation or suspension;
- 2) Immediately correct, to the satisfaction of the Village, the deficiencies stated in the written notice, and provide written proof of such correction to the Village within five (5) working days after receipt of the written notice of revocation; or
- 3) Immediately remove the facilities located on, over, above, along, upon, under, across, or within the rights-of-way and restore the rights-of-way to the satisfaction of the Village and provide written proof of such removal to the Village within ten (10) days after receipt of the written notice of revocation.

The Village may, in its discretion, for good cause shown, extend the time periods provided in this Subsection.

d) Stop Work Order. In addition to the issuance of a notice of revocation or suspension, the Village may issue a stop work order immediately upon discovery of any of the reasons for revocation set forth within Subsection a) of this Section.

e) Failure or Refusal of the Permittee to Comply. If the permittee fails to comply with the provisions of Subsection c) of this Section, the Village or its designee may, at the option of the Village: (1) correct the deficiencies; (2) upon not less than twenty (20) days notice to the permittee, unless deemed by the Village an emergency, remove the subject facilities or equipment; or (3) after not less than thirty (30) days notice to the permittee of failure to cure the non-compliance, deem them abandoned and property of the Village. The permittee shall be liable in all events to the Village for all costs of removal.

12-5-12 Change of Ownership or Owner's Identity or Legal Status.

a) Notification of Change. A utility shall notify the Village no less than thirty (30) days prior to the transfer of ownership of any facility in the right-of-way or change in identity of the utility. The new owner of the utility or the facility shall have all the obligations and privileges enjoyed by the former owner under the permit, if any, and applicable laws, ordinances, rules and regulations, including this Article, with respect to the work and facilities in the right-of-way.

b) Amended Permit. A new owner shall request that any current permit and registration be amended to show current ownership. If the new owner fails to have a new or amended permit and registration issued in its name, the new owner shall be presumed to have accepted, and agreed to be bound by, the terms and conditions of the permit and registration if the new owner uses the facility or allows it to remain on the Village's right-of-way.

c) Insurance and Bonding. All required insurance coverage or bonding must be changed to reflect the name of the new owner upon transfer.

12-5-13

General Construction Standards.

a) Standards and Principles. All construction in the right-of-way shall be consistent with applicable ordinances, codes, laws rules and regulations, and commonly recognized and accepted traffic control and construction principles, sound engineering judgment and, where applicable, the principles and standards set forth in the following IDOT publications, as amended from time to time:

- 1) Standard Specifications for Road and Bridge Construction;
- 2) Supplemental Specifications and Recurring Special Provisions;
- 3) Highway Design Manual;
- 4) Highway Standards Manual;
- 5) Standard Specifications for Traffic Control Items;
- 6) Illinois Manual on Uniform Traffic Control Devices (92 Ill. Adm. Code § 545);
- 7) Flagger's Handbook; and
- 8) Work Site Protection Manual for Daylight Maintenance Operations.

b) Interpretation of Municipal Standards and Principles. If a discrepancy exists between or among differing principles and standards required by this Article, the Village Engineer shall determine, in the exercise of sound engineering judgment, which principles apply and such decision shall be final. If requested, the Village Engineer shall state which standard or principle will apply to the construction, maintenance, or operation of a facility in the future.

12-5-14

Traffic Control.

a) Minimum Requirements. The Village's minimum requirements for traffic protection are contained in IDOT's Illinois Manual on Uniform Traffic Control Devices and this Code.

b) Warning Signs, Protective Devices, and Flaggers. The utility is responsible for providing and installing warning signs, protective devices and flaggers, when necessary, meeting applicable federal, state, and local requirements for protection of the public and the utility's workers when performing any work on the rights-of-way.

c) Interference with Traffic. All work shall be phased so that there is minimum interference with pedestrian and vehicular traffic.

d) Notice When Access is Blocked. At least forty-eight (48) hours prior to beginning work that will partially or completely block access to any residence, business or institution, the utility shall notify the resident, business or institution of the approximate

beginning time and duration of such work; provided, however, that in cases involving emergency repairs pursuant to Section 12-5-20 of this Article, the utility shall provide such notice as is practicable under the circumstances.

e) Compliance. The utility shall take immediate action to correct any deficiencies in traffic protection requirements that are brought to the utility's attention by the Village.

12-5-15 Location of Facilities.

a) General Requirements. In addition to location requirements applicable to specific types of utility facilities, all utility facilities, regardless of type, shall be subject to the general location requirements of this subsection.

- 1) No Interference with Village Facilities. No utility facilities shall be placed in any location if the Village Engineer determines that the proposed location will require the relocation or displacement of any of the Village's facilities or proposed Village facilities or will otherwise interfere with the operation or maintenance of any of the Village's utility facilities or proposed Village facilities.
- 2) Minimum Interference and Impact. The proposed location shall cause only the minimum possible interference with the use of the right-of-way and shall cause only the minimum possible impact upon, and interference with the rights and reasonable convenience of property owners who adjoin said right-of-way.
- 3) No Interference with Travel. No utility facility shall be placed in any location that interferes with the usual travel on such right-of-way.
- 4) No Limitations on Visibility. No utility facility shall be placed in any location so as to limit visibility of or by users of the right-of-way.
- 5) Size of Utility Facilities. The proposed installation shall use the smallest suitable vaults, boxes, equipment enclosures, power pedestals, and/or cabinets then in use by the facility owner, regardless of location, for the particular application.
- 6) No Interference with Drainage. No utility facility shall be placed in any location that interferes with stormwater drainage, storage or conveyance or blocks overland flow routes.

b) Parallel Facilities Located Within Highways.

- 1) Overhead Parallel Facilities. An overhead parallel facility may be located within the right-of-way lines of a highway only if:

- i) Lines are located as near as practicable to the right-of-way line and as nearly parallel to the right-of-way line as reasonable pole alignment will permit;
 - ii) Where pavement is curbed, poles are as remote as practicable from the curb with a minimum distance of two feet behind the back of the curb, where available;
 - iii) Where pavement is uncurbed, poles are as remote from pavement edge as practicable with minimum distance of four feet outside the outer shoulder line of the roadway and are not within the clear zone;
 - iv) No pole is located in the ditch line of a highway; and
 - v) Any ground-mounted appurtenance is located within one foot of the right-of-way line or as near as possible to the right-of-way line.
- 2) **Underground Parallel Facilities.** An underground parallel facility may be located within the right-of-way lines of a highway only if:
- i) The facility is located as near the right-of-way line as practicable;
 - ii) A new facility may be located under the paved portion of a highway only if other locations are impracticable or inconsistent with sound engineering judgment (e.g., a new cable may be installed in existing conduit without disrupting the pavement); and
 - iii) In the case of an underground power or communications line, the facility shall be located as near the right-of-way line as practicable and any above-grounded appurtenance shall be located within one foot of the right-of-way line or as near as practicable.
- c) **Facilities Crossing Highways.**
- 1) No Future Disruption. The construction and design of crossing facilities installed between the ditch lines or curb lines of Village highways may require the incorporation of materials and protections (such as encasement or additional cover) as deemed necessary by the Village to avoid settlement or future repairs to the roadbed resulting from the installation of such crossing facilities.
 - 2) Culverts, or Drainage Facilities. Crossing facilities shall not be located in culverts, or drainage facilities.
 - 3) 90 Degree Crossing Required. Crossing facilities shall cross at or as near to a ninety (90) degree angle to the centerline as practicable.

- 4) Overhead Power or Communication Facility. An overhead power or communication facility may cross a highway only if:
 - i) It has a minimum vertical line clearance as required by ICC's rules entitled, "Construction of Electric Power and Communication Lines" (83 Ill. Adm. Code 305);
 - ii) Poles are located within one foot of the right-of-way line of the highway and outside of the clear zone; and
 - iii) Overhead crossings at major intersections are avoided.
- 5) Underground Power or Communication Facility. An underground power or communication facility may cross a highway only if:
 - i) The design materials and construction methods will provide maximum maintenance-free service life; and
 - ii) Capacity for the utility's foreseeable future expansion needs is provided in the initial installation.
- 6) Markers. The Village may require the utility to provide a marker at each right-of-way line where an underground facility other than a power or communication facility crosses a highway. Each marker shall identify the type of facility, the utility, and an emergency phone number. Markers may also be eliminated as provided in current Federal regulations. (49 C.F.R. §192.707 (1989)).

d) Facilities to be Located Within Particular Rights-of-Way. The Village may require that facilities be located within particular rights-of-way that are not highways, rather than within particular highways.

e) Freestanding Facilities.

- 1) The Village may restrict the location and size of any freestanding facility located within a right-of-way.
- 2) The Village may require any freestanding facility located within a right-of-way to be screened from view.

f) Facilities Installed Above Ground. Above ground facilities may be installed only if:

- 1) No other existing facilities in the area are located underground;
- 2) New underground installation is not technically feasible; and

- 3) The proposed installation will be made at a location, and will employ suitable design and materials, to provide the greatest protection of aesthetic qualities of the area being traversed without adversely affecting safety. Suitable designs include, but are not limited to, self-supporting armless, single-pole construction with vertical configuration of conductors and cable. Existing utility poles and light standards shall be used wherever practicable; the installation of additional utility poles is strongly discouraged; and
- 4) The facility meets all the Zoning Code requirements of Sections 16-5-7, 16-12-1, 16-12-2, 16-16-3, 16-16-8, 16-16-9 and 16-18-1.

g) Facility Attachments to Bridges or Roadway Structures.

- 1) Facilities may be installed as attachments to bridges or roadway structures only where the utility has demonstrated that all other means of accommodating the facility are not practicable. Other means shall include, but are not limited to, underground, underwater, independent poles, cable supports and tower supports, all of which are completely separated from the bridge or roadway structure. Facilities transmitting commodities that are volatile, flammable, corrosive, or energized, especially those under significant pressure or potential, present high degrees of risk and such installations are not permitted.
- 2) A utility shall include in its request to accommodate a facility installation on a bridge or roadway structure supporting data demonstrating the impracticability of alternate routing. Approval or disapproval of an application for facility attachment to a bridge or roadway structure will be based upon the following considerations:
 - i) The type, volume, pressure or voltage of the commodity to be transmitted and an evaluation of the resulting risk to persons and property in the event of damage to or failure of the facility;
 - ii) The type, length, value, and relative importance of the highway structure in the transportation system;
 - iii) The alternative routings available to the utility and their comparative practicability;
 - iv) The proposed method of attachment;
 - v) The ability of the structure to bear the increased load of the proposed facility;
 - vi) The degree of interference with bridge maintenance and painting;
 - vii) The effect on the visual quality of the structure; and

viii) The public benefit expected from the utility service as compared to the risk involved.

h) Appearance Standards.

- 1) The Village may prohibit the installation of facilities in particular locations in order to preserve visual quality.
- 2) A facility may be constructed only if its construction does not require extensive removal or alteration of trees or terrain features visible to the right-of-way user or to adjacent residents and property owners, and if it does not impair the aesthetic quality of the lands being traversed;
- 3) The facility must meet all the Zoning Code requirements of Sections 16-5-7, 16-12-1, 16-12-2, 16-16-3, 16-16-8, 16-16-9 and 16-18-1.

12-5-16

Construction Methods and Materials.

a) Standards and Requirements for Particular Types of Construction Methods.

1) Boring or Jacking.

- i) Pits and Shoring. Boring or jacking under rights-of-way shall be accomplished from pits located at a minimum distance specified by the Village Engineer from the edge of the pavement. Pits for boring or jacking shall be excavated no more than 48 hours in advance of boring or jacking operations and backfilled within 48 hours after boring or jacking operations are completed. While pits are open, they shall be clearly marked and protected by barricades. Shoring shall be designed, erected, supported, braced, and maintained so that it will safely support all vertical and lateral loads that may be imposed upon it during the boring or jacking operation.
- ii) Wet Boring or Jetting. Wet boring or jetting shall not be permitted under the roadway.
- iii) Borings with Diameters Greater Than 6 Inches. Borings over six inches in diameter shall be accomplished with an auger and following pipe, and the diameter of the auger shall not exceed the outside diameter of the following pipe by more than one inch.
- iv) Borings with Diameters 6 Inches or Less. Borings of six inches or less in diameter may be accomplished by either jacking, guided with auger, or auger and following pipe method.

- v) Tree Preservation. Any facility located within the drip line of any tree designated by the Village to be preserved or protected shall be bored under or around the root system.
- 2) Trenching. Trenching for facility installation, repair, or maintenance on rights-of-way shall be done in accord with the applicable portions of Section 603 of IDOT's "Standard Specifications for Road and Bridge Construction," and only with the approval of the Village Engineer.
- i) Length. The length of open trench shall be kept to the practicable minimum consistent with requirements for pipe-line testing. Only one-half of any intersection may have an open trench at any time unless special permission is obtained from the Village Engineer.
 - ii) Open Trench and Excavated Material. Open trench and windrowed excavated material shall be protected as required by Chapter 6 of the Illinois Manual on Uniform Traffic Control Devices. Where practicable, the excavated material shall be deposited between the roadway and the trench as added protection. Excavated material shall not be allowed to remain on the paved portion of the roadway. Where right-of-way width does not allow for windrowing excavated material off the paved portion of the roadway, excavated material shall be hauled to an off-road location.
 - iii) Drip Line of Trees. The utility shall not trench within the drip line of any tree designated by the Village to be preserved.
- 3) Backfilling.
- i) Any pit, trench, or excavation created during the installation of facilities shall be backfilled for its full width, depth, and length using methods and materials in accordance with IDOT's "Standard Specifications for Road and Bridge Construction." When excavated material is hauled away or is unsuitable for backfill, suitable granular backfill shall be used.
 - ii) For a period of three years from the date construction of a facility is completed, the utility shall be responsible to remove and restore any backfilled area that has settled due to construction of the facility. If so ordered by the Engineer, the utility, at its expense, shall remove any pavement and backfill material to the top of the installed facility, place and properly compact new backfill material, and restore new pavement, sidewalk, curbs, and driveways to the proper grades, as determined by the Engineer.
- 4) Pavement Cuts. Pavement cuts for facility installation or repair shall be permitted on a highway only if allowed by the Village Engineer and only

if that portion of the highway is closed to traffic. If a variance to the limitation set forth in this paragraph 4) is permitted under Section 12-5-21, the following requirements shall apply:

- i) Any excavation under pavements shall be backfilled and compacted as soon as practicable with granular material of CA-6 or CA-10 gradation, as designated by the Engineer.
- ii) Restoration of pavement, in kind, shall be accomplished as soon as practicable, and temporary repair with bituminous mixture shall be provided immediately. Any subsequent failure of either the temporary repair or the restoration shall be rebuilt upon notification by the Village.
- iii) All saw cuts shall be full depth.
- iv) For all rights-of-way which have been reconstructed with a concrete surface/base in the last ten (10) years, or resurfaced in the last seven (7) years, permits shall not be issued unless such work is determined to be an emergency repair or other work considered necessary and unforeseen before the time of the reconstruction or unless a pavement cut is necessary for a J.U.L.I.E. locate.

5) Encasement.

- i) Casing pipe shall be designed to withstand the load of the highway and any other superimposed loads. The casing shall be continuous either by one-piece fabrication or by welding or jointed installation approved by the Village.
- ii) The venting, if any, of any encasement shall extend within one foot of the right-of-way line. No above-ground vent pipes shall be located in the area established as clear zone for that particular section of the highway.
- iii) In the case of water main or service crossing, encasement shall be furnished between bore pits unless continuous pipe or Village approved jointed pipe is used under the roadway. Casing may be omitted only if pipe is installed prior to highway construction and carrier pipe is continuous or mechanical joints are of a type approved by the Village. Bell and spigot type pipe shall be encased regardless of installation method.
- iv) In the case of gas pipelines of 60 psig or less, encasement may be eliminated.
- v) In the case of gas pipelines or petroleum products pipelines with installations of more than 60 psig, encasement may be eliminated

only if: (1) extra heavy pipe is used that precludes future maintenance or repair and (2) cathodic protection of the pipe is provided;

vi) If encasement is eliminated for a gas or petroleum products pipeline, the facility shall be located so as to provide that construction does not disrupt the right-of-way.

6) Minimum Cover of Underground Facilities. Cover shall be provided and maintained at least in the amount specified in the following table for minimum cover for the type of facility:

TYPE OF FACILITY	MINIMUM COVER
Electric Lines	30 Inches
Communication, Cable or Video Service Lines	24 Inches (or as determined by Village)
Gas or Petroleum Products	30 Inches
Water Line	Sufficient Cover to Provide Freeze Protection – 66 Inches Minimum
Sanitary Sewer, Storm Sewer, or Drainage Line	Sufficient Cover to Provide Freeze Protection

b) Standards and Requirements for Particular Types of Facilities.

1) Electric Power or Communication Lines.

i) Code Compliance. Electric power or communications facilities within Village rights-of-way shall be constructed, operated, and maintained in conformity with the provisions of 83 Ill. Adm. Code Part 305 (formerly General Order 160 of the Illinois Commerce Commission) entitled "Rules for Construction of Electric Power and Communications Lines," and the National Electrical Safety Code.

ii) Overhead Facilities. Overhead power or communication facilities shall use single pole construction and, where practicable, joint use of poles shall be used. Utilities shall make every reasonable effort to design the installation so guys and braces will not be needed. Variances may be allowed if there is no feasible alternative and if guy wires are equipped with guy guards for maximum visibility.

iii) Underground Facilities. (1) Cable may be installed by trenching or plowing, when approved by the Village Engineer, provided that special consideration is given to boring in order to minimize damage when crossing improved entrances and side roads. (2) If a crossing is installed by boring or jacking, encasement shall be

provided between jacking or bore pits. Encasement may be eliminated only if: (a) the crossing is installed by the use of "moles," "whip augers," or other Village approved method which compress the earth to make the opening for cable installation or (b) the installation is by the open trench method which is only permitted prior to roadway construction. (3) Cable shall be grounded in accordance with the National Electrical Safety Code.

- iv) Burial of Drops. All temporary service drops placed between November 1 of the prior year and March 15 of the current year, also known as snowdrops, shall be buried by May 31 of the current year, weather permitting, unless otherwise permitted by the Village. Weather permitting, utilities shall bury all temporary drops, excluding snowdrops, within ten (10) business days after placement.
- 2) Underground Facilities Other than Electric Power or Communication Lines. Underground facilities other than electric power or communication lines may be installed by:
- i) the use of "moles," "whip augers," or other Village approved methods which compress the earth to move the opening for the pipe;
 - ii) jacking or boring with vented encasement provided between the ditch lines or toes of slopes of the highway;
 - iii) open trench with vented encasement between ultimate ditch lines or toes of slopes, but only if prior to roadway construction; or
 - iv) tunneling with vented encasement, but only if installation is not possible by other means.
- 3) Gas Transmission, Distribution and Service. Gas pipelines within rights-of-way shall be constructed, maintained, and operated in a Village approved manner and in conformance with the Federal Code of the Office of Pipeline Safety Operations, Department of Transportation, Part 192 – Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards (49 CFR §192), IDOT's "Standard Specifications for Road and Bridge Construction," and all other applicable laws, rules, and regulations.
- 4) Petroleum Products Pipelines. Petroleum products pipelines within rights-of-way shall conform to the applicable sections of ANSI Standard Code for Pressure Piping. (Liquid Petroleum Transportation Piping Systems ANSI-B 31.4).

- 5) Waterlines, Sanitary Sewer Lines, Storm Water Sewer Lines or Drainage Lines. Water lines, sanitary sewer lines, storm sewer lines, and drainage lines within rights-of-way shall meet or exceed the recommendations of the current "Standard Specifications for Water and Sewer Main Construction in Illinois."
 - 6) Ground Mounted Appurtenances. Ground mounted appurtenances to overhead or underground facilities, when permitted within a right-of-way, shall be provided with a vegetation-free area extending one foot in width beyond the appurtenance in all directions. The vegetation-free area may be provided by an extension of the mounting pad, or by heavy duty plastic or similar material approved by the Engineer. With the approval of the Community Development Director, shrubbery surrounding the appurtenance may be used in place of vegetation-free area. The housing for ground-mounted appurtenances shall be painted a neutral color to blend with the surroundings. The facilities meet all the Zoning Code requirements of Sections 16-5-7, 16-12-1, 16-12-2, 16-16-3, 16-16-8, 16-16-9 and 16-18-1.
- c) Materials.
- 1) General Standards. The materials used in constructing facilities within rights-of-way shall be those meeting the accepted standards of the appropriate industry, the applicable portions of IDOT's "Standards Specifications for Road and Bridge Construction," the requirements of the Illinois Commerce Commission, or the standards established by other official regulatory agencies for the appropriate industry.
 - 2) Material Storage on Right-of-Way. No material shall be stored on the right-of-way without the prior written approval of the Village Engineer. When such storage is permitted, all pipe, conduit, wire, poles, cross arms, or other materials shall be distributed along the right-of-way prior to and during installation in a manner to minimize hazards to the public or an obstacle to right-of-way maintenance or damage to the right-of-way and other property. If material is to be stored on right-of-way, prior approval must be obtained from the Village.
 - 3) Hazardous Materials. The plans submitted by the utility to the Village shall identify any hazardous materials that may be involved in the construction of the new facilities or removal of any existing facilities.
- d) Operational Restrictions.
- 1) Construction operations on rights-of-way may, at the discretion of the Village, be required to be discontinued when such operations would create hazards to traffic or the public health, safety, and welfare. Such operations may also be required to be discontinued or restricted when

conditions are such that construction would result in extensive damage to the right-of-way or other property.

- 2) These restrictions may be waived by the Engineer when emergency work is required to restore vital utility services.
- 3) Unless otherwise permitted by the Village, the hours of construction are those set forth in 14-2-17 (H) of this Code.

e) Location of Existing Facilities. Any utility proposing to construct facilities in the Village shall contact J.U.L.I.E. and ascertain the presence and location of existing above-ground and underground facilities within the rights-of-way to be occupied by its proposed facilities. The Village will make its permit records available to a utility for the purpose of identifying possible facilities. When notified of an excavation or when requested by the Village or by J.U.L.I.E., a utility shall locate and physically mark its underground facilities within 48 hours, excluding weekends and holidays, in accordance with the Illinois Underground Facilities Damage Prevention Act (220 ILCS 50/1 *et seq.*)

12-5-17 Vegetation Control.

a) Electric Utilities – Compliance with State Laws and Regulations. An electric utility shall conduct all tree-trimming and vegetation control activities in the right-of-way in accordance with applicable Illinois laws and regulations, and additionally, with such local franchise or other agreement with the Village as permitted by law.

b) Other Utilities – Tree Trimming Permit Required. Tree trimming that is done by any other utility with facilities in the right-of-way and that is not performed pursuant to applicable Illinois laws and regulations specifically governing same, shall not be considered a normal maintenance operation, but shall require the application for, and the issuance of, a permit, in addition to any other permit required under this Article.

- 1) Application for Tree Trimming Permit. Applications for tree trimming permits shall include assurance that the work will be accomplished by competent workers with supervision who are experienced in accepted tree pruning practices. Tree trimming permits shall be issued by the director of Public Works and shall designate an expiration date in the interest of assuring that the work will be expeditiously accomplished.
- 2) Damage to Trees. Poor pruning practices resulting in damaged or misshapen trees as determined by the Director of Public Works will not be tolerated and shall be grounds for cancellation of the tree trimming permit and for assessment of damages. The Village will require compensation for trees extensively damaged and for trees removed without authorization. The formula developed by the International Society of Arboriculture will be used as a basis for determining the compensation for damaged trees or unauthorized removal of trees. The Village may require the removal and replacement of trees if trimming or radical pruning would leave them in an unacceptable condition.

c) Specimen Trees or Trees of Special Significance. The Director of Public Works may require that special measures be taken to preserve specimen trees or trees of special significance. The required measures may consist of higher poles, side arm extensions, covered wire or other means.

d) Chemical Use.

- 1) Except as provided in the following paragraph, no utility shall spray, inject or pour any chemicals on or near any trees, shrubs or vegetation in the Village for any purpose, including the control of growth, insects or disease.
- 2) Spraying of any type of brush-killing chemicals will not be permitted on rights-of-way unless the utility demonstrates to the satisfaction of the Director of Public Works that such spraying is the only practicable method of vegetation control.

12-5-18 Removal, Relocation, or Modifications of Utility Facilities.

a) Notice. Within ninety (90) days following written notice from the Village, a utility shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any utility facilities within the rights-of-way to the satisfaction of the Village whenever the corporate authorities have determined that such removal, relocation, change or alteration, is reasonably necessary for the construction, repair, maintenance, or installation of any Village improvement in or upon, or the operations of the Village in or upon, the rights-of-way.

b) Removal of Unauthorized Facilities. Within thirty (30) days following written notice from the Village, any utility that owns, controls, or maintains any unauthorized facility or related appurtenances within the rights-of-way shall, at its own expense, remove all or any part of such facilities or appurtenances from the rights-of-way. A facility is unauthorized and subject to removal in the following circumstances:

- 1) Upon expiration or termination of the permittee's license or franchise, unless otherwise permitted by applicable law;
- 2) If the facility was constructed or installed without the prior grant of a license or franchise, if required;
- 3) If the facility was constructed or installed without prior issuance of a required permit in violation of this Article; or
- 4) If the facility was constructed or installed at a location not permitted by the permittee's license or franchise or permit.

c) Emergency Removal or Relocation of Facilities. The Village retains the right and privilege to remove or relocate or alter any facilities located within the rights-of-way of the Village, as the Village may determine to be necessary, appropriate or useful in response to any

public health or safety emergency. If circumstances permit, the municipality shall attempt to notify the utility, if known, prior to removing or relocating or altering a facility and shall notify the utility, if known, after cutting or removing a facility.

d) Abandonment of Facilities. Upon abandonment of a facility within the rights-of-way of the Village, the utility shall notify the Village within ninety (90) days. Following receipt of such notice the Village may direct the utility to remove all or any portion of the facility if the Village Engineer determines that such removal will be in the best interest of the Village. In the event that the Village does not direct the utility that abandoned the facility to remove it, by giving notice of abandonment to the Village, the abandoning utility shall be deemed to consent to the alteration or removal of all or any portion of the facility by another utility or person. All vegetation screening shall also be removed and the disturbed area properly restored if requested by the Community Development Director.

12-5-19 Clean-up and Restoration.

The utility shall remove all excess material and restore all turf and terrain and other property within ten (10) days after any portion of the rights-of-way are disturbed, damaged or destroyed due to construction or maintenance by the utility, all to the satisfaction of the Village. This includes restoration of entrances and side roads. Restoration of roadway surfaces shall be made using materials and methods approved by the Village Engineer. Such cleanup and repair may be required to consist of backfilling, regrading, reseeding, resodding, or any other requirement to restore the right-of-way to a condition substantially equivalent to that which existed prior to the commencement of the project. The time period provided in this Section may be extended by the Village Engineer for good cause shown.

12-5-20 Maintenance and Emergency Maintenance.

a) General. Facilities on, over, above, along, upon, under, across, or within rights-of-way are to be maintained by or for the utility in a manner satisfactory to the Village and at the utility's expense.

b) Emergency Maintenance Procedures. Emergencies may justify non-compliance with normal procedures for securing a permit:

- 1) If an emergency creates a hazard on the traveled portion of the right-of-way, the utility shall take immediate steps to provide all necessary protection for traffic on the highway or the public on the right-of-way including the use of signs, lights, barricades or flaggers. If a hazard does not exist on the traveled way, but the nature of the emergency is such as to require the parking on the shoulder of equipment required in repair operations, adequate signs and lights shall be provided. Parking on the shoulder in such an emergency will only be permitted when no other means of access to the facility is available.
- 2) In an emergency, the utility shall, as soon as possible, notify the Village Engineer or his or her duly authorized agent of the emergency, informing him or her as to what steps have been taken for protection of the traveling

public and what will be required to make the necessary repairs. If the nature of the emergency is such as to interfere with the free movement of traffic, the Village police shall be notified immediately.

- 3) In an emergency, the utility shall use all means at hand to complete repairs as rapidly as practicable and with the least inconvenience to the traveling public.

c) Emergency Repairs. The utility must file in writing with the Village a description of the repairs undertaken in the right-of-way within 48 hours after an emergency repair.

12-5-21 Variances.

a) Request for Variance. A utility requesting a variance from one or more of the provisions of this Article must do so in writing to the Village Engineer, Director of Public Works or the Community Development Director as appropriate and as a part of the permit application. The request shall identify each provision of this Article from which a variance is requested and the reasons why a variance should be granted.

b) Authority to Grant Variances. The Village Board shall decide whether a variance is authorized for each provision of this Article identified in the variance request on an individual basis.

c) Conditions for Granting of Variance. The Village Board may authorize a variance only if the utility requesting the variance has demonstrated that:

- 1) One or more conditions not under the control of the utility (such as terrain features or an irregular right-of-way line) create a special hardship that would make enforcement of the provision unreasonable, given the public purposes to be achieved by the provision; and
- 2) All other designs, methods, materials, locations or facilities that would conform with the provision from which a variance is requested are impracticable in relation to the requested approach.

d) Additional Conditions for Granting of a Variance. As a condition for authorizing a variance, the Village Engineer, Director of Public Works or the Community Development Director as appropriate may require the utility requesting the variance to meet reasonable standards and conditions that may or may not be expressly contained within this Article but which carry out the purposes of this Article.

e) Right to Appeal. Any utility aggrieved by any order, requirement, decision or determination, including denial of a variance, made by the Village Engineer under the provisions of this Article shall have the right to appeal to the Village Board, or such other board or commission as it may designate. The application for appeal shall be submitted in writing to the Village Clerk within 30 days after the date of such order, requirement, decision or determination. The Village Board shall commence its consideration of the appeal at the Board's next regularly

scheduled meeting occurring at least seven (7) days after the filing of the appeal. The Village Board shall timely decide the appeal.

12-5-22 Penalties.

Any person who violates, disobeys, omits, neglects or refuses to comply with any of the provisions of this Article shall be subject to fine in accordance with the penalty provisions of this Code. There may be times when the Village will incur delay or other costs, including third party claims, because the utility will not or cannot perform its duties under its permit and this Article. Unless the utility shows that another allocation of the cost of undertaking the requested action is appropriate, the utility shall bear the Village's costs of damages and its costs of installing, maintaining, modifying, relocating, or removing the facility that is the subject of the permit. No other administrative agency or commission may review or overrule a permit related cost apportionment of the Village. Sanctions may be imposed upon a utility that does not pay the costs apportioned to it.

12-5-23 Enforcement.

Nothing in this Article shall be construed as limiting any additional or further remedies that the Village may have for enforcement of this Article.

12-5-24 Severability.

If any section, subsection, sentence, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

12-5-25 As-Built Drawings.

Upon the completion of the permitted work and prior to the release of any security or insurance certificate, the utility shall provide the Village with as-built drawings depicting the actual locations and sizes of all improvements within thirty (30) days of the installation of the improvements.

Section 3. Effective Date. This Ordinance shall take effect ten (10) days after its passage, approval and publication in pamphlet form.

PASSED this ____ day of _____, 20__, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____


APPROVED by me this ____ day of _____, 20__.

Mayor of the Village of Carol Stream,
DuPage County, Illinois

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

Village Clerk of the Village
of Carol Stream, DuPage County, Illinois

Village of Carol Stream
Interdepartmental Memo

TO: Joseph Breinig, Village Manager
FROM: William N. Cleveland, Assistant Village Engineer 
DATE: April 30, 2009
RE: Amendments to Chapter 17 (Telecommunication) of the Municipal Code regarding Construction Standards on the Rights-of-Way)

As part of the ordinance amending the Municipal Code adding Article 5 of Chapter 12 establishing Standards for the construction of Facilities on Rights-of-Way, it was noted that parts of Chapter 17 needed to reference the new article.

The Village Attorney created these attached amendments to address this issue, and therefore Engineering Staff recommends that the ordinance be approved and adopted.

Cc: James T. Knudsen, Director of Engineering Services
Bob Glees, Community Development Director
Al Turner, Director of Public Works

AGENDA ITEM

H-6 5-4-09

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 17 OF THE MUNICIPAL CODE OF THE VILLAGE OF CAROL STREAM ADDRESSING THE CONSTRUCTION STANDARDS OF FACILITIES ON THE RIGHTS-OF-WAY

WHEREAS, the Village of Carol Stream is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations governing the use of public right-of-way and that protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Village uses the public rights-of-way within its corporate limits to provide essential public services to its residents and businesses, including traffic control signals, water, sanitary sewer and storm sewer; and

WHEREAS, other utility service providers, including electricity, telephone, natural gas and cable television and video service providers have placed, or from time to time may request to place, certain utility facilities in the public rights-of-way within the Village; and

WHEREAS, legislatures and regulatory agencies at the State and federal levels have implemented changes in the regulatory framework to enhance competition in the providing of various utility services; and

WHEREAS, the combination of legislative and regulatory changes and the development of new technologies has led additional service providers to seek opportunities to provide services in the Village; and

WHEREAS, these regulatory and technological changes have resulted in demands for access to and use of the public rights-of-way in the Village as service providers, particularly in the video and communications services, attempt to provide new or additional services to compete with incumbent service providers; and

WHEREAS, unlike prior deregulations of utility services in which incumbent service providers have been required to make their transmission and/or distribution systems available to competitors, video and communications services seeking to compete with incumbent service providers are seeking to install their own facilities for delivering competing video and communications services; thereby increasing the number of service providers seeking access to and use of the public rights-of-way in the Village; and

WHEREAS, the public rights-of-way within the Village are a limited public resource held in trust by the Village for the benefit of its citizens and the Village has a custodial duty to ensure that the public rights-of-way are used, repaired and maintained in a manner that best serves the public interest; and

WHEREAS, the corporate authorities of the Village find and determine that it is necessary to and in the best interests of the public health, safety and general welfare to establish

uniform standards and regulations for access to and use of the public rights-of-way in the Village by utility service providers and other persons and entities that desire to place structures, facilities or equipment in the public rights-of-way, so as to (i) prevent interference with the use of streets, sidewalks, alleys and other public ways and places by the Village and the general public, (ii) protect against visual and physical obstructions to vehicular and pedestrian traffic, (iii) prevent interference with the facilities and operations of the Village's utilities and of other utilities lawfully located in public rights-of-way or property, (iv) protect against environmental damage, including damage to trees, from the installation of utility facilities, (v) preserve the character of the neighborhoods in which facilities are installed, (vi) prevent visual blight, and (vii) assure the continued safe use and enjoyment of private properties adjacent to utility facilities locations; and

WHEREAS, this Ordinance is enacted in the exercise of the Village's home rule powers, the Corporate Authorities having determined that the regulation of the use of the public rights-of-way in the Village is a matter pertaining to the affairs of the Village as provided in Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of (i) the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, including, without limitation, Sections 11-20-5, 11-20-10, 11-42-11, 11-42-11.2, 11-80-1, 11-80-3, 11-80-6, 11-80-7, 11-80-8, 11-80-10, and 11-80-13; (ii) Section 4 of the Telephone Company Act, 220 ILCS 65/4; (iii) the Illinois Highway Code, including, without limitation, Articles 7 and 9 thereof, 605 ILCS 5/1-101 *et seq.*; (iv) the Simplified Municipal Telecommunications Tax Act, 35 ILCS 636/1 *et seq.* and (v) the Cable and Video Competition Law of 2007, 220 ILCS 5/21-100 *et seq.*; and

WHEREAS, this Ordinance makes the standards formerly adopted for construction on, over, above, along, upon, under, across, or within the public right-of-way, and for the use of and repair of the public right-of-way, applicable to all entities regulated by Chapter 17 of the Municipal Code of the Village of Carol Stream and corrects for inconsistencies in the regulation thereof; and

WHEREAS, in the enactment of this ordinance, the Village has considered a variety of standards for construction on, over, above, along, under, across, or within, use of and repair of the public right-of-way, including, but not limited to, the standards relating to Accommodation of Utilities on Right-of-Way of the Illinois State Highway System promulgated by the Illinois Department of Transportation and found at 92 Ill. Adm. Code § 530.10 *et seq.*; and

WHEREAS, the Village hereby finds that it is in the best interest of the Village, the public and the utilities using the public rights-of-way to establish a comprehensive set of construction standards and requirements to achieve various beneficial goals, including, without limitation, enhancing the planning of new utility facilities; minimizing interference with, and damage to, rights-of-way and the streets, sidewalks, and other structures and improvements located in, on, over and above the rights-of-way; and reducing costs and expenses to the public.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Carol Stream as follows:

Section 1. Recitals. The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Amendments. Chapter 17, Telecommunications, of the Municipal Code of the Village of Carol Stream is hereby amended as set forth below:

A. Section 17-3-10, Construction Permits, is hereby amended as follows:

All licensees are required to obtain construction permits for telecommunications facilities as required in ~~Article 7 of this chapter~~ Chapter 12, Article 5, provided, however, that ~~nothing in this article shall prohibit the village and a licensee from agreeing to alternative plan review, permit and construction procedures in a license agreement, provided such alternative procedures provide substantially equivalent safeguards for responsible construction practices.~~

B. Section 17-4-10, Construction Permits, is hereby amended as follows:

All franchisees are required to obtain construction permits for telecommunications facilities as required in ~~Article 7 of this chapter~~ Chapter 12, Article 5, provided, however, that ~~nothing in this article shall prohibit the village and a licensee from agreeing to alternative plan review, permit and construction procedures in a license agreement, provided such alternative procedures provide substantially equivalent safeguards for responsible construction practices.~~

C. Section 17-7-3, Construction Permits, and Article 8, Construction Standards, are hereby stricken in their entirety for the purpose of making the conditions and construction standards applicable to all users of the right-of-way uniform and generally applicable.

Section 3. Effective Date. This Ordinance shall take effect ten (10) days after its passage, approval and publication in pamphlet form.

PASSED this ___ day of _____, 20___, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

APPROVED by me this ___ day of _____, 20___.

Mayor of the Village of Carol Stream,
DuPage County, Illinois

ATTESTED, Filed in my office,
and published in pamphlet form
this ___ day of _____, 20___.

Village Clerk of the Village
of Carol Stream, DuPage County, Illinois

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS
(WHEATON BIBLE CHURCH)**

WHEREAS, the developer has satisfactorily completed all public improvements including water main and sanitary sewer for the Wheaton Bible Church in accordance with the approved engineering plans and specifications; and

WHEREAS, a memorandum from the Village Engineer to the Village Manager dated April 29, 2009 indicates that the final waivers of lien, as-builts, inventories, bill of sale and maintenance security have been provided.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the Village of Carol Stream does hereby accept public improvements for the Wheaton Bible Church.

SECTION 2: This Resolution shall be in full force and effect from and after its passage as provided by law.

PASSED AND APPROVED THIS 4TH DAY OF MAY 2009

AYES:

NAYS:

ABSENT:

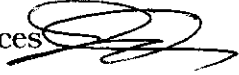
Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

Village of Carol Stream
Interdepartmental Memo

TO: Joseph Breinig, Village Manager

FROM: James T. Knudsen, Director of Engineering Services 

DATE: April 29, 2009

RE: Wheaton Bible Church – Acceptance of Public Improvements,
Water Main & Sanitary Sewer

All the public improvements (water main and sanitary sewer) for the above referenced project have been completed. The as-builts, inventories, bill of sale, final waivers of lien and the maintenance security have all been provided. Therefore, staff recommends final acceptance of the public improvements.

Cc: Al Turner, Director of Public Works
William N. Cleveland, Assistant Village Engineer
Fred Ceranek, Engineering Inspector

AGENDA ITEM
I-2 5-4-09

RESOLUTION NO. _____

**A RESOLUTION RECOGNIZING THE
VILLAGE OF CAROL STREAM CITIZENS CORPS**

WHEREAS, it is recognized that disasters can affect the citizens of Carol Stream; and

WHEREAS, citizens must be educated on actions related to disaster preparedness; and

WHEREAS, it has been documented that citizens can provide valuable support to emergency responders.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the Carol Stream Citizens Corps is hereby recognized as an organization to help carry out these functions.

SECTION 2: That the Carol Stream Police Department and the Carol Stream Emergency Management Agency be authorized to coordinate such activities.

PASSED AND APPROVED THIS 4TH DAY OF MAY 2009.

AYES:

NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

AGENDA ITEM

I-3 5-4-09

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING THE CAROL STREAM CENSUS 2010 COMPLETE COUNT COMMITTEE

WHEREAS, preparations are well underway for conduct a successful count of the entire population of our nation which occurs by law every 10 years; and

WHEREAS, the theme for the 2010 Census is "Its in Our Hands" which serves to underscore the importance for every individual to commit themselves to participating in the upcoming Census so our government at all levels functions well and funding flows to where the needs are the most pressing; and

WHEREAS, billions of dollars in federal funds every year for health, education, transportation, child and elder care, homeland security as well as social and public services for income dependent citizens are allocated based upon the results of the decennial Census; and

WHEREAS, all units of local government, large and small corporations, non-profit agencies, religious organizations as well as businesses of all sizes use official census data to make decisions regarding business investment, job creation, market concentration and development help them perform their respective missions; and

WHEREAS, to this end, communities all across our nation have an essential role in the decennial census effort which is to work to enlist the involvement of the various community groups and interest to create a heightened awareness of the importance of being counted through information and education outreach efforts in the 10 months preceding the official Census day which is scheduled for April 2010; and

WHEREAS, the following local community leaders have agreed to be appointed to serve on the Carol Stream 2010 Census Complete Counts Committee so each and every Carol Stream resident is counted in the upcoming 2010 Census even those considered difficult to enumerate such as those with language barriers, ethnic minorities, seniors, the homeless, college and university students, single parent households, those distrustful of government, those with dual citizenship and those whose citizenship status is in transition include

Robert Douglas, President of the Carol Stream Library Board

Vanessa Roth, Executive Director of the Outreach Community Center

Greg Schwarze, Village Trustee and Employee of the Carol Stream Fire Protection District

Luanne Triolo, Executive Director of the Carol Stream Chamber of Commerce

Kelly Carbon, Community Relations Specialist Carol Stream Park District
Tom Peterson, President of the Carol Stream Ministerium of Churches
Dr. William Shields, Community Consolidated School District 93
Milli Jones, Carol Stream Community Education Center Supervisor (COD)

NOW, THEREFORE, BE IT RESOLVED, THAT THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the Village endorses and fully supports the formation of the Carol Stream 2010 Census Complete Count Committee and pledges its support so their education and outreach efforts to get every Carol Stream resident counted is successful.

SECTION 2: That this resolution be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 4TH DAY OF MAY 2009.

AYES:

NAYS:

ABSENT:

Frank Saverino Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

AGENDA ITEM

J-1 5-4-09

Village of Carol Stream
INTER-DEPARTMENTAL MEMO

TO: Trustees
FROM: Frank Saverino, Sr., Mayor
DATE: April 28, 2009
RE: Fire and Police Commission Reappointment

I offer the following reappointment to the Board of Fire and Police Commissioners for your advice and consent:

John Kauffman, for a three-year term commencing May 1, 2009 and ending April 30, 2012. Mr. Kauffman has been on the Fire and Police Commission since 1979 and is currently Chairman of the Commission.

Your concurrence with this appointment is requested.

cc: John Kauffman

AGENDA ITEM

J-2 5.4.09

Village of Carol Stream **Interdepartmental Memo**

TO: Joseph Breinig, Village Manager

FROM: Terry Davis, Administration Secretary *td*

DATE: April 30, 2009

RE: **Raffle License Request and Waiver of Fees**
COTA (Children's Organ Transplant Association)

The Hope for Jayne Zenker campaign is a group of volunteers organizing fundraisers to raise money to help defray the cost of a liver transplant for Jayne Zenker, a 18-year old Carol Stream resident who has been diagnosed with a rare liver disorder. They are having a bowl-a-thon on May 17, 2009 at Brunswick Zone in Carol Stream at which they would like to sell raffle tickets and also at Corpus Christi Church. Raffle tickets will be sold from May 17 through August 12, 2009. The raffle drawing is scheduled for August 12, 2009 at Zanie's in St. Charles during another fundraiser event they are conducting.

A raffle application has been submitted on behalf of COTA ("Children's Organ Transplant Association"), the recipient of the proceeds of the raffle for the benefit of Jayne Zenker for expenses of a liver transplant.

Kirby Williams, Campaign Coordinator, has requested a waiver of the raffle fee and waiver of the Manager's Fidelity Bond in connection with this application. His letter request is attached for your review along with documentation regarding their fundraiser event and information about COTA.

The Raffle License Application is available in the Clerk's office for your review.

Please place this on the agenda for the Village Board Meeting for May 4, 2009 for the Board's review and consideration. Thank you.

td
Attachments

Mr. Mayor and Honorable Trustees:

My name is Kirby Williams. My wife Laura and I have lived in Carol Stream for the past sixteen years, and all four of our children have grown up within the community. In 2006 I completed the Citizens Police Academy program and became one of the founding members of the CPA Alumni association. I have been a board member ever since.

Within the community you can find me active in numerous things. During the spring and fall you can often catch me at one of the many Carol Stream parks. If I am not coaching the softball team, I am there to assist the coaches or to just cheer on one of my children. I am a parishioner at Corpus Christi church where I teach both first graders and eighth graders religious education and I am also the Deputy Grand Knight for our chapter of the Knights of Columbus.

Last year the Zenker family, of Carols Stream, asked me to be the Chairperson on the fund raising efforts, through an organization called Children's Organ Transplant Association (COTA). The Zenker's teenage daughter became seriously ill in 2007 and after numerous operations and many many hospital stays, it was determined that Jayne needed a liver transplant. The COTA organization assists in raising funds to cover the many expenses that the patient and family incur that are not covered by the normal health insurance. The goal of our group, COTA for Jayne, is to raise \$60,000 to assist the family in covering these expenses. We have undertaken several different fundraising events so far including No-Cook nights at area restaurants, Pajama day at Benjamin School, an E-bay fundraising auction, just to name a few.

The COTA for Jayne group and myself would sincerely appreciate the waiver of any fees associated with obtaining the necessary license/permits to run our event. While we can certainly appreciate that the fees the village receives is instrumental in the continued operations of our fine village, we would appreciate keeping all funds raised towards assisting Jayne and her family through this very difficult journey they are on.

Your consideration is greatly appreciated.

Yours,



Kirby P. Williams

*We ALSO ASK for the waiver of the managers Fidelity Bond
Regarding this event.
THANKS*

Children's Organ Transplant Association

HOPE for Jayne Zentker



BOWL-A-THON

SUNDAY, MAY 17, 2009

2:00-5:00 PM

BRUNSWICK ZONE

170 W. NORTH AVE., CAROL STREAM, IL

TICKETS ARE:

‡40 - FAMILY OF 4

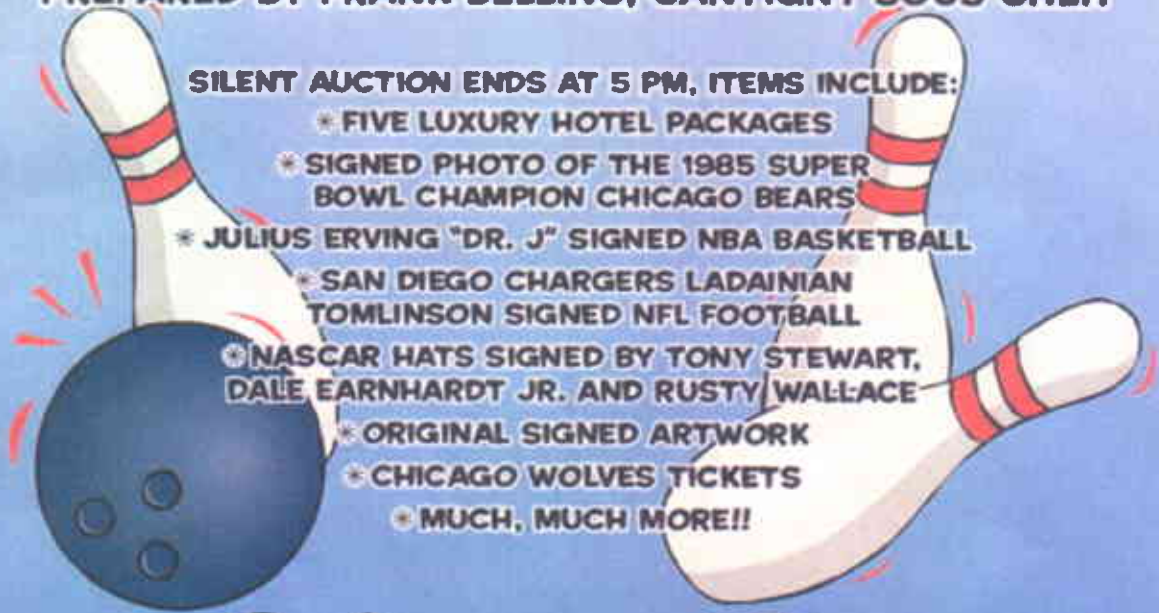
‡15 - SINGLE TICKET

‡10 - SINGLE TICKET 18 & UNDER

**INCLUDES: SHOES, BOWLING AND PASTA MEAL
PREPARED BY FRANK BELLINO, CANTIGNY SOUS CHEF.**

SILENT AUCTION ENDS AT 5 PM. ITEMS INCLUDE:

- * FIVE LUXURY HOTEL PACKAGES
- * SIGNED PHOTO OF THE 1985 SUPER BOWL CHAMPION CHICAGO BEARS
- * JULIUS ERVING "DR. J" SIGNED NBA BASKETBALL
- * SAN DIEGO CHARGERS LADAINIAN TOMLINSON SIGNED NFL FOOTBALL
- * NASCAR HATS SIGNED BY TONY STEWART, DALE EARNHARDT JR. AND RUSTY WALLACE
- * ORIGINAL SIGNED ARTWORK
- * CHICAGO WOLVES TICKETS
- * MUCH, MUCH MORE!!



For Information and Tickets

www.COTAforJayneZ.com

Kirby Williams, COTA For Jayne Z campaign coordinator Ph: 630.736.1006

Janice Youngwith, COTA for Jayne Z PR coordinator Ph: 630.260.0761

Maria Panopoulos, COTA for Jayne Z volunteer Ph: 630.372.1938

Giving Hope Making Miracles!

Children's Organ Transplant Association®

2501 COTA Drive · Bloomington, Indiana 47403

800.366.2682 · www.cota.org · cota@cota.org

Will You Help Make A Miracle For A Teen?

Eighteen-year-old Jayne Zenker needs a life-saving liver transplant. Jayne is the daughter of Mike and Ellen Zenker and lives in Carol Stream, Illinois. She has been diagnosed with hepatocellular adenoma, a very rare liver disorder affecting only one in two million people.



Doctors at Children's Memorial Medical Center, Chicago, where she has been treated since February 2007, recommend a life-saving liver transplant. An estimated \$60,000 is being raised by Carol Stream-area volunteers to help with transplant expenses.

Jayne's family is working with the Children's Organ Transplant Association to organize volunteers who are needed to help this miracle unfold. If you can sell event tickets, find auction items, put a coin canister in your workplace, organize an event or make a donation, we need you! Call campaign coordinator Kirby Williams at 630-736-1006 for information or to get involved.

Donations may be made at any Chase Bank branch location using account number 2917124667 or mailed to the Children's Organ Transplant Association, 2501 West COTA Dr., Bloomington, Indiana 47403. Checks or money orders should be made payable to COTA with "In Honor of Jayne Zenker" written in the memo line of the check. Secure credit card donations are accepted online at www.COTAforJayneZ.com.

Jayne's family has asked for assistance from the Children's Organ Transplant Association. The organization's priority is to assure that no child is denied a transplant or excluded from the transplant waiting list due to a lack of funds. One hundred percent of all funds raised are used for patient's transplant-related expenses.

VILLAGE OF CAROL STREAM SCHEDULE OF BILLS

MAY 4, 2009

AGENDA ITEM
K-1 5-4-09

<u>VENDOR NAME</u>	<u>AMOUNT</u>	<u>ACCT #</u>	<u>ACCT DESCRIPTION</u>	<u>INVOICE</u>	<u>PO NUMBER</u>
ALEXIS FIRE EQUIPMENT CO					
MODIFY DONATED AMBULANCE	11,435.00	01560000 54412	OTHER EQUIPMENT	RE218F-IN	
	11,435.00				
AMANDA LARSEN					
MEALS PER DIEM ILL LAW ENFR ME	77.00	01662400 52223	TRAINING	MAY 6TH THRU 7	
	77.00				
AMERICAN ENVIRONMENTAL COMFORT					
REPAIR AC UNIT AT VLG HALL	700.00	01680000 52244	MAINTENANCE & REPAIR	603583	
	700.00				
ANN STEWART					
MOTHERS' DAY PERFORMANCE	600.00	01750000 52291	MISC EVENTS/ACTIVITIES	MAY 9 2009	
	600.00				
B & F TECHNICAL CODE					
BUILDING CONSULTANT FEES	895.50	01643700 52253	CONSULTANT	30027	20090086
BUILDING CONSULTANT FEES	2,423.61	01643700 52253	CONSULTANT	30034	20090086
REVIEW OF CURRENT CODE/PEER I	5,500.00	01641900 52253	CONSULTANT	28769	20080145
	8,819.11				
BAXTER & WOODMAN INC					
ENGINEERING SERVICES	1,800.06	04200100 54480	CONSTRUCTION	0142662	20080146
	1,800.06				
BRIAN COOPER					
MEALS PER DIEM IL LAW ENFR MEN	77.00	01662700 52223	TRAINING	05/06/09-05/07/09	
	77.00				
CAROL NICKLES					
MEALS PER DIEM IL LAW ENFRC ME	77.00	01662400 52223	TRAINING	05/06-7	
	77.00				

<u>VENDOR NAME</u>	<u>AMOUNT</u>	<u>ACCT #</u>	<u>ACCT DESCRIPTION</u>	<u>INVOICE</u>	<u>PO NUMBER</u>
PERMIT FEE FOR VILLAGE 4TH OF J	50.00	01 13010	PRE-PAID ITEMS	JULY 4 2009 PERMIT	
	50.00				
DUPAGE COUNTY ANIMAL CARE & CONTROL					
ANIMAL CONTROL FEES	140.00	01662700 52249	ANIMAL CONTROL	197 14393	20090076
	140.00				
DUPAGE MAYORS AND MANAGERS CONFERENC					
MEETING APRIL 15TH BREINIG	35.00	01590000 52222	MEETINGS	5713	
	35.00				
DUPAGE TOPSOIL INC					
DIRT	49.00	01670400 53317	OPERATING SUPPLIES	028632	
DIRT	50.00	01670400 53317	OPERATING SUPPLIES	028691	
	99.00				
ELEVATOR INSPECTION SERVICES					
INSPECTION PERFORMED ON FEB 2	75.00	01680000 52244	MAINTENANCE & REPAIR	24616	
	75.00				
EXELON ENERGY INC					
SERV FOR 3/23 THRU 4/21	3,047.90	04201600 52248	ELECTRICITY	3054113024 4	
SERV FROM 3/25 THRU 04/22	2,546.47	04201600 52248	ELECTRICITY	3963097040 4	
SERV'S FROM MARCH 13- APRIL 13	348.84	04101500 52248	ELECTRICITY	0111013079 3	
	5,943.21				
HEALY ASPHALT COMPANY LLC					
ASPHALT	524.88	06320000 53345	STREET SUPPLIES	17100MB	
	524.88				
I P A C					
2009 MEMBERSHIP DUES	50.00	01660100 52234	DUES & SUBSCRIPTIONS	2009 MEMBERSHIP D	
	50.00				
ILLINOIS DEPT OF PUBLIC HEALTH					
PLUMBING CODE BOOKS	80.00	01643700 53318	REFERENCE MATERIALS	2 CODE BOOKS	
	80.00				
JOHN JUNGERS					
MEALS PER DIEM ILL LAW ENFR ME	77.00	01660100 52223	TRAINING	MAY 6TH THRU 7TH	

<u>VENDOR NAME</u>	<u>AMOUNT</u>	<u>ACCT #</u>	<u>ACCT DESCRIPTION</u>	<u>INVOICE</u>	<u>PO NUMBER</u>
LAW OFFICES OF JOHN L FIOTI	77.00				
ATLE -HEARING APRIL 9	112.50	01662300 52310	ATLE LEGAL ADJUDICATION	C S 5	
	112.50				
MIDCO					
NETWORK ISSUES WRC PHONE SY:	95.00	01680000 52244	MAINTENANCE & REPAIR	218748	
REPLACED HANDSET AT PUBLIC WK	95.00	01680000 52244	MAINTENANCE & REPAIR	219379	
REPLACEMENT PHONE	95.00	01680000 52244	MAINTENANCE & REPAIR	219933	
WK DOWN AT 245 KUHN AT&T LINE	95.00	01680000 52244	MAINTENANCE & REPAIR	220666	
WORK DONE ON PHONE UPSTAIRS-	95.00	01680000 52244	MAINTENANCE & REPAIR	220676	
	475.00				
MIDWEST THARPE OF IL					
BADGE FOR ANTHONY MANZZULLO	16.47	01520000 53314	OFFICE SUPPLIES	20904	
	16.47				
MORONI & HANDLEY					
PROSECUTORS SERV'S MARCH 200	2,740.00	01570000 52311	PROSECUTION CODE ENFORCM	MARCH 2009	
	2,740.00				
NORM STURM					
SCHOOL FROM JAN 12 THRU APRIL	910.00	01560000 52223	TRAINING	TUITION REIMB	
	910.00				
OKEH ELECTRIC COMPANY					
SYSTEM MTC & REPAIR PUMP #3 KL	1,170.00	04201600 52244	MAINTENANCE & REPAIR	9125	
	1,170.00				
OMI					
FOR DESIGN & BUILD PROJECT FOF	29,367.58	04100100 54480	CONSTRUCTION	44726	20080200
	29,367.58				
RICH GARZA					
MEALS PER DIEM ILL LAW ENFR ME	77.00	01664700 52223	TRAINING	MAY 6 THRU 7	
	77.00				
RIVIERA FINANCE OF TEXAS INC					
HELMETS FOR BIKE RODEO	1,078.30	01664764 53325	COMMUNITY RELATIONS	41426F	

<u>VENDOR NAME</u>	<u>AMOUNT</u>	<u>ACCT #</u>	<u>ACCT DESCRIPTION</u>	<u>INVOICE</u>	<u>PO NUMBER</u>
ROBERT WHITE	1,078.30				
MEALS PER DIEM IL LAW ENFR MEM	77.00	01662700 52223	TRAINING	MAY 6TH THRU 7TH	
	77.00				
SR EMBROIDERY INC					
11 EMBROIDERED ON JACKETS	286.00	01664773 53325	COMMUNITY RELATIONS	109523	
	286.00				
STAN HELGERSON					
DUPAGE M&M SPRINGFIELD DRIVEI	244.20	01610100 53313	AUTO GAS & OIL	REIMB. MILEAGE	
	244.20				
THOMAS F HOWARD JR					
SERVICES FOR APRIL 2009	7,507.50	01570000 52312	PROSECUTION DUI	155	
	7,507.50				
TRANSYSTEMS CORPORATION					
ENGINEERING SERVICES -PHASE 1	10,867.64	11740000 55486	ROADWAY CAPITAL IMPROVEME	9(1594424)	20090015
PHASE III CONSTRUCTION SERVICE	556.23	06320000 54470	STREET RESURFACING	1589507	20090140
	11,423.87				
TRI STAR					
LETTERING FOR OEM VEHICLE	200.00	01560000 54412	OTHER EQUIPMENT	2002	
	200.00				
UNI MAX MANAGEMENT CORP					
JANITORIAL SERV'S VLG & PWKS-AF	655.00	01670100 52276	JANITORIAL SERVICES	2005	
JANITORIAL SERV'S VLG & PWKS-AF	3,695.00	01680000 52276	JANITORIAL SERVICES	2005	
	4,350.00				
US POSTMASTER					
VILLAGE STICKER POSTAGE FOR 20	5,161.18	01 13010	PRE-PAID ITEMS	POSTAGE 2009/10 VE	
	5,161.18				
VILLA PARK OFFICE EQUIPEMENT					
FURNITURE FOR ROLL CALL	8,458.00	01662700 54412	OTHER EQUIPMENT	29798	
	8,458.00				
VILLAGE OF WOODRIDGE					

<u>VENDOR NAME</u>	<u>AMOUNT</u>	<u>ACCT #</u>	<u>ACCT DESCRIPTION</u>	<u>INVOICE</u>	<u>PO NUMBER</u>
BREINIG & SAVERINO -J PERRY'S RE	30.00	01590000 52222	MEETINGS	JOHN PERRY RETIRE	
	<u>30.00</u>				
WATER SYSTEMS INC					
LARGE METER TESTING & REPAIR	5,905.00	04201400 52282	METER MAINTENANCE	04/22/09	20090023
	<u>5,905.00</u>				
YOUNGSTOWN BARREL & DRUM CO					
FREIGHT FOR STORAGE DRUMS	92.02	01643700 53350	SMALL EQUIPMENT EXPENSE	146505	
	<u>92.02</u>				
	<u><u>117,621.15</u></u>				

The preceding list of bills payable totaling \$ 117,621.15 was reviewed and approved for payment.

Approved by:



Joseph E. Breinig – Village Manager

Date: 5/1/09

Authorized by:

Frank Saverino Sr. - Mayor

Beth Melody – Village Clerk

Date: _____

AGENDA ITEM

X-2 5-4-09

ADDENDUM WARRANTS April 21, 2009 thru May 4, 2009

Fund	Check #	Vendor	Description	Amount
General	A C H	Charter One Bank	Payroll April 6, 2009 - April 19 , 2009	465,497.41
Water & Sewer	A C H	Charter One Bank	Payroll April 6, 2009 - April 19 , 2009	39,930.55
General	A C H	Ill Funds	Dupage Water Commission - March 2009	<u>146,456.52</u>
				<u>651,884.48</u>

Approved this _____ day of _____, 2009

By: _____

Frank Saverino, Sr. - Mayor

Beth Melody, Village Clerk