



VILLAGE OF MONTGOMERY

ORDINANCE NO. 1845

**AN ORDINANCE ADOPTING CERTAIN NATIONAL CODES AND AMENDING SECTION 6-13 OF THE
VILLAGE OF MONTGOMERY CODE OF ORDINANCES
(2015 INTERNATIONAL RESIDENTIAL CODE)
VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS**

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS
THIS 25TH DAY OF FEBRUARY, 2019.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES,
ILLINOIS, THIS 25TH DAY OF FEBRUARY, 2019.

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VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS**

BE IT ORDAINED by the Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois as follows:

WHEREAS; the Village of Montgomery (“Village”) is not a home rule municipality within Article VII, Section 6A of the 1970 Constitution of the State of Illinois, and accordingly, acts pursuant to those powers granted to it under 65 ILCS 5/1-1 *et seq.*, and,

WHEREAS; the Board of Trustees of the Village of Montgomery (“Village Board”) finds that the best interest of the Village and the health and welfare of its residents are best served by regulating the construction and maintenance of residential structures within the Village; and,

NOW THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

SECTION ONE: TEXT AMENDMENT

That Chapter 6, Section 6-13 of the Village Code shall be amended to read as follows:

Sec. 6-13. – Residential Code – Adopted.

That certain document, one copy of which is on file in the Village Clerk’s Office, being marked and designated as the 2015 International Residential Code, and all future editions thereof, shall be and is hereby adopted as the Residential Code of the Village of Montgomery, subject to the local amendments set forth herein.

The 2015 International Residential Code is hereby amended as follows:

Section R101.1 Title is hereby amended by replacing “[NAME OF JURISDICTION]” with “the Village of Montgomery.”

Section R102.4 Referenced codes and standards is hereby amended by adding the following sentence: “All references to the International Plumbing Code shall be deemed to mean the State of Illinois Plumbing Code.”

Section R105.2 Work exempt from permit is hereby amended by entirely deleting items numbered Building: 1, 2, 3, 4, 5, 9 and 10.

Section R 105.2.3 Public service agencies shall be deleted in its entirety.

Section R105.7 Placement of permit shall be deleted in its entirety and replaced with “The building permit placard shall be posted on the site of the work and be visible from the street until such time as a certificate of occupancy permit has been issued, or a final inspection has been performed and approved.”

Section R109.1.1 Foundation inspection. Delete from the last sentence the wording “and special requirements for wood foundations.”

Section 109.1.1.2 is hereby amended by adding the following section:

Survey. Upon completion of the foundation walls and any structural elements which are necessarily part of the construction of the foundation walls, and before proceeding with further construction, the applicant shall file a survey prepared, signed, and sealed by an Illinois professional land surveyor, showing the location of the structure and the elevation of the top of the foundation walls at all four corners, or the average top of foundation for which a permit has been issued. At completion of the project an As-Built survey shall be submitted, signed, and sealed by an Illinois licensed engineer for approval.

Section R112.1 – General shall be deleted in its entirety and and replaced with: “In order to hear and decide appeals of orders, decisions or determinations made by the Chief Code Official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The Village of Montgomery Board shall be the board of appeals. The building 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 be appointed by the governing body and shall hold office at its pleasure.

Section R112.3 Qualifications is hereby amended by deleting the entire section.

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDER-LAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	SPEED (MPH)	TOPOGRAPHIC EFFECTS	SPECIAL WIND REGIONS	WIND-BORNE DEBRIS ZONE		WEATHERING	FROST LINE DEPTH	TERMITE					
25	115	NO	NO	NO	B	SEVERE	42"	MODERATE TO HEAVY	-4	YES	LOCAL/COUNTY ORDINANCE	2000	50

Section R301.2.4 Floodplain construction is hereby amended by adding the following: “the Kane County Storm Water Ordinance, FEMA, Village of Montgomery Flood Plain Ordinance, and all applicable federal, state, and locally adopted flood plain ordinances.”

Section R302.2 Townhomes is hereby amended by replacing “Common walls separating townhouses shall be assigned a fire-resistance rating in accordance with Section R302.2, Item 1 or 2” with “Common walls separating townhouses shall be not less than 2-hour fire-resistance-rated

wall assembly tested in accordance with ASTM E 119 or UL 263” and entirely deleting Items 1 and 2.

Section R302.3 Two-family dwellings is hereby amended by replacing “1-hour fire-resistance rating” with “2-hour fire-resistance rating” and deleting exceptions 1 and 2 in their entirety.

Section R302.6 Dwelling-garage fire separation is hereby amended by deleting “The wall separation provisions of Table R702.6 shall not apply to garage walls that are perpendicular to the adjacent dwelling unit wall” and adding the following sentence: “All gypsum board applied to the garage side shall be taped with a minimum one coat of approved joint tape and compound.”

Table R302.6 Dwelling-Garage Separation is hereby amended by replacing all references to “1/2 inch gypsum board” with “5/8 inch type X gypsum board” and replacing “3 feet” with “10 feet.”

Section R303.3 Bathrooms is hereby amended by entirely deleting the exception and replacing with “Exception: The glazed area shall not be required where artificial light and mechanical ventilation systems are provided. The minimum ventilation rates shall be 50 cfm for intermittent ventilation of 20 cfm for continuous ventilation. Ventilation air from the space shall be exhausted directly to the exterior of the structure by means of either the soffit area with an approved connection to the soffit or through the roof with an insulated (R-3) duct and approved roof fitting.”

Section R309.5 Fire Sprinklers shall be deleted in its entirety.

Section R310.2.2 Window sill height is hereby amended by adding the following sentence: “All emergency escape and rescue windows provided as a means of egress from a basement or a basement bedroom shall have a sill height of not more than 36 inches above the floor.”

Section R310.2.3.1 Ladder and steps is hereby amended by replacing “44 inches” with “36 inches.”

Section R212 Automatic fire sprinkler system shall be deleted in its entirety.

Section R314.1 General is hereby amended by adding “and the Illinois Smoke Detector Act (425 ILCS 60/).”

Section R315.1 General is hereby amended by adding “and the Illinois Carbon Monoxide Alarm Detector Act (430 ILCS 135/).”

Section R322.1 General is hereby amended by adding the following: “the Kane County Storm Water Ordinance, FEMA, Village of Montgomery Flood Plain Ordinance, and all applicable federal, state, and locally adopted flood plain ordinances.”

Section R326 Swimming pools, spas, and hot tubs shall be deleted in its entirety.

Section R401.1 Application shall be deleted in its entirety and replaced with: “The provisions of this chapter shall control the design and construction of the foundation and foundation spaces of all buildings and structures. Wood foundations are prohibited.”

Section R402.1 Wood foundations and all subsections shall be deleted in their entirety.

Section R403.1 General is hereby amended by deleting the words “wood foundations” in the first sentence.

Section R403.2 Footings for wood foundations shall be deleted in its entirety.

Section R404.2 Wood foundation walls and all subsections shall be deleted in their entirety.

Table R404.2.3 Plywood grade and thickness for wood foundation construction shall be deleted in its entirety.

Section R405.1 Foundation drainage is hereby amended by deleting the exception.

Section R405.2 Wood foundations and all subsections shall be deleted in their entirety.

Section R406.3 Dampproofing for wood foundations and all subsections shall be deleted in their entirety.

Section R408 Under-floor space is hereby amended by adding the following subsection:

R408.8 Crawl space floor. In all crawl space areas, a minimum of a 2-inch thick slush coat of poured concrete shall be installed over a minimum of 4-inches of stone in the crawl space, with a minimum of a six (6) mil thick polyethylene film moisture barrier with all joints lapped a minimum of 6-inches.

Section 504 Pressure preserved treated wood floors (on ground) shall be deleted in its entirety.

Section R506.1 General is hereby amended by replacing “3.5 inches” with “4 inches” and adding the following sentence: “Concrete slab on-ground floors for garage floors shall include a minimum of 6x6-10x10 welded wire fabric embedded in the mid cross section of the slab or fiber mesh reinforcing.”

Chapter 11 Energy efficiency shall be deleted in its entirety and replaced with: “The Energy Conservation Code most currently adopted by the State of Illinois and any adopted Village of Montgomery amendments.”

Part VIII Electrical shall be deleted in its entirety and replaced with: Reference Chapter 7, Section 7-1 of the Village of Montgomery Code of Ordinances for specific electrical codes.

Chapters 25 through 32 Plumbing shall be deleted in their entirety and replaced with “The Plumbing Code most currently adopted by the State of Illinois and any adopted Village of Montgomery amendments.”

(Ord. No. 947, § 4, 4-23-01; Ord. No. 1285, § 1, 9-11-06; Ord. No. 1479, § 6, 11-22-10)

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

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

PASSED AND APPROVED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois this 25th day of February, 2019.



Matthew Brolley
President of the Board of Trustees of the Village of Montgomery

ATTEST:


Penny FitzPatrick
Village Clerk of the Village of Montgomery



	Aye	Nay	Absent	Abstain
Trustee Stan Bond	<u>vacant</u>			
Trustee Pete Heinz	—	—	✓	—
Trustee Steve Jungermann	✓	—	—	—
Trustee Denny Lee	✓	—	—	—
Trustee Doug Marecek	✓	—	—	—
Trustee Theresa Sperling	✓	—	—	—
Village President Matthew Brolley	<u>No vote cast</u>			