CITY OF URBANA
BUILDING SAFETY CODE BOARD OF APPEALS

DATE: Tuesday, October 27, 2026
TIME: 4:00 PM
PLACE: 400 South Vine Street, Urbana, IL 61801

AGENDA

A. Call to Order

B. Approval of Minutes

Approval of Minutes from August 25, 2026

C. Old Business

D. New Business

BSCBA 26-A-02; LaCrecha Smith, owner. Appeal of R-305.1 Minimum ceiling height and 310.1 Emergency escape and rescue opening required, of the International Residential Code as it applies to a basement remodel at 602 Burkwood Ct.

E. Public Input

F. Adjournment

CITY OF URBANA
BUILDING SAFETY CODE BOARD OF APPEALS
TUESDAY, AUGUST 25, 2026

MEMBERS PRESENT: Brad Houk, Gary Burgett, David Huber, Brian Madsen

STAFF PRESENT: Nick Hanson and Mike Frank

OTHERS PRESENT: Adam Rebholz

CALL TO ORDER:
The meeting was called to order by Gary Burgett at 4:00 p.m.

APPROVAL OF MINUTES:
Mr. Burgett introduced the members of the board and made a motion to approve the minutes of the meeting held Wednesday, May 2, 2024. Brad Houk seconded the motion. All agreed and the minutes were approved.

OLD BUSINESS: There was no old business to discuss

NEW BUSINESS: Mr. Burgett stated the appeal case to be heard was BSCBA-26-A-01, an appeal of the IRC R405.1 regarding foundation drainage at 3020 Beringer Circle, then turned it over to staff.

Mr. Frank said that they were called by a realtor to investigate a potential water problem in a basement at 3020 Beringer Circle. Staff went out and noted that there was some water in the basement and told the realtor to contact the contractor as the house was currently under construction. Staff was then contacted by the prospective home buyer because of moisture issues that were still there. An email was sent to Signature Homes stating that we did see moisture and could they look into that. Months later we were again contacted by the home buyer about the moisture issues and we again reached out to Signature Homes stating that as it was still under construction, it was still on the contractor to try to find a solution. We had multiple conversations on the phone with Signature Homes trying to find out what their plan was going forward. It came about that there might be a problem with the drain tiles around the property so we contacted Signature Homes to find out how they were installed; and what method was used. They gave us the manufacturer's information and what tile was used on there. Staff asked if there was a filter membrane installed on the tile. At the time it was unknown. Staff requested that the tile be dug up so we could verify if it had a filter membrane. There was an area dug up the office was not called to verify. Staff reached out again to Signature Homes and said staff wanted to be there on site to view this in person. It was then stated that the filter membrane was not there. In our opinion and according to the code, it does not meet the minimum code requirements.

Mr. Frank included visuals of Section R405.1 of the 2021 International Residential Code, the commentary section and sections he got from the manufacturer.

Mr. Huber asked if there was a sleeved tile, would a membrane still be required? Mr. Frank stated that the sleeve would actually be the membrane. Mr. Madsen asked Mr. Frank if, when he contacted the manufacturer, did they give him any recommendations on where this would apply that you would not need a membrane. Mr. Frank said that they stated that they would not recommend not putting this on there.

Mr. Houk asked to have them put the IRC Code section back up to see what the exception was. Mr. Frank stated that was on soil condition, which is something we are not qualified to answer on. Mr. Huber asked for clarification on the system that was being used. Mr. Frank said it was perforated pipe.

Mr. Frank said at that time, we were not doing this type of inspection, but we are now.

Mr. Madsen asked if the moisture problem was resolved. Mr. Rebholz said it was originally from the sump pump losing power and then condensation and that air conditioning seemed to have fixed the problem.

Mr. Rebholz stated that what they want is an approved system that gets rid of all the water from the outside. They have a system that has tile on the inside and outside and feel they go above and beyond the code. A discussion followed on what was installed. They went through the code book and saw that they approved was in italics but there wasn't any link so they reached out to a civil engineer and explained our system. The engineer was able to take a look at that, put a stamp on it and say he would approve it. He went through the manufacturer's Prisco's site and said they have two different products, one with a sleeve and one without. A discussion followed regarding Prisco's section. Mr. Rebohz stated that they system they put in is that their system is above and beyond the minimum code requirement and digging up around the entire foundation to put the filter membrane in would do more harm than good.

Mr. Houk asked Mr. Frank if there was a simpler solution to get them out of the problem. Do they have to put the geo textile fabric all the way down to the pipe or could it go down to the top of the gravel and lay it around the foundation. Mr. Rebholz said that would still require them to dig down 8 foot.

Mr. Frank said the drawing was from the Prinsco's site and shows the sock.

Mr. Hanson said they met Mr. Rebholz on site and said that alternative methods had come up and he stated that we needed that from an Illinois licensed architect or structural engineer because though it is drainage it is foundation drainage and will affect the foundation of the structure. They were able to get a professional engineer, which is not a structural engineer or

an architect. He reiterated that the code requires it, Prinsco requires it, and it was not installed. Though this method may work, it does not meet the code nor the manufacturer's requirements.

Mr. Madsen asked about the pipe. Mr. Hanson said that Mike included in the packet an ICC evaluation for another system for the former drain and they still recommend having the sock on the outside. A discussion followed on the plans that were submitted and approved. And the discussion with Prinsco.

Mr. Huber asked about the procedures regarding this. He then asked the applicant when the permit was issued and when was the foundation set. A discussion followed regarding the timeline and when inspections were done.

Mr Houk asked if there was a dry basement now. Mr. Frank stated he did not know.

Mr. Huber asked about the engineering report and how the determination was made. Mr. Rebholz said they showed him pictures. Mr. Huber asked whether this determination here will make this a new acceptable way to go.

Mr. Hanson discussed this. He stated that the building official can make the determination when there are practical difficulties to grant modifications on an individual basis. In his opinion, there were not practical difficulties; it just wasn't done to the code. It will take labor to correct the issues, but it can be done. He then discussed the code.

Mr. Houk asked about the interior drain tile. Mr. Hanson said that it is not required but he has to assume it is beneficial. A discussion followed with the applicant on the installation of the sump pumps.

Mr Houk asked whether we were worried about just trying to keep the basement dry or whether we were setting a precedent here that could ultimately change the code. Mr. Hanson stated that with this current set up, it could probably keep the basement dry for the next 10 to 15 years. Probably. But what happens to the owner after that when they have to replace the outside tile because it's gotten clogged, which could have been prevented.

Mr. Frank stated that they are just trying to enforce the bare minimum.

Mr. Houk asked whether a fine would be acceptable to prevent them from having to dig. But he does understand that the code was violated.

Mr. Hanson said that the purpose of the board is an interpretation of the code and you can't go against the code so if we agree that is the code and the code was violated and that we don't agree that the two lines meet the intent of the code, that provides the answer. A discussion followed regarding the code and the installation.

Mr. Houk said he was hung up on the exception because it is not clear. Mr. Burgett stated the exception is clear. It would take getting soil samples around the drainage tiles around the perimeter. Mr. Huber said that the soil samples would need to be around the footings.

Mr. Burgett said he sympathizes with Signature Homes and discussed the reasoning for tiles. But that this a minimum and it's there for a purpose.

Mr. Huber asked if they could get a structural engineer or architect. Mr. Rebholz stated that they talked to an architect and a structural engineer and was told that was not their area of expertise. Mr. Huber said it seems that the struggle is whether it's a drainage problem or a structural problem and who would be the party to determine this.

Mr. Huber asked about whether it's a drainage problem or a structural problem. Mr. Hanson discussed his visits to the house and how often the sump pump was running. The house is a lakefront property and doesn't know where the water table sits there. This was an alternative that he gave them to get the opinion of a structural engineer or an architect.

Mr. Madsen asked about the sump system and a discussion followed regarding the sump installation and how the second system could keep sediment out of the system. Mr. Rebholz said it didn't. But that they have additional rock. Mr. Burgett asked if there was any documentation on the drawing. There wasn't any.

Mr. Rebohz stated that they did not want flooded basements. In their opinion, this works. Digging around the foundation to them seems to be solving a problem which they don't consider a problem. He explained how he thought it should work.

Mr. Huber said the filter fabric is so insignificant from a cost prospective that there are no jurisdictions that would amend that requirement out. Mr. Huber asked whether this was an oversight or have you received similar relief from other jurisdictions. The applicant stated that in the other jurisdictions, that when they get the inspections done, they are all ready covered in rock. Mr. Rebohlz stated he didn't know this was the code. And that's what his foundation guy has been doing. A discussion followed on the sleeves.

Mr. Houk stated that Signature was a good contractor and Anderson are good contractors but that it looks like a code violation.

Mr. Hanson said the code clearly reads where there a practical difficulties. This isn't because it couldn't be done or can't be done. It was an oversight.

Mr. Frank stated that Prinsco's engineer stated it should be done.

Mr. Huber stated that this document is difficult and asked Mr. Burgett as an architect how he would review this.

Mr. Burgett stated that he would have contacted a structural engineer. It's more in their ballpark, as they would look more on what effect this would have on the structure.

Mr. Madsen said this was a code violation and that they were given an out to contact a structure engineer to make the case that this method supersedes the code and that this is better and he doesn't feel the applicant has done that.

Mr. Huber said the question is whether the filter membrane is required to be installed. The board is not here to evaluate soil conditions, etc.

Mr. Hanson explained what they were voting on.

Mr. Burgett asked for a motion.

Mr Houk asked the applicant. that before a motion was made, if the applicant came back with something from a structural engineer opinion, could it be tabled until then. Mr. Rebholz said he could try. Mr. Houk said we are worried about the structure. Mr. Rebholz said in his opinion this works. Mr. Houk said that if he wanted a ruling today, it would probably not be in his favor. Mr. Huber asked what would give us confidence that this method is better. A discussion followed on what type of engineer. Mr. Hanson stated it requires a design professional. And what each does. It was a discussion on site to provide something to review. Not necessarily that we would accept that but it must state that it meets the intent of the code. Was it not possible to do it to the minimum of the code? It is still missing the membrane.

Mr. Huber asked what would be sufficient if it was tabled. Mr. Madsen stated that the only thing that he could see is if they could show how this membrane is not required. Other than that, there are no other exceptions.

Mr Burgett would like to give them the leeway to talk to an architect, but this has been going on for awhile. A discussion followed. Mr. Frank discussed the ICC evaluation. Mr. Hanson said they cannot do a final inspection until there is a verdict.

A discussion followed on Prinsco's website and installations and their determination.

Mr. Houk discussed inspections. Mr. Hanson stated that they have increased inspections. Mr. Hanson said there is a motion on the floor to table it until they get a structural engineer. Mr. Huber asked Mr. Rebholz whether he could get a structural engineer and he said that he's fairly confident that he has explored all that before and that this was a last case scenario and he can't imagine there's anybody who would return his phone calls or emails and say yeah,

we'd be happy to do this. That avenue is exhausted.

Mr. Houk withdrew his motion to table it. He sympathized with the contractor and wished there were other options.

Mr. Madsen moved that the appeal of case #BSCBA26-A-01 not be granted.

Mr. Houk seconded that

Mr. Burgett took a vote. Four in favor of the appeal to be denied.

A discussion followed regarding electing a chair. The board discussed this and stated that they would like to wait until the other board members have been filled.

Gary Burgett made a motion to adjourn the meeting. Brian Madsen seconded it.

ADJOURNMENT:

The meeting was adjourned at 5:37 p.m.

Respectfully submitted,

Vivian Petrotte

BSCBA:vp

CITY OF URBANA
UNIFORM APPEAL APPLICATION

TO: **CHAIRMAN** (X) **BUILDING SAFETY CODES BOARD OF APPEALS**
BOARD OF APPEALS
400 S. VINE STREET
Urbana, IL 61801

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DATE FILED: _____ **APPEAL APPLICATION NO.** _____

DATE SET FOR HEARING: _____ **DATE HEARING HELD:** _____

NOTICE TO NEWS MEDIA: _____ **DATE:** _____

FEE PAID - RECEIPT NO.: _____ **AMOUNT: $**_____ **DATE:** _____

COMMENTS: **(INDICATE OTHER ACTIONS SUCH AS CONTINUANCES.)**

_____

_____

_____

ACTION BY BOARD ON APPEAL: _____
(GRANTED, DENIED, OTHER)

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APPEAL IS TAKEN FROM THE ENFORCING OFFICER'S DECISION, A COPY OF WHICH IS ATTACHED, FOR A REVERSAL OR MODIFICATION OF SAID DECISION IN CONFORMITY WITH THE DISCRETIONARY POWERS OF THE BOARD TO PERMIT THE _____
(INSERT INSTALLATION OR CONSTRUCTION PROPOSED OR REQUIRED NOTICE.)

continued code-compliant basement remodel/use under Permit 53027678, with reversal or
modification of the bathroom ceiling-height determination and the basement lounge
sleeping-use/emergency-egress determination, as stated in the attached appeal record.

ON THE PROPERTY DESCRIBED BELOW.
LOCATION: 602 E. Burkwood Ct., Urbana, IL 61801
(STREET AND NUMBER)

PRESENT OR PROPOSED USE: Residence - existing single-family residence / basement remodel
(VACANT, RESIDENCE, GROCERY, FACTORY, ETC.)

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ACTIONS BY APPLICANT ON PROPERTY

PERMIT APPLIED FOR AND DENIED ( ) YES ( )X NO DATE APPLICATION: Permit 53027678

A PREVIOUS APPEAL WAS _____ WAS NOT _____X_ MADE WITH RESPECT TO THESE PREMISES.

IN THE EVENT THIS APPEAL IS DENIED, AN ACCOMPANYING APPLICATION FOR REQUEST FOR VARIANCE IS ATTACHED. ( ) YES ( )X NO .

==========

DATA ON APPLICANT AND OWNER

NAME OF APPLICANT (S): LaCrecha N. Smith

ADDRESS OF APPLICANT (S): 602 E. Burkwood Ct., Urbana, IL 61801

PROPERTY INTEREST OF APPLICANT (S): Owner

(OWNER, CONTRACT PURCHASER, ETC.)

NAME OF OWNER (S): LaCrecha N. Smith

ADDRESS OF OWNER (S): 602 E. Burkwood Ct., Urbana, IL 61801

==========

1. THE SPECIFIC DECISION APPEALED FROM IS:

Two related Building Safety determinations under Permit 53027678: (1) the August 25, 2026 R305.1 bathroom ceiling-height determination as applied to the remaining general bathroom condition after the shower passed; and (2) the determination/restriction that the pre-existing basement lounge may not be used for sleeping because of emergency escape/rescue-opening requirements. See attached Addendum and Consolidated Appeal.

2. THE DECISION APPEALED FROM WAS INCONSISTENT WITH THE FOLLOWING SECTIONS OF THE CODE OF THE CITY OF URBANA, ILLINOIS. (NOTE: IDENTIFY EACH SECTION BY NUMBER AND QUOTE THE RELEVANT LANGUAGE OF EACH. IF YOU NEED MORE ROOM, INSERT ADDITIONAL PAGES BETWEEN THIS SHEET AND THE NEXT.)

See attached ADDENDUM TO ITEMS 2 AND 3 and Consolidated Appeal / Supporting Record.

3. I BELIEVE THE DECISION APPEALED FROM WAS INCONSISTENT WITH THE ABOVE DESCRIBED SECTION(S) FOR THE FOLLOWING SPECIFIC REASON(S): (NOTE: HERE, BRIEFLY STATE THE SPECIFIC FACTS AND ARGUMENTS IN SUPPORT OF YOUR POSITION.)

See attached ADDENDUM TO ITEMS 2 AND 3 and the signed Consolidated Appeal / Supporting Record. The appeal seeks correct application of the adopted Code, not a waiver.

(PLEASE ATTACH ANY PLANS OR OTHER EXHIBITS WHICH WOULD HELP THE BOARD DECIDE THIS CASE.)

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WHEREFORE, PETITIONER PRAYS THAT THIS PETITION BE HEARD BY THE BOARD OF APPEALS AND THE DECISION OF THE CODE OFFICIAL BE REVIEWED ON THE BASIS OF ITS MERITS.

RESPECTFULLY SUBMITTED THIS 8th **DAY OF** September**, A.D., 20**26**.**

APPLICANT'S SIGNATURE

440-821-7244

APPLICANT'S TELEPHONE NUMBER

TO BE FILED WITH:

ADMINISTRATIVE SECRETARY TO THE BOARD

COMMUNITY DEVELOPMENT SERVICES
400 S. VINE STREET
URBANA, IL 61801

ADDENDUM TO CITY OF URBANA UNIFORM APPEAL APPLICATION

Property: 602 E. Burkwood Ct., Urbana, Illinois 61801 **Permit:** 53027678

Applicant/Owner: LaCrecha N. Smith

ITEM 2 - CODE SECTIONS / RELEVANT LANGUAGE

Issue I - Bathroom: 2021 IRC R305.1. The City's August 25, 2026 determination states that R305.1 establishes a 6-foot-8-inch (80-inch) minimum for bathrooms, toilet rooms and laundry rooms. The same determination describes Exception 3 as permitting "beams, girders, ducts, or other obstructions in basements containing habitable space to project to within 6 feet 4 inches of the finished floor." The appeal concerns the correct application of Exception 3 to the remaining general-bathroom locations after the shower passed inspection.

Issue II - Existing basement lounge / sleeping use / emergency escape and rescue opening. City communications and the permit record have treated the lounge as not designated for sleeping because the existing 32-inch by 18-inch basement window was considered not to meet emergency-egress requirements. The City has cited 2021 IRC R310 provisions in connection with the sleeping-area determination. The appeal specifically requests identification and application of the precise Urbana-adopted provisions governing an existing basement room/remodel, including any applicable existing-building or locally amended R310 provisions. The applicant does not represent that the real-estate marketing floor plan constitutes municipal bedroom approval.

The complete City determination, permit record, plans, photographs, chronology and requested findings are attached in the Consolidated Appeal / Supporting Record and are incorporated into this application.

ITEM 3 - SPECIFIC FACTS AND ARGUMENTS

Bathroom. Ceiling-height information was disclosed during permitting. The bathroom was repeatedly identified at approximately 82.2 inches before drywall; after the City raised R305.1, the owner corrected the reported height to 6 feet 9 inches. The City's August 25 determination states that the original concrete floor provided sufficient clearance and that later topping/material reduced finished clearance. The shower has since passed inspection. The remaining question is whether qualifying ducts or other permanent obstructions affecting general-bathroom locations must be evaluated under R305.1 Exception 3. The applicant requests point-by-point application of the Code and, for any remaining noncompliant point, identification of the measurement, overhead condition, controlling provision and minimum correction required.

Lounge. The disputed basement room pre-existed Permit 53027678. Pre-remodel photographs show an established room with a suspended/drop ceiling, recessed lighting, walls, electrical service and exercise use. Construction photographs show that the prior ceiling was removed, exposing pre-existing framing, ducts, wiring and building services, and a drywall ceiling was installed. The March permit record identifies the room as a seating/TV lounge with a 7-foot ceiling and an existing 32-inch by 18-inch window and states that it was not designated as a bedroom because the window did not meet egress requirements. The owner acknowledges that notation and does not claim plan approval waived the Code.

The owner asks the Board to determine which adopted provisions govern sleeping use of this pre-existing room and which emergency escape/rescue-opening requirements apply to this existing basement/remodel condition; to identify the actual feature of the existing window that fails, if any (including clear opening width, clear opening height, net clear opening area and sill height as applicable); and, if correction is required, to identify the minimum code-compliant correction necessary. The bed has been removed pending determination.

Relief requested. Reverse or modify the appealed determinations to the extent they result from an incorrect or incomplete application of the adopted Code to the documented existing/remodeled conditions. No waiver of a life-safety requirement is requested.

CITY OF URBANA UNIFORM APPEAL APPLICATION

TO: **CHAIRMAN**
BOARD OF APPEALS
400 S. VINE STREET
URBANA, IL 61801

(X) BUILDING SAFETY CODES BOARD OF APPEALS

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DATE SET FOR HEARING: _____ **DATE HEARING HELD:** _____

NOTICE TO NEWS MEDIA: _____ **DATE:** _____

FEE PAID - RECEIPT NO.: _____ **AMOUNT: $** **DATE:**

COMMENTS: (INDICATE OTHER ACTIONS SUCH AS CONTINUANCES.)

ACTION BY BOARD ON APPEAL: (GRANTED, DENIED, OTHER)

APPEAL IS TAKEN FROM THE ENFORCING OFFICER'S DECISION, A COPY OF WHICH IS ATTACHED, FOR A REVERSAL OR MODIFICATION OF SAID DECISION IN CONFORMITY WITH THE DISCRETIONARY POWERS OF THE BOARD TO PERMIT THE:

application of the Urbana-adopted existing-building / basement-remodel emergency escape and rescue opening provisions to the pre-existing basement lounge, so lawful sleeping use may be determined under the correct existing-condition standard.

ON THE PROPERTY DESCRIBED BELOW.

LOCATION: 602 E. Burkwood Ct., Urbana, IL 61801
(STREET AND NUMBER)

PRESENT OR PROPOSED USE: Residence - existing remodeled basement lounge; proposed sleeping use
(VACANT, RESIDENCE, GROCERY, FACTORY, ETC.)

ACTIONS BY APPLICANT ON PROPERTY

Permit:	53027678
PERMIT APPLIED FOR AND DENIED:	( ) YES (X) NO
A PREVIOUS APPEAL WAS / WAS NOT MADE WITH RESPECT TO THESE PREMISES:	(X) WAS - separate bathroom appeal
IN THE EVENT THIS APPEAL IS DENIED, AN ACCOMPANYING APPLICATION FOR REQUEST FOR VARIANCE IS ATTACHED:	( ) YES (X) NO

DATA ON APPLICANT AND OWNER

NAME OF APPLICANT(S):	LaCrecha N. Smith
ADDRESS OF APPLICANT(S):	602 E. Burkwood Ct., Urbana, IL 61801
PROPERTY INTEREST OF APPLICANT(S):	Owner
NAME OF OWNER(S):	LaCrecha N. Smith
ADDRESS OF OWNER(S):	602 E. Burkwood Ct., Urbana, IL 61801

1. THE SPECIFIC DECISION APPEALED FROM IS:

Restriction/determination that the pre-existing basement lounge may not be used as a sleeping room because the existing basement window does not satisfy emergency escape/rescue-opening requirements. Applicant seeks application of the provisions governing existing buildings and basement remodels, rather than an assumption that new-construction dimensions control.

2. THE DECISION APPEALED FROM WAS INCONSISTENT WITH THE FOLLOWING SECTIONS OF THE CODE OF THE CITY OF URBANA, ILLINOIS. (IDENTIFY EACH SECTION BY NUMBER AND QUOTE THE RELEVANT LANGUAGE OF EACH.)

See attached ADDENDUM — ITEM 2. The appeal concerns 2021 IRC Section R310.7 and the Urbana-adopted provisions governing emergency escape and rescue openings in existing basements and newly created sleeping rooms. The City's 2021 ICC Model Codes Adopting Ordinance is Exhibit I. The applicant asks the Board to identify and apply the precise controlling provision and dimensional standard.

3. I BELIEVE THE DECISION APPEALED FROM WAS INCONSISTENT WITH THE ABOVE DESCRIBED SECTION(S) FOR THE FOLLOWING SPECIFIC REASON(S):

See attached ADDENDUM - ITEM 3. The room and its window pre-date Permit 53027678. The permitted work remodeled an already finished basement room; it did not create a new basement. Applicant requests a determination of lawful sleeping use under the correct existing-building / basement-remodel standard and does not concede that enlargement or replacement of the existing window is required.

(PLEASE ATTACH ANY PLANS OR OTHER EXHIBITS WHICH WOULD HELP THE BOARD DECIDE THIS CASE.)

WHEREFORE, PETITIONER PRAYS THAT THIS PETITION BE HEARD BY THE BOARD OF APPEALS AND THE DECISION OF THE CODE OFFICIAL BE REVIEWED ON THE BASIS OF ITS MERITS.

RESPECTFULLY SUBMITTED THIS 10th **DAY OF** September **, A.D.,** 2026

APPLICANT'S SIGNATURE

/s/ LaCrecha N. Smith

APPLICANT'S TELEPHONE NUMBER

440-821-7244

TO BE FILED WITH:

Administrative Secretary to the Board
Community Development Services
400 S. Vine Street
Urbana, IL 61801

UPDATED ADDENDUM TO CITY OF URBANA UNIFORM APPEAL APPLICATION

Separate Lounge/Sleeping-Use Appeal — Permit 53027678
602 E. Burkwood Ct., Urbana, Illinois 61801
Applicant/Owner: LaCrecha N. Smith | September 10, 2026

ITEM 2 — CODE SECTIONS / BASIS OF APPEAL

The appeal concerns the City's application of 2021 IRC Section R310.7 and the provisions governing emergency escape and rescue openings in existing basements and newly created sleeping rooms. The City adopted the 2021 International Residential Code through its 2021 ICC Model Codes Adopting Ordinance, included as Exhibit I. The City directed that a bed be removed from the existing basement lounge or that an emergency escape and rescue opening complying with R310.1 be installed. The applicant does not request waiver of an applicable life-safety requirement. She requests identification and application of the precise Urbana-adopted provision and dimensional standard governing this existing basement-remodel condition.

ITEM 3 — SPECIFIC FACTS AND ARGUMENT

1. The property was purchased November 5, 2025. A January 2026 photograph documents the disputed basement room before the permitted remodel as an already finished space with a suspended/drop ceiling, finished wall surfaces, flooring, electrical service, and a bed.

2. Sleeping use was disclosed during permit review. The original design material expressly identified a "SLEEP LOUNGE WALL" and depicted a bed. During permit review, a City official verbally instructed the applicant to remove the word "sleep" from the permit materials. The applicant complied, and the revised permit materials omitted that terminology. The original and revised materials are included as Exhibits B and C.

3. The permitted work remodeled an existing finished basement room. The project did not create the basement itself or originate the physical room from unfinished space. The March 2026 plan identifies the room as an approximately 16-foot by 15-foot-4-inch seating/TV lounge with an approximately 7-foot ceiling and an existing window designated 32 inches by 18 inches.

4. In August 2026, the Building Official stated in writing that, if a bed remained in the lounge and family, friends, or guests were allowed to rest there, an emergency escape and rescue opening would be required under R310.7. On August 12, 2026, the City gave two options: remove the bed or install an opening complying with R310.1. This written determination is the decision challenged in this appeal.

5. The applicant seeks a determination of the room's lawful use under the code provisions actually applicable to an existing remodeled basement. The applicant does not concede that the existing opening must be enlarged or replaced under a new-construction standard merely because sleeping was contemplated in a room that physically existed and was finished before Permit 53027678.

REQUESTED RELIEF

Reverse or modify the sleeping-use restriction to the extent it rests on an incorrect classification or an inapplicable standard; identify and apply the controlling Urbana-adopted existing-building/basement-remodel emergency escape and rescue opening provision; and determine whether lawful sleeping use is permitted under that standard. If corrective work is required, identify the exact controlling provision, the specific feature of the existing opening that fails, and the minimum correction required.

EXHIBIT INDEX — LOUNGE / SLEEPING-USE APPEAL

Exhibit	Document / Evidence	Purpose
A	August 11–12, 2026 email chain with Building Official Nicholas Hanson	Documents the written determination that bed/resting use triggers R310.7 and the stated choices are removal of the bed or an R310.1-compliant opening.
B	Original design sheet labeled “SLEEP LOUNGE WALL,” depicting a bed	Shows that contemplated sleeping use was disclosed in the original design material.
C	Applicant’s account of verbal permit-review instruction and revised permit sheet/packet	Explains why “sleep” was omitted from the revised permit terminology.
D	Permit 53027678 / March 4 permit record	Establishes the submitted basement-remodel scope and contemporaneous lounge-related permit materials.
E	January 2026 pre-remodel lounge photograph with bed	Documents the finished condition and bed before the permitted remodel.
F	March 2026 basement plan	Documents lounge dimensions, approximately 7-foot ceiling, existing nominal 32 × 18 window designation, and remodel scope.
G	Pre-remodel and open-construction photographs	Shows prior finished/drop-ceiling conditions and exposed framing, wiring, ductwork, and existing services during alteration.
H	Current lounge/window photographs and plan-verified nominal 32 × 18 window designation	Documents the existing opening and the window designation shown on the March 2026 floor plan.
I	City of Urbana 2021 ICC Model Codes Adopting Ordinance	Provides the official adopted-code framework, including the residential-code article, for the Board’s review.

EXHIBIT A

August 11–12, 2026 City email chain

Written City determination that a bed/resting use triggers R310.7 and that the stated choices are removal of the bed or installation of an R310.1-compliant emergency escape and rescue opening.

Re: 602 E Burkwood Subject: Request for Clarification Regarding Basement Occupancy and Lounge Classification
4 messages

LaCrecha Smith <lsmith@atrcs.org> Tue, Aug 11 at 2:47 PM
To: Nicholas Hanson <Nicholas.Hanson@urbanail.gov>
Cc: Corey Ireland <Corey.Ireland@urbanail.gov>, Michael Frank <Michael.Frank@urbanail.gov>, Jamie Lance <Jamie.Lance@urbanail.gov>, Mr Darnell Smith <smithdarnell11@yahoo.com>

Dear Mr. Hanson,

Thank you for your emails and for taking the time to explain the City's concerns and the steps necessary to bring my basement remodel into compliance. I appreciate your guidance and want to ensure I fully understand the City's interpretation of the applicable code requirements so that I can fully comply.

This project is currently under construction and involves **alterations to an existing finished basement**. Prior to the remodel, the basement was an established multi-purpose recreational and family space. The remodel did not create a separate dwelling unit.

The approved plans submitted to the City identify the room in question as a **lounge**, not a bedroom. The lounge is a **multi-use room** for the personal use of our household and is used by my husband and me, as well as our family, friends, and guests for gathering, watching television, exercising, working, rest and other recreational activities. It includes a television, desk, chair, exercise equipment, and a bed. The room is **not rented, leased, advertised, or represented as a separate bedroom**.

To ensure I correctly understand your email, I would appreciate clarification on the following:

1. Your email states that *"the basement as a whole shall not be occupied until ALL inspections are completed and approved by the City of Urbana."* Because the project is still under construction and the permit process is ongoing, could you please clarify whether the City is directing that the basement may not be used for **any purpose**, or whether the restriction is limited to **sleeping or occupying the basement as living space** until all required inspections and approvals have been completed?

2. This project involves **alterations to an existing finished basement**, and the approved plans identify the space as a **lounge** rather than a bedroom. Has the City determined that this multi-use room is considered a **"new sleeping room"** under Section R310.7?

If so, could you please explain the basis for that determination and why the exception for **"new sleeping rooms created in an existing basement"** applies rather than the provisions applicable to **alterations or repairs of an existing basement**?

My goal is simply to ensure that I understand the City's interpretation, comply with all applicable requirements, and complete this project in accordance with the City's direction.

Thank you again for your time and assistance. I appreciate your guidance and look forward to your response.

Respectfully,

LaCrecha N. Smith Executive Director All Things Restored 440.821.7244

On Aug 11, 2026, at 7:05 AM, Nicholas Hanson <Nicholas.Hanson@urbanail.gov> wrote:

Ms. Smith,

The basement as a whole shall not be occupied until ALL inspections are completed and approved by the City of Urbana. The code as adopted states: "**Final inspection shall be made after the permitted work is complete and <u>prior to occupancy</u>.**" (R109.1.6)

Additionally, one of the inspectors noticed that it appears a bed is being installed in the "lounge".
*"**New sleeping rooms created in an existing basement SHALL** be provided with emergency escape and rescue openings in accordance with Section R310.1. Other than new sleeping rooms, where existing basements undergo alterations or repairs, an emergency escape and rescue opening is not required."* (R310.7)

<image001.png>

Furthermore, *"It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. And, where the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the building official is authorized to issue a stop work order."*

Regarding the plumbing, you will need to:

1. Hire an Illinois licensed plumber
2. The plumber will need to apply for a permit and pay applicable fees.
3. The plumber will need to inspect the completed work and verify compliance.
4. The plumber will need to request a final inspection from the City Plumbing Inspector.

Regarding the final inspection, you will need to:

1. Ensure your electrical contractor has completed and passed their final inspection.
2. Ensure your plumbing contractor has completed and passed their final inspection.
3. Have your general contractor request their final inspection.

Once ALL inspections are completed and passed/approved, the permits will be closed and space may be occupied.

Please let me know if you have any questions.

Thanks,

Nick Hanson
Building Official

Community Development Services Department | City of Urbana
400 South Vine Street | Urbana, Illinois 61801
217-384-2430

<image002.png>

From: LaCrecha Smith <lsmith@atrcs.org>

Sent: Tuesday, August 11, 2026 12:29 AM
To: Corey Ireland <Corey.Ireland@UrbanaIL.gov>
Cc: Nicholas Hanson <Nicholas.Hanson@UrbanaIL.gov>; Michael Frank <Michael.Frank@UrbanaIL.gov>
Subject: Re: 602 E Burkwood

***** Email From An External Source *****
Use caution when clicking on links or opening attachments.

Hi Corey,

Thank you for your email. I want to make sure I fully comply with the City's requirements.

Could you please clarify what you mean by "the area should not be occupied"? Does that refer to the basement bathroom only, the finished basement, or another area?

Also, what are the exact next steps to bring the project into compliance? If a properly licensed plumber reapplies for the plumbing permit, what is the process for obtaining approval and scheduling the required inspection?

Thank you for your guidance.

LaCrecha N. Smith Executive Director All Things Restored 440.821.7244

On Aug 10, 2026, at 2:29 PM, Corey Ireland <Corey.Ireland@urbanail.gov> wrote:

Hello,

Following our recent conversation, I want to clarify that no plumbing permit has been issued for the recently completed work. Lanz initially had a permit for the underground and in-wall rough-in but subsequently requested the City of Urbana to close it.

I was unable to issue the permit applied for by Superior Roofing & Mechanical Contractors LLC, as their licenses were not current with the Illinois Department of Public Health (IDPH) at the time of application. It is my understanding that the work has been completed without a permit and without a plumbing inspection from the City of Urbana.

Please note that until a plumbing permit is issued and a final plumbing inspection is conducted, the work remains unapproved. This also means that the building permit cannot be finalized and the area should not be occupied until all necessary permits are obtained.

Best Regards,

Corey Ireland
Plumbing/Mechanical Inspector

Community Development | City of Urbana
400 South Vine Street | Urbana, Illinois 61801
217-384-2435

<image003.png>

Under the Illinois Freedom of Information Act (FOIA), any written communication to or from City of Urbana employees, officials or board and commission members regarding City of Urbana business is a public record and may be subject to public disclosure.

Nicholas Hanson <Nicholas.Hanson@urbanail.gov> **Tue, Aug 11 at 4:17 PM**
To: LaCrecha Smith <lsmith@atrcs.org>
Cc: Corey Ireland <Corey.Ireland@urbanail.gov>, Michael Frank <Michael.Frank@urbanail.gov>, Jamie Lance <Jamie.Lance@urbanail.gov>, Mr Darnell Smith <smithdarnell11@yahoo.com>

Ms. Smith,

1. Your email states that *"the basement as a whole shall not be occupied until ALL inspections are completed and approved by the City of Urbana."* **Because the project is still under construction and the permit process is ongoing, could you please clarify whether the City is directing that the basement may not be used for any purpose, or whether the restriction is limited to sleeping or occupying the basement as living space until all required inspections and approvals have been completed?**

Because this permit covers the entire basement and to ensure the safety of all occupants, the basement space shall not be used for any purpose until final inspections are completed, ensuring that no hazards exist.

2. This project involves alterations to an existing finished basement, and the approved plans identify the space as a lounge rather than a bedroom. Has the City determined that this multi-use room is considered a "new sleeping room" under Section R310.7?

If so, could you please explain the basis for that determination and why the exception for "new sleeping rooms created in an existing basement" applies rather than the provisions applicable to alterations or repairs of an existing basement?

While I understand the plans indicate the space as a "lounge", our office observed what appeared to be a bed during a recent inspection. If you wish to keep the bed in the lounge and allow family, friends and guests to "rest", then an **egress window will be required per R310.7.**

> *"...The lounge is a **multi-use room** for the personal use of our household and is used by my husband and me, as well as our family, friends, and guests for gathering, watching television, exercising, working, rest and other recreational activities. It includes a television, desk, chair, exercise equipment, and a bed. The room is **not rented, leased, advertised, or represented as a separate bedroom...**"*

Because so many fire deaths occur as a result of occupants being asleep in a residential building during a fire, the code requires that all basements, habitable attics and sleeping rooms have windows or doors that may be used for emergency escape or rescue. The requirement for emergency escape and rescue openings in sleeping rooms exists because a fire will usually have spread before the occupants are aware of the problem.

Thanks,

Nick Hanson
Building Official

Community Development Services Department | City of Urbana
400 South Vine Street | Urbana, Illinois 61801
217-384-2430

From: LaCrecha Smith <lsmith@atrcs.org>
Sent: Tuesday, August 11, 2026 1:48 PM
To: Nicholas Hanson <Nicholas.Hanson@UrbanaIL.gov>
Cc: Corey Ireland <Corey.Ireland@UrbanaIL.gov>; Michael Frank <Michael.Frank@UrbanaIL.gov>; Jamie Lance <Jamie.Lance@UrbanaIL.gov>; Mr Darnell Smith <smithdarnell11@yahoo.com>
Subject: Re: 602 E Burkwood Subject: Request for Clarification Regarding Basement Occupancy and Lounge Classification

***** Email From An External Source *****
Use caution when clicking on links or opening attachments.

Dear Mr. Hanson,

Thank you for your emails and for taking the time to explain the City's concerns and the steps necessary to bring my basement remodel into compliance. I appreciate your guidance and want to ensure I fully understand the City's interpretation of the applicable code requirements so that I can fully comply.

This project is currently under construction and involves alterations to an existing finished basement. Prior to the remodel, the basement was an established multi-purpose recreational and family space. The remodel did not create a separate dwelling unit.

The approved plans submitted to the City identify the room in question as a lounge, not a bedroom. The lounge is a multi-use room for the personal use of our household and is used by my husband and me, as well as our family, friends, and guests for gathering, watching television, exercising, working, rest and other recreational activities. It includes a television, desk, chair, exercise equipment, and a bed. The room is not rented, leased, advertised, or represented as a separate bedroom.

To ensure I correctly understand your email, I would appreciate clarification on the following:

1. Your email states that *"the basement as a whole shall not be occupied until ALL inspections are completed and approved by the City of Urbana."* **Because the project is still under construction and the permit process is ongoing, could you please clarify whether the City is directing that the basement may not be used for any purpose, or whether the restriction is limited to sleeping or occupying the basement as living space until all required inspections and approvals have been completed?**

2. This project involves alterations to an existing finished basement, and the approved plans identify the space as a lounge rather than a bedroom. Has the City determined that this multi-use room is considered a "new sleeping room"under Section R310.7?

If so, could you please explain the basis for that determination and why the exception for "**new sleeping rooms created in an existing basement**" applies rather than the provisions applicable to **alterations or repairs of an existing basement?**

My goal is simply to ensure that I understand the City's interpretation, comply with all applicable requirements, and complete this project in accordance with the City's direction.

Thank you again for your time and assistance. I appreciate your guidance and look forward to your response.

Respectfully,

LaCrecha N. Smith Executive Director All Things Restored 440.821.7244

On Aug 11, 2026, at 7:05 AM, Nicholas Hanson <Nicholas.Hanson@urbanail.gov> wrote:

Ms. Smith,

The basement as a whole shall not be occupied until ALL inspections are completed and approved by the City of Urbana. The code as adopted states: "**Final inspection shall be made after the permitted work is complete and prior to occupancy.**" (R109.1.6)

Additionally, one of the inspectors noticed that it appears a bed is being installed in the "lounge".
*"**New sleeping rooms created in an existing basement SHALL** be provided with emergency escape and rescue openings in accordance with Section R310.1. Other than new sleeping rooms, where existing basements undergo alterations or repairs, an emergency escape and rescue opening is not required."* (R310.7)

<image001.png>

Furthermore, *"It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. And, where the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the building official is authorized to issue a stop work order."*

Regarding the plumbing, you will need to:

1. Hire an Illinois licensed plumber
2. The plumber will need to apply for a permit and pay applicable fees.
3. The plumber will need to inspect the completed work and verify compliance.
4. The plumber will need to request a final inspection from the City Plumbing Inspector.

Regarding the final inspection, you will need to:

1. Ensure your electrical contractor has completed and passed their final inspection.
2. Ensure your plumbing contractor has completed and passed their final inspection.

3. Have your general contractor request their final inspection.

[Quoted text hidden]

Nicholas Hanson <Nicholas.Hanson@urbanail.gov> Wed, Aug 12 at 10:09 AM
To: LaCrecha Smith <lsmith@atrcs.org>, Mr Darnell Smith <smithdarnell11@yahoo.com>
Cc: Corey Ireland <Corey.Ireland@urbanail.gov>, Michael Frank <Michael.Frank@urbanail.gov>, Jamie Lance <Jamie.Lance@urbanail.gov>

Ms. Smith

Thank you for your time yesterday.

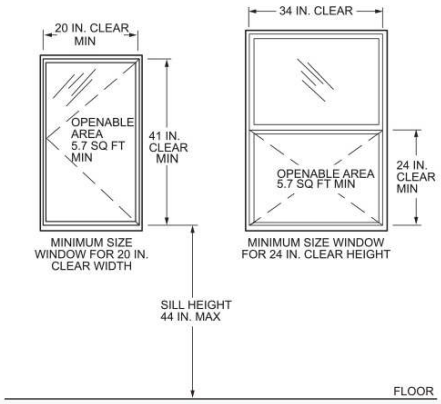
I spoke with Corey this morning and as the owner of the property, you may apply for the plumbing permit and pay the applicable fees. Once the permit has been issued and you have verified the installation of the fixtures, you may request a final inspection. Additionally, our office has received a permit application from Superior Roofing & Mechanical Contracting, please confirm if you would like the City to review and issue the permit or if you plan to obtain the permit yourself.

Additionally, our office was able to find the Zillow Listing for your property. This listing indicates: *"The finished basement offers versatile living space with a kitchenette (appliances sold "as is"), a large family room, an additional multi-purpose room, and a half bath-perfect for guests, hobbies, or a home office."*

The photo above from Zillow clearly shows the "lounge" area previously being used as a workout space and not a sleeping area. Therefore as discussed yesterday, if a bed is installed/present in the "Lounge", this space will be viewed as a "sleeping area/room", and the code states *"NEW sleeping rooms created in an EXISTING basement SHALL be provided with emergency escape and rescue openings in accordance with Section R310.1..."*

There are two options to address this moving forward:

1. **Remove the bed from the space.**
2. **Install an egress window in compliance with R310.1.**



For SI: 1 inch = 25.4 mm, 1 square foot = 0.0929 m^2.

Commentary Figure R310.2.1 EMERGENCY ESCAPE AND RESCUE WINDOW

Lastly, attached is the appeal form. Once our office has received the completed form and required payment ($210), a meeting can be scheduled.

Please let me know if you have any additional questions.

Thanks,

Nick Hanson
Building Official

Community Development Services Department | City of Urbana
400 South Vine Street | Urbana, Illinois 61801
217-384-2430

[Quoted text hidden]
Appeal Form.pdf

LaCrecha Smith <lsmith@atrcs.org> Wed, Aug 12 at 12:34 PM
To: Nicholas Hanson <Nicholas.Hanson@urbanail.gov>
Cc: Mr Darnell Smith <smithdarnell11@yahoo.com>, Corey Ireland <Corey.Ireland@urbanail.gov>, Michael Frank <Michael.Frank@urbanail.gov>, Jamie Lance <Jamie.Lance@urbanail.gov>

Dear Mr. Hanson,

Thank you for your response and for outlining the City's position regarding the plumbing permit, the available options to bring the project into compliance, and the appeal process. I appreciate the time you and Mr. Ireland have taken to discuss this matter with me.

I appreciate your clarification that, as the property owner, I may obtain the plumbing permit.

At this time, I Do Not authorize Superior Roofing & Mechanical Contracting to obtain the plumbing permit on my behalf. I have two Illinois licensed plumbing contractors scheduled to inspect the project on or before Monday so that I may determine the best path forward to complete the plumbing work, obtain the required permit, and schedule the City's final inspection.

Before determining my next steps, including whether to pursue the appeal process referenced in your correspondence, I would appreciate written clarification regarding the City's interpretation of Section R310.7.

This project is currently under construction and involves alterations to an existing finished basement. The approved plans submitted to the City identify the room in question as a multipurpose lounge, not a bedroom. The room remains a multi-use space for the personal use of our household and has not been designated, permitted, advertised, leased, or represented as a bedroom or separate dwelling unit.

To ensure I accurately understand the City's interpretation, I respectfully request clarification on the following:

1. Please confirm that it is the City's interpretation that the installation or presence of a bed in the existing multi-purpose lounge causes that space to be classified as a "new sleeping room" under Section R310.7, thereby requiring an emergency escape and rescue opening in accordance with Section R310.1.

2. If that is the City's interpretation, could you please identify the factual and code basis for that determination as it applies to this project involving alterations to an existing finished basement?

3. Your previous correspondence states that *"the basement as a whole shall not be occupied until ALL inspections are completed and approved by the City of Urbana."* Because the project remains under construction, could you please clarify whether the City is directing that the basement may not be used for any purpose until all required inspections have been completed and approved, or whether that restriction is limited to occupancy as a sleeping area until the project receives final approval?

In the interest of completing the project and obtaining final inspections, I am willing to temporarily remove the bed from the lounge if necessary to allow the permit process to move forward. My decision to do so, however, should not be construed as agreement with the City's interpretation of Section R310.7 or as a waiver of any rights available to me under the City's appeal process.

Thank you again for your time and assistance. I look forward to your response and to completing the project in full compliance with the City's requirements.

Respectfully,

LaCrecha N. Smith

On Aug 12, 2026, at 9:09 AM, Nicholas Hanson <Nicholas.Hanson@urbanail.gov> wrote:

Ms. Smith

Thank you for your time yesterday.

I spoke with Corey this morning and as the owner of the property, you may apply for the plumbing permit and pay the applicable fees. Once the permit has been issued and you have verified the installation of the fixtures, you may request a final inspection. Additionally, our office has received a permit application from Superior Roofing & Mechanical Contracting, please confirm if you would like the City to review and issue the permit or if you plan to obtain the permit yourself.

Additionally, our office was able to find the Zillow Listing for your property. This listing indicates: *"The finished basement offers versatile living space with a kitchenette (appliances sold "as is"), a large family room, an additional*

multi-purpose room, and a half bath-perfect for guests, hobbies, or a home office."

The photo above from Zillow clearly shows the "lounge" area previously being used as a workout space and not a sleeping area. Therefore as discussed yesterday, if a bed is installed/present in the "Lounge", this space will be viewed as a "sleeping area/room", and the code states *"NEW sleeping rooms* ***created* *in an EXISTING basement* ***SHALL*** *be provided with emergency escape and rescue openings in accordance with Section R310.1..."***

There are two options to address this moving forward:

1. **Remove the bed from the space.**
2. **Install an egress window in compliance with R310.1.**

Lastly, attached is the appeal form. Once our office has received the completed form and required payment ($210), a meeting can be scheduled.

Please let me know if you have any additional questions.

Thanks,

Nick Hanson
Building Official

Community Development Services Department | City of Urbana
400 South Vine Street | Urbana, Illinois 61801
217-384-2430

From: Nicholas Hanson
Sent: Tuesday, August 11, 2026 3:17 PM
To: 'LaCrecha Smith' <lsmith@atrcs.org>
Cc: Corey Ireland <Corey.Ireland@UrbanaIL.gov>; Michael Frank <Michael.Frank@UrbanaIL.gov>; Jamie Lance <Jamie.Lance@UrbanaIL.gov>; Mr Darnell Smith <smithdarnell11@yahoo.com>
Subject: RE: 602 E Burkwood Subject: Request for Clarification Regarding Basement Occupancy and Lounge Classification

Ms. Smith,

1. Your email states that *"the basement as a whole shall not be occupied until ALL inspections are completed and approved by the City of Urbana."* **Because the project is still under construction and the permit process is ongoing, could you please clarify whether the City is directing that the basement may not be used for any**

purpose, or whether the restriction is limited to **sleeping or occupying the basement as living space** until all required inspections and approvals have been completed?

Because this permit covers the entire basement and to ensure the safety of all occupants, the basement space shall not be used for any purpose until final inspections are completed, ensuring that no hazards exist.

2. This project involves **alterations to an existing finished basement**, and the approved plans identify the space as a **lounge** rather than a bedroom. Has the City determined that this multi-use room is considered a **"new sleeping room"** under Section R310.7?

If so, could you please explain the basis for that determination and why the exception for **"new sleeping rooms created in an existing basement"** applies rather than the provisions applicable to **alterations or repairs of an existing basement?**

While I understand the plans indicate the space as a "lounge", our office observed what appeared to be a bed during a recent inspection. If you wish to keep the bed in the lounge and allow family, friends and guests to "rest", then an **egress window will be required per R310.7.**

> *"...The lounge is a **multi-use room** for the personal use of our household and is used by my husband and me, as well as our family, friends, and guests for gathering, watching television, exercising, working, rest and other recreational activities. It includes a television, desk, chair, exercise equipment, and a bed. The room is **not rented, leased, advertised, or represented as a separate bedroom...**"*

Because so many fire deaths occur as a result of occupants being asleep in a residential building during a fire, the code requires that all basements, habitable attics and sleeping rooms have windows or doors that may be used for emergency escape or rescue. The requirement for emergency escape and rescue openings in sleeping rooms exists because a fire will usually have spread before the occupants are aware of the problem.

Thanks,

Nick Hanson
Building Official

Community Development Services Department | City of Urbana
400 South Vine Street | Urbana, Illinois 61801
217-384-2430

<image003.png>

[Quoted text hidden]
image002.png, image001.png, image003.png, Appeal Form.pdf

EXHIBIT B

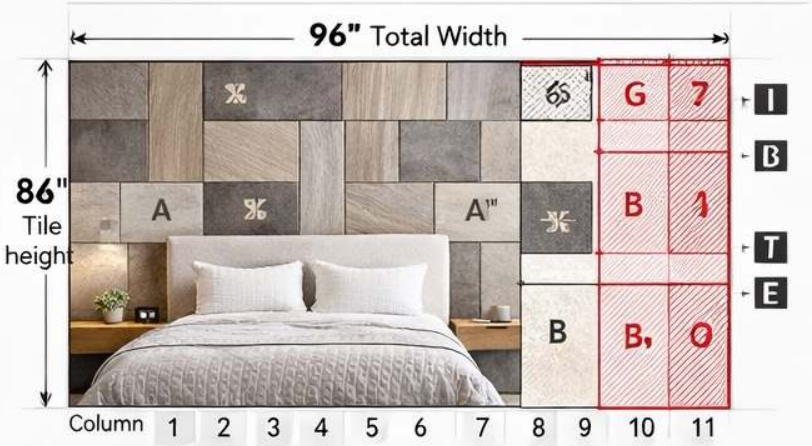
Original design sheet: “SLEEP LOUNGE WALL”

Shows that contemplated sleeping use and a bed depiction existed in the original design material.

SLEEP LOUNGE WALL — TILE INSTALLATION — *Final* CUT SHEET

Room Color: **Benjamin Moore Silhouette** (AF-655)

TILE LAYOUT (Front View)



LEGEND

A = Avondale
= 18-x18"

Right Edge Cut Column

CUT SHEET

Row	Tile Tnd Row	Tot Row	Top Row
E	7 1.aane 11 R.Ell.rm	Centaood	173 - Wese
A	Riigne 62.20rm	Vertbel	12 Wese
B	Riigne 62.20rm	Vertaol	6" Wese
C	Right 62.20rm	Vertbel	6" Wese
D	Right 62.20rm	Vertbel	6" Wese

- All nor eontidecse to 12" height
- Bight eporrideiaoe to 1;6" 20 will hook to oeenorrl

FRONT ELEVATION (To Scale)

PROJECT FINISHES

Nix: Bellagio Forest + Bxendale

Sconces: Black + brass

Mighistandx: Yerod

SLEEPLOUNGE WALL — FINAL TILE LAYOUT | Deher: AL6R 34, 2016 | Serce: 17" = 1]-0"

EXHIBIT C

Verbal permit-review instruction and revised permit material

The signed addendum records the applicant's account that a City official verbally instructed her to remove the word "sleep." The revised sheet behind this cover shows the resulting lounge terminology.

Window does not meet egress requirements

Basement lounge is not designated as a bedroom

SHEET 7 – GENERAL CONSTRUCTION NOTES

Entire basement is framed and will be finished.

Work includes

Drywall

Electrical

Lighting

Bathroom construction

Wet bar installation

Doors and trim

All work will comply with applicable residential building codes.

BASEMENT REMODEL PERMIT PACKET

Urbana, Illinois

SHEET 1 – BASEMENT FLOOR PLAN OVERVIEW

Rooms Included

• Lounge (not a bedroom)

EXHIBIT D

Permit 53027678 / March 4 permit record

Establishes the submitted basement-remodel scope and contemporaneous permit materials.

Verification note:

Only lounge-relevant pages are included to keep this record separate from the bathroom appeal; no same-day issuance claim is made.

From: LaCrecha Smith lsmith@atrcs.org
Subject: Fwd: 602 Burkwood Ct Code-
Date: Mar 4, 2026 at 4:05:08 PM
To: Mr Darnell Smith smithdarnell11@yahoo.com

LaCrecha N. Smith Executive Director All Things Restored 440.821.7244

Begin forwarded message:

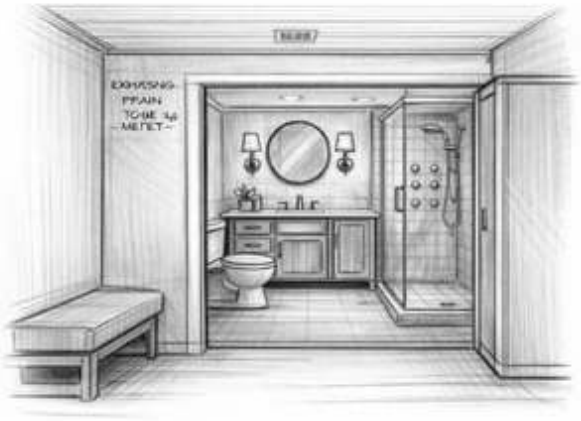
From: LaCrecha Smith <lsmith@atrcs.org>
Date: March 4, 2026 at 1:39:24 PM CST
To: Michael Frank <Michael.Frank@urbanail.gov>
Cc: Corey Ireland <Corey.Ireland@urbanail.gov>, Jamie Lance <Jamie.Lance@urbanail.gov>, markb@lanzinc.com
Subject: Re: 602 Burkwood Ct Code-

I have attached 3 sets of documents to attach to our Permit. The Basement Architect Plans, The Basement Floorplans Dimensioned and Basement Remodeling Permit Packet including additional pictures

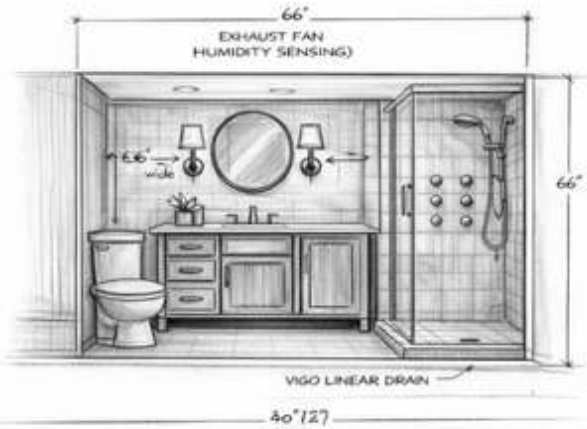
The changes to the Framing & Fireblocking/draftstopping will be completed today

The additional image layout example I am working and will send over upon completion, let me know if I can be of any assistance.

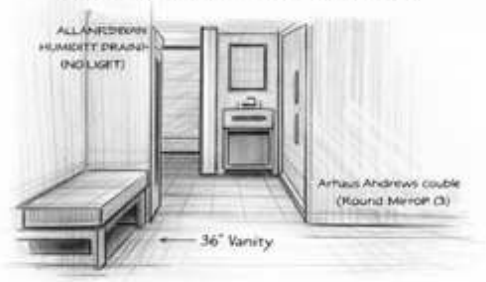
LaCrecha Smith 440.821.7244



Popsied Zone 3 Wall Elevation



Updated Zone 3 Walk-in Sketch



Walk-in sketch (Zone 3)

- EXISTING PLUMBING WALL – TOILET"
- NO RECESSED LIGHTS (3)
- VIGO FIXED GLASS / LINEAR DRAIN

Updated Zone 3 Wall Elevation

- 36" Vanity centered"
- Mirror centered at 66" AFF (Above Finishled Floor)
- Sconces centered at 66" AFF
- Vigo Linear Drain marked "NO CURB / LINEAD DRAIN, AT"

BASEMENT ARCHITECT PERMIT PLAN

Interior Basement Finish + Bathroom

Location: Urbana, Illinois

OVERALL BASEMENT FLOOR PLAN

Rooms shown on drawing:

• Recreation Room (Wet Bar Area)

• Lounge

• Utility Room

• Bathroom (inside Utility Room)

Approximate overall basement zone used:

26’ × 32’

RECREATION ROOM

Purpose

Entertainment area with wet bar, pool table and poker table

Lighting

Seating / TV lounge

Lighting

• 5” recessed ceiling lights

• 2 wall sconces at tile feature wall

Ceiling height

7’

Important note

This room is not designated as a bedroom because the window does not meet egress requirements.

Existing window size

32” × 18”

UTILITY ROOM

Contains

• Furnace

• Water heater

• Electrical panel

• Mechanical closet

SHEET A1 — BASEMENT FLOOR PLAN (DIMENSIONED)

Rooms shown

- Recreation Room (wet bar area)
- Lounge
- Utility Room
- Bathroom inside Utility Room

Key features shown

- Wet bar wall location
- Pocket door placement
- Mechanical closet
- Electrical panel clearance zone
- Storage framing

Ceiling heights

Located adjacent to crawlspace.

EGRESS NOTE (FOR PERMIT)

Existing window

32” × 18”

Does not meet egress requirements.

Lounge area is not designated as a bedroom.

GENERAL CONSTRUCTION NOTES

Basement will be finished including:

- drywall walls
- drywall ceilings
- lighting
- bathroom installation
- wet bar installation
- doors and trim

Wet bar and vanity plumbing will be brought up to current code.

BASEMENT REMODEL PERMIT PACKET

Urbana, Illinois

SHEET 1 – BASEMENT FLOOR PLAN OVERVIEW

Rooms Included

• Lounge (not a bedroom)

• Recreation Room with Wet Bar

• Utility Room

• Bathroom located inside Utility Room

Ceiling Heights

Recreation Room

7’ ceiling

Poker Table Area

6’6” ceiling

Lounge

7’ ceiling

Bathroom

82.2” ceiling before drywall

Window does not meet egress requirements

Basement lounge is not designated as a bedroom

SHEET 7 – GENERAL CONSTRUCTION NOTES

Entire basement is framed and will be finished.

Work includes

Drywall

Electrical

Lighting

Bathroom construction

Wet bar installation

Doors and trim

All work will comply with applicable residential building codes.

BASEMENT REMODEL PERMIT PACKET

Urbana, Illinois

SHEET 1 – BASEMENT FLOOR PLAN OVERVIEW

Rooms Included

• Lounge (not a bedroom)

EXHIBIT E

January 2026 pre-remodel lounge photograph

Documents the room after the November 5, 2025 purchase but before the permitted remodel, including finished surfaces, a drop ceiling, electrical lighting, and a bed.

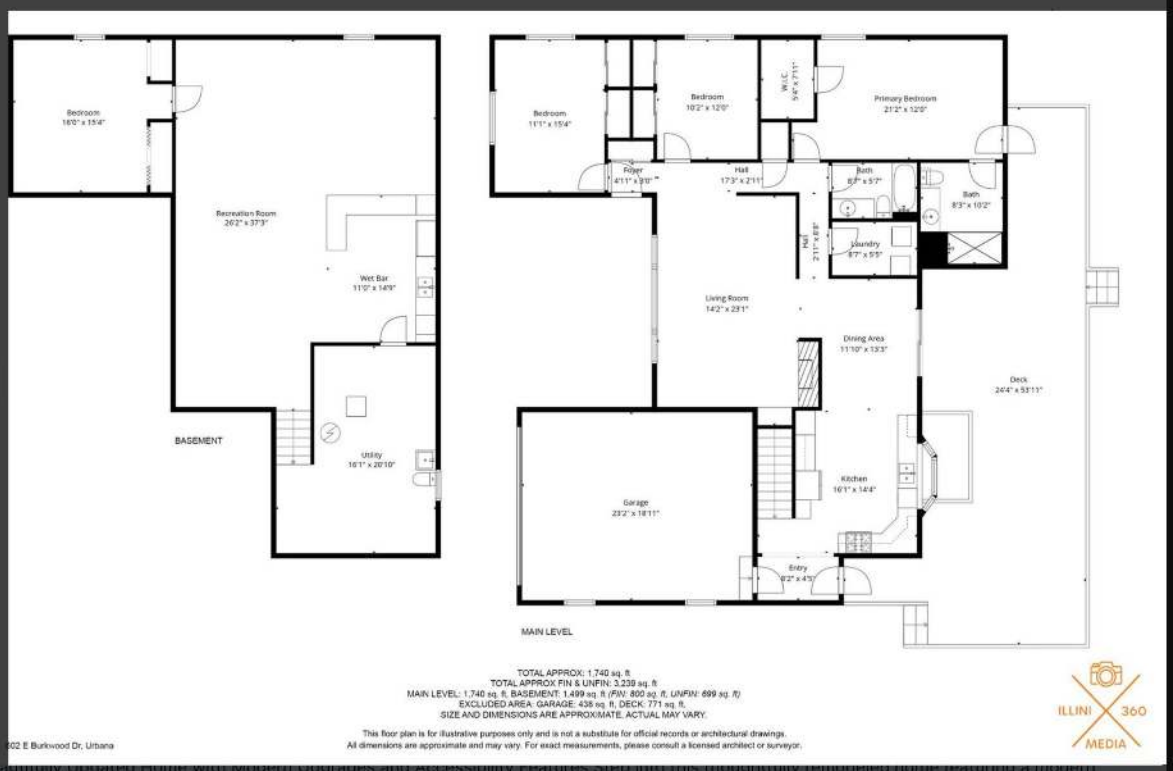
EXHIBIT F

March 2026 basement plan

Documents the basement layout, lounge dimensions, approximately 7-foot ceiling, remodel scope, and existing nominal 32 × 18 window designation.

7:25 PM Thu Oct 16 71%

connectmls-portal.mredllc.com



Beautifully Updated Home with Modern Upgrades and Accessibility Features Step into this thoughtfully remodeled home featuring a modern kitchen with upgraded cabinetry, sleek tile flooring, and stainless steel appliances. Enjoy cozy evenings by the dual-sided fireplace, perfectly situated between the spacious living and dining rooms. The main floor boasts wood laminate and tile flooring throughout, offering both style and durability. The expanded master suite includes a luxurious, remodeled bathroom complete with an extra-wide, easy-entry tiled shower with built-in seat, a generously sized mirror, and updated finishes for a spa-like experience. For added convenience, first-floor light switches are installed at

Top

EXHIBIT G

Pre-remodel and open-construction photographs

Shows the prior finished/drop-ceiling condition and exposed framing, wiring, ductwork, and other existing services during alteration.

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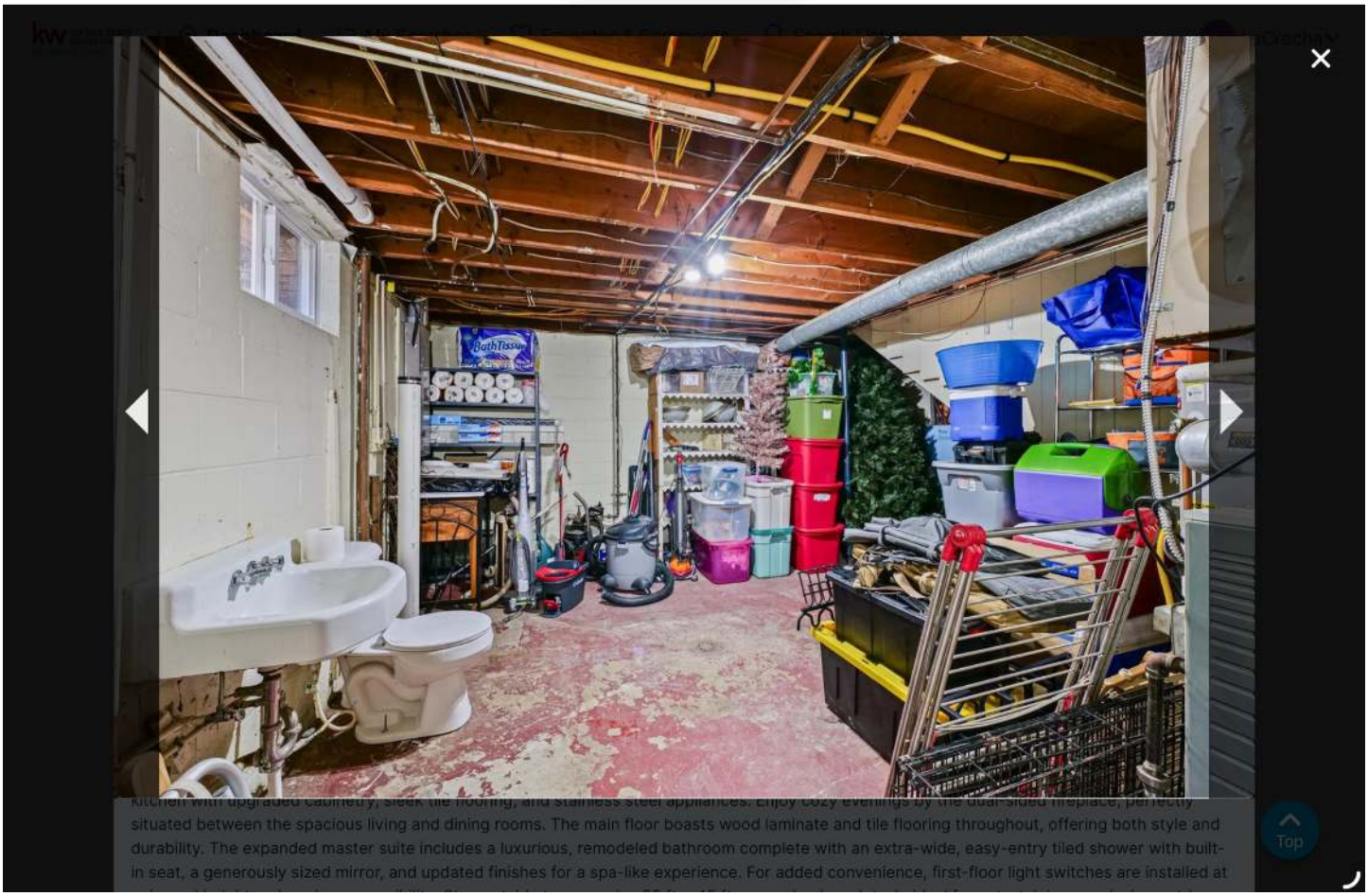

situated between the spacious living and dining rooms. The main floor boasts wood laminate and tile flooring throughout, offering both style and durability. The expanded master suite includes a luxurious, remodeled bathroom complete with an extra-wide, easy-entry tiled shower with built-in seat, a generously sized mirror, and updated finishes for a spa-like experience. For added convenience, first-floor light switches are installed at

Top

A.O.Smith
Premier

EXHIBIT H

Current lounge/window photographs and plan-verified window designation

Current photographs document the existing opening; the March 2026 floor plan identifies it as a nominal 32 × 18 window.

EXHIBIT I

City of Urbana 2021 ICC Model Codes Adopting Ordinance

Official adopting ordinance from the City Council's June 26, 2023 meeting packet, including Article V — Residential Code and the remaining code-adoption articles through Article XIII.

Verification note:

The adopting ordinance is reproduced behind this cover from packet PDF pages 136–233, with 10 blank separator pages and unrelated agenda material beginning on packet page 234 excluded.

400 S Vine St • Urbana IL 61801 • (217) 384-2443 • BuildingSafety@urbanaillinois.us

2021 ICC Model Codes
ADOPTING ORDINANCE

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ARTICLE I – GENERAL

Sec. 5-1. Reserved.

Sec. 5-2. Definitions.

Whenever the words "municipality" or "City" are used in this Ordinance or in any adopted code, they shall be held to mean the City of Urbana, Illinois.

The intent of this Ordinance shall be that the requirements and applicability of the codes referenced in this Ordinance shall be based upon the use group classifications, definitions, and construction types as designated in those codes as modified by this ordinance. Classifications, definitions, and occupancy types from other codes such as NFPA and/or the Zoning Ordinance shall not be used when determining requirements from the codes referenced by this Ordinance.

Sec. 5-3. Other Referenced Codes and Ordinances. Nothing in the adoption of the codes set forth above shall be construed to exempt any building or structure, or portion thereof, or occupancy or use thereof, from compliance with any and all other applicable codes and ordinances of the City of Urbana, Illinois. Wherever in the Building Code there is a conflict with the Zoning Ordinance of the City, the provisions of the Zoning Ordinance shall apply.

Sec. 5-4. Contractor Bonds for Right-of-Way Damage. All contractors or other persons doing or proposing to do work in the City of Urbana, which work may reasonably be expected to cause any physical disturbance of the public right-of-way including but not limited to any excavation, shall in addition to permits required under Chapter 5 (if necessary) obtain a right-of-way permit from the City Engineer. Before the said right-of-way permit may be issued, the contractor or other person must post a bond as set forth under Section 20-409 of the Urbana Code of Ordinances.

Sec. 5-5. Additions, Modifications, Deletions, and Substitutions. Where the following words precede the sections and subsections of the Codes hereinafter adopted they shall have the meanings set forth below:

"ADD" means that such provision is thereby added to and made a part of the Code indicated as though fully set forth therein at the referenced section.

"AMEND" (see "MODIFY").

"DELETE" means that such provision deletes the referenced section from the code referenced.

"MODIFY" means that such provision amends the referenced section of the code referenced to read as provided and that such provision is added to and made a part of such code as though fully set forth at the referenced section number.

"SUBSTITUTE" means that provision is substituted in place of the referenced section and is made a part of the code referenced.

Secs. 5-6 - 5-10. Reserved.

ARTICLE II – BUILDING OFFICIAL

Sec. 5-11. Offices created. There is hereby created the office of the Building Official. The Building Official shall be hired by the applicable governing authority and certified through a recognized certification program.

Sec. 5-12. Duties. The duties of the Building Official shall be as follows:

1. The Building Official of the City of Urbana shall issue all building permits and carry on all duties of the Building Official as such term is used elsewhere in City ordinances.
2. The Building Official shall hire such number of inspectors, assistants and other employees as authorized by the jurisdiction. Inspectors or plans examiners shall be certified through a recognized certification program for the appropriate trade(s).
3. The Building Official shall perform other such duties as prescribed by the Mayor or City Council from time to time.

Secs. 5-13 – 5-20. Reserved.

ARTICLE III – BOARD OF APPEALS

Codes That May Be Appealed: Appeals involving the following codes (and other Codes incorporated therein) shall be made to the Building Safety Code Board of Appeals:

- 2021 *International Building Code*
- 2021 *International Existing Building Code*
- 2021 *International Residential Code*
- 2021 *International Mechanical Code*
- 2021 *International Fire Code*
- 2021 *International Plumbing Code*
- 2021 *International Fuel Gas Code*
- 2021 *International Property Maintenance Code*
- 2020 *National Electrical Code*

Limitations of authority: An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code or interpret the administration of this code.

Time Limit for Appeals: An appeal of a legal notice or order by a Building Official or the Fire Official must be made within 15 days of receipt of such notice.

Administration: The Building Official shall take immediate action in accordance with the decision of the board.

Membership Qualifications of the Building Safety Code Board of Appeals: The Building Safety Code Board of Appeals shall be comprised of five (5) members who are not employees of the jurisdiction, including at least: one licensed electrician or electrical engineer; one licensed plumber or mechanical engineer; one architect; and one building contractor. The members shall be appointed by the Mayor, with approval of the City Council, for a term of five years, with the initial terms staggered.

Alternate Members: In addition to the members herein referred to, the Mayor shall initially appoint two alternate members and approved of the City Council. Such alternate members shall serve on the Board with the same powers and privileges as regular members when present at a meeting of the Board in place of an absent regular member. The alternate members so appointed shall serve for a term of five years. There are no specific trade requirements for alternate members.

Chair of Board and Board Rules: One member shall serve as Chair, and the Building Official shall keep a detailed record of all proceedings on file in the Building Safety Division. The Board shall enact rules and by-laws under which it shall operate. The Board shall elect a temporary chair in the absence of the appointed chair.

Disqualification of Member: A member shall not hear an appeal in which that member has any personal, professional, or financial interest.

Notice of Meeting: The Board shall meet upon notice by the Chair or the Building Official within 30 working days of filing of an appeal or at stated periodic meetings if arranged by the volume of work.

Open Meetings: All hearings shall be open to the public. The appellant, the appellant's representative, the Official of the jurisdiction, and any other person whose interests may be affected by the matter on appeal, shall be given an opportunity to be heard at the meeting in which the appeal is heard.

ARTICLE IV – BUILDING CODE

Sec. 5-21. Adoption of the 2021 *International Building Code*. The 2021 *International Building Code* as promulgated and published by the International Code Council, Inc., is hereby adopted as the Building Code of the City of Urbana, Illinois; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the said *International Building Code* are hereby referred to, adopted, and made a part hereof, with the additions, insertions, deletions, and changes prescribed in Section 5-23.

Sec. 5-22. Effect of State Law. The adoption of the 2021 *International Building Code* herein pursuant to home rule powers is not intended to negate any state statute on the same subject except insofar as the article imposes a more stringent requirement or standard than does the state statute. Where differences occur between common provisions of this Code and any other code or standard referenced by this Code, the provisions of this code shall apply.

Sec. 5-23. Additions, Amendments, Modifications, Deletions, and Substitutions. The following sections and subsections of the 2021 *International Building Code* are amended or changed as defined hereinafter:

Section 101.1 entitled "Title," is amended to read as follows:

Section 101.1 Title: These regulations shall be known as the Building Code of the City of Urbana, Illinois hereinafter referred to as "this Code".

Section 101.2.1 entitled "Appendices," is amended to read as follows:

101.2.1 Appendices. The following appendixes are hereby ADOPTED as part of this code.

Appendix H – Signs
Appendix I – Patio Covers

Section 101.4.3 entitled “Plumbing” is amended to read as follows:

101.4.3 Plumbing. The provisions of the CURRENT *Illinois Plumbing Code* and the *International Plumbing Code* shall apply to the installation, alteration, repair 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. . And, where differences occur between the CURRENT *Illinois Plumbing Code*, the *International Plumbing Code* or any other code or standard referenced by this Adopting Ordinance, the provisions of the CURRENT *Illinois Plumbing Code* shall take precedence.

Section 101.4.6 entitled “Energy” is amended to read as follows:

Section 101.4.6 Energy: The provisions of the CURRENT *International Energy Conservation Code* as adopted by the State of Illinois shall apply to all matters governing the design and construction of buildings for energy efficiency.

Section 101.4.8 entitled “Electrical” is added to read as follows:

Section 101.4.8 Electrical: The provisions the 2020 *National Electrical Code* shall apply to additions, alterations, renovations and repairs to electrical systems and equipment shall conform to that required for new electrical systems and equipment. Additions, alterations and repairs shall not cause existing electrical systems or equipment to become unsafe, hazardous or overloaded.

Minor additions, alterations, renovations and repairs to existing electrical systems and equipment shall meet the provisions for new construction, except where such work is performed in the same manner and arrangement as was in the existing system, is not hazardous and is approved.

Section 103.1 entitled “Creation of Enforcement Agency” is amended to read as follows:

Section 103.1 Creation of Enforcement Agency: The Building Safety Division is hereby created and the official in charge thereof shall be known as the Building Official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 103.2 entitled “Appointment” is amended to read as follows:

Section 103.2 Building Official. Wherever the terms "Code Official", "Administrative Authority" or "Building Official" are used in this Article or in codes and standards referenced by this Article, they shall be held to mean the Building Official of the Building Safety Division of the City of Urbana, Illinois, Community Development Services Department as detailed in Article II of this Adopting Ordinance.

Section 104.8 entitled “Liability," is amended to read as follows:

Section 104.8 Liability: The Building Official or designee, Officers, members of the Building Safety Code Board of Appeals, or employees charged with the enforcement of this Code, while acting for the municipality, shall not thereby render themselves liable personally, and they are hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of their official duties.

Section 104.8.1 entitled “Legal Defense,” is amended to read as follows:

Section 104.8.1 Legal Defense: Any suit instituted against any officer or employee because of an act performed by them in the lawful discharge of their duties and under the provisions of this Code, or any amendment thereto, shall be defended by a legal representative of the City until the final termination of the proceedings. The Building Official or any subordinates shall not be liable for costs in any action, suit, or proceeding that may be instituted in pursuance of the provisions of this Code; and any officer of the Department of Community Development Services, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

Section 105.2 entitled “Work exempt from permit” is amended as follows:

Items #1 and #2 under Building are DELETED.

Section 105.3.3 entitled "Noxious Odor Abatement Plan," is added and reads as follows:

Section 105.3.3 Noxious Odor Abatement Plan: Where plans filed with a building permit application for new construction or additions to facilities emitting a noxious odor beyond that of normal mechanical systems for the facility operation, the Building Official may require a Noxious Odor Abatement Plan to be filed by the owner which shall indicate the methods proposed to be used to minimize such emissions. The plan shall utilize the best available technology for reducing odors consistent with industry standards. If the structure is then built, the noxious odor abatement plan shall be implemented as proposed.

Section 105.8 entitled "Unused Building Materials," is added and reads as follows:

Section 105.8 Unused Building Materials: When a permit becomes invalid or is voided for any reason, all building materials not stored within a building or permanent structure shall be removed from the job site. Section 107.3.1 entitled "Approval of Construction Documents," is amended to read as follows:

Section 107.3.1 entitled "Approval of Construction Documents," is amended to read as follows:

Section 107.3.1 Approval of Construction Documents: A complete set of the approved plans shall be kept at the job site at all times, and immediately available to the Building Official or a duly authorized representative at all times.

Section 109.2 entitled "Schedule of Permit Fees," is amended to read as follows:

Section 109.2 Schedule of Permit Fees: Where a permit is required, a fee for each permit shall be paid as required, in accordance with the Schedule of Fees as established in Chapter 14 in the City of Urbana Code of Ordinances.

Section 109.6 entitled “Refunds” is DELETED.

Section 113 entitled "Means of Appeals," is amended to read as follows:

Section 113 Means of Appeals: All appeals shall be heard by the Building Safety Code Board of Appeals, as detailed in Article III of this Adopting Ordinance.

Section 114.4 entitled "Violation Penalties," is amended as follows:

Section 114.4 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, 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 an offense and subject to a fine as set forth in Section 1-10(k) of the City of Urbana Code of Ordinances. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

Section 115.4 entitled "Failure to comply," is amended to read as follows:

Section 115.4 Failure to Comply: Any person who shall continue any work in or about the structure after having been served with a "stop work" order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalties as prescribed in Section 114.4.

Section 116.4 entitled "Method of Service," is amended to read as follows:

Section 116.4 Method of Service: Such notice shall be deemed properly served where a copy thereof is served in accordance with one of the following methods:

1. A copy thereof is delivered to the owner personally.
2. A copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid.
3. A copy thereof is posted in a conspicuous place on the premises where the violation exists.

If the notice is served by mailing or posting, the service shall be deemed effective on the third day after mailing or posting. Service of such notice in the foregoing manner on the owner's authorized agent shall constitute service of notice on the owner.

Section 907.9 entitled "Acceptance Testing," is added and reads as follows:

Section 907.9 Acceptance Testing: All fire protection systems shall be tested in the presence of and shall be approved by the Building Official and the Fire Official (or their authorized agents). Where supervision of a system is required, no more than 90 seconds shall elapse between the time that a fire protection system device activates and notification is received by the local fire dispatching jurisdiction.

Section 1102.1 entitled "Design" is amended to read as follows:

Section 1102.1 Design: Buildings and facilities shall be designed and constructed to be accessible in accordance with this code, ICC A117.1, the CURRENT ADA Standards for Accessible Design and the CURRENT *State of Illinois Accessibility Code*.

Section 1301.1.1 entitled "Criteria" is amended as follows:

Section 1301.1.1 Criteria: Buildings shall be designed and constructed in accordance with the CURRENT *International Energy Conservation Code* as adopted by the State of Illinois.

Section 1809.5.1 entitled "Frost Line," is amended and reads as follows:

Section 1809.5.1 Frost Line: The minimum frost line depth design shall be 32 inches below grade.

Section 3103.3 entitled "Location," is amended to read as follows:

Section 3103.3 Location: Temporary structures shall be located with an accessible unoccupied open space around the perimeter having a minimum width of 30 feet from any and all other buildings or structures.

Section 3201.5 entitled "Approval," is added and reads as follows:

Section 3201.5 Approval: Any encroachment into the public right-of-way must be approved by the City Engineer or designee.

Section 3303.8 entitled "Contractors Bond," is added and reads as follows:

Section 3303.8 Contractors Bond: All contractors or other persons proposing to do work requiring a demolition permit from the City of Urbana shall be subject to the requirements of Article I, Section 5.4 of this Ordinance.

Contractors posting surety bonds on City contracts shall not be required to post any additional contractor bond, provided that such bond provides comparable coverage for the work undertaken.

Section 3303.9 entitled "Requirements for Demolition," is added and reads as follows:

Section 3303.9 Requirements for Demolition: All demolition work shall be carried out in accordance with the following specifications:

1. All non-common foundation walls and other below grade structures shall be completely demolished and removed. All materials shall be removed from basement or cellar activities and concrete floors shall be broken up and removed. All putrescible materials shall be removed.
2. Backfilling: No demolition materials, wood, frozen materials, or putrescibles may be used for backfill.
3. Finish grading: After backfilling the contractor shall finish grade the site. Finish grading shall be mounded approximately twelve (12) inches above existing grade in the center of the excavation

   EXCEPTION: The excavation abuts an existing building. Finish grading shall then be designed to prevent the ponding of water.
4. Dust control: During demolition work the contractor shall take reasonable steps to eliminate dust. Any water spraying, etc. shall be at the contractor's expense.

Section 3303.10 entitled "Abandoned Driveways," is added and reads as follows:

Section 3303.10 Abandoned Driveways: All abandoned drive accesses and curb cuts to the property must be removed and/or effectively closed to prevent illegal parking on the City right-of-way and/or the vacant lot. A right-of-way permit is required for work in the right-of-way.

Case #1: Abandoned drives from streets with curb and gutters; drive must be removed and curb and gutter installed.

Case #2: Abandoned drives from streets without curb and gutters; drive must be removed; appropriate barrier installed, and grass re-established in the former drive access area.

Case #3: The City Engineer may waive removal of a drive to a vacant lot, approval must be obtained in writing and provided to the Division of Building Safety.

Section 3303.11 entitled "Utilities," is added and reads as follows:

Section 3303.11 Utilities: Prior to the demolition of any structure, arrangements shall be made for the disconnection and/or retirement of all utilities. All sanitary and storm sewers shall be disconnected and plugged in accordance with the standards as determined by the Plumbing Official and the Urbana Engineering Division.

Appendix H entitled "Signs," is ADOPTED and reads as follows:

Section H101.2 entitled "Signs exempt from permits," is deleted and replaced with “Sign Permits” as follows:

Section H101.2 Sign Permits: All signs shall comply with the CURRENT Zoning Ordinance.

Section H105.1.1 Owner's Consent: The written consent of the owner or lessor of the premises upon which the sign is to be erected may be required.

Section H105.2 entitled "Permits, drawings and specifications," amended as follows:

Section H105.2 Permits, drawings and specifications: Construction documents shall be required for sign permits. These documents shall show the dimensions, material and required details of construction, including loads, stresses and anchors.

Section H105.7 entitled "Alterations," is added and reads as follows:

Section H105.7 Alterations: A sign shall not be enlarged or relocated except in conformity to the provisions of this code for new signs, nor until a proper permit has been secured. The changing of movable parts of an approved sign that is designed for such changes, or the repainting or reposting of display matter, shall not be deemed an alteration, provided the conditions of the original approval and the requirements of CURRENT Zoning Ordinance are not violated.

Section H105.8 entitled "Inspections," is added and reads as follows:

Section H105.8 Inspections: Every sign shall be subject to the inspection and approval of the Building Official or designee.

Section H105.8.1 Unsafe and Unlawful Signs: When any sign becomes insecure, in danger of falling, or otherwise unsafe, or if any sign shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this code, the owner thereof or the person or firm maintaining same shall upon written notice of the Building Official, forthwith in the case of immediate danger and in any case within not more than ten days, make such sign conform to the provisions of this article or shall remove it. If within ten days the order is not complied with, the Building Official may remove such sign at the expense of the owner or lessee thereof as provided in Section 115.

Section H105.8.2 Removal: The Building Official may order the removal of any sign that is not maintained in accordance with the provisions of this article.

Section H105.8.3 Maintenance: All signs, their supports, braces, guys, and anchors, shall be kept in repair in accordance with the provisions of this Appendix and Chapter 1. When not galvanized or constructed of approved corrosion-resistant noncombustible materials, signs shall be painted when necessary to prevent corrosion.

Appendix I – Patio Covers is ADOPTED as part of this code.

Secs. 5-24 - 5-30. Reserved.

ARTICLE V – RESIDENTIAL CODE

Sec. 5-31. Adoption of the 2021 International Residential Code for One- and Two-Family Dwellings. The *International Residential Code* for One- and Two-Family Dwellings as promulgated and published by the International Code Council, and referenced in Section 101.2 of the 2021 *International Building Code*, is hereby adopted as the Residential Code of the City of Urbana, Illinois; for the control of one- and two-family detached dwellings of less than four stories in height as herein provided; and each and all of the regulations, provisions, conditions, penalties, and terms of the said 2021 *International Residential Code* for One- and Two-Family Dwellings are hereby referred to, adopted, and made a part hereof, with the additions, insertions, deletions, and changes prescribed in Section 5-33.

Sec. 5-32. Effect of State Law. The adoption of the 2021 *International Residential Code* for One- and Two-Family Dwellings herein pursuant to home rule powers is not intended to negate any state statute on the same subject except insofar as the Article imposes a more stringent standard or requirement than does the state statute.

Sec. 5-33. Additions, Modifications, Deletions, and Substitutions. The following sections and subsections of the 2021 *International Residential Code* for One- and Two-Family Dwellings are amended or changed as defined in Article I, Section 5 of this Ordinance.

Section R-101.1 entitled “Title” is amended to read as follows:

R-101.1 Title: These provisions shall be known as the Residential Code for One- and Two-family Dwellings for the City of Urbana, Illinois, and shall be cited as such and will be referred to herein as “this code.”

Section R-101.2.1 entitled “Restrictions” is added and reads as follows:

Section R-101.2.1 Restrictions: Manufactured and Mobile Homes are restricted by the Zoning Ordinance and Article XII of Chapter 5 of this Code to approved mobile home parks.

Section R-102.5 Appendices: The following appendixes are hereby ADOPTED as part of this code.

Appendix AF – Radon Control Methods
Appendix AH – Patio Covers
Appendix AJ – Existing Building and Structures
Appendix AO – Automatic Vehicle Gates
Appendix AQ – Tiny Houses
Appendix AS – Strawbale Construction
Appendix AT – Solar-Ready Provisions—Detached One- and Two-Family Dwellings and Townhouses
Appendix AW – 3-D-Printed Building Construction is ADOPTED as part of this code.
Appendix AY – Visitability

Section R-103.2 entitled “Appointment” is amended and reads as follows:

Section R-103.2 Building Official: Wherever the terms "Code Official", "Administrative Authority" or "Building Official" are used in this Article or in codes and standards referenced by this Article, they shall be held to mean the Building Official of the Building Safety Division of the

City of Urbana, Illinois, Community Development Services Department as detailed in Article II of this Adopting Ordinance.

Section R-105.2 entitled, "Work exempt from Permit" is amended and reads as follows:

Section R-105.2 Work exempt from Permit: Exceptions 1, 2 and 10 are deleted.

Section R-112 entitled "Board of Appeals," is amended to read as follows:

Section R-112 Board of Appeals: All appeals shall be heard by the Building Safety Code Board of Appeals, as detailed in Article III of this Adopting Ordinance.

Section R-113.2.1 entitled, "Service of Notices," is added and reads as follows:

Section R-113.2.1 Service of Notices: Such notice shall be deemed to be properly served, where a copy thereof is served in accordance with one of the following methods:

1. A copy thereof is delivered to the owner personally.
2. A copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid.
3. A copy thereof is posted in a conspicuous place on the premises where the violation exists.

If the notice is served by mailing or posting, the service shall be deemed effective on the third day after mailing or posting. Service of such notice in the foregoing manner on the owner's authorized agent shall constitute service of notice on the owner.

Section R-113.4 entitled, "Violation Penalty" is amended to read as follows:

Section R-113.4 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, 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 an offense and subject to a fine as set forth in Section 1-10(k) of the City of Urbana Code of Ordinances. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

Table R-301.2 (1) entitled, "Climatic and Geographic Design Criteria," is amended as follows:

Ground Snow: 20 pounds per square foot.
Wind Speed: Minimum design wind speed shall be 107 mph 3 second gust.
Seismic Zone: Seismic zone shall be zone "B".
Weathering: Weathering index shall be "Severe."
Winter Design Temperature: Four degrees below zero (-4).
Frost Line Depth: 32 inches below grade minimum.
Termite: The jurisdiction is subject to moderate to heavy termite damage.
Decay: The jurisdiction is subject to moderate decay damage.
Ice Shield Underlayment: Ice shield underlayment is required.
Flood Hazard: The jurisdiction entered into National Flood Insurance Program on July 16, 1980 and the currently effective FIRM and FBFB maps are dated October 02, 2013.
Air Freezing Index: Air freezing index is 1265.
Mean Annual Temperature: 51.9 degrees Fahrenheit.

Section R-313.2 entitled "One- and two-family dwellings automatic fire systems is amended to read as follows:

Section R-313.2 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings over 6,000 gross square feet.

> **EXCEPTION:** An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

Section M-1408 entitled “Vented Floor Furnace” is DELETED in its entirety.

Section M-1601.1.1(3) entitled “Above Ground Duct Systems” is amended to read as follows:

Section M-1601.1.1 Above Ground Duct Systems: 3. Fibrous glass air ducts (duct board) is NOT permitted in any use group.

Section M-2406.2 (7) entitled, "Prohibited Locations," is added and reads as follows:

Section M-2406.2 (7) Prohibited Locations: A vented decorative appliance, vented wall furnace, or space heater shall not be located under a stairway and shall not be installed as a central heating system. Such equipment shall not serve as the primary source of heat in a dwelling unit unless otherwise approved by the Building Official.

Section M-2433 entitled, "Log Lighters," is DELETED in its entirety.

Section G2437 entitled “Floor Furnace” is DELETED in its entirety.

Section P2601.1 entitled, "Scope," is amended and reads as follows:

Section P2601.1 Scope: The installation of plumbing, appliances, and equipment shall comply with the more stringent provisions of this code, *International Plumbing Code* or the CURRENT *Illinois Plumbing Code*.

Appendix AF – Radon Control Methods

AF101.1 entitled "General," is amended to read as follows:

AF101.1 General: All buildings and radon control systems shall be designed and constructed to meet the minimum of the State of Illinois Radon Resistant Construction Act. [420 ILCS52]

AF102 entitled "Definitions," is DELETED in its entirety.

AF103 entitled "Requirements," is DELETED in its entirety.

AF104 entitled "Testing," is DELETED in its entirety.

Appendix AH – Patio Covers is ADOPTED as part of this code.

Appendix AJ – Existing Building and Structures is ADOPTED as part of this code.

Appendix AO – Automatic Vehicle Gates is ADOPTED as part of this code.

AO103.2.1 entitled “Emergency Access for Vehicle Gates” is added and reads as follows:

Section AO103.2.1 Emergency Access for Vehicle Gates: All electrically operated gates, doors or barriers used for vehicle access shall be equipped with a “Click2Enter” type sensor compatible with the current 800 mhz radio system used by METCAD in Champaign County and a secondary gate key switch if required by the Fire Code Official. The gate key switch shall be compatible with the requirements of Section F-506.1 of this code. These devices and their installation locations shall be approved by the Fire Code Official.

Appendix AQ – Tiny Houses is ADOPTED as part of this code.

Appendix AS – Strawbale Construction is ADOPTED as part of this code.

Appendix AT – Solar-Ready Provisions—Detached One- and Two-Family Dwellings and Townhouses is ADOPTED as part of this code.

Appendix AW – 3-D-Printed Building Construction is ADOPTED as part of this code.

Appendix AY entitled “Visitability” is added and reads as follows:

Appendix AY “Visitability”:

Section AY-101 Scope: The provisions of this Appendix require visitability features in new construction of one and two family dwellings funded with financial assistance originating from or flowing through the City of Urbana and shall be in addition to the other requirements of this code.

Section AY-102 Definitions

Public Funds means funds subject to the control or regulation of the City of Urbana, Illinois or any of its officers in their official capacity, except pension.

Financial Assistance means providing public funds intended to be used for paying for labor or materials in the construction of a new single-family or two-family structure. It also includes use of public funds to acquire the parcel of land or the donation of the parcel of land owned by the City, on which a new single-family or two-family structure is to be constructed. Such financial assistance shall not include infrastructure, sanitary or storm sewer or other public infrastructure improvements.

Section AY-103 Applicability: For the purpose of this Section “new construction” shall include the construction of a NEW single family or duplex dwelling on a vacant lot. It shall not include additions to or remodeling of existing buildings. Such financial assistance shall include funds only used for the purchase of land or the donation of land from the City used to construct structures governed by this Appendix. It shall also include funds used for the actual construction of the governed structures, but shall not include infrastructure installation such as sanitary or storm sewers, streets or other costs.

If public funds are utilized to upgrade a particular element(s) of a structure for hazard mitigation, such as higher wind resistance, tornado shelters or other similar features, it shall not in and of itself, require the building to meet the requirements of this Section.

Section AY-104 Visitability Features:

AY-104.1 No step entrance: There shall be at least one entrance (front, side, rear, or through the garage) which has no steps and is served by walks and/or ramps meeting the specifications of Section AM-104.2.

AY-104.2 Visitable Route: The required no step entrance shall be accessed via a visitable route that shall meet the following criteria.

AY-104.2.1 Grade: Sidewalks and ramps shall comply with the CURRENT *Illinois Accessibility Code*.

AY-104.2.2 Width: The visitable route shall have a minimum clear width of 36 inches.

AY-104.2.3 Landings: Landings in a visitable route shall meet the requirements of the CURRENT *Illinois Accessibility Code*.

AY-104.2.4 Surfaces: Surfaces shall be non-slip.

AY-104.2.5 Drainage cross slope: Cross slope shall be no greater than 1/48.

AY-104.3 Doors/Openings: All doors or openings shall have a minimum net clear width of 32".

> **EXCEPTION:** Doors to closets with an area of 15 square feet shall be excluded from this requirement.

AY-104.4 Bathroom Walls: Each bathroom or other room containing a toilet, bathtub, shower stall, or shower seat shall have reinforcing in the walls to allow for future installation of grab bars around those fixtures.

AY-104.5 Corridors: Corridors shall be at least 36 inches in width.

AY-104.6 Environmental Controls

AY-104.6.1 Wall Electrical Outlets: Wall electrical outlets shall be mounted at least 15 inches above the finished floor.

AY-104.6.2 Light Switches, Thermostats and Other Controls: Light switches, thermostats and other control devices shall be mounted no higher than 48 inches above the finished floor.

Section AY-105 Waivers: In cases where site conditions or other restrictions warrant, waivers from this Section may be granted by majority vote of the Building Safety Code Board of Appeals. If the Board does not reach a favorable recommendation, the waiver is denied and the Board's findings will be the final administrative decision on such a waiver.

Secs. 5-34 - 5-40. Reserved.

ARTICLE VI – ELECTRICAL CODE

Sec. 5-51. Adoption of the *National Electrical Code*. The 2020 *National Electrical Code* (NFPA 70) as copyrighted by the National Fire Protection Association is hereby adopted and incorporated herein by reference, as if fully set out in this Article, with the additions and changes prescribed hereinafter. Article 80 is specifically exempted.

Sec. 5-52. Effect of State Law. The adoption of the 2020 *National Electrical Code* (NFPA 70) herein pursuant to home rule powers is not intended to negate any state statute on the same subject except insofar as this Article imposes a more stringent requirement or standard than does the state statute.

Sec. 5-53. Amendments, Deletions, and Modifications. The following additions, deletions, amendments or substitutions, as defined in Article I, Section 5 of this Ordinance, are hereby made to the 2020 *National Electrical Code*.

ARTICLE 90 – Administration and Enforcement:

Section 90-1. General:

Title: This Code shall be known as the Electrical Code of the City of Urbana, Illinois, hereinafter referred to as the “Electrical Code” or "this Code".

Scope: The design, installation, maintenance, alteration, and inspection of the electrical systems shall comply with the requirements of this Code.

Intent: This Code shall be construed liberally and justly to insure public health, safety, and welfare insofar as they are affected by the installation and maintenance of electrical systems.

Electrical Official: Wherever the terms "Code Official," "Administrative Authority," or "Electrical Official" are used in this Article or in codes and standards referenced by this Article, they shall be held to mean the Electrical Official of the Building Safety Division of the City of Urbana, Illinois, Community Development Services Department.

Safety: This Code contains provisions necessary for safety. Compliance therewith and proper maintenance will result in an installation essentially free from hazard, but not necessarily efficient, convenient, or adequate for good service or future expansion of electrical use.

Non-Instruction: This Code is not intended as a design specification nor as an instruction manual for untrained persons.

Liability: This Code shall not be construed to affect the responsibility or liability of any party owner, operating, controlling, or installing any electrical equipment, for damage to persons or property caused by any defect therein, nor shall the City be held as assuming such liability by reason of the inspection or re-inspection authorized herein or the certificate of approval issued as herein provided, or by reason of the approval or disapproval of any equipment authorized herein.

Building Safety Code Board of Appeals: All appeals shall be heard by the Building Safety Code Board of Appeals, as detailed in Article III of this adopting code.

Section 90-2 Applicability: The provisions of this Code shall apply to the installations and equipment within, on, or around public and private buildings, or other structures, including mobile homes, recreational vehicles, floating buildings, and other premises such as yards, carnival, parking, and other lots and industrial substations.

Including:

1. Installation of conductors that connect to the supply of electricity.
2. Installation of other outside conductors on the premises.
3. Installation of optical fiber cable.
4. Certain low voltage installations.

It is the intent that this Code covers all premises wiring or wiring other than utility owned metering equipment, on the load side of the service point of buildings, structures, or any other premises not owned or leased by the utility. Also, it is the intent that this Code covers installations in buildings used by the utility company for purposes such as office buildings, warehouses, garages, machine shops, and recreational buildings which are not an integral part of a generating plant, substation, or control center.

This Code shall not cover:

1. Installations in ships, watercraft other than floating buildings, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles.
2. Installations underground in mines.
3. Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communication purposes.
4. Installations of communication equipment under the exclusive control of communication utilities, located outdoors or in building spaces used exclusively for such installations.
5. Installations under the exclusive control of electric utilities for the purpose of communication, or metering, or for the generation, control, transformation, transmission, and distribution of electric energy located in buildings used exclusively by utilities for such purposes or located outdoors on property owned or leased by the utility or on public highways, streets, roads, etc., or outdoors by established rights on private property.

Matters Not Provided For: Any requirements essential for the safe operation of any appliance or electrical system not specifically provided for by this Code shall be determined by the Electrical Official.

Continuation of Unlawful Use: It shall be unlawful to install, extend, alter, repair, or maintain electrical systems in or adjacent to buildings except in conformity with this Code.

Section 90-3 Existing Electrical Systems:

Application: This Code shall apply to existing electrical systems described in this Section.

1. Electrical systems in a building occupied for occupancies or uses other than those for which it was occupied at the time this Code became applicable.
2. Electrical systems in a building moved as specified in Section 90-6.

Additions or Alterations: Any addition or alteration, regardless of cost, made to an electrical system shall be made in conformity with applicable regulations of this Code. Where additions or alterations subject parts of existing systems to loads exceeding those permitted herein, such parts shall be made to comply with this Code.

Existing Use Continued: Except as otherwise provided in this Code a provision in this Code shall not require the removal, alteration, or abandonment of, nor prevent continued use of, an existing electrical system; provided the system conforms with the codes in existence at the time of its installation.

Section 90-4 Repairs and Maintenance:

Maintenance: All electrical systems, both existing and new, and all parts thereof shall be maintained in a safe condition. All devices or safeguards which are required by this Code shall be maintained in good working order.

Owner Responsibility: The owner or the owner's designated agent shall be responsible for the maintenance of electrical systems.

Section 90-5 Demolition: No building or structure shall be demolished until the electrical service has been properly terminated by the utility company. The Electrical Official may require notification of termination, in writing from the utility company.

Section 90-6 Moved Structures: The electrical systems in a building or structure which is to be moved or relocated must comply with the minimum requirements for rewiring existing construction before such building may be occupied, (See Section 120.2 B, C, D, & E).

Section 90-7 Approval:

It shall be unlawful for any person to use any electrical device, apparatus, wiring material, or current limiting device of any kind that does not meet the Standards of Underwriters Laboratories or other approved testing laboratories, listed in Chapter 35 of the 2021 *International Building Code*, Entitled: Referenced Standards, as to safety and adequacy.

The Electrical Official may waive specific requirements in this Code or permit alternate methods, where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

This Code may require new products, constructions, or materials which may not yet be available at the time the Code is adopted. In such event, the authority having jurisdiction may permit the use of the products, construction, or materials which comply with the most recent previous edition of this Code adopted by this jurisdiction.

Research and Investigations: The Electrical Official shall require that sufficient technical data be submitted to substantiate the proposed use of any material or assembly, and if it is determined that the evidence submitted is satisfactory proof of performance for the use intended, its use may be approved subject to the requirements of this Code. The costs of all tests, reports, and investigations required under these provisions shall be paid by the applicant.

Special Permission: The authority having jurisdiction for enforcing this Code may grant exception for the installation of conductors and equipment not under the exclusive control of the electric utilities and used to connect the electric utility supply system to the service-entrance conductors of the premises served, provided such installations are outside a building or terminate immediately inside a building wall.

Accepted Industry Practice: In the absence of provisions not specifically contained in this Code or approved rules, accepted industry practice in respect to material, equipment, or method of installation will serve as the standard for enforcement by the Electrical Official governing electrical installations.

Section 90-8 Electrical Official:

General: The Electrical Official of the Building Safety Division of the Department of Community Development Services of the City of Urbana shall be designated the Electrical Official for the purposes of this Code.

Relief from Personal Responsibility: The Electrical Official, officer or employee charged with the enforcement of this Code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of Official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The Official or any subordinate shall not be liable for costs in any action, suit, or proceeding that may be instituted in pursuance of the provisions of this Code; and any officer of the Office of Electrical Inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

Section 90-9 Duties and Powers:

General: The Electrical Official shall enforce all the provisions of this Code relative to the installation, alteration, repair, maintenance, or operation of all electrical systems, devices, and equipment, except as may otherwise be specifically provided for by other requirements or as provided in the following sections.

The provisions of this Code may be modified or waived by special permission, by the Electrical Official where such permission is allowed by a section in this Code.

Application and Permits:

1. The Electrical Official shall receive applications and issue permits for the installation and alteration of electrical systems and equipment.
2. The Electrical Official shall have the authority to deny issuance of an electrical permit to an applicant who is delinquent in obtaining inspections as required in Section 90-16 or delinquent in compliance with notices and orders.

Notices and Orders: The Electrical Official shall issue all necessary notices or orders to remove illegal or unsafe equipment or require repairs or replacement of such equipment.

Inspections: The Electrical Official shall make all the required inspections, or may accept reports of inspection by approved services or individuals.

Rule Making Authority: The Electrical Official shall have power as may be necessary in the interest of public safety, health, and general welfare to adopt and promulgate rules and regulations to interpret and implement the provisions of this Code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving working stresses or fire protection requirements specifically provided in this Code, or of violating approved engineering practice involving public safety.

The Electrical Official is hereby empowered to attach to electrical cabinets and equipment, any Official notice or seal to prevent or permit use of electricity and it shall be unlawful for any other person to put or attach such seal or notice, or to break, change, destroy, tear, mutilate, cover, relocate, or otherwise deface or injure any such official notice or seal posted or duly signed by the Electrical Official.

Section 90-10 Permits:

The Electrical Official shall examine or cause to be examined all applications for permits and amendments thereto within a reasonable time after filing. If the application or the plans do not conform to the requirements of all pertinent laws, such application shall be rejected. If the

Electrical Official is satisfied that the proposed work conforms to the requirements of this Code and all laws and ordinances applicable thereto, a permit shall be issued as soon as practical.

1. No electrical equipment or system shall be altered or installed without first obtaining an electrical permit.

   EXCEPTION: A permit shall not be required for minor electrical repairs (involving no new work, alterations, or change whatever) that are necessary and incident to the maintenance only in good condition of an established plant, installation or system of wiring. However, this exception does not permit the installation of any new circuits or the extension of any circuits already installed.

Application for Permits: Application for an electrical permit shall be made on forms prepared and provided by the Electrical Official.

Persons Applying: Applications for electrical permits shall be made only by those persons qualified, as defined by this Code, to perform electrical work.

In no case shall anyone apply for a permit to do work which they are not authorized by the owner or owner's agent to perform.

Plans and Specifications: The application for the permit shall be accompanied by specifications and plans drawn to scale, with sufficient clarity and detail dimension to show the nature and character of the work to be performed. When quality of materials is essential for conformity to this Code, specific information shall be essential for conformity to this Code, specific information shall be given to establish such quality; and this Code shall not be cited, or the term "legal" or its equivalent to be used, as a substitute for specific information. The Electrical Official may waive the requirement for filing plans when the work involved is of a minor nature.

Revocation: The Electrical Official may revoke a permit or approval issued under the provisions of this Code in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based.

Suspension: Any permit issued shall become invalid if the authorized work is not commenced within six months after issuance of the permit or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work.

Section 90-11 Conditions of Permit:

Qualifications of Contractors: Except as indicated in Section 90-12 herein, electrical permits shall be issued only to contractors licensed by the City of Urbana to perform such work.

Payment of Fees: A permit shall not be issued until the fees prescribed in Chapter 14 (licenses and permits) of the Urbana Code of Ordinances are submitted.

Code Compliance: The permit shall be authorization to proceed with the work and shall not be construed as authority to violate, cancel, or set aside any of the provisions of this Code, except as specifically stipulated by approved modification as described in the application.

Permit Compliance: All work shall conform to the approved application and plans for which the permit has been issued, and any approved amendments thereto. Modifications or changes in the work shall not be made without first obtaining approval from the Electrical Official and paying any additional required fees.

Not Transferable: Permits are not transferable. A permit shall be valid only to the party authorized to do the work as indicated on the application and any bona fide employees, as allowed by this Code.

Annual Permits: The Electrical Official may issue annual permits under the following conditions:

1. Application shall be made annually in a form approved by the Electrical Official.
2. No permits shall be issued until the proper fees have been paid.
3. The application for an annual permit shall include the name of the supervising electrician that is to be responsible for the work. The Electrical Official shall be notified prior to any change in the supervising electrician. The supervising electrician shall be licensed as required in this Code.
4. Work performed under the annual permit shall be limited to minor installations or alterations. Separate electrical permits shall be obtained for major changes in electrical equipment or apparatus, changes in service, relocation of major pieces of equipment or high voltage devices and/or electrical remodeling of areas or spaces including changes in lighting.
5. An annual permit shall be issued only to those businesses, companies, or corporations which use qualified people in modifications and equipment changes. Annual permits may be issued to cover malls, hospitals, factories, and other organizations which have employees for the full-time and constant maintenance and repair of electrical systems.
6. The annual permit shall specify each and every building location or premises where work is to be performed along with the name of the designated supervising electrician.
7. The designated supervising electrician shall maintain a log of all work performed during each month for which the permit was issued. This log shall list the type and location of all work performed under the annual permit. Work not listed on the log and all major electrical work shall require a separate electrical permit. The designated supervising electrician shall update and maintain the log for review by the Electrical Official.
8. Any person violating any of the provisions of this article applicable to annual electrical permit certificates shall be subject to the penalties provided and in addition thereto, the annual electrical permit certificate issued to such person shall be revoked by the Electrical Official in writing to the party involved, and any unexpired fee therein shall be retained by the City, provided however, that revocation by the Electrical Official shall be subject to appeal to the Building Safety Code Board of Appeals.

Section 90-12 Registration of Electrical Contractors:

Permits for electrical work shall be issued only to registered electrical contractors as defined herein.

> **EXCEPTION:** Permits may be issued to the owner/occupant of a single-family dwelling used exclusively for living purposes, including the usual accessory buildings to perform electrical work in said dwelling, provided the person is a bona fide owner of such dwelling and that the same will be occupied by the owner for at least one year, and the owner shall personally purchase all material and perform all labor in connection therewith, and provided that all workmanship, methods, and materials shall meet the requirements of this article.

Contractors shall become registered by applying to the Electrical Official. Upon satisfactory compliance with this section, the Electrical Official shall issue a Certificate of Registration authorizing the applicant to engage in such business during the fiscal period for which it is issued.

1. Applications for registration of an electrical contractor shall not be taken unless submitted with the proper fee, as prescribed in Chapter 14 (Licenses and Permits) of the Urbana Code of Ordinances.
2. Assurances Required: Registration as required above shall require filing with the Electrical Official a statement that such contractor shall restore the City streets, alleys,

sidewalks, parking, and all other City property to as good a condition as the same were before such contractor disturbed such for work performed by the contractor.

3. Applications: Registration shall require completion of the application upon the form approved by the Electrical Official.
4. The application shall specify the supervising electrician(s) responsible for the performance and/or supervision of any and all electrical work to be performed as authorized by a permit obtained by the applicant.
5. In the event of any change or termination of the supervising electrician, the registered electrical contractor shall have thirty days in which to apply for revision of registration or to have another registered electrical contractor apply for a permit and to complete the unfinished work.
6. Any electrical contractor properly licensed in any other jurisdiction, where the licensing requirements of said other jurisdiction are deemed equivalent to Urbana requirements by the Electrical Official, who wishes to perform permit-required work in Urbana, shall submit an application along with proof of current license and the fee prescribed for reciprocal registration as prescribed in Chapter 14 of the Urbana Code of Ordinances. If reciprocal registration is denied, the applicant may either successfully complete the licensing requirements of a supervising electrician in Urbana or an appeal may be made within seven days of receipt of denial to the Building Safety Code Board of Appeals. The Building Safety Code Board of Appeals shall either confirm or deny registration by a majority vote.
7. Certificates of registration shall expire on the 30th day of June following issuance. Application for renewal shall be made by submitting the proper fee and by submitting any changes to the original application on or before 30 days after the date of expiration. Failure to renew registration July 31 shall require submission of a new application and double the prescribed fee. Any renewal or re-registration which has been expired, revoked, suspended, or otherwise invalid for a period longer than 90 days shall require re-examination of the supervising electrician.
8. Performance of permit-required electrical work without a valid registration as an electrical contractor in Urbana shall be deemed a violation of this Code.
9. Any false statement on the application for registration shall constitute fraud, and cause the registration to be null and void.
10. If in the opinion of the Electrical Official any electrical contractor registered under this Code shall have willfully or repeatedly violated any of the provisions of this Article, the Electrical Official shall refer written charges against such offending registered electrical contractor to the Building Safety Code Board of Appeals. Upon the receipt of such written charges, the Building Safety Code Board of Appeals shall within fourteen (14) calendar days after majority vote of those present, determine whether or not such registered electrical contractor's license shall be suspended or revoked by the City. In no event may a suspension exceed six (6) months. The Electrical Official shall keep a suitable record of all registrations issued and a suitable record of all suspensions or revocations by the Board.

Section 90-13 Approval of the Supervising Electrician:

Before any permit to install or alter electrical work shall be issued to any person entitled to secure permits under this Section, such person shall appoint or employ a person, who shall be known as the supervising electrician for the purpose of the electrical regulations of this Article.

1. The supervising electrician shall be employed on a full-time basis with the electrical contractor.

The supervising electrician shall be on-site or with-in 100 miles during all electrical installations.

The supervising electrician shall be available for any and all inspections if requested by the Electrical Official.

The supervising electrician shall have had at least four (4) years or eight thousand (8,000) hours experience in the installation, alteration, repair, and maintenance of electrical wires, equipment, and apparatus, or an experience equivalent thereto. Applicants shall furnish the names and addresses of former employers, periods of time employed, and in what capacity. Proof of such service shall be furnished in a manner satisfactory to the Electrical Official. Every applicant provided for in this Section shall be required to pass the National Standard Master Electrician Examination to be administered by the International Code Council. Said applicant shall pay any examination fees required by the International Code Council. Such fees are in addition to the registration fee required by the City of Urbana upon said applicant's successful completion of the examination process. Successful applicants shall be issued a certificate of registration without restrictions upon payment of the registration fees prescribed in Chapter 14 of the Urbana Code of Ordinances. Any person denied status as a supervising electrician by the Electrical Official may appeal the denial to the Building Safety Code Board of Appeals. The Board, following a hearing of evidence, shall confirm or reverse the Electrical Official's decision by a majority vote of those members present.

Re-examinations shall be administered by the International Code Council. Said applicant shall pay any examination fees required by the International Code Council. Applicants may re-examine at the earliest allowable time as established by the International Code Council.

The Electrical Official may limit the size, scope, and type of electrical work which the supervising electrician shall be authorized to perform. Applicants seeking to obtain a restricted/limited registration as described in this section shall be required to have had at least two years or 4000 hours experience in the installation, alteration, repair, and maintenance of electrical wires, equipment and apparatus, or an experience thereto. Applicants shall furnish names and addresses of former employers, periods of time employed, and in what capacity. Proof of such service shall be furnished in a manner satisfactory to the Electrical Official. Every applicant provided for in this section shall be required to pass the National Standard Residential Electrician Exam to be administered by the International Code Council. Said applicant shall pay any exam fees required by the International Code Council. Such fees are in addition to the registration fee required by the City of Urbana upon said applicant's successful completion of the examination process. Successful applicants shall be issued a certificate of registration with restrictions/limitations upon payment of the registration fees prescribed in Chapter 14 of the Urbana Code of Ordinances. Such restrictions/limitations shall be based upon the applicant's experience, technical education, and successful performance on the National Standard Residential Electrician Exam. Such limitations shall be recorded on the Certificate of Registration(s) and shall authorize said supervising electrician to perform electrical work as follows:

1. One- and Two-Family detached dwelling electrical work.
2. Sign installations and neon lighting.
3. Apartment buildings.
4. Air conditioning and heating installations limited to residential use.

The Electrical Official may limit the size, scope, and type of electrical work which the supervising electrician shall be authorized to perform. Applicants seeking to obtain a restricted/limited registration as described in this section shall be required to have had at least two years or 4000 hours experience in the installation, alteration, repair, and maintenance of electrical wires, equipment and apparatus, or an experience thereto. Applicants shall furnish names and addresses of former employers, periods of time employed, and in what capacity. Proof of such service shall be furnished in a manner satisfactory to the Electrical Official. Every applicant provided for in this section shall be required to pass the National Standard Maintenance

Electrician Exam to be administered by the International Code Council. Said applicant shall pay any exam fees required by the International Code Council. Such fees are in addition to the registration fee required by the City of Urbana upon said applicant's successful completion of the examination process. Successful applicants shall be issued a certificate of registration with restrictions/limitations upon payment of the registration fees prescribed in Chapter 14 of the Urbana Code of Ordinances. Such restrictions/limitations shall be based upon the applicant's experience, technical education, and successful performance on the National Standard Maintenance Electrician Exam. Such limitations shall be recorded on the Certificate of Registration(s) and shall authorize said supervising electrician to perform electrical work as follows:

1. Limited to facility where employed
2. Commercial/industrial electrical maintenance
3. Circuit installation not exceeding 60amp
4. Motor control wiring
5. HVAC installations not exceeding 60amp
6. Sign installations

Appeals of limitations shall be treated the same as an appeal of denial as described in Section 90-13(B) of this Code.

Section 90-14 Registration of Electronic Fire Protection Contractors:

A permit shall be required for the installation of electronic fire protection systems, low voltage or otherwise, including all fire alarm systems and electronic supervising components of fire suppression systems.

Contractors who install and/or maintain electronic fire protection systems shall be registered electrical contractors as prescribed in Section 90-12 or shall be registered as Electronic Fire Protection System Contractors.

The Electrical Official shall issue registrations as Electronic Fire Protection Systems Contractors (EFPSC) upon submittal of an application for registration along with proof of a valid State of Illinois license to perform such work. The application shall include the supervising electrician who shall, at a minimum, be approved for the installation of fire alarms.

Section 90-15 Fees:

Fees for permits, testing, licensing, and inspections shall be as prescribed in Chapter 14, (Licenses and Permits), of the Urbana Code of Ordinances.

Section 90-16 Inspections:

All work and equipment for which a permit is obtained under this Code shall be inspected and approved by the Electrical Official. Any portion of work intended to be concealed by any permanent portion of the building or by site work shall not be concealed until inspected and approved by the Electrical Official. When installation of any equipment is complete, a final inspection shall be made. Equipment regulated by this Code shall not be connected to the power supply and placed in normal operation until it complies with all applicable requirements of this Code, and a final inspection has been completed.

The Electrical Official may order the uncovering of any work which has been concealed and which may prevent reasonable inspection. The uncovering and subsequent repair work shall be performed at the owners of the buildings' expense and the Electrical Official shall not be held responsible for the failure of the permit holder to have the work inspected.

Inspection of Annual Permits

1. The Electrical Official shall make periodic inspections of sites where work is authorized by an annual permit.
2. The possessor of a valid annual electrical permit shall be responsible for maintaining a log of work and for assisting the Electrical Official in determining the work performed, within reasonable limits.

Concealment: No wiring shall be concealed prior to inspection and approval. It shall be the responsibility of the contractor to request inspections as required, also to arrange for entrance to a building, and provide for removal of covers, devices, etc., as is necessary for inspection.

Final Inspection: Upon completion of the electrical work and before final approval is given, the Electrical Official shall inspect the work and observe the final test to insure compliance with the requirements of this Code.

Right of Entry: In the discharge of duties, the Electrical Official or an authorized representative shall have the authority, subject to applicable law, to enter at any reasonable hour any building, structure, or premises in the City limits of Urbana, to enforce the provisions of this Code.

Section 90-17 Workmanship: All work shall be conducted, installed, and completed in a workmanlike and approved manner so as to secure the results intended by this Code.

Section 90-18 Electrical Power Supply: It shall be unlawful for any individual, partnership, corporation, group, or association to supply electricity to any electrical equipment if a permit is required for its installation unless such connection has been authorized by the Electrical Official. It shall be unlawful to make connections to equipment that has been disconnected or ordered disconnected by the Electrical Official.

Section 90-19 Emergency Disconnections: Any person owning or controlling electric wires or apparatus for the transmission of light, heat, or power shall in case of emergency, upon the request of any official of the Fire Department or the Electrical Official disconnect such wires or apparatus as may be designated by such Official.

Section 90-20 Correction/Abatement of Hazards: When any electrical work is found by the Electrical Official to be dangerous to persons or property because it is defective or improperly installed, the person responsible for the electrical system shall be notified by the Electrical Official in writing, and required to make the necessary correction within the time specified in such written notice, and if the person shall fail to make these required corrections, the Electrical Official shall have the power and authority to disconnect or order the discontinuance of electrical service to the electrical equipment or to the entire structure; provided, upon receipt of such written notice from the Electrical Official, the person named as responsible therein shall have the right to submit an appeal to the Building Safety Code Board of Appeals if submitted within three (3) calendar days from receipt of such written notice, provided however, that the Electrical Official shall have the authority to require immediate corrections or to order the disconnection of any electrical device or system which, in the Electrical Official's opinion, shall constitute a fire hazard or shall otherwise be unsafe to the occupants of the building.

Section 90-21 Stop Work Orders:

Notice to Stop Work: Upon notice from the Electrical Official that work on any building, structure, or premises is being conducted contrary to the provisions of this Code or in an unsafe or dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to

the person doing the work. It shall state the conditions under which electrical work may be resumed.

Unlawful Continuance: 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 a violation of this Code.

Section 90-22 Violations:

Unlawful Acts: It shall be unlawful for any person, firm, or corporation to erect, construct, alter, repair, remove, demolish, or operate electrical equipment regulated by this Code, or cause same to be done, in conflict with or in violation of any of the provisions of this Code.

Notice: The Electrical Official shall serve a notice of violation or order on the person responsible for the extension, repair, removal, demolition, or operation of electrical equipment or systems in violation of the provisions of this Code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit issued under the provisions of this Code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the 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, construct, alter, or repair electrical equipment or systems in violation of an approved plan or directive of the Electrical Official, or of a permit issued under the provisions of this Code, shall be subject to the penalties prescribed in Section 1-10 of the Urbana Code of Ordinances.

Service: Such notice shall be deemed to be properly served, where a copy therof is served in accordance with one of the following methods:

1. A copy thereof is delivered to the owner personally.
2. A copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid.
3. A copy thereof is posted in a conspicuous place on the premises where the violation exists.

If the notice is served by mailing or posting, the service shall be deemed effective on the third day after mailing or posting. Service of such notice in the foregoing manner on the owner's authorized agent shall constitute service of notice on the owner.

Section 90-23 Appeals: All appeals shall be heard by the Building Safety Code Board of Appeals, as detailed in Article III of this Adopting Ordinance.

Article 120 entitled, "General Rules for Electrical Installations" is added and reads as follows:

Article 120 General Rules for Electrical Installations

Section 120-1 Application: The following rules shall apply to all electrical work and materials within the corporate limits of Urbana, Illinois, and shall apply specifically where other requirements in this Code conflict or are less stringent.

Section 120-2 Requirements for Rewiring Existing Residences:

For the purpose of this Section, installation of a new service to increase the ampacity shall constitute a service upgrade and require no other rewiring. A service upgrade shall be subject to the requirements of Section 120-B and120-2E. Changing out the same size panel (ampacity) does not constitute a service upgrade or rewire. Application for a permit for a service upgrade and rewire shall be subject to the requirements of Sections 120-2B, 120-2C, and 120-2-D.

The residence shall meet the requirements of the latest adopted edition of the Property Maintenance Code, except as amended in this section.

Service: The size and usage of appliances and equipment shall be used as the basis for determining the need for additional facilities in accordance with the latest adopted edition of this Electrical Code. The minimum allowable service capacity shall be 100 Ampere, minimum 20 circuit, three wire, 120/240 volt. Panel locations shall meet the requirements of the NEC.

> **EXCEPTION:** New panels may be located in the original panel location when located over readily moveable appliances or equipment with prior approval of the Electrical Official.

Electrical System Hazards: All unsafe conditions shall be disclosed to the owner by the electrical contractor and corrected prior to inspection. The following items are declared to be hazardous and it shall be unlawful to create, maintain or permit the same to exist.

1. Conductors or devices carrying electrical energy in excess of the approved rated capacity.
2. Electrical wiring of all types, not supported in an approved manner (existing wiring will be allowed to remain on the bottom of floor joists in basements if secured at appropriate intervals to eliminate sagging.)
3. Splices unenclosed in approved boxes other than knob and tube wiring inside walls and attics.
4. The absences of, or use of unapproved connectors for splices and termination into boxes or cabinets.
5. Exposed fuse blocks or cleat type lighting fixtures.
6. Defective wiring that is damaged or with deteriorated insulation.
7. Flexible cords, commonly known as lamp or extension cords, used as a substitute for fixed permanent wiring; where run through or behind walls, ceilings, baseboards, doorways, windows, and floors or where attached to building surfaces such as walls, ceilings, floors and baseboards.
8. The use of the grounded circuit conductor (neutral conductor) used for grounding, except where allowed by NEC 250-.142(B), for such listed appliances as stoves, ovens, cook-tops, and clothes dryers.
9. Broken porcelain luminaires or cord type luminaires with frayed or deteriorated insulation.
10. Boxes or conduits with excessive number of conductors.
11. Knob and tube wiring in areas other than inside walls or attics that are subject to physical damage (run exposed on walls, ceilings below 7 feet 6 inches, and below floor joists in basements).
12. Broken receptacles or switches and receptacles with inadequate tension.
13. Missing or broken cover plates.
14. Overloaded circuits and inadequate circuit distribution as determined by the Electrical Official. Any unsafe conditions other than those specifically noted.

Section 120.3 Additional Load on Existing Service:

It shall be the responsibility of the contractor or other authorized person adding additional circuits or equipment to existing services to determine beforehand if the service is of sufficient size and capacity to carry such additional load as determined by 2020 *National Electrical Code*, Article 220.83 and according to the rules established under other Sections of this Article, and if not, it shall be unlawful to make the addition until the service has been increased to required size.

New residential service capacity shall not be less than one hundred ampere, three wire, 120/240 volt for new residences and service upgrades.

Secs. 5-54 - 5-60. Reserved.

ARTICLE VII – PLUMBING CODE

Sec. 5-61. Adoption of the CURRENT *Illinois Plumbing Code* and the 2021 *International Plumbing Code*. The provisions of the CURRENT *Illinois Plumbing Code* and the *International Plumbing Code* are hereby adopted as the Plumbing Code of the City of Urbana, and apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances. And terms of the said Plumbing Code are hereby referred to, adopted and made a part hereof, with the additions, insertions, deletions, and changes prescribed in Section 5-63.

Sec. 5-62. Effect of State Law. The adoption of the 2021 *International Plumbing Code* herein pursuant to home rule powers is not intended to negate the *Illinois Plumbing Code* on the same subject except insofar as the article imposes a more stringent requirement or standard than the CURRENT *Illinois Plumbing Code*. However, the code that provides the greater protection to the public's safety, health, and property shall apply. And, where differences occur between the CURRENT *Illinois Plumbing Code*, the *International Plumbing Code* or any other code or standard referenced by this Adopting Ordinance, the provisions of the CURRENT *Illinois Plumbing Code* shall take precedence.

Sec. 5-63. Additions, Modifications, Deletions, and Substitutions. The following administrative requirements for Plumbing work and permitting apply:

Section P-101.1 entitled, "Title," is amended to read as follows:

Section P-101.1 Title: These regulations along with the CURRENT *Illinois Plumbing Code* shall be known as the Plumbing Code of the City of Urbana. Any and all references in the Building Code or any other ordinances of the City of Urbana which reference a plumbing code shall reference these codes, hereinafter referred to as "this Code."

Section P-103.1 entitled, "General," is amended to read as follows:

Section P-103.1 General: The term "Code Official," as used in this Code, shall refer to the Plumbing/Mechanical Official.

Section P-106.6 entitled, "Fees," is amended and reads as follows:

Section P-106.6 Fees: The application for a plumbing permit shall be submitted along with the prescribed fees as published in Chapter 14, (licenses and fees) of the Urbana Code of Ordinances.

Section P-106.7 entitled, "Separate Permits Required," is added and reads as follows:

Section P-106.7 Separate Permits Required: A permit shall authorize plumbing work to be performed at only one address. Each structure, building, parcel, or address shall require a separate permit.

Section P-106.8 entitled, "Private Sanitary Disposal Permits," is added and reads as follows:

Section P-106.8 Private Sanitary Disposal Permits: A permit for a private sanitary disposal system shall not be issued by the City until proper approval and the required permits have been obtained as required by state law and Chapter 24 of the Urbana Code of Ordinances.

Section P-106.7 entitled, "Excavation Permit," is added and reads as follows:

Section P-106.7 Excavation Permit: A permit for work within the right-of-way and/or for the connection of any storm or sanitary sewer to a public system shall not be issued until approval from the City Engineer has been documented.

Section P-106.5.1entitled, "Permit Denial," is added and reads as follows:

Section P-106.5.1 Permit Denial: The Plumbing/Mechanical Official shall have the authority to deny issuance of a plumbing permit to any applicant who is delinquent with respect to permits and notices previously issued to applicant.

Section P-107.8 entitled, "Waste Retention and Disposal" is added and reads as follows:

Section P-107.8 Waste Retention and Disposal: The Plumbing/Mechanical Official shall have the authority, subject to applicable law, to inspect at any reasonable time, any waste separator, serving any structure, to ensure that proper waste retention and disposal operations are being maintained.

Section P-108.2.1 entitled, "Service of Notices" is added and reads as follows:

Section P-108.2.1 Service of Notices: Such notice shall be deemed to be properly served, where a copy thereof is served in accordance with one of the following methods:

1. A copy thereof is delivered to the owner personally.
2. A copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid.
3. A copy thereof is posted in a conspicuous place on the premises where the violation exists.

If the notice is served by mailing or posting, the service shall be deemed effective on the third day after mailing or posting. Service of such notice in the foregoing manner on the owner's authorized agent shall constitute service of notice on the owner.

Section P-108.4 entitled, "Penalties," is amended and reads as follows:

Section P-108.4 Violation Penalties: Any person who violates any provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter, install, or repair plumbing equipment or systems in violation of this Code shall be subject to the penalties as prescribed in Section 1-10 of the Urbana Code of Ordinances. Each day that a violation continues shall be deemed a separate offense.

Section P-108.5 entitled, "Stop Work Orders," is amended and reads as follows:

Section P-108.5 Stop Work Orders: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties prescribed in Section 1-10 of the Urbana Code of Ordinances.

Section P-109.1.1 entitled, "Building Safety Code Board of Appeals," is added and reads as follows:

Section P-109.1.1 Building Safety Code Board of Appeals: All appeals shall be heard by the Building Safety Code Board of Appeals as detailed in Article III of this Adopting Ordinance.

Sections P-109.2 through P-109.7 are deleted.

Section P-202 General Definition of “Plumbing/Mechanical Official**”** is added and reads as follows:

Plumbing/Mechanical Official: Wherever the terms "Code Official," "Administrative Authority," or "Plumbing Official" are used in this Article or in codes and standards referenced by this Article, they shall be held to mean the Plumbing/Mechanical Official of the Building Safety Division of the City of Urbana, Illinois, Community Development Services Department.

Section P-301.8 entitled, "Residential," is added and reads as follows:

Section P-301.8 Residential: One- and Two-Family homes for which a building permit for initial construction is issued after July 1, 1994, with levels below grade which are provided with plumbing fixtures or drains must have overhead discharge and no gravity discharge to the sewer system.

Section P-301.9 entitled, "Public Systems Available," is amended and reads as follows:

Section P-301.9 Public Systems Available: A public water supply or public sewer system shall be considered available to a building when the building is located within 100 feet of the public water main or sewer.

Secs. 5-64 – 5-70. Reserved.

ARTICLE IX – MECHANICAL CODE

Sec. 5-71. Adoption of the 2021 *International Mechanical Code*. The 2021 *International Mechanical Code*, as published by the International Code Council, is hereby adopted as the mechanical code of the City of Urbana, Illinois; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the said 2021 *International Mechanical Code* are hereby referred to, adopted, and made a part hereof, as if fully set out in this Article, with the additions, insertions, deletions, and changes prescribed in Section 5-73 of this Article.

Sec. 5-72. Effect of State Law. The adoption of the 2021 *International Mechanical Code* herein pursuant to home rule powers is not intended to negate any state statute on the same subject except insofar as this article imposes a more stringent requirement or standard than does the state statute.

Sec. 5-73. Additions, Deletions, Modifications, and Amendments. The following sections of the 2021 *International Mechanical Code*, are amended and/or changed as defined in this Article, as follows:

Section M-101.1 entitled, "Title," is amended to read as follows:

Section M-101.1 Title: This code shall be known as the Mechanical Code of the City of Urbana, Illinois, hereinafter referred to as the Mechanical Code, or "this Code".

Section M-103.1 entitled “General,” is amended to read as follows:

Section M-103.1 General: The term “Code Official” as used in this code, shall refer to the Plumbing/Mechanical Official. The Plumbing/Mechanical Official of the Building Safety Division of the Department of Community Development Services of the City of Urbana shall be designated the Mechanical Official for the purposes of this Code.

Section M-106.3.4 entitled, "Separate Permits Required," is added and reads as follows:

Section M-106.3.4 Separate Permits Required: A permit shall authorize mechanical work to be performed at only one address. Each structure, building, parcel, or address shall require a separate permit.

Section M-106.4.5.1 entitled, "Permit Denial," is added and reads as follows:

Section M-106.4.5.1 Permit Denial: The Plumbing/Mechanical Official shall have the authority to deny issuance of a mechanical permit to any applicant who is delinquent with respect to permits and notices previously issued to applicant.

Section M-106.5.2 entitled, "Fee Schedule," is amended to read as follows:

Section M-106.5.2 Fee Schedule: The fees for all mechanical work shall be as prescribed in Chapter 14 in the Urbana Code of Ordinances.

Section M-106.5.3 entitled “Fee Refunds” is DELETED.

Section M-107.4 entitled "Approval," is DELETED.

Section M-108.2.1 entitled "Service of Notices," is added and reads as follows:

Section M-108.2.1 Service of Notices: Such notice shall be deemed to be properly served, where a copy thereof is served in accordance with one of the following methods:

1. A copy thereof is delivered to the owner personally.
2. A copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid.
3. A copy thereof is posted in a conspicuous place on the premises where the violation exists.

If the notice is served by mailing or posting, the service shall be deemed effective on the third day after mailing or posting. Service of such notice in the foregoing manner on the owner's authorized agent shall constitute service of notice on the owner.

Section M-108.4 entitled, "Violation Penalties," is amended to read as follows:

Section M-108.4 Violation Penalties: Any person who violates any provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter, or repair mechanical equipment or systems in violation of this Code shall be subject to the penalties as prescribed in Section 1-10 of the Urbana Code of Ordinances. Each day that a violation continues shall be deemed as a separate offense.

Section M-108.5 entitled, "Stop Work Orders," is amended to read as follows:

Section M-108.5 Stop Work Order: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties prescribed in Section 1-10 of the Urbana Code of Ordinances.

Section M-109.1.2 entitled, "Building Safety Code Board of Appeals," is added and reads as follows:

Section M-109.1.2 Building Safety Code Board of Appeals: All appeals shall be heard by the Building Safety Code Board of Appeals, as detailed in Article III of this Adopting Ordinance.

Sections M-109.2 entitled, "Membership of Board," through M-109.7 entitled, "Court Review," are deleted.

Section M-202 entitled, "Code Official," is added and reads as follows:

Section M-202 Code Official: Wherever the terms "Code Official," "Authority Having Jurisdiction," or "Administrative Authority," are used, (in this Code or in referenced codes and standards), they shall be held to mean the Plumbing/Mechanical Official of the Building Safety Division of the City of Urbana, Community Development Services Department.

Section M-301.6(1) entitled, "Fuel-Burning Equipment," is added and reads as follows:

Section M-301.6(1) Fuel-Burning Equipment: All fuel-burning heating equipment, both newly installed and existing, shall be equipped with an approved supervised pilot/ignition assembly (flame safeguard).

Section M-303.3(6) entitled, "Sleeping Rooms," is added and reads as follows:

Section M-303.3(6) Sleeping Rooms: Gas-fired or liquid fuel-fired equipment and appliances shall not be made accessible from sleeping rooms, bathrooms or any habitable rooms with doors normally kept closed unless otherwise approved by the Code Official.

Section M-304.13 entitled, "Equipment on Roofs," is added and reads as follows:

Section M-304.13 Equipment on Roofs and in attics: A roof or attic on which mechanical equipment is to be installed shall be capable of supporting the additional weight and dynamic action loads.

Section M-313 entitled, "Furnaces and Heaters," is added.

Section M-313 Furnaces and Heaters

Section M-313.1 entitled, "Heat Exchangers," is added and reads as follows:

Section M-313.1 Heat Exchangers: Forced air and gravity furnace heat exchangers shall not be repaired unless approved by the Code Official.

Section M-313.2 entitled, "Floor Furnaces," is added and reads as follows:

Section M-313.2 Floor Furnaces: The installation of floor furnaces is prohibited in all occupancies.

Section M-313.3 entitled, "Dwelling Heating," is added and reads as follows:

Section M-313.3 Dwelling Heating: Wall furnaces, through-the-wall heaters, and space heaters shall not be installed as a central heating system. Such equipment shall not serve as the primary source of heat in a dwelling unit unless otherwise approved by the Code Official.

Section M-313.4 entitled, "Direct Fired Heaters," is added and reads as follows:

Section M-313.4 Direct Fired Heaters: Direct gas-fired heaters may be installed only in occupancies of Use Group H, S, or F, unless otherwise approved by the Code Official.

Section M-403.1.1 entitled, "Negative Pressure," is added and reads as follows:

Section M-403.1.1 Negative Pressure: Ventilation and exhaust systems shall be designed and installed so that negative pressure from the ventilation system cannot adversely affect the flues, vents, chimneys, or combustion air supply for fuel-burning equipment.

Section M-403.2.3 entitled, "Return Air," is added and reads as follows:

Section M-403.2.3 Return Air: Air from any boiler/furnace room, bath/toilet room, kitchen, trash room, janitor closet, garage, storage room, dissimilar occupancy, different dwelling, or any room containing toxic, flammable, corrosive, radioactive, contaminants, offensive odors, or pathogenic materials shall not be recirculated.

Section M-603.5 entitled “Nonmetallic ducts” is amended to read as follows:

Section 603.5 Nonmetallic ducts: Nonmetallic ducts shall be construction with Class 0 or Class 1 duct material in accordance with UL 181. . The maximum air temperature within

nonmetallic ducts shall not exceed 250°F (121°C). Fibrous glass air ducts (duct board) are **not** permitted in any use group.

Section M-603.9 entitled “Joints, seams and connections” is amended to read as follows:

Section 603.9 Joints, seams and connections: All longitudinal and transverse joints, seams and connections in metallic and nonmetallic ducts shall be constructed as specified in SMACNA HVAC Duct Construction Standards – Metal and Flexible and . All joints, longitudinal and transverse seams and connections in ductwork shall be securely fastened and sealed with welds, gaskets, mastics (adhesives), mastic-plus-embedded-fabric systems, liquid sealants or tapes. Closure systems used to seal ductwork listed and labeled in accordance with UL 181A shall be marked “181A-P” for pressure-sensitive tape, “181 A-M” for mastic or “181 A-H” for heat-sensitive tape. Closure systems used to seal flexible air ducts and flexible air connectors shall comply with UL 181B and shall be marked “181B-FX” for pressure-sensitive tape or “181B0M” for mastic. Duct connections to flanges of air distribution system equipment shall be sealed and mechanically fastened. Mechanical fasteners for use with flexible nonmetallic air ducts shall comply with UL 181B and shall be marked “181B-C.” Closure systems used to seal metal ductwork shall be installed in accordance with the manufacturer’s installation instructions. Unlisted duct tape is not permitted as a sealant on any metal ducts.

> **EXCEPTION:** Continuously welded and locking-type longitudinal joints and seams in ducts operating at static pressures less than 2 inches of water column (500 Pa) pressure classification shall not require additional closure systems.

Section M- 901.2.2(1) entitled, "Gas Log Lighters," is added and reads as follows:

Section M-902.2(1) Gas Log Lighters: Gas log lighters are PROHIBITED.

Section M-901.2.2(2) entitled, "Gas Logs," is added and reads as follows:

Section M- 901.2.2(2) Gas Logs: Gas logs shall be listed by a nationally recognized testing laboratory and shall be approved by the Code Official. When a gas log is installed in a fireplace, the fireplace damper shall be permanently removed.

Section M-917.1.1 entitled, "Commercial Equipment," is added and reads as follows:

Section M-917.1.1 Commercial Equipment: Commercial cooking equipment, (other than single-family dwelling), and other commercial/industrial gas-fired equipment shall be connected with approved, listed, commercial type, fuel gas hose connectors.

> **EXCEPTION:** Large equipment which cannot easily move or vibrate may be connected with rigid pipe.

Section M-917.1.2 entitled, "Coupler Valves," is added and reads as follows:

Section M-917.1.2 Coupler Valves: Gas-fired equipment which is easily or routinely moved, or is equipped with wheels or casters shall be equipped with an approved (quick-disconnect) coupler valve.

Secs. 5-74 - 5-80. Reserved.

ARTICLE IX – PROPERTY MAINTENANCE CODE

Sec. 5-81. Adoption of the 2021 *International Property Maintenance Code*. The 2021 *International Property Maintenance Code*, as published by the International Code Council, is hereby adopted as the Property Maintenance Code of the City of Urbana, Illinois, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the said 2021 *International Property Maintenance Code* are hereby referred to, adopted, and made a part hereof, with the additions, insertions, deletions, and changes prescribed in Section 5-83.

Sec. 5-82. Effect of State Law. The adoption of the 2021 *International Property Maintenance Code herein*, pursuant to home rule powers, is not intended to negate any state statute on the same subject except insofar as this article imposes a more stringent requirement or standard than does the state statute. The standards referenced in this Code and listed in Chapter 8-Referenced Standards of the 2021 *International Property Maintenance Code* shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between common provisions of this Code and any other code or standard referenced by this Code, the provisions which afford the greatest degree of life safety shall apply.

Sec. 5-83. Additions, Deletions, Modifications, and Amendments. The following sections and subsections of the ICC 2021 *International Property Maintenance Code*, are amended and/or revised as defined in this Article, as follows:

Section PM- 101.1 entitled "Title," is amended to read as follows:

PM- 101.1 Title: This Code (as amended) shall be known as the Property Maintenance Code of the City of Urbana, Illinois hereinafter referred to as the Property Maintenance Code, or "this Code".

Section PM-104.1 Fees is amended to read as follows:

PM-104.1 Fees Applicable: fees are prescribed in Chapter 14, (Licenses and Permits) of the Urbana Code of Ordinances.

Section PM-105.2.2 entitled "Nonconforming Conditions," is added and reads as follows:

PM-105.2.2 Nonconforming Conditions: If additional nonconforming conditions are encountered during the course of any approved alteration or repair which were not considered or known initially, the Code Official shall have the authority to require compliance with this code of such additional conditions. The determination of what is necessary to bring such conditions into compliance shall take into consideration the use of alternatives and/or equivalent approaches as provided for in this Code.

Section PM-107 entitled "Means of Appeals," is amended to read as follows:

Section PM-107 Means of Appeals: All appeals shall be heard by the Building Safety Code Board of Appeals, as detailed in Article III of this adopting code.

Section PM-108 entitled "Board of Appeals," is deleted.

Section PM-109.1 entitled "Unlawful Acts," is amended to read as follows:

Section PM-107.1.1 entitled "Variations," is added and reads as follows:

PM-107.1.1 Variations: The Building Safety Board of Appeals as detailed in Article III shall have the power and shall be charged with the duty to hear and decide requests for specific variations in the application of any provisions of this Code and any provision for existing buildings in the Building Code in those instances involving existing residential buildings where there are practical difficulties in the way of carrying out the strict letter of the law, so that the spirit and intent of the law shall be observed, public safety be secured, and substantial justice be done. Such variation shall be for limited periods of time and the Board's decision shall be filed with the City Clerk as a matter of public record. All variations granted by the Board will be filed with the County Recorder of Deeds as a lis pendens so as to put all new owners on notice.

PM-109.1 Unlawful Acts: It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, remove, demolish, use or occupy any structure or equipment regulated by this Code, or maintain a vacant structure without a valid Vacant Structure Certificate or cause the same to be done, contrary to, or in conflict with, or in violation of any of the provisions of this Code, or fail to obey a lawful order of the Code Official, or to remove a placard or notice posted under the provisions of this code.

Section PM-109.2.1 entitled “Deadlines for Compliance with Code Violations,” is added to read as follows:

PM-109.2.1 Deadlines for Compliance with Code Violations: Correction of all Code Violations shall follow the time lines established by the Code Official according to the following factors:

I. Whether the violation poses a threat to the life, health, or safety of any occupant or visitor, in which case the violation must be corrected within 1 to 3 days of service of the notice, at the discretion of the Code Official. If the violation is not corrected within the established timeframe, occupancy of the unit may be disallowed.

   Examples of such violations include, but are not limited to,

   1. Defective, dangerous, or nonfunctioning plumbing, electrical, gas or other necessary utility
   2. No heat or a malfunctioning heating system
   3. Blocked or locked fire exits
   4. Serious structural problems or conditions which render a property uninhabitable or pose a safety or health risk
   5. Unsanitary or unhealthy conditions of such a magnitude that they pose an imminent health threat to the occupants and/or nearby dwellings
   6. Smoke detector lacking or inoperable.
   7. Carbon monoxide detector(s) lacking or inoperable
   8. Leaking roof that poses a safety or health risk

II. Whether the violation poses a livability issue for the occupants, in which case the violation shall be corrected within 1 to 5 days of notice, at the discretion of the Code Official.

   Examples of such violations include, but are not limited to:

   1. Faulty or inoperable security locks on exterior or egress windows or doors
   2. Broken door frame(s), door(s) or window(s)
   3. Lack of hot water

4. Inoperable water closet
5. Leaking pipes or plumbing fixtures
6. Inoperable oven/range or refrigerator
7. Burned out or inoperable lights in hallways, stairwells, entryways, parking areas or basements.
8. Torn or missing screens (in the summer and fall)
9. Broken or malfunctioning air conditioning (in hot weather)

III. Whether the violations involve routine maintenance in which case the violation must be corrected within 10 to 30 days of notice, at the discretion of the Code Official.

Examples of such violations include but are not limited to:

1. Dripping faucets
2. Cracked windows
3. Windows that do not open or close properly
4. Missing covers for electrical outlets or switches

Multiple timelines may be assigned pursuant to any one inspection, so that those items that require correction in a shorter period of time shall be corrected while the owner is allowed additional time to correct less urgent violations.

The Code Official may extend the above time lines for good cause shown. However, there is no legal entitlement to an extension of time for repairs; “time is of the essence” in the resolution of all Code violations and granting of extensions is entirely a matter of discretion for the Code Official.

If an owner or operator fails to comply with the deadlines set by the Code Official or designee, the Code Official may issue a “Failure to Comply Ticket” according to the provisions of PM-109.4 et seq.

Section PM-109.4 entitled "Violation Penalties," is amended to read as follows:

PM-109.4 Violations: The Code Official, or designee, shall impose a penalty for failure to comply with any of the deadlines set forth in PM-109.2.1, Deadlines for Compliance with Code Violations. Such penalties shall be imposed by the issuance of a “Failure to Comply Ticket.”

EXCEPTIONS:

1. The Code Official or designee has concerns for their personal safety while attempting to complete the reinspection(s).
2. The property owner, manager or contractor has concerns for their personal safety while inspecting or completing the required repairs.
3. The Code Official or designee has verified that the tenant has interfered with the property owner’s ability to complete the work by the required deadline.
4. The Code Official or designee has verified that a legitimate delay exists in the ability to engage the necessary contractor to complete the repair.
5. The Code Official or designee has verified that necessary equipment or parts is/are not available to complete the repair work.
6. The property owner, manager or contractor is unable to perform repairs due to the weather
7. An extension for the repairs has been approved by the Code Official or designee.

Section PM-109.4.1 entitled "Failure to Comply Tickets," is added and reads as follows:

PM-109.4.1 Failure to Comply Tickets:

General. The Code Official, or designee, may issue a Failure to Comply Ticket to any owner, operator or person that the Code Official determines has violated any of the deadlines for compliance set out in PM-109.2.1.

Method and Date of Service. A Failure to Comply Ticket may be served on a defendant according to the procedures set forth in PM-111.4.2 Method of Service.

Content. A Failure to Comply Ticket shall include the name of the person or entity charged, with the offense or offenses, the code sections violated, a description of the conditions or activities constituting the violation, and instructions on the method of settling the ticket.

Settlement of Ticket. A person issued a Failure to Comply Ticket may settle the claim for a first offense by paying the assessed fine in accordance with the following schedule:

A. Violations that are a **Life Safety** issues:

Deadline for compliance: 1-3 days		
1st missed deadline:	Minimum fine paid within 7 days: $600.00	If paid after 7 days: $700.00
2nd missed deadline:	Minimum fine: $750.00 PLUS up to $750.00 per day until corrected	

B. Violations that pose **Livability** issues:

Deadline for compliance: 1-5 days		
1st missed deadline:	Minimum fine paid within 7 days: $450.00	If paid after 7 days: $600.00
2nd missed deadline:	Minimum fine: $750.00 PLUS up to $750.00 per day until corrected	

C. Violations involving **Routine Maintenance** issues:

Deadline for compliance: 10-30 days		
1st missed deadline:	Minimum fine paid within 7 days: $300.00	If paid after 7 days: $450.00
2nd missed deadline:	Minimum fine: $500.00 PLUS up to $750.00 per day until corrected	

Payment of a ticket constitutes an admission of guilt.

PM-109.4.2. Administrative Appeal of a Failure to Comply Ticket:

General. A defendant may contest the penalty imposed by a Failure to Comply Ticket by submitting a Notice of Appeal to the Building Official within seven (7) days of the service of a Failure to Comply Ticket as set forth in PM-107. The Notice of Appeal may be hand delivered or mailed, but the notice must be received within seven (7) days of service. The appeal shall be heard by an impartial hearing officer appointed by the City Administrator to hear such appeals. The hearing officer may not be a current City employee or official.

Hearing Procedures. Upon receipt of a Notice of Appeal, the hearing officer shall set a hearing on the defendant's appeal and issue written notice to the defendant not less than seven (7) days prior to the hearing. The hearing officer may admit into evidence all relevant evidence, including inspection reports, notices, correspondence, and affidavits as well as the personal testimony of witnesses. The hearing officer shall determine, based upon a preponderance of the evidence, whether the penalty imposed by the Failure to Comply Ticket, should stand. The hearing officer's findings shall be set forth in a written decision which shall be copied to all parties.

Determinations. If the defendant appears at the hearing and a determination is made by the hearing officer that the penalty should be voided, no payment is necessary and the hearing officer's decision shall constitute a final determination of no liability. Such a determination means that the ticket shall not count as a precedent for calculating penalties in any future Failure to Comply Ticket proceeding.

If the defendant appears at the hearing and a determination is made by the hearing officer that the ticket should be upheld, payment of the penalty shall become immediately due. If payment is not made within ten (10) days of the hearing officer's determination, then the ticket may be referred to the City's Legal Department for further action.

If the defendant does not appear at the hearing, the hearing officer may uphold the penalty by declaring a default, without further need to hear evidence. However, the hearing officer may, at their discretion, grant a continuance of the hearing for good cause shown. In the event of a default by the defendant, a penalty in the amount due after seven (7) days of the issuance of a ticket pursuant to PM-109.4.1 shall become immediately due and payable.

PM 109.4.3 Prosecution of Violations:

Circuit Court Proceedings. If a defendant fails to correct a violation of this Code within the timeline set by the Code Official, the City may file a complaint in the circuit court seeking an order to remedy any and all violations. The complaint may seek injunctive relief, orders to repair conditions, orders to vacate, fines, or other remedies as deemed appropriate. If a defendant fails to settle a Failure to Comply Ticket issued by the Code Official pursuant to the provisions of PM-109.4.1 and PM-109.4.2, the City may file a complaint in the circuit court for fines, Code compliance, or both. Such a proceeding shall be handled as a de novo complaint, with the City having the burden to prove its allegations by a preponderance of the evidence.

Penalties. In seeking penalties, the City shall not be limited by the penalty schedule set forth in PM 109.4.1 in determining appropriate fines to seek in a court proceeding. In determining the appropriate fines to seek, the City Attorney shall consider such factors as the defendant's record of Code violations, the number of repeat offenses, the severity of the violations, and the defendant's level of cooperation with the City in determining what fine is appropriate to seek. Upon conviction, the defendant shall be subject to a fine between Two Hundred Dollars ($200) and Seven Hundred Fifty Dollars ($750). For each violation, every day of noncompliance shall constitute a separate violation.

Section PM-111.2.2 entitled "Registration of Vacant Structures," is added to read as follows:

PM-111.2.2 Registration of Vacant Structures: Whenever any building in the City becomes a public nuisance as defined within this Code; or is a blighting influence; or hereafter becomes abandoned, vacant or unoccupied and cited for violation of City ordinance or property maintenance codes within the past six months; or where any of the doors, windows, or other openings into such a building are boarded up or otherwise secured by any means other than conventional methods used in the design of the building, the owner thereof shall within 30 days of notification by the Code Official, register such building as a vacant structure. Notification shall be by letter sent by first class postage prepaid to the person who last paid the general real estate taxes on the property. Such registration shall be valid for a period of six months. The required fee for registration is set forth in Chapter 14 of the Urbana Code of Ordinances. The registration of the vacant structure shall not preclude action by the City to pursue demolition of the structure under the provisions of this code.

The building shall be posted with a "NO TRESPASSING" sign and 24-hour contact information, including phone number, for the owner or owner's local property management company. The

posting shall be no less than 18” x 24” and shall be of a font that is legible from a distance of forty-five feet and shall contain, in addition to the name and 24-hour contact number, the words: “THIS PROPERTY IS MANAGED BY…” and “TO REPORT PROBLEMS OR CONCERNS CALL…”. This posting shall be placed to the front of the property in order to be visible from the street fronting the property as follows: a) Placed on the interior of a window facing the street, or b) secured to the exterior of the building/structure facing the street, or if no such area exists, c) on a stake of sufficient size to support the posting in a location that is visible from the street but not readily accessible to vandals. Exterior postings must be constructed of and printed with weather resistant materials. The owner or owner’s agent shall make monthly inspections to ensure appropriate maintenance and security and shall provide evidence of such inspections to the City upon request.

Exterior property maintenance standards will be strictly enforced for all vacant structures on the registry.

Section PM-108.2.3 entitled "Vacant Structure Plan," is added to read as follows:

PM-111.2.3 Vacant Structure Plan: At the time a structure is initially registered as required under PM-111.2.2 a written vacant structure plan shall be submitted by the owner or agent to the Code Official. The plan shall provide a proposed date for demolition or detail what will be done to reoccupy and bring the building into compliance with all applicable codes, including building, health, fire, and safety laws, rules, and regulations within a specific time frame that is acceptable to the Code Official.

If demolition is not proposed, the plan shall include information regarding potential reuse and/or marketing of the structure, so as to ensure a good faith effort toward re-occupancy of the building. The plan shall also include provisions to correct all exterior code violations and interior and exterior safety issues. The services of a structural engineer may be required by the Code Official to certify the safety of the structure. The plan shall include provisions for securing the structure and continued security and prevention of trespass. If the mechanical systems of the structure are not to be maintained in an operational condition, winterization of systems must be completed and utilities properly terminated to the satisfaction of the Code Official.

Other than for emergency conditions that must be repaired immediately, the work provided in the plan shall be completed within six months of the date that the building is first registered under this Article. The Building Official may extend the period of compliance for an additional six months up to a period of two years from the date that the building was originally registered. This extension shall be granted only in instances where the owner has demonstrated a good faith effort to comply with the submitted plan.

The original vacant structures plan and time frame shall remain in effect despite a change of ownership. If there is a change of ownership, then a new registration statement shall be properly made within ten days from the date of said change indicating the names and/or addresses of the new owner(s). The new registration statement shall be made in the same manner and form as herein prescribed.

Section PM-111.2.4 entitled "Inspection of Vacant Structures," is added and reads as follows:

PM-111.2.4 Inspection of Vacant Structures: Upon registration of any building pursuant to Section PM-108.2.2, or when any such vacant building comes to the attention of the Code Official, they shall cause inspections to be made of the premises to determine the condition of such building and premises and whether there exists any fire, safety, or health hazards or violations on the premises. A registered vacant structure shall be inspected for code compliance prior to re-occupancy and clearance of the vacant structure plan.

Section PM-111.2.5 entitled "Standards for Closure," is added to read as follows:

PM- 111.2.5 Standards for Closure: Any structure required to be closed shall have all unsecured windows and doors sufficiently covered with a minimum of 1/2 inch exterior grade plywood or equivalent material, cut to fit over the opening, and firmly attached with screws to a one inch minimum depth spaced at the maximum of 12 inches apart. The plywood or equivalent material shall be suitably coated with an appropriate neutral color blending with or harmonizing with the exterior colors of the structure as inconspicuously as possible.

Section 111.4.2 entitled "Method of Service," is amended to read as follows:

Section 111.4.2 Method of Service: Such notice shall be deemed properly served where a copy thereof is served in accordance with one of the following methods:

1. A copy thereof is delivered to the owner personally.
2. A copy thereof is mailed to the owner by regular, first-class U.S. mail, postage prepaid.
3. A copy thereof is posted in a conspicuous place on the premises where the violation exists.

If the notice is served by mailing or posting, the service shall be deemed effective on the third day after mailing or posting. Service of such notice in the foregoing manner on the owner's authorized agent shall constitute service of notice on the owner.

Section PM-110.3 entitled "Failure to Comply," is amended to read as follows:

PM-113.3 Failure to Comply: Whenever the owner of a property fails to comply with a demolition order within the time prescribed, the Code Official shall seek a court order requiring the owner to demolish the said structure and upon failure to do so within a specified time, authorizing the Code Official to cause the structure or part thereof to be razed and removed. The costs incurred shall be reimbursed as specified by State Statute.

Section PM-202 entitled "General Definitions," is amended as follows:

PM-202 General Definitions

One-family dwelling: A building containing one dwelling unit with not more than four unrelated persons.

Public Nuisance:

1. The physical condition, or use of any premises regarded as a public nuisance at common law;
2. Any physical condition, use or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or
3. Any premises which has unsanitary sewerage or plumbing facilities; or
4. Any premises designated as unsafe for human habitation or use; or
5. Any premises which is manifestly capable of being a fire hazard, or are manifestly unsafe or unsecure as to endanger life, limb or property; or
6. Any premises from which the plumbing, heating and/or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided; or

7. Any premises which is unsanitary, or which is littered with rubbish or garbage, or which has an uncontrolled growth of weeds, or;
8. Any structure or building that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter, in danger of collapse or failure and dangerous to anyone on or near the premises.

Rooming house: A building where group sleeping accommodations are provided for persons in one room, or a series of closely associated rooms, with an occupancy capacity of not more than 15 people, but more than four unrelated people on a regular basis, for compensation and by pre-arrangement for a specified period of time, under single management. Cooking facilities are to be common.

Section PM-302.3.1 entitled “Snow Removal” is added and reads as follows:

Section PM-302.3.1 Snow Removal: For buildings containing four or more dwelling units: when an accumulation of ice, sleet, freezing rain or a snow of two inches or more has occurred, the owner and/or property manager shall have all sidewalks, walkways, stairs and parking areas between public sidewalks, parking lots, or driveways and entrances to the dwelling units cleared within a 24 hour period and maintained in a reasonably clear condition.

Section PM-302.4 entitled "Weeds," is amended and reads as follows:

PM-302.4 Weeds: Premises and exterior property shall be maintained in accordance with the requirements of Chapter 11 of the Urbana Municipal Code as listed in Chapter 8-Referenced Standards.

Section PM-302.10 entitled "Storage Areas," is added and reads as follows:

PM-302.10 Storage Areas: All approved open salvage yards and open storage areas shall be completely obscured from surrounding property by a solid screen not less than six feet in height. Storage of debris, junk, or construction materials, which are not associated with an approved use, permitted by the Urbana Zoning Ordinance, or approved construction at that site, shall be prohibited.

Section PM-302.11 entitled "Loading Areas," is added and reads as follows:

PM-302.11 Loading Areas: All loading areas, automobile service stations, and drive-in food establishments shall be paved with bituminous, concrete, or equivalent surfacing and shall be free from dirt and other litter and kept in good repair. When lighted for nighttime use, lights shall not be permitted to cast directly upon dwellings nearby.

Section PM-302.12 entitled "Storage of Firewood, etc.," is added and reads as follows:

PM-302.12 Storage of Firewood, etc.: Building materials, lumber, firewood boxes, cartons, or other containers, machinery, scrap metal, junk, raw material, fabricated goods and other items shall not be stored in such a manner as to become infested with rodents. Stored items must be elevated at least 12 inches off the ground. Firewood, in piles exceeding 20 cubic feet, must be located at least 10 feet from buildings used for human habitation, and may be piled no more than six feet high, from the point of elevation above grade.

Section PM-304.10 entitled "Stairways, Decks, Porches, and Balconies," is amended to read as follows:

PM-304.10 Stairways, Decks, Porches, and Balconies: Every stair, porch, fire escape, balcony, and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the anticipated loads and shall be maintained in sound condition and good repair. The treads and risers of every flight of stairs shall be uniform in width and height. Every stair, porch, and fire escape shall be maintained free of hazardous conditions such as snow, ice, mud, and other debris.

Section PM-304.15 entitled "Doors," is amended to read as follows:

PM-304.15 Doors: Every hinged exterior door or dwelling unit entrance door shall be made of metal or solid core wood construction, one and three-eighths inch minimum thickness and shall be equipped with an approved single-cylinder deadbolt locking hardware. Where observation is not otherwise provided, a peep sight shall be installed in all entrance door(s) to each dwelling unit. Patio type doors shall have locking hardware sufficient to prevent disengagement of the active panel. All door hardware shall be maintained in good condition.

Section PM-304.20 entitled “Parking Area Illumination,” is added and reads as follows:

PM-304.20 Parking Area Illumination: Parking area lighting fixtures shall be maintained in good condition and in compliance with Zoning Ordinance listed in Chapter 8-Referenced Standards.

Section PM-305.3.4 entitled "Continual Flooding Incidents," is added and reads as follows:

PM-305.1.2 Continual Flooding Incidents: Continued or repeated incidents of building flooding as determined from the official records as provided in Section PM-105.6 of this Code will require the unit to be vacated without recourse under the provisions of Section PM-108.1 of this Code.

Section PM-305.3.5 entitled "Supplied Fixtures and Equipment," is added and reads as follows:

PM-305.1.3 Supplied Fixtures and Equipment: The owner or occupant of a structure or part thereof shall keep the supplied equipment and fixtures therein clean and sanitary, and shall be responsible for the exercise of reasonable care in their proper use and operation. The owner shall maintain the equipment and fixtures in a good and proper operating condition.

Section PM-305.1.4 entitled "Furnished by the Occupant," is added and reads as follows:

PM-305.1.4 Furnished by the Occupant: The equipment and fixtures furnished by the occupant of a structure shall be properly installed, and shall be maintained in good working condition, kept clean and sanitary, and free of defects, leaks, or obstructions.

Section PM-309.2 entitled "Owner," is amended and reads as follows:

PM-309.2 Owner: The owner of any structure shall be responsible for the continued vermin-free condition of the structure.

Section PM-309.3 entitled "Single Occupant," is amended and reads as follows:

PM-309.3 Single Occupant: The owner of a structure containing a single dwelling unit or of a single nonresidential structure shall be responsible for extermination on the premises except when infestation is caused by failure of an occupant to prevent such infestation.

Section PM-309.4 entitled "Multiple Occupancy," is amended and reads as follows:

PM-309.4 Multiple Occupancy: The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house, or a nonresidential structure shall be responsible for extermination in all areas of the structure and exterior property. When infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for the cost of extermination.

Section PM-309.5 entitled "Occupant," is amended and reads as follows:

PM-309.5 Occupant: Continued or repeated incidents of rat infestation determined from the official records as provided in Section PM-105.6 of this Code shall require the installation of rat and vermin proof walls. The rat and vermin proof walls shall be installed in accordance with the Building Code listed in Chapter 8-Referenced Standards.

Section PM-502.3 entitled "Hotels," is amended to read as follows:

PM-502.3 Hotels and Dormitories: Where private water closets, lavatories, and baths are not provided, one water closet, one lavatory and one bathtub or shower accessible from a public hallway shall be provided for each ten occupants.

Section PM-503.1 entitled "Privacy," is amended to read as follows:

PM-503.1 Privacy: Toilet rooms and bathrooms shall provide privacy and shall not be used as the only passageway to a hall or other space, or to the exterior. A toilet room or bathroom in a dwelling unit shall be accessible from any sleeping room without passing through another sleeping room.

Section PM-503.1.1 entitled "Partitions," is added and reads as follows:

PM-503.1.1 Partitions: Every nonresidential structure that requires or supplies a water closet shall provide within the toilet room partitions, enclosures, or compartments for privacy and shall comply with fixture clearance requirements of the Plumbing Code listed in Chapter 8-Referenced Standards for such installations.

Section PM-602.2 entitled "Residential Occupancies," is amended and reads as follows:

PM-602.2 Residential Occupancies: Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of 65 degrees Fahrenheit (18 degrees Celsius) at a level of three feet (914 mm) above the floor and at a distance of three feet (914 mm) from the exterior walls in all habitable rooms, bathrooms, and toilet rooms based on the outside design temperature required for the locality by the Mechanical Code listed in Chapter 8-Referenced Standards.

PM-602.3 entitled “Heat Supply” is amended and reads as follows:

PM-602.3 Heat Supply: Every owner and operator of any building who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory, or guest room on terms, either express or

implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from September 15 to May 15 to maintain a room temperature of not less than 65 degrees Fahrenheit, (18 degrees Celsius) in all habitable rooms, bathrooms, and toilet rooms at all times. The temperature shall be measured at a point three feet (914 mm) above the floor and three feet (914 mm) from the exterior walls. When the outdoor temperature is below the outdoor design temperature required for the locality by the Mechanical Code listed in Chapter 8, the owner or operator shall not be required to maintain the minimum room temperatures, provided the heating system is operating at full capacity, with supply valves and dampers in a full open position.

Section PM-602.4 entitled "Occupiable Work Space," is amended to read as follows:

PM-602.4 Occupiable Work Space: Every enclosed occupied work space shall be supplied with sufficient heat during the period from September 15 to May 15 to maintain a temperature of not less than 65 degrees Fahrenheit, (18 degrees Celsius) during all working hours

EXCEPTIONS:

1. Processing, storage, and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Section PM-603.1.1 entitled "Fuel Burning Appliances," is added and reads as follows

PM-603.1.1 Fuel Burning Appliances: No fuel burning appliances or equipment shall be located in sleeping rooms, bathrooms, clothes closets, or in closets or confined spaces opening into bathrooms or bedrooms.

Section PM-603.7 entitled "Boiler Inspection," is added and reads as follows:

PM-603.7 Boiler Inspection: Boiler(s) and pressure vessel(s) serving more than six (6) units or over 200,000 BTU shall be inspected in accordance with the requirements of the State of Illinois Office of the State Fire Marshal Division of Boiler and Pressure Vessel Safety. A current copy of the inspection certificate shall be posted in the boiler room.

Section PM-603.8 entitled "Fireplaces," is added to read as follows:

PM-603.8 Fireplaces: Fireplaces and solid burning appliances shall be stable and structurally safe, and connected to an approved chimney or flue. Wood burning appliances shall be installed and maintained in accordance with the manufacturer's specifications and the Mechanical Code listed in Chapter 8-Referenced Standards.

Section PM-605.1 entitled "Installation," is amended to read as follows:

PM-605.1 Installation: All electrical equipment, wiring, and appliances shall be properly installed and maintained in a safe and approved manner. Overcurrent devices shall be sized according to the ampacity of the distribution wire. All plug type fuses shall be type "S" non-tamperable. All switches, receptacles, and junction boxes shall have approved cover plates, be securely mounted, and all electrical receptacles shall have adequate tension.

Section PM-605.1.1 entitled "Outlet Extensions," is added and reads as follows:

PM-605.1.1 Outlet Extensions: The use of extension cords and outlet multipliers are prohibited.

EXCEPTIONS:

1. Temporary extensions, when sized appropriately.
2. Devices with circuit/overload protection.

Section PM-605.2 entitled "Receptacles," is amended to read as follows:

PM-605.2 Receptacles: Every habitable space or dwelling shall contain at least two separate and remote duplex receptacle outlets. Habitable spaces and dwelling units of 120 square feet in area shall have at least three separate and remote duplex outlets. Every laundry area shall contain at least one grounded type receptacle. Every bathroom shall contain at least one wall mounted ground fault circuit interrupter, (GFCI) protected receptacle. All electrical receptacles within six feet of a sink and exterior receptacles shall be GFCI protected.

Section PM-605.3 entitled "Luminaires," is amended to read as follows:

PM-605.3 Luminaires: Every outdoor entrance, interior hallway, stairway, kitchen, water closet compartment, bathroom, laundry room, mechanical room, and other spaces used for storage or containing equipment requiring servicing shall be illuminated by at least one approved electric lighting fixture.

Section PM-702.5 entitled "Fire Escape Stairs," is added and reads as follows:

PM-702.5 Fire Escape Stairs: Fire escape stairs may be used as an element of the required means of egress, subject to the requirements and limitations of Section 504 of the *International Existing Building Code* and Table PM-702.5. Fire escape stairs shall be exposed to the smallest number of door and window openings possible.

TABLE PM-702.5

Minimum Fire Escape Dimensions	
Minimum Widths	18 inches (45.7 cm) clear between rails
Minimum Horizontal	18 inches (45.7 cm)
Dimension any Landing or Platform	clear
Maximum Riser Height	12 inches (30.5 cm)
Minimum Tread, Exclusive of Nosing	8 inches
Minimum Nosing or Projection Construction	No requirement
Construction	Compliance with the Existing Building Code
Winders	Permitted subject to capacity penalty
Risers	No requirement
Spiral	Permitted subject to capacity penalty
Maximum Height Between Landing	12 feet (3.7 m)
Headroom, Minimum	6 feet, 8 inches (203 cm)
Handrail Height	42 inches (107 cm)
Access to Escape	Windows
Level of Access Opening	Same

Discharge to Ground	Swinging stair or ladder if approved by authority having jurisdiction
Capacity, Number of Persons	10; if winders or ladder from bottom balcony, 5; if both, 1

Section PM-702.8.1 entitled "Access," is added and reads as follows:

PM-702.8.1 Access: Access to a fire escape stair shall be directly to a balcony, landing, or platform. These shall be no higher than the floor or window sill level and no lower than eight inches below the floor level nor 18 inches below the window sill.

Section PM-704.1.2.1 entitled "Fire Alarm System," is added and reads as follows:

PM-704.1.2.1 Fire Alarm System: Fire alarm systems required by the *International Fire Code* listed in Chapter 8-Referenced Standards. Including previously approved local fire alarm systems shall be monitored by December 31, 2027.

Section PM-704.1.4 entitled "Fire Extinguishers," is added and reads as follows:

PM-704.1.4 Fire Extinguishers: Portable fire extinguishers shall be installed and maintained in all occupancies other than one- and two-family dwellings in accordance with the *International Fire Code* listed in Chapter 8-Referenced Standards. All residential occupancies shall have a minimum 2A10BC extinguisher per floor level accessible to all occupants of that floor and not greater than a travel distance of 75 feet, except that multiple family dwellings may have a minimum of one 1A10BC extinguisher located in each dwelling unit. All fire extinguishers shall be maintained in accordance with NFPA 10.

Secs. 5-81 - 5-90. Reserved.

ARTICLE X – RESERVED

Secs. 5-91 - 5-200. Reserved.

ARTICLE XI – FLOOD HAZARD AREAS

Section 5-201. Purpose.

This Article is enacted pursuant to the police powers granted to the City by the Illinois Municipal Code (65 ILCS 5/1-2-1, 5/11-12-12, 5/11-30-2, 5/11-30-8 and 5/11-31-2). The purpose of this Article is to maintain this City's eligibility in the National Flood Insurance Program; to minimize potential losses due to periodic flooding including loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and to preserve and enhance the quality of surface waters, conserve economic and natural values and provide for the wise utilization of water and related land resources. This Article is adopted in order to accomplish the following purposes:

A. To meet the requirements of 615 ILCS 5/18(g) Rivers, Lakes and Streams Act;
B. To prevent unwise developments from increasing flood or drainage hazards to others;
C. To protect new buildings and major improvements to buildings from flood damage;
D. To promote and protect the public health, safety, and general welfare of the citizens from the hazards of flooding;
E. To maintain property values and a stable tax base by minimizing the potential for creating blight areas;
F. To comply with the rules and regulations of the National Flood Insurance Program codified as 44 CFR 59-79, as amended;
G. To fulfill the requirements of the National Flood Insurance Program so that federally subsidized flood insurance may be available, and
H. To preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits, and enhance community and economic development.

Section 5-202. Definitions.

Unless specifically defined below, all words used in this article shall have their common meanings. The word "shall" means the action is mandatory.

For the purposes of this article, the following definitions are adopted:

Accessory Structure A non-habitable building, used only for parking of vehicles or storage, that is on the same parcel of property as the principal building and which is incidental to the use of the principal building.

Agricultural Structure A walled and roofed structure used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock, including aquatic organisms. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses.

Base Flood The flood having a one percent (1%) probability of being equaled or exceeded in any given year. The base flood is often referred to as the 100-year flood. The base flood elevation at any location is as defined in Section 5-203 of this article.

Base Flood Elevation (BFE) The height in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified, or as may be amended from time to time) of the crest of the base flood.

Basement Any portion of the building, including any sunken room or sunken portion of a room, which is at least one-half below grade and having its floor below ground level (subgrade) on all sides.

Building A walled and roofed structure, including gas or liquid storage tank, that is principally above ground including manufactured homes and prefabricated buildings. The term also includes recreational vehicles and travel trailers installed on a site for more than one hundred eighty (180) days per year.

City Engineer The person who holds the position of City Engineer for the City of Urbana or the employees of the City Engineering Division to whom the City Engineer report and are designated to perform the duties thereto.

Conditional Letter of Map Revision (CLOMR) A letter providing FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing Floodway, the effective BFEs, or the SFHA.

Critical Facility Any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these critical facilities can impact the delivery of vital services, can cause greater damage to other sectors of the community, or can put special populations at risk.

Dam All obstructions, wall embankments or barriers, together with their abutments and appurtenant works, if any, constructed for the purpose of storing or diverting water or creating a pool. Dams may also include weirs, restrictive culverts, or impoundment Structures. Underground water storage tanks are not included.

Development Any man-made change to real estate including, but not necessarily limited to:

1. demolition, construction, reconstruction, repair, placement of a building, or any structural alteration to a building;
2. substantial improvement of an existing building;
3. installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than one hundred eighty (180) days per year;
4. installation of utilities, construction of roads, bridges, culverts or similar projects;
5. redevelopment of a site, clearing of land as an adjunct of construction
6. construction or erection of levees, dams, walls, or fences;
7. drilling, mining, filling, dredging, grading, excavating, paving, or other alterations of the ground surface;
8. storage of materials including the placement of gas and liquid storage tanks, and channel modifications or any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include resurfacing of pavement when there is no increase in elevation; construction of farm fencing; or gardening, plowing, and similar practices that do not involve filing, grading, or construction of levees.

Development Permit Written approval of compliance with this article from the City Engineer granted along with one or more City permits applicable to the development. See Section 5-205 for more details on permitting of work within the floodplain.

Elevation Certificate A form published by FEMA that is used to certify the elevation to which a Building has been constructed.

Extraterritorial Jurisdiction The unincorporated territory lying within one and one-half (1½) miles of the Corporate Limits of the City where the City has development authority, excluding the areas located within the development jurisdiction of another municipality.

FEMA Federal Emergency Management Agency and its regulations at 44 CFR 59-79, as amended.

Flood A general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waters, or from the unusual and rapid accumulation or runoff of surface waters from any source. Flood also includes the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters.

Flood Fringe That portion of the floodplain outside of the regulatory floodway.

Flood Insurance Rate Map (FIRM) A map prepared by the FEMA that depicts the floodplain or special flood hazard area (SFHA) within a community. This map includes insurance rate zones and may or may not depict floodways and show BFEs.

Flood Insurance Study An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Floodplain and Special Flood Hazard Area (SFHA) These two terms are synonymous. Those lands within the jurisdiction of the City, including the extraterritorial jurisdiction of the City or that may be annexed into the City, which are subject to inundation by the base flood. The floodplains of the City are generally identified as such on panel numbers17019C0313D, 17019C0314D, 17019C0318D, 17019C0325D, 17019C0426D, 17019C0427D, 17019C0429D, 17019C0431D, and 17019C0450D of the countywide FIRM of Champaign County prepared by the FEMA and effective October 2, 2013, as amended. Floodplain also includes those areas of known flooding as identified by the City Engineer.

Floodproofing Any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate, property and their contents.

Floodproofing Certificate A form published by the FEMA that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

Flood Protection Elevation (FPE) The elevation of the base flood plus one foot of freeboard at any given location in the floodplain.

Floodway That portion of the floodplain required to store and convey the base flood. The floodway for the floodplains of Boneyard Creek, McCullough Creek, and Saline Branch shall be as delineated on the countywide FIRM of Champaign County prepared by FEMA and effective October 2, 2013, as amended. The floodways for each of the remaining floodplains of the City shall be according to the best data available from the FEMA, State, or other sources.

Freeboard An increment of elevation added to the BFE to provide a factor of safety for uncertainties in calculations, future watershed development, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

Historic Structure Any structure that is:

1. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
3. Individually listed on the state inventory of historic places by the IDNR/HPD.
4. Individually listed as a Local Landmark on a local inventory of historic places that has been certified by the IDNR/HPD.
5. Listed as a Contributing Property to a Local Historic District on a local inventory of historic places that has been certified by the IDNR/HPD.

IDNR/HPD Illinois Department of Natural Resources/Historic Preservation Division

IDNR/OWR Illinois Department of Natural Resources/Office of Water Resources.

IDNR /OWR Jurisdictional Stream IDNR/OWR has jurisdiction over any stream serving a tributary area of 640 acres or more in an urban area, or in the floodway of any stream serving a tributary area of 6,400 acres or more in a rural area. Construction on these streams requires a permit from the IDNR/OWR. (Ill Admin. Code tit. 17, pt. 3700.30). The IDNR/OWR may grant approval for specific types of activities by issuance of a statewide permit which meets the standards defined in Section 5-206 of this article.

Letter of Map Amendment (LOMA) Official determination by FEMA that a specific building, defined area of land, or a parcel of land, where there has not been any alteration of the topography since the date of the first NFIP map showing the property within the floodplain, was inadvertently included within the floodplain and that the building, defined area of land, or a parcel of land is removed from the floodplain.

Letter of Map Revision (LOMR) Letter that revises BFEs, floodplains or floodways as shown on an effective FIRM.

LOMR-F Letter of Map Revision Based on Fill

Lowest Floor The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or

storage in an area other than a basement area is not considered a building's lowest floor. Provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 5-207 of this article.

Manufactured Home A building, transportable in one or more sections that is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. For the purpose of this article, mobile homes are included as a type of Manufactured Home.

Manufactured Home Park or Subdivision A parcel (or contiguous parcels) of land divided into two or more lots for rent or sale.

Manufactured Home Park or Subdivision, Existing A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Manufactured Home Park or Subdivision, Expansion to an Existing The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Manufactured Home Park or Subdivision, New A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the City.

New Construction Structures for which the start of construction commenced on or after the effective date of floodplain management regulations adopted by the City and includes any subsequent improvements of such structures.

NFIP National Flood Insurance Program.

NAVD 88 North American Vertical Datum of 1988. NAVD 88 supersedes the National Geodetic Vertical Datum of 1929 (NGVD).

Recreational Vehicle A vehicle without permanent foundation which is four hundred (400) square feet or less in size, when measured at the largest horizontal projection, and can be towed, hauled, or driven and is primarily designed as a temporary living accommodation for recreational, camping, and travel use. Recreational vehicles include but are not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.

Repetitive Loss Flood related damages sustained by a structure on two or more separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred.

SFHA See definition of floodplain.

Start of Construction Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement, is within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation or placement of a manufactured home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building whether or not that alteration affects the external dimensions of the building.

Structure (see "Building") Any building, or any man-made change to the land constructed on or below the ground including any addition to a building; gas or liquid storage tanks; installing utilities, construction of roads or similar projects; construction or erection of levees, walls, fences, bridges or culverts.

Substantial Damage Damage of any origin sustained by a structure whereby the cumulative percentage of damage during the life of the building equals or exceeds fifty percent (50%) of the market value of the structure before the damage occurred regardless of actual repair work performed. Volunteer labor and materials must be included in this determination. The term includes "Repetitive Loss" (see definition).

Substantial Improvement Any reconstruction, rehabilitation, addition or improvement of a structure taking place during a ten (10) year period in which the cumulative percentage of improvements equals or exceeds fifty percent (50%) of the market value of the structure before the improvement or repair is started, or increases the floor area by more than twenty percent (20%).

"Substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred repetitive loss or substantial damage, regardless of the actual repair work done.

The term does not include:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
2. Any alteration of a structure listed on the National Register of Historic Places or the Illinois Register of Historic Places.

Section 5-203. Base Flood Elevation.

This article's protection standard is the base flood. The best available base flood data are listed below. Whenever a party disagrees with the best available data, the party shall finance the detailed engineering study needed to replace the existing data with better data and submit it to the FEMA and IDNR/OWR for approval prior to any development of the site.

A. The BFE for the floodplains of Boneyard Creek, McCullough Creek, and Saline Branch shall be as delineated on the base flood profiles in the countywide Flood Insurance Study of Champaign County prepared by the FEMA and effective October 2, 2013, as amended.

B. The BFE for each floodplain delineated as an “AH Zone” or AO Zone” shall be that elevation (or depth) delineated on the countywide FIRM of Champaign County.

C. The BFE for each of the remaining floodplains delineated as an “A Zone” on the countywide FIRM of Champaign County shall be according to the best data available from federal, state, or other sources. Should no other data exist, an engineering study must be financed by the applicant to determine BFEs.

D. The BFE for the floodplains of those parts of unincorporated Champaign County that are within the extraterritorial jurisdiction of the City, or that may be annexed into the City, shall be as delineated on the base flood profiles in the Flood Insurance Study of Champaign County prepared by the FEMA and effective October 2, 2013, as amended.

Section 5-204. Duties of the City Engineer.

The City Engineer shall be responsible for the general administration of this article and ensure that all development activities within the floodplains under the jurisdiction of the City meet the requirements of this article. Specifically, the City Engineer shall:

A. Check all new development sites to determine if they are in the floodplain using the criteria listed in Section 5-203, Base Flood Elevation or for critical facilities, using the 0.2% annual chance flood elevation, if defined.

B. Process development permits and any permit extensions in accordance with Section 5-205.

C. Ensure that all development in a floodway (or a floodplain with no delineated floodway) meets the damage prevention requirements of Section 5-206.

D. Ensure that the building protection requirements for all buildings subject to Section 5-207 are met and maintain a record of the “as-built” elevation of the lowest floor (including basement), elevation certificate, or floodproofing certificate.

E. Review Elevation Certificates for accuracy and require incomplete or deficient certificates to be corrected.

F. Ensure that all subdivisions and annexations meet the requirements of Section 5-208 and notify FEMA in writing whenever the corporate boundaries have been modified by annexation.

G. Ensure that water supply and waste disposal systems meet the Public Health standards of Section 5-209.

H. If a variance is requested, ensure that the requirements of Section 5-211 are met and maintain documentation of any variances granted.

I. Inspect all development projects and take any and all penalty actions outlined in Section 5-213 as a necessary to ensure compliance with this article.

J. Ensure that applicants are aware of any and all other required local, state, and federal permits; including permits pertaining to IDNR/OWR floodway and dam safety rules, Clean Water Act, Public Water Supply, Endangered Species Act, Illinois Endangered and Species Protection Act. The applicant is responsible for obtaining all applicable local, state, and federal permits.

K. Notify IDNR/OWR and any neighboring communities prior to any alteration or relocation of a watercourse.

L. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques.

M. Cooperate with state and federal floodplain management agencies to coordinate base flood data and to improve the administration of this article.

N. Maintain for public inspection base flood data, floodplain maps, copies of state and federal permits, and any other documentation of compliance for development activities subject to this article.

O. Notify FEMA and IDNR/OWR of any proposed amendments to this article.

P. Perform site inspections to ensure compliance with this article and make substantial damage determinations for structures within the floodplain.

Q. Maintain the accuracy of floodplain maps including notifying IDNR/OWR and/or submitting information to FEMA within six months whenever a modification of the floodplain may change the BFE or result in a change to the floodplain map.

R. Schedule an annual inspection of the floodplain and document the results of the inspection.

S. Establish procedures for administering and documenting determinations, as outlined below, of substantial improvement and substantial damage:

1. Determine the market value by approximating it as three (3) times the assessed value from tax assessment data or require the applicant to obtain an appraisal of the market value, prepared by a qualified independent appraiser, of the building before the start of construction of the proposed work. In the case of repair, the market value of the Building shall be the market value before the damage occurred and before any repairs are made.
2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building.
3. Determine and document whether the proposed work constitutes substantial improvement or substantial damage.
4. Notify property owner of all determinations and responsibilities for permitting and mitigation.

Section 5-205. Permitting Development within the Floodplain.

A. The City Engineer will review a development for compliance with this article concurrently with the review for one or more of the following applications: Building Permit (as governed by Chapter 21 of the City Code of Ordinances), Right-of-Way and Utility Permit (as governed by Chapter 20 of the City Code of Ordinances), or Boneyard Creekway Permit (as governed by Section XIII-4 of the Zoning Ordinance). The City does not have a separate permit application for floodplain development.

1. No person, firm, corporation, or governmental body, not exempted by law, shall commence any development in the floodplain without first obtaining a development permit from the City Engineer.

2. No person, firm, corporation, or governmental body shall commence any development of a critical facility on land below the 0.2% annual chance flood elevation without first obtaining a development permit from the City Engineer.
3. The City Engineer shall only issue a permit for development activities, including new construction and substantial improvements, in the floodplain, which meet the requirements of this article.

B. The application for development permit shall be accompanied by:

1. A site plan or drawings, drawn to scale using NAVD 88, showing:
   a. property lines and dimensions,
   b. existing grade elevations,
   c. all changes in grade resulting from excavation or filling,
   d. description of the benchmark or source of survey elevation control
   d. sewage disposal facilities,
   e. water supply facilities,
   f. floodplain limits based on elevation or depth, as applicable;
   g. floodway limits, as applicable;
   h. the location and dimensions of all buildings and additions to buildings;
   i. the location and dimensions of all structures, including but not limited to fences, culverts, decks, gazebos, agricultural structures, and accessory structures;
   j. the elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 5-207 of this article.
2. Cost of project or improvements, including all materials and labor, as estimated by a licensed engineer or architect. A signed estimate by a contractor may also meet this requirement.

C. Upon receipt of an application for a development permit, the City Engineer shall compare the elevation of the site to the BFE.

1. Any development located on land that is shown by survey elevation to be below the current BFE is subject to the provisions of this article.
2. Any development located on land shown to be below the BFE and hydraulically connected to a flood source, but not identified as floodplain on the current FIRM, is subject to the provisions of this article.
3. Any development located on land that can be shown by survey data to be higher than the current BFE and which has not been filled after the date of the site's first flood map showing the site in the floodplain, is not located in a mapped floodway, or located in a Zone A, is not in the floodplain and therefore not subject to the provisions of this article. A LOMR-Floodway is required before developing land inadvertently included in a mapped floodway. Unless a LOMR is obtained, all provisions of this article apply if the land is located in a Zone A.
4. Any development located on land that is above the current BFE but will be graded to an elevation below the BFE, is subject to the provisions of this article.

5. The City Engineer shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first FIRM identification.

6. The City Engineer shall be responsible for obtaining from the applicant copies of all other federal, state, and local permits, approvals or permit-not-required letters that may be required for this type of activity. The City Engineer shall not issue a permit unless all other federal, state, and local permits have been obtained.

D. Upon receipt of a development permit application for a critical facility, the City Engineer shall compare the elevation of the site to the 0.2% annual chance flood elevation, if available. Refer to Section 5-209. A. 5. for critical facility site requirements.

E. A development permit or approval shall become invalid unless the actual Start of Construction, as defined, for work authorized by such permit, is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. All permitted work shall be completed within one year after the date of issuance of the permit, unless authorized by the City Engineer on a case by case basis, or the permit shall expire. Time extensions may be granted, in writing, by the City Engineer. Time extensions shall be granted only if the original permit is compliant with this article and the FIRM and FIS in effect at the time the extension is granted.

F. Certification and As-Built Documentation. The applicant is required to submit certification by a licensed professional engineer or registered land surveyor that the finished fill and building elevations were accomplished in compliance with Section 5-207 of this article. Floodproofing measures must be certified by a registered professional engineer or registered architect as being compliant with applicable floodproofing standards. Accessory structures designed in accordance with Section 5-207 of this article are exempt from certification, provided sufficient compliance with the development permit are documented. FEMA Elevation Certificate and Floodproofing Certificate forms may be required as documentation of compliance.

An as-built grading plan, prepared by a registered professional engineer may be required to certify that any development in floodplain, such as grading or the construction of bridges or culverts, are in substantial conformance with the development permit.

No building, land or structure may be occupied or used in any manner until a letter or certificate has been issued by the City Engineer stating that the use of the building or land conforms to the requirements of this article.

The City Engineer must maintain records in perpetuity documenting compliance with this article, including the elevation to which structures and alterations to structures are constructed or floodproofed.

Section 5-206. Preventing Increased Flood Heights and Resulting Damages.

Within any floodway identified on the countywide FIRM, and within all other floodplains where a floodway has not been delineated, the following standards shall apply:

A. Except as provided in subsection B herein, no development shall be allowed which, acting in combination with existing and anticipated development will cause any increase in flood

heights or velocities or threat to public health and safety. The following specific development activities shall be considered as meeting this requirement:

1. Bridge and culvert crossings of streams in rural areas meeting the conditions of the IDNR/OWR Statewide Permit Number 2.
2. Barge fleeting facilities meeting the conditions of IDNR/OWR Statewide Permit Number 3.
3. Aerial utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 4.
4. Minor boat docks meeting the conditions of IDNR/OWR Statewide Permit Number 5.
5. Minor, non-obstructive activities such as underground utility lines, light poles, sign posts, driveways, athletic fields, patios, playground equipment, minor storage buildings not exceeding 70 square feet and raising buildings on the same footprint which does not involve fill and any other activity meeting the conditions of IDNR/OWR Statewide Permit Number 6.
6. Outfall Structures and drainage ditch outlets meeting the conditions of IDNR/OWR Statewide Permit Number 7.
7. Underground pipeline and utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 8.
8. Bank stabilization projects meeting the conditions of IDNR/OWR Statewide Permit Number 9.
9. Accessory structures and additions to existing residential buildings meeting the conditions of IDNR/OWR Statewide Permit Number 10.
10. Minor maintenance dredging activities meeting the conditions of IDNR/OWR Statewide Permit Number 11.
11. Bridge and culvert replacement structures and bridge widening meeting the following conditions of IDNR/OWR Statewide Permit Number 12.
12. Temporary construction activities meeting the conditions of IDNR/OWR Statewide Permit Number 13.
13. Any development determined by IDNR/OWR to be located entirely within a flood fringe area shall be exempt from state floodway permit requirements.

B. Other development activities not listed in subsection A above may be permitted only if:

1. Permit has been issued for the work in an IDNR/OWR Jurisdictional Streams by IDNR/OWR (or written documentation from IDNR/OWR is provided that an IDNR/OWR permit is not required), or
2. Sufficient data has been provided to FEMA when necessary, and approval obtained from FEMA for a revision of the regulatory map and BFE.

Section 5-207. Protecting Buildings.

A. In addition to the state permit and damage prevention requirements of Section 5-206 of this article, all buildings located in the floodplain shall be protected from flood damage below the FPE. This building protection requirement applies to the following situations:

1. Construction or placement of a new building or alteration or addition to an existing building.
2. Value of improvements equals or exceeds the market value by fifty percent (50%). Improvements shall be figured cumulatively during the life of the building. If substantially improved, the existing structure and the addition must meet the flood protection standards of this section.
3. Repairs made to a substantially damaged building. These repairs shall be figured cumulatively during the life of the building. If substantially damaged, the entire structure must meet the flood protection standards of this section within 24 months of the date the damage occurred.
4. Installing a manufactured home on a new site or a new manufactured home on an existing site. The building protection requirements do not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage.
5. Installing a travel trailer or recreational vehicle on a site for more than one hundred eighty (180) days per year.
6. Repetitive loss to an existing building as defined in Section 5-202.
7. Construction or placement of a new building or alteration or addition to an existing building with the low floor below BFE following a LOMR-F in accordance with the conditions outlined in Section 5-209. E.

B. Residential or non-residential buildings can meet the building protection requirements by one of the following methods:

1. The building may be constructed on permanent land fill with the lowest floor including basement at or above the FPE in accordance with the following conditions:

   a. The lowest floor (including basement) shall be at or above the FPE.
   b. The fill shall be placed in layers no greater than six inches before compaction and should extend at least twenty (20) feet beyond the foundation before sloping below the FPE in lieu of a geotechnical report.
   c. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or other structural measure.
   d. The fill shall be composed of rock or soil and not incorporated debris or refuse material.
   e. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties and when necessary stormwater management techniques, such as swales or basins, shall be incorporated.

2. The building may be elevated on solid walls in accordance with the following:

   a. The building or improvements shall be elevated on stilts, piles, walls, crawlspace, or other foundation that is permanently open to flood waters.

b. All components located below the FPE shall be constructed of materials resistant to flood damage.

c. The lowest floor and all electrical, heating, ventilating, plumbing, and air conditioning equipment shall be located at or above the FPE.

d. If walls are used, all enclosed areas below the FPE shall provide for equalization of hydrostatic pressures by allowing the automatic entry and exit of floodwaters. At least two (2) walls must have a minimum of one (1) permanent opening that is below the BFE and no more than one (1) foot above finished grade. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the BFE, or the design must be certified by a Registered P.E, as providing the equivalent performance in accordance with accepted standards of practice. Refer to FEMA TB 1, Openings in Foundation Walls and Walls of Enclosures, for additional guidance.

e. The foundation and supporting members shall be anchored, designed, and certified so as to minimize exposure to hydrodynamic forces such as current, waves, ice, and floating debris.

   i. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the FPE provided they are waterproofed.

   ii. The area below the FPE shall be used solely for parking or building access and not later modified or occupied as habitable space.

   iii. In lieu of the above criteria, the design methods to comply with these requirements may be certified by a licensed professional engineer or architect.

3. The building may be constructed with a crawlspace located below the FPE provided that the following conditions and requirements of FEMA TB 11, Crawlspace Construction for Buildings Located in Special Flood Hazard Areas, whichever are more restrictive, are met:

   a. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

   b. All enclosed areas below the FPE shall provide for equalization of hydrostatic pressures by allowing the automatic entry and exit of floodwaters. A minimum of one (1) permanent opening shall be provided on at least two walls that is below the BFE and no more than one (1) foot above finished grade. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the BFE, or the design must be certified by a Registered P.E. as providing the equivalent performance in accordance with accepted standards of practice. Refer to FEMA TB 1, Openings in Foundation Walls and Walls of Enclosures, for additional guidance.

   c. The interior height of the crawlspace measured from the interior grade of the crawlspace to the top of the foundations wall must not exceed four (4) feet at any point.

d. An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event.

e. Portions of the building below the FPE must be constructed with materials resistant to flood damage, and

f. Utility systems within the crawlspace must be elevated above the FPE.

C. Non-residential buildings may be structurally dry floodproofed (in lieu of elevation) provided a licensed professional engineer or architect certifies that:

1. Below the FPE the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood.
2. The building design accounts for flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and the impact from debris and ice.
3. Floodproofing measures will be incorporated into the building design and operable without human intervention and without an outside source of electricity.
4. Levees, berms, floodwalls, and similar works are not considered floodproofing for the purpose of this subsection.

D. Manufactured homes to be permanently installed on site shall be:

1. Elevated to or above the FPE in accordance with Section 5-207. B, and
2. anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the rules and regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 77 Ill. Adm. Code § 870.

E. Travel trailers and recreational vehicles on site for more than one hundred eighty (180) days per year shall meet the elevation requirements of section 5-207. D unless the following conditions are met:

1. The vehicle must be either self-propelled or towable by a light duty truck.
2. The hitch must remain on the vehicle at all times.
3. The vehicle must not be attached to external structures such as decks and porches
4. The vehicle must be designed solely for recreation, camping, travel, or seasonal use rather than as a permanent dwelling.
5. The vehicles must have a total area not exceeding four hundred (400) square feet measured when measured at the largest horizontal projection.
6. The vehicle's wheels must remain on axles and inflated.
7. Air conditioning units must be attached to the frame so as to be safe for movement of the floodplain.
8. Propane tanks as well as electrical and sewage connections must be quick-disconnect.
9. The vehicle must be licensed and titled as a recreational vehicle or park model, and must either:

    a. entirely be supported by jacks, or

b. have a hitch jack permanently mounted, have the tires touching the ground and be supported by block in a manner that will allow the block to be easily removed by used of the hitch jack.

F. Detached accessory structures may be permitted provided the following conditions are met:

1. The structure must be non-habitable.
2. The structure must be used only for parking and storage and cannot be modified later into another use.
3. The structure must be located outside of the floodway or have the appropriate state and/or federal permits.
4. The exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the BFE, must be built with flood-resistant materials.
5. All utilities, mechanical, and electrical must be elevated above the FPE.
6. The structure must have at least one permanent opening on at least two walls not more than one (1) foot above grade with one (1) square inch of opening for every one (1) square foot of floor area.
7. The structure must be no more than one story in height and no more than six hundred (600) square feet in size.
8. The structure shall be anchored to resist floatation, collapse, lateral movement, and overturning.
9. All flammable or toxic materials (gasoline, paint, insecticides, fertilizers, etc.) shall be stored above the FPE.
10. The lowest floor elevation should be documented and the owner advised of the flood insurance implications.

Section 5-208. Subdivision Requirements.

The City Engineer shall take into account hazards, to the extent that they are known, in all official actions related to land management use and development.

A. New subdivisions, manufactured home parks, annexation agreements, planned unit developments, and additions to manufactured home parks and subdivisions shall meet the damage prevention and building protections standards of Sections 5-206 and 5-207 of this article.

B. Streets, blocks lots, parks and other public grounds shall be located and laid out in such a manner as to preserve and utilize natural streams and channels. Wherever possible the floodplains should be included within parks, open space parcels, or other public grounds.

C. Any proposal for such development shall include the following data:

1. The BFE and the boundary of the floodplain. Where the BFE is not available from an existing study, the applicant shall be responsible for calculating the BFE.
2. The boundary of the floodway, when applicable.

3. A signed statement by a Licensed Professional Engineer that the proposed plat or plan accounts for changes in the drainage of surface waters in accordance with the Plat Act (765 ILCS 205/2).

Section 5-209. Public Health and Other Standards.

A. Public health standards must be met for all floodplain development. In addition to the requirements of Sections 5-206 and 5-207 of this article, the following standards apply:

1. No development in the floodplain shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the FPE unless such materials are stored in a floodproofed and anchored storage tank and certified by a professional engineer or floodproofed building constructed according to the requirements of Section 5-207 of this article.
2. Public utilities and facilities such as sewer, gas and electric shall be located and constructed to minimize or eliminate flood damage.
3. Public sanitary sewer systems and water supply systems shall be located and constructed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
4. New and replacement on-site sanitary sewer lines or waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. Manholes or other above ground openings located below the FPE shall be watertight.
5. Construction of new or substantially improved critical facilities shall be located outside the limits of the floodplain. Construction of new critical facilities shall be permissible within the floodplain if no feasible alternative site is available. Critical facilities, which are buildings, constructed or substantially improved within the floodplain or the 0.2 percent annual chance flood elevation when defined, shall have the lowest floor (including basement) elevated or structurally dry floodproofed to the 0.2 percent annual chance flood elevation or three feet above the BFE, whichever is greater. Adequate parking shall be provided for staffing of the critical facilities at or above the BFE or 0.2 percent chance flood, when defined. Access routes to all critical facilities should be reviewed and considered when permitting. Access routes should be elevated to or above the level of the BFE.

   Floodproofing and sealing measures may also be used to provide protection, as described in Section 5-207, and must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

   Critical Facilities include but are not limited to emergency services facilities (such as fire and police stations), sewage treatment plants, water treatment plants, critical utility sites, schools, hospitals, retirement homes, and senior care facilities.

B. All other activities defined as development shall be designed so as not to alter flood flows or increase potential flood damages.

C. Dams are classified as to their size and their hazard/damage potential in the event of failure. Permits for dams may be required from IDNR/OWR. Contact IDNR/OWR to determine if a permit is required. If a permit is required, a permit application must be made to IDNR/OWR prior to the construction or major modification of jurisdictional dams.

D. Letters of Map Revision. The City Engineer shall require a CLOMR prior to issuance of a development permit for:

1. Proposed floodway encroachments that will cause an increase in the BFE; and

2. Proposed development which will increase the BFE by more than 0.1 feet in riverine area where FEMA has provided a BFE but no floodway.

Once a CLOMR has been issued, the development permit may be issued for site grading and structures necessary in the area of the map change to achieve the final LOMR. Upon completion, the applicant shall submit as-built certifications, as required by FEMA, to achieve a final LOMR prior to the release of final development permits. Review Section 5-209. E for the construction of buildings in any floodplain issued a LOMR Based on Fill.

E. When construction of a building following a LOMR Based on Fill is requested, the condition where a site in the floodplain is removed due to the use of fill to elevate the site above the BFE, the applicant may apply for a development permit from the City to construct the lowest floor of a building below the BFE in the floodplain.

The City Engineer shall not issue such a permit unless the applicant has demonstrated that the building will be reasonably safe from flooding. The City Engineer shall require a professional certification from a qualified design professional that indicates the land or buildings are reasonably safe from flooding, according to the criteria established in FEMA TB 10. Professional certification may come from a professional engineer, professional geologist, professional soil scientist, or other design professional qualified to make such evaluations.

The City Engineer shall maintain records, available upon request by FEMA, all supporting analysis and documentation used to make that determination, including but not limited to, all correspondence, professional certification, existing and proposed grading, sump pump sizing, foundation plans, Elevation Certificates, soil testing and compaction data.)

Section 5-210. Carrying Capacity and Notification.

For all projects involving channel modification, fill, or stream maintenance (including levees), the flood carrying capacity of the watercourse shall be maintained.

In addition, the City Engineer shall notify adjacent communities in writing thirty (30) days prior to the issuance of a permit for the alteration or relocation of the watercourse.

Section 5-211. Variances.

A. No variances shall be granted within a floodway if any increases in the base flood elevation would result.

B. Whenever the standards of this article place undue hardship on a specific development proposal, the applicant may apply to the Building Safety Code Board of Appeals for a

variance. The Building Safety Code Board of Appeals shall review the applicant's request for a variance and shall submit its recommendation to the City Council. The City Council may attach such conditions to granting of a variance as it deems necessary to further the purposes and objectives of this article. The City Council shall base the determination on:

1. Technical justifications submitted by the applicant.
2. The staff report, comments, and recommendations submitted by the floodplain administrator.
3. The limitations, considerations, and conditions set forth in this section.

C. The findings of fact and conclusions of law made by the City Council according to Section 5-211. A, the notifications required by Section 5-211. B, and a record of hearings and evidence considered as justification for the issuance of all variances from this article shall be maintained by the City in perpetuity.

D. No variance shall be granted unless the applicant demonstrates and the Building Safety Code Board of Appeals finds that all of the following conditions are met:

1. The development activity cannot be located outside the floodplain.
2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
3. The variance granted is the minimum necessary, considering the flood hazard, to afford relief.
4. There will be no additional threat to public health, public safety, destruction of beneficial stream uses and functions including, aquatic habitat, conflict with existing local laws or ordinances, or creation of a nuisance.
5. The circumstances of the property are unique and do not establish a pattern inconsistent with the intent of the NFIP.
6. Good and sufficient cause has been shown that the unique characteristics of the size, configuration, or topography of the site renders the requirements of this article inappropriate.
7. All other state and federal permits have been obtained.

E. The Building Safety Code Board of Appeals shall notify an applicant in writing that a variance from the requirements of the building protections standards of Section 5-207 that would lessen the degree of protection to a building will:

1. Result in increased premium rates for flood insurance up to twenty-five dollars ($25) per one hundred dollars ($100) of insurance coverage.
2. Increase the risk to life and property.
3. Require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.

F. Considerations for Review. In reviewing applications for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:

1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
2. The danger to life and property due to flooding or erosion damage.
3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
4. The importance of the services provided by the proposed development to the community.
5. The availability of alternate locations for the proposed development that are not subject to flooding or erosion.
6. The compatibility of the proposed development with existing and anticipated development.
7. The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.
8. The safety of access to the property in times of flood for ordinary and emergency vehicles.
9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters expected at the site.
10. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

G. Historic Structures. Variances issued for the reconstruction, repair, or alteration of a historic site or historic structure as defined in “Historic Structures”, may be granted using criteria more permissive than the requirements of Sections 5-206 and 5-207 of this article subject to the conditions that:

1. The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the structure.

2. The repair or rehabilitation will not preclude the structure’s continued designation as a historic structure.

H. Agriculture Structures. Variances may be issued for the construction or substantial improvement of agricultural structures which do not meet the non-residential building requirements of Sections 5-207. B and 5-207. C, provided the requirements of Section 5-211. A through 5-211. G and the following are satisfied:

1. A determination that the proposed agricultural structure:

   a. Is used exclusively in connection with the production, harvesting, storage, raising, or drying of agricultural commodities, or storage of tools or equipment used in connection with these purposes or uses, and will be restricted to such exclusive uses.

   b. Has low damage potential (amount of physical damage, contents damage, and loss of function).

   c. Does not increase risks and pose a danger to public health, safety, and welfare if flooded and contents are released, including but not limited to the effects of

flooding on liquified natural gas terminals, and production and storage of highly volatile, toxic, or water-reactive materials.

e. Complies with the wet floodproofing construction requirements of subsection 2 herein.

2. Wet floodproofing construction requirements. Wet floodproofed structures shall meet the following:

   a. The exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the BFE, must be built with flood-resistant materials in accordance with Section 5-207 of this article.

   b. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

   c. All enclosed areas below the FPE shall provide for equalization of hydrostatic pressures by allowing the automatic entry and exit of floodwaters. A minimum of one (1) permanent opening shall be provided on at least two walls that is below the BFE and no more than one (1) foot above finished grade. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the BFE, or the design must be certified by a Registered P.E. as providing the equivalent performance in accordance with accepted standards of practice. Refer to FEMA TB 1, Openings in Foundation Walls and Walls of Enclosures, for additional guidance.

   d. Any mechanical, electrical, or other utility equipment must be located above the BFE or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Section 5-207 of this article.

   e. If located in a floodway, must be issued a state floodway permit, and comply with Section 5-206 of this article.

   f. The building may not be used for manure storage or livestock confinement operations.

Section 5-212. Disclaimer of Liability.

The degree of protection required by this article is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This article does not imply that development either inside or outside of the floodplain will be free from flooding or damage. This article does not create liability on the part of the City or any officer or employee thereof for any flood damage that results from proper reliance on this article or any administrative decision made lawfully thereunder.

Section 5-213. Penalty.

Failure to obtain a permit for development in the floodplain or failure to comply with the conditions of a permit or a variance shall be deemed to be a violation of this article. Upon due

investigation, the City Engineer may determine that a violation of the minimum standards of this article exists. The City Engineer or their designee shall notify the owner in writing of such violation.

A. If such owner fails after ten (10) days from the date the written notice is issued, to correct the violation:

    1. The City shall make application to the circuit court for an injunction requiring conformance with this article or make such other order as the court deems necessary to secure compliance with the article.
    2. Any person who violates this article shall upon conviction thereof be fined not less than fifty dollars ($50) or more than seven hundred fifty ($750) for each offense.
    3. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues, and
    4. The City shall record a notice of violation on the title of the property.

B. The City Engineer or their designee shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

    The City Engineer is authorized to issue an order requiring the suspension of the subject development. The stop-work order shall be in writing, indicate the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the stop-work order. The stop-work order constitutes a suspension of the permit.

    No site development permit shall be permanently suspended or revoked until a hearing is held by the Building Safety Code Board. Written notice of such hearing shall be served on the permittee and shall state the grounds for the complaint, reasons for suspension or revocation, and the time and place of the hearing.

    At such hearing the permittee shall be given an opportunity to present evidence on their behalf. At the conclusion of the hearing, the Building Safety Code Board shall determine whether the permit shall be suspended or revoked.

C. Nothing herein shall prevent the City from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

ARTICLE XII – MOBILE HOME PARKS & MOBILE HOMES

Sec 5-231. Definitions. The following words and phrases, when used in this Article, shall have the meanings respectively ascribed to them:

Applicant means any person making application for license of Certificate of Occupancy.

Ceases to Occupy means the person or persons lawfully occupying the mobile home unit has vacated the mobile home unit. In the absence of an oral or written statement by such persons that they are terminating their occupancy, termination will be presumed if both water and electrical utilities to the mobile home are terminated and there is a continuous absence of any lawful occupancy of such mobile home for a period of six months. Despite the termination of such water and electrical utilities and such continuous absence, it will not be presumed to be vacated if the owner of such mobile home has paid the rent due on the lot occupied by the mobile home.

Certificate of Occupancy. See "Mobile Home Certificate of Occupancy."

Condominium Mobile Home Park means, for the purpose of this Article, a Mobile Home Park as herein defined except the mobile home sites or stands are individually owned pursuant to the Illinois Condominium Property Act.

Department means the Department of Community Development Services, unless otherwise indicated.

Frontage means that portion of a mobile home site abutting a private or public street.

License means a license certificate issued by the City allowing a person to operate and maintain a Mobile Home Park.

Licensee means the person, persons, corporations, partnerships or other entity to whom the City issued a license for operation of a Mobile Home Park.

Lot Line, Rear means the lot line opposite the front lot line. For purposes of establishing the required rear yard, in the case of an irregularly shaped or three-sided lot, it shall mean a line within the lot, ten feet long, concentric with and at the maximum distance from the front lot line. A lot need not have a rear lot line.

Manufactured Home means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating air-conditioning, and electrical systems contained therein. All manufactured homes shall be installed under the immediate onsite supervision of a licensed manufactured home installer, in accordance with 430 ILCS 117/ The Manufactured Home Quality Assurance Act. The responsible installer shall affix an Illinois Department of Public Health issued seal to the home and file an installation certificate with the Department.

Mobile Home means a factory-assembled, completely integrated structure, constructed on or before June 30, 1976, designed for permanent habitation, with a permanent chassis, and so

constructed as to permit its transport, on wheels temporarily or permanently attached to its frame, that is a movable or portable unit that is constructed to be towed on its own chassis (comprised of frame and wheels) from the place of its construction to the location, or subsequent locations, at which it is connected to utilities for year-round occupancy for use as a permanent habitation, and designed to be used as a dwelling with or without a permanent foundation and situated so as to permit its occupancy as a dwelling place for one or more persons. A mobile home shall, for purposes of this Article, exclude travel trailers or other mobile units not intended for year-round occupation. For mobile homes built prior to June 15, 1976, a label certifying compliance with the Standard for Mobile Homes, NFPA 501, ANSI 119.1, in effect at the time of manufacture, is required. **For the purpose of these provisions, a mobile home shall be considered to be a manufactured home.**

Mobile Home Certificate of Occupancy (sometimes referred to herein as simply "Certificate of Occupancy") means a permit, issued by the Building Official, authorizing the occupancy of the mobile home, as based upon compliance with applicable ordinance provisions together with any special conditions or stipulations.

Mobile Home Owner means the party possessing title to a mobile home or the purchaser of a mobile home under a bona fide contract.

Mobile Home Park means a contiguous parcel of land planned and improved for the placement of five or more mobile homes or manufactured homes where sites are rented or purchased pursuant to the Illinois Condominium Property Act.

Mobile Home Park Service Building means a permanent structure housing laundry, office, sanitation or other community facilities as required in mobile home parks for use by mobile home park occupants.

Mobile Home Site means a parcel of land clearly delineated on the Mobile Home Park site plan, intended for the placement of an individual mobile home and for the exclusive use of its occupants.

Mobile Home Stand means that part of an individual mobile home site which has been constructed for the placement of a mobile home.

Occupancy or Occupied means the residing of an individual or individuals overnight in a mobile home or the installation, storage or use of equipment, merchandise or machinery.

Owner-Operator means licensee.

Person means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, county, municipality, the State of Illinois or any political subdivision or department thereof, or any other entity.

Plat means a scaled map, plan or layout showing the subdivision of land and indicating the location and boundaries of individual lots including, but not limited to, exhibiting the following:

1. The name, location or address of the Mobile Home Park, its owner and operator;
2. Location of all property lines, existing streets, easements, utilities, sewers and any other significant features;
3. Date, north arrow, graphic scale (not less than one inch to one hundred (100) feet) on all drawings submitted;

4. All buildings, structures and mobile home stands;
5. Total number of mobile home sites;
6. Approximate gross density per acre; and
7. All Mobile Home Parks located in a floodplain shall file evacuation plans indicating vehicular access and escape routes, including mobile home hauler routes, with the appropriate disaster preparedness authorities.

Sale means the transfer of ownership, either presently or at a definite time in the future, upon compliance with an agreement to transfer ownership.

Smoke Detector means a U.L. 217 approved smoke detector.

Street, Private means a service way with an all-weather, dustless surface, which provides access to a property for the use of a limited number of persons or purposes, and which has not been publicly dedicated.

Type S fuses means fuses that are nontamperable and installed by the following schedule:

Wire Size	Fuse (amp.)
#14	15
#12	20
#10	30

Sec. 5-232. Purpose. The purpose of this Article is to provide minimum standards to safeguard life and property by regulating (and controlling) operation, placement and occupancy of mobile homes, mobile home parks and condominium mobile home parks.

Sec. 5-233. License Required to Establish, Maintain and Operate a Mobile Home Park. No person shall establish, maintain, conduct or operate a Mobile Home Park after May 5, 1982 [Ord. No. 8182-78] without first obtaining a license therefore from the City. The mobile homes which are located within the Mobile Home Park as well as all common areas of the Mobile Home Park must comply with the exterior maintenance provisions of this Article. Failure to comply with these exterior maintenance provisions shall be grounds for denial of the annual Mobile Home Park license. The exteriors of the mobile homes and all common Mobile Home Park areas shall be inspected annually and violations shall be corrected prior to license renewal.

Sec. 5-233.1. Rules and Regulations to be Established. Each Mobile Home Park licensed by the City shall establish rules and regulations as authorized under an Act Concerning Mobile Home Parks and the Rights of Mobile Home Owners and Mobile Home Residents, (Chapter 80, Section 201 et seq., Ill. Rev. Stat. 1989) approved September 14, 1979 and effective January 1, 1980, which said rules and regulations shall obligate the tenant expressly to those tenants duties set forth in the aforesaid statute and shall promulgate such rules and regulations in the manner specified and set forth in said statute.

Sec. 5-234. Standards for Existing Mobile Home Parks.

A. **Roadways and Access.**
   1. All streets and driveways in every Park shall be maintained in a passable and reasonably dust-proof condition at all times, and all streets and driveways in all Parks shall have a minimum width of 20 feet.

2. When in the opinion of the Department adequate emergency access is not provided to emergency vehicles, the Department may require the licensee to provide adequate access where possible.

B. **Mobile Home Sites, Pacing and Density.**

1. Individual mobile home lot frontage and lot area as well as overall Mobile Home Park density shall be in compliance with the Urbana Zoning Ordinance as it applies to existing Mobile Home Parks.

2. No mobile home shall be parked closer than five feet to the side lot lines of a Mobile Home Park, or closer than ten feet to a public street, alley or building. There shall be an open space of at least ten feet adjacent to the sides of every mobile home and five feet adjacent to the ends of every mobile home.

3. Pads, runners or piers shall be provided for each lot.

4. Mobile home sites shall contain no other principal use than a mobile home as defined herein.

C. **Potable Water Supply.**

1. Where a public water supply is available such supply shall be used.

2. The distribution system shall supply water at a minimum pressure of 20 pounds per square inch (PSI) during periods of peak demand and usage at the faucets.

3. Water Service Connection.
   i. The water service and any water piping is required to be permitted and installed by a licensed State of Illinois Plumbing Contractor and by a State of Illinois licensed plumber.
   ii. Water service connection shall not be less than three-fourths inch inside diameter and shall not serve more than one mobile home at any time.
   iii. All water risers shall be at least one-half inch in inside diameter and terminate at least four inches above finished ground level.
   iv. All materials (piping and cock and valves, etc.) used in the water riser and connection shall comply with *Illinois Plumbing Code*.
   v. Combination stop and waste valves and cocks shall not be installed in an underground service piping.

4. Approved fire hydrants shall be accessible to the mobile home park and within 500 feet of any mobile home.

D. **Sewage Disposal System.**

1. All sewage and other water carried waste shall be disposed of into a municipal sewage system whenever a sewer is adjacent or within 100 feet of any position of a mobile home.

2. The sewage collection system within the Mobile Home Park shall be adequate to carry the sewage load based on a maximum number of mobile home spaces and 250 gallons per space per day. There shall be no discharging of raw or partially

treated sewage or waste water onto the surface of the ground, nor shall there be any escape of odors from sewage systems.

3. Sewer Service Connection.
   i. All sewer systems shall be permitted and connected by a licensed State of Illinois Plumbing Contractor with a State of Illinois licensed plumber.
   ii. Each mobile home site shall be provided with a sewer connection.
   iii. Sewer connections in unoccupied sites shall be so closed that they will emit no odors or cause a breeding place for flies or other insects, etc.
   iv. At all sewer connections, the sewer riser shall extend four inches above the ground.
   v. Additional fees may be required by the Urbana Champaign Sanitary District.

E. **Electrical System.** Mobile Home Parks shall meet the requirements of the most recently adopted Electrical Code of the City of Urbana applicable to Mobile Home Park electrical distribution systems except for the following:
   1. Overhead distribution lines shall be 18 feet above streets or roadways and have three feet clearance from any structure.

F. **Exterior Lighting.** Adequate lighting shall be provided for all streets, walkways, buildings and other facilities subject to nighttime use and shall be maintained in accordance with PM-304.19.

G. **Insect and Rodent Control.**
   1. Adequate insect and rodent control measures shall be employed by the Mobile Home Park owner. All buildings shall be reasonably fly-proof and rodent-proof, and rodent harborages shall not be permitted to exist in the Mobile Home Park or pathways.
   2. The Mobile Home Park owner is responsible for the elimination of any insect, rat or mice problem in the general areas of the Mobile Home Park. The individual mobile home owner is responsible for the elimination of any insect, rat or mice problem associated with their mobile home including the underside area of said mobile home.

H. **Fuel Supply and Storage.** All handling and storage of natural gas, liquefied petroleum gas (LPG), fuel oil or other flammable liquid or gases should be installed and maintained in accordance with applicable state and local government codes and regulations. Each mobile home site shall have an accessible and listed gas shut-off valve installed. Such valve shall not be located under a mobile home. Whenever a mobile home site outlet is not in used, the shut-off valve shall be plugged to prevent accidental discharge.

I. **Mobile Home Park Maintenance and Operation Regulations.**
   1. The person to whom a license for a Mobile Home Park is issued shall provide adequate supervision to maintain the Mobile Home Park in compliance with this Article and keep its facilities and equipment in good repair and in a clean and sanitary condition.
   2. The Mobile Home Park owner or caretaker shall inspect the Mobile Home Park weekly to determine that the potable water supply, sewage treatment facilities and water and sewage service connections are functioning in a safe and sanitary manner.
   3. The Mobile Home Park owner or caretaker shall inspect the Mobile Home Park weekly to determine that the collection of garbage and refuse, cutting of grass and

weeds, the storage of lumber and construction materials, and the removal of abandoned automobiles and equipment is being performed in a satisfactory manner. The Mobile Home Park owner or caretaker shall be responsible for the removal of any abandoned vehicle in accordance with the provisions of the Urbana Local Traffic Code (Chapter 23).

4. The Mobile Home Park owner or manager shall inspect and ensure stairs are installed and maintained at all exterior doorways.
5. The correction of all deficiencies noted by the Mobile Home Park owner or caretaker must be accomplished within such time as may be otherwise required by this Article.
6. The Mobile Home Park owner or operator shall check weekly to determine that any vacant mobile home is adequately secured to prevent it from being an attractive nuisance. Upon finding such unit unsecured, the Mobile Home Park owner or caretaker shall require the homeowner to close it, or shall take necessary measures to close it. Upon failure of any homeowner to repair or remove any unit which has been placarded as "Not Approved for Occupancy" or in cases where the homeowner cannot be determined, it shall become the responsibility of the licensee to remove the mobile home.

Sec. 5-235. Standards for New Mobile Home Parks. New Mobile Home Parks shall comply with the Urbana Zoning Ordinance. In addition, they shall comply with all applicable provisions of Section 5-234 above.

Sec. 5-236. Inspection and Certificate of Occupancy.

A. No mobile home may be placed in an Urbana Mobile Home Park unless approved by Zoning. Nor, should a mobile home be occupied unless such mobile home has been issued a Certificate of Occupancy by the City of Urbana and such Certificate of Occupancy has not been revoked.

B. A Certificate of Occupancy for a mobile home unit shall be issued to those mobile units which meet the standards set forth for mobile homes in Section 5-241 of the Urbana City Code. A Certificate of Occupancy, once issued shall be valid until revoked.

C. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Section or of any code or regulation adopted pursuant thereto may request and shall be granted a hearing on the matter before the Building Safety Code Board of Appeals, as detailed in Article III of this Ordinance.

D. If a Certificate of Occupancy is revoked, the holder of such Certificate shall have the right to appeal such revocation to the Building Safety Code Board of Appeals, as detailed in Article III of this Ordinance.

Sec. 5-237. Term of Certificate of Occupancy. Except as otherwise provided herein, a Certificate of Occupancy shall be for a term equal to the period the mobile home exists at the same mobile home site or stand. A Certificate of Occupancy may be transferred to successive owners so long as the mobile home remains at the same mobile home site or stand and remains in substantial compliance with the provisions of this Article.

Sec. 5-238. Application for Certificate of Occupancy. Application for a Certificate of Occupancy shall be made to the Department **PRIOR** to placing a mobile home in a Mobile Home Park or moving it within a Mobile Home Park. The applicant shall be informed of the standards for mobile homes contained in this Article. The mobile home owner, through said

application, agrees to an inspection by the Department within 30 days after placement or movement of said mobile home to determine compliance with this Article. Said application shall include the following information:

1. Name of mobile home owner;
2. Mobile Home Park where mobile home is to be placed;
3. Serial number and make of mobile home; and
4. Mobile home owner's mailing address.

Sec. 5-239. Fee for Certificate of Occupancy. The fee for a Certificate of Occupancy is found in Chapter 14 of the Urbana Code of Ordinances.

Sec. 5-240. Waiver of Fee for Certificate of Occupancy. For mobile homes existing in Mobile Home Parks on January 1, 1980, the fee for the Certificate of Occupancy shall be waived so long as the mobile home remains on the same site or stand, but a Certificate of Occupancy is still required. A Certificate of Occupancy shall be issued after inspection by the Department and finding that the mobile home is in substantial compliance with the standards in this Article.

Sec. 5-241. Mobile Home Standards.

A. In order to obtain a Certificate of Occupancy a mobile home must meet the following requirements:

1. **License:** The Mobile Home Park in which the mobile home is placed must be licensed.

2. **Smoke Detector:** Smoke detectors shall be installed in all of the following locations:
   a. In sleeping areas.
   b. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
   c. In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

3. **Fire Extinguisher:** Every mobile home, must contain at least one ten-pound A.B.C. fire extinguisher in working order and easily accessible from the interior of the mobile home.

4. **Plumbing System:**
   a. The plumbing system must be safe, sanitary in condition and maintained in accordance with accepted engineering practices and codes.
   b. The mobile home shall be connected to the Mobile Home Park sewer system via a nonflexible airtight connection.
   c. Any alterations must be permitted and installed by a licensed State of Illinois Plumbing Contractor with a State of Illinois licensed plumber.

5. **Heating and Air Conditioning System:** The heating and air conditioning system must be safe and installed in accordance with accepted engineering practices and codes. Fireplaces must be approved to U.L. mobile home standard 1482 and installed according to manufacturer's specifications.

6. **Electrical System:**

a. The electrical system shall meet the provisions of the most recently adopted electrical code of the City applicable to existing mobile homes.
b. When plug fuses and fuseholders are used they shall be nontamperable Type S fuses sized as herein defined.

7. **Exterior of Mobile Home:** Exterior walls and roofs shall be structurally sound and tight and free from defects which might admit rain or dampness. All exterior surface materials, including wood, composition, or metal siding, shall be maintained weatherproof and shall be properly surface coated when required to prevent deterioration. Every window, door, and frame shall be constructed and maintained in such relation to the adjacent wall construction so as to be weathertight. Every window sash shall be fully supplied with approved glazing materials which are without open cracks and holes.

8. **Accessory Structures:** Accessory structures or storage sheds where allowed by the licensee shall be of proper construction, weather-tight, properly anchored and not less than 18 inches from a mobile home rear or side lot line.

9. **Gas System:** Each mobile home utilizing gas shall be connected to the mobile home site outlet by a listed flexible mobile home connector of sufficient capacity to supply gas to the connected load. Approved rigid pipe and fittings shall be used between the flexible connector and the mobile home site gas outlet if the distance between the mobile home site gas outlet and the mobile home gas service connection exceeds six feet. All gas outlet risers, regulators, meters, valves, or other exposed equipment shall be protected from physical damage by vehicles or other causes.

10. **Stairs and Porches:** Every stair, porch, deck, and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the anticipated loads and shall be maintained in sound condition and good repair.

11. **Skirting:** Skirting is required to be installed around the perimeter of the mobile homes. The required skirting must be securely attached and maintained against deterioration. The skirting material must have a flame spread rating of 200 or less and it must be treated against termite infestation or be made of an approved non-cellulose based material.

12. **Storage:** Storage of debris, junk, or construction materials, which are not associated with an activity which has been authorized by a valid building permit for that specific site shall be prohibited.

13. **Tiedowns:** All mobile homes must be securely anchored in accordance with the tiedown requirements of the State of Illinois Department of Public Health.

14. **Interior of Mobile Home:** Floors, walls (including windows and doors), ceilings, and other interior surfaces shall be maintained in good, clean, sanitary, and structurally sound condition.

B. All manufactured/mobile homes proposed to be parked in a Mobile Home Park must comply with the **Manufactured Home Quality Assurance Act, (430 ILCS 117)**

Section 5-242 Violations: Failure of mobile home owner to obtain a Certificate of Occupancy or to meet minimum standards contained herein for mobile homes is a violation of this Article.

Section 5-243 Notice: When the Department determines there has been a violation of this Article, the Department shall cause written notice to be served upon the owner containing a

description of the violation, order to vacate or remove said mobile home, if necessary, and/or corrective actions.

Section 5-244 Penalty: Any person who violates the provisions of this Article shall, upon conviction thereof, be fined as provided in Section 1-10 of the Urbana City Code and in addition shall pay all costs and expenses involved in litigation. A separate offense shall be deemed committed upon each day during or upon which a violation occurs or continues after due notice is served.

Section 5-245 Saving Clause: Nothing in this Article hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Article 1 of this Adopting Ordinance; nor shall any just or legal right of remedy of any character be lost, impaired, or affected by this Article.

Sections 5-245 – 5-260. Reserved.

ARTICLE XIII – FIRE PREVENTION CODE

Section F-101.1 “Title” is amended to read as follows:

Section F-101.1 Title. These regulations shall be known as the Fire Code of the City of Urbana, Illinois, hereinafter referred to as “this code.”

Section F-101.2.1 “Appendices” shall be amended to read as follows:

Section F-101.2.1 Appendices: Provisions in the following appendices shall apply to this code**.**

Appendix B – Fire-Flow Requirements for Buildings
Appendix C – Fire Hydrant Locations and Distribution
Appendix D – Fire Apparatus Access Roads
Appendix E – Hazard Categories
Appendix F – Hazard Ranking
Appendix G – Cryogenic Fluids – Weight and Volume Equivalents
Appendix H – Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions
Appendix I – Fire Protection Systems – Noncompliant Conditions
Appendix N – Indoor Trade Shows and Exhibitions

Section F-103.1 “Creation of agency” is amended to read as follows:

Section F-103.1 Creation of agency: Creation of agency: The Urbana Fire Department Division of Community Risk Reduction, therein referred to as “CRR,” is hereby created, and the Fire Marshal shall be the official in charge thereof and may also be referred to as the Fire Code Official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

Section F-103.1 “Appointment” is amended to read as follows:

Section F-103.1 Appointment: The Fire Marshal shall be appointed by the Fire Chief of the jurisdiction.

Section F-105.1.2 entitled “Types of permits” # 1 Operational Permit is amended and reads as follows:

1. Fire Prevention License: A Fire Prevention License (FPL), commonly referred to as a “permit” allows the applicant to conduct an operation or a business for which a permit is required by Section 105.5 for either:
   1.1 A prescribed period
   1.2 Until renewed or revoked.

Section F-105.5 entitled “Fire Prevention License” is amended and reads as follows:

Section F-105.5 Fire Prevention License: The Fire Code Official is authorized to issue fire prevention license for the operations set forth in Sections 105.5.1 through 105.5.52.

Section F-111 entitled “Means of Appeals” is amended and reads as follows:

Section F-111 Means of Appeals: All appeals shall be heard by the Building Safety Code Board of Appeals, as detailed in Article III of this Adopting Ordinance.

Section F-112.4 entitled "Violation Penalties" is amended to read as follows:

Section F-112.4 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, construct, alter, or repair a building or structure in violation of an approved plan or directive of the Fire Code Official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of an offense and subject to a fine as set forth in Section 1-10 (k) of the Code of Ordinances of the City of Urbana. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

Section F-113.4 “Failure to comply” shall be amended as follows:

Section F-113.4 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 one dollar ($1.00) or not more than seven hundred and fifty dollars ($750.00)

Section F-107.2 entitled "Schedule of Permit Fees," is amended and reads as follows:

Section F-107.2 Schedule of Fees: Any person required to obtain more than one permit as set forth above to engage, at any specifically defined single location, in any business activity involving the handling, storage or use of hazardous substances, materials or devices; or to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities, shall be required to pay the amount specified in Section 14-7 of the Urbana Code of Ordinances.

Section F-307.1.1 “Prohibited open burning” shall be amended to read as follows:

Section F-307.1.1 Prohibited open burning: Within the City limits, the open burning of any paper, leaves, refuse, garbage, or any other materials, including those from construction, demolition or alteration of any building, structure or equipment, is prohibited. Open burning shall be prohibited when atmospheric conditions or local circumstances make such fire hazardous. No fire permitted by this section may be used as an incinerator, or permitted to become a nuisance by reason of the emission of smoke, fumes, fly ash, dust or soot.

EXCEPTIONS:

1. Fires set by a public official in the performance of the official's duties;
2. In open fireplaces designed for cooking, and fires in outdoor cooking devices, when such fires are in fact being used for cooking purposes;
3. Fires used for recreational purposes such as campfires;
4. Fires authorized by permit from the Fire Code Official, which the Fire Code Official may issue in their discretion upon a showing of need for the removal of brush, debris or other materials where burning is the only feasible method.

Section F-307.4.3 “Portable outdoor fireplaces” shall delete the exception

Section 308.1.4 “Open-flame cooking devices” shall be amended and read as follows:

Section 308.1.4 Open-flame cooking devices. Exceptions 2 and 3 shall be deleted:

Section F-401.5.1 “False Alarm” shall be added to read as follows:

Section F-401.5.1 False Alarm: False alarm means an alarm signal eliciting a response by the Fire Department when a situation requiring a response by the Fire Department does not in fact exist. False alarm does not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user. Alarms resulting from the following conditions are not considered false alarms:

1. Criminal activity or unauthorized entry.
2. Earthquake causing structural damage to the protected premises.
3. High winds sufficient to activate detection system or causing physical damage to the protected premises.
4. Flooding of the related premises due to overflow of natural drainage.
5. Lightning causing physical damage to protected premises.
6. Telephone line malfunction verified in writing to the Fire Department by at least a first line telephone company supervisor.
7. Electrical service interruption verified in writing to the Fire Department by the local power company.
8. Communication to METCAD or a Fire Department before a unit is dispatched to investigate clearly indicating that the alarm resulted from an authorized system test or other noncriminal cause.
9. An alarm caused on the reasonable but mistaken belief that a fire or medical emergency is in progress.

Section F-401.5.2 entitled "Excessive False Alarm and Assessment," is added and reads as follows:

Section F-401.5.2 Excessive False Alarm and Assessment:

1. If any alarm system produces four false alarms in any calendar year, the Code Official shall provide written notice of the fact, which shall be given by certified mail or delivery to the owner or responsible party requiring them to take corrective action in regard to false alarms and informing the owner or occupant of the false alarm fee schedule provided herein.
2. Owner or responsible parties installing a new system or making substantial modifications to any existing system shall be entitled to a grace period during which alarms generated by such system shall be deemed non-false alarms. The grace period shall cease 30 days after installation of or modification to an alarm system.
3. Upon any alarm system producing five or more false alarms in a calendar year, a fee of five-hundred dollars ($500.00) per false alarm shall be charged to the owner or responsible party.

Section F-403.1.1 “Operator Responsibility” shall be added to read as follows:

Section F-403.1.1 Operator Responsibility: The operator or the person responsible for the operation of an assembly or educational occupancy shall check all components of egress before such building is occupied to determine compliance with this section. If such inspection reveals that any element of the required means of egress cannot be accessed, is obstructed, locked, fastened or otherwise unsuited for immediate utilization, admittance to the building shall not be permitted until necessary corrective action has been completed.

Section F-403.9.2.1 “College and university buildings” Shall be amended and read as follows:

Section F-403.9.2.1 College, university, and private certified university housing buildings.

Section F-506.1.3 “New Construction” shall be added to read as follows:

Section F-506.1.3 New Construction: Key boxes shall be required on all new structures.

Exception: One- and Two-family structures are excluded.

Section F-506.1.4 “Existing Buildings”: shall be added to read as follows:

Section F-506.1.4 Existing Buildings: A fire department key box shall be installed when access to or within the building or area is unduly difficult because of secured openings, or when buildings with a fire detection or suppression system are monitored by alarm companies with direct notification to the dispatch center or unsupervised local alarms, and where immediate access is necessary for life saving or firefighting purposes.

Section F-506.3 entitled "Key Box Contents," is added and reads as follows:

Section F-506.3 Key Box Contents: Key boxes shall contain the following:

1. Keys to locked points of egress whether on the interior or exterior of such buildings.
2. Keys to locked mechanical rooms.
3. Keys to locked electrical rooms.
4. Keys to other areas as directed by the Fire Code Official.
5. 24 hour contact information

Section F-506.4 “Motorized Gates and Doors” shall be added to read as follows:

Section F-506.4 Motorized Gates and Doors: All electrically operated gates, doors or barriers used for vehicle access shall be equipped with a click to enter type sensor compatible with the current 800 MHz radio system used by METCAD in Champaign County and a secondary gate key switch if required by the Fire Code Official. The gate key switch shall be compatible with the requirements of Section F-506.1 of this code. These devices and their installation locations shall be approved by the Fire Code Official.

Section F-506.4.1 “Existing Gates” shall be added to read as follows:

Section F-506.4.1 Existing Gates and Doors: Where required by the Fire Code Official properties with existing motorized gates, doors or barriers used for vehicle access shall be equipped with the requirements in Section F-506.4. All gates, doors or barriers shall comply with this section by January 1, 2026.

Section F-701.7.1 “Fire doors propped open” shall be added to read as follows:

Section F-701.7.1 Fire doors propped open: Hold-open devices may be required by the Fire Code Official where fire doors are found to be propped open after the installation of signs in Section 705.2.2. If hold-open devices are required, a design professional may be requested to evaluate building design. Hold-open devices and automatic door closers, where provided, shall be maintained. During the period that such device is out of service for repairs, the door it operates shall remain in the closed position.

Section F-802.1 entitled “Definitions” shall have “Open Porch” added as follows:

Section F-802.1 Definitions: “Open Porch” shall mean any part of a house or building that is not fully enclosed and shielded from the elements on all sides by roof and walls as determined by the Fire Code Official.

Section F-805.5 “Outdoor Storage” shall be added to read as follows:

Section F-805.5 Outdoor Storage: No person shall place, use, keep, store, or maintain any upholstered furniture not manufactured for outdoor use, including, without limitation, upholstered chairs, upholstered couches, and any mattresses on any open porch, yard, or exterior area of structures, nor suffer or permit such to occur. This shall not apply during a lawful yard sale or garage sale while such furniture is offered for sale; nor shall it apply while such furniture is otherwise lawfully held for garbage collection.

Section F-901.7.5.1 “Emergency Fire Watch by Fire Service Personnel” shall be added to read as follows:

Section F-901.7.5.1 Emergency Fire Watch by Fire Service Personnel: Where property owners or their representatives cannot be summonsed to conduct fire watch and where fire watch is determined to be critical to the safety of the occupants, the fire department may provide the fire watch services until they are relieved by a property representative or until the systems are in normal operation. The fire department may bill for fire watch services that exceed 60 minutes in length. The property owner may be required to pay the amount specified in Section 14-7 of the Urbana Code of Ordinances.

Section F-903.4.1.1 entitled “Connection to Public Water System” is added and reads as follows:

Section F-903.4.1.1 Connection to Public Water System: Water meters and valves on fire service water mains, on the exterior of a building, where required by the water company, shall be located within a vault and the valves shall be locked in the open position. The locks shall be that of the Knox Company and shall be approved by the Fire Code Official. Thus, allowing the Urbana Fire Department the ability to maintain control of the valves. The vault used shall be equipped with a keyed lock and a key shall be kept in the required Knox Box for this property.

Section F-905.2.1 “Minimum Design Pressure” shall be added and read as follows:

Section F-905.2.1 Minimum Design Pressure. Hydraulically designed standpipe systems shall be designed to provide the waterflow rate required by NFPA 14 Section 7.10 at a minimum residual pressure of 100 psi (6.9 bar) at the hydraulically most remote 2 ½ in. (65 mm) hose connection.

Section F-905.3 “Required Installations” shall be amended and read as follows:

Section F-905.3 Required Installations. The exception shall be DELETED.

Section F-905.5 “Location of Class II standpipe hose connections” The entire section shall be DELETED.

Section F-907.4.2.5 “Protective covers” shall be amended and read as follows:

Section F-907.4.2.5 Protective covers. In Use Groups R-1 and R-2, manual fire alarm pull stations shall be provided with listed manual fire alarm box protective covers. In other Use Groups, the Fire Code Official is authorized to require the installation of listed manual fire alarm box protective covers to prevent malicious false alarms or to provide the manual fire alarm box with protection from physical damage. The protective cover shall be transparent or red in color with a transparent face to permit visibility of the manual fire alarm box. Each cover shall include proper operating instructions. Such devices shall be readily operable without the use of a key, special knowledge or effort. A protective cover that emits a local alarm signal shall be installed unless approved. Protective covers shall not project more than permitted by Section 1003.3.3.

Section F-907.6.7 entitled "Local Alarm Signs," is added and reads as follows:

Section F-907.6.7 Local Alarm Signs: Local fire alarm systems shall be equipped with signs stating "When Alarm Sounds, Call 9-1-1." Sign shall be installed in a location to be determined by the Urbana Fire Department.

Section F-1010.2.4 “Locks and Latches” shall be amended to read as follows:

Section F-1010.2.4 Locks and Latches: Entire item number 3 is deleted.

Section F-1023.9 “Stairway Identification Signs” shall be amended to read as follows:

Section F-1023.9 Stairway identification signs: A sign shall be provided at each floor landing in exit enclosures connecting more than three stories designating the floor level, the terminus of the top and bottom of the exit enclosure and the color code identification of the stair or ramp. The signage shall also state the story of, and the direction to the exit discharge and the availability of roof access from the enclosure for the fire department. The sign shall be located inside the exit enclosure, centered 5 feet (1524 mm) above the floor landing in a position that is readily visible when the doors are in the open and closed positions. An additional sign stating the floor number and stair color shall be located on the occupant side of the exit enclosure. Signage shall meet the requirements set forth by the current *Illinois Accessibility Code*.

Section F-1023.9.1 “Signage Requirements” shall be amended to read as follows:

Section F-1023.9.1 Signage requirements: Stairway identification signs shall comply with all the following requirements:

1. The signs shall be a minimum size of 18 inches (457mm) by 12 inches (305mm).
2. The letters designating the identification of the stair enclosure shall be a minimum 1½ inches (38mm) in height.
3. The number designating the floor level shall be a minimum of 5 inches (127 mm) in height with a stroke width of 0.5 inch (12.7mm) and located in the center of the sign.
4. All other numbers and letters shall be 1 inch high (25.4mm).
5. Characters and their background shall have a non-glare finish. Characters shall contrast with their background.
6. The stairway identification sign shall have an identifying background color; Red, Green, Yellow, Blue, and White and colors listed shall run clockwise starting at the address side of the building as approved by the Fire Department. The background color shall be written on the sign.
7. When signs required by section 1023.9 are installed in interior exit the same material as required by Section 1025.4 shall be used.

Section F-1103.5.6 “Dormitories, Fraternities, Sororities, and Private Certified University Housing” shall be added to read as follows:

Section F-1103.5.6 Dormitories, Fraternities, Sororities, and Private Certified University Housing: An automatic sprinkler system shall be provided throughout ALL Dormitories, Fraternities, Sororities, Private Certified University Housing or similar.

Section F-1103.7 entitled "Fire alarm systems," is amended and reads as follows:

Section F-1103.7 Fire alarm systems. An approved fire alarm system shall be installed in existing buildings and structures in accordance with Sections 1103.7.1 through 1103.7.8 and provide occupant notification in accordance with Section 907.5 unless other requirements are provided by other sections of this code.

Section F-1103.7.7 entitled "Fire alarm repair and maintenance," is added and reads as follows:

Section F-1103.7.7 Fire alarm repair and maintenance. The existing fire alarm system must be adequately tested and maintained in accordance with Section 901.6 and shown not to create a hazard. During repair or replacement, the system may be required to be upgraded to current code by the Fire Code Official.

Section F-1103.7.8 entitled "Fire alarm system Monitoring," is added and reads as follows:

Section F-1103.7.8 Fire alarm system monitoring. All fire alarms systems shall be monitored by a central service station by January 1, 2028.

Section F-5003.6.1 entitled "NFPA 704 Label Specifications," is added and reads as follows:

Section F-5003.6.1 NFPA 704 Label Specifications: Labels when required shall be labeled as follows:

	TOTAL SIZE OF FOUR LABELS	EACH COLORED LABEL	HEIGHT OF NUMBERS	WIDTH OF NUMBERS	THICKNESS OR STROKE
ON BUILDING	30 inches square	15 inches square	9 inches	4.2 inches	15/16 inches
EXTERIOR TANK	20 inches square	10 inches square	6 inches	2.8 inches	5/6 inches
TANK INSIDE A BUILDING	15 inches square	7.5 inches square	4 ½ inches	2.1 inches	15/32 inches

All letters and numbers shall be reflective. Building labels shall be placed at a minimum of ten feet and not more than 12 feet from the ground.

The building label shall be placed on the front of the building. Additional building or tank label placement decisions to be determined by the Code Official. These signs shall be classified as official signs under the provisions of Section IX-5 of the Urbana Zoning Ordinance.

Section F-5602.1 Definitions “Fireworks” shall be amended to read as follows:

Section F-5602.1 Definitions “Fireworks”: The term fireworks shall mean and include any explosive composition or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect of a temporary exhibition nature by explosion, combustion, deflagration or detonation, and shall include blank cartridges, toy cannons in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, sky rockets, Roman candles, bombs or other fireworks of like construction and any fireworks containing any explosive compound; or any tablets or other device containing any explosive substance, or containing combustible substances producing visual effects. The term "fireworks" shall not include snake or glow worm pellets; smoke devices; sparklers; trick noisemakers known as "party poppers", "booby traps", "snappers", "trick matches", "cigarette loads" and "auto burglar alarms"; toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps containing twenty-five hundredths grains or less of explosive compound are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for the explosion; and toy pistol paper or plastic caps which contain less than twenty-five hundredths grains of explosive mixture; the sale and use of which shall be permitted at all times.

CITY OF URBANA
Community Development Services Department
400 S Vine St • Urbana IL 61801 • (217) 384-2444 • UrbanaIL.gov

Meeting: Building Safety Code Board of Appeals
From: Michael Frank, Building Inspector
Nicholas Hanson, Building Official
Date: October 12, 2026
Subject: 602 Burkwood

Background

Work on this project had already started when our office became involved. We met with the homeowner and discussed several areas of the project that would need to be permitted and addressed. These included the newly framed walls, specifically the requirement for treated lumber to be used for the bottom plates, as well as the applicable fire-penetration requirements associated with the construction of the new walls.

We also discussed not minimizing the ceiling height in the newly added bathroom area. At that time, prior to the installation of the framing, it was noted that the ceiling height would be close to the minimum requirement of 6 feet 8 inches.

A building permit application was submitted on February 16, 2026. Multiple correspondences followed as we worked to obtain accurate and complete documentation necessary for approval of the permit. In an email dated March 13, 2026, the submitted plans indicated a bathroom ceiling height of 6 feet 6 inches. I responded by email and advised that the minimum required ceiling height for a bathroom is 6 feet 8 inches.

On March 16, 2026, I received an email stating, “That was a typo. The correction to the Height in the Bathroom [is] 6’9”.” Revised plans reflecting the corrected 6-foot-9-inch bathroom ceiling height were attached to that email. Based on the revised plans, that portion of the project was approved, and the permit review proceeded to the remaining items.

Additionally, the submitted plans did not indicate that the lounge area was intended to be used as a sleeping room. The plans did not depict a bed or other features that would indicate that the lounge was being proposed or represented as a sleeping room.

This property was recently registered as a rental property.

Situation

There are two issues addressed under the appeal application:

1. Ceiling Height Requirements for Bathrooms – R305.1
2. Sleeping Room Requirements – R310.1

1. Ceiling Height Requirements – R305.1

R305.1: Minimum height. INSIGHTS

Habitable space, hallways and portions of *basements* containing these spaces shall have a ceiling height of not less than 7 feet (2134 mm). Bathrooms, toilet rooms and laundry rooms shall have a ceiling height of not less than 6 feet 8 inches (2032 mm).

Exceptions:

1. For rooms with sloped ceilings, the required floor area of the room shall have a ceiling height of not less than 5 feet (1524 mm) and not less than 50 percent of the required floor area shall have a ceiling height of not less than 7 feet (2134 mm).
2. The ceiling height above bathroom and toilet room fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a ceiling height of not less than 6 feet 8 inches (2032 mm) above an area of not less than 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.
3. Beams, girders, ducts or other obstructions in *basements* containing *habitable space* shall be permitted to project to within 6 feet 4 inches (1931 mm) of the finished floor.
4. Beams and girders spaced apart not less than 36 inches (914 mm) in clear finished width shall project not more than 78 inches (1981 mm) from the finished floor.

The first issue concerns the ceiling height in the newly installed bathroom. Section R305.1 of the 2021 International Residential Code (IRC) establishes a minimum ceiling height of **6 feet 8 inches** for bathrooms, toilet rooms, and laundry rooms.

Reviewing the initial plans, the ceiling height was shown at 6 feet 6 inches, it was specifically identified that the bathroom was required to maintain a minimum ceiling height of 6 feet 8 inches. In response, an email was provided stating that the proposed ceiling height would be **6 feet 9 inches**. An updated floor plan was then submitted showing the revised dimensions.

During the final inspection, however, the ceiling height was measured and found to be 6 feet 7 inches not meeting the 6 feet 9 inches indicated on the approved plan. In addition, the mortar base floor that was installed to match the shower base in the bathroom was not shown on the previously approved plans. The installation of this floor base has effectively raised the finished floor elevation and resulted in the current ceiling-height deficiency.

Section R305.1 does provide exceptions to the minimum ceiling-height requirements, including provisions applicable to certain areas within a shower. However, those exceptions do not apply to the remaining portions of this bathroom. The reduction in ceiling height is the result of the raised finished floor elevation and does not fall within an exception identified in Section R305.1 of the 2021 IRC. Therefore, the applicable minimum ceiling-height requirement remains in effect.

2. Sleeping Room Requirements – R310.1

R310.1: Emergency escape and rescue opening required. INSIGHTS

Basements, *habitable attics* and every sleeping room shall have not less than one operable *emergency escape and rescue opening*. Where *basements* contain one or more sleeping rooms, an *emergency escape and rescue opening* shall be required in each sleeping room. *Emergency escape and rescue openings* shall open directly into a *public way*, or to a *yard* or court having a minimum width of 36 inches (914 mm) that opens to a *public way*.

Exceptions:

1. *Storm shelters* and *basements* used only to house mechanical *equipment* not exceeding a total floor area of 200 square feet (18.58 m^2).
2. Where the *dwelling unit* or *townhouse unit* is equipped with an automatic sprinkler system installed in accordance with Section P2904, sleeping rooms in *basements* shall not be required to have *emergency escape and rescue openings* provided that the *basement* has one of the following:
   - 2.1. One means of egress complying with Section R311 and one *emergency escape and rescue opening*.
   - 2.2. Two means of egress complying with Section R311.
3. A *yard* shall not be required to open directly into a *public way* where the *yard* opens to an unobstructed path from the *yard* to the *public way*. Such path shall have a width of not less than 36 inches (914 mm).

R311.1: Means of egress.

Dwellings shall be provided with a means of egress in accordance with this section. The means of egress shall provide a continuous and unobstructed path of vertical and horizontal egress travel from all portions of the *dwelling* to the required egress door without requiring travel through a garage. The required egress door shall open directly into a *public way* or to a *yard* or court that opens to a *public way*.

The second issue concerns a newly created sleeping room/unit. The floor plan submitted for approval does not identify this space as a bedroom or sleeping room. Furthermore, the documents submitted on March 4 specifically under the **"Lounge"** heading: "Important note: This room is not designated as a bedroom because the window does not meet egress requirements."

During an inspection, it was observed that a bed was being constructed in this room, indicating that the space was being converted or utilized as a sleeping room despite not having been identified as such in the approved plans. This condition was brought to the homeowner's attention.

Under **Article IX – Property Maintenance Code** of the adopted City of Urbana ordinance, specifically **PM-105.2.2, Nonconforming Conditions**, If additional nonconforming conditions are encountered during the course of any approved alteration or repair which were not considered or known initially, the Code Official shall have the authority to require compliance with this code of such additional conditions. The determination of what is necessary to bring such conditions into compliance shall take into consideration the use of alternatives and/or equivalent approaches as provided for in this Code.

Therefore R310.1 applies, every sleeping room shall have not less than one operable emergency escape and rescue opening. This is a basement bedroom and has no other means of egress in the basement according to R311.1.

The issues presented in this appeal are not matters of code interpretation or discretionary application of the code. Rather, they concern compliance with specific minimum requirements established by the **2021 International Residential Code**, including the minimum ceiling-height requirements of Section R305.1 and the applicable requirements for sleeping rooms under Section R310.1.

Question Before the Board

Does the added mortar base on the floor create a violation of R305.1?
Does the lounge area require an egress window if used for sleeping under R310.1?

Staff Recommendation

Remove the mortar base on the floor to meet the maximum floor height possible and meet the minimum requirement of 6 feet 8 inches.

Remove the bed and do not use this room as a sleeping room or install an egress window to meet the code requirements for sleeping rooms.

Attachments

Staff Exhibit A - Smith Home Renovation Basement Floor Plan A – Initial Plans
Staff Exhibit B - Smith email with updated ceiling height 3.16.2026
Staff Exbibit C - Smith Home Renovation Electrical & Plumbing Floor Plan

Re: Revised 602 E Burkwood Ct Floor Plan Documents Attached

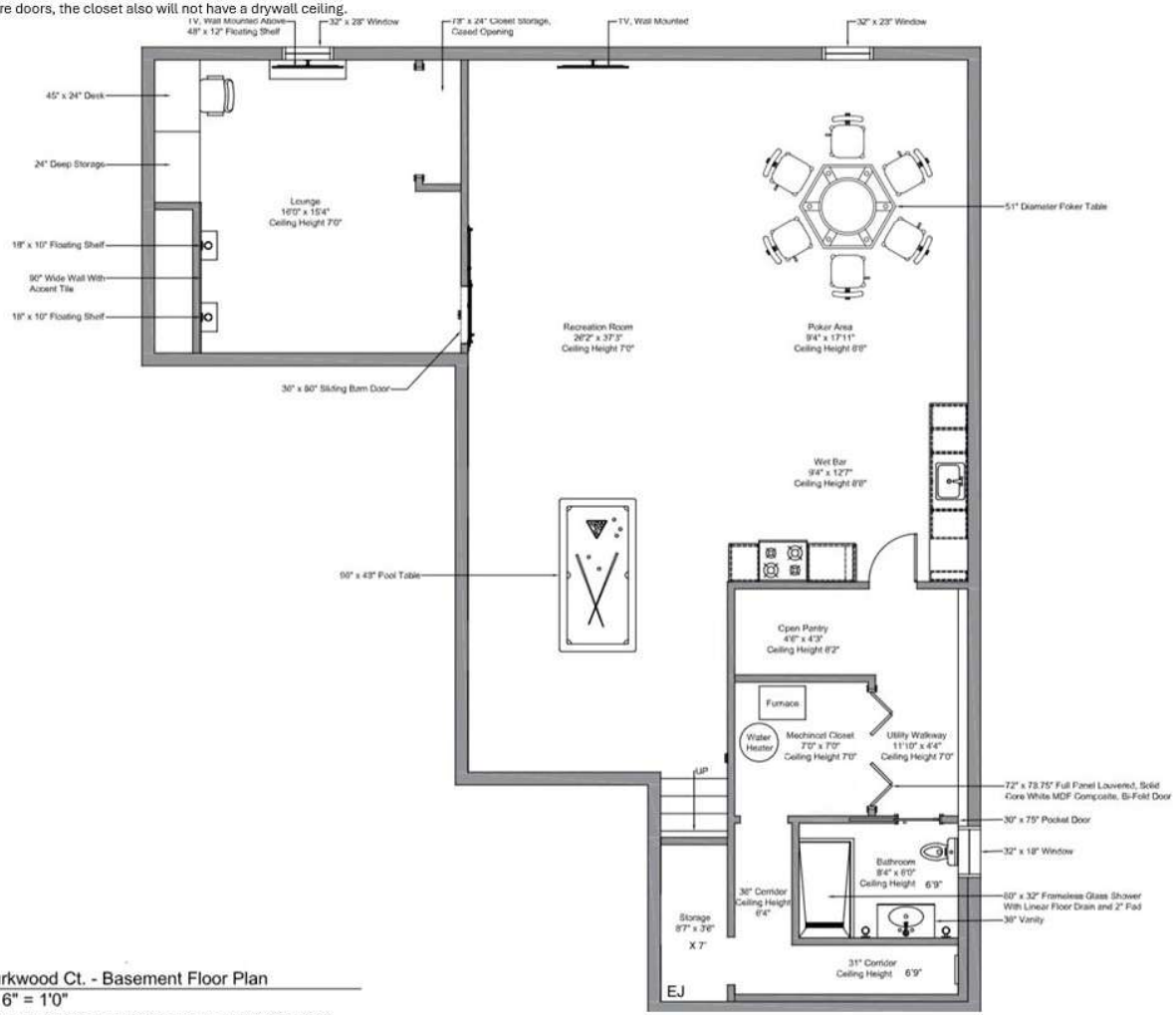
LS

LaCrecha Smith <lsmith@atrcs.org>
To Michael Frank
Cc Corey Ireland; Jamie Lance; markb@lanzinc.com

You replied to this message on 3/16/2026 12:51 PM.

***** Email From An External Source *****
Use caution when clicking on links or opening attachments.

Good morning, That was a typo. The correction to the Height in the Bathroom 6'9 and the Corridor by the Electrical box 6'9 as indicated.
The EJ-Sewer Ejection has also been revised and heights 7' included to make sure not in a pathway in the back corner. Removing the Ejection pump from near the water heater there are no missing dimensions. The mechanical closet inside corridor 36" is the distance between the furnace pad and wall in the closet with full louvre doors, the closet also will not have a drywall ceiling.



1 602 E. Burkwood Ct. - Basement Floor Plan
Scale: 3/16" = 1'0"

LaCrecha N. Smith Executive Director All Things Restored 440.821.7244

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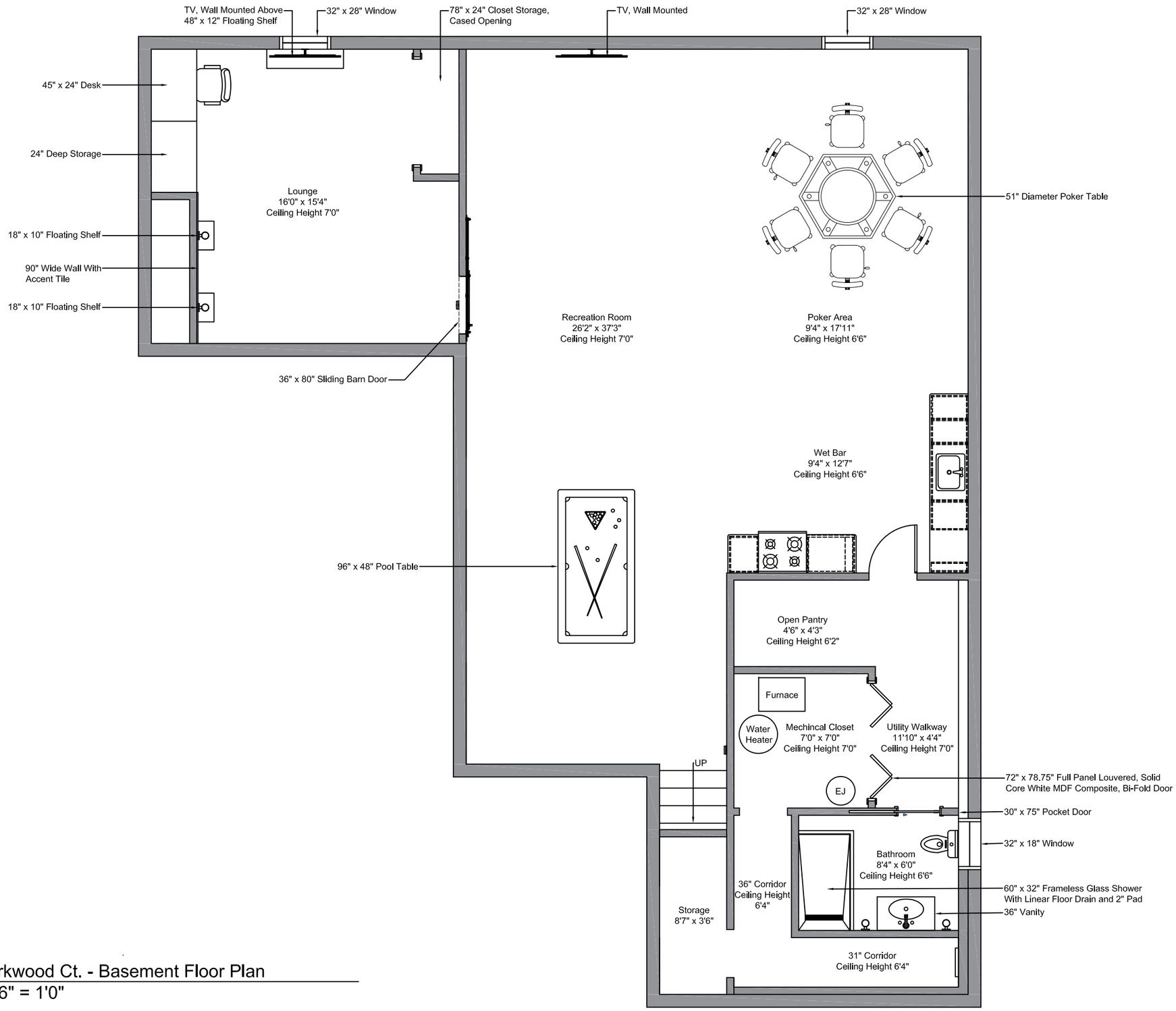
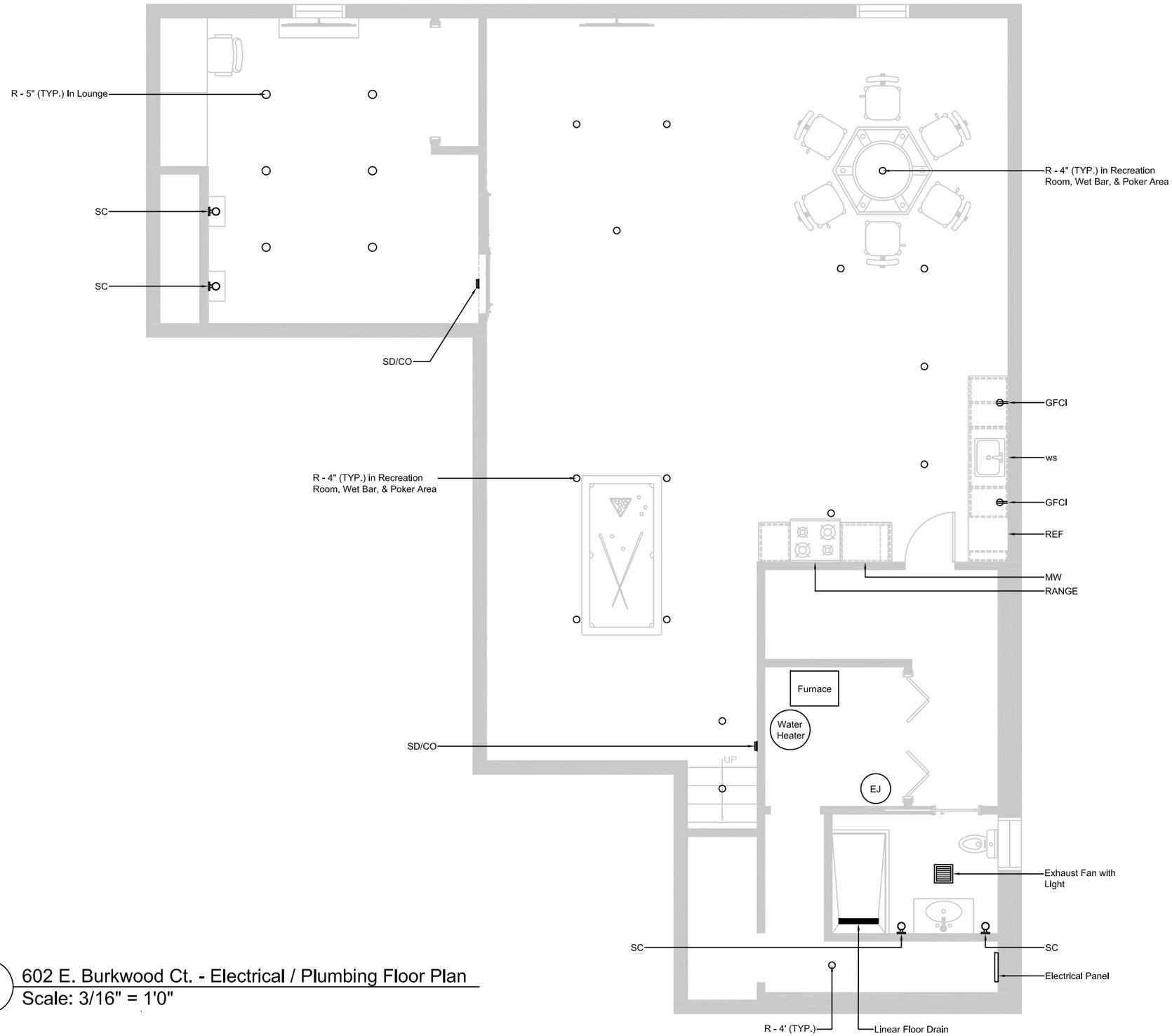


1 602 E. Burkwood Ct. - Basement Floor Plan
Scale: 3/16" = 1'0"



Electrical Legend

REF	Refrigerator Dedicated Circuit
MW	Microwave Dedicated Circuit
RANGE	Oven/Range Dedicated Circuit
GFCI	GFCI Outlet
SD/CO	Smoke/CO Detector
SC	Wall Sconce
R	Recessed LED Ceiling Light
	Exhaust Fan with Light
	Electrical Panel

Plumbing Legend

WS	Wet Bar Sink Supply & Drain
EJ	Sewer Ejector Basin
	Linear Floor Drain

Mechanical Legend

Furnace	Furnace
Water Heater	Water Heater

2 602 E. Burkwood Ct. - Electrical / Plumbing Floor Plan
Scale: 3/16" = 1'0"

PUBLIC INPUT

The City of Urbana welcomes Public Input during open meetings of the City Council, the City Council's Committee of the Whole, City Boards and Commissions and other City-sponsored meetings. Our goal is to foster respect for the meeting process, and respect for all people participating as members of the public body, city staff, and general public. The City is required to conduct all business during public meetings. The presiding officer is responsible for conducting those meetings in an orderly and efficient manner.

Public Input will be taken in the following ways:

Email Input

In order to be incorporated into the record, emailed public comments must be received prior to 5:00 pm on the day preceding the meeting and sent to the following email address: **Buildingsafety@urbanail.gov**. The subject line of the email must include the words **"Building Safety Code Board of Appeals - PUBLIC INPUT"** and the meeting date. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted.

Written Input

Any member of the public may submit their comments addressed to the members of the public body in writing. If a person wishes their written comments to be included in the record of Public Input for the meeting, the writing should state so. Written comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted).

Public Hearing

Any person desiring to appear at the public hearing and present testimony may speak during each public hearing at the time they appear on the agenda. This shall not count towards regular Public Input for the meeting. The Public Hearing is an opportunity for comments and questions to be addressed specifically to each case. Board or Commission members are permitted to respond and engage during this time and/or the Chairperson may direct the applicant to respond during rebuttal. Comments unrelated to any of the public hearings listed on an agenda should be shared during the Public Input portion of the meeting where Verbal Input guidelines shall apply.

Verbal Input

Protocol for Public Input is one of respect for the process of addressing the business of the City. Obscene or profane language, or other conduct that threatens to impede the orderly progress of the business conducted at the meeting is unacceptable.

Public comment shall be limited to no more than five (5) minutes per person. The Public Input portion of the meeting shall total no more than one (1) hour, unless otherwise shortened or extended by majority vote of the public body members present. The presiding officer or the city clerk or their designee shall monitor each speaker's use of time and shall notify the speaker when the allotted time has expired. A person may participate and provide Public Input once during a meeting and may not cede time to another person or split their time if Public Input is held at two (2) or more different times during a meeting.

The presiding officer or public body members shall not enter into a dialogue with citizens. Questions from the public body members shall be for clarification purposes only. Public Input shall not be used as a time

for problem solving or reacting to comments made but, rather, for hearing citizens for informational purposes only.

In order to maintain the efficient and orderly conduct and progress of the public meeting, the presiding officer of the meeting shall have the authority to raise a point of order and provide a verbal warning to a speaker who engages in the conduct or behavior proscribed under "Verbal Input". Any member of the public body participating in the meeting may also raise a point of order with the presiding officer and request that they provide a verbal warning to a speaker. If the speaker refuses to cease such conduct or behavior after being warned by the presiding officer, the presiding officer shall have the authority to mute the speaker's microphone and/or video presence at the meeting. The presiding officer will inform the speaker that they may send the remainder of their remarks via e-mail to the public body for inclusion in the meeting record.

Accommodation

If any accommodation is needed to participate in a City meeting, please contact the City at least 48 hours in advance using one of the following methods:

Phone: 217.384.2443

Email: Buildingsafety@urbanail.gov

Watching the Meeting via Streaming Services

All City meetings are broadcast on Urbana Public Television and live-streamed on the web. Details on how to watch are found on the UPTV webpage located at **https://www.urbanail.gov/executive-department/page/urbana-public-television**.