

RESOLUTION

O-202211-10-051

Ordinance Adopting the 2021 International Building Code with Local Amendments and Repealing Ordinance O-201609-10-031 (10)

WHEREAS, the McHenry County Board through Ordinance O-201609-10-031 adopted the International Building Code 2015 with local amendments; and

WHEREAS, in an effort to better serve the citizenry of McHenry County and meet the code enforcement objectives of the McHenry County Board it has become necessary to adopt the International Building Code 2021 with local amendments outlined in "Attachment A"; and

WHEREAS, the Planning and Development Committee has recommended the following minimum fines be established for the following violations of the International Building Code 2021:

US Census Building Code Category	Minimum Fine
101-105 Single and Multi-Family Buildings New Construction	\$200
213-327 Commercial Buildings New Construction	\$500
328-329 Residential Accessory Structure, New Construction	\$200
330 Signal & Transmission Tower New or Co-Locate	\$500
434 Residential Alterations	\$200
438-908 & 918-999 Minor Construction in Various Categories	\$100
Building or Ground Mounted Sign	\$200

WHEREAS, the Planning and Development Committee has recommended that the minimum fine for violation of the International Building Code 2021 be \$500 per offense with each week that the violation remains uncorrected constituting a separate offense, as provided for in 55 ILCS 5/5-120-17; and

WHEREAS, the local amendments in "Attachment A" are intended to make the County's adoption of the International Building Code consistent with the County adopted Unified Development Ordinance and the Stormwater Management Ordinance, existing departmental procedures, and to reduce the burden on property owners for obtaining permits for certain specified construction activities.

NOW, THEREFORE BE IT ORDAINED, by this County Board of McHenry County, Illinois, that it hereby adopts the International Building Code 2021 with local amendments as contained in "Attachment A" and that Ordinance O-201609-10-031 adopting the International Building Code 2006 with local amendments be repealed except for its application to permit applications filed prior to the adoption of this ordinance; and

BE IT FURTHER ORDAINED, that the penalty for violation of any of the provisions of the International Building Code 2021 shall be the minimum fines established below.

US Census Building Code Category	Minimum Fine
101-105 Single and Multi-Family Buildings New Construction	\$200
213-327 Commercial Buildings New Construction	\$500
328-329 Residential Accessory Structure, New Construction	\$200
330 Signal & Transmission Tower New or Co-Locate	\$500
434 Residential Alterations	\$200
438-908 & 918-999 Minor Construction in Various Categories	\$100
Building or Ground Mounted Sign	\$200

BE IT FURTHER ORDAINED, that the minimum fine for violation of the International Building Code 2021 with local amendments shall be \$500 per offense with each week that the violation remains uncorrected constituting a separate offense nothing herein; however, shall preclude enforcement proceeding by means other than a fine, including injunction proceedings; and

BE IT FURTHER ORDAINED, that if there is any conflict between this code and other codes adopted by the County, then the more restrictive provision shall prevail; and

BE IT FURTHER ORDAINED, that this ordinance shall become effective on January 1, 2023; and

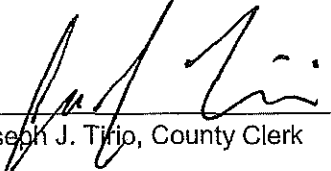
BE IT FURTHER ORDAINED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the McHenry County Clerk, the Director of Planning and Development, and the Building Enforcement Officer.

DATED at Woodstock, Illinois, this 15 day of November, A.D., 2022.



Michael Buehler, Chairman
McHenry County Board

ATTEST:



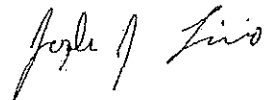
Joseph J. Tirio, County Clerk

17.b.2.

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

I, Joseph J Tirio, County Clerk within and for said County and State aforesaid, do hereby certify the attached to be a true and complete copy of the ORDINANCE ADOPTING THE 2021 INTERNATIONAL BUILDING CODE WITH LOCAL AMENDMENTS AND REPEALING ORDINANCE O-201609-10-031 (O-202211-10-051).

WHEREOF I have hereunto subscribed my hand and affixed the official seal of said County, at my office in Woodstock, Illinois this 15th day of November 2022.



McHenry County Clerk

ATTACHMENT A

2021 INTERNATIONAL BUILDING CODE

ALL SECTIONS

- 1) Change all references to "code official" to "building official."
- 2) Change all references to "legal counsel" to "State's Attorney Office."

CHAPTER 1 SCOPE AND ADMINISTRATION

1) SECTION 101 GENERAL

- a) Revise paragraph 101.1 "Title" to read as follows:

[A] 101.1 Title. These regulations shall be known as the Building Code of *McHenry County*, hereinafter referred to as "this code."

- b) Revise paragraph 101.4.3 "Plumbing" to read as follows:

[A] 101.4.3 Plumbing. The provisions of the *Illinois State Plumbing Code as adopted by the McHenry County Board* 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 *Public Health Ordinance as adopted by the McHenry County Department of Health* shall apply to private sewage disposal systems and private and non-community water supplies for *McHenry County*."

- c) Revise paragraph 101.4.4 "Property Maintenance" to read as follows:

[A] 101.4.4 Property maintenance. The provisions of *this code, the International Fire Code, and the International Existing Building Code as adopted by the McHenry County Board* shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures."

- d) Revise paragraph 101.4.6 "Energy" to read as follows:

[A] 101.4.6 Energy. The provisions of the *Illinois Energy Conservation Code as adopted by the McHenry County Board* shall apply to all matters governing the design and construction of buildings for energy efficiency."

2) SECTION 102 APPLICABILITY

- a) Revise paragraph 102.6 "Existing structures" to read as follows:

[A] 102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, *the International Existing Building Code and the International Fire Code*."

- b) Revise paragraph 102.6.2 "Buildings previously occupied" to read as follows:

[A] 102.6.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, *the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and public*."

3) SECTION 103 DEPARTMENT OF BUILDING SAFETY

- a) Revise paragraph 103.1 "Creation of enforcement agency" to read as follows:

[A] 103.1 Creation of enforcement agency. The *Department of Planning and Development* is hereby created and the official in charge thereof shall be known as the *Director of Planning and Development*."

- b) Revise paragraph 103.2 "Appointment" to read as follows:

[A] 103.2 Appointment. *The building official, also known as the building enforcement officer, shall be appointed by the Director of Planning and Development.*

- c) *Revise paragraph 103.3 "Deputies" to read as follows:*

[A] 103.3 Deputies. *In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.*

4) SECTION 104 DUTIES OF THE BUILDING OFFICIAL

- a) *Revise section 104.2.1 "Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas" to read as follows:*

[A] 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. *For applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing buildings or structures located in flood hazard areas, refer to the McHenry County Stormwater Management Ordinance. When determined that the proposed work constitutes substantial improvement or repair of substantial damage, and where required by this code, the building official shall require the building to meet the requirements of the McHenry County Stormwater Management Ordinance and Section 1612.*

- b) *Revise Section 104.10.1 "Flood hazard areas" to read as follows:*

[A] 104.10.1 Flood hazard areas. *The building official shall not grant modifications to any provisions required in flood hazard areas as established by Section 1612 unless a determination has been made that the development complies with the McHenry County Stormwater Management Ordinance.*

5) SECTION 105 PERMITS

- a) *Revise Section 105.2 "Work exempt from permit. Building: Exemption 1." to read as follows:*

"1. One-story detached accessory structures used for tool and storage sheds, playhouses, and similar uses, that have a maximum floor area of one-hundred fifty (150) square feet and are not located in a floodplain or wetland and comply with all requirements of the McHenry County Unified Development Ordinance and McHenry County Stormwater Ordinance and are properly anchored in accordance with this Code or anchored to a minimum 6" x 6" perimeter concrete curb or anchored with 3'-0" guy rods, 3'-0" auger rods, or piers."

- b) *Revise Section 105.2 "Work exempt from permit. Building: Exemption 2." to read as follows:*

"2. Open fences that obscure less than fifty percent (50%) of the view through the fence and that have a maximum height of eight (8) feet and are not located in a floodplain or wetland and comply with all requirements of the McHenry County Unified Development Ordinance and McHenry County Stormwater Management Ordinance."

- c) *Revise paragraph 105.2 "Work exempt from permit. Building: Exemption 4." to read as follows:*

"4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the adjacent grade to the top of the wall, unless supporting a surcharge."

- d) *Delete Section 105.2 "Work exempt from permit. Building: Exemption 5."*

- e) *Revise paragraph 105.2 "Work exempt from permit. Building: Exemption 6." to read as follows:*

"6. Sidewalks, patios and driveways not more than 30 inches above adjacent grades that comply with all requirements of the McHenry County Unified Development Ordinance and McHenry County Stormwater Management Ordinance and not over any basement or story below and not part of an accessible route."

- f) *Revise Section 105.2 "Work exempt from permit. Building: Exemption #10" to read as follows:*

"10. Agricultural Exempt Structures as defined by the McHenry County Unified Development Ordinance provided they obtain an Agricultural Exempt Structure Construction Card and comply with the building setback

requirements of the McHenry County Unified Development Ordinance and all requirements of the McHenry County Stormwater Management Ordinance."

- g) Add Section 105.2 "Work exempt from permit. Building: Exemption #14" to read as follows:
"14. Temporary signs and permanent signs that are designated as not requiring permits in the McHenry County Unified Development Ordinances provided that they comply with all requirements of the McHenry County Unified Development Ordinance and McHenry County Stormwater Management Ordinance."
- h) Revise paragraph 105.3 "Application for permit." to read as follows:
"[A] 105.3 Application for permit. To obtain a *permit*, the applicant shall first file an application therefor in writing on a form furnished by the Department of *Planning and Development* for that purpose. Such application shall:"
- i) Revise Section 105.5 "Expiration" to read as follows:
"[A] 105.5 Expiration. *The permit is valid for a maximum period of (2) two years from the time of issuance. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.*"
- j) Add Section 105.5.1 "Restricted Term Permits" to read as follows:
"105.5.1 Restricted term permits. *The building official is authorized to limit the validity a permit to a period of 180-days from the time of issuance if the scope of work involves the corrective action or does not merit a (2) two year period.*"

6) SECTION 107 SUBMITTAL DOCUMENTS

- a) Revise paragraph 107.1 "General" to read as follows:
[A] 107.1 General. Submittal documents consisting of *construction documents, detailed description of work, statement of special inspections, geotechnical report and other data* shall be submitted in *three sets* with each *permit* application. The *construction documents* shall be prepared by a *registered design professional licensed in the State of Illinois*. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.
- b) Revise Section 107.5 "Retention of construction documents" to read as follows:
"[A] 107.5 Retention of construction documents. *One set of approved construction documents shall be retained by the Department of Planning and Development for a period not less than that required by the McHenry County Records Retention Policy.*"

7) SECTION 108 TEMPORARY STRUCTURES AND USES

- a) Revise Section 108.1 "General."
[A] 108.1 General. The *building official* is authorized to issue a *permit* for temporary structures for *Temporary Use Permits in accord with the McHenry County Unified Development Ordinance*. Such *temporary structures* shall be limited as to time of service, but shall not be permitted for more than *60 days*. The *building official* is authorized to grant extensions for demonstrated cause.

8) SECTION 110 INSPECTIONS

- a) Add Section 110.3.1.1 "Foundation inspection" to read as follows:
"[A] 110.3.1.1 Footing inspection. *Inspection of the footings shall be made prior to placement of any piers, footings, or poles and after the full foundation area is excavated to the required depth. The footing inspection*

shall include excavations for all foundation walls, frost walls, thickened slabs and isolated piers intended for the support of bearing walls, partitions, structural supports, or equipment."

- b) *Add* Section 110.3.1.2 "Backfill inspection" to read as follows:

"[A] 110.3.1.2 Backfill inspection. Inspection made after foundation walls are erected. Prior to backfilling the following systems or components including, but not limited to, damp/waterproofing, subsurface drainage system, exterior insulation, and anchoring shall be placed."

- c) *Revise* Section 110.3.2 "Concrete slab and under-floor inspection" to read as follows:

"[A] 110.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building *plumbing, electrical & mechanical systems* or service equipment, conduit, piping, accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor."

- d) *Delete* Section 110.3.3 *Lowest floor elevation.*

- e) *Delete* Section 110.3.6 *Lath, gypsum board and gypsum panel product inspection.*

- f) *Revise* Section 110.3.10.1 "Flood hazard documentation" to read as follows:

"[A] 110.3.12.1 Flood hazard documentation. If located in a flood hazard area, *inspections shall be conducted as required and detailed by the McHenry County Stormwater Management Ordinance.*"

- g) *Revise* Section 110.5 "Inspection requests" to read as follows:

"[A] 110.5 Inspection requests. It shall be the duty of the holder of the building *permit* or their duly authorized agent to notify the *building official* when work is ready for *inspection at least one work day before said inspection.* It shall be the duty of the *permit* holder to provide access to and means for inspections of such work that are required by this code."

9) SECTION 111 CERTIFICATE OF OCCUPANCY

- a) *Revise* Section 111.1 "Use and Occupancy" to read as follows:

"[A] 111.1 Use and occupancy. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy or *certificate of completion* therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the *jurisdiction.* Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the *jurisdiction* shall not be valid."

- b) *Delete* in Section 111.2 *Certificate issued. Item #7*

- c) *Delete* in Section 111.2 *Certificate issued. Item #11*

- d) *Delete* in Section 111.2 *Certificate issued. Item #12.*

10) SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

- a) *Add* Section 116.1 –"Conditions" to read as follows:

"[A] 116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe. *Boarding of a structure is considered a temporary measure until a decision can be made as to what remedy the owner, agent or person in control of*

the structure declares as provided in this section; but shall not exceed (6) six months or as the building official may deem necessary."

- b) *Revise Section 116.3 "Notice" to read as follows:*

"[A] 116.3 Notice. *If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes that condition deemed unsafe. Such notice shall require the person thus notified to declare immediately to the building official the specific repairs or improvements that will be made to abate the unsafe condition or to demolish the unsafe structure within a stipulated time."*

- c) *Add Section 116.6 "Disregard of notice" to read as follows:*

"[A] 116.6 Disregard of notice. *Upon refusal or neglect of the person served with a notice to comply with the requirements of the order to abate the unsafe condition, the State's Attorney Office shall be advised of all the facts in order to pursue recourse provided by law."*

11) SECTION 117 EMERGENCY MEASURES

- a) *Add Section 117.1 "Imminent danger" to read as follows:*

"[A] 117.1 Imminent danger. *When, in the opinion of the building official, there is imminent danger of failure or collapse of a building or structure or any part thereof which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the building or structure, the building official is hereby authorized and empowered to order and require the occupants to vacate the same forthwith. The building official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure is Unsafe and its Occupancy has been prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of making the required repairs or of demolishing the same."*

- b) *Add Section 117.2 "Temporary safeguards" to read as follows:*

"[A] 117.2 Temporary safeguards. *When, in the opinion of the building official, there is imminent danger due to an unsafe condition, the building official shall cause the necessary work to be done to render such structure temporarily safe, whether or not the legal procedure herein described has been instituted."*

- c) *Add Section 117.3 "Closing streets" to read as follows:*

"[A] 117.3 Closing streets. *When necessary for the public safety, the building official shall temporarily close structures and close or order the authority having jurisdiction to close sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being used."*

- d) *Add Section 117.4 "Emergency repairs" to read as follows:*

"[A] 117.4 Emergency Repairs. *For the purpose of this section, the building official may employ the necessary labor and materials to perform the required work as expeditiously as possible under authority granted by the governing body."*

- e) *Add Section 117.5 "Costs of emergency repairs" to read as follows:*

"[A] 117.5 Costs of emergency repairs. *Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the governing body. The State's Attorney Office shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for repayment of costs incurred."*

- f) *Add Section 117.6 "Unsafe equipment" to read as follows:*

"[A] 117.6 Unsafe equipment. *Equipment deemed unsafe by the building official shall not be operated after the date stated in the notice unless the required repairs or changes have been made and the equipment has been approved, or unless an extension of time has been secured from the building official in writing."*

- g) Add Section 117.7 "Authority to seal equipment" to read as follows:

"[A] 117.7 Authority to seal equipment. In the case of an emergency, the building official shall have the authority to seal out of service immediately any unsafe device or equipment regulated by this code."

- h) Add Section 117.8 "Unlawful to remove seal" to read as follows:

"[A] 117.8 Unlawful to remove seal. Any device or equipment sealed out of service by the building official shall be plainly identified in an approved manner. The identification shall not be tampered with, defaced or removed except by the building official and shall indicate the reason for such sealing."

CHAPTER 2 DEFINITIONS

1) SECTION 202 DEFINITIONS

- a) Revise paragraph 202 Definitions. "BUILDING OFFICIAL" to read as follows:

"[A] BUILDING OFFICIAL. Also known as Building Enforcement Officer or Code Official. The officer or other designated authority charged with the administration and enforcement of this code."

CHAPTER 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

1) SECTION 411 SPECIAL AMUSEMENT BUILDINGS

- a) Add Section 411.1.1 "Haunted houses" to read as follows:

"411.1.1 Haunted houses. A temporary or existing structure used or intended to be used as a haunted house shall be permitted in accord with Section 3103.1, Section 411.1.2 and 411.1.3."

- b) Add Section 411.1.2 "Haunted houses submittal documents" to read as follows:

"411.1.2 Haunted houses submittal documents. In addition to the submittal documents required by Section 3103.1, the following information shall be provided at the time of application, additional information may be required as determined by the building official:

- (1) *Site plan locating parking, vehicular access and circulation routes, existing structures on the subject property and immediately adjacent to the subject property, location of the structure to be occupied, proposed occupant load for the structure, pedestrian circulation and gathering spaces, and other amenities proposed or required by the Temporary Use Permit requirements.*
- (2) *Floor plan of with over all dimensions, proposed partition layout, and all means of egress and circulation paths.*
- (3) *Specifications of interior finishes and materials to be installed.*
- (4) *Plans showing permanent, temporary and emergency lighting.*
- (5) *Method of assuring continuous movement of occupants through the amusement including, but not limited to:*
 - (a) *Permanently stationed supervisory personnel.*
 - (b) *Directional arrows.*
 - (c) *Other means.*
- (6) *Method and location of fire suppression and protection including, but not limited to:*
 - (a) *Sprinkler system.*
 - (b) *Fire detection and/or alarm systems.*
 - (c) *Portable fire extinguishers.*
 - (d) *Other means "*

- c) Add Section 411.1.3 "Inspection" to read as follows:

411.1.3 Inspection. *Temporary structure(s) or existing structure(s) shall not be operated or maintained for the use as a haunted house without an inspection by the building official and the fire code official verifying compliance with this Section and Section 3103.1."*

CHAPTER 11 ACCESSIBILITY

1) Delete Chapter 11 Accessibility and replace as follows:

- a) **1101.1 Scope.** *The provisions of the Illinois Accessibility Code shall control the design and construction of facilities for accessibility for individuals with disabilities."*

CHAPTER 13 ENERGY EFFICIENCY

1) **SECTION 1301 GENERAL**

- a) Revise Section 1301.1.1 "Criteria" to read as follows:

1301.1.1 Criteria. *Buildings shall be designed and constructed in accordance with the Illinois Energy Conservation Code."*

CHAPTER 16 STRUCTURAL DESIGN

1) **SECTION 1604 GENERAL DESIGN REQUIREMENTS**

- a) Revise paragraph 1604.8.3 "Decks" to read as follows:

1604.8.3 Decks. *Where supported by attachment to an exterior wall, decks shall be positively anchored to the primary structure and designed for both vertical and lateral loads as applicable. Such attachment shall be accomplished by the use of lag bolts or through bolts with a minimum diameter of ½ inch. Where positive connection to the primary building structure cannot be verified during inspection, decks shall be self-supporting. Connections of decks with cantilevered framing members to exterior walls or other framing members shall be designed for both of the following:*

- (1) *The reactions resulting from the dead load and live load specified in Table 1607.1, or the snow load specified in Section 1608, in accordance with Section 1605, acting on all portions of the deck.*
- (2) *The reactions resulting from the dead load and live load specified in Table 1607.1, or the snow load specified in Section 1608, in accordance with Section 1605, acting on the cantilevered portion of the deck, and no live load or snow load on the remaining portion of the deck."*

2) **SECTION 1608 SNOW LOADS**

- a) Revise Section 1608.2 "Ground snow loads" to read as follows:

1608.2 Ground snow loads. *The ground snow loads to be used in determining the design snow loads for roofs shall be 30-psf or as determined in accordance with ASCE 7. Site (project) specific ground snow load determinations shall be based on an extreme value statistical analysis of data available in the vicinity of the site using a value with a 2-percent annual probability of being exceeded (50-year mean recurrence interval)."*

3) **SECTION 1612 FLOOD LOADS**

- a) Revise Section 1612.2 "Definitions" to read as follows:

1612.2 Definitions. *The following terms are defined in Chapter 2 shall act as supplemental definitions to the same or similar terms defined by the McHenry County Stormwater Management Ordinance. Where conflicts arise the terms defined in the McHenry County Stormwater Management Ordinance shall supersede."*

- b) Revise Section 1612.3 "Establishment of flood hazard areas" to read as follows:

1612.3 Establishment of flood hazard areas. *The establishment of flood hazard areas shall comply with the McHenry County Stormwater Management Ordinance."*

- c) *Revise* Section 1612.3.1 "Design flood elevations" to read as follows:
 "1612.3.1 **Design flood elevations.** Where design flood elevations are not included in the *flood hazard areas* established in Section 1612.3, or where floodways are not designated, *the applicant shall comply with the requirements defined by the McHenry County Stormwater Management Ordinance.*"
- d) *Revise* Section 1612.3.2 "Determination of impacts" to read as follows:
 "1612.3.2 **Determination of impacts.** In riverine *flood hazard areas* where design flood elevations are specified but floodways have not been designated, the applicant shall *comply with the requirements defined by the McHenry County Stormwater Management Ordinance.*"
- e) *Revise* Section 1612.4 "Design and construction" to read as follows:
 "1612.4 **Design and construction.** The design and construction of buildings and structures located in *flood hazard areas* shall be in accordance with *the McHenry County Stormwater Management Ordinance and Chapter 5 of ASCE 7 and ASCE 24.*"
- f) *Add* Section 1612.5 "Flood hazard documentation" to read as follows:
 "1612.5 **Flood hazard documentation.** The documentation prepared shall be prepared in accordance with *the McHenry County Stormwater Management Ordinance and this code.*"

CHAPTER 18 SOILS AND FOUNDATIONS

1) SECTION 1804 EXCAVATION, GRADING, AND FILL

- a) *Revise* Section 1804.5 "Grading and fill in flood hazard areas" to read as follows:
 "1804.5 **Grading and fill in flood hazard areas.** In *flood hazard areas* established in Section 1612.3, grading, fill, or both, shall *be qualified and approved in accordance with the McHenry County Stormwater Management Ordinance.*"

1) SECTION 1805 DAMPPROOFING AND WATERPROOFING

- a) *Revise* 1805.4.3 "Drainage discharge" to read as follows:
 "1805.4.3 **Drainage discharge.** The floor base and foundation perimeter drain shall discharge by gravity or mechanical means into an *approved* drainage system that complies with the *Illinois Plumbing Code and the ordinances adopted by the McHenry County Department of Health. Where discharged at grade, the point of discharge of the drainage system shall be diverted in such a manner so as to not create a hazard and shall be no closer than one half (1/2) the distance between the required yard setback and the property line or five (5) feet, whichever is greater.*"

2) SECTION 1808 FOUNDATIONS

- a) *Revise* Section 1808.7.4 "Foundation Elevation" to read as follows:
 "1808.7.4 **Foundation elevation.** On graded sites, the top of any exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an *approved* drainage device a minimum of 12 inches (305 mm) plus 2 percent. Alternate elevations are permitted subject to the approval of the *building official*, provided it can be demonstrated that required drainage to the point of discharge and away from the structure is provided at all locations on the site. *At no point shall the foundation extend less than 6 inches above the adjacent final grade.*"
- b) *Revise* Item 1. in Section 1809.5 "Frost Protection" to read as follows:
 "1. *Extending 42 inches, minimum, below final grade.*"

CHAPTER 29 PLUMBING SYSTEMS

- 1) *Delete* Chapter 29 "Plumbing Systems" and replace as follows:

[P] 2901.1 Scope. *The provisions of the Illinois State Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with the Illinois Plumbing Code, Illinois Accessibility Code, and Section 1210 of this code. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the Illinois Plumbing Code. Private sewage disposal systems and private and non-community water supplies shall conform to the McHenry County Public Health Ordinance.*

CHAPTER 31 SPECIAL CONSTRUCTION

1) SECTION 3103 TEMPORARY STRUCTURES

- a) *Revise paragraph 3103.1 "General." as follows:*

3103.1 General. *The provisions of Sections 3103.1 through 3103.4 shall apply to structures temporarily occupied or erected in conjunction with a Temporary Use Permit. Tents and other membrane structures erected in accord with section 3103.1.2 shall comply with the International Fire Code. Temporary structures shall be erected for a period of less than 60 days, those erected for a longer period of time shall comply with applicable sections of this code.*

- b) *Revise Section 3103.1.1 "Conformance." to read as follows:*

3103.1.1 Conformance. *Existing structures and temporary structures occupied for temporary uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.*

- c) *Revise paragraph 3103.1.2 "Permit required." to read as follows:*

3103.1.2 Permit required. *Temporary structures that are used or intended to be used for the gathering together of 100 or more persons in an Assembly without fixed seats; 'unconcentrated (tables and chairs)' function of space (15-sf net) as prescribed in Table 1004.1.2, shall not be erected, operated or maintained for any purpose without obtaining a permit from the building official.*

- d) *Add Section 3103.1.2.1 "Temporary occupancy of existing structures." to read as follows:*

3103.1.2.1 Existing structures. *Temporary occupancy of an existing structure in conjunction with a Temporary Use Permit that are used or intended to be used for the gathering of 50 or more persons in an Assembly without fixed seating; 'standing space' function of space (5-sf net) as prescribed in Table 1004.1.2, shall not be operated or maintained for any purpose without an inspection by the building official and the fire code official.*

- e) *Revise paragraph 3103.2 "Construction Documents." to read as follows:*

3103.2 Construction documents. *A permit application and construction documents shall be submitted for each installation of a temporary structure. The construction documents shall include a site plan indicating the location of the temporary structure, distance from adjacent structures, and information delineating the means of egress and the occupant load.*

- f) *Revise paragraph 3103.3 "Location" to read as follows:*

3103.3 Location. *Temporary structures shall be located in accordance with the requirements of the McHenry County Unified Development Ordinance, International Fire Code, and Table 602 based on the fire-resistance rating of the exterior walls for the proposed type of construction.*

2) SECTION 3106 MARQUEES

- a) *Revise Section 3106.1 "General" to read as follows:*

3106.1 General. *Marquees shall comply with Sections 3106.2 through 3106.5 the McHenry County Unified Development Ordinance, and other applicable sections of this code.*

3) SECTION 3107 SIGNS

- a) *Revise* Section 3107.1 "General" to read as follows:

"3107.1 General. Signs shall be designed, constructed and maintained in accordance *the McHenry County Unified Development Ordinance* and other applicable sections of this code."

4) SECTION 3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES

- a) *Revise* Section 3109.1 "General" to read as follows:

"3109.1 General. Swimming pools shall comply with the requirements of *the McHenry County Pool and Spa Ordinance* and other applicable sections of this code."

CHAPTER 32 ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY**1) SECTION 3201 GENERAL**

- a) *Revise* paragraph 3201.1 "Scope." to read as follows:

"3201.1 Scope. The provisions of *the McHenry County Unified Development Ordinance* and this chapter shall govern the encroachment of structures into the public right-of-way."

CHAPTER 35 – REFERENCED STANDARDS

- 1) *Delete* Appendix A "EMPLOYEE QUALIFICATIONS."
- 2) *Delete* Appendices B "BOARD OF APPEALS."
- 3) *Add* Appendix C "GROUP U – AGRICULTURAL BUILDINGS" as part of this code.
- 4) *Delete* Appendix D "FIRE DISTRICTS."
- 5) *Delete* Appendix E "SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS."
- 6) *Delete* Appendix F "RODENTPROOFING."
- 7) *Delete* Appendix G "FLOOD-RESISTANT CONSTRUCTION."
- 8) *Delete* Appendix H "SIGNS."
- 9) *Delete* Appendix I "PATIO COVERS."
- 10) *Delete* Appendix J "GRADING."
- 11) *Add* Appendix K "ADMINISTRATIVE PROVISIONS" as part of this code.
- 12) *Delete* Appendix L "EARTHQUAKE RECORDING INSTRUMENTATION"
- 13) *Delete* Appendix M "TSUNAMI-GENERATED FLOOD HAZARD"
- 14) *Add* Appendix N "REPLICABLE BUILDINGS" as part of this code.
- 15) *Add* Appendix O "PERFORMANCE-BASED APPLICATION" as part of this code.