

VILLAGE OF GURNEE

2005- _____

AN ORDINANCE ADOPTING THE 2003 EDITION OF THE INTERNATIONAL FUEL GAS CODE, AS MODIFIED AND WITH SUPPLEMENTS, PROVIDING PENALTIES FOR VIOLATIONS AND AMENDING CHAPTER 18 AND ADDING ARTICLE VIII TO THE GURNEE MUNICIPAL CODE

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF GURNEE, ILLINOIS

ON

APRIL 18, 2005

**Published in pamphlet form by authority of the Village Board
of the Village of Gurnee, Lake County, Illinois,
this 19th day of April, 2005.**

DONALD F. RUDNY	President	THOMAS A. CHAMBERLAIN	Trustee
MARY JO KOLLROSS	Clerk	RAY DAMIJONAITIS	Trustee
RUDOLPH F. MAGNA, JR.	Attorney	KRISTINA KOVARIK	Trustee
		JEANNE E. BALMES	Trustee
		KAREN WASSER	Trustee
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AN ORDINANCE ADOPTING THE 2003 EDITION OF THE INTERNATIONAL FUEL GAS CODE, AS MODIFIED AND WITH SUPPLEMENTS, PROVIDING PENALTIES FOR VIOLATIONS AND AMENDING CHAPTER 18 AND ADDING ARTICLE VIII TO THE GURNEE MUNICIPAL CODE

WHEREAS, at least three (3) copies of the International Fuel Gas Code, 2003 edition, including Appendix Chapter A, published by the International Code Council, have been on file in the office of the Village Clerk of the Village of Gurnee, Illinois, for public use, inspection and examination, continuously for more than thirty (30) days prior to the date hereof, and copies thereof will hereafter be kept on file in said office for such public use, inspection and examination; and

WHEREAS, prior to the aforesaid thirty (30) day period, public notice was given in the Gurnee Review, a weekly newspaper and having a general circulation in the Village of Gurnee, which notice stated that at least three (3) copies of said 2003 Edition of the International Fuel Gas Code, would be on file during said thirty (30) day period, as well as subsequent thereto, and that the Corporate Authorities of the municipality would give consideration to and might adopt all or part or parts of said 2003 edition of the International Fuel Gas Code, by reference thereto without further printing, at any time after the lapse of thirty (30) days or more subsequent to the aforesaid publication of said public notice, as shown by the certificate of publication on file in the office of said Village Clerk; and

WHEREAS, The President and Board of Trustees of the Village of Gurnee have determined that it is in the best interest of the Village of Gurnee to amend the Gurnee Fuel Gas Code (Chapter 18 Article VIII of the Gurnee Municipal Code) and adopt the 2003 Edition of the International Fuel Gas Code as modified, as the standard for regulating and governing the design, construction, quality of materials, erection, installation, alterations, repair, location, relocation, replacement, addition to, use or maintenance of fuel gas systems as herein provided; for the issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties of the Fuel Gas Code within the Village of Gurnee.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GURNEE, LAKE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION I: That there is hereby added a new Article VIII to Chapter 18 of the Gurnee Municipal Code entitled "Fuel Gas Code", to provide as follows:

CHAPTER 18 ARTICLE VIII. FUEL GAS CODE

Sec. 18-230. Adoption.

The regulations, conditions, definitions, and stipulations concerning the design, construction, quality of materials, erection, installation, alterations, repair, location, relocation, replacement, addition to, use or maintenance of fuel gas systems, as set forth in the 2003 International Fuel Gas Code, with modifications and supplements set forth in section 18-231, are hereby adopted and made applicable, subject to exceptions made in this article, to all existing or proposed mechanical installations, within the corporate limits of the village.

Sec. 18-231. Modifications, supplements and exceptions.

The following sections of the 2003 International Fuel Gas Code are revised as follows:

CHAPTER 1 ADMINISTRATION

SECTION 101 (IFGC) GENERAL

Sub-Section 101.1 Title. Insert “Village of Gurnee” as name of jurisdiction.

101.1 Title. These regulations shall be known as the “Fuel Gas Code of the Village of Gurnee,” hereinafter referred to as “this code.”

Sub-Section 101.2 Scope. **Exceptions:** Replace “~~International Residential Code~~” here and in all other appropriate locations in this code with “Residential Dwelling Code for One and Two Families of the Village of Gurnee”

101.2 Scope.

This code shall apply to the installation of fuel-gas piping systems, fuel-gas utilization equipment and related accessories in accordance with Sections 101.2.1 through 101.2.5.

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the “Residential Dwelling Code for One and Two Families of the Village of Gurnee.”

2. As an alternative to the provisions of this code, fuel-gas piping systems, fuel-gas utilization equipment and related accessories in existing buildings that are undergoing repairs, alterations, changes in occupancy or construction of additions shall be permitted to comply with the provisions of the **International Existing Building Code.**

Sub-Section 101.3 Appendices. This Sub-Section is deleted in its entirety and a new Sub-Section is added to read as follows:

101.3 Appendices.

Provisions in the appendices shall not apply unless specifically adopted.

101.3 Appendices.

Provisions in Appendices A, B, C, & D are adopted in their entirety.

Sub-Section 102.2.1 Existing Buildings. Replace “~~International Building Code~~” here and in all other locations in this code with “Residential Dwelling Code for One and Two Families of the Village of Gurnee.”

102.2.1 Existing buildings.

Additions, alterations, renovations or repairs related to building or structural issues shall be regulated by the “Residential Dwelling Code for One and Two Families of the Village of Gurnee.”

SECTION 106 PERMITS

Sub-Section 106.5.2 Fees. This Sub-Section is deleted in its entirety and a new Sub-Section 106.5.2 is added to read as follows:

“106.5.2 Fee schedule. The fees for mechanical installations/replacement shall be as indicated in Ordinance 2004 -53 of the Village of Gurnee, as amended.”

Sub-Section 106.5.3 Refunds. This Sub-Section 106.5.3 is deleted in its entirety and a new Sub-Section 106.5.3 is added to read as follows:

~~106.5.3 Fee refunds.~~

~~The code official shall authorize the refunding of fees as follows.~~

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

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

“106.5.3 Fee Refunds. The applicant is entitled to a refund of 80% of the collected construction fee provided no work for which the permit was issued has been performed, no inspection has been made, or the permit has not expired. No refund of the plan review fee will be allowed.”

CHAPTER 3 GENERAL REGULATIONS

SECTION 301 (IFGC) GENERAL

Sub-Section 301.1.1 Other fuels. Replace “~~International Mechanical Code~~” here and all other locations in this code with “Gurnee Mechanical Code” to read as follows:

301.1.1 Other fuels.

The requirements for combustion and dilution air for gas-fired appliances shall be governed by Section 304. The requirements for combustion and dilution air for appliances operating with fuels other than fuel gas shall be regulated by the Gurnee Mechanical Code.

Sub-Section 301.2 Energy utilization. Replace “~~International Energy Conservation Code~~” here and in all other locations with “Illinois Energy Conservation Code” to read as follows:

301.2 Energy utilization.

Heating, ventilating and air-conditioning systems of all structures shall be designed and installed for efficient utilization of energy in accordance with the Illinois Energy Conservation Code.

SECTION 306 (IFGC) ACCESS AND SERVICE SPACE

Sub-Section 306.3.1 Electrical requirements. Replace “~~ICC Electrical Code~~” here and in all other locations in this code with Gurnee Electrical Code.

306.3.1 Electrical requirements.

A lighting fixture controlled by a switch located at the required passageway opening and a receptacle outlet shall be provided at or near the equipment location in accordance with the Gurnee Electrical Code.

CHAPTER 4 GAS PIPING INSTALLATIONS

SECTION 403 (IFGS) PIPING AND MATERIALS

Section 403.5.4 Corrugated stainless steel tubing. Delete this Sub-Section in its entirety, without substitution.

~~403.5.4 Corrugated stainless steel tubing.~~

~~Corrugated stainless steel tubing shall be tested and listed in compliance with the construction, installation and performance requirements of ANSI LC 1/CSA 6.26.~~

CHAPTER 6 SPECIFIC APPLIANCES

SECTION 621 (IFGC) UNVENTED ROOM HEATERS

Delete all Sub-Sections in this Section as follows:

SECTION 621 (IFGC) UNVENTED ROOM HEATERS

~~621.1 General.~~

~~Unvented room heaters shall be tested in accordance with ANSI Z21.11.2 and shall be installed in accordance with the conditions of the listing and the manufacturer’s installation instructions.~~

~~Unvented room heaters utilizing fuels other than fuel gas shall be regulated by the International Mechanical Code.~~

~~621.2 Prohibited use.~~

~~One or more unvented room heaters shall not be used as the sole source of comfort heating in a dwelling unit.~~

~~621.3 Input rating.~~

~~Unvented room heaters shall not have an input rating in excess of 40,000 Btu/h (11.7 Kw).~~

~~621.4 Prohibited locations.~~

~~Unvented room heaters shall not be installed within occupancies in Groups A, E and I. The location of unvented room heaters shall also comply with Section 303.3.~~

~~621.5 Room or space volume.~~

~~The aggregate input rating of all unvented appliances installed in a room or space shall not exceed 20 Btu/h per cubic foot (207 W/m³) of volume of such room or space. Where the room or space in which the equipment is installed is directly connected to another room or space by a doorway, archway or other opening of comparable size that cannot be closed, the volume of such adjacent room or space shall be permitted to be included in the calculations.~~

~~621.6 Oxygen depletion safety system.~~

~~Unvented room heaters shall be equipped with an oxygen depletion sensitive safety shutoff system. The system shall shut off the gas supply to the main and pilot burners when the oxygen in the surrounding atmosphere is depleted to the percent concentration specified by the manufacturer, but not lower than 18 percent. The system shall not incorporate field adjustment means capable of changing the set point at which the system acts to shut off the gas supply to the room heater.~~

~~621.7 Unvented log heaters.~~

~~An unvented log heater shall not be installed in a factory built fireplace unless the fireplace system has been specifically tested, listed and labeled for such use in accordance with UL 127.~~

Add a new Sub-Section “621.1 Prohibited use” to provide as follows:

“621.1 Prohibited use.

Un-vented room heaters are prohibited in any habitable rooms or spaces occupied by humans.”

SECTION 624 WATER HEATERS

Sub-Section 624.1.1 Installation requirements. Replace “~~International Plumbing Code~~” here and in all other applicable locations in this code and replace with “Gurnee Plumbing Code” to read as follows:

624.1.1 Installation requirements.

The requirements for water heaters relative to sizing, relief valves, drain pans and scald protection shall be in accordance with the Gurnee Plumbing Code.

SECTION II: **PENALTIES.** It shall be unlawful for any person, firm, corporation or other legal entity to violate any provision of this ordinance, or the Code adopted hereby. Such violation shall be subject to the penalties provided below.

- a. In each section of the International Fuel Gas Code – 2003 Edition in which a fine or violation thereof is specified, the same is hereby superseded by the penalty provisions hereinafter set forth, which penalty provisions are hereby substituted so as to cover any and all violations of this Ordinance or of any provisions of said International Fuel Gas Code – 2003 Edition adopted there under.
- b. Any person who shall violate any provision hereof or any provisions of the Gurnee Fuel Gas Code, or shall fail to comply therewith, or who shall violate or fail to comply with any order made there under, or who shall build in violation of any detailed statement of specifications or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who shall fail to comply with such an order as may be affirmed or modified on appeal or by court of competent jurisdiction, within the time duly fixed for compliance, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$750.00 and when not otherwise specified, each day during which any prohibited condition continues shall constitute a separate offense.
- c. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions or any other remedy at law or in equity, it being the intent of this ordinance that any remedies available to seek compliance or the levy of fines, or both, are cumulative and not exclusive of one another.

SECTION III: **REPEAL.** All ordinances or parts thereof in conflict herewith, but only to the extent of such conflict, are hereby repealed.

SECTION IV: **SAVING CLAUSE.** Nothing in this Ordinance or in those parts of the International Fuel Gas Code – 2003 Edition hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any ordinance provision repealed hereby; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION V: **SEVERANCE CLAUSE.** If any provision, clause, sentence, paragraph, section or part of this ordinance, or the application thereof to any person, firm, corporation, or circumstance, shall, for any reason, be adjudged by a court or competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance or the application of such provisions to other persons, firms, corporations or circumstances involved. It is hereby declared to be the legislative intent of the Corporate

Authorities that this ordinance would have been adopted had such invalid provisions not been included or if it had not been made applicable to such person, firm, corporation or circumstance.

SECTION VI: This ordinance shall be in full force and effect on June 1, 2005 after its passage, approval and publication as required by law.

SECTION VII: The Village Clerk is hereby directed and ordered to publish this ordinance in pamphlet form as required by Law.

SECTION VIII: This ordinance shall be known as the "Gurnee Fuel Gas Code."

Passed this _____ day of _____, 2005.

	Ayes:	Nays:	Absent/Abstain:
Thomas A. Chamberlain	_____	_____	_____
Ray Damijonaitis	_____	_____	_____
Kristina Kovarik	_____	_____	_____
Jeanne E. Balmes	_____	_____	_____
Karen Wasser	_____	_____	_____
Barbara Thoma	_____	_____	_____

APPROVED:

By: _____ Date: _____
DONALD F. RUDNY, President

ATTEST:

By: _____
MARY JO KOLLROSS, Village Clerk

Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on _____, 2005.

I hereby certify that the above ordinance was published in pamphlet form on _____, 2005, as provided by law.

MARY JO KOLLROSS, Village Clerk

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STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

CERTIFICATE

I, Mary Jo Kollross, certify that I am the duly elected and acting Municipal Clerk of the Village of Gurnee, Lake County, Illinois.

I certify that on _____, 2005, the Corporate Authorities of such municipality passed and approved Ordinance 2005- _____, entitled "AN ORDINANCE ADOPTING THE 2003 EDITION OF THE INTERNATIONAL FUEL GAS CODE, AS MODIFIED AND WITH SUPPLEMENTS, PROVIDING PENALITIES FOR VIOLATIONS AND AMENDING CHAPTER 18 AND ADDING ARTICLE VIII TO THE GURNEE MUNICIPAL CODE" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance 2005 - _____, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on _____, 2005 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Gurnee, Illinois, this _____ day of _____, 2005.

Municipal Clerk