

VILLAGE OF GURNEE

COPY

2012 - 32

AN ORDINANCE ADOPTING THE 2012 EDITION OF THE INTERNATIONAL MECHANICAL
CODE, AS MODIFIED AND WITH SUPPLEMENTS, PROVIDING
PENALTIES FOR VIOLATIONS AND AMENDING CHAPTER 18 ARTICLE VI OF THE GURNEE
MUNICIPAL CODE

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF GURNEE, ILLINOIS

ON

APRIL 16, 2012

Published in pamphlet form by authority of the Village Board
of the Village of Gurnee, Lake County, Illinois,
this 17th day of April, 2012.

KRISTINA KOVARIK	President	JEANNE E. BALMES	Trustee
		GREG GARNER	Trustee
ANDY HARRIS	Clerk	KIRK MORRIS	Trustee
		STEPHEN PARK	Trustee
BRYAN WINTER	Attorney	CHERYL G. ROSS	Trustee
		HANK SCHWARZ	Trustee

AN ORDINANCE ADOPTING THE 2012 EDITION OF THE INTERNATIONAL MECHANICAL
CODE, AS MODIFIED AND WITH SUPPLEMENTS, PROVIDING
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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 Mechanical Code (Chapter 18 Article VI of the Gurnee Municipal Code) and adopt the 2012 Edition of the International Mechanical 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 mechanical 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 Mechanical 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 1. That Chapter 18 Article VI, entitled "Mechanical Code" of the Gurnee Municipal Code is hereby deleted in its entirety and replaced with a new Chapter 18 Article VI, entitled "Mechanical Code", to provide as follows:

"CHAPTER 18 ARTICLE VII. MECHANICAL CODE."

Sec. 18-161. 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 mechanical systems, as set forth in the 2012 International Mechanical Code, with modifications and supplements set forth in section 18-162, 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. The following chapters, and each section and subsection of each such chapter, are not hereby adopted and shall not be applicable in the village:

Appendix Chapter B Recommended Permit Fee Schedule

Sec. 18-162. Modifications, supplements and exceptions.

The following sections of the 2012 International Mechanical Code, are revised as follows:

CHAPTER 1 ADMINISTRATION

SECTION 101 GENERAL

Sub-Section 101.1 Title.

Where the [NAME OF JURISDICTION] appears, delete and insert "Village of Gurnee."

SECTION 106 PERMITS

- Sub-Section 106.5.2 Fee Schedule.* This Sub-Section is deleted in its entirety and a new Sub-Section is added to read as follows: "The fees for mechanical installations/replacement shall be as indicated in Ordinance 2004 -53 of the Village of Gurnee."
- Sub-Section 106.5.3 Fee refunds.* This Sub-Section is deleted in its entirety and a new Sub-Section is added to read as follows: "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."

SECTION 108 VIOLATIONS

- Sub-Section 108.4 Violation penalties.* This Sub-Section is deleted in its entirety and a new Sub-Section is added to read as follows: "Persons who shall violate provisions of this code shall be punished as provided in Section 4 Penalties, of this ordinance."

CHAPTER 3 GENERAL REGULATIONS

SECTION 301 GENERAL

- Sub-Section 301.2 Energy Utilization.* Amend the last sentence by substituting the State of Illinois Energy Code for the "International Energy Conservation Code."
- Sub-section 301.6 Fuel gas appliances and equipment.* Replace International Fuel Gas Code with "Gurnee Fuel Gas Code."
- Sub-section 301.10 Electrical.* Replace reference to the ICC Electric Code with "Gurnee Electric Code."
- Sub-Section 301.11 Plumbing Connections.* Replace reference to the ICC Plumbing Code with "Gurnee Plumbing Code."
- Sub-Section 301.15 Wind resistance.* Replace reference to the International Building Code in this section and any other locations with "Gurnee Building Code."

CHAPTER 6 DUCT SYSTEMS

SECTION 602 PLENUMS

- Sub-Section 602.3 Stud cavity and joist space plenums.* This Sub-Section is deleted in its entirety and a new Sub-Section is added to read as follows: "Panning of joist spaces, stud spaces, rafter spaces, or concealed spaces is prohibited."

SECTION 603 DUCT CONSTRUCTION AND INSTALLATION

Sub-Section 603.5 Nonmetallic ducts.

At the end of this sub-section, add the following sentence: "The use of rigid fiberglass duct shall be prohibited."

Sub-section 603.5.1 Gypsum ducts.

At the end of this sub-section, add the following sentence: "Building Official's approval must be obtained for this use."

CHAPTER 9 SPECIFIC APPLIANCES, FIREPLACES AND SOLID FUEL-BURNING EQUIPMENT

SECTION 929 UN-VENTED ROOM HEATERS

At the end of Section 928 Evaporative Cooling Equipment, the following Section shall be added: "**SECTION 926 UN-VENTED ROOM HEATERS** Un-vented room heaters are prohibited in any habitable rooms or spaces occupied by humans"

SECTION 4. PENALTIES.

- a. In each section of the International Mechanical Code – 2012 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 Mechanical Code – 2012 Edition adopted there under.
- b. Any person who shall violate any provision hereof or any provisions of the International Mechanical Code – 2012 Edition hereby adopted 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.

SECTION 5. REPEAL. All parts of ordinances in conflict herewith, but only to extent of such conflict, are hereby repealed.

SECTION 6. SAVING CLAUSE. Nothing in this Ordinance or in those parts of the Basic Code 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 by Section 5 above; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 7. 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 8. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

SECTION 9. The Village Clerk is hereby directed and ordered to publish this ordinance in pamphlet form as required by Law.

SECTION 10. This ordinance shall be known as the "Gurnee Mechanical Code."

Passed and approved this 16th day of April, 2012.

	Ayes:	Nays:	Absent/Abstain:
Jeanne E. Balmes	<u>X</u>	<u> </u>	<u> </u>
Greg Garner	<u>X</u>	<u> </u>	<u> </u>
Kirk Morris	<u>X</u>	<u> </u>	<u> </u>
Stephen Park	<u> </u>	<u> </u>	<u>X</u>
Cheryl G. Ross	<u>X</u>	<u> </u>	<u> </u>
Hank Schwarz	<u>X</u>	<u> </u>	<u> </u>

APPROVED:

By:

Kristina Kovarik
KRISTINA KOVARIK, President

Date:

4-16-12

ATTEST:

By:

Andy Harris
ANDY HARRIS, Village Clerk

Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on April 16, 2012.

I hereby certify that the above ordinance was published in pamphlet form on April 17, 2012, as provided by law.

Andy Harris
ANDY HARRIS, Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

CERTIFICATE

I, **ANDY HARRIS**, certify that I am the duly elected and acting Municipal Clerk of the Village of Gurnee, Lake County, Illinois.

I certify that on April 16, 2012, the Corporate Authorities of such municipality passed and approved Ordinance No. 2012 - 32, entitled "**AN ORDINANCE ADOPTING THE 2012 EDITION OF THE INTERNATIONAL MECHANICAL CODE, AS MODIFIED AND WITH SUPPLEMENTS, PROVIDING PENALTIES FOR VIOLATIONS AND AMENDING CHAPTER 18 ARTICLE VI OF THE GURNEE MUNICIPAL CODE,**" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2012 - 32, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on April 17, 2012, 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 16th day of April, 2012.



ANDY HARRIS, Village Clerk
Village of Gurnee