



## CHAPTER 12 BUILDINGS AND BUILDING REGULATIONS\* ARTICLE I BUILDING CODES PERMITTING & LICENSING PROVISIONS

\*Cross reference(s)--Airport zoning, § 5-36 et seq.; erosion and sedimentation control, Ch. 15; fire prevention codes and standards, § 17-101 et seq.; floodplain management, Ch. 18; open housing, § 22-41 et seq.; planning and development, Ch. 34; preservation, Ch. 37; awnings, § 42-176 et seq.; subdivisions, Ch. 43; zoning, App. A. --State law reference(s)--Powers of home rule units, Ill. Const. art. VII, § 6.

### ARTICLE I. BUILDING CODES\*

**Sec. 12-16 through 12-17.** Additions, insertions, deletions and changes.

#### ARTICLE I. AURORA BUILDING CODES

**Sec. 12-16. 2009 International Code Council Series Adopted.**

A certain document, three (3) copies of which are on file in the office of the Building Code Official of the City of Aurora, Illinois, being marked and designated as,

- " 2009 International Building Code - including Appendix Chapters ( A, B, E, F, K);
- 2009 International Plumbing Code - including Appendix Chapters ( E, F & G);
- 2009 International Mechanical Code - including Appendix Chapter ( A );
- 2009 International Fuel and Gas Code – including Appendix Chapters (A, B, C, D);
- 2009 International Energy Conservation Code;
- 2009 International Residential Code - including Appendix Chapters ( E, F, G, J, K, M, O, P);
- 2009 International Existing Building Code – including Appendix Chapters (A, B);
- 2009 International Fire Code – including Appendix Chapters (A, B, C, D, F, H, I, J)."

as published by **the International Code Council, Inc.** and adopted as the building code of the City of Aurora, Illinois in the State of Illinois; for the control of buildings and structures as herein provided; and each and all of the regulations, penalties, conditions, and terms of said **2009 International Codes** are hereby referred to, and amended in part hereof as if fully set out in this article, with the additions, insertions, deletions, and changes, prescribed in section 12-17.1 through 12-17.8 of this article. Nothing in this ordinance or in the Aurora Building Code 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or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in section 12-17.1 through 12-17.8 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Furthermore the following code standards are adopted as modified

- Illinois State Safety Code for Elevators and Escalators consisting of the following American Society of Mechanical Engineers (ASME), American National Standards (ANSI), and American Society of Civil Engineers (ASCE) standards, and any newer or additional references required by the State of Illinois.
  - Safety Code for Elevators and Escalators (ASME A17.1-2005), A 17.1 (a)-2005, and A17.1(s)-2005.
  - Guide for Inspection of Elevators, Escalators, and Moving Walks (ASME 17.2-2004)
  - Safety Code for Existing Elevators and Escalators (ASME A17.3-2005)
  - Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A 18.1-2005): and
  - Standard for the Qualification of Elevator Inspectors (ASME QEI-1-2004)
  - Safety Requirements for Personal Hoists and Employee Elevators (ANSI A10.4-2004)
  - Automated People Mover Standards (ASCE 21-2000).
- State of Illinois Life Safety Code for existing buildings (Portions of NFPA#101 plus Annex A & B) as adopted and required by the State Fire Marshal's Office
- **2011 National Electrical Code (NFPA 70) and Annex H as amended by Article III. Electricity Sec. 12-31 and 12-32 of the Aurora Code of Ordinances.**

(Code 1969, § 12-1; Ord. No. 089-19, § 1, 3-7-89; Ord. No. 095-47, § 1, 7-5-95,  
Ord. No. 001-47, 05 June 2001; Ord. No. 010-017, 11 May 2010)

### ARTICLE II. BUILDING CODE

#### ARTICLE II. A. BUILDING CODE

**Sec. 12-17.1 Same--Additions, insertions, deletions and changes.**

The following sections of the **2009 International Building Code** adopted in section 12-16 are hereby revised as follows:

## CHAPTER 1

**105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Oil derricks.
2. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
4. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
5. Temporary motion picture, television and theater stage sets and scenery.
6. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (19,000 L) and are installed entirely above ground.
7. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
8. Swings and other playground equipment accessory to one- and two-family dwellings.
9. Window awnings supported by an exterior wall of Group R-3, as applicable in Section 101.2, and Group U occupancies.
10. Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
11. Electrical Installations per Article III. ELECTRICITY - section 103.2 and NEC 90.2 are exempt from permit.
12. Storable or prefabricated swimming pools that are disassembled in their entirety and put into storage between the dates of September 15 and May 15 of each year.
13. Windows that are being replaced that do not alter the framing or egress requirements are exempt from a building permit. Note that if in a historic district or if a historic structure you will be required to obtain a certificate of appropriateness.

The following Section shall be added:

### SECTION 117 REGISTRATION OF CONTRACTORS

- 117.1 No construction work, as set forth in Section 117.2 through 117.8 in which; the material cost exceeds one hundred dollars (\$100.00), or the material plus the labor costs exceed two hundred and fifty dollars (\$250.00) per discipline; may be installed, or replaced within the City of Aurora except by persons, firms, or corporations duly registered to perform such work, except as hereinafter provided, and then only, after a permit has been obtained to cover such work. Registrations shall be issued by the Division of Building and Permits to those persons, firms, or corporations qualified to perform such work, as set forth in this Section and as determined by the code compliance officers. Companies and corporations, upon transfer of ownership, shall be required to meet the testing requirements and apply for new licensure. Copies of Photo ID's, State trade contractor licenses, and State business registrations will be required as applicable.
- 117.1.1 Registration fee: The fee for contractor's registration shall be one hundred dollars (\$100.00) per year and per trade. Said registration(s) shall be renewed annually unless stated otherwise in the specific trade regulations below.
- 117.1.2 **Single Family Dwelling** Property owner exemption: The provisions herein contained shall not require an owner of record **having occupied** a single-family dwelling from personally doing his own work on said owner-occupied single-family dwelling to obtain a registration; provided that said owner of record will live **continue to live** in the residence for a period of not less than six (6) months after the completion of the construction and submits the required **identification(s) and recordings demonstrating current occupancy of the structure and an owners affidavit attesting to current and continuing occupancy.**
- 117.1.2.1 **Projects requiring special knowledge:** projects requiring special knowledge and training indicated below shall be performed by a licensed contractor.
- a) Electrical Work
- 1) New Service and service replacements
  - 2) Alternative power generation equipment (Photovoltaic, Wind turbines, Generators, etc.) shall be installed by licensed contractors with training specialized in their installation.
- 117.1.2.2 **Hired Assistance Prohibited:** Owner of record occupying a single-family dwelling wishing to do their own work without a licensed contractor per 117.1.2 shall be prohibited from hiring assistance in any way on the project without the hired assistant becoming a licensed contractor in the appropriate trade. Owner may be subject to fines up to two times the permit fees in penalties should permit applications fraudulently indicate the owner is doing the work when they have hired persons engaging in the work.
- 117.1.2.3 **CDBG or HOME funded volunteer based projects:** benefiting low-moderate income homeowners at their homestead are exempt from licensed contractor requirements and shall be permitted under the property owner exemption. Depending upon timeframe and work hours of the volunteer project, in

relation to Building and Permits normal work hours, inspection requirements and permit closing requirements may additionally be modified as determined by the Building Code Official.

**117.1.2.4 Apprentice Programs or Board of Education volunteer based projects:** benefiting not-for profits OR low-moderate income homeowners at their homestead are exempt from licensed contractor requirements and shall be permitted under the supervision of a journeyman or a certified instructor.

117.1.6 Contractor Testing:

117.1.6.1 Tests shall be taken by a Qualifying Party

117.1.6.1.1 **Qualifying party;** means the individual filing as a sole proprietor, partner of a partnership, officer of a corporation, who is legally qualified to act for the business organization in all matters connected with its contracting business and has the responsibility to supervise installation operations, and is actively engaged in day to day activities of the business organization.

117.1.7 ICC testing: In addition to the requirements below, written Examination from the International Code Council **OR reciprocal testing from another acceptable municipality** shall also be **required** as qualification for registration in the following registration categories.

117.1.7.1 HVAC contractors

117.1.7.1.1 ICC - Master Mechanical Certification

117.1.7.2 Electrical contractors

117.1.7.2.1 Commercial Electrical Contractor registration; ICC – Standard Master Electrician.

117.1.7.2.2 Residential Electrical Contractor registration; ICC – Standard Residential Electrician.

117.1.7.2.3 Signage Electrical Contractor registration; ICC – Standard Journeyman Sign Electrician OR an ICC – Standard Master Electrician certification.

## 117.6 REGISTRATION OF ELECTRICAL CONTRACTORS

117.6.2 Qualifications: To qualify for registration; Registration shall be issued to those individuals, partnerships, corporations, business trusts, limited liability companies, or other legal entities upon payment of fee and fulfillment of bond and insurance requirements. A Qualifying Party of the firm or corporation must first pass a written examination, as provided by section 117.1.6 or 117.1.7.

117.6.2.1 New Registration: The following procedures shall be followed in obtaining a new electrical contractor's Registration:

a. **ICC Certification: Present to Aurora ICC electrical contractor certification**

b. Reciprocal Registration: Contractors specifically licensed as electrical contractors in other municipalities may be issued registration by reciprocity, provided that the code compliance officer/electrical accepts the equality of the testing procedure under which the candidate obtained his original registration. Contractor's registration in another municipality to perform electrical work solely on residential property shall be registration in Aurora only for residential work (one-family or two-family residences). Contractors shall still make payment for a registration and conform to the bonding requirements set forth in this section.

117.6.3 Registration of Electrical maintenance persons;

Any person involved in maintenance work, who may be doing electrical repairs, alterations or installations and directly employed, for the preceding twelve (12) months, for any **industrial uses**, firm, corporation or industry located within the city limits must be registered with the director of Building & Permits. Upon registration, such maintenance person shall be authorized by the director of Building & Permits to engage in such electrical repairs, alterations or installations only as pertains to the firm, corporation or industry in which he is employed.

117.6.3.1 The correction of violations of this article may be performed by maintenance people only if the code compliance officer/electrical determines that the violations to be corrected do not endanger life, safety or property. Corrections of unsafe conditions endangering life, safety or property must only be made by a licensed electrical contractor.

## R314 - SMOKE ALARMS

**R314.1 Smoke detection and notification.** All smoke alarms shall be listed and labeled in accordance with UL 217 and installed in accordance with the provisions of this code and the household fire warning equipment provisions of NFPA 72.

**R314.2 Smoke detection systems.** Household fire alarm systems installed in accordance with NFPA 72 that include smoke alarms, or a combination of smoke detector and audible notification device installed as required by this section for smoke alarms, shall be permitted. The household fire alarm system shall provide the same level of smoke detection and alarm as required by this section for smoke alarms. Where a household fire warning system is installed using a combination of smoke detector and audible notification device(s), it shall become a permanent fixture of the occupancy and owned by the homeowner. The system shall be monitored by an approved supervising station and be maintained in accordance with NFPA 72.

**Exception:** Where smoke alarms are provided meeting the requirements of Section R314.4.

**R314.3 Location.** Smoke alarms shall be installed in the following locations:

1. In each sleeping room.
2. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
3. On each additional *story* of the *dwelling*, including *basements* and habitable attics but not including crawl spaces and uninhabitable *attics*. In *dwellings* or *dwelling 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.

**R314.3.1 Alterations, repairs and additions.** When *alterations*, repairs or *additions* requiring a *permit* occur, or when one or more sleeping rooms are added or created in existing *dwellings*, the individual *dwelling unit* shall be equipped with smoke alarms **per the requirements of Appendix J of this code as amended.**

**Exceptions:**

1. Work involving the exterior surfaces of *dwellings*, such as the replacement of roofing or siding, or the *addition* or replacement of windows or doors, or the *addition* of a porch or deck, are exempt from the requirements of this section.
2. Installation, *alteration* or repairs of plumbing or mechanical systems are exempt from the requirements of this section.

**R314.4 Power source.** Smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

**Exceptions:**

1. Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power.
2. Hard wiring of smoke alarms in existing areas shall not be required where the *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an *attic*, crawl space or *basement* available which could provide access for hard wiring without the removal of interior finishes.

**R314.5 Interconnection.** Where more than one smoke alarm is required to be installed within an individual dwelling unit in accordance with Section R314.3, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm.

**Exception:** Refer to IRC Appendix J for exceptions to the interconnection requirements.

## **R403 - FOOTINGS**

The following subsection shall be added

**R403.1 .8 Concrete-encased electrode.**

**E3608.1.2 Concrete-encased electrode.**

Unless otherwise accepted by the building official, a concrete encased electrode shall be installed in new structures with an electrical service per Section E3608.1.2 of this code