



Agenda
Village of Glen Ellyn
Building Board of Appeals Meeting
Wednesday, November 17, 2021
6:30 PM
Glen Ellyn Civic Center, Galligan Board Room

Visitors are most welcome to attend all meetings of the Building Board of Appeals and can find copies of the Agenda on their chairs or online at www.glenellyn.org prior to the meeting. Any individual with a disability requiring a reasonable accommodation in order to participate in a meeting should contact The Village of Glen Ellyn ADA Coordinator, 630-469-5000, at least five (5) business days in advance of the next scheduled meeting. All matters on the Agenda may be discussed, amended, and acted upon.

- A. Call to Order**
- B. Roll Call**
- C. Approval of Minutes**
 - 1) Minutes - August 25, 2021
- D. Review of State codes and Federal Act regulating construction for potential adoption: 6:30 p.m. to 7:00 p.m.**
 - 1) 2014 Illinois Plumbing Code
 - 2) 2010 Illinois Americans with Disabilities Act
 - 3) 2018 Illinois Accessibility Code
 - 4) 2018 International Energy Conservation Code
- E. Building Community Listening Session: 7:00pm - 9:00pm**
 - 1) Session Overview
 - 2) Community Development Department Staffing Update
 - 3) Building Division Updates (including New Forms and Process Changes)
- F. Feedback from Building Community**
- G. Questions**
- H. Next Steps**
- I. Trustee Report**
- J. Next Meeting Dates**
- K. Adjournment - 9:00pm**

DRAFT MINUTES
BUILDING BOARD OF APPEALS MEETING
August 25, 2021

Call to Order and Roll Call

The meeting was called to order at 6:41 p.m. by Building Board of Appeals (BBA) Member Chris Clark.

Roll was called. Present: BBA Members Brian Beck, Christopher Clark, Matthew Rooney and Tom Tuscher. Absent: BBA Chairman Thomas Bredfeldt.

Appointment of Temporary Chairman

Board Member Rooney moved to appoint Chris Clark Temporary Chairman for the evening's meeting; seconded by Board Member Tuscher. The motion carried with four (4) yes votes and zero (0) no votes as follows: Members Rooney, Tuscher, Beck and Clark voted "yes."

Public Comment Non-Agenda Items

There was no public comment pertaining to non-agenda items.

Discussion Regarding Building Board of Appeals (BBA) Future Projects

1. Discussion of dates and background for upcoming listening session

Village Community Development Director Staci Springer explained that the BBA generally is gathered to review updates to building codes, adopt local amendments, and on occasion weigh in on a building official's interpretation. But, she said, the suggestion has been made to elicit input from customers – architects, developers and contractors – of the Community Development Department as to what the Department is doing well and where improvements might be made. The idea, she continued, is to host "listening sessions" to which the public is invited and from which Staff would assimilate suggestions and respond accordingly via lists and schedules. She described as a model for a new BBA initiative a workshop series previously used to glean input. By organizing a few meetings, she said an engagement method could be established with the BBA serving as a third-party. She asked the members whether they would be willing to serve in this function, had any suggestions, and could choose some meeting dates.

Acting Chairman Clark asked for clarification that the concept would render the BBA as the forum to gather information from builders and design professionals. Confirming this, Director Springer said the format could make use of staff tables, along with an ELMO display and meeting minutes to track activity. Acting Chairman Clark asked if this arrangement would constitute a large public comment format and if the board would address other business at the same meeting. Director Springer said they could be addressed at the same or different meetings, with building codes discussed at yet different meetings. Acting Chairman Clark thought dedicated meetings desirable. Member Rooney said he is for the approach. Member Tuscher said he wished to defer as this is his first meeting. Member Beck said he wants to gauge the length of the process. Acting Chairman Clark requested a dedicated meeting be scheduled for a forum. Director Springer thought a month out would be a reasonable time for one and asked which days would work and how frequent meetings should be. Specifying Wednesday as workable, Acting Chairman Clark recommended trying two meetings per month. Director Springer asked for meeting format suggestions, to which Member Rooney responded that the structure should be one that prohibits a meeting becoming a complaint session. Audience member Ray Whalen, 177 Sunset Ave.,

asked how early would be feasible to meet. Director Springer said the meeting time could be set earlier and time limits established. In response to a concern expressed by Acting Chairman Clark about BBA limitations, she said she expects Department Staff to be on hand to field inquiries and clarify procedures. Advocating an atmosphere of constructive input, Mr. Whalen suggested that an update on Departmental changes be given, and residents be invited. Acting Chairman Clark suggested a two-hour timeframe in the interest of not turning people away. Director Springer recommended starting with two hours, and presenting changes that have been made in response to feedback.

2. Discussion of schedule and process for updating Village Codes regulating construction

Introducing the Building Code update undertaking, Village Building and Zoning Official Steve Witt explained that the Code is based on the International Code Council series of codes, new versions of which are typically published every three years. The Village, currently on the 2009 version, is looking to adopt the 2018 version, he explained, saying the upgrade will involve presenting major changes to the BBA, which is to examine Staff recommendations for amendments – or the Code itself – to determine whether detriments to construction in the Village exist. He said the effort is partly to keep up with other communities, but it also has bearing on residential insurance rates. Communities typically adopt a new version every six years, he related, hence the aggressive push for the Village to upgrade (adding, however, there’s no intent to rush the process). Mr. Witt turned to discussing other codes with which the Village is concerned, including the Illinois Life Safety Code, which governs existing conditions. He related that the Village will be adopting the International Energy Conservation Code; the Illinois Plumbing Code; the Illinois Accessibility Code; the Americans with Disabilities Act; and the Fair Housing Act. Mr. Witt enumerated the code-upgrade process, including Existing Building Code considerations, saying he envisions delivering Code presentations at Autumn BBA meetings. Acting Chairman Clark wondered about an Electrical Commission he recalled, to which Mr. Witt declared that the Village has two inspectors well-versed in the discipline. The latter said meeting dates and room availability will be confirmed.

Chairman’s Report

As Acting Chairman, Mr. Clark had no report, but expressed that he was glad to be present.

Staff Report

Development Director Springer said applicants will be sought to fill the two vacancies on the BBA, to which she welcomed Tom Tuscher, a retired contractor and long-time Village resident.

Trustee’s Report

Trustee Liaison Kelley Kalinich stated that both of the evening’s agenda items – the forum and the code update initiative – had been reviewed and endorsed by the Village Board.

Adjournment

Acting Chairman Clark adjourned the meeting at 7:27 p.m., following a voice vote on a motion that was made by Member Tuscher and seconded by Member Beck.

Respectfully submitted,

Barbara Dutton-Thomas
Recording Secretary



Glen Ellyn Building Board of Appeals
535 Duane Street
Glen Ellyn, IL 60137

Meeting 11/17/2021 6:30 PM
Department: Community Development
Department Head:
Category: Discussion Item
Prepared By:

AGENDA ITEM (ID # 2021-1660)

DOC ID: 2021-1660

2014 Illinois Plumbing Code

Statement of the Issue:

Analysis:

Budget Impact:

Action Requested:

Attachments:

1. Building Codes Upgrade Memo - Meeting 1 - 111221

MEMORANDUM

TO: Chairman Bredfeldt and Members of the Building Board of Appeals

FROM: Steve Witt, Building & Zoning Official

CC: Staci Springer, Community Development Director

DATE: November 12, 2021

RE: Building Codes Upgrade



The first agenda topic for the Building Board of Appeals meeting to be held on November 17, 2021 includes the review of the following State Codes and Federal Act that the Village will need to adopt.

- Illinois Plumbing Code, 2014
- Illinois Accessibility Code, 2018
- Americans with Disabilities Act Standards for Accessible Design, 2010
- Illinois Energy Conservation Code, 2018, with State of Illinois amendments

The following discussion will provide some background history on each of these codes and how they have been previously enforced within the Village of Glen Ellyn. Links to each of the codes have been provided for your perusal.

We recommend that each of these codes be adopted by the Village. They are all currently in effect in all communities across the State of Illinois. Local adoption provides the ability to enforce the provisions of each of the codes.

Illinois Plumbing Code, 2014

The Village's current plumbing code references the 2014 Illinois State Plumbing Code (IPC), with local amendments, as the minimum regulations for the installation, alteration and use of plumbing systems within the Village. The current State of Illinois Plumbing Code had an effective date, and became immediately enforceable, as of April 14, 2014. Per state law (225 ILCS 320/42) only the State may exercise the power to regulate plumbers and promulgate a minimum plumbing code of standards, and this power may not be exercised by any unit of local government, including home rule units.

Although the Village enforced the 2014 IPC upon it becoming effective, the Village of Glen Ellyn formally adopted the code by Village Ordinance 6488 on 3-20-2017. As part of that ordinance, the IPC was amended to include provisions for the installation of grease interceptors in automotive service facilities, food processing, food sales, or food service facilities. This was done as a precursor to the Village's adoption of Ordinance No. 6595-VC which establishes certain minimum reasonable rules and regulations for any automotive service facility or food processing, food sales, or food service facility connected to, or applying to connect to, the Village's sanitary sewer system regarding the collection and disposal of fats, oils and grease (FOG), sand or petroleum products in wastewater, not otherwise required to obtain and hold an Industrial Wastewater Discharge Permit from the U.S. Environmental Protection Agency and/or the Illinois Environmental Protection Agency. That ordinance also establishes certain minimum reporting requirements for waste haulers in the disposal of fats, oils, greases, and petroleum product wastes.

Since the previous amendments related to FOG are an integral part of the FOG monitoring program, these amendments should remain as written and previously adopted. **We do not propose any changes to the Illinois Plumbing Code, 2014** as previously amended and adopted. While we do not propose any amendments at this time, the process to do so is cumbersome as any proposed amendments would need to gain formal approval from the Illinois Department of Public Health prior to adoption by the Village. Re-adoption of the code is not required. This information is provided for historical background only.

A copy of the Illinois Plumbing Code, 2014, may be found at the Illinois General Assembly's website:

<https://www.ilga.gov/commission/jcar/admincode/077/07700890sections.html>

Illinois Accessibility Code, 2018

The Illinois Accessibility Code (IAC) implements the Environmental Barriers Act. The IAC includes design requirements for public facilities and multi-story housing units as defined in the IAC as well as all spaces and elements within them. It has the force of a building code in Illinois. The IAC constitutes the minimum requirements for accessibility, and any governmental unit may enact stricter standards to increase access.

The IAC defines a public facility as follows:

Public Facility. *A public facility includes all of the following: 1. Any building, structure, or site improvement which is: owned by or on behalf of a governmental unit; leased, rented or used, in whole or in part, by a governmental unit; or financed, in whole or in part, by a grant or a loan made or guaranteed by a governmental unit. 2. Any building, structure, or site improvement used or held out for use or intended for use by the public or by employees for one or more of, but not limited to, the following: the purpose of gathering, recreation, transient lodging, education, employment, institutional care, or the purchase, rental, sale or acquisition of any goods, personal property or services; places of public display or collection; social service establishments; and stations used for specified public transportation. 3. A public right-of-way.*

The IAC defines multi-story housing as follows:

Multi-Story Housing. *Any building of four or more stories containing ten or more dwelling units constructed to be held out for sale or lease by any person to the public. Multi-story housing includes, but is not limited to, the following building types: apartment buildings, condominium buildings, convents, housing for the elderly, and monasteries.*

The Illinois Accessibility Code implements the Environmental Barriers Act (410 ILCS 25). The IAC is intended to establish minimum scoping and technical design requirements to ensure that the built environment in the State of Illinois is designed, constructed, and altered to be accessible to and usable by all, including individuals with disabilities.

The IAC is also intended to resolve areas of difference between Federal accessible design standards such as the 2010 Americans With Disabilities Act (ADA), standards for accessible design (28 CFR 36 [2010]), and this code. The drafters of the IAC compared and primarily adopted the stricter of State or Federal accessible design standards to provide the greatest access throughout the State. Although the Village's Building Code (International Building Code) devotes a chapter to provisions for accessibility in new construction, the IAC provides a far more comprehensive set of requirements. Additionally, the IBC technically does not apply to renovation projects, whereas the IAC contains provisions for renovation projects.

The IAC, together with the Environmental Barriers Act (EBA), has the force and effect of law in the State of Illinois. The current version of the Illinois Accessibility Code took effect October 23, 2018. The Village has enforced the code since it became effective.

The Illinois Attorney General has the authority to enforce the code in accordance with the EBA. Through local adoption, the Village shall have the authority to enforce the code as well.

Per the EBA, any new public facility or multi-story housing for which a specific contract for the planning was awarded prior to October 23, 2018, and construction of which will begin by October 23, 2019, can be exempt from compliance with this new version of the Code and may instead comply with the Illinois Accessibility Code effective April 24, 1997.

The IAC is not currently adopted by the Village; however, we recommend that the code be adopted as written and published to allow for local enforcement of its provisions. **We do not propose any changes to the Illinois Accessibility Code, 2018.** Proposed code amendments related to accessibility will be presented to the Building Board of Appeals for potential incorporation into the International Building Code at a future meeting of the Building Board of Appeals.

A copy of the Illinois Accessibility Code, 2018, may be found at the Capital Development Board website by following the link at:

<https://www2.illinois.gov/cdb/business/codes/Pages/default.aspx>

Americans with Disabilities Act Standards for Accessible Design, 2010

The Department of Justice published revised regulations for Titles II and III of the Americans with Disabilities Act of 1990 (ADA) in the *Federal Register* on September 15, 2010. These regulations adopted revised, enforceable accessibility standards called the 2010 ADA Standards for Accessible Design (2010 Standards). The 2010 Standards set minimum requirements – both scoping and technical – for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities.

Adoption of the 2010 Standards also establishes a revised reference point for Title II entities that choose to make structural changes to existing facilities to meet their program accessibility requirements; and it establishes a similar reference for Title III entities undertaking readily achievable barrier removal.

Public accommodations and commercial facilities must follow the requirements of the 2010 Standards, including both the Title III regulations at 28 CFR part 36, subpart D; and the 2004 ADAAG at 36 CFR part 1191, appendices B and D. In the few places where requirements between the two differ, the requirements of 28 CFR part 36, subpart D, prevail.

The ADA is not currently adopted by the Village; however, we recommend that the Act Standards be adopted as written and published to allow for local enforcement of its provisions. **We do not propose any amendments to the Americans with Disabilities Act Standards for Accessible Design, 2010.** Proposed code amendments related to accessibility will be presented to the Building Board of Appeals for potential incorporation into the International Building Code at a future meeting of the Building Board of Appeals.

A copy of the Americans with Disabilities Act Standards for Accessible Design, 2010, may be found at the United States Department of Justice, Civil Rights Division's website at:

https://www.ada.gov/2010ADAstandards_index.htm

Illinois Energy Conservation Code, 2018

The Smart Energy Design Assistance Center (SEDAC), in partnership with the Illinois Environmental Protection Agency's Office of Energy, provides training to increase awareness of the Illinois Energy Conservation Code and to improve the energy efficiency of new construction and renovation in Illinois.

SEDAC's website indicates "The Illinois Energy Conservation Code (IECC) designed [sic] to help protect the environment and reduce energy consumption. By following an energy conservation code, property owners can reduce air pollution, moderate energy demand, and stabilize energy costs and electric, oil, and gas supplies.

The efficiency gains of the 2009 IECC set a new baseline for International Energy Conservation Code-compliant, new single-and multifamily homes, and while, there will be regional variability and uncertainty in technology penetration, quantitative estimates of National Energy & Cost Savings for New Single-and Multifamily Homes from U.S.DOE concluded that moving from a baseline of the 2006 IECC to the 2009 IECC reduces average annual energy costs by 10.8%, while moving from the same baseline 2012 IECC reduces them by 32.1%. In its May 2015 report entitled 2015 IECC: Energy Savings Analysis, the U.S.DOE concludes that new single and multifamily homes built to the 2015 IECC, compared with buildings built to the 2012 IECC, would result in an energy cost savings of approximately 0.82-0.63 percent for Illinois Climate Zones 4 and 5" (Glen Ellyn is located within Zone 5). Further, "in its June 2015 report entitled Energy and Energy Cost Savings Analysis of the 2015 IECC for Commercial Buildings, the U.S. DOE concludes that new commercial buildings built to the 2015 IECC, compared with buildings built to the 2012 IECC, would result in an energy cost savings of 11.5 percent on a national aggregated basis."

A report prepared by the Pacific Northwest National Laboratory for the U.S. Department of Energy reports that "**Overall, the 2018 edition of the IECC results in site energy savings of 5.1% at the aggregate national level compared to the 2015 IECC edition** (emphasis added). Comparatively, on a national weighted average basis, the 2018 IECC is 2.6% less efficient for energy use than Standard 90.1-2016 (see Appendix B in this report for the full comparison of the 2018 IECC and Standard 90.1-2016). Savings from the 2015 to 2018 IECC vary significantly by prototype and climate. This is expected because code requirements are different by building type and by climate.

A few high-impact changes resulting in significant energy savings are listed below:

- Heating, ventilation and air conditioning (HVAC): dual maximum control requirements to multiple zone variable-air volume (VAV) systems with direct digital control (DDC) (C403.6.1); VAV system ventilation optimization when energy recovery ventilator (ERV) is installed (C403.6.6); and HVAC control for hotel guestroom during unoccupied hours (C403.7.6).
- Lighting: high efficacy lighting in dwelling units (C405.1), and lower interior and exterior lighting power allowance (C405.3.2 and C405.4.2)."

The following charts, taken from the Pacific Northwest National Laboratory report, provide a comparison of energy use intensity and cost for buildings constructed under the 2015 and 2018 IECC for various building uses.

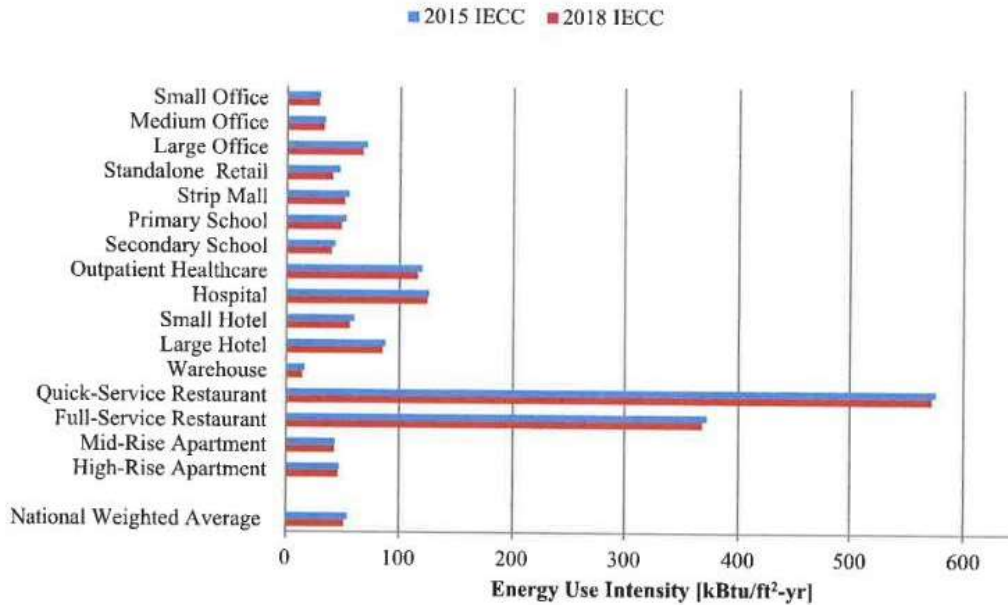


Figure ES.1. National Average Energy Use Intensity for all IECC Prototypes

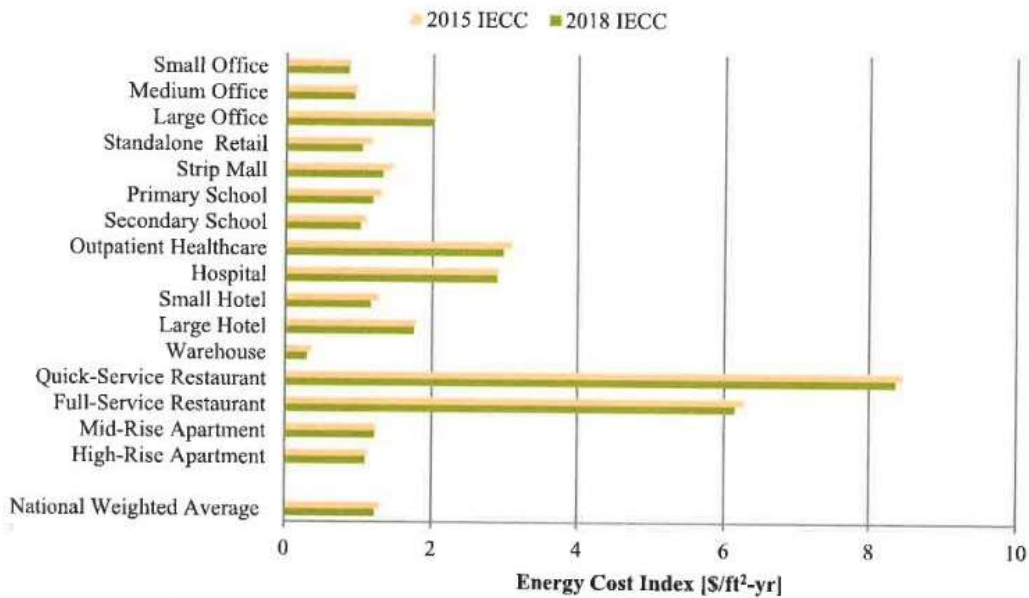


Figure ES. 2. National Average Energy Cost Index for all IECC Prototypes

Other significant changes from the 2015 IECC include:

- Revisions to interior and exterior lighting power budgets and better clarity for lighting controls.
- Clarity that regardless of design methodology, system commissioning is required.
- New limits on heated or cooled vestibules.
- Mechanical provisions reorganized based on equipment type rather than design methodology.
- The maximum allowable fenestration *U*-factors in Table R402.1.2 (for the prescriptive compliance path) for climates zones 3 through 8 have been reduced from the values in the 2015 edition.
- The ICC/RESNET 380 standard has been included as one of standards that can be used for determining the air leakage rate of a building or dwelling unit.
- The Energy Rating Index compliance alternative index values have been increased slightly however, the method for determining an index is now required to be in accordance with standard ICC/RESNET 301.

SEDAC also indicates, “The law requires all new commercial and residential construction for which a building permit application is received by a municipality or county to follow a comprehensive statewide energy conservation code. Renovations, alterations, additions, and repairs to most existing commercial and residential buildings must follow the Illinois Energy Conservation Code. The Law requires design and construction professionals to follow the latest published edition of the International Energy Conservation Code (IECC) which is currently the 2018 IECC and the ASHRAE Standard 90.1-2013 “Energy Standard for Buildings except Low-Rise Residential Buildings,” referenced therein. The updated Illinois Energy Conservation Code based on the 2018 IECC with Illinois Amendments became effective on July 1, 2019.

Under the law, the Capital Development Board has the power to modify the Illinois Energy Conservation Code. Local governments are free to adopt stricter energy conservation laws for commercial buildings defined by the law. However, **for residential buildings defined by the law, local governments may not adopt or regulate energy conservation standards either less or more stringent than the Illinois Energy Conservation Code** (emphasis added). Exceptions which would allow local governments to regulate energy efficient standards in a more stringent manner are municipalities or counties which meet one of the following three provisions:

- A unit of local government that on or before May 15, 2009 adopted or incorporated by reference energy efficient building standards for residential building that are equivalent to or more stringent than the 2006 International Energy Conservation Code
- A unit of local government that on or before May 15, 2009 provided to the Capital Development Board identification of an energy efficient building code or amendment that is equivalent to or more stringent than the 2006 International Energy Conservation Code
- A municipality with a population of 1,000,000 or more”

Since the Village of Glen Ellyn does not qualify for any of these provisions, the IECC should be adopted as written and published. Through local adoption, the Village shall have the authority to enforce the code as well.

SEDAC further indicates, “The law does not apply to buildings designated “historic” or having “landmark status” (interior and exterior separately), buildings exempt from a local building code, and buildings that do not use either electricity or fossil fuel for comfort conditioning. For purposes of determining whether this exemption applies, a building will be presumed to be heated by electricity, even in the absence of equipment used for electric comfort heating, whenever the building is provided with electrical service in excess of 100 amps. The Illinois’ Energy Efficient Building Act may be found in Chapter 20 of the Illinois Compiled Statutes, Act 3125.”

The IECC contains two separate sets of provisions, one for commercial buildings, and one for residential buildings. Each set of provisions is applied separately to buildings within their scope. Commercial provisions apply to all building except for residential buildings three stories or less in height. Residential provisions apply to detached one- and two-family dwellings and multiple single-family dwellings as well as Group R-2, R-3 and R-4 buildings three stories or less in height. Each set of provisions is divided in to five different parts:

- Chapter 1-2: Administration and definitions
- Chapter 3: Climate zones and general materials requirements
- Chapter 4: Energy efficiency requirements
- Chapter 5: Existing buildings
- Chapter 6: Referenced Standards

The State of Illinois adopts a new version of the IECC every three years. The current version is the 2018. Though the Village’s website indicates adoption of the 2009 IECC, the Village did not adopt the 2012 version as concern was raised over the additional cost that would be imposed on new home builders to meet the more stringent requirements. The 2015 version was not adopted either. The 2018 version of the IECC is currently enforced by the Village. **We do not propose any changes to the Illinois Energy Conservation Code, 2018.** We recommend that code be adopted as written and published, along with the State of Illinois’ amendments thereto, which can be found at:

<https://www2.illinois.gov/cdb/business/codes/IllinoisAccessibilityCode/Documents/2018%20Illinois%20Specific%20Amendments.pdf>

A copy of the Illinois Energy Conservation Code, 2018, may be found at the Capital Development Board website by following the link at:

<https://www2.illinois.gov/cdb/business/codes/Pages/default.aspx>

Recommendation:

We recommend that the building Board of Appeals adopt the following State Codes and Federal Act as written and published.

- Illinois Accessibility Code, 2018
- Americans with Disabilities Act Standards for Accessible Design, 2010
- Illinois Energy Conservation Code, 2018, with State of Illinois amendments

No action is required related to the Illinois Plumbing Code, 2014, or the current local amendments, as this code and the amendments thereto are already in effect within the Village.



Glen Ellyn Building Board of Appeals
535 Duane Street
Glen Ellyn, IL 60137

Meeting 11/17/2021 6:30 PM
Department: Community Development
Department Head:
Category: Commission Recommendation
Prepared By:

**AGENDA ITEM (ID
2021-1662)**

DOC ID: 2021-1662

2010 Illinois Americans with Disabilities Act

Statement of the Issue:

Analysis:

Budget Impact:

Action Requested:

Attachments:



Glen Ellyn Building Board of Appeals
535 Duane Street
Glen Ellyn, IL 60137

Meeting 11/17/2021 6:30 PM
Department: Community Development
Department Head:
Category: Commission Recommendation
Prepared By:

**AGENDA ITEM (ID
2021-1663)**

DOC ID: 2021-1663

2018 Illinois Accessibility Code

Statement of the Issue:

Analysis:

Budget Impact:

Action Requested:

Attachments:



Glen Ellyn Building Board of Appeals
535 Duane Street
Glen Ellyn, IL 60137

Meeting 11/17/2021 6:30 PM
Department: Community Development
Department Head:
Category: Commission Recommendation
Prepared By:

**AGENDA ITEM (ID
2021-1664)**

DOC ID: 2021-1664

2018 International Energy Conservation Code

Statement of the Issue:

Analysis:

Budget Impact:

Action Requested:

Attachments: