

**MINUTES**  
**BUILDING BOARD OF APPEALS MEETING**  
**December 15, 2021**

**Call to Order and Roll Call**

The meeting was called to order at 7:06 p.m. by Building Board of Appeals (BBA) Chairperson Thomas Bredfeldt.

Roll was called. Present: Chairperson Tom Bredfeldt, BBA Members Brian Beck, Christopher Clark, Tom Tuscher and Barrington Pope. Absent: BBA Members Matthew Rooney and Robert Stahr.

**Public Comment Non-Agenda Items**

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

**Approval of Minutes**

Draft minutes of the November 17, 2021 meeting were approved by voice vote following a motion by BBA Member Clark, seconded by Member Beck.

**Approval of Transcript**

The transcript from the meeting of November 17, 2021 was approved by voice vote following a motion by BBA Member Tuscher, seconded by Member Beck.

**Old Business**

Village Director of Community Development Staci Springer welcomed to the Board new member Barrington Pope, before providing a brief update on the building community listening session. She reported having received letters or emails with additional comments since the event took place, and said that feedback has been compiled into a chart format. She explained that, post-capture of input, the Village will move forward at a departmental or interdepartmental team level, brainstorming as to how to address these items. Action in response, she said, could entail tweaks to processes, adoption of new regulations, or a Code amendment. For some items, it might not be possible to implement the request. She said she intends to present an updated chart at each BBA meeting, and that further feedback is invited. She requested that those wishing to provide input try to do so before Christmas. She concluded her remarks by suggesting that interested attendees in the audience speak up. David Firchau, 108 S. Ellyn, a carpenter/contractor who owns Firchau Construction, said he would like to know what the relationship is between the Village and TPI for inspections, and what to expect in the process. He said he builds decks, gazebos and pergolas, and wished those present a Merry Christmas. Director Springer replied that TPI is a consultant that provides services, such as building and plumbing inspections, plan reviews and back-up staffing, to municipalities. Mr. Firchau said that the first permit he received in Glen Ellyn was in 1986, and that he used to be able to obtain one “on the spot,” as well as get revisions taken care of at the counter. He expressed that he favors quick resolution of and faster permitting, and indicated that he values working together. Bothered by delays, he exclaimed, “Five days is a long time when you’re in business.” Chairperson Bredfeldt asked if in the past redlines had been made at the counter, in response to which Mr. Firchau described a process entailing instruction, re-labeling/revising, initialing and permitting. Member Tuscher wondered what has changed. Mr. Firchau indicated that delays don’t always happen, but when they do, a project hold-up can snowball. Village Building and Zoning Official Steve Witt responded that

Staff is taking in comments from the building community, which are appreciated, in an effort to find ways to improve.

**Discussion of 2018 International Property Maintenance Code, with proposed amendments**

Building and Zoning Official Witt explained that he would go through proposed changes to the International Property Maintenance Code (as well as the National Electric Code), and referenced major changes that have occurred in the Property Maintenance Code from 2009 to 2012 to 2015, and the 2018 edition. He said the International Code Council publishes the Codes every three years, and that the Village is currently on a nine-year cycle for adopting updates – a cycle the Village is looking to tighten. (He said comparisons were also made with the 2009 edition.) He indicated that the focus would be on items deemed “most consequential to life in Glen Ellyn if the Code is adopted as it’s currently written.” Mr. Witt went on to discuss the two major provisions identified: He explained the Property Maintenance Code now addresses overcrowding of structures – primarily dwelling units. The other item that the new versions of the Code have, he said, is that they bring in requirements for the maintenance of fire-rated assemblies and talks about unsafe conditions. He said the Code language doesn’t say that something has to be installed, but rather explains how it is to be maintained (i.e., safe and fully operational).

Another proposed change Mr. Witt brought up would have bearing on fences and landscaping installed close to a driveway on an adjacent lot – a configuration that can obscure views of pedestrians by drivers, and vehicles by pedestrians. He said Staff proposes establishing an approximately 20 ft. x 20 ft. “visibility triangle” allowing shrubbery and fences to be installed in situations where the driveway is up against the property line, but limit it to a height of no higher than 3 feet. The Code will also define in more detail profile requirements for fences around private swimming pools, hot tubs and spas, Mr. Witt recommends referencing passages in the Residential and Building Codes. He said other topics for consideration are establishing dates (e.g., October 1-May 15) for providing heat (at a minimum temperature of 68°) in dwelling units, and outlining temperature ranges for inside-business occupancies. Mr. Witt said Staff also has referenced safety codes for elevators, to match with the office of the State Fire Marshall, as posted on its site.

According to Mr. Witt, concerns have been expressed about different fire safety aspects of buildings in town, particularly for the C5 Zoning District. There’s been for many years, he related, a notion that in lieu of requiring fire sprinklers in existing buildings to actually look at requiring a fire detection and alarm system to be installed. He also indicated that, stemming from concern about annexed properties, consideration of a Code provision that, if adopted, would require the installation of fire alarm and detection systems or potentially a fire-extinguishing system. Another item, he said, basically just gets the Code in sync with the Building Code, the Residential Code, and the State law for smoke detectors, and another, similarly for carbon monoxide detectors. Mr. Witt reviewed proposed requirements for the installation of fire protection systems for annexed properties. Noting “Continuity of Service,” Mr. Witt expressed concerns about subscription-based alarm systems a level of service could potentially hinge on whether the subscriber is current with payments. BBA Member Clark questioned language referring to a “search warrant,” thinking the correct term is “administrative warrant,” submitting that the Village wants the ability to *administer* inspections. Mr. Witt said he would review the language with the Village attorney.

Pursuant to item #40, Chief Clark wondered if, along with the requirement of a fire alarm and detection system, there would be a system monitored off-site by a central or node station, to which Mr. Witt,

replied, “Currently, the answer to that would be, ‘Maybe’.” Mr. Witt explained that right now the Fire Code requires only assembly and educational occupancies to be direct-connected to DU-COMM. He said the Board could discuss changing this, but that generally it has to go to a third-party reporting station, and then go to DU-COMM. Mr. Clark asked if it would be “either/or,” to which Mr. Witt responded, that it could, saying he believes there’s a higher cost for equipment to be able to do the direct connection to DU-COMM. Mr. Clark advised ensuring off-site reporting, as well as requiring key boxes for premises with alarms. The Fire Chief then asked for confirmation that the Village is not going to allow a subscription alarm where the alarm doesn’t function locally without the subscription. Mr. Witt said this is correct. Mr. Witt brought up a concern about overflowing trash, particularly at multi-family buildings, and said that the concept of issuing a fine or citation on the spot might be considered to help strengthen provisions of the Code. He said he would prepare language to this effect for Board review and approval, as well as for the Pest Elimination Section, with regard to another issue that has come to mind: how to treat bedbugs in multi-family buildings. He endorses a provision that requires landlords fumigate the dwelling unit above, below and to the left and right of an infested unit, to prevent a building-wide health hazard.

### **Discussion of 2017 NFPA 70, National Electric Code, with proposed amendments**

Official Witt introduced documentation displaying changes from the 2011 version (which the Village is currently on) and the 2014 version of the National Electrical Code to the 2017 edition, proposed for adoption. He said information is provided on new requirements for areas where GFCI outlets are going to be required, and which will now include shower stalls, and bathtub and laundry areas, etc. Mr. Witt pointed to a synopsis of changes made between the 2011 and the 2014 versions prepared by an official with the National Electrical Contractors Association, with sections highlighted that would most notably affect electrical work in Glen Ellyn. Mr. Witt referenced additional provisions for receptacles at wet locations or where receptacles are in a face-up position. He also mentioned protection for portable generators, tire inflation or automotive vacuum machines; provisions relative to photovoltaic systems and wind systems. He also cited articles related to the type of cable and raceway systems that are permitted by the NEC, but which he doesn’t think provide best service to homeowners or contractors. Mr. Witt drew attention to a survey of area municipalities relative to items the Village is looking to delete, showing that the majority of these towns, including Elmhurst and Lombard, have deleted the same electrical wiring concepts.

Mr. Witt expressed concern about exposed conduits, saying that the Village is seeing more rooftop installations where EMT conduits are degrading and rotting out, leaving conductors exposed, which could potentially cause arc faults. He also mentioned Staff is looking at minimum service size for single-family dwellings to make sure that each of the conductors and the service entry are all rated for 100 amps, as well as is looking at issues to improve the grounding systems. He introduced Village Inspection Manager Rich Czajkowski, a licensed electrician, who he said could answer questions.

BBA Member Clark asked if there is a limitation on the length of flexible metallic conduit (MC). Mr. Czajkowski said the trade is trying to get away from entire houses being installed with MC – as well as multi-family – as it’s not as versatile as EMT. He said the length is limited to 6 ft. Chairperson Bredfeldt said that he likes the requirement for using screw terminals. Mr. Czajkowski spoke about a change in arrays being good for firemen, and Chairperson Bredfeldt asked if arc fault circuit interrupters are addressed, to which Mr. Czajkowski responded affirmatively, adding that arc faults are required 2017 in all habitable spaces except bathrooms and garages, noting that each Code cycle has ramped up the requirements. He added that the devices have become more reliable, and indicated there’s some leeway in

application. Chairperson Bredfeldt observed that the industry is heading in a direction away from the old-fashioned-type circuit breakers to ground fault- or arcing fault-style breakers for every circuit. Confirming this, Mr. Czajkowski said that 2020 Code will feature a lot more GFCI. Mr. Witt said the Board could consider pulling a snippet from the 2020 Code and amend it into the 2017 version. A discussion of panel installation approaches ensued between Chairperson Bredfeldt and Mr. Czajkowski.

Member Clark, seconded by Member Beck, made a motion to hold over to the next meeting making any recommendation relative to the Property Maintenance Code. The motion carried by voice vote.

Building and Zoning Official Witt said he expects there will be a grace period before new regulations become effective.

Member Beck, seconded by Member Clark, made a motion to accept the proposed National Electric Code modifications. The motion passed by voice vote.

### **Trustee's Report**

Trustee Liaison Kelley Kalinich had nothing to report.

### **Chairman's Report**

None.

### **Staff Report**

Mr. Witt said that going forward the BBA might only review one book at a time, due to the substantial number of sections and changes to remaining Codes. He said, however, the agenda for the next meeting, tentatively scheduled for January 19, 2022, would likely be revisiting the Property Maintenance Code and probably beginning review of the Residential Code.

### **Adjournment**

Chairperson Bredfeldt adjourned the meeting at 8:40 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