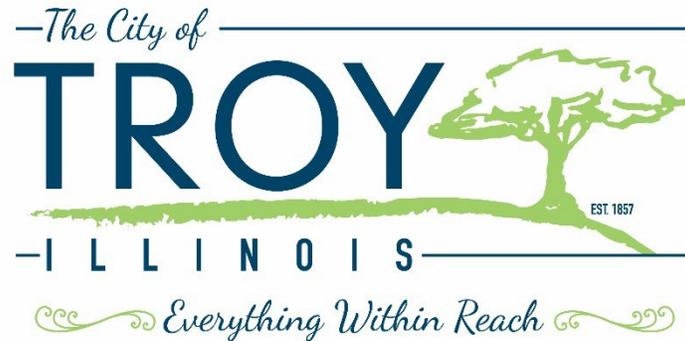


**Return to:**

City Clerk  
116 E. Market Street  
Troy, Illinois 62294



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***Ordinance No. 2025 – 33***

AN ORDINANCE Adopting the 2021 International Building Code, the 2021 International Fire Code, the 2021 International Mechanical Code, the 2021 International Property Maintenance Code, the 2021 International Residential Code, the 2021 International Existing Building Code, the 2021 International Fuel Gas Code, the 2021 International Swimming Pool and Spa Code, the 2021 International/Illinois Energy Conservation Code, the 2020 National Electrical Code, the Illinois Plumbing Code, and the Illinois Accessibility Code

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***Whereas***, the City of Troy, Illinois (the "City") has from time to time adopted certain minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, maintenance, and use of all buildings and structures; and

***Whereas***, the City passed Ordinance No. 2013-09 that adopted the *2012 International Building Code, 2012 International Fire Code, 2012 Mechanical Code, 2012 International Property Maintenance Code, 2012 International Residential Code, 2012 International Fuel Gas Code, 2012 International Swimming Pool and Spa Code* and the *2005 National Electric Code* and now desires to repeal this ordinance and subsequent amendments to it; and

**Whereas**, the City Council, after due deliberation and review, wishes to adopt the *2021 International Building Code*, the *2021 International Fire Code*, the *2021 International Mechanical Code*, the *2021 International Property Maintenance Code*, the *2021 International Residential Code*, the *2021 International Existing Building Code*, the *2021 International Fuel Gas Code*, the *2021 International Swimming Pool and Spa Code*, the *2021 International/Illinois Energy Conservation Code*, the *2021 National Electrical Code*, the *Illinois Plumbing Code* and the *Illinois Accessibility Code* as the Building Codes of the City, and to provide penalties for violations thereof.

**Now, therefore, be it ordained by the Mayor and the City Council of the City of Troy, Madison County, Illinois as follows:**

**SECTION 1:** In the event of conflicts between any provision of this Ordinance and any previously adopted and approved Ordinance, the provisions of this Ordinance shall govern. Ordinance No. 2013-09 and all subsequent amendments are hereby repealed.

**SECTION 2:** The Building Codes of the City of Troy, Illinois shall consist of the following, which are incorporated by reference and made a part hereof as though fully set out herein, and are hereby adopted (collectively, the “City Codes”):

- (1) The *2021 International Building Code*, published by the International Code Council, Inc., including Appendices G and J and the amendments prescribed in §§ 151.020 through 151.022, is hereby adopted as the “Building Code of the City of Troy, Illinois” (the “Building Code”);
- (2) The *2021 International Existing Building Code*, published by the International Code Council, Inc. et al., including the amendments prescribed in §§ 151.030 and 151.031, is hereby adopted as the “Existing Building Code of the City of Troy, Illinois” (the “Existing Building Code”);
- (3) The *2020 National Electrical Code*, published by the National Fire Protection Association, Inc., including the amendments prescribed in §§ 151.040, is hereby adopted as the “Electrical Code of the City of Troy, Illinois” (the “Electrical Code”);
- (4) The *2021 International Residential Code*, published by the International Code Council, Inc. et al., and the amendments prescribed in §§ 151.050 and 151.051, is hereby adopted as the “Residential Code of the City of Troy, Illinois” (the “Residential Code”);
- (5) The *2021 International Property Maintenance Code*, published by the International Code Council, Inc. et al., including Appendix A and the amendments prescribed in §§ 151.060 and 151.061 is hereby adopted as the “Property Maintenance Code of the City of Troy, Illinois” (the “Property Maintenance Code”);
- (6) The *2021 International Fire Code*, published by the International Code Council, Inc. et al., including Appendices B, C, D, and E and the amendments prescribed in §§ 151.070 and 151.071, is hereby adopted as the “Fire Code of the City of Troy, Illinois” (the “Fire Code”);
- (7) The *2021 International Fuel Gas Code*, published by the International Code Council, Inc. et al., including the amendments prescribed in §§ 151.080 and 151.081, is hereby adopted as the “Fuel Gas Code of the City of Troy, Illinois” (the “Fuel Gas Code”);

(8) The *2021 International Mechanical Code*, published by the International Code Council, Inc. et al., including Appendix A thereto and the amendments prescribed in §§ 151.090 and 151.091, is hereby adopted as the “Mechanical Code of the City of Troy, Illinois” (the “Mechanical Code”);

(9) The *2021 International/Illinois Energy Conservation Code*, published by the International Code Council, Inc. et al., including the amendments prescribed in §§ 151.100 and 151.101, is hereby adopted as the “Energy Conservation Code of the City of Troy, Illinois” (the “Energy Code”);

(10) The *Illinois Plumbing Code 77 IL Admin Code 890*, published by the Illinois Department of Public Health as prescribed in §§ 151.110 and 151.111, is hereby adopted as the “Plumbing Code of the City of Troy, Illinois” (the “Plumbing Code”);

(11) The *2018 Illinois Accessibility Code 71 IL Admin Code 400*, published by the Illinois Capital Development Board as prescribed in §§ 151.120, is hereby adopted as the “Accessibility Code of the City of Troy, Illinois”.

(12) The *2021 International Swimming Pool and Spa Code*, published by the International Code Council, Inc. et al., including the amendments prescribed in §§ 151.130 and 151.131, is hereby adopted as the “Swimming Pool and Spa Code of the City of Troy, Illinois” (the “Swimming Pool and Spa Code”);

The City Clerk is hereby authorized and directed to maintain on file in the Office of the City Clerk one copy each of the Building Code, the Existing Building Code, the Electrical Code, the Residential Code, the Property Maintenance Code, the Fire Code, the Fuel Gas Code, the Mechanical Code, the Energy Conservation Code, the Plumbing Code, the Illinois Accessibility Code, and the Swimming Pool and Spa Code as herein adopted (collectively, the "City Codes").

**SECTION 3:** Chapter 151 Building and Building Regulations of the Code of Ordinances shall be amended to read as follows:

#### **§ 151.002 ENFORCEMENT GENERALLY.**

The Building Inspector of the city shall enforce the provisions of this chapter and is hereby designated as the “Code Official” as referenced in the city codes.

#### **§ 151.003 TRACTS OF LAND TO BE STAKED.**

Survey stakes shall be placed marking the boundaries of any tracts of land on which construction is being engaged for which building permits have been issued within the city to enable the building inspectors to determine compliance with setback lines.

#### **§ 151.004 MAINTENANCE OF CONSTRUCTION SITES.**

(A) Dumpsters.

(1) Each building construction site shall have on-site a construction dumpster of sufficient capacity to contain the construction debris generated by the construction activity on the

site. However, up to three residential construction sites may share one construction dumpster of sufficient capacity if all three sites are adjacent.

(2) All construction debris from each building construction site shall be placed in the construction site dumpster(s) by the end of each work day.

(3) Each construction site dumpster, having been filled, shall be removed from the construction site and replaced with another empty dumpster until construction debris is no longer generated on the site.

(B) Rocked driveways.

(1) Each commercial construction site or subdivision construction site entrance shall have its driveway or roadway (as delineated on the building permit application site plan) rocked with CA3 (three-inch minimum) to a minimum depth of six inches. This division may not be required if the permanent paved driveway or entry road is in place and can be used by all construction equipment or delivery vehicles.

(2) Each residential building construction site shall have its driveway (as delineated on the building permit application site plan) rocked with CA6 to a minimum depth of three inches.

(3) Rock drives or roadways must be constructed and maintained on stable soil to maintain the desired intent, or the rock shall be replaced and/or soil stabilization may be required, as directed by the Code Official.

(4) All deliveries of building materials, of all kinds, shall be made using the rock road or driveway, without exception.

(C) Sanitary facilities. Each building construction site shall provide sanitary facilities (including toileting and hand washing facilities) for the convenience of all workers and shall be discharged into a sanitary sewer, or if the facility is portable, it shall be an enclosed, chemically-treated, tank-tight unit. All non-sewered units shall be pumped regularly to ensure adequate working and sanitary facilities.

(D) Responsibility. It shall be the responsibility of the permit holder and any individual or company acting under the direction of the permit holder to ensure compliance with all provisions of this section.

#### **§ 151.005 CONSTRUCTION AND EXCAVATION NEAR HIGH-PRESSURE PETROLEUM PIPELINES.**

(A) It shall be unlawful for any person to construct any building or other structure (including a street) any part of which is within the right-of-way of any underground high-pressure petroleum pipeline.

(B) It shall be unlawful for any person to make any excavation, regardless of the size thereof, within the right-of-way of any underground high-pressure petroleum pipeline without having first obtained permission/approval from the owner of the pipeline.

(C) It shall be unlawful for any person to construct a street over, or within the right-of-way of, any underground high-pressure petroleum pipeline without first obtaining approval from the

owner to construct that street. Before any person constructs a street over an underground high-pressure petroleum pipeline, he or she shall cause that portion of the pipeline below the street to be improved/upgraded per the specifications required by the owner of the high-pressure petroleum pipeline.

#### **§ 151.006 FEE SCHEDULE.**

The fees for services in connection with Chapter 151 Buildings and Building Regulations shall be established by the City Council and noted in Appendix A: Fee Schedule.

#### **§ 151.007 REFUNDS.**

**No portion of any fee shall be returned to a permit holder in the case of a building permit or a suspension, discontinuance, or abandonment of work.**

### ***BUILDING CODE***

#### **§ 151.020 ADOPTION OF BUILDING CODE.**

(A) A certain document, two copies of which are on file in the office of the Building & Zoning Department, being marked and designated as the *International Building Code, 2021* edition, including Appendix chapters, as published by the International Code Council, is hereby adopted as the Building Code of the city.

#### **§ 151.021 AMENDMENTS.**

(A) The following sections of the *2021 International Building Code* are revised and amended as follows:

(1) **Section 101.1 Title** is hereby amended by substituting "City of Troy, Illinois" for the words "[NAME OF JURISDICTION]".

(2) **Section 103.1 Creation of enforcement agency** is hereby repealed, and a new Section 103.1 is adopted in lieu thereof as follows:

**103.1 Enforcement agency and Code Official defined.** The Building & Zoning Department of the City of Troy is responsible for the implementation, administration and enforcement of the provisions of this code. The term "building official" used in this code shall mean the Code Official of the City of Troy and any authorized designees.

(3) **Section 103.2 Appointment** is hereby repealed in its entirety.

(4) **Section 113 Means of Appeals** is deleted in its entirety.

(5) **Section 114 Violations** is hereby amended by adding to Paragraph 114.4 as follows:

**114.4.1 Penalties.** Any person who violates any of the provisions of this code or fails to comply with any order issued under any section of this code shall be punished following the provisions outlined in **§ 151.999 Penalty**.

**114.4.2 License revocation or suspension.** The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise.

**114.4.3 Relief.** Violations of this code that are continuous with respect to time may be abated by injunctive or equitable relief. The imposition of a penalty does not prevent equitable relief.

(6) **Subsection 1809.12 Timber Footings; Subsection 1810.3.2.4 Timber;** and **Subsection 1810.3.2.4.1 Preservative Treatment** are deleted in their entirety.

(7) **Table 1810.3.2.6 Item #6 Timber** is deleted in its entirety.

#### **§ 151.022 MOBILE HOME INITIAL LOCATION, BUILDING PERMIT REQUIRED.**

(A) The term MOBILE HOME, as used in this section, is defined in § 152.001.

(B) Notwithstanding any provision of this code the owner of a mobile home shall apply for and obtain a building permit from the city before initially locating or relocating that mobile home within the city.

#### ***INTERNATIONAL EXISTING BUILDING CODE***

#### **§ 151.030 ADOPTION OF EXISTING BUILDING CODE.**

A certain document, two copies of which are on file in the office of the Building and Zoning Department, being marked and designated as the *International Existing Building Code, 2021* edition, as published by the International Code Council, is hereby adopted as the Existing Building Code of the city.

#### **§ 151.031 AMENDMENTS.**

(A) The *2021 International Existing Building Code* is amended and revised in the following respects:

(1) **Section 101.1 Title** is hereby amended by substituting “City of Troy, Illinois” for the words “[NAME OF JURISDICTION]”.

(2) **Section 103.1 Creation of enforcement agency** is hereby repealed, and a new **Section 103.1** is adopted in lieu thereof as follows:

**103.1 Enforcement agency and Code Official defined.** The Building & Zoning Department of the City of Troy is responsible for the implementation, administration and enforcement of the provisions of this code. The term "building official" used in this code shall mean the Code Official of the City of Troy, Illinois and any authorized designees.

(3) **Section 103.2 Appointment** is hereby repealed in its entirety.

(4) **Section 112 Means of Appeals** is deleted in its entirety.

(5) **Section 113.4 Violation penalties** is hereby amended by adding to Paragraph 113.4 as follows:

**113.4.1 Penalties.** Any person who violates any of the provisions of this code or fails to comply with any order issued under any section of this code shall be punished following the provisions outlined in **§ 151.999 Penalty**.

**R113.4.2 License revocation or suspension.** The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise.

**114.4.3 Relief.** Violations of this code that are continuous with respect to time may be abated by injunctive or equitable relief. The imposition of a penalty does not prevent equitable relief.

(6) **Sections 117.3 Failure to comply** and **117.4 Salvage materials** are hereby repealed in their entirety. *(See applicable Illinois law on demolition of unsafe structures.)*

### ***NATIONAL ELECTRICAL CODE***

#### **§ 151.040 AMENDMENTS.**

(A) The *2020 National Electrical Code* is hereby amended as follows:

(1) Section 90-4 is hereby amended by adding thereto the following provisions:

The Building & Zoning Department and the Code Official of the City of Troy and authorized designees (individually a "code official" and together, the "code officials") are hereby authorized and designated to carry out the enforcement provisions of this code.

(B) The following additional regulations and standards are hereby adopted as supplementary and in addition to the requirements of the *2020 National Electrical Code* and are hereby incorporated as if fully set forth therein:

(1) All new construction and all structures where the size of an addition is at least 25% of the existing floor space shall have a minimum service of 200 amps.

(2) No other electrical conductor other than copper shall be used in the City other than by the utility company in its service supply lines or service and feeders approved by the Code Official.

(3) Branch circuits shall be at least Number 12 gauge wire.

(4) Use of circuit breakers commonly known and referred to as "space saver circuit breakers" shall be prohibited in new construction. It may be allowed in panelboard replacement in existing services and in upgrading of existing services if the service panel is rated for their use, with the approval of the Code Official. The minimum width of any service panelboard circuit breaker shall be  $\frac{3}{4}$  inch. All such circuit breakers shall be of "unit-pole" design and operation, having one overcurrent protection device per set of terminals; the use of twin, tandem or similar circuit breakers that feature or allow two or more overcurrent

protection devices on a single set of terminals shall not be permitted. For the purpose of this code, a "unit pole" circuit breaker is a single overcurrent protection device that, without another, makes use of one line-side terminal and its opposite load center bus-bar terminal. Any such use shall meet the manufacturer's requirements.

(5) A maximum of 42 circuits per panel shall be allowed on a 200 amp service panel and 24 circuits on a 125 amp service panel. Breaker panels and/or fuse panels shall be marked within the panel designating circuit numbers and the corresponding area(s) and/or equipment or features they service. All service panels shall contain a 2-pole space for future expansion.

### ***INTERNATIONAL RESIDENTIAL CODE***

#### **§ 151.050 ADOPTION OF RESIDENTIAL CODE.**

A certain document, two copies of which are on file in the office of the Building & Zoning Department being marked and designated as the *International Residential Code*, 2021 edition, as published by the International Code Council, is hereby adopted as the Residential Code of the city.

#### **§ 151.051 AMENDMENTS.**

(A) The following sections of the *2021 International Residential Code* are revised and amended as follows:

(1) **Section 101.1 Title** is hereby amended by substituting "City of Troy, Illinois" for the words "[NAME OF JURISDICTION]".

(2) **Section R103.1 Creation of enforcement agency** is hereby repealed in its entirety, and a new Section R103.1 is hereby adopted in lieu thereof as follows:

R103.1 Enforcement agency and Code Official defined. The Building & Zoning Department of the City of Troy is responsible for the implementation, administration and enforcement of the provisions of this code. The term "building official" used in this code shall mean the Code Official of the City of Troy and any authorized designees.

(3) **Section R103.2 Appointment** is hereby repealed in its entirety.

(4) **Section R112 Board of Appeals** is hereby repealed in its entirety.

(5) **Section R113.4 Violation penalties** is hereby amended by adding to Paragraph 113.4 as follows:

**R113.4.1 Penalties.** Any person who violates any of the provisions of this code or fails to comply with any order issued under any section of this code shall be punished following the provisions outlined in **§ 151.999 Penalty**.

**R113.4.2 License revocation or suspension.** The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise.

**R114.4.3 Relief.** Violations of this code that are continuous with respect to time may be abated by injunctive or equitable relief. The imposition of a penalty does not prevent equitable relief.

(6) Table R301.2 Climatic and Geographic Design Criteria is amended by inserting the following:

GROUND SNOW LOAD <sup>o</sup>	WIND DESIGN				SEISMIC DESIGN CATEGORY <sup>r</sup>	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIREMENT <sup>r</sup>	FLOOD HAZARDS <sup>9</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>i</sup>
	Speed <sup>d</sup> (mph)	Topo effects <sup>k</sup>	Spec wind regions <sup>l</sup>	Windborne debris zone <sup>n</sup>		Weathering <sup>a</sup>	Frost line depth <sup>b</sup>	Termite <sup>f</sup>	Decay					
20	90				C	Severe	36"	Mod to heavy	Slight to mod.	31.2	No	2023	1,500 or less	55

(7) **Section R309.5 Fire Sprinklers** is deleted in its entirety and inserted in its place is the following:

**R309.5 Separation required.** The garage shall be separated from the residence and its attic area by not less than 5/8-inch (15.9 mm) Type X gypsum board or equivalent applied to the garage side of habitable spaces. Garages beneath habitable spaces shall be separated from all habitable spaces above by not less than 5/8-inch (15.9 mm) Type X gypsum board or equivalent. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than 1/2-inch (12.7 mm) gypsum board or equivalent.

(8) **Section R313.1 Townhouse automatic fire sprinkler systems** is amended by deleting the section and exception and replacing with the following:

**Section R313.1 Townhouse automatic fire sprinkler systems.** An automatic residential fire sprinkler system shall not be required in townhouses; however, if a builder or purchaser elects to install an automatic residential fire sprinkler system, it shall comply with section P2904 or NFPA 130.

(9) **Section R313.2 One- and two-family dwellings automatic fire sprinkler systems** is amended by deleting the section and exception and replacing with the following:

**Section R313.2 One- and two-family dwellings automatic fire sprinkler systems.** An automatic residential fire sprinkler system shall not be required in one- and two-family dwellings; however, if a builder or purchaser elects to install an automatic residential fire sprinkler system, it shall comply with section P2904 or NFPA 130.

(10) **Sections R402.1 Wood foundations, R402.1.1 Fasteners, and R402.1.2 Wood treatment** are deleted in their entirety.

(11) **Figures R403.1(2) and R403.1(3) Permanent Wood Foundations** are deleted in their entirety.

- (12) **Section R403.1.4 Minimum depth** is hereby amended by substituting "200 square feet" under "Exceptions (1) and (2) for 600 and 400 square feet", respectively.
- (13) **Section R405.2 Wood foundations** is deleted in its entirety.
- (14) **Chapter 25 Plumbing Administration, Chapter 26 General Plumbing Requirements, Chapter 27 Plumbing Fixtures, Chapter 28 Water Heaters, Chapter 29 Water Supply and Distribution, Chapter 30 Sanitary Drainage, Chapter 31 Vents, and Chapter 32 Traps** are deleted in their entirety.
- (15) **Appendix AP Sizing of Water Piping System** is deleted in its entirety.

***INTERNATIONAL PROPERTY MAINTENANCE CODE***

**§ 151.060 ADOPTION OF PROPERTY MAINTENANCE CODE.**

A certain document, two copies of which are on file in the office of the Building and Zoning Department being marked and designated as the *International Property Maintenance Code, 2021* edition, as published by the International Code Council, is hereby adopted as the Property Maintenance Code of the city.

**§ 151.061 AMENDMENTS.**

(A) The following sections of the *2021 International Property Maintenance Code* are revised and amended in the following respects:

- (1) **Section 101.1 Title** is hereby amended by substituting "City of Troy, Illinois" for the words "[NAME OF JURISDICTION]".
- (2) **Section 103.1 Creation of agency** is hereby repealed, and a new Section 103.1 is adopted in lieu thereof as follows:
 

**103.1 Enforcement agency and Code Official defined.** The Building & Zoning Department of the City of Troy is responsible for the implementation, administration and enforcement of the provisions of this code. The term "building official" used in this code shall mean the Code Official of the City of Troy and any authorized designees.
- (3) **Section 103.2 Appointment** is hereby repealed in its entirety.
- (4) **Section 107 Means of Appeal** is deleted in its entirety.
- (5) **Section 108 Board of Appeals** is deleted in its entirety.
- (6) **Section 109.4 Violation penalties** is amended as follows:
 

**Section 109.4 Violation penalties.** Any person who violates any of the provisions of this code or fails to comply with any order issued under any section of this code shall be punished following the provisions outlined in § 151.999 Penalty.
- (7) **Section 112.6 Hearing** is deleted in its entirety.

- (8) **Sections 113.3 Failure to comply** and **113.4 Salvage materials** are hereby repealed in their entirety. *(See applicable Illinois law on demolition of unsafe structures.)*
- (9) **Section 302.4 Weeds** is amended by inserting eight inches.
- (10) **Section 304.14 Insect screens** is amended by inserting the dates January 1 through December 31.
- (11) **Section 602.3 Heat supply** is amended by inserting the dates October 1 through April 30.
- (12) **Section 602.4 Occupiable work spaces** is amended by inserting the dates October 1 through April 30.

### ***INTERNATIONAL FIRE CODE***

#### **§ 151.070 ADOPTION OF FIRE CODE.**

A certain document, two copies of which are on file in the office of the Building and Zoning Department being marked and designated as the *International Fire Code*, 2021 edition, as published by the International Code Council, is hereby adopted as the Fire Code of the city.

#### **§ 151.071 AMENDMENTS.**

(A) The following sections of the *2021 International Fire Code* are amended and revised in the following respects:

- (1) **Section 101.1 Title** is hereby amended by substituting “City of Troy, Illinois” for the words “[NAME OF JURISDICTION]”.
- (2) **Section 103.1 Creation of agency** is hereby repealed, and a new **Section 103.1** is adopted in lieu thereof as follows:
  - 103.1 Enforcement agency and Code Official defined.** The Building & Zoning Department of the City of Troy is responsible for the implementation, administration and enforcement of the provisions of this code. The term "building official" used in this code shall mean the Code Official of the City of Troy and any authorized designees.
- (3) **Section 103.2 Appointment** is hereby repealed in its entirety.
- (4) **Section 104.1 General** is hereby amended by adding the following text: “The Code Official shall not exercise any authority over fire service features regarding fire scenes or any other sections of this code that pertain to the operation of and/or duties performed by the Troy Volunteer Fire Department. Those duties and authority remain with the Troy Fire Chief or their designee.”
- (5) **Section 111 Means of Appeals** is deleted in its entirety.
- (6) **Section 112.4 Violation penalties** is amended as follows:

**112.4 Violation penalties.** Any person who violates any of the provisions of this code or fails to comply with any order issued under any section of this code shall be punished following the provisions outlined in § 151.999 Penalty.

(7) **Section 903.3.1.3 NFPA 13D sprinkler systems** is amended to read as follows:

“Automatic sprinkler systems installed in Group R-3 and R-4 congregate living facilities shall be permitted to be installed throughout in accordance with NFPA 13D.”

(8) **Section 1103.5 Sprinkler systems** is hereby repealed in its entirety and a new Section 1103.5 is hereby adopted in lieu thereof as follows:

"Section 1103.5 Sprinkler Systems. An automatic sprinkler system shall be provided in existing buildings in accordance with Sections 1103.5.1 through 1103.5.2.

**1103.5.1 Pyroxylin plastics.** An automatic sprinkler system shall be provided throughout existing buildings where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg).

Vaults located within buildings for the storage of raw pyroxylin shall be protected with an approved automatic sprinkler system capable of discharging 1.66 gallons per minute per square foot (68 L/min/m<sup>2</sup>) over the area of the vault.

**1103.5.2 Group I-2.** An automatic sprinkler system shall be provided throughout existing I-2 fire areas. The sprinkler system shall be provided throughout the floor where the Group I-2 occupancy is located, and on all floors between the Group I-2 occupancy and the level of exit discharge.

## ***INTERNATIONAL FUEL GAS CODE***

### **§ 151.080 ADOPTION OF FUEL GAS CODE.**

A certain document, two copies of which are on file in the office of the Building and Zoning Department being marked and designated as the *International Fuel Gas Code*, 2021 edition, as published by the International Code Council, is hereby adopted as the Fuel Gas Code of the city.

### **§ 151.081 AMENDMENTS.**

(A) The following sections of the *2021 International Fuel Gas Code* are amended and revised in the following respects:

(1) **Section 101.1 Title** is hereby amended by substituting “City of Troy, Illinois” for the words “[NAME OF JURISDICTION]”.

(2) **Section 103.1 Creation of agency** is hereby repealed, and a new **Section 103.1** is adopted in lieu thereof as follows:

**103.1 Enforcement agency and Code Official defined.** The Building & Zoning Department of the City of Troy is responsible for the implementation, administration and enforcement of the provisions of this code. The term "building official" used in

this code shall mean the Code Official of the City of Troy and any authorized designees.

- (3) **Section 103.2 Appointment** is hereby repealed in its entirety.
- (4) **Section 113 Means of Appeal** is deleted in its entirety.
- (5) **Section 114 Board of Appeals** is deleted in its entirety.
- (6) **Section 115.4 Violation penalties** is amended as follows:

**115.4 Violation penalties.** Any person who violates any of the provisions of this code or fails to comply with any order issued under any section of this code shall be punished following the provisions outlined in **§ 151.999 Penalty**.

### ***INTERNATIONAL MECHANICAL CODE***

#### **§ 151.090 ADOPTION OF MECHANICAL CODE.**

A certain document, two copies of which are on file in the office of the Building and Zoning Department being marked and designated as the *International Mechanical Code*, 2021 edition, as published by the International Code Council, is hereby adopted as the Mechanical Code of the city.

#### **§ 151.091 AMENDMENTS.**

(A) The *2021 International Mechanical Code* is amended and revised in the following respects:

(1) **Section 101.1 Title** is hereby amended by substituting "City of Troy, Illinois" for the words "[NAME OF JURISDICTION]".

(2) **Section 103.1 Creation of agency** is hereby repealed, and a new **Section 103.1** is adopted in lieu thereof as follows:

**103.1 Enforcement agency and Code Official defined.** The Building & Zoning Department of the City of Troy is responsible for the implementation, administration and enforcement of the provisions of this code. The term "building official" used in this code shall mean the Code Official of the City of Troy and any authorized designees.

- (3) **Section 103.2 Appointment** is hereby repealed in its entirety.
- (4) **Section 113 Means of Appeals** is deleted in its entirety.
- (5) **Section 114 Board of Appeals** is deleted in its entirety.
- (6) **Section 115.4 Violation penalties** is amended as follows:

**Section 115.4 Violation penalties.** Any person who violates any of the provisions of this code or fails to comply with any order issued under any section of this code shall be punished following the provisions outlined in **§ 151.999 Penalty**.

## ***INTERNATIONAL/ILLINOIS ENERGY CONSERVATION CODE***

### **§ 151.100 ADOPTION OF ENERGY CONSERVATION CODE.**

A certain document, two copies of which are on file in the office of the Building and Zoning Department being marked and designated as the *International Energy Conservation Code, 2021* edition, as published by the International Code Council, is hereby adopted as the Energy Conservation Code of the city.

### **§ 151.101 AMENDMENTS.**

(A) The *2021 International Energy Conservation Code* is amended and revised in the following respects:

- (1) **Section C101.1 Title** is hereby amended by substituting “City of Troy, Illinois” for the words “[NAME OF JURISDICTION]”.
- (2) **Section C110 Board of Appeals** is deleted in its entirety.

### **§ 151.102 CERTIFICATION THAT WORK CONFORMS TO THE ENERGY CONSERVATION CODE.**

(A) The person doing the work or the owner of property on which any applicable work is done shall provide documentation to the Building & Zoning Department that the work conforms to the requirements of the Energy Conservation Code.

The documentation must be accomplished by a notarized certificate of compliance, as provided by the Code Official.

## ***ILLINOIS PLUMBING CODE***

### **§ 151.110 ADOPTION OF PLUMBING CODE**

The *Illinois Plumbing Code 77 IL Admin Code 890* is hereby adopted with no amendments.

### **§ 151.111 CERTIFICATION THAT PLUMBING WORK CONFORMS TO THE ILLINOIS PLUMBING CODE.**

(A) The owner or owners of property on which any work is done on any plumbing system shall provide documentation to the Building & Zoning Department that the work conforms to the requirements of the Illinois Plumbing Code.

The documentation must be accomplished by a notarized certificate of compliance to the Illinois Plumbing Code by a state-certified plumber.

## ***ILLINOIS ACCESSIBILITY CODE***

### **§ 151.120 ADOPTION OF THE ILLINOIS ACCESSIBILITY CODE**

The Accessibility Code is hereby adopted with no amendments.

(Ord.)

## ***INTERNATIONAL SWIMMING POOL AND SPA CODE***

### **§ 151.130 ADOPTION OF SWIMMING POOL AND SPA CODE.**

A certain document, two copies of which are on file in the office of the Building and Zoning Department being marked and designated as the *International Swimming Pool and Spa Code, 2021* edition, as published by the International Code Council, be and is hereby adopted as the Pool and Spa Code of the city.

### **§ 151.131 AMENDMENTS.**

(A) The *2021 International Swimming Pool and Spa Code* is amended and revised in the following respects:

(1) **Section 101.1 Title** is hereby amended by substituting “City of Troy, Illinois” for the words “[NAME OF JURISDICTION]”.

(2) **Section 103.1 Creation of agency** is hereby repealed, and a new **Section 103.1** is adopted in lieu thereof as follows:

**103.1 Enforcement agency and Code Official defined.** The Building & Zoning Department of the City of Troy is responsible for the implementation, administration and enforcement of the provisions of this code. The term "building official" used in this code shall mean the Code Official of the City of Troy and any authorized designees.

(3) **Section 103.2 Appointment** is repealed in its entirety.

(4) **Section 111 Means of Appeal** is repealed in its entirety.

(5) **Section 112 Board of Appeals** is repealed in its entirety.

(6) **Section 113.4 Violation penalties** is hereby amended to read as follows:

**113.4 Violation penalties.** Any person who violates any of the provisions of this code or fails to comply with any order issued under any section of this code shall be punished following the provisions outlined in **§ 151.999 Penalty**.

## ***RENTAL HOUSING REGISTRATION***

### **§ 151.170 INTRODUCTION; PURPOSE.**

It is the intention of the city to take steps that will improve the livability and valuation of the city's housing stock and to promote revitalization of the city's neighborhoods. Studies have shown that rental housing tends to generate a disproportionately high level of Building Code violations and code enforcement problems. Inspecting rental housing on a systematic basis and requiring compliance with the minimum level of housing standards contained in the International Property Maintenance Code, as adopted by the city, and all other codes referenced therein, shall eventually help reduce housing deterioration in the city's neighborhoods and will promote revitalization. With

this in mind, this subchapter sets forth a rental housing registration and systematic inspection program.

### **§ 151.171 DEFINITIONS.**

(A) General guidelines. The International Property Maintenance Code, as adopted in § 151.060, shall be the source of definitions affecting the provisions of this subchapter unless specifically provided hereinafter in this section. When conflicts occur, definitions provided in the International Property Maintenance Code shall apply.

(B) Terms defined. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CODE OFFICIAL. The City Code Official or his or her assigns.

DWELLING. See International Property Maintenance Code.

OCCUPANCY PERMIT. A written document, signed by the Code Official, certifying that a dwelling conforms to the city's approved International Property Maintenance Code and complies with code requirements.

OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person and the executor or administrator of the estate of the person if ordered to take possession of real property by a court having jurisdiction.

OWNERSHIP; CHANGE IN. Change of owners as described herein, in addition to any sale by contract whether recorded or not, and any transfer of property title or rights to property whether or not remuneration is provided.

RENTAL DWELLING. A dwelling unit offered for remuneration whether for cash or any other form of payment.

### **§ 151.172 REGISTRATION OF RENTAL HOUSING REQUIRED.**

All owners of rental dwelling(s) shall be required to register each unit of the dwelling(s) within 60 days after the effective date hereof. Owners of hotels or other dwellings who rent units on a monthly basis shall also be required to register the units within this 60-day period. After the effective date hereof, it shall be unlawful for any person or entity to rent a dwelling within the corporate limits of the city unless the person or entity complies with the requirements of this subchapter. Failure to comply with the requirements of this subchapter shall subject the person or entity to the penalties set forth herein. Owners shall complete a registration application for each unit of their dwelling(s) on forms provided by the Code Official.

### **§ 151.173 UPDATING REGISTRATION AT CHANGES IN OWNERSHIP.**

A new owner of any rental dwelling(s) shall be required to update the unit(s) registration within 60 days of a change in ownership and/or at the time of any change in tenancy of any unit(s).

**§ 151.174 INITIAL OCCUPANCY PERMIT.**

All owners of any rental dwelling unit(s) shall obtain an occupancy permit prior to a new tenant moving into any rental unit after the effective date hereof, or, in the event that a rental unit is currently occupied on the effective date hereof, the owner of the rental unit shall obtain an occupancy permit within two years after the effective date hereof. The owner, or his or her agent, shall obtain an occupancy permit for the unit of each such dwelling and pay an inspection fee as provided herein per unit in the office of the Code Official.

**§ 151.175 OCCUPANCY PERMIT APPLICATION AND FEES.**

- (A) Upon any change in tenancy of a specific rental unit, the owner shall be required to submit the required application for occupancy permit.
- (B) The owner shall make an appointment for an inspection of the property and affected unit to determine compliance with the Property Maintenance Code.
- (C) The fees for services in connection with § 151.179 shall be established by the City Council and noted in Appendix A: Fee Schedule.

**§ 151.176 VIOLATION OF REGISTRATION PROVISIONS.**

Any owner found to violate the registration requirements of this subchapter shall be required to pay an involuntary registration fee of \$150 per rental dwelling unit.

**§ 151.177 COMPLAINTS.**

No provision of this subchapter shall prohibit the Code Official from scheduling an inspection or reinspection based upon a complaint.

**§ 151.178 EXEMPTIONS.**

The following rental dwellings are required to register, but shall be exempt from the inspection for occupancy permit compliance requirements provided herein. They shall, however, be subject to normal inspections under the International Property Maintenance Code if complaints are received from occupants, tenants or owners:

- (A) Dwellings that have received a certificate of occupancy as part of an International Building Code permit process. In the event, however, there is a change in tenancy of a rental dwelling unit, the owner shall be required to apply for an occupancy permit; and
- (B) Dwellings that contain 20 or more contiguous rental dwellings within one property that are annually inspected through programs administered by the State Department of Public Health or the State Housing Development Authority.

**§ 151.179 INSPECTION.**

- (A) The scope of an inspection performed pursuant to this subchapter shall be limited to the minimum housing standards set forth in the International Property Maintenance Code, as adopted

by the city. The International Property Maintenance Code, as adopted by the city, shall act as a guideline for the Code Official in determining whether code violations exist.

(B) Upon completion of an inspection performed pursuant to this subchapter, the Code Official shall prepare a written inspection report. This report shall include, but not necessarily be limited to, the following information:

- (1) Address of the rental dwelling inspected;
- (2) Name of the owner of the dwelling;
- (3) Date of the inspection;
- (4) List of all code violations;
- (5) Name of the person responsible for removing the code violations; and
- (6) A deadline for removing each of the code violations.

#### **§ 151.180 REMEDIAL ACTION.**

(A) The Code Official shall provide a copy of the violation notice to the owner by mailing the notice via first-class mail to the address provided on the registration form. Notice shall be delivered within five business days of the inspection.

(B) All violations shall be removed within 30 days from the date of inspection. If the person responsible for removing the code violations is unable to remove them within the time specified in the violation notice, they must contact the Code Official to request an extension of time to remove the violations. The Code Official may grant an extension of time, for good cause shown, provided that all violations are removed within 60 days from the date of the inspection.

(C) If, after 30 days of the first inspection, the Code Official determines the code violations have not been corrected, additional inspections may be required. Those inspections shall be subject to fees outlined in § 151.175.

#### **§ 151.181 TEMPORARY OCCUPANCY PERMIT.**

(A) The Code Official may allow occupancy of a dwelling as efforts proceed to remedy code violations. This may be accomplished by issuing a temporary occupancy permit for a period not to exceed 30 days from the date of the notice of violation. A temporary occupancy permit shall only be allowed when, in the judgment of the Code Official, practical difficulties exist that inhibit the owner's ability to complete all necessary repairs in a timely manner. A temporary occupancy permit may be reissued for additional period(s) of 30 days, at the discretion of Code Official, if the Code Official has judged that the owner is making a good faith effort to remedy the code violation(s).

(B) However, no temporary occupancy permit shall be issued when, in the opinion of the Code Official, there is a condition on the premises which represents an imminent threat to the health or safety of an occupant. A temporary occupancy permit may be terminated at any time by the Code Official if, in the opinion of the Code Official, the owner is not making a good faith effort to remedy the code violations according to the approved schedule. In this circumstance the Code Official shall have the authority to seek an order to have the rental unit or dwelling vacated of all occupants.

**§ 151.182 OCCUPANCY PERMIT; ISSUANCE.**

If the property is found to be in compliance with the code, the occupancy permit will be presented to the resident with a copy to the owner. Once the violations identified in the inspection report have been remedied, or a schedule acceptable to the Code Official has been approved to remove the violations, an occupancy permit shall be issued by the Code Official. The permit shall be valid until a change in tenancy of the subject rental unit occurs.

**§ 151.183 OCCUPANCY PERMIT; REVOCATION.**

(A) The Code Official may revoke a previously issued occupancy permit under any of the following conditions:

- (1) A code violation which could be detrimental to the health, safety or welfare of the occupants has not been removed within the time frame set out in the violation notice;
- (2) A reinspection performed pursuant to this subchapter reveals violations which could be detrimental to the health, safety or welfare of the occupants of the dwelling unit; or
- (3) Failure to give written notice to the city of any additional or different individuals moving into the unit after issuance of the original permit.

(B) If a condition described above exists which would warrant the termination of an occupancy permit, the Code Official may fine the owner under the penalties set forth in § 151.999 or seek an order to have the rental dwelling vacated of all occupants.

**§ 151.184 EFFECTIVE DATE.**

The effective date of this subchapter shall be January 1, 2008.

**§ 151.999 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) (1) Any person who violates a provision of these Building Codes or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of any approved plan or directive of the Code Official, or of a permit or certificate issued under the provisions of the Building Codes, shall be guilty of a civil offense punishable by a fine of not less than \$100 and not more than \$750, which shall be imposed whether a judgment or order of supervision is entered. Each day that a violation continues shall be deemed a separate offense.

(2) Any person who shall continue any work in or about a structure after having been served with a stop work order under these Building Codes, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than \$100 and not more than \$750, which shall be imposed whether a judgment or order of supervision is entered. Each day that a violation continues shall be deemed a separate offense.

(3) The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise.

(C) Penalties sought in relationship to the provisions of §§ 151.170 through 151.184 shall be in accordance with the penalty section of the International Property Maintenance Code adopted in § 151.070. In addition, any violation of this subchapter shall be punishable by a fine of not less than \$75 and not more than \$750 per offense. Each day of noncompliance shall constitute a separate offense.

**SECTION 4:** The portions of this Ordinance shall be severable. If any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed following the legislative intent.

**SECTION 5:** This Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

**Passed** by the City Council of the City of Troy, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**Alderman:**

Dawson _____	Italiano _____	<b><u>Total:</u></b>
Flint _____	Knoll _____	_____ Ayes
Hellrung _____	Manley _____	_____ Nays
Henderson _____	Turner _____	_____ Abstains

**Approved:**

\_\_\_\_\_  
David Nonn, Mayor

**Attest:**

\_\_\_\_\_  
Kimberly Thomas, City Clerk