

**BUILDING SAFETY CODE BOARD OF APPEALS  
WEDNESDAY, March 22, 2023 – 4:00 P.M.  
COUNCIL CHAMBERS – 400 S. VINE ST.**

**MEMBERS PRESENT:** Scott Kunkel-Chair, Brad Houk, David Seyler, Gary Burgett

**MEMBERS ABSENT:** Darrell Price

**STAFF PRESENT:** Nick Hanson, Mike Phillips, Jamie Lance, Michael Frank,  
Tom Dwyer and Vivian Petrotte

**OTHERS PRESENT:**

**CALL TO ORDER:**

The meeting was called to order by Scott Kunkel at 4:04 p.m. and a roll call was taken. A quorum was present

**OLD BUSINESS:**

There was no old business to discuss.

**APPROVAL OF MINUTES:**

Scott Kunkel asked for a motion to approve the minutes of the meeting held on September 5, 2013. Brad Houk made the motion to approve the minutes and David Seyler1 seconded the motion. Approved unanimously.

**NEW BUSINESS:**

Mr. Kunkel stated that we are looking at the adoption of the 2021 International Code Series and turned it over to Nick Hanson. Mr. Hanson said we are looking to adopt the 2021 ICC Code series. He stated that we are trying to minimize the changes and amendments that the City of Urbana is making themselves and stick as closely to the code as we can for simplicity and clarity. As a whole, we moved quite a few amendments from the past to make sure they correspond to the appropriate codes moving forward. He starting with the residential code and read from his memo regarding some of the significant changes from the old code to the new code. Several of those we don't know if we have a need to adopt, but may be in the future so want to try to be relevant and have access to the codes should they come up. He then asked for questions concerning the IRC.

Mr. Kunkel asked whether the vapor barrier change was related to radon? Mr. Hanson said that was a change in the code itself and not a change that the city was making.

Mr. Houk asked whether tiny homes was a thing now. Mr. Hanson said that they get questions on this all the time. There is speculation about development in northwest Urbana along with Carle hospital for the medically fragile population. Mr. Hanson discussed some of the

questions regarding tiny houses.

Mr. Kunkel asked what the process would be on how homebuilders in the community would be notified of these changes so they could begin to think about it and how it relates to upcoming work.

Mr. Hanson explained the timeline that he has. If it gets approval tonight, then it is on display for 30 days in the city clerk's office before it gets taken to council for approval. Then there is another 30 day waiting period where we notify the state that we are switching over to the 2021 code. During that time we will actually send an email to all the contractors that we have that it's been adopted and this is the prospective change. He said there will be a grace period.

Gary Burgett asked whether the communication would go to the design professionals. Mr. Hanson said he would do his best to make sure everyone was aware of it.

Mr. Phillips brought up there was a miscommunication and that it was not in either Nick or his memo but that the fire dept is proposing residential sprinkler systems in one and two family homes over 5000 gross square feet. Mr. Phillips offered some history and explained that with those large houses, they are mostly in a specific geographical area with larger setbacks, which delays the initial operations time to get lines in place to combat fires. Looking at the data, most houses that burned to the foundation have been in large open floor plan structures.

Mr. Kunkel asked how the code approached qualifying square footage. Does it include basements and garages?

Mr. Phillips said that maybe they should define it but that his interpretation is that includes basement, first floor, second floor, garage spaces, accessory structures that are attached to the building without any type of fire separation.

Mr. Hanson said it would not necessarily include garages as the 2021 code requires garages to have self-closing fire rated doors.

Mr. Hanson said that the code itself requires all houses to have sprinklers. In the past, we have always taken that out. They are now amending the code to only require it for houses above 5000 sq.ft.

Mr. Hanson said we would not require existing houses to retroactively install it.

Mr. Kunkel said they would not approve individual sections but go through all.

Mr. Hanson explained that the options at the end would be

1. Forward to council as is
2. Accept and forward to council with amendments
3. Not accept it and go back to the drawing board.

If there are specific things that we want to amend, then he would ask that we do that as we go through it so that at the end of the night we aren't asking what we talked about in the residential code.

Mr. Kunkel asked whether there were any other questions or comments regarding the residential code before they moved on.

Mr. Hanson then moved on to the building code. He stated that there were minimal changes that were made. If anything, they have reduced some of the amendments that were previously in there. He then summarized his memo regarding the significant changes. He stated that mass timber was one of biggest changes that was made and that had changed from the 2018 to the 2021.

Mr. Kunkel asked if there were any questions from the board regarding IBC adoption and changes.

Mr. Kunkel asked about the special inspections for the fire stopping systems. Is it driven by the time involved from an inspector's standpoint with trying to evaluate all these which can be pretty complicated and there tends to be a lot of fire stopping penetration details on residential buildings.

Mr. Hanson said this was an actual code change, not an amendment that there were making. He said a lot of it is the loss of property and lives. It's the quality of inspections. When a special inspector comes in, that's what they do day in and day out. To help ensure the large loss of live and property.

Mr. Kunkel asked if Mr. Hanson had any idea of the availability of that inspection service in our community. Mr. Kunkel said that they have used special inspectors in the past for things and frequently have had to use inspectors from the Chicago area as there are not a lot of local availability for that service or expertise who are willing to do that. From a practical application standpoint, is that something that developers, contractors or owners will be able to procure that service in a reasonable manner in our community.

Mr. Hanson said that in his time with the city, he can only think of one instance in Urbana that has exceeded 250 people in one project, and that would be the Gather. We do not have the high rises that you see across Wright St. so he does not think it is a concern.

Mr. Kunkel asked about the fire protection regarding 33.13 fire protection during construction and talking about an available water source. Mr. Hanson said that has resulted with larger buildings and when they start demolition, they take out the fire suppression system first. This is more to maintaining that there is something there that can be hooked to. It goes both ways, when they are building up and as they are tearing it down.

Mr. Phillips said that it safeguards against all construction. It requires fire protection water to be on site before combustible construction materials are on site.

Mr. Burgett said he had a question regarding automatic doors at accessible public entrances. It is in the 2021 code. Does that contradict what ADA and Illinois Accessibility Code say? ADA and IAC does not require automatic doors. Mr. Hanson said he thinks that was over 300 occupants. He looked it up in the code and the occupant load was greater than 300 and greater than 500. Mr. Kunkel asked if the same rules would apply for a renovation in an existing building that exceeds those occupant loads. Mr. Hanson said it would depend on whether it was a change in use. Mr. Kunkel asked if it was the same use, would they need to bring it up. Mr. Hanson said they would not.

Mr. Houk asked for clarification on 33.13. With new construction before combustibles are on the job site, there has to be a water service maintained that's accessible on all floors, summer, spring, fall and winter? Mr. Hanson said that is just a pipe. That doesn't mean they have to have water to it. Mr. Houk said the pipe has to be installed and maintained before combustibles can be installed. Is that an inspection?

Mr. Phillips said this would be for a large development. Is does not necessarily mean water service to the structure. Mr. Houk said he was talking vertical as well. Discussion followed on how this could be accomplished.

Mr. Phillips then presented his changes to the fire code. They have spent a lot of time looking at the past amendments and how they fit in to the new codes and determined that most of the amendments were proactive in their day. The goal was to eliminate any amendments that we could because the international codes do a really good job. Mr. Phillips then summarized his memo regarding significant changes. One was a local amendment regarding the motorized gates and doors. In the past we required either a knox key switch or a siren operated sensor to operate these gates. Sadly the siren operated sensor was well ahead of its technical abilities and failed miserably. We are now on a 800 MHz radio system in Champaign County. This allows us to operate gates and doors that have this system on it just like you would operate your garage door. They are eliminating siren operated sensors. With existing gates and doors we are asking for a sunset date for compliance. He said this is a relatively inexpensive upgrade, roughly \$500 for the device and labor. They would like to have a sunset date of January 1, 2026.

He then said a local amendment that they are actually bringing over from Champaign's current amendments to their fire code is to allow the fire code official to require hold open devices on doors that are commonly found propped open during an inspection.

Another change is emergency fire watch by fire service personnel. It allows fire watch for fire protection systems that are out of service. We are proposing that we have the ability to bill for fire watch services. This will be mainly used for a compliance tactic. They are finding more and more that they are spending an hour or more on site waiting for a responder to show up so that we can turn the building over.

He then continued his summary. Another item was he then said one change they were asking

was that any building that requires a class 1 or a class 3 standpipe system to be hydraulically designed and have a 100 psi at the most remote location. He said for the most part, it will require a fire pump. This is an expense.

Another change – fire alarm monitoring. This has been a problem in the City of Urbana. A lot of multi-family buildings have fire alarm systems but they are a local system only, meaning it just alerts within that building. On average a 12 unit apartment building is a \$600 cost to convert these over to monitored systems with an average of \$25 to \$50 dollars a month for monitoring fees. The proposal is that we set a sunset clause of January 1, 2028 to have all manual local fire alarm systems monitored.

Mr. Kunkel asked about the maintenance of the fire resistance rated construction, which is an ICC change, does it spell out a mechanism for what is expected of owner's? Mr. Phillips read that section of the code where it just said it must be maintained.

Mr. Kunkel asked about the fire doors propped open. What triggers it, one time, three time, etc. Mr. Phillips said it does not define how often we see it, it just says the fire code official has the authority to require hold open devices in certain situations where there are continued violations. This came from Champaign's amendments. Mr. Kunkel said he questions a blanket requirement for door hold open hardware when it's going to create other issues. Mr. Hanson said that there are steps that can be involved before it would get to that point. Mr. Phillips said they could appeal to the board. He said they could add some guidance for this.

Mr. Kunkel asked what the response time be for waiting for the maintenance person to arrive. Will the code specify a duration? ½ hour, hour?. Having an understanding on this will be helpful. Mr. Phillips said he was thinking 30 minutes. Mr. Kunkel said 30 minutes from when? Mr. Phillips said from contacting. Mr. Hanson said they may bill, not that they have to. Mr. Phillips asked Mr. Kunkel if 30 minutes would be an issue. Mr. Kunkel said it could be depending on location. Mr. Phillips changed it to 1 hour.

Mr. Hanson changed the amendment to state "the fire department may bill for fire watch services in excess of 60 minutes.

Jamie Lance stated that he had zero amendments to the 2020 NEC. He stated that he would like to add a maintenance level electrical certification as part of our licensing program. It's a much simpler test. Mr. Kunkel asked how it was achieved. Mr. Lance explained the testing. Mr. Lance then summarized what has been added to the NEC.

Mr. Kunkel asked for questions regarding the NEC. Mr. Houk asks about bonding. Mr. Lance explained that it was an option that Carle chooses to do and it is not required by the NEC.

Mr. Dwyer then summarized the memo listing the significant changes to the Property Maintenance Code and amendments that they are proposing. There were no questions.

Mr. Hanson said there were no significant changes to the mobile home section.

Section XI, flood hazard areas is directed by the State of Illinois and we were notified 6 to 9 months ago that our current guidance did not meet their guidance. This is a plug and play that we receive and Public Works is working on it and should have it next week. We can adopt it as they write it but it is not something that we are writing. It's basically something that the state supplies and says fill in your name and that sort of thing. If you are good with it, we can adopt it as they write it and I can send you copies to review.

Mr. Kunkel asked the board if anyone had any problem with it and no one did.

Mr. Hanson said that Corey Ireland, the plumbing/mechanical inspector was not there but that he had told Mr. Hanson there was no significant changes.

Mr. Kunkel said that the code said that we were adopting the Illinois Plumbing Code which is a state mandate but noted that the adopting ordinance said we are adopting the International Plumbing Code in parallel with that. Mr. Hanson said that it has always been the case and that we have only used it when it would be more stringent. There are a few instances where we've referred back to the plumbing code for additional clarity. First and foremost we enforce the Illinois Plumbing Code but if we can't find direction in the Illinois Plumbing Code we've gone back to the International Plumbing Code.

Mr. Kunkel asked if the Illinois Plumbing Code spoke specifically on an issue even if there was a more stringent requirement in the International Code would the Illinois Plumbing Code still govern or would you apply the more stringent from the International. Mr. Hanson said that they would stick with the Illinois Plumbing Code if it was addressed. Mr. Hanson said it is more a resource. Mr. Houk asked if they could add some verbiage that the Illinois Plumbing Code takes precedence. It was agreed and a discussion on the wording of how the International Plumbing Code was secondary. It was decided that The International Plumbing Code will be adopted as a secondary reference to the current Illinois Plumbing Code. In the event of conflicting requirements, the Illinois Plumbing Code shall govern.

Mr. Burgett asked if there were any amendments to the mechanical code. Mr. Hanson said there were no new amendments.

Mr. Kunkel asked if there was any general discussion or comments.

Mr. Houk thanked the staff for their hard work. Mr. Kunkel said he could echo that for all.

Mr. Kunkel said there were three options

Move to approve as presented

Move to approve with specified modifications

Move to deny and staff goes back to the drawing board.

Mr. Burgett moved to accept the adopting ordinance as presented with the items that have been discussed today.

Mr. Kunkel clarified that the motion that was before the board is to accept per option two to recommend approval of the adopting ordinance to city council along with specified modifications which are the modifications that were included within the course of the meeting and will be reflected in the minutes.

Mr. Houk seconded the motion

Mr. Kunkel asked for a roll call for the vote. Motion was approved 4-0.

Mr. Kunkel asked for public comment. There was none.

Mr. Kunkel asked for a motion for adjournment. Mr. Houk made the motion and Mr. Seyler seconded.

**ADJOURNMENT:**

The meeting was adjourned at 5:36 p.m.

Respectfully submitted,

Vivian Petrotte

BSCBA:vp