



Legislation Text

File #: 16-264, **Version:** 2

ACTION REQUESTED:

Communication from the City Manager and the Community Development Director with a Request to ADOPT an ORDINANCE Amending CHAPTER 13 of the City of Peoria CODE Pertaining to BUILDING CODES Based on the Recommendation of the Construction Commission to Adopt the 2012 ICC International Building Code, the 2012 International Fuel Gas Code, the 2012 ICC International Mechanical Code, the 2012 ICC International Property Maintenance Code, the 2012 International ICC Fire Code, the 2012 ICC International Residential Code and the 2014 National Electrical Code.

BACKGROUND:

For approximately the last year, the Construction Commission has been studying the adoption of 2012 building codes to replace the 2006 building codes currently being enforced.

The Construction Commission conducted multiple public meetings and heard from local trade organizations, the Peoria Area Association of Realtors, the Peoria Chamber of Commerce, and the Home Builders Association.

The Construction Commission voted 8-0 to approve the adoption of the following codes:

- 2012 International Building Code
- 2012 International Fuel Gas Code
- 2012 International Mechanical Code
- 2012 International Property Maintenance Code
- 2012 International Fire Code
- 2012 International Residential Code
- 2014 National Electrical Code

The Construction Commission did not make a recommendation on the International Existing Building Code but did ask staff to bring back additional information on a few code sections. Staff will be presenting that information to the Commission in August. An amendment was proposed regarding live/work spaces specifically related to historical buildings. This was the only issue related to the existing building code that was holding up a recommendation for adoption.

The major amendment to a recommended code adoption was related to the 2012 International Residential Code which includes a mandatory requirement that all new single-family dwelling units be sprinklered. The Commission is recommending that sprinkler systems in single-family dwellings not be mandatory; however, homeowners do have the option to have them installed if they choose.

During the course of the year, a few issues were brought to the attention of the Commission and staff that should be noted. They specifically dealt with leniency from code requirements and the ability of staff to use discretion. While staff will do everything within its power to work through code issues, they do not have the ability to grant variances for specific code requirements; that power lies specifically with the Construction Commission, as defined by the City of Peoria Code. With the exception of the Plumbing Code and the Illinois Accessibility Code, one of the major functions of the Construction Commission is to perform all duties required of a board of appeals. Inspectors hold multiple certifications related to their profession and are tasked with enforcing codes passed and adopted by the City Council. While it is not only unfair of contractors, architects,

developers, and applicants to ask staff to make exceptions, it is not allowable by the City of Peoria Code. Please note this does not prevent staff from providing education and exploring alternative solutions to code requirements that still meet the intent of the codes adopted.

Follow up information from last City Council Meeting: During the last Council discussion, Councilwoman Jensen asked about incorporating language into the property maintenance code that would allow native plants on properties. The current code would allow for native plants as long as they were being maintained. Native Plants gardens still need attention so noxious weeds do not overtake existing native plants or grow over ten inches. During the winter months, staff will be reviewing the administrative process for enforcement and education of this process. At that time, a full report will be provided to Council.

FINANCIAL IMPACT: NA

NEIGHBORHOOD CONCERNS: Updating codes ensures building work being conducted in the City of Peoria is constructed with the latest set of national guidelines.

IMPACT IF APPROVED: Codes will go into effect January 1st, 2017.

IMPACT IF DENIED: The City of Peoria will continue to enforce the current adopted codes.

ALTERNATIVES: NA

EEO CERTIFICATION NUMBER: NA

WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2014 - 2029 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?

1. Attractive Neighborhoods with Character: Safe and Livable
2. Grow Peoria: Businesses, Jobs, and Population
3. Financially Sound City Government, Effective City Organization

WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?

1. Reinvest in neighborhoods.
2. Invest in our infrastructure and transportation.
3. Have an efficient government.

DEPARTMENT: Community Development