

VILLAGE OF MALTA

ORDINANCE NO. 2024-04

AN ORDINANCE AMENDING CHAPTER 18, BUILDINGS
AND BUILDING REGULATIONS, ARTICLE II, BUILDING
CODE, OF THE MALTA MUNICIPAL CODE OF THE
VILLAGE OF MALTA, ILLINOIS

ADOPTED BY THE VILLAGE BOARD
OF THE VILLAGE OF MALTA
DATED THIS 18 DAY OF December, 2024

Published in pamphlet form by the authority of the Village Board of the Village of Malta, DeKalb
County, Illinois, this 18 day of Dec., 2024

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AN ORDINANCE AMENDING CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING CODE, OF THE MALTA MUNICIPAL CODE OF THE VILLAGE OF MALTA, ILLINOIS

WHEREAS, the State of Illinois has mandated, in accordance with 20 ILCS 3105/1 *et seq.* that municipalities across the state must adopt certain minimum building code standards not later than January 1, 2025; and

WHEREAS, the Board of Trustees of the Village of Malta, Illinois has determined that it is in the best interest and welfare of the citizens of the Village of Malta to modify its existing regulations by adopting new building and life safety codes in compliance with State of Illinois requirements within the village; and

WHEREAS, the Board of Trustees further believes that certain modifications and amendments to such Codes are appropriate to memorialize and set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE MALTA VILLAGE BOARD as follows:

SECTION ONE: That Sections 18-31 and 18-32 of the Malta Municipal Code be amended by repealing the existing Sections and replacing the same, in their entirety, with the following:

Sec. 18-31. - Adopted.

The following building codes and standards shall be the building code for the village and shall be adopted and incorporated:

- (1) The International Building Code, 2021 Edition.
- (2) The International Residential Code for One- and Two-Family Dwellings, 2021 Edition.
- (3) The International Mechanical Code, 2021 Edition.
- (4) The National Electric Code, 2020 Edition.
- (5) The most recent Illinois State Plumbing Code, Plumbing License Law and Plumbers Licensing Code currently in force as mandated by the Illinois Department of Public Health, and subsequent amendments and updates thereto.
- (6) The International Fuel Gas Code, 2021 Edition.
- (7) The International Fire Code, 2021 Edition.
- (8) The International Property Maintenance Code, 2021 Edition.
- (9) The most recent Illinois Accessibility Code currently in force as mandated by the State of Illinois Capital Development Board and subsequent amendments and updates thereto.
- (10) The International Energy Conservation Code, 2021 Edition

- (11) The International Existing Building Code, 2021 Edition
- (12) The NFPA 101 Life Safety Code, 2021 Edition
- (13) The International Pool and Spa Code, 2021 Edition

Sec. 18-32. – Additions, Deletions, Insertions, Changes

(a) The International Building Code, 2021 Edition, as adopted by the Village Board, is hereby amended as set out in this section:

General

- (1) In all Chapters and Sections where "name of jurisdiction" and/or "chief appointing authority of the jurisdiction" is written, insert "Village of Malta, Illinois".
- (2) In all Chapters and Sections where "International Accessibility Code" is written, insert, "Currently adopted State of Illinois Accessibility Code".

Section 101.1, Title, is amended to read as follows:

101.1 Title: These regulations shall be known as the Building Code of Malta, Illinois, hereinafter referred to as "this Code".

Section 103.1 is amended to read as follows:

Creation of Enforcement Agency: The Village of Malta Building Department is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this Code.

Section 105.2 "Work Exempt From Permit". The following sections are hereby deleted:

105.2 - Building: 1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area is not greater than 120 square feet.

105.2 - Building: 2. Fences not over 7 feet high.

105.2 - Building: 6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.

Section 903.3.5 Water Supplies, is amended to read as follows:

903.3.5 Water Supplies: Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the most recent Illinois State Plumbing Code, Plumbing License Law and

Plumbers Licensing Code currently in force as mandated by the Illinois Department of Public Health, and subsequent amendments and updates thereto.

Section 1805.1 Damp proofing and waterproofing, is hereby amended to read as follows: Walls or portions thereof that retain earth and enclose interior spaces and floors below grade shall be waterproofed and dampproofed in accordance with this section, with the exception of those spaces containing groups other than residential and institutional where such omission is not detrimental to the building or occupancy. Freestanding accessory buildings with an area of 800 square feet or less shall not be required to be protected.

Chapter 11 Accessibility is deleted in its entirety

Chapter 29 Plumbing Systems is deleted in its entirety

(b.) The International Residential Code for One- and Two-Family Dwellings, 2021 Edition is hereby amended to read, as follows:

General

In all Chapters and Sections where "name of jurisdiction" and/or "chief appointing authority of the jurisdiction" is written, insert "Village of Malta, Illinois".

The International Residential Code, 2021 edition, is amended to read as follows:

Section R101.1 is amended to read as follows:

R101.1 Title. These provisions shall be known as the Residential Code of the Village of Malta, Illinois, and shall be cited as such and will be referred to herein as "this code."

A. **Section R105.2 "Work Exempt From Permit"**. The following sections are hereby deleted:

Building: 1. Other than storm shelters, one-story detached accessory structures, provided that the floor area does not exceed 200 square feet.

Building: 2. Fences not over 7 feet (2134 mm) high.

Building: 3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

Building: 5. Sidewalks and Driveways.

Building: 10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

B. Section R113.4 is amended to read as follows:

R113.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a violation, punishable by a fine of not less than \$100.00 nor more than \$750.00. Each day's violation shall constitute a separate offense.

C. **Table R301.2** is amended by inserting the information set forth below under the applicable headings in such Table:

Under GROUND SNOW LOAD, insert 30 Under Speed (mph), insert 115

Under Topographic effects, insert NO

Under Special wind region, insert NO

Under Wind-borne debris zone, insert NO

Under SEISMIC DESIGN CATEGORY, insert A

Under Weathering, insert SEVERE Under Frost line depth, insert 42"

Under Termite, insert MOD/HEAVY

Under WINTER DESIGN TEMP, insert -4 DEG F

Under ICE BARRIER UNDERLAYMENT REQUIRED, insert YES

D. Section R313 is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be required to be installed in townhouses containing more than four dwellings.

R313.1.2 Other code requirements. All structures built without automatic fire sprinkler systems shall comply with all code requirements of the International Residential Code for non-sprinklered construction.

R313.2 One and two-family dwellings automatic fire sprinkler systems. An automatic residential fire sprinkler system shall not be required to be installed in one and two-family dwellings, including additions and alterations to such dwellings.

R313.2.1 Design and installation. Automatic residential fire sprinkler systems for one and two-family dwellings shall be designed and installed in accordance with Section P2904 or NFPA 13D.

R313.2.2 Other code requirements. All structures built without automatic fire sprinkler systems shall comply with all code requirements of the International Residential Code for non-sprinklered construction.

Chapters 25-32 are hereby deleted in their entirety.

The following Appendices are adopted in their entirety:
Appendix AE Manufactured Housing Used as Dwellings
Appendix AF Radon Control Methods
Appendix AH Patio Covers
Appendix AJ Existing Buildings and Structures

(b) **The International Mechanical Code, 2021 Edition**, as adopted by the Village Board, is hereby amended as set out in this section:

General. In all Chapters and Sections where "name of jurisdiction" and/or "chief appointing authority of the jurisdiction" is written, insert "Village of Malta, Illinois".

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Mechanical Code of Malta, Illinois, hereinafter referred to as "this code".

Section 103.1 is amended to read as follows:

103.1 Code Official. The Village of Malta Building Department is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 115.4 is amended to read as follows:

115.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code officials, or of a permit or certificate issued under the provisions of this code, shall be guilty of a violation, punishable by a fine of not less than \$100.00 nor more than \$750.00. Each day's violation shall constitute a separate offense.

(c) **The International Fire Code, 2021 Edition**, as adopted by the Village Board, is amended as set out in this section.

General. In all Chapters and Sections where "name of jurisdiction" or "chief appointing authority of the jurisdiction" is written, insert "Village of Malta, Illinois".

Section 103.2 Appointment is amended as follows:

Section 103.2 Appointment: The fire code official shall be the code official of the Village of Malta.

- (d) **The most recent Illinois Energy Conservation Code for Commercial Buildings** currently in force as mandated by the State of Illinois, as adopted by the Village Board, is amended as set out in this section.

General. In all Chapters and Sections where "name of jurisdiction" or "chief appointing authority of the jurisdiction" is written, insert "Village of Malta, Illinois".

General. All Residential sections set forth in the Illinois Energy Conservation Code and its Supplements currently in force are hereby deleted.

- (e) **The International Fuel Gas Code, 2021 Edition**, as adopted by the Village Board, is amended as set out in this section.

General. In all Chapters and Sections where "name of jurisdiction" and/or "chief appointing authority of the jurisdiction" is written, insert "Village of Malta, Illinois".

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fuel Gas Code of Malta, Illinois, hereinafter referred to as "this code."

Section 103.1 is amended to read as follows:

103.1 Creation of agency. The Village of Malta Building Department is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 115.4 is amended to read as follows:

115.4 Violation penalties. Persons who shall violate a provision of this code or who shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a violation, punishable by a fine of not less than \$100.00 and not more than \$750.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

(f.) **The International Property Maintenance Code, 2021 Edition**, as adopted by the Village Board, is amended as set out in this section.

General. In all Chapters and Sections where "name of jurisdiction" and/or "chief appointing authority of the jurisdiction" is written, insert "Village of Malta".

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code Building Code of Malta, Illinois, hereinafter referred to as "this code."

Section 103.1 is amended to read as follows:

103.1 Code Official. The Village of Malta Building Department is hereby created, and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

Section 302.4 is amended to read as follows:

302.4 Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8) inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided, however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 109.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Section 304.14 is amended to read as follows:

304.14 Insect screens. During the period from May 1 to October 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be including or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screen of minimum 16 mesh per inch (16 mesh per 25 mm), and ever screen door used for insect control shall have a self-closing device in good working condition.

General. In all Chapters and Sections where "name of jurisdiction" and/or "chief appointing authority of the jurisdiction" is written, insert "Village of Malta".

- (j.) **The International Energy Conservation Code, 2021 Editions**, as adopted by the Village Board, is amended as set out in this section.

General. In all Chapters and Sections where "name of jurisdiction" and/or "chief appointing authority of the jurisdiction" is written, insert "Village of Malta".

SECTION TWO: VALIDITY (a) All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent that they conflict with this Ordinance, or any part of this Ordinance.

(b) If any provision contained in this Ordinance is found to be invalid, such provision shall be deemed to be severable and shall not affect the validity of any of the remaining provision of the ordinance.


SECTION THREE: ORDINANCE IN FORCE (a) This ordinance shall be in full force and effect from and after its passage and approval and publication in pamphlet form as provided by law.

PASSED BY THE VILLAGE BOARD OF TRUSTEES FOR THE VILLAGE OF MALTA
THIS 18 DAY OF Dec, 2024, PURSUANT TO ROLL CALL VOTE AS FOLLOWS:

AYE:

NAY:

ABSENT:



Robert Iverson, Village President

ATTEST:

Mary Johansen, Village Clerk

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Section 602.3 is amended to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1 to May 1 to maintain a minimum temperature of 68 degrees F (20 degrees C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

2. In areas where the average monthly temperature is above 30 degrees F (-1 degrees C), a minimum temperature of 65 degrees F (18 degrees C) shall be maintained.

Section 602.4 is amended to read as follows:

602.4 Occupiable workspaces. Indoor occupiable workspaces shall be supplied with heat during the period from September 1 to May 1 to maintain a minimum temperature of 65 degrees F (18 degrees C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activities.

(h.) **The International Existing Building Code, 2021 Edition**, as adopted by the Village Board, is amended as set out in this section.

General. In all Chapters and Sections where "name of jurisdiction" and/or "chief appointing authority of the jurisdiction" is written, insert "Village of Malta".

(i.) **The International Pool and Spa Code, 2021 Edition**, as adopted by the Village Board, is amended as set out in this section.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Section 602.3 is amended to read as follows:

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