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City Council Document Tracking Sheet

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Matter ID: O2023-0006384

Meeting Date: 12/13/2023

Sponsor(s): Johnson (Mayor) *

Type: Ordinance

Title: Amendment of Municipal Code Titles 4, 11 and 14 to make technical corrections and adjustments to Chicago Construction Codes

Committee Assignment: Committee on Zoning, Landmarks and Building Standards



OFFICE OF THE MAYOR
CITY OF CHICAGO

BRANDON JOHNSON
MAYOR

December 13, 2023

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Buildings, I transmit herewith an ordinance amending the Municipal Code to make technical corrections and adjustments to the Chicago Construction Codes.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in blue ink, appearing to read "BJ Johnson", with a horizontal line extending to the right.

Mayor

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

This ordinance is organized into six articles, as follows:

Article I:	Amendments to Title 4
Article II:	Amendments to Title 11
Article III:	Amendments to Title 14A
Article IV:	Amendments to Title 14B
Article V:	Amendments to Title 14X
Article VI:	Effective Date

ARTICLE I. AMENDMENTS TO TITLE 4

SECTION 1. Section 4-28-120 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

4-28-120 License – Termination – Penalty for late renewal.

(a) The drain layer's license shall expire on December 31st of each year prior to calendar year ~~2024~~ 2025. For licenses issued on or after February 1, ~~2024~~ 2025, licenses shall expire one year after issuance. Any person who fails to renew his or her license within 60 days of the license's expiration date shall be assessed a \$75.00 late fee in addition to the license fee.

(b) For licenses issued with an effective date in January ~~2024~~ 2025 only, the Commissioner may, by rule, establish expiration dates between 12 and 23 months after the date of issuance, based on the first letter of the last name of the licensee, so as to distribute the expiration dates across the calendar year.

SECTION 2. Section 4-36-020 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

4-36-020 License – Required.

(Omitted text is not affected by this ordinance)

(B) The following persons shall not be required to obtain a general contractor license:

(Omitted text is not affected by this ordinance)

(5) An individual undertaking regulated activity on a building or structure with three or fewer stories above grade plane at a property that constitutes the individual's primary residence, ~~if the primary residence is (i) a single family residential building or (ii) a multiple family residential building that does not exceed three stories above grade plane in height and contains~~ provided that the property contains six or fewer dwelling units and no nonresidential occupancy. This exception is limited to one such property during a calendar year and does not apply to excavation subject to Section 14A-4-406 or demolition subject to Section 14A-4-407.

(Omitted text is not affected by this ordinance)

SECTION 3. Section 4-288-030 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

4-288-030 Application – Qualification for examination.

(Omitted text is not affected by this ordinance)

(c) In addition to the requirements in subsection (b) of this section, to qualify to take the crane operator's license examination ~~after March 1, 2016 or the date applicable to paragraphs (a)(2) and (f) of 29 C.F.R. 1926.1427 as set forth in 29 C.F.R. 1926.1427(k)(1), whichever comes later,~~ the applicant shall have a current and valid national certification issued by an approved accredited certifying entity identifying the type(s) of crane that the applicant is certified to operate, provided, however, that this item (c) shall not apply if no national certification exists for the specific machines the applicant seeks a license to operate under this chapter.

(Omitted text is not affected by this ordinance)

SECTION 4. Section 4-288-090 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

4-288-090 License – Term – Renewals – Reinstatement fee.

The crane operator's license shall be valid for ~~not less than one and not more than five~~ years from the date of issuance. The license may be renewed; (1) upon payment of the renewal fee prior to ~~or~~ and within three months of expiration of a valid operator's license; and (2) ~~after the date set forth in Section 4-288-030(e),~~ upon proof that the applicant licensee has a current and valid national certification issued by an approved accredited certifying entity identifying the type(s) of crane that the applicant licensee is certified licensed to operate under this chapter; provided, however, that this item (2) shall not apply if no national certification exists for the specific machines the operation of which requires a license licensee is licensed to operate under this chapter. Expired licenses may be reinstated within three years of expiration upon payment of a \$100.00 reinstatement fee in addition to the renewal fee for each year in which the license was expired.

SECTION 5. Section 4-288-100 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

4-288-100 Application – Qualification for examination.

(Omitted text is not affected by this ordinance)

(b) *License fee.* The fee for a crane operator's license shall be ~~\$100.00 for a one-year license and \$300.00 for a license in effect for five years.~~

(Omitted text is not affected by this ordinance)

SECTION 6. Section 4-376-010 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

4-376-010 Definitions.

As used in this chapter:

(Omitted text is not affected by this ordinance)

“Mason work” means all work in brick, stone, concrete, terra cotta, and structural tile, or any combination of these materials, as used in or about the construction of buildings or structures above or below the surface of the ground, with the exception of: (1) laying brick or concrete sidewalks; and (2) brick or concrete paving; (3) slab-on-grade foundations for single-story non-occupiable structures, such as sheds and private garages; and (4) foundations for fences, decks, open porches, and similar structures.

(Omitted text is not affected by this ordinance)

**ARTICLE II.
AMENDMENTS TO TITLE 11**

SECTION 1. Section 11-18-030 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

11-18-030 Stormwater management plan – Required.

(1) Except as provided in subsection (2), every Every Regulated Development shall at all times have in place a Plan approved by the City.

(2) After a draft Plan has been submitted to the City and before the Plan has been approved, the Owner or Developer may perform any work at the site that does not require a building permit, in accordance with Section 14A-4-402, provided that the Owner and Developer will be responsible for the full cost, if any, associated with correcting work that does not comply with the Plan that is subsequently approved.

(3) In addition to such other requirements as the commissioner Commissioner and Building Commissioner may jointly set forth by regulation, the Plan shall include the following:

(Omitted text is not affected by this ordinance)

**ARTICLE III.
AMENDMENTS TO TITLE 14A**

SECTION 1. Section 14A-4-402.1 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

14A-4-402.1 General.

No *permit* is required for the following:

(Omitted text is not affected by this ordinance)

Exterior Work:

(Omitted text is not affected by this ordinance)

7. Landscape plants and vegetation.
8. Hardscape elements, such as benches, bicycle racks, bollards, planters, and rocks, without plumbing or electrical connections, not exceeding 4 feet (1219 mm) in height.
9. Repairs described in Section 14A-4-402.2.

Permanent Structures:

(Omitted text is not affected by this ordinance)

2. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18925 L) and the ratio of height to diameter or width is not greater than 2:1.
3. Buildings and other structures that are subject to the permitting requirements in Chapter 10-40 of the Municipal Code.
4. Permanent vehicular or pedestrian bridges that are subject to the bridge permitting requirements of the Commissioner of Transportation.
5. Utility vaults and similar structures located entirely below the public way, if structurally independent from any structure adjoining the public way.

(Omitted text is not affected by this ordinance)

Mechanical:

(Omitted text is not affected by this ordinance)

2. Portable ventilation ~~equipment~~ appliances.
3. Portable cooling ~~equipment~~ appliances.
4. Repair or replacement of any part within any heating, cooling, or ventilation ~~equipment~~ appliance regulated by the *Chicago Construction Codes* that does not alter its function.

(Omitted text is not affected by this ordinance)

SECTION 2. Section 14A-4-411.7 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

14A-4-411.7 Deferred submittals.

(Omitted text is not affected by this ordinance)

Exception: Prior approval of the *building official* is not required for deferred submittals for items required or allowed to receive a separate *permit* by the *Chicago Construction Codes*, including *fire protection systems, conveyance devices, regulated equipment, and heating boilers*.

SECTION 3. Section 14A-4-413 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

14A-4-413 LIMITATIONS.

14A-4-413.1 Scope of permit.

The issuance or granting of a *permit* does not authorize or allow work that would violate any provision of the *Chicago Construction Codes* or of the *Municipal Code*. A *permit* which attempts to give authority to violate or cancel the provisions of the *Chicago Construction Codes* or of the *Municipal Code* is void from the outset to the extent it attempts to do so.

14A-4-413.1.1 Authority to require correction.

The issuance of a *permit* based on *construction documents* and other data does not prevent the *building official* from requiring the correction of errors in the *construction documents* and other data.

14A-4-413.1.2 Authority to prevent occupancy.

The *building official* is authorized to prevent occupancy or use of a *structure* where in violation of the *Chicago Construction Codes* or of the *Municipal Code*.

(Omitted text is not affected by this ordinance)

14A-4-413.4 Issuance based on deceptive or materially false information.

A *permit* issued based on deceptive or materially false information provided to the *building official* by the applicant or the applicant's agent is void from the outset, and any fee paid in connection with the *permit application* or void *permit* is forfeited to the *City*.

(Omitted text is not affected by this ordinance)

14A-4-413.6 Use of permit issued to another.

It is unlawful for any a person to perform any work for which ~~this code requires a permit by or under the authority of a permit issued to and for the use of some other person~~ the licensing provisions of the *Municipal Code* require a license if the person does not have such a license. It is unlawful for a *trade license holder* to perform work under a *permit* if the *trade license holder's* name and license or registration number was not provided to the *building official*, as required, as part of the *permit* application or a supplemental *permit* application.

14A-4-413.7 Permit for person not entitled to ~~one~~ perform work.

It is unlawful for ~~any~~ a *trade license holder* to ~~procure or furnish~~ knowingly or recklessly assist in securing a permit for the use of when work under the permit will be performed a person not entitled to such *permit* authorized to perform such work under the licensing provisions of the *Municipal Code*. A permit procured for such use is void from the outset and any fee paid in connection with the *permit* application or void *permit* is forfeited to the *City*.

14A-4-413.8 Revocation.

~~The failure of a permit applicant~~ The *building official* may revoke a *permit* that is neither void from the outset nor expired based on a finding that the *permit* applicant, *permit* holder, or a *trade license holder* performing work under the *permit* has failed to comply with any provision of the *Chicago Construction Codes* is grounds for revocation of a *permit* issued under this chapter. The *building official* must adopt and follow procedural rules for the revocation of *permits* that are neither void from the outset nor expired, consistent with due process of law.

14A-4-413.8.1 Work in violation of the Chicago Construction Codes.

If work in, upon, or about any *building* or *structure* is performed in violation of the *Chicago Construction Codes*, ~~the building official must revoke the~~ any permit for the building or wrecking operations in connection with which such violation has taken place is voidable and subject to revocation. It is unlawful, ~~after the revocation of a permit, to proceed with such building or wrecking operations unless the permit has been reinstated or re-issued by the building official. Before a permit so revoked may be lawfully re-issued or reinstated, the entire building and building site must first be put into a condition corresponding with the requirements of the Chicago Construction Codes, and any work or material applied in violation of any of the provisions must be first removed from such building, and all material not in compliance with the Chicago Construction Codes must be removed from the premises.~~

14A-4-413.8.2 Permit issued in error.

Any *City* official who believes that a *permit* has been issued in error must notify the *building official*, who will review the application for *permit* and relevant portions of the *Municipal Code* to determine whether the *permit* was issued in error. If the *building official* determines that a *permit* was issued in error, the permit is voidable and subject to revocation. ~~the~~ The *building official* must notify the *permit* holder of the error, revoke the *permit*, and require allow the *permit* holder to revise the related application and *construction documents* to conform to the applicable provisions of the *Municipal Code*.

14A-4-413.8.3 Effect of revocation.

It is unlawful, after the revocation of a permit, to proceed with building or wrecking operations until the permit is reinstated or reissued by the building official. Any amount paid to the City in connection with the permit application or permit is nonrefundable. Except where this Code provides such payments are forfeited, the full amount paid to the City in connection with a revoked permit must be credited toward any amount due for reissuance of the permit within one year of revocation.

14A-4-413.8.4 Conditions for reinstatement or reissuance.

Before a permit that has been revoked may be lawfully reinstated or reissued, the building official must be satisfied that work performed under the reinstated or reissued permit will fully comply with the Chicago Construction Codes. As preconditions to reinstatement or reissuance of a permit that has been revoked, the building official may require the person seeking the reinstated or reissued permit to:

1. Provide a condition report in accordance with Section 14X-1-104.
2. Hire different or additional *trade license holders* to perform the work.
3. Deconstruct or remove some or all of the work performed or material applied in violation of the *Chicago Construction Codes*.
4. Remove building materials and equipment that do not comply with the *Chicago Construction Codes* from the work site.

14A-4-413.8.5 Illegal or dangerous or unsafe condition.

When a *permit* is revoked pursuant to this section, the *building official* may also issue a stop work order pursuant to Section 14A-3-306, closure order pursuant to Section 14A-3-307, or notice pursuant to Section 14A-3-312 requiring the *owner* to remedy any *dangerous or unsafe* condition.

14A-4-413.9 Suspension.

If the work authorized by a *permit* is not started within 180 days after issuance of the *permit*, the *permit* is suspended, and work may not proceed unless the *permit* is reinstated. For *permits* other than the stand-alone *permits* provided for in Section 14A-4-412.1, if none of the inspections required by Section 14A-5-502 are requested within 180 days after issuance of the *permit*, the *permit* is suspended, and work may not proceed unless the *permit* is reinstated. If the work authorized by a *permit* ceases for a ~~cumulative~~ consecutive period of 365 days after the *start of construction* or there is a period of 365 days without an inspection being requested, the *permit* is suspended, and work may not proceed unless the *permit* is reinstated. The *building official* must collect a fee as provided in Table 14A-12-1204.1 before reinstating a suspended *permit*.

(Omitted text is not affected by this ordinance)

14A-4-413.10 Expiration.

If the work authorized by a *permit* is not started within 540 days after issuance of the *permit*, the *permit* ~~is void~~ expires by operation of law and may not be reinstated. If the work authorized by a *permit* ceases for a consecutive period of 730 days, the *permit* ~~is void~~ expires by operation of law and may not be reinstated. A failure to request inspection as required by Chapter 14A-5 shall create a rebuttable presumption that work has not started or has ceased.

14A-4-413.10.1 Effect of expiration.

It is unlawful, after the expiration of a *permit*, to proceed with building or wrecking operations until a new *permit* is issued by the *building official*.

14A-4-413.10.2 Illegal or dangerous or unsafe condition.

When a *permit* expires pursuant to this section, the *building official* may issue a stop work order pursuant to Section 14A-3-306, closure order pursuant to Section 14A-3-307, or notice pursuant to Section 14A-3-312 requiring the *owner* to remedy any *dangerous or unsafe* condition.

SECTION 4. Chapter 14A-5 of the Municipal Code of Chicago is hereby amended by inserting a new Section 14A-5-501.1.2, underscored as follows:

14A-5-501.1.2 Conditions for inspection.

The *building official* may determine that no inspection is required for a *permit* that is purely administrative or that is a revision to another *permit*. For *repair* work and other minor scopes of work, at the time of *permit* issuance, the *building official* may designate the *permit* as "eligible for inspection" and, in such cases, the *permit* will be marked as complete if an inspection is not requested within 365 days of *permit* issuance.

SECTION 5. Table 14A-12-1204.2 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

Table 14A-12-1204.2 Stand-Alone Permit Fees

Category of Work	Scope of Work	Drawings required	Zoning fee required	Permit fee
<i>(Omitted text is not affected by this ordinance)</i>				
Fire ^{b, c}	Fire escape installation, alteration, or repair on building up to 4 stories	Yes ^a	Yes	\$150 <u>per fire escape</u>
	Fire escape installation, alteration, or repair on 5 to 7 story building more than 4 stories, other than high-rise building	Yes ^a	Yes	\$450 <u>per fire escape</u>
	Fire escape installation, alteration, or repair on high-rise building building over 7 stories	Yes ^a	Yes	\$900 <u>per fire escape</u>
Masonry	Brick or other unit masonry repair, other than reconstruction	<u>No</u>	<u>Yes</u>	<u>\$300 per area up to 50,000 square feet</u>
	<u>Concrete repair</u>	<u>Yes</u> ^a	<u>Yes</u>	<u>\$300 per area up to 5,000 square feet</u>
	<u>Parapet wall reconstruction</u>	<u>Yes</u> ^a	<u>Yes</u>	<u>\$200 per area up to 2,500 square feet</u>
<i>(Omitted text is not affected by this ordinance)</i>				
Porch, deck, balcony, or similar structure	<u>Limited repair (replacement of up to 25% of existing material)</u>	<u>Yes</u> ^a	<u>No</u>	<u>\$75</u>
	<u>Repair (replacement of 26% to 50% of existing material)</u>	<u>Yes</u>	<u>No</u>	<u>\$150 per structure</u>
	<u>Reconstruction, same size and location</u>	<u>Yes</u>	<u>No</u>	<u>\$300 per structure</u>

Plumbing	<i>(Omitted text is not affected by this ordinance)</i>			
	<i>Repair or in-kind replacement of plumbing piping, <u>with or without plumbing fixture replacement</u>, all occupancies</i>	No ^{a, d}	No	\$150 per dwelling unit, toilet room, or tenant space
<i>(Omitted text is not affected by this ordinance)</i>				

SECTION 6. Table 14A-12-1204.3(3) of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

Table 14A-12-1204.3(3) Scope of Review Factor for New Construction ^a

Occupancy Classification per Chapter 14B-3	Factor ^b	Description of Work	Minimum Fee ^c
<i>(Omitted text is not affected by this ordinance)</i>			
Group U	0.5	<u>Detached private garage or carport (fee in addition to fee for main building)</u>	<u>\$500</u>
		<i>Temporary structures not covered in Table 14A-12-1204.2</i>	\$250
<i>(Omitted text is not affected by this ordinance)</i>			

**ARTICLE IV.
AMENDMENTS TO TITLE 14B**

SECTION 1. Section 14B-5-508 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

14B-5-508 Mixed use and occupancy.

The provisions of Section 508 of IBC are adopted by reference with the following modifications:

(Omitted text is not affected by this ordinance)

6. Revise the exceptions to Section 508.3.3 to read:

“Exceptions:

(Omitted text is not affected by this ordinance)

3. Group A occupancies with an aggregate occupant load of 300 or more persons shall be separated from other main occupancies by construction providing a fire-resistance rating of not less than 2 hours in buildings that are not protected throughout by an automatic sprinkler system in accordance with Section 903.3.1.1.

(Omitted text is not affected by this ordinance)

7. Replace Table 508.4 as shown:

(Omitted text is not affected by this ordinance)

- h. Group A occupancies with an aggregate occupant load of 300 or more persons shall be separated from other occupancies by construction providing a *fire-resistance rating* of not less than 2 hours in buildings that are not protected throughout by an automatic sprinkler system in accordance with Section 903.3.1.1.

(Omitted text is not affected by this ordinance)

SECTION 2. Section 14B-10-1004 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

14B-10-1004 Occupant load.

The provisions of Section 1004 of IBC are adopted by reference with the following modifications:

(Omitted text is not affected by this ordinance)

- 1.1. Revise Table 1004.5 by changing the value for “Baggage claim” under “Airport terminal” from “20 gross” to “50 gross”.
- 1.2. Revise Table 1004.5 by changing the value for “Gaming floors (keno, slots, etc.)” under “Assembly” from “11 gross” to “15 gross”.

(Omitted text is not affected by this ordinance)

SECTION 3. Section 14B-10-1010 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

14B-10-1010 Doors, gates and turnstiles.

The provisions of Section 1010 of IBC are adopted by reference with the following modifications:

(Omitted text is not affected by this ordinance)

20. Revise item 5 in Section 1010.1.9.7 to read:

- “5. The procedures for unlocking the doors shall be described and accepted as part of the emergency planning and preparedness required by the *Chicago Fire Prevention Code*.”

20.1. Revise Section 1010.1.9.8 by inserting an item 3 to read:

- “3. Group A occupancies in airport terminals.”

(Omitted text is not affected by this ordinance)

SECTION 4. Section 14B-10-1020 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

14B-10-1020 Corridors.

The provisions of Section 1020 of IBC are adopted by reference with the following modifications:

(Omitted text is not affected by this ordinance)

2. Replace Table 1020.1 as shown:

(Omitted text is not affected by this ordinance)

- e. In Groups A-1, A-2, A-3, and A-4 occupancies, corridors serving spaces and visually separated from a room or suite of rooms with an occupant load of 300 or more shall have a fire-resistance rating of not less than 1 hour.

(Omitted text is not affected by this ordinance)

SECTION 5. Section 14B-16-1607 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

14B-16-1607 Live loads.

The provisions of Section 1607 of IBC are adopted by reference with the following modifications:

1. Revise Table 1607.1 by replacing "OCCUPANCY OR USE" with "FUNCTION OR USE" in the heading of the first column.

- 1.1. Revise row 2 of Table 1607.1 to read:

(Omitted text is not affected by this ordinance)

7. Revise row 22 of Table 1607.1 to read:

(Omitted text is not affected by this ordinance)

Offices and <u>associated work areas, meeting rooms, break rooms, reception areas, and similar nonpublic gathering areas</u>	50	2,000
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(Omitted text is not affected by this ordinance)

SECTION 6. Section 14B-30-3007 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

14B-30-3007 Fire service access elevator.

The provisions of Section 3007 of IBC are adopted by reference with the following modifications:

1. Revise Section 3007.1, including its exception, to read:

"3007.1 General.

Where required by Section 403.6.1, every floor above and including the lowest level of fire department vehicle access area of every story of the building shall be served by a fire service access elevator complying with Sections 3007.1, 3007.5, 3007.6.5, ~~3007.7~~ 3007.7, and 3007.8. Except as modified in this section, fire service access elevators shall be installed in accordance with this chapter and the *Chicago Conveyance Device Code*."

(Omitted text is not affected by this ordinance)

7.1. Delete Section 3007.7.

(Omitted text is not affected by this ordinance)

**ARTICLE V.
AMENDMENTS TO TITLE 14X**

SECTION 1. Chapter 14X-5 of the Municipal Code of Chicago is hereby amended by inserting a new Section 14X-5-506.4, underscored as follows:

14X-5-506.4 Subsequent rehabilitation work.

A building that is subject to a life safety compliance plan may be required in connection with subsequent rehabilitation work to make further life safety improvements in accordance with the Chicago Building Rehabilitation Code. Subsequent rehabilitation work may not reduce the level of life safety achieved under the life safety compliance plan.

**ARTICLE VI.
EFFECTIVE DATE**

SECTION 1. This ordinance shall take effect upon passage and publication.