

PREPARED BY:

**CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170**

RETURN TO:

**CITY OF NAPERVILLE
CITY CLERK'S OFFICE
P.O. BOX 3020
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60566-7020**

ORDINANCE NO. 26 -

**AN ORDINANCE AMENDING
CHAPTER 1 (BUILDING CODES) OF TITLE 5 (BUILDING REGULATIONS)
OF THE NAPERVILLE MUNICIPAL CODE**

WHEREAS, the City of Naperville, in its authority as a Home Rule community, has enacted Municipal Code Regulations for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, building regulations establish a minimum standard for construction in furtherance of these objectives; and

WHEREAS, the International Code Council prepares a recommended set of codes for adoption by local municipalities that reflect new technology, materials and trends in the building industry; and

WHEREAS, the International Code Council recommends that local municipalities adopt the updated codes on a regular basis to ensure continued quality and safe construction; and

WHEREAS, beginning in January 2025, the City undertook a year-long effort to review the 2024 International Code Council set of codes and recommend proposed local amendments; and

WHEREAS, this review was completed by code committees comprised of City staff and representatives from the business, building, and residential community; the Building Review Board; and City Council; and

WHEREAS, from April through November 2025, the Building Review Board conducted a review of the proposed 2024 International Code Council set of codes and local amendments and unanimously recommended their adoption; and

WHEREAS, the City Council concurs that the ordinance should be amended as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority, as follows:

SECTION 1: The recitals set forth above are incorporated herein.

SECTION 2: Chapter 1 (Building Codes) of Title 5 (Building Regulations) of the Naperville Municipal Code is hereby amended by adding the underlined language and deleting the stricken language, as follows:

CHAPTER 1 BUILDING CODES

ARTICLE A. - BUILDING CODE

SECTION:

5-1A-1: - ADOPTION:

1. For the purposes of supplementing the provisions and regulations contained in this Title and for setting forth minimum standards for buildings and structures, ~~there shall be and hereby is adopted by reference that certain building code known as the 2018 edition of the International Building Code~~ the City hereby adopts by reference the

2024 International Building Code (hereinafter referred to as the IBC), and referenced standards and appendices A, C, E, F, G, H, and I.

2. There shall be one (1) copy of the International Building Code kept on file for public inspection in the office of the Transportation, Engineering, and Development Business GroupOffice.
3. In this Chapter, all references to the "Department" City shall mean the City of Naperville.

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5-1A-3: - AMENDMENTS:

The various sections and tables of the International Building Code 202412 adopted by this Article shall be revised as follows:

* * *

Section 901.1.1 Modifications: Add the following:
~~Unless more stringent regulations are provided in other adopted City codes, a change of use, addition, alteration, or repair to any building or structure shall require fire protection systems to be installed per the 2018 IBC prior to issuance of occupancy. The fire areas defined by this Code of the structure or building not affected by the change of use, addition, alteration, or repair shall comply with the fire suppression system requirements of the 2018 IBC no later than 10 years from the date of permit issuance for the change of use, addition, alteration, or repair. Prior to the issuance of a permit, the property owner shall enter into a legal agreement with the City that details a plan for the installation of a fire suppression system for the remaining portion of the building. It shall be the applicant's responsibility to pursue said agreement prior to the issuance of the permit. The City of Naperville Legal Department, Fire Department, and Transportation, Engineering, and Development Department must approve the plan for the installation of the fire suppression system.~~

Exception: Alterations or repairs to improve accessibility, means of egress, or health and sanitation, are not subject to this Section.

Section 903.2.8.2: Group R-4, Change to read: Condition 1 and 2: An automatic sprinkler system installed in accordance with Section 903.3.1.2 or 903.3.1.1 shall be permitted in Group R-4, Condition 1 and 2 occupancies.

Section 903.2.8.3: Change to read: Care Facilities: An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in care facilities with five or fewer individuals in a single-family dwelling.

Section 903.2.8.4 Delete in its entirety

* * *

Section 903.2.10 ~~Group S-2 enclosed parking garages: Change #1 and 2 to read as follows:~~

1. ~~Where the fire area of the enclosed parking garage exceeds 5,000 square feet.~~
2. ~~Delete the exception.~~

Group S-2 enclosed parking garages: Change to read: All new parking garages per the National Fire Protection Association (NFPA) 88A shall require automatic fire sprinklers.

* * *

Section 907.2: Add the following subsection:

Section 907.2.24: Fire alarm and detection systems for townhouses shall be installed in multiple single-family dwellings (townhouses), if the building or structure contains three (3) or more units. All fire alarm and detection systems shall be listed and installed in accordance with the provisions of NFPA 72, the IBC 202418, the IFC 202418, and the current edition of the Naperville fire department's regulations for the installation, maintenance, and testing of fire alarm systems, as amended from time to time.

* * *

CHAPTER 1 BUILDING CODES

ARTICLE B. - RESIDENTIAL CODE

SECTION:

5-1B-1: - ADOPTION:

1. The 202418 edition of the International Residential Code (hereafter referred to as the ~~IRC~~hereinafter ~~IRC~~), and referenced standards and appendices A, B, C, D, H, M and K, regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, demolition, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three (3) stories in height with a separate means of egress and their accessory structures, as amended in this Article, is hereby adopted and incorporated by reference as though fully set forth. There shall be one (1) copy of the International Residential Code kept on file for public inspection in the Transportation, Engineering, and Development Office.
2. There shall be one (1) copy of the International Residential Code kept on file for public inspection in the office of the Transportation, Engineering, and Development Business Group.

3. In this chapter, all references to the "Department" shall mean the City of Naperville.

3. All new residential construction shall include passive resistant radon construction per State of Illinois Public Act 97-0953.

5-1B-2: - AMENDMENTS:

The following requirements shall be applicable to one- and two-family dwellings and townhouses as stated above:

Chapter 1 Administration

R101.1 Title: Change to read:

These provisions shall be known as the residential code for one- and two-family dwellings of the city of Naperville, and shall be cited as such and will be referred to herein as "this code."

Add a new section as follows:

R101.2. Scope: Change to read as follows.

Exceptions:

1. Dwelling units that include permitted work area (see Zoning Code) of not more than 25% of the area of a dwelling unit are permitted to be built or classified as dwelling unit as defined by this code.

PUD townhouse and duplex developments which have been approved by the city council prior to the adoption of the 202418 IRC shall be allowed to continue to use the 202412 IRC building code, or any code permitted by city council authority until the development is completed in its entirety.

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R305.1 313.1 Minimum Height: Add Exception 4-5.

Exception 4-5. Habitable spaces created in existing basements shall have ceiling heights of not less than 6 feet 8 inches, except that the ceiling height at obstructions shall be not less than 6 feet 4 inches from the basement floor.

Existing finished ceiling heights in non-habitable spaces in basement shall not be reduced.

R308.4.6 324.4.6 Glazing Adjacent to Stairs and Ramps: Revise Exception 2.

Exception 2. Glazing 60 inches or more measured horizontally from the walking surface.

R309.3 317.3 Flood Hazard Areas: Delete in its entirety.

R310.1 319.1 Emergency Escape and Rescue Openings: Delete Exception 2-3.

R310.6 319.7 Alterations or Repairs of Existing Basements: Delete in its entirety.

R313.2 309.2 One- and two-family dwellings automatic fire systems. Changed to read as:

* * *

R314.6 310.6 Exception 2 Smoke Alarms, Power Source: Modify section to read as follows:

Smoke alarms in the portion of the residence that is not impacted by the renovation or addition installed in accordance with Section R314.2.2 shall be permitted to be battery powered. Smoke alarms within the area of renovation or addition shall follow power source requirements as identified in R314.6.

Add a new section to read as follows:

R314.8 310.8 Fire Alarm And Detection Systems

Fire alarm and detection systems for townhouses shall be installed in multiple single-family dwellings (townhouses), if the building or structure contains three (3) or more units. All fire alarm and detection systems shall be listed and installed in accordance with the provisions of NFPA 72, the IBC 201824, the IFC 201824, and the current edition of the Naperville fire department's regulations for the installation, maintenance, and testing of fire alarm systems, as amended from time to time.

Add new subsections to read as follows:

R314.8.1 310.8.1 Non-Monitored Fire Alarm Systems:

Townhouses equipped with existing fire alarm systems which are not currently monitored in accordance with the Naperville fire department requirements for the installation, maintenance, and testing of fire alarm systems shall be monitored in accordance with the Naperville fire department requirements for the installation, maintenance, and testing of fire alarm systems.

R315.4 311.4 Single And Multiple Station Carbon Monoxide Detectors: All carbon monoxide detectors shall be installed in accordance with the provisions of manufacturer's installation instructions.

R315.1 311.1 Carbon monoxide alarms: Change to read as follows:

For new construction, an approved carbon monoxide alarm shall be installed outside and within 15 feet of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units within which fuel-fired appliances are installed and in dwelling units that have attached garages.

R315.6 311.6 Exception 2 Carbon Monoxide Alarms, Power Source: Modify section to read as follows:

Carbon monoxide alarms installed in the portion of the residence that is not impacted by the renovation or addition installed in accordance with Section R315.2.2 shall be permitted to be battery powered. Carbon monoxide alarms within the area of renovation or addition shall follow power source requirements as identified in R311.6315.6.

R319.1 308.1 Premises Identification: Change to add the following:

Buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position on the building that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be a minimum of 5 1/2" high with a minimum stroke width of 0.5 inch (12.7mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. All multi-tenant commercial buildings and multi-family residential dwelling units shall have additional address numbering placed on the rear door, if appropriate, with the same requirements noted above. Exception: detached residential garages. Address identification shall be maintained.

Add a new section to read as follows:

R320.2 322.4 Visability Add new sections #4, 5, 6 to read as follows:

* * *

4. Washroom/Powder Room Design:

Single-family and attached single-family dwellings shall include at least one (1) bathroom or powder room on the main level that provides a minimum thirty-two (32) inch clear path to the toilet, lavatory, and shower/tub (if present). This bathroom or powder room shall be designed and constructed in a manner that allows a person to use a wheelchair or mobility aid access to plumbing fixtures and the concurrent ability to close the door while inside.

It is not essential to provide a full turning radius, although this would be preferred and encouraged. An outward-swinging door shall be permitted where space limitations exist, provided the hallway or adjacent space design allows the necessary clearances for safe egress.

5. Minimum Hallway Width:

The minimum width of a hallway or path to an exit access shall not be less than forty-two (42) inches. A cased opening or drywalled opening that functions as a transition between rooms, between hallways, or a transition from one space to another and that provides at least a thirty-two (32) inch clear passage, shall be permitted within a hallway segment for purposes of compliance with this section.

6. When Required:

To be consistent with existing Visability requirements, compliance would be required in new construction. In the situation of an addition or remodeling, new construction would include additions which increases total square footage of a

dwellings main level, and/or the addition of a main level washroom which did not previously exist. Visitability requirements would only apply to the addition itself and/or the washroom added.

R322 306 Flood Resistant Construction: Delete in its entirety.

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R504 Pressure PreservativelyTreated-Wood Floors (on ground):

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Chapter 15 Exhaust Systems

Chapter 24 Fuel Gas

* * *

Chapters 34-40 Electrical Requirements

Add a new section as follows:

E3401.1.1

All electrical work shall conform to the 202311 edition of the National Electrical Code and the ICC electrical code, both as adopted herein, and provisions of this code, whichever is more restrictive.

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CHAPTER 1 BUILDING CODES

ARTICLE C. - ENERGY CONSERVATION CODE

SECTION:

5-1C-1: - ADOPTION:

1. The current International Energy Conservation Code (hereafter referred to as the IECC) mandated by the State of Illinois, and any amendment thereto, or subsequent edition thereof, is hereby adopted as the Code of the City for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement, addition to, use or maintenance of the building envelope, mechanical, lighting, and power systems in the City as amended. One (1) copy of said Code shall be kept on file in the Transportation, Engineering, and Development Business Group office for public inspection.
2. There shall be one (1) copy of the International Energy Conservation Code kept on file for public inspection in the office of the Transportation, Engineering, and Development Business Group.

5-1C-2: - AMENDMENTS:

CHAPTER 1
BUILDING CODES

ARTICLE D. - FIRE PREVENTION CODE

SECTION:

5-1D-1: - ADOPTION:

There For purposes of supplementing the provisions and regulations contained in this Title, the City hereby adopts by reference the following codes and standards to be known as the Naperville Fire Prevention Code There is hereby adopted by the City Council, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosions ~~the following codes and standards to be known as the Naperville fire prevention code:~~

1. The International Fire Code, 202418 edition and referenced standards and appendices B, C, D, E, F, G, H, I, and N, as published by the International Code Council;

* * *

Note: The International Fire Code, 202418 edition (hereby referred to as the IFC) shall be the primary fire prevention code for the City. Subjects not addressed by the IFC will be regulated by the Life Safety Code or the National Fire Code, in that order.

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5-1D-8: - AMENDMENTS TO FIRE CODE:

The various sections of the IFC, 202418 edition, are hereby revised as follows:

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Section 907.2 Where Required: Change the first paragraph to read as follows: An approved manual, automatic, or manual and automatic fire alarm system installed in accordance with the provisions of the 202418 IBC as amended, NFPA 72, and the current edition of the Naperville Fire Department's Regulations for the installation, maintenance, and testing of fire alarm systems, as amended from time to time, shall be provided in new buildings and structures in accordance with Section 907.2.1 through Section 907.2.24, unless other requirements are provided by another section of this code. Where automatic sprinkler protection installed in accordance with IBC Section 903.3.1.1 connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

Section 907.2: Add the following subsections:

Section 907.2.24: Fire alarm and detection systems for townhouses shall be installed in multiple single-family dwellings (townhouses), if the building or structure contains three (3) or more units. All fire alarm and detection systems shall be listed and installed in accordance with the provisions of NFPA 72, the IBC 202418, the IFC 202418, and the current edition of the Naperville Fire Department's Regulations for the installation, maintenance, and testing of fire alarm systems, as amended from time to time.

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CHAPTER 1 BUILDING CODES

ARTICLE E. - PLUMBING CODE

SECTION:

5-1E-1: - ADOPTION:

1. For the purposes of supplementing the provisions and regulations contained in this Title, the City hereby adopts by reference the The Illinois State Plumbing Code (77 Ill. Adm. Code 890), current edition, issued by the Illinois Department of Public Health, is hereby adopted by reference, except as to those revisions and changes hereinafter set forth. One (1) copy of said codes shall be kept on file in the Transportation, Engineering, and Development Office for public inspection. In addition, the City hereby adopts by reference the International Plumbing Code (hereinafter referred to as the IPC). The Illinois State Plumbing Code shall be the primary plumbing code for the City. Subjects not addressed by the Illinois Plumbing Code will be regulated by International Plumbing Code.
2. There shall be one (1) copy of the Illinois State Plumbing Code and the International Plumbing Code kept on file for public inspection in the office of the Transportation, Engineering, and Development Business Group.

5-1E-2: - AMENDMENTS TO THE ILLINOIS STATE PLUMBING CODE:

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5-1E-2A: - AMENDMENTS TO THE INTERNATIONAL PLUMBING CODE:

Section 403 Minimum Plumbing Facilities: Delete in its entirety.

Section 717.3 Pre-installation requirements: Change to read:

Prior to commencement of the relining installation, the existing piping sections to be relined shall be descaled and cleaned as per the lining manufacturer's recommendations. After the cleaning process has occurred and water has been flushed through the system, the piping shall be inspected internally by a recorded video camera

survey. The code official is to be notified before descaling and cleaning occur and is required to be on site for internal recorded video camera survey.

Section 717.3.1 Pre-installation recorded video camera survey: Change to read:
The video survey shall include verification of the project address location. The video shall include notations of the cleanout or all other access points, defects, pipe material and size changes, fitting locations, and the approximate depth of the existing piping.
The video shall also include notations of the length of piping at intervals not greater than 25 feet (7620 mm). A survey report based on the findings from the video survey is to be generated including all notations called out in the video as well as a notation detailing the proposed length and location of the liner to be installed.

Section 717.4 Permitting: Change to read:

Prior to permit issuance, the code official shall review and evaluate the pre-installation recorded video camera survey, survey report, and additional submittals including proposed product submittals, product samples, and liner thickness to determine is the piping system is able to be relined in accordance with the proposed lining system manufacturer's installation requirements and applicable referenced NASSCO and ASTM standards.

Section 717.4 Permitting: Change to read:

The installer shall record the data as required by the relining material manufacturer and applicable standards. The recorded data shall include but is not limited to the location of the project, relining material type, amount of product installed and conditions of the installation. A copy of the data report and curing sheets shall be provided to the code official prior to final approval.

Section 717.8 Post installation recorded video camera survey: Change to read:

The completed relined piping system shall be inspected internally by a recorded video camera survey after the system has been flushed and flow-tested with water. The video survey and survey report generated from the video shall be submitted to the code official prior to finalization of the permit. The video survey shall be reviewed and evaluated to provide verification that no defects exist. Any defects identified shall be repaired and replaced in accordance with this code.

5-1E-3: - PERMIT FEE SCHEDULE: - 5-1E-4:- BUILDING SEWERS:

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CHAPTER 1
BUILDING CODES

ARTICLE F. - ELECTRICAL CODE

SECTION:

5-1F-1: - ADOPTION:

1. For the purposes of supplementing the provisions and regulations contained in this Title, and for setting forth minimum standards for the installation of electrical wiring, the City hereby adopts by reference the standards, specifications, rules and regulations of the National Fire Protection Association as compiled and published as the National Electrical Code, 202317 edition (NFPA No. 70-202317) (hereinafter referred to as the NEC), and the 202406 ICC Electrical Code (hereafter referred to as the IEC), as amended., ~~one (1) copy of each shall be kept on file in the Department of Transportation, Engineering, and Development Office for public inspection.~~
2. ~~One (1) copy of each shall be kept on file in the office of the Department of Transportation, Engineering and Development Business Group for public inspection.~~
3. ~~In this chapter, all references to the "Department" shall mean the City of Naperville.~~

5-1F-2: - AMENDMENTS:

CHAPTER 1
BUILDING CODES

ARTICLE G. - FUEL GAS CODE

SECTION:

5-1G-1: - ADOPTION:

1. ~~For purposes of supplementing the provisions and regulations contained in this Title, the City hereby adopts by reference the The 202418-International Fuel Gas Code (hereafter referred to as the IFGC), and referenced standards and appendices A, B, C, and D, as published by the International Code Council, Inc., is hereby adopted, for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of the fuel gas code are hereby referred to, adopted, and made a part of this Code with the additions, insertions, deletions, and changes, prescribed in Section 5-1G-2 of this Article.~~
2. ~~There shall be one (1) copy of the International Building Code kept on file for public inspection in the office of the Transportation, Engineering, and Development Business Group.~~

CHAPTER 1
BUILDING CODES

ARTICLE H. - PROPERTY MAINTENANCE CODE

SECTION:

5-1H-1: - ADOPTION:

1. For purposes of supplementing the provisions and regulations contained in this Title, the City hereby adopts by reference the The 202418 International Property Maintenance Code (hereafter referred to as the IPMC), as amended by the additions, insertions, deletions, and changes specified in this Article, ~~is hereby adopted~~ as the Property Maintenance Code for the City, for the purpose of adopting minimum standards to regulate residential and nonresidential structures, buildings, and premises within the City.
2. One (1) copy of the 202418 edition of the International Property Maintenance Code shall be maintained on file for public inspection in the office of the Department of Transportation, Engineering, and Development Business GroupOffice.
3. ~~In this Article, all references to the City shall mean the City of Naperville.~~

5-1H-2: - APPLICABILITY OF PROVISIONS OR REGULATIONS:

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5-1H-3: - AMENDMENTS:

The various sections and tables of the 202418 International Property Maintenance Code are hereby amended and revised as follows:

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104.2403.5 Fees. Delete in its entirety.

105.2.3105.1 Modifications. Change to read:

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107.4106.4 Violation Penalties. Change to read:

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111110 – Demolition: Add a new subsection 111.5410.5 to read as follows:

1110.5 Restoration Of Soil And Turf.

1110.5.1 Within thirty (30) days after any structure, building or premises are demolished in accordance with the provisions of this code, or as seasonable weather permits, i.e., April 15 through June 15 and August 15 through October 15 inclusive, the owner shall remove all debris from the demolition site, restore the original grade to the surface, and spread not less than four (4") inches of black topsoil over the entire surface of the demolition site.

1110.5.2 Upon spreading and grading the topsoil, the owner shall sow an approved commercial perennial blend of grass seed at a minimum of five (5) pounds per one thousand (1,000) square feet, or shall lay sod. Once seeded or sod is installed, the grass shall be maintained, and if required, the sod shall be replaced or reseeded until such time as the grass is established and growing.

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303.2 Enclosures. Delete Exception #2

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CHAPTER 1
BUILDING CODES

ARTICLE I. - MECHANICAL CODE

SECTION:

5-1I-1: - ADOPTION:

1. For purposes of supplementing the provisions and regulations contained in this Title, the City hereby adopts by reference the The 202418 International Mechanical Code (hereafter referred to as the IMC) and reference standards and appendix A, for regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to use, or maintenance of mechanical systems for all structures other than one- and two-family dwellings and townhouses not more than three (3) stories in height with a separate means of egress and their accessory structures, providing for the issuance of permits is hereby adopted with the following amendments.
2. There shall be one (1) copy of the International Mechanical Code kept on file for public inspection in the office of the Transportation, Engineering, and Development Business Group.
3. In this chapter, the "Name of Jurisdiction" shall mean the City of Naperville.

5-1I-2: - AMENDMENTS:

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Section 108.5115 Stop Work Orders: Insert: not less than \$50.00 and not more than \$500.00.

CHAPTER 1
BUILDING CODES

ARTICLE J. - SWIMMING POOL AND SPA CODE

SECTION:

5-1J-1: - ADOPTION:

1. For purposes of supplementing the provisions and regulations contained in this Title, the City hereby adopts by reference the The 202418 International Swimming Pool and Spa Code (hereafter referred to as the ISPSC) and reference standards, for regulating and controlling the design, construction, alteration, renovation, replacement and repairs of aquatic vessels.
2. There shall be one (1) copy of the International Swimming Pool and Spa Code kept on file for public inspection in the office of the Transportation, Engineering, and Development Business Group Office.
3. In this Chapter, all references to the "Department" shall mean the City of Naperville.

5-1J-2: - AMENDMENTS: *

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CHAPTER 1 BUILDING CODES

ARTICLE K. - EXISTING BUILDING CODE

SECTION:

5-1K-1: - ADOPTION

1. For purposes of supplementing the provisions and regulations contained in this Title, the City hereby adopts by reference the 202418 International Existing Building Code (hereafter referred to as the IEBC) as the Code of the City for the repair, alteration, change of occupancy, additional and relocation of existing buildings.
2. There shall be one (1) copy of the International Existing Building Code kept on file for public inspection in the office of the Transportation, Engineering, and Development Business Group Office.
3. ~~In this Chapter, all references to the "Department" shall mean the City of Naperville.~~

5-1K-2: - APPLICABILITY OF PROVISIONS OR REGULATIONS:

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5-1K-3: - AMENDMENTS:

Section 202: Historic Building: *

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Section 301.3.4 - Fire Suppression Agreements

Installation of Fire Protection Systems: Unless more stringent regulations are provided in other adopted City codes, as amended from time to time, repairs, alterations, additions, and change of occupancy to any building or structure shall require fire protection systems installed per the building code then in effect prior to issuance of an occupancy permit. This requirement may not be triggered if it is determined in writing by the City's Fire Marshal that the addition, or alteration, or repair is solely for the purpose of complying with the Americans with Disabilities Act. Said written finding by the City's Fire Marshal will be attached to any building permit issued for said addition, alteration, or repair change of occupancy.

Fire Suppression Agreements: The owner of an existing commercial, non-residential, multi-tenant building (retail strip mall) may be eligible to enter into a fire suppression agreement with the city pertaining to the remainder of the structure or building not affected by repairs, alterations, additions, and or change of occupancy which agreement allows for compliance with the requirement to install a fire suppression system for the remainder of the structure or building to be delayed for a period of time to be agreed upon by the city which period shall

not exceed ten (10) years from the date of permit issuance for the initial change of use, alteration, addition, alteration, or repair or change of occupancy.

Notwithstanding the foregoing, if during the term of a fire suppression agreement, a unit, suite, or space of a building or structure which is the subject of the agreement has an alteration, addition, or change of occupancy, alterations, or additions which would trigger the application of fire sprinkler requirements under the city's code, that unit, suite, or space shall be required to comply with the sprinkler requirements then in effect under the International Building Code (IBC) as amended by the city code prior to issuance of an occupancy permit.

It shall be the applicant's responsibility to pursue a fire suppression agreement and said agreement must be fully executed and recorded with the office of the county recorder in which the property is located prior to the city's issuance of the building permit for the change of occupancy, alterations, or additions to any structure on the property.

SECTION 3: Savings Clause. If any section, paragraph, or provision of this Ordinance or its application to any person or circumstance is held invalid or unenforceable by any court of competent jurisdiction, this invalidity or unenforceability does not affect any of the remaining or other provisions or application of this Ordinance, which can be given effect without the invalid or unenforceable provision or application. To achieve this purpose, the provisions of this Ordinance are declared to be severable.

SECTION 4: City Attorney Authorized to Revise. Technical and minor substantive revisions consistent with the City Council's intent, as deemed acceptable to the City Attorney, may be made to this Ordinance and to the exhibits hereto prior to execution.

SECTION 5: This Ordinance shall be in full force and effect upon its passage and approval as required by law.

PASSED this _____ day of _____, 2026.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2026.

Scott Wehrli
Mayor

ATTEST:

Dawn Portner
City Clerk