



Legislation Text

File #: 25-1379, **Version:** 4

BUILDING REVIEW BOARD AGENDA ITEM

ACTION REQUESTED:

Recommend the Adoption of the 2024 International Existing Building Code with the Proposed Amendment to Section 301.3 and Keep the Existing Amendments

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Mark Dudash, Chief Building Official

BOARD/COMMISSION REVIEW:

Staff presented the proposed local amendment to the 2024 International Existing Building Code (IEBC) to the Building Review Board (BRB) at the October 15, 2025 meeting. This proposed amendment clarifies existing language currently in the local amendments to the International Building Code and relocates this text to amendments to the International Existing Building Code. There was no public testimony.

BACKGROUND :

Title 5 of the Naperville Municipal Code outlines the City's building regulations. Every six years or as required, the City adopts the then current applicable state, national and/or international building codes with or without local amendments.

Significant Changes and Amendments

A complete matrix highlighting the significant changes identified for each code section is attached. Within the attached table, an analysis is included for each code change, including whether the change is more or less restrictive, as well as the potential impact on cost and safety.

Where reasonable and consistent with City policies, staff recommends the adoption of the ICC set of codes as presented. However, there are items that do not meet these criteria and are therefore proposed as a local amendment. The significant changes and the proposed local amendment to the International Existing Building Code (IEBC) is provided below.

DISCUSSION :

Staff identified 13 significant changes to the 2024 IEBC in the attached matrix and is requesting one new amendment to the 2024 IEBC. The Fire Department would like to modify Section 301.3: Alteration, addition or change of occupancy, by adding a new sub-section: 301.3.4.

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.

The Fire Department is primarily requesting the addition of the sub-section due to the complexity of the previous wording, which was convoluted and often created uncertainty regarding when sprinkler systems were required. When a code is not clear and concise, it leaves room for misinterpretation and inconsistency in enforcement.

The Fire Department collaborated with the Legal Department and determined that this revised version provides greater clarity and consistency. The update is particularly applicable to strip mall configurations. With this revision, when an existing tenant space triggers a sprinkler requirement, only that specific unit must be sprinklered. The remaining portions of the building will then be subject to a 10-year compliance agreement.