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**THE VILLAGE OF FRANKLIN PARK  
COOK COUNTY, ILLINOIS**

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**ORDINANCE**

**NUMBER 0910-VC-35**

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**AN ORDINANCE AMENDING TITLE 8 OF THE VILLAGE CODE OF  
THE VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS  
(INTERNATIONAL MECHANICAL CODE)**

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**BARRETT F. PEDERSEN, Village President  
TOMMY THOMSON, Village Clerk**

**JUAN ACEVEDO  
PAUL BELLENDIR  
TOM BRIMIE  
JOHN JOHNSON  
CHERYL MCLEAN  
ROSE RODRIGUEZ  
Trustees**

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Village of Franklin Park – 9500 Belmont Avenue - Franklin Park, Illinois 60131**

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**AN ORDINANCE AMENDING TITLE 8 OF THE VILLAGE CODE OF  
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**WHEREAS**, the Village of Franklin Park, Cook County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

**WHEREAS**, the President and Board of Trustees of the Village of Franklin Park (the "*Corporate Authorities*") are charged with the responsibility of establishing and updating building construction and safety codes, standards and regulations in the Village to ensure that matters pertaining to safety issues and concerns are examined and addressed in order to protect the health, safety and welfare of the residents of the Village; and

**WHEREAS**, the Corporate Authorities are committed to providing the residents of the Village with building construction and safety codes standards and regulations that are consistent and predictable, that reflect the latest standards in technology and safety, and that readily adapt to advances and provide uniformity with nationally recognized standards and requirements; and

**WHEREAS**, in accordance with the Illinois Municipal Code, copies of the International Mechanical Code, 2006 Edition, have been duly filed in the office of the Village Clerk and made available for public use, inspection and examination for a period no less than thirty (30) days before the adoption of this Ordinance by the Village.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

**Section 1.** That the above recitals and legislative findings are found to be true and correct

and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2.** Chapter 6 ("*International Property Maintenance Code*") of Title 8 ("*Building and Building Regulations*") of the Village Code of Franklin Park, Illinois, is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

**~~CHAPTER 6: INTERNATIONAL PROPERTY MAINTENANCE CODE~~**

**CHAPTER 6: ADOPTED CODES**

**8-6-1: ADOPTION OF CODE**

~~The rules and regulations of the Building Officials and Code Administrators International, Inc., as contained in the following code: "The International Property Maintenance Code, 1998 Edition" as published by the Building Officials and Code Administrators International, Inc., Country Club Hills, Illinois are hereby adopted and incorporated as fully as if set out at length herein.~~

**8-6-9: 2006 EDITION OF THE INTERNATIONAL MECHANICAL CODE:**

The International Mechanical Code, 2006 edition, and referenced standards and Appendix A, as published by the International Code Council, a copy of which is on file and available for public use, inspection and examination in the office of the Village Clerk, is hereby adopted as the Mechanical Code of the Village, for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fee therefore; and each and all of the regulations, provisions, conditions and terms of said Mechanical Code are hereby referred to and made a part hereof, as if fully set out in this Section of the Village Code with the additions, insertions, deletions and changes, if any, prescribed in Section 8-6-10 of the Village Code. The adoption of the International Mechanical Code shall not be construed as preventing the enforcement of or as repealing the provisions of any ordinance, regulation, standard or code adopted by the Village which is more restrictive than the provisions of this Section. In the event any provision of this Section conflict with any other ordinance, regulation, standard or code adopted by the Village, the more restrictive shall be applicable.

**8-6-10: REVISIONS TO THE 2006 EDITION OF THE INTERNATIONAL MECHANICAL CODE:**

Section 101.1: Insert: "*Village of Franklin Park, Cook County, Illinois*".

Section 103.1: Delete "*Department of Mechanical Inspection*" and insert "*Department of Inspectional Services*."

- Section 103.2: Delete Section “Appointment” in its entirety.
- Section 103.3 Delete Section “Deputies” in its entirety.
- Section 106.5.2: Insert: “See Title 11 of Village Code of Franklin Park.”
- Section 106.5.3: Delete Section “Fee Refunds” in its entirety.
- Section 108.4: Delete Section “Violation Penalties” in its entirety and substitute the following “See violation penalties section of Chapter 6.”
- Section 108.5: Insert: “fifty dollars (\$50.00) and seven hundred fifty dollars (\$750.00)”.
- Section 109: Delete Section 109 “Means of Appeal” in its entirety and  
substitute the following:
- “Section 109 Right to Appeal. 109.1 Court Review. A person shall have the right to appeal the final written decision of the code official by applying to the appropriate court of law to correct errors of law. Application for review shall be made in the manner and time required by law following the final written decision of the code official.”
- Section 301.7: Delete Section 301.7 “Electrical” in its entirety.
- Section 301.8: Delete Section 301.8 “Plumbing Connections” in its entirety.
- Section 601.1: Add to paragraph entitled “Scope” the sentence: “Use of stud space or joist space for a supply is not permitted. Gypsum ducts are not permitted.”
- Section 602.3: Delete Section “Stud Cavity and Joist Space Plenums” in its entirety.
- Section 603.5.1: Delete Section “Gypsum Ducts” in its entirety.
- Section 910.2: Add to Section “Placement”
- “Furnace may be placed directly on basement floor slab. In all other locations, a 1-1/2” precast concrete pad or 2 layers of ½” DURA ROCK or 2” thickness of poured concrete under any furnace is required.”

Appendix A:                    Appendix A “Combustion Air Openings and Chimney Connector Pass-Throughs” is hereby adopted and incorporated herein.

**8-6-2: PENALTY:**

~~Any person, firm or corporation who shall violate any provision of this chapter or of the codes and regulations adopted by this chapter or who shall fail to comply with any of the requirements thereof, shall upon conviction be fined in an amount not less than two hundred fifty dollars (\$250.00) nor more than seven hundred fifty dollars (\$750.00) for each such violation or failure to comply. Each day that a violation or failure to comply continues shall be deemed a separate offense.~~

**8-6-15: VIOLATION PENALTIES:**

Any person, firm or corporation who shall violate a provision of this chapter or of the codes and regulations herein adopted or who shall fail to comply with any of the requirements thereof, shall be fined in an amount not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00), or to such other remedies as provided by law, for each such violation or failure to comply. Each day that a violation or failure to comply continues shall be deemed a separate offense.

**Section 3.** That nothing in this Ordinance or in the Mechanical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**Section 4.** This Ordinance, and its parts, are declared to be severable and any section, subsection, sentence, clause, provision, or portion of this Ordinance that is declared invalid such decision shall not affect the validity of any other portion of this Ordinance, which shall remain in full force and effect. The Corporate Authorities hereby declare that the passage of this Ordinance would have occurred, irrespective of the fact that any one or more of its sections, subsections, sentences, clauses, provisions, or portion thereof, was at the time of passage invalid or unconstitutional.

**Section 5.** If any part of this Ordinance is found to be in conflict with any other ordinance, resolution, motion or order or parts thereof, the most restrictive or highest standard shall prevail.

**Section 6.** This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted herein and hereby shall take full force and be in effect on January 1, 2010, at 12:00 A.M., Central Standard Time, due to the urgent nature of the matter herein in order to establish uniform standards and regulations throughout the Village and to ensure that the health, safety and welfare of the residents of the Village is duly protected.

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**ADOPTED** by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois this 21st day of December 2009, pursuant to a roll call vote, as follows:

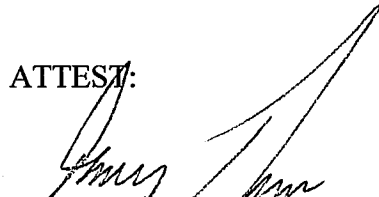
	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>PRESENT</b>
ACEVEDO	X				
BELLENDIR	X				
BRIMIE	X				
JOHNSON	X				
MCLEAN	X				
RODRIGUEZ				X	
PRESIDENT PEDERSEN					
<b>TOTAL</b>	5			1	

**APPROVED** by the President of the Village of Franklin Park, Cook County, Illinois on this 21st day of December 2009.



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**BARRETT F. PEDERSEN**  
**VILLAGE PRESIDENT**

ATTEST:



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**TOMMY THOMSON**  
**VILLAGE CLERK**