

TO PERMIT CANOPIES AS A PERMANENT STRUCTURE

Amend Village Code 5-1-13 adding amendments to the Village Code for Sections 202, 312.1, 501.3.2, 907.2 and Chapter 35 Appendix C referencing the model code (IBC 2006).

25. That in **Section 202 DEFINITIONS**, the existing definitions shall add an Exception for an “Agricultural Building” and add a definition for an “Agricultural Canopy” to read as follows:

AGRICULTURAL, BUILDING: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public. See Appendix C of this Code.

Exception: A canopy structure of less than 8,000 square feet in area that is used to cover the sales area of horticultural landscaping plantings only; may be considered an “Agricultural Canopy” when horticultural sales are the principal use of the property. See Section 312 of this code and The Fire Code VC 5-5-2 and Chapter 24 for allowed permanent canopy structures as amended.

AGRICULTURAL CANOPY. A permanent structure or shelter less than 8,000 square feet constructed of fabric or pliable materials supported by any manner, except by air or the contents it protects, and is open without sidewalls or drops on 75 percent of the perimeter used as a retail building with limitations as provided in this code and the Fire Code. (per 2006 IFC)

30a. That Section 312 is added to existing item 30, to amend Agricultural Canopies in Section 312 to read as follows:

SECTION 312 UTILITY AND MISCELLANEOUS GROUP U

312.1 General. Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to, the following:

Agricultural Canopies

See Sections 202, 501.3.2, 907.1.2 and Appendix C, referencing Village amendments

Aircraft hangars, accessory to a one- or two-family residence (see Section 412.3)

Barns

Carports

Fences more than 6 feet (1829 mm) high

Grain silos, accessory to a residential occupancy

Greenhouses

Livestock shelters
Private garages
Retaining walls
Sheds
Stables
Tanks
Towers

43. That Section 501.3 is added to Section 501.0 and shall read as follows:

501.3.2 EXTERIOR WALLS ALL OTHER USES: All exterior walls shall be solid masonry construction or steel column and beam construction (for structural frame support purposes) with a veneer of decorative masonry, decorative architectural concrete panels or similar materials. The same material shall be used for all of the exterior walls of a building. See Section 503.2.

EXCEPTIONS:

- a. Use Group R-1 buildings equipped throughout with an automatic fire sprinkler system per 903.3.1.1, may use a structurally engineered noncombustible exterior wall system when special inspections are performed by a State of Illinois Licensed Architect or Structural Engineer per Sections 104.4, 1704.1 and 1704.2 of this code. (Ord. 3994, 3-7-05).
- b. Agricultural Canopies as allowed in Section 312.1 for an Agricultural Use and are not classified as a Tent may use a roll up type side wall material. Pliable material may only be lowered for protecting plant material during frost conditions when the canopy is not open to the public or occupied. Permanent Canopy construction and materials shall also comply with the Village Fire Code (VC 5-5).

Construction and maintenance approval of permanent canopies using fabric or pliable materials shall comply with all of the following conditions:

- a. Special inspection reports must be submitted to the Village by a qualified inspection agency, a State of Illinois licensed architect or engineer or the manufacturer's representative stating the canopy was installed per installation requirements.
- b. Special Inspection reports shall review the canopy for:
 1. Structural integrity conformance to the design engineer's plan and Building Code.
 2. Design materials used in compliance to the Building and Fire Codes.
 3. All matters regulated by the Fire Code for a permanent canopy.

Citations will be issued to the land owner and a court appearance is required for violations of this ordinance without preliminary warnings.

See Sections 202, 312, 907.2 and Chapter 35 Appendix C of this ordinance for additional code references.

95. That Section 907.2 and its Subsections shall read as follows:

907.2 FIRE ALARM AND DETECTION SYSTEM WERE REQUIRED:

An approved manual, automatic, or manual and automatic fire alarm system shall be provided in accordance with Sections 907.2.1 through Section 907.2.23. Where automatic sprinkler protection, installed in accordance with Section 903.3.1.1 or 903.3.1.2, is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required. An approved automatic fire detection systems shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.

Fire Alarm and Detection systems are required in all buildings and/or portions thereof unless the building has 100% fire sprinkler system protection per this code.

EXCEPTION: An Agricultural Canopy that is less than 8000 square feet in area of an Agricultural use not containing combustible storage except for plant sales, may be permitted without a fire alarm system when design complies with the Village Code and Land Development Code regulations.

See Sections 202, 312.1, 501.3.2, 3105, 2404.5 and Chapter 35 Appendix C for other code amendments.

907.2.10.2 POWER SOURCE:

In new construction, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup.

Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for over current protection.

The Illinois Smoke Detector Act shall apply and take precedence where more restrictive to all residential units

EXCEPTIONS:

1. Smoke alarms are not required to be equipped with battery backup in Group R-1 where they are connected to an emergency electrical system.
2. Smoke alarms are permitted to be solely battery operated in existing buildings, buildings not served from a commercial power source and in existing areas where alterations or repairs regulated for Residential alterations and repairs and do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

198. That in chapter 35 Appendix C, Section C101 shall add items 9 and 10 to read:

APPENDIX C GROUP U-AGRICULTURAL BUILDINGS

SECTION C101- GENERAL

C101.1 SCOPE: The provisions of this appendix shall apply exclusively to agricultural buildings. Such buildings shall be classified as Group U and shall include the following uses:

1. Livestock shelters or buildings, including shade structures and milking barns.
2. Poultry buildings or shelters.
3. Barns.
4. Storage of equipment and machinery used exclusively in agriculture.
5. Horticultural structures, including detached production greenhouses and crop protection shelters.
6. Sheds.
7. Grain silos.
8. Stables.
9. A canopy structure of less than 8,000 square feet in area that is used to cover the sales area of horticultural landscaping plantings only; may be considered an "Agricultural Canopy" when horticultural sales are the principal use of the property. Allowing an agricultural building for a limited amount of retail (M use group), will not allow the lesser restrictions of the agricultural use sections to apply were conflicts may occur with other code requirements or amendments.

Example: Allowable Height and Area, Mixed Uses, Existing (C102 -C104).

See ICC model Building Code and Village Code amended Sections 202, 312.1, 501.3.2, 907.1.2., and The Fire Code (VC 5-5-2), Chapter 24 for additional regulations

199. That in chapter 35 Appendix C, Section C105 is added to read:

SECTION C105- AGRICULTURAL CANOPY

C105.1 Requirements. Agricultural Canopies shall meet the following requirements.

1. An agricultural canopy shall be permanent.
2. The Village Land Development Code has a separate review process for Tent and Canopy structures. The Planning Division's approval is required prior to the issuance of a building permit for agricultural canopies.
3. The agricultural canopy shall not be erected over any existing public parking spaces.
4. An accessible route from the accessible parking area to the agricultural canopy shall be provided with a minimum thirty-six (36") accessible aisle inside the agricultural canopy.
5. Smoking shall not be permitted inside the agricultural canopy. Approved "No Smoking" signs shall be conspicuously posted.
6. Open flame or other devices emitting flame, fire or heat or any

flammable or combustible liquids, gas, charcoal or other cooking device shall not be permitted inside or located within twenty feet (20') of the agricultural canopy.

7. 4A60BC portable fire extinguishers shall be provided for every 2,000 square feet inside the agricultural canopy.
8. No business transactions inside the canopy.
9. Any electrical shall be per Village Code.
10. Exits shall be defined with an exit sign.
11. No permanent signs permitted on the agricultural canopy.
12. Temporary signs shall be permitted per Land Development and Village Codes.

5-5-2 Amendments to the Fire Code

Add an amendment to Section 2401.1.1 to the Fire Code to read:

SECTION 2401 GENERAL

2401.1 SCOPE. Tents, canopies and membrane structures shall comply with this chapter. The provisions of Section 2403 are applicable only to temporary membrane structures. The provisions of Section 2404 are applicable to temporary and permanent membrane structures.

2401.1.1 CANOPY FOR AGRICULTURAL USE: The regulations for a "Agricultural Canopy" to be allowed for an Agricultural Use, shall follow this code and the requirements of the Building Code as amended (5-1-13 Sections 202, 312.1, 501.3.2, 907.2 and Chapter 35 Appendix C)