



**MINUTES
PUBLISHED BY THE AUTHORITY OF THE
BUILDING BOARD OF APPEALS OF BLOOMINGTON, ILLINOIS
SPECIAL MEETING**

**Tuesday, September 1, 2020, 5:00 P.M.
Council Chambers, City Hall
109 East Olive Street, Bloomington, Illinois
WWW.CITYBLM.ORG/LIVE**

1. CALL TO ORDER

The Meeting was called to order by Chairperson Meek at 5:08 p.m.

2. ROLL CALL

The Building Board of Appeals convened the Special Meeting virtually via Zoom conferencing with Bob Mahrt, Chris McAllister and John Meek, Chairperson in-person in City Hall’s Council Chambers. All other board members participated remotely on Tuesday, September 1, 2020. The meeting was live streamed to the public at www.cityblm.org/live.

Attendee Name	Title	Status
Mr. John Meek	Chairperson	Present
Mr. Jeffery Brown	Board Member	Absent
Mr. Mark Holderby	Board Member	Absent
Mr. Jerry Kelleher	Board Member	Remote
Mr. Michael Raikes	Board Member	Remote
Mr. Larry Stevig	Board Member	Remote
Mr. John Weber	Board Member	Remote
Vacant	Board Member	
Vacant	Board Member	
Mr. George Boyle	Assistant Corporation Counsel	Remote
Mr. Chris McAllister	Building Official	Present
Ms. Katie Simpson	City Planner	Remote
Mr. Bob Mahrt	Community Development Director	Present

COVID-19

This meeting was being held virtually via live stream pursuant to the gubernatorial executive order 2020-07, Section 6. Public comment was accepted until 15 minutes before the start of the meeting. Written public comment must have been emailed to publiccomment@cityblm.org and those wishing to speak live must have registered at <https://www.cityblm.org/register> at least 15 minutes prior to the meeting.

3. PUBLIC COMMENT

Chairperson Meek asked for public comment from the audience for those items that were not listed on the Special Meeting Agenda. There were no public comments made.

4. MINUTES

A. Consideration, review and approval of Minutes of the February 4, 2020 meeting of the Bloomington Building Board of Appeals.

Michael Raikes made a motion for approval. Motion was seconded by Jerry Kelleher. The motion was approved by a 4-0-1 vote as follows: Chairperson Meek – YES; Mr. Kelleher – YES; Mr. Raikes – YES; Mr. Stevig – ABSTAIN; Mr. Weber – YES.

5. REGULAR AGENDA

A. BBA-1-20 Public Hearing, review and action on proposed amendments to Chapter 10 – Building Code, Chapter 15 – Electrical Code, and Chapter 34 – Plumbing Code of the Bloomington City Code related to adoption of the 2018 International Building Code (IBC), 2018 International Residential Code (IRC), 2018 International Existing Building Code (IEBC), 2018 International Fire Code (IFC), 2018 International Fuel Gas Code (IFGC), 2018 International Mechanical Code (IMC), 2018 International (Illinois) Energy Conservation Code (IECC), 2018 International Swimming Pool and Spa Code (ISPSC), the Illinois State Accessibility Code (IAC), the 2014 Illinois Plumbing Code, the 2020 National Electric Code (NEC) and other related codes.

Chairperson Meek opened the public hearing.

Director Mahrt provided a general overview of the process to date for the amendments to Chapter 10 – Building Code, Chapter 15 – Electrical Code, and Chapter 34 – Plumbing Code of the Bloomington City Code related to adoption of the 2018 International Code Council (ICC) family of codes and the 2020 National Electric Code (NEC) Building Code. He further reviewed the Staff Memorandum to the Board outlining the established amendments to the City Code and the model building codes as shown on Exhibit “A” and the recommended amendments to the City Code as shown on Exhibit “B”.

Director Mahrt illustrated the recommended amendments to the City Code as shown on Exhibit “B”. He referenced adoption of the 2018 IBC, 2018 IRC, 2018 ISPSC, 2018 IFC, 2018 IEBC, 2018 IECC under Chapter 10, Article II. In addition, he specifically referenced the recommended adoption of the 2018 ISPSC and deletion of Appendix G Swimming Pools, Spas, and Hot Tubs provisions in the IRC. He also discussed expanding the work credentials for electrical construction representatives on the Building Board of Appeals.

Minor administrative and re-numbering of sections referenced in Chapter 10, Articles IV – X were reviewed illustrating the additions/modifications/amendments of the model building codes and the City Code. Director Mahrt discussed the recommendation for inclusion of the new Appendix “Q” Tiny Houses within the 2018 IRC. In addition, he specifically referenced the alternatives for the Building Board of Appeals to consider in regard to adoption of the 2018 IFC and the new Section 1103.5.1 Group A-2 Occupancies. This section would require the retrofit installation of a fire sprinkler system in existing Group A-2 occupancies where alcoholic beverages are consumed if the

occupant load is 300 or more. Alternatives included adoption, amortization or deletion of Section 1103.5.1.

Director Mahrt reviewed the recommendations for Chapter 15 Electricity including adoption of the 2020 National Electric Code, changing the name of this Chapter to Electrical Code, and modifications to the references to the Electrical Inspector position. He specifically reviewed the new model code updates for Surge Protection, Ground-fault Circuit-Interrupter Protection, and Emergency Disconnections.

Director Mahrt reviewed the recommendations for Chapter 34 Plumbing Code including maintaining consistency in referencing the Illinois State Plumbing Code throughout the Chapter, modifying “local” material standards to match the state code, and modifications to the references to the Plumbing Inspector position.

There was clarification discussion on adoption of the 2018 International Energy Conservation Code (IECC) versus specifically referencing and adopting the Illinois Energy Conservation Code. The Illinois Energy Conservation Code does require compliance with the latest published edition of the International Energy Conservation Code and as a matter of practice the City has only adopted the International Code to comply with the Energy Efficient Building Act.

George Boyle brought to the Board’s attention outdated references in the “Violation Penalties” by requesting potential modification of the established text regarding criminal penalties for violations. Mr. Boyle had suggested deletion of the term “misdemeanor” and replacing this term with “offense”. In addition, these sections should include a provision for a minimum fine of \$50 and not more than \$500. Jerry Kelleher had questioned authority of penalties greater or less than the State mandated codes.

Chairperson Meek called for public testimony.

Ed Neaves was sworn in by the Chairperson. Mr. Neaves stated that he serves as the current President of the Illinois Realtors Association, the past president of the Bloomington Normal Home Builders Association and the past president of the Bloomington Normal Association of Realtors. He supported the recommendation to continue the status quo standard for the “Mandatory Offer Requirement” for optional installation of automatic sprinkler systems in one and two family dwellings for the adoption of the 2018 IRC.

There was further discussion on the current process for administration of the “Mandatory Offer Requirement” prior to building permit issuance for one and two family dwellings.

Paul Scharnett was sworn in by the Chairperson. Mr. Scharnett stated he serves as the Vice-Chair of the Bloomington Historic Preservation Commission and is a local architect. He summarized correspondence provided to City Staff on September 1, 2020. He raised his concerns on the need for a “demolition through neglect” Ordinance, maintaining the status quo for residential sprinkler systems, and interpretation of the 2018 International Energy Conservation Code related to potential impacts on historic buildings.

There was additional discussion on administration of the 2018 International Energy Conservation Code.

There being no further public testimony, Chairperson Meek closed the public hearing at 6:23 p.m.

Director Mahrt summarized the key points of further discussion by the Board including Section 1103.5.1 Group A-2 of the 2018 IFC.

Chairperson Meek requested the number of business that may be affected by the new regulation and whether notice had been provided to the specific businesses. Director Mahrt indicated that approximately 13 entertainment oriented businesses would meet that threshold and that notices were not sent out pending a review by the Board.

Larry Stevig requested information on the basis for this new section in the 2018 IFC and the estimated cost for installation. Director Mahrt responded that the ICC identified the potential loss of life as the primary basis for this new section. There was continued discussion on the cost for installation to be in the range of \$5-\$7 per square foot of floor area.

There was continued discussion on cost impacts on the entertainment oriented businesses, the prior efforts through building permit issuance to meet the intent of these fire safety regulations, and Fire Department response times. Alternative recommendations included full adoption, amortization or deletion of Section 1103.5.1.

Chairperson Meek requested outreach to notify these entertainment oriented businesses. Director Mahrt indicated that notice could be provided prior to City Council discussion.

There was additional discussion on the alternative recommendations and concerns over financial hardship versus the potential loss of life in the event of a fire. Further discussion related to departing from the minimum code standard, the lack of understanding of the current facilities in the community, and consideration for the implementation of Section 1103.5.1 under any future International Fire Code adoptions.

John Weber made a motion recommending to modify Exhibit "B" of the Staff Memorandum by deleting Section 1103.5.1 Group A-2 of the 2018 International Fire Code in its entirety. Motion was seconded by Michael Raikes. The motion was approved by a 4-1 vote as follows: Chairperson Meek – YES; Mr. Kelleher – YES; Mr. Raikes – YES; Mr. Stevig – NO; Mr. Weber – YES.

Larry Stevig made an motion recommending approval of BBA-1-20 to adopt amendments to Chapter 10 – Building Code, Chapter 15 – Electrical Code, and Chapter 34 – Plumbing Code of the Bloomington City Code related to adoption of the 2018 International Code Council (ICC) family of codes and the 2020 National Electric Code (NEC) Building Code as outlined in the revised Exhibit "B" of the Staff Memorandum. Motion was seconded by John Weber.

After further discussion, there was interest in amending the motion in regard to "Violation Penalties".

Larry Stevig made an amended motion recommending approval of BBA-1-20 to adopt amendments to Chapter 10 – Building Code, Chapter 15 – Electrical Code, and Chapter 34 – Plumbing Code of the Bloomington City Code related to adoption of the 2018 International Code Council (ICC) family of codes and the 2020 National Electric Code (NEC) Building Code as outlined in the revised Exhibit "B" of the Staff Memorandum and with supplemental modifications related to "Violation Penalties".

Motion was seconded by John Weber. The motion was approved by a 5-0 vote as follows:
Chairperson Meek – YES; Mr. Kelleher – YES; Mr. Raikes – YES; Mr. Stevig – YES; Mr. Weber – YES.

6. OLD BUSINESS

Chairperson Meek called for discussion of any Old Business. There was none.

7. NEW BUSINESS

Chairperson Meek called for discussion of any Old Business. There was none.

8. ADJOURNMENT

Mr. Kelleher made a motion to adjourn; seconded by Mr. Raikes. The motion passed unanimously by roll call vote. Meeting was adjourned at 6:59 p.m.

CITY OF BLOOMINGTON

ATTEST

John Meek
Chairperson

Melissa Hon
Economic & Community Development Director



**BUILDING BOARD OF APPEALS
MEETING MINUTES**

DATE: December 7, 2021

Staff present: Chris McAllister, Building Official, and Kimberly Smith, Assistant Director

Roll Call

John Meek, Chair
Jeffery Brown
Mark Holderby - absent
Jerry Kellerher
Michael Raikes
Larry Stevig
John Weber

Public Comment

None

Approval of Minutes

Chair asked Mr. McAllister to brief the Board on the previous minutes. Mr. McAllister summarized the minutes of September 20, 2020, and noted the focus was adoption of the building code, plumbing and other code updates.

Approved viva voce vote.

Update on State approval of City of Bloomington City Code Chapter 34 - Plumbing

Mr. McAllister summarized the plumbing code update process, and changes from the State review, which were minor in nature and primarily aligning definitions of the State Plumbing Code with that of our Ordinance.

Chairperson Meek asked if further Board action was required. Mr. McAllister clarified nothing at this time.

Update on Building Permit Application Procedures and Forms

Mr. McAllister reviewed updated process for accepting permit applications online.

Mr. McAllister explained new procedures for reviewing changes in use of existing building, including new application process for these changes in uses.