

**SUBSTITUTE**

**ORDINANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** Chapter 13-196 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 13-196-203, as follows:

**13-196-203 Life safety data sheet–Required.**

*(A)* No later than April 1, 2005, any owner of an existing building exceeding 80 feet in height above grade shall file with the fire department a life safety data sheet containing the following information about the building: (1) the name of the building owner of record, and, if applicable, the building manager; (2) the address of the building; (3) whether the building is residential or commercial or of mixed use; (4) if the building is residential or of mixed use, the number of dwelling units in the building; (5) the number of stories in the building; (6) whether the building is equipped with an automatic sprinkler system meeting any or all of the requirements of Chapter 15-16 of this code, and identifying the areas so protected; and (7) whether the building is equipped with a standard inside standpipe system, a fire pump and a smokeproof tower.

*(B) All information contained in the life safety data sheet shall be kept current. Any change in required information shall be reported by the building owner to the fire department within 14 days after the change. This subsection shall be enforceable against the building owner and against any subsequent owner.*

Any person who violates the requirements of this section shall be fined not less than \$200 nor more than \$500 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

**SECTION 2.** Chapter 13-196 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 13-196-204, as follows:

**13-196-204 Voice communication systems in existing buildings.**

**(A) Subject to the exceptions listed below,** no later than January 1, **2012**, every existing building exceeding 80 feet in height above grade shall be equipped with the following: (i) a one-way voice communication system meeting the requirements of section 13-76-050(b); and (ii) a two-way voice communication system meeting the requirements of section 13-76-050(a); provided, however, that a telephone or other two-way communication system connected to an approved station, and installed pursuant to and in accordance with Option 2 of section 13-196-084(a), shall be deemed to satisfy the requirements of item (ii) of this section

**(B) Neither a one-way nor a two-way voice communication system shall be required in the following buildings:**

Exception No. 1: Buildings that are classified as Class A-2, Multiple Dwellings, and are for non-transient residential use and are fully protected by automatic sprinklers.

Exception No. 2: Institutional buildings and schools that have an approved standard fire alarm system as required by Section 15-16-110.

**(C) A one-way voice communication system shall not be required in the following buildings:**

**Exception No. 1: Non-transient residential buildings with an existing occupant notification system if** a detailed description of the existing occupant notification system is submitted to and approved by the commissioner of buildings and the fire commissioner or by their designated representatives. In order to be considered for approval under this exception, and if approved under this exception, the existing occupant notification system shall meet the following criteria:

- (a) The system must be in continuous use and must be tested on a monthly basis, or the system must have electronic supervision to indicate operational deficiencies in the system including, but not limited to, shorts, grounds and breaks in the circuit wiring; and
- (b) The system must be audible throughout all required areas of the building, or must produce within all dwelling units a minimum sound level of 45 dBA within 10 feet of any existing occupant notification system device; and
- (c) The system must be able to transmit voice instructions without delay; and
- (d) The system must be able to transmit voice instructions to all required areas or to all dwelling units at the same time; and
- (e) The system must be available for fire department use from a central command location; and
- (f) The system is subject to field testing; and
- (g) Replacement or modification of system components *to meet the above criteria* is limited to 50% of the reproduction cost of the existing occupant notification system.

**(D) A two-way voice communication system shall not be required in the following buildings:**

**Exception 1: Buildings that are classified as Class A-2, Multiple Dwellings, and are for non-transient residential use if the building does not exceed 15 stories in height and contains 60 or fewer dwelling units as defined in section 13-4-010.**

(E) For purposes of this section, "non-transient residential" means a residential use other than a hotel, motel, bed-and-breakfast establishment, dormitory, transitional shelter, emergency shelter or other temporary residential use.

***(F) This section shall be enforceable against the building owner and against any subsequent owner.***

**SECTION 3.** Chapter 13-196 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 13-196-205, as follows:

**13-196-205 Automatic sprinkler system installation in existing high rise buildings.**

Subject to the exceptions listed below, every existing building exceeding 80 feet in height above grade shall be protected throughout by an approved automatic sprinkler system meeting the requirements of Chapter 15-16 of this code unless otherwise provided by section 13-196-207. The owner of each such building shall, no later than September 1, 2005, submit for approval to the bureau of fire prevention a plan for compliance with the requirements of this section. The requirements of this section shall be enforceable against the building owner and against any subsequent owner.

Every building subject to the provisions of this section shall comply with the following schedule for installation of an approved automatic sprinkler system: one-third of the gross square footage of the building shall be equipped with automatic sprinklers by January 1, 2009;

two-thirds of the gross square footage of the building shall be equipped with automatic sprinklers by January 1, 2013; and the entire gross square footage of the building shall be equipped with automatic sprinklers by January 1, 2017. Buildings subject to any of the following exceptions 3 through 7, inclusive, shall comply with the requirements of section 13-196-206.

Exception No. 1: An open-air parking facility meeting the requirements of section 13-96-920 of this code.

Exception No. 2: The open-air *portions* of a stadium.

Exception No. 3: A building that is classified as a Class A-2, Multiple Dwelling, and that is a non-transient residential use. ***This exception includes (a) all approved auxiliary use areas of the building other than parking garages; and (b) any parking garage in the building that is used exclusively by the building's non-transient residential occupants and their guests or by persons who, pursuant to a written lease agreement, rent space in the building's parking garage for use by a designated motor vehicle in time increments of at least one month in duration.***

Exception No. 4: The following portions of a building classified as a mixed occupancy building:

(A) Any portion of a mixed occupancy building that is classified as a Class A-2, non-transient residential use;

(B) Any approved auxiliary use area wholly contained within a Class A-2, non-transient residential use portion of a mixed occupancy building;

(C) Any parking garage in a mixed occupancy building that ***is used exclusively by the building's non-transient residential occupants and their guests or by persons who, pursuant to a written lease agreement, rent space in the building's parking garage for use by a designated motor in time increments of at least one month in duration.***

(D) Any portion of a mixed occupancy building, other than those portions of the building classified as a Class A-2, non-transient residential use, if all of the following criteria are met:

(1) The cumulative total of the building's floor areas not classified as a Class A-2, non-transient residential use does not exceed 10% of the total floor area of the building. The floor areas of parking garages used exclusively by the building's non-transient residential occupants and their guests shall be excluded from the calculation of the building's total floor areas not classified as a Class A-2, non-transient residential use and from the calculation of the total floor area of the building; and

(2) Occupancy separations are provided in accordance with Table 13-56-280 as set out in section 13-56-280 of this code; and

(3) The mixed occupancy building must be either of Type I, fire-resistive construction or of Type II, non-combustible construction; and

(4) All of the exempted areas within the mixed occupancy building, other than those portions of the building classified as a Class A-2, non-transient residential use, are located in the building at a floor level elevation that does not exceed 80-feet in height above average grade.

Exception No. 5: A building designated as a Chicago Landmark pursuant to Article XVII of Chapter 2-120 of this code unless the landmarked building is required to be equipped with an automatic sprinkler system by other provisions of this code.

Exception No. 6: A building within a landmark district designated pursuant to Article XVII of Chapter 2-120 of this code and determined to be a contributing building unless the contributing building is required to be equipped with an automatic sprinkler system by other provisions of this code.

Exception No. 7: A building color-coded red or orange in the Chicago Historic Resources Survey, published in 1996, unless the building is required to be equipped with an automatic sprinkler system by other provisions of this code.

For purposes of this section, "non-transient residential" means a residential use other than a hotel, motel, bed-and-breakfast establishment, dormitory, transitional shelter, emergency shelter or other temporary residential use.

**SECTION 4.** Chapter 13-196 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 13-196-206, as follows:

**13-196-206 Life safety evaluation of existing high rise buildings.**

(A) No later than January 1, 2005, the commissioner of buildings shall adopt by rule and publish criteria for life safety evaluations of all existing buildings exceeding 80 feet in height above grade that are not required by section 13-196-205 to be protected throughout by an approved automatic sprinkler system. The criteria adopted pursuant to this subsection shall provide sufficient protection to life and safety of building occupants. The criteria shall be developed based on a review of available resources, including standardized building and safety codes and the practices of other municipalities.

(B) The owner of any building qualifying for any exception 3 through 7, inclusive, of section 13-196-205 shall have the building evaluated for life safety by a licensed professional engineer or by a licensed architect; provided, however, that this requirement shall not apply to any building which is protected throughout by a previously approved automatic sprinkler system. The licensed engineer or architect shall prepare a life safety evaluation of the building in accordance with the requirements of this section and with any rules and regulations promulgated thereunder. The life safety evaluation shall be signed and sealed by the person who prepared it and shall contain an explicit statement acknowledging that the information contained therein is true and complete.

(C) If, based on the use of a scoring system described by rule to conduct the life safety evaluation, the licensed professional engineer or licensed architect determines that the building achieves the minimum score required on the life safety evaluation, the licensed engineer or architect shall certify the evaluation as a life safety compliance plan and shall give the life safety compliance plan to the building owner. No later than January 1, 2006, the building owner shall submit the life safety compliance plan to the department of buildings and the bureau of fire prevention. The life safety compliance plan shall be enforceable against the building owner and against any subsequent owner.

(D) If, based on the use of a scoring system described by rule to conduct the life safety evaluation, the licensed professional engineer or licensed architect determines that the building does not achieve the minimum score required on the life safety evaluation,

the building owner shall, no later than January 1, 2006, submit the life safety evaluation to the department of buildings and the bureau of fire prevention along with either: (1) a proposal to protect the building throughout with an automatic sprinkler system meeting the requirements of Chapter 15-16 of this code unless otherwise provided by section 13-196-207, notwithstanding any exceptions for which the building may have otherwise qualified pursuant to section 13-196-205, and using the schedule for installation described in section 13-196-205; or (2) a proposal for achieving the minimum score required on the life safety evaluation by making specified modifications to the building.

Any proposal submitted pursuant to this subsection shall be signed and sealed by a licensed professional engineer or by a licensed architect. In addition, any proposal submitted pursuant to item (2) of this subsection shall contain (i) an explicit statement by the licensed engineer or architect certifying that if the modifications identified in the proposal are fully implemented, the building will receive the minimum score required on the life safety evaluation; and (ii) a timetable for completion of those modifications to be phased in over a stipulated period of years, but no later than **January 1, 2012**, at which time the modifications identified in the proposal shall be fully implemented. Any schedule for installation or timetable required by this subsection shall be enforceable against the building owner and against any subsequent owner.

If, after reviewing the certified proposal, the commissioner of buildings and the deputy commissioner of the bureau of fire prevention determine that the certified proposal, when fully implemented, will enable the building to achieve the minimum score required on the life safety evaluation, the commissioner and deputy commissioner shall jointly accept the certified proposal as a life safety compliance plan. The life safety compliance plan shall be enforceable against the building owner and against any subsequent owner.

(E) No permit shall be issued for work on any existing building that is the subject of a life safety compliance plan unless the licensed architect or licensed engineer of

record identified in the permit application certifies in writing that the permitted work will not reduce or otherwise negatively impact the score of the life safety evaluation on which the life safety compliance plan is based; nor shall any permit be issued for work on a building whose owner is in violation of any of the requirements of this section unless the permit is necessary to cure the violation.

(F) Nothing in this section shall be construed to waive any provision of the Municipal Code of Chicago applicable to existing buildings or to relieve any person from full compliance with those provisions.

**SECTION 5.** Chapter 13-196 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 13-196-207, as follows:

**13-196-207 Materials and installation standards for retrofit fire protection systems.**

In every existing high rise building subject to the requirements of sections 13-196-204, 13-196-205 or 13-196-206 of this code, the following materials and installation standards shall apply to newly installed fire protection systems:

- (A) An existing water supply that serves an existing fire department wet-standpipe system may also serve as the water supply for retrofit sprinkler systems, provided the water supply meets, non-simultaneously, the larger of either the standpipe demand at the time of the original installation, or the new sprinkler system demand including hose stream allowance.
- (B) Notwithstanding the requirements of **sections 18-28-602.2.1 and 15-16-370**, sprinkler piping and sprinklers shall meet or exceed the requirements of NFPA 13-2002 and their respective product listings issued by an approved independent laboratory or agency.
- (C) Automatic sprinkler systems shall meet or exceed the requirements of NFPA 13-2002 except that at least one sprinkler shall be provided within the stairway enclosure at the landing serving the door(s) to each floor.
- (D) If repairs or minor modifications are made to existing dry-pipe sprinkler systems, the zoning of the system may remain as originally installed.
- (E) Low-voltage electrical wiring risers for fire detection and fire alarm notification systems may be installed in stairways, notwithstanding the requirements of section 15-8-180, if the wiring is in conduit and does not obstruct the required egress width of a stairwell.



- (F) Low-voltage electrical branch wiring in horizontal runs for voice communication systems may be installed without conduit, unless required by other sections of this code, if the wiring (i) is limited combustible FHC 25/50 CMP; and (ii) has a maximum Class 1 flame spread rating as defined in section 15-12-040; and (iii) has a smoke developed rating not to exceed 50 when tested in accordance with ASTM E-84.
- (G) Low-voltage electrical wiring for fire detection systems may be run in the same conduit as low-voltage electrical wiring for fire alarm notification systems, as permitted by NFPA 72-2002 and the product listings of the wire and the conduit issued by an approved independent laboratory or agency.
- (H) Low-voltage fire detection equipment panels and low-voltage fire alarm notification equipment panels may be installed in the same panel box, as permitted by NFPA 72-2002 and the product 's listing issued by an approved independent laboratory or agency.
- (I) Central station monitoring of fire alarm systems may use digital alarm communicators with constant supervision, as permitted by NFPA 72-2002.

**SECTION 6.** Chapter 13-196 of the Municipal Code of the City of Chicago is hereby amended by inserting a new section 13-196-208, as follows.

**13-196-208 Smokeproof towers in existing high rise buildings–Fire shields.**

If fire shields in smokeproof towers are provided to protect openings of balconies or vestibules in existing buildings exceeding 80 feet in height above grade, such fire shields shall comply with the requirements of this section.

(A) Fire shields shall comply with all applicable requirements for fire windows as provided in section 15-12-160.

(B) Fire shields shall have an opening sash having a clear area not less than as required in section 13-160-380(c), arranged to open automatically in case of fire to the full limit and to be held securely in such open position. Provision shall be made for the manual opening or closing of the sash.

(C) The automatic opening of the sash shall be actuated by approved devices located inside the building within five feet of the door from the building to the vestibule or balcony and located also on the ceiling of the vestibule or balcony. Such devices shall be designed to operate as a result of rate of temperature rise or when the surrounding air reaches a temperature of 120 degrees Fahrenheit.

(D) Each fire shield sash shall be tested annually to verify automatic operation as required in-subsection (c) of this section. Testing shall be performed by an individual or organization approved by the deputy commissioner in charge of the bureau of fire prevention. Reports of the testing shall be filed with the bureau by June 30<sup>th</sup> of each year.

**SECTION 7.** Chapter 13-196 of the Municipal Code of the City of Chicago is hereby amended by inserting a new section 13-196-209, as follows:

**13-196-209 High rise buildings–Stairways–Doors–Frames.**

No later than January 1, **2012**, doors and frames in stairways in all existing residential buildings and buildings of mixed residential occupancy exceeding 80 feet in height above grade shall have a fire resistance rating of at least one hour.

**SECTION 8.** Section 15-16-610 of the Municipal Code of the City of Chicago is hereby amended by inserting the language underscored, as follows:

**15-16-610 Retroactivity.**

The provisions of sections 15-16-170 to 15-16-600, both inclusive, shall apply to all automatic sprinkler systems hereafter installed in any preordinance buildings, existing buildings and buildings hereafter constructed and shall also apply to any automatic sprinkler systems installed prior to the passage of this ordinance which were not installed in accordance with approved plans and permits; provided, however, that existing high rise buildings subject to the requirements of sections 13-196-205 or 13-196-206 may deviate from these provisions to the extent permitted by section 13-196-207.

**SECTION 9.** Section 13-200-310 of the Municipal Code of the City of Chicago is hereby amended by inserting the language underscored, as follows:

**13-200-310 Building over 80 feet in height.**

Any building over 80 feet in height which is altered or repaired, the cost of which in any consecutive 30 months exceeds 50 percent of the reproduction cost of the building, shall comply with requirements of Chapter 13-76 for high rise buildings, and Chapter 15-8 for stair, elevator and shaft enclosures.

**SECTION 10.** Section 13-196-038 of the Municipal Code of the City of Chicago is hereby amended by inserting the language underscored, as follows:

**13-196-038 Fines and penalties.**

Any violation of or interference with the enforcement of any ~~provisions~~ provision of section 13-196-031 through and including section 13-196-037, and of section 13-196-204 through and including 13-196-209, shall be punishable by a fine of not less than \$500 and not more than \$1000 for each offense. Each day that a violation ~~shall continue~~ continues shall constitute a separate and distinct offense for which a fine as herein provided shall be imposed.

**SECTION 11.** This ordinance shall be in full force and effect from and after its passage and approval.