The Argument for Adoption of the International Building Code in Chicago

Prepared by the BOMA/Chicago Codes Committee at the Request of Chicago Building Commissioner Michael Merchant

December 2012

Background:
The Chicago Building Code in its present form is extremely outdated. Most of the life safety chapters have not seen a major revision since the revised Building Ordinance passed the City Council on December 30, 1949. An updating of the Chicago Building Code was actually sanctioned in 1998 and included the Electrical, Plumbing, Mechanical, Elevator and the Natural Light and Ventilations chapters. Accessibility and Energy chapters were also added as part of this process. In 2004, after a draft of updated chapters was published in the Council Journal and workshops presenting the new code were conducted, the process abruptly stopped. Subsequent efforts to continue the process took place in 2010-2011, but did not result in an introduction or adoption of a fully revised and updated code. This incomplete effort has led to contradiction and inconsistency within the code text and references as the various chapters interrelate to each other.

Virtually all major cities in the United States have adopted some form of the model International Codes as published by the International Code Council (ICC), including New York City, which overhauled their code from 1968 in a process that took approximately 18 months (start-to-finish) and became effective in 2006. Model building codes are regularly updated on a three-year cycle, making them predictable as to when to expect changes. Chicago should adopt the ICC’s International Building Code (IBC) and, as part of this process, develop a mechanism to keep current with these code updates by establishing a working group or standing committee to review changes and develop a systemized approach to keeping the code current.

Below are reasons why Chicago should act now to begin the adoption the IBC model:

1. **Adoption of the IBC would allow Chicago’s building code to keep pace with technological advances in the design and construction of residential, commercial and institutional buildings.**

   Commonplace building materials and systems, such as structural glazing for canopies, skylights, glass floors, handrails and guards, as well as window sprinklers that achieve a recognized fire-resistance rating, are constantly being submitted to Chicago’s Building Committee on Standards and Tests because they are not recognized in the Chicago code. These omissions could be easily rectified with a code rewrite, saving owners from the considerable time and effort to apply and present to the Committee.
2. **Adoption of the IBC would bring Chicago’s building codes in line with the rest of the nation and will attract a broader array of developers, design professionals and ultimately businesses to the City.**

   Fifty states and the District of Columbia have adopted the IBC. Federal agencies, including the Architect of the Capitol, General Services Administration, National Park Service, Department of State, U.S. Forest Service and the Veterans Administration enforce the IBC and the Department of Defense references the IBC for constructing military facilities, including those that house U.S. troops, domestically and abroad.

3. **Adoption of the IBC would reduce the ability of special interests to push building codes simply to enhance their position rather than to enhance public safety.**

   The International Code Council, which develops the IBC, is monitored by numerous national building related organizations, including BOMA International, National Apartment Association, American Institute of Architects, National Multi-Family Housing Council and several others who provide expertise and input on the effect of code changes on the building industry. Proposed changes go through an exhaustive deliberative process before being adopted.

4. **Adoption of the IBC would reduce the cost of developing residential, commercial and institutional buildings.**

   Developers and design professionals currently find it necessary to spend time, money and resources trying to understand the many nuances that exist in Chicago’s current building code.

5. **Adoption of the IBC would reduce the time needed to secure a building permit.**

   Developers and design professionals would have to spend less time correcting drawings to comply with the many nuances that exist in Chicago’s current building code. Interpretation by code officials and plan examiners are made more difficult by antiquated provisions and disparity between old and new chapters. As a result, practitioners are often confused by the responses they receive to address plan review comments.

6. **Adoption of the IBC would provide building owners, developers, design professionals one set of codes without regional limitations or jurisdictional conflicts.**

   State versus local requirements continue to be an issue under the existing code, whether they involve plumbing fixture quantities, mandatory installation of sprinklers, elevator inspection or handicap accessibility.

7. **Having an updated code would strengthen the City’s “home rule” position regarding aspects of the code that are adapted to meet Chicago-specific circumstances.**

   Chicago cannot simply adopt the model codes outright, but must adapt the model code to meet the many unique characteristics of the City’s existing building stock, as well as modify provisions that would otherwise cause undue hardship to building owners and tenants. This is much easier to accomplish within the parameters of an updated code.
8. Education and training of building code officials and plan examiners could easily be facilitated by bringing the code into compliance with a model code.

The ICC has unmatched technical, educational and informational products and services, with more than 250 highly qualified staff members at 16 offices throughout the United States and in Latin America. ICC already supplies a series of programs, study materials, and examinations for certification in many relevant categories. This would help maintain consistency with regard to plan examination and interpretation, which the process is now lacking.

9. Having a modern code that is regularly reviewed and updated will benefit Chicago insurance consumers.

The Insurance Services Office, INC. (ISO) is an insurer-supported organization with the primary mission of providing advisory insurance underwriting and rate information to insurers. Among the factors considered when the ISO determines a rating for a community are: the building-code edition in use; the modification of the codes; training and certification of code enforcers and other items directly related to the code.

10. Chicago has been talking about conforming to the IBC for more than 25 years - It’s time to stop talking and DO it.

The time and cost of implementing a revision to the Chicago Building Code, that is substantially in line with the IBC, would more than offset by the benefits to the citizens of the City, developers and owners, and to the design and construction industry by allowing for a level playing field to build and renovate both housing and commercial structures in keeping with the most current nationally recognized codes and standards. Further delays continue to isolate Chicago in the marketplace.

About BOMA/Chicago

Founded in 1902 and the oldest BOMA association in the world, BOMA/Chicago represents the interests of the people and companies that own, operate, manage and service Chicago’s commercial buildings. BOMA/Chicago represents over 260 high rise commercial office buildings in Chicago, accounting for over 80 percent of downtown’s total rentable building area and nearly 90 percent of rentable space in Class A buildings downtown.

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