

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE : November 28, 2023 **(BOT) Date:** December 7, 2023

SUBJECT: Text Amendments to the Village Code of Ordinances, Chapter
150.105: Valet Trash Service

SUBMITTED BY: Chief Rick Sander, Lombard Fire Department

Rick Sander
BACKGROUND/POLICY IMPLICATIONS:

The Board of Building Appeals considered and unanimously recommended approval of a text amendment to Chapter 150, Article XVI. International Fire Code-2018 Edition as set forth within Section 105.6 of Village Code. The amendment proposes to add valet trash services.

Valet trash is a service that collects a limited amount of occupant-generated combustible trash or recyclable materials from dwelling units, where trash is left outside of dwelling units for scheduled pick-up. Per the adopted fire code, 2018 International Fire Code (IFC), this service is not directly addressed. Despite that fact, there are general and maintenance provisions within that code that renders this service as a direct violation of the fire code.

Please place this item on the December 7, 2023 Village Board agenda for consideration for approval of First Reading of the attached Ordinance.

Fiscal Impact/Funding Source:

Review (as necessary):


Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: Perry Johnson, Fire Marshal 

MEETING DATE: December 7, 2023

SUBJECT: **Text Amendments to the Village Code of Ordinances, Chapter 150.105: Valet Trash Service**

The Board of Building Appeals considered and unanimously recommended approval of a text amendment to Chapter 150, Article XVI. International Fire Code-2018 Edition as set forth within Section 105.6 of Village Code. The amendment proposes to add valet trash services.

Valet trash is a service that collects a limited amount of occupant-generated combustible trash or recyclable materials from dwelling units, where trash is left outside of dwelling units for scheduled pick-up. Per the adopted fire code, 2018 International Fire Code (IFC), this service is not directly addressed. Despite that fact, there are general and maintenance provisions within that code that renders this service as a direct violation of the fire code. Future editions of the International Fire Code might address this service, therefore the Lombard Fire Department is outlining the requirements to use this service prior to it being directly addressed within an adopted fire code.

Attached for Village Board consideration are:

1. The staff memorandum provided to the Board of Building Appeals, and
2. An Ordinance to Section 105.6 amending the fee schedule and adding valet trash service provisions.

ACTION REQUESTED

Please place this item on the December 7, 2023 Village Board agenda for consideration for approval on First Reading of the attached Ordinance.

MEMORANDUM

TO: Board of Building Appeals (BOBA) Members
FROM: Perry Johnson, Fire Marshal
DATE: November 1, 2023
SUBJECT: Valet Trash Service - Local Amendment Change

The Village of Lombard is currently following the provisions of the 2018 International Fire Code (IFC). Fire is bringing forward a local amendment to our code provisions.

Valet trash is a service that collects a limited amount of occupant-generated combustible trash or recyclable materials from dwelling units, where trash is left outside of dwelling units for scheduled pick-up. Per the adopted fire code, 2018 International Fire Code (IFC), this service is not directly addressed. Despite that fact, there are general and maintenance provisions within that code that renders this service as a direct violation of the fire code. Future editions of the International Fire Code might address this service, therefore the Lombard Fire Department is outlining the requirements to use this service prior to it being directly addressed within an adopted fire code. Below are the requirements that shall be met to maintain valet trash services.

Local Amendments

Staff offers the following amendment to the local code.

ACTION REQUESTED

Fire Prevention is placing this item on a future Village Board agenda for consideration and approval. Fire recommends approval of local amendment thereto.

PROPOSED ADDITION TO INTERNATIONAL FIRE CODE 2018

105.6.51 Valet Trash Service. An operational permit is required.

Permit Fee \$75.00

General Requirements

1. An operational permit shall be applied for through the LFD Fire Prevention Office, via an Alternate Method request in accordance with Section 104.9 of the 2018 IFC.
2. The building(s) must be equipped with an NFPA 13 or 13R sprinkler system.
3. The trash and associated containers shall not reduce the minimum required egress width for the specific building being served.
4. All trash shall be contained within the container and not set to the side or on top of the container.
5. The interior finish of the corridor shall meet a Class C rating as outlined in IFC Table 803.3.
6. Each dwelling unit shall have an operational self-closing door from their living space to the corridor.

Container Requirements

1. The containers shall not exceed 15 gallons in capacity.
2. The container shall have a self-closing lid
3. The containers and lids shall be constructed of noncombustible materials or of combustible materials with a peak heat release rate not exceeding 300 kW/M² where tested in accordance with the ASTM E1354 at an incident heat flux of 50 kW/M² in the horizontal orientation

Collection Process

1. The trash or recyclable materials shall be placed in the approved container in the corridor no more than four (4) hours prior to pick up. Emptied containers shall be removed from the corridor immediately upon pick up or as soon as the resident returns home.
2. Trash and recyclables shall fit completely within one container with the lid closed per dwelling unit.
3. Trash and recyclables not able to fit within the approved container shall be placed into the site's dumpster or trash collection receptacle and not in the corridor.

All instances in which an operational permit is not applied for as well as situations not meeting the above outlined requirements will receive an Order to Comply in accordance with Section 104.5 of the 2018 International Fire code, and have their permit revoked. Immediate removal of the service will be required at that point in time.

VALET TRASH SERVICE



ORDINANCE _____

**AN ORDINANCE AMENDING TITLE XV, CHAPTER 150, ARTICLE XVI. -
INTERNATIONAL FIRE CODE—2018 EDITION, SECTION 105.6
OF THE LOMBARD VILLAGE CODE**

Required Operating Permits – Valet Trash Service

WHEREAS, the Lombard Board of Building Appeals met on November 1, 2023, to consider the Village Code amendments pertaining to valet trash service; and,

WHEREAS, the Lombard Board of Building Appeals has filed their recommendations with the President and Village Board of Trustees, recommending approval of the Village Code amendments set forth below pertaining to valet trash service; and

WHEREAS, the President and Board of Trustees approve and adopt the recommendation of the Lombard Board of Building Appeals and incorporate such recommendations herein by reference as if they were fully set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title XV, Chapter 150, Section 150.105 of the Lombard Village Code shall be amended to read as follows with text amendments in **bold and underline**:

§ 150.105 - Adoption by reference; amendments.

(C) "The International Fire Code, 2018 edition", adopted pursuant to subsection (A) above, is amended as follows:

Section 105.1.2 Types of Permits. Change (1) to read as follows; Operational Permit. An operational permit allows an applicant to conduct an operation(s) for which a permit is required by Section 105.6 in accordance with the schedule as outlined in the fee ordinances. A permit fee shall be charged annually for each type of operational permit in accordance with the schedule as outlined in the fee ordinances. A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property.

DESCRIPTION	PERMIT REQUIRED (yes or no)	PERMIT FEE	IFC CODE REFERENCE
An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3	Yes	\$75	105.6.1

aerosol products in excess of 500 pounds (227 kg) net weight.			
A permit is required to install stationary lead-acid battery systems having a liquid capacity of more than 50 gallons (189 L).	Yes	\$75	105.7.2 1206.2
An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy	Yes	\$75	105.6.5
An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing dusts as defined in Chapter 2	Yes	\$75	105.6.6
An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (2.8 m3). Exception: A permit is not required for agricultural storage.	Yes	\$75	105.6.7
An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed below. Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.	Yes	\$75	105.6.8
PERMIT AMOUNTS FOR COMPRESSED GASES			
TYPE OF GAS	AMOUNT (cubic feet at NTP)		
Corrosive	200		
Flammable (except cryogenic fluids & liquefied petroleum gases)	200		
Highly toxic	Any Amount		
Inert & simple asphyxiate	6,000		
Oxidizing (including oxygen)	504		
Toxic	Any Amount		
An operation permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed below: Exception: Permits are not required for vehicles	Yes	\$75	105.6.10

equipped for an using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.					
TYPE OF CRYOGENIC FLUID					
	Inside Building (gals)	Outside Building (gals)			
Flammable	More than 1	60			
Inert	60	500			
Oxidizing (includes oxygen)	10	50			
Physical or health hazard not indicated above—	Any Amount				
An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment			Yes	\$75	105.6.12
An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosive, explosive material.			Yes	\$75	105.6.14
An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet (33 m2) using Class I or Class II liquids			Yes	\$75	105.6.17
An operational permit is required to operate a fruit-or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.			Yes	\$75	105.6.18
An operational permit is required to operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.			Yes	\$75	105.6.19
1. To operate use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems.			Yes	\$75	105.6.16

<p>2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:</p> <p>2.1 The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the code official would cause an unsafe conditions.</p> <p>2.2 The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.</p> <p>3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.</p> <p>4. To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.</p> <p>5. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.</p> <p>6. To install, alter, remove, abandon, place temporarily out of service (for more than 90 days) or otherwise dispose of an underground, protected above-ground or above-ground flammable or combustible liquid tank</p> <p>7. To change the type of contents stored in a flammable or combustible liquid tank to a material which poses a greater hazard than that for which the tank was designed and constructed.</p> <p>8. To manufacture, process, blend or refine flammable or combustible liquids.</p>			
<p>An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed below.</p>	Yes	\$150	105.6.20
<p>PERMIT AMOUNTS FOR HAZARDOUS MATERIALS</p>			
<p>TYPE OF MATERIAL</p>	<p>AMOUNT</p>		

Combustible liquids	See flammable and Combustible materials			
Corrosive Materials				
Gases	see compressed gases			
Liquids	55 gallons			
Solids	1000 pounds			
See Section 105.6.10				
55 gallons				
1000 pounds				
Flammable solid materials	100 pounds			
Unstable (reactive) Material				
	Liquids			
Class 4	any amount			
Class 3	any amount			
Class 2	5 gallons			
Class 1	10 gallons			
	Solids			
Class 4	any amount			
Class 3	any amount			
Class 2	50 pounds			
Class 1	100 pounds			
Water-Reactive Material				
	Liquids			
Class 3	any amount			
Class 2	any amount			
Class 1	10 gallons			
	Solids			
Class 3	any amount			
Class 2	50 pounds			
Class 1	500 pounds			

<p>An operational permit is required for: 1. Storage and use of LP-gas. Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less serving occupancies in Group R-3. 2. Operation of cargo tankers that transport LP-gas.</p>	<p>Yes 0—499 gals 500 or more gals</p>	<p>0 \$75</p>	<p>105.6.27</p>
<p>An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.</p>	<p>Yes</p>	<p>\$75</p>	<p>105.6.28</p>
<p>An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.</p>	<p>Yes</p>	<p>\$75</p>	<p>105.6.29</p>
<p>An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.</p>	<p>Yes</p>	<p>\$75</p>	<p>105.6.35</p>
<p>An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics.</p>	<p>Yes</p>	<p>\$75</p>	<p>105.6.35</p>
<p>An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceed 2,500 cubic feet (71 m³) of total volume of scrap tires and for indoor storage of tires and tire byproducts.</p>	<p>Yes</p>	<p>\$75</p>	<p>105.6.46</p>
<p>An operation permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m³).</p>	<p>Yes</p>	<p>\$75</p>	<p>105.6.50</p>
<p><u>Valet trash services:</u></p>			
<p><u>General Requirements</u></p>			
<p><u>1. An operational permit shall be applied for through the Lombard Fire Department, Fire Prevention Office, via an Alternate Method request in accordance with Section 104.9 of the 2018 IFC.</u></p>	<p><u>Yes</u></p>	<p><u>\$75</u></p>	<p><u>105.6.51</u></p>

<p><u>2. The building(s) must be equipped with an NFPA 13 or 13R sprinkler system.</u></p> <p><u>3. The trash and associated containers shall not reduce the minimum required egress width for the specific building being served.</u></p> <p><u>4. All trash shall be contained within the container and not set to the side or on top of the container.</u></p> <p><u>5. The interior finish of the corridor shall meet the currently set or Class C rating as outlined in IFC Table 803.3.</u></p> <p><u>6. Each dwelling unit shall have an operational self-closing door from their living space to the corridor.</u></p> <p><u>Container Requirements</u></p> <p><u>1. The containers shall not exceed 15 gallons in capacity.</u></p> <p><u>2. The container shall have a self-closing lid</u></p> <p><u>3. The containers and lids shall be constructed of noncombustible materials or of combustible materials with a peak heat release rate not exceeding 300 kW/M2 where tested in accordance with the ASTM E1354 at an incident heat flux of 50 kW/M2 in the horizontal orientation</u></p> <p><u>Collection Process</u></p> <p><u>1. The trash or recyclable materials shall be placed in the approved container in the corridor no more than four (4) hours prior to pick up. Emptied containers shall be removed from the corridor immediately upon pick up or as soon as the resident returns home.</u></p> <p><u>2. Trash and recyclables shall fit completely within one container with the lid closed per dwelling unit.</u></p>			
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<p><u>3. Trash and recyclables not able to fit within the approved container shall be placed into the site’s dumpster or trash collection receptacle and not in the corridor.</u></p> <p><u>All instances in which an operational permit is not applied for as well as situations not meeting the above outlined requirements will receive an Order to Comply in accordance with Section 104.5 of the 2018 International Fire Code, and have their permit revoked. Immediate removal of the service will be required at that point in time.</u></p>			
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Section 105.1.2; Delete 1.1 and 1.2

SECTION 2: That this Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2023.

First reading waived by action of the Board of Trustees this ____ day of _____, 2023.

Passed on second reading this ____ day of _____, 2023, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this ____ day of _____, 2023.

Keith T. Giagnorio, Village President

ATTEST:

Ordinance No. _____
Re: Amendments to Chapter 105.105 – Valet Trash Service
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Elizabeth Brezinski, Village Clerk

Published by me in pamphlet from this _____ day of _____, 2023.

Elizabeth Brezinski, Village Clerk

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