

AGENDA
COMMUNITY DEVELOPMENT COMMITTEE MEETING

203 W. DIGGINS ST.

APRIL 10, 2024 – 6:30 pm

1. Roll Call
2. Public Comments
3. Building Code Updates
4. Discussion/Action: Broadband Presentation by Surf Internet regarding internet status
5. Discussion Teska Associates Proposed TIF
6. RFP Broadband Feasibility Study - Review Proposals
7. Revolving Loan Fund Policy
8. Business Registration Program
9. New Business
10. Adjourn



City of Harvard

Community Development Department
201 West Diggins Street - PO Box 310 – 60033 – 815-943-6468

To: Community Development Committee

From: Donovan Day, Community & Economic Development Director

CC: Lou Leone, City Administrator

Date: April 10, 2024

RE: Updated ICC Building Codes

Purpose and Action Requested

Staff is seeking Community Development Committee's consideration to update the existing adopted International Code Council (ICC) codes that regulate building construction and property maintenance.

Background/Discussion

The ICC publishes regulations for building construction and property maintenance and updates the codes every three years. In 2015, Harvard adopted the 2012 edition for the majority of the codes. In order to maintain best building practices, it is encouraged to update the codes at least every two code cycles (every 6 years). The following is a list of the current adopted codes and the code version staff is proposing:

Code Name	Current Edition	Proposed Edition
International Building Code	2012	2021
International Residential Code	2012	2021
International Mechanical Code	2012	2021
International Property Maintenance Code	2012	2021
International Energy Conservation Code	Latest Edition	Latest Edition
International Fuel Gas Code	2012	2021
National Electric Code	2011	2020
State of Illinois Plumbing Code	Latest Edition	Latest Edition
International Fire Code	2012	2021
Illinois Accessibility Code	Latest Edition	Latest Edition
NFPA 13 Fire Sprinkler Code	2013	In Fire Code Already
NFPA 72 Fire Alarm Code	2013	In Fire Code Already
NFPA 101 Life Safety Code	2006	Mandated by State
Existing Building Code	Not Adopted	2021
Pool & Spa Code	Not Adopted	2021

The attached amendments include designating the Community Development Committee as the governing body to handle appeals to any requirement of a building code section requested by an individual. We will discuss the recommended building code amendments at the meeting.

Additional Considerations:

Staff is also proposing a monotony regulation where:

1. No building permit shall be issued for any new single-family detached dwelling unit or duplex dwelling unit, which is similar in appearance to any dwelling on the same street and within a distance of two hundred feet (200') of it.

2. A dwelling unit on a corner lot may be considered dissimilar to another if the two (2) dwellings face different streets. On a cul-de-sac turnaround, no dwelling shall be similar in appearance to another dwelling on the turnaround.

3. For purposes of measurement, the two-hundred-foot (200') separation distance shall be measured between the nearest points on a lot or parcel line.

4. For purposes of this subsection, the term "similar in appearance" shall mean a dwelling which is identical or nearly identical. A variety of characteristics, including, but not limited to, roof type and height, location of windows and doors, and location and measurements of garage doors, may be used when determining the presence of monotony.

5. If lots within two hundred feet (200') of each other have different housing styles, including, but not limited to, ranch, bilevel, trilevel, one and one-half (1 1/2) story, two-story or three-story, the difference in housing styles may be significant enough to constitute a dissimilarity.

6. Snout houses, as well as similar residential dwellings where a front load garage is the dominant feature of a front facade, are discouraged.

7. The regulations set forth in this subsection (?) shall be administered by the building inspector and compliance with said regulations shall be determined when an application for building plan approval and permit issuance has been submitted to the City for approval.

Finally, staff is recommending the city require a spot survey before the first floor of a home is constructed. This will allow staff to review a survey that shows the foundation is constructed within the required setbacks and avoid the potential for encroachments outside of the required setbacks. The following is recommended:

SPOT SURVEY REQUIRED:

When a principal building, addition, in-ground pool, or an attached or detached garage, has been permitted and is under construction, the building permit holder shall provide the building inspector with a survey indicating the location of the building's foundation, pool location, or the attached and detached garage slab/foundation on the building lot. Said survey shall be prepared by an Illinois registered surveyor and shall be submitted to the building inspector after required footings have been placed, but prior to the pouring and/or installation of a building foundation. It shall be the responsibility of the permit holder to have the required survey prepared and submitted, and to schedule a foundation pre-pour inspection with the building inspector prior to the pouring and/or installation of a foundation, concrete pool deck, or garage slab and or footing.

ADOPTION OF NATIONAL ELECTRICAL CODE:

NATIONAL ELECTRICAL CODE ADOPTED WITH AMENDMENTS, ADMINISTRATION AND ENFORCEMENT. INTENT AND ADOPTION:

This code covers the installation and removal of electrical conductors, equipment, and raceways; signaling and communications conductors, equipment, and raceways; and optical fiber cables and raceways. For purposes of establishing rules and regulations for the installation of all electrical wiring and equipment provided for in this article, there is adopted the National Electrical Code/2020 edition (NFPA/ANSI 70), promulgated by the National Fire Protection Association, except such portions thereof as are expressly deleted, modified or amended in this section.

Sections of this article or amendments thereto shall govern and control if a conflict occurs.

ADOPTION OF EXISTING BUILDING CODE:

A. Adoption Of Code: The International Existing Building Code, 2021 edition, as published by the International Code Council, shall be and is hereby adopted as the mechanical code for the City, for the control of buildings and structures as provided herein; and each and all of the regulations, provisions, penalties, conditions and terms of said International Existing Building Code, are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with additions, insertions, deletions and changes prescribed in subsection B of this section.

B. Additions, Insertions, And Changes: The following sections of the International Existing Building Code, 2021 edition, are hereby revised as follows:

General - Section 101.1 Title.

Insert (second line): "City of Harvard, McHenry County, Illinois"

Duties and Powers of the Code Official - Section 104.2.

Insert at end: "The code official, however, is authorized to approve minor building alterations, improvements, or changes after making a determination that such alterations, improvements, or changes do not affect the safety or structural integrity of a building or structure or negate the intent of these regulations."

Board of Appeals - Section 112 Board of Appeals.

Delete: Sections 112.1 through 112.4

Insert: "112.1 Community Development Committee: Any person shall have the right to appeal to the City of Harvard Community Development Committee a decision of the application and interpretation of this code by the code official. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted or the provisions of this code do not fully apply. The establishment of the Community Development Committee, its membership and their terms, frequency of meetings, and the board's powers and duties shall be as indicated in the City Code of the City of Harvard."

Accessibility for Existing Buildings - Section 306.2 Design.

Insert "...and the alteration and existing buildings provisions of the Illinois Accessibility Code, latest edition".

ADOPTION OF FUEL GAS CODE:

A. Adoption Of Code: The International Fuel Gas Code, 2021 edition, as published by the International Code Council, shall be and is hereby adopted as the Fuel Gas Code for the City, for the control of buildings and structures as provided herein; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code, are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with additions, insertions, deletions and changes prescribed in subsection B of this section.

B. Additions, Insertions, And Changes: The following sections of the International Fuel Gas Code, 2021 edition, are hereby revised as follows:

General - Section 101.1 Title.

Insert (second line): "City of Harvard, McHenry County, Illinois"

Duties and Powers of the Code Official - Section 104.2.

Insert at end: "The code official; however, is authorized to approve minor building alterations, improvements, or changes after making a determination that such alterations, improvements, or changes do not affect the safety or structural integrity of a building or structure or negate the intent of these regulations."

Permits - Section 109 Fee Schedule.

Delete in entirety. Insert: "The fees for fuel gas mechanical work shall be as set forth in the Harvard City Code, as amended."

Permits - Section 109.6 Fee Refunds

Deleted in entirety.

Violations - Section 115.4 Violation Penalties.

Insert: Offense "misdemeanor"

Insert: Amount "\$500.00"

Delete: "...or by imprisonment not exceeding (number of days), or both such fine and imprisonment."

Board of Appeals - Section 114 Board of Appeals.

Insert: "114.1 Community Development Committee: Any person shall have the right to appeal to the City of Harvard Community Development Committee a decision of the application and interpretation of this code by the code official. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted or the provisions of this code do not fully apply. The establishment of the Community Development Committee, its membership and their terms, frequency of meetings, and the board's powers and duties shall be as indicated in the City Code of the City of Harvard."

ADOPTION OF CODE:

A. The International Building Code, 2021 edition, is hereby adopted as the building code for the City, for the control of buildings and structures as herein provided, except for those buildings and structures used exclusively as one-family and two-family dwelling units, as defined in the Unified Development Ordinance of the City.

ADDITIONS, INSERTIONS, AND CHANGES:

The following sections of the International Building Code, 2021 edition, are hereby revised as follows:

General - Section A, 101.1 Title.

Insert: "City of Harvard, McHenry County, Illinois"

General - Section A 101.4.3 Plumbing.

Delete: "...International Plumbing..."

Insert: "...Illinois State Plumbing Code, current edition..."

General - Section A 101.4.6 Energy.

Delete: "...International Energy Conservation Code..."

Insert: "...Illinois Energy Conservation Code, current edition..."

General Section A 103.1 Creation of Enforcement Agency.

Insert: "...City of Harvard Community Development Department"

Duties and Powers of Building Official - Section A 104.1 General.

Insert at end: "The Building Official, however, is authorized to approve minor building alterations, improvements, or changes after making a determination that such alterations, improvements, or changes do not affect the safety or structural integrity of a building or structure or negate the intent of these regulations."

Permits - Section A 105.2 Work Exempt from Permit.

Insert: "Permits shall not be required for the following unless otherwise required by the Harvard City Code:"

Building: Delete: Items 1, 2, and 12.

Submittal Documents - Section A 107.1 General.

Delete: "...two or more sets with each permit application"

Insert: "...two or more hard copy (paper) sets and one digital/electronic set with each permit application."

Conformance Section A 108.2

Insert: "...and the City of Harvard Unified Development Ordinance..."

Board of Appeals - Section A 113 Board of Appeals.

Delete: Sections 113.1 through 113.3.

Insert: "A 113.1 Community Development Committee: Any person shall have the right to appeal to the City of Harvard Community Development Committee a decision of the code covering the manner of construction or materials to be used in the erection, alteration or repair of a building or structure. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction can be used.

The establishment of the Community Development Committee, its membership and their terms, frequency of meetings, and the board's powers and duties shall be as set forth in the City Code of the City of Harvard."

Violations - Section A 114.4 Violation Penalties.

Delete: "...subject to penalties as prescribed by law."

Insert: "... shall be guilty of a misdemeanor, punishable by a fine of not less than \$250.00 or double the permit fee, whichever is greater."

Chapter 11 is deleted in its entirety.

Section 1807.1 is amended to read as follows:

1807.1 Foundation walls. Foundation walls shall be designed and constructed in accordance with Sections 1807.1.1 through 1807.1.6. Foundation walls shall be supported by foundations designed in accordance with Section 1808. Permanent wood foundation systems and masonry foundation walls below grade are not permitted

Section 1807.1.4 is deleted in its entirety.

Section 1807.1.6 is amended to read as follows:

1807.1.6 Prescriptive design of concrete and masonry foundation walls. Concrete and masonry foundation walls that are laterally supported at the top and bottom shall be permitted to be designed and constructed in accordance with this section. Masonry foundation walls are not permitted below grade.

Section 1809.9 is deleted in its entirety.

Section 1809.12 is deleted in its entirety.

General - Section 2701.1 Scope.

Delete: "...provisions of the ICC electrical code."

Insert: "...provisions of the National Electrical Code/the edition as adopted by the City of Harvard."

General - Section 2901.1 Scope.

Delete: "...the international plumbing code..."

Insert: "...the Illinois State Plumbing Code Current Edition..."

Signs - Section 3107.1 General.

Insert: "All signs shall be subject to the applicable regulations contained in the City of Harvard Sign Ordinance which shall apply wherever in conflict with this code."

ADOPTION OF FIRE PREVENTION CODE:

A. Adoption Of Code: The International Fire Code, 2021 edition, is hereby adopted as the Fire Prevention Code for the City, for the control of buildings, structures and premises as provided herein; and each and all of the regulations, provisions, penalties, conditions and terms of said International Fire Code, are hereby referred to, adopted and made a part hereof as if fully set out in this section, with additions, insertions, deletions, and changes prescribed in subsection B of this section. All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

B. Additions, Insertions, And Changes: The following sections of the International Fire Code, 2021 edition, are hereby revised as follows:

General - Section 101.1 Title.

Insert (second line): "City of Harvard, McHenry County, Illinois"

General - Section 101.6 Referenced Codes and Standards.

Insert: "101.6 Referenced Codes and Standards. Where the following codes and standards are indicated within the International Fire Code they shall be replaced as indicated:

Section 101.7 and all subsections are amended by adding the following:

101.7 Emergency Response Repository Container Units (Lock Box).

101.7.1 General. The owner or operator of any facility which currently has, or shall be installing, a fire detection system (automatically or manual) and/or a fire suppression system, where either or both are monitored, shall provide a repository container (lock box) at the facility site, as set forth in this section.

Exception: When the facility always has a representative present on site 24 hours a day who shall permit fire department access.

101.7.2 Item contained. The repository container (lock box) shall contain key(s) to access those portions of the facility that the code official deems necessary. Each key shall be labeled as to its area(s) of function.

101.7.3 Location and identification. The repository container (lock box) shall be

installed at a location designated by the code official and shall be identified in a manner described by the code official.

101.7.4 Size. The size of the repository container (lock box) shall be that which is deemed adequate by the code official.

101.7.5 Keying. All repository containers (lock boxes) shall be keyed in accordance with the requirements set forth by the code official.

101.7.6 Update and Notifications. The owner or operator of the facility shall update the key(s) within the repository container (lock box) as soon as is reasonably possible after a change has been made that will require the change of the key(s). The code official shall be notified in order that the change of key(s) may take place.

1. International Plumbing Code - replace with the Illinois State Plumbing Code (latest edition)

ADOPTION OF MECHANICAL CODE:

A. Adoption Of Code: The International Mechanical Code, 2021 edition, as published by the International Code Council, shall be and is hereby adopted as the mechanical code for the City, for the control of buildings and structures as provided herein; and each and all of the regulations, provisions, penalties, conditions and terms of said International Mechanical Code, are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with additions, insertions, deletions and changes prescribed in subsection B of this section.

B. Additions, Insertions, And Changes: The following sections of the International Mechanical Code, 2021 edition, are hereby revised as follows:

General - Section 101.1 Title.

Insert (second line): "City of Harvard, McHenry County, Illinois"

Section 102.2 is amended by adding the following section:

102.2.1 Abandoned systems. Mechanical systems or portions thereof that are abandoned and/or not intended for further use shall be removed or put in a safe condition as determined by the code official.

Duties and Powers of the Code Official - Section 104.2.

Insert at end: "The code official, however, is authorized to approve minor building alterations, improvements, or changes after making a determination that such alterations, improvements, or changes do not affect the safety or structural integrity of a building or structure or negate the intent of these regulations."

Permits - Section 106.5.2 Fee Schedule.

Delete in entirety. Insert: "The fees for mechanical work shall be as set forth in the Harvard City Code, as amended."

Permits - Section 106.5.3 Fee Refunds

Deleted in entirety.

Violations - Section 108.4 Violation Penalties.

Insert: Offense "misdemeanor"

Insert: Amount "\$500.00"

Delete: "...or by imprisonment not exceeding (number of days), or both such fine and imprisonment."

Violations - Section 108.5 Stop Work Orders.

Insert: "...\$25.00 nor more than \$500.00 dollars."

Insert: "... shall be guilty of a misdemeanor, punishable by a fine of not less than \$250.00 or double the permit fee, whichever is greater."

Board of Appeals - Section 109 Board of Appeals.

Delete: Sections 109.1 through 109.7.

Insert: "109.1 Board of Appeals: Any person shall have the right to appeal to the City of Harvard Community Development Committee a decision of the application and interpretation of this code by the code official. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted or the provisions of this code do not fully apply. The establishment of the Community Development Committee, its membership and their terms, frequency of meetings, and the board's powers and duties shall be as indicated in the City Code of the City of Harvard."

ADOPTION OF PROPERTY MAINTENANCE CODE:

A. Adoption Of Code: The International Property Maintenance Code, 2021 edition, as published by the International Code Council, shall be and is hereby adopted as the property maintenance code for the City with additions, insertions, deletions and changes prescribed in subsection B of this section.

B. Additions, Insertions, And Changes: The following sections of the International Property Maintenance Code, 2021 edition, are hereby revised as follows:

1. All references to the International Plumbing Code are replaced with the Illinois State Plumbing Code. Plumbing standards and specifications set forth in the most recent edition of the Illinois State Plumbing Code shall supersede those found in the International Property Maintenance Code, as herein adopted.

2. All references to the ICC Electrical Code are replaced with National Electrical Code. Electrical standards and specifications set forth in the National Electrical Code, 2020 Edition, shall supersede those found in the International Property Maintenance Code, as herein adopted.

3. All references to the International Zoning Code are replaced with the zoning regulations set forth in the current edition of the City of Harvard Unified Development Ordinance.

4. Section 101.1: Insert: City of Harvard, McHenry County, Illinois.

Section 103.1: Insert: City of Harvard, McHenry County, Illinois.

Section 103.2 is deleted in its entirety.

Section 103.3 is deleted in its entirety.

5. Section 104: Delete.

6. Section 302.4: Insert: eight (8") inches.

7. Section 304.14: Insert: April 1st and October 31st

Section 507.3 is amended by adding the following section: 507.3 Sump Pumps. Sump pump discharge water shall not create a public nuisance and in no event shall the termination of the discharge piping be closer than ten (10) feet from the property line.

8. Section 602.3: Insert November 1st to April 1st

9. Section 602.4: Insert November 1st to April 1st

19.02: ADDITIONS, INSERTIONS AND CHANGES TO CITY OF HARVARD RESIDENTIAL BUILDING CODE FOR ONE- AND TWO-FAMILY DWELLINGS:

A. It shall be the responsibility of the owner of a structure to supply and install all required smoke detectors. In rental units, it shall be the tenant's responsibility to test and provide general maintenance for the detectors within the tenant's dwelling unit, and to notify the owner or the owner's agent of any deficiencies which the tenant cannot correct. The owner shall be responsible for providing one tenant per dwelling unit with written information regarding detector testing and maintenance.

The tenant shall be responsible for replacement of any required batteries in the smoke detector in the tenant's unit, except that the owner shall ensure that the smoke detector is in operating condition when the tenant takes occupancy.

B. Amendments to the 2021 International Residential Building Code for One- and Two-Family Dwellings Amendments are as follows:

General - Section R101.1 Title.

Insert: "City of Harvard, McHenry County, Illinois"

Duties and Powers of Building Official - Section R104.1 General.

Insert at end: "The building official, however, is authorized to approve minor building alterations, improvements, or changes after making a determination that such alterations, improvements, or changes do not affect the safety or structural integrity of a building or structure or negate the intent of these regulations."

Insert at the end of 105.1: DEMOLITION OF BUILDINGS:

No building may be demolished or razed unless a permit has been issued by the building inspector. Applications for such a permit shall include the following:

A. A description of the structure to be demolished and the method and procedure of its proposed demolition.

B. A cash deposit of one thousand dollars (\$1,000.00) to assure the filling in of any below grade areas and completion of other measures necessary to restore the premises to a safe condition following completion of the proposed demolition.

C. Releases from all utility companies serving the premises stating that their respective services have been terminated in a safe and approved manner.

D. Such other information as may be required by the building inspector.

Permits - Section R105.2 Work Exempt from Permit.

Insert: "...Permits shall not be required for the following unless otherwise required by the Harvard City Code:"

Under subsection, Building:

Delete: Items 1,2, 5, 9, and 10.

Delete: Section R105.5.

Insert: PERMIT EXPIRATION:

Except as otherwise provided herein, all building permits shall become invalid and expire if authorized work is not commenced or substantial progress has not been made within three (3) months of permit issuance, or if the authorized work is suspended or abandoned for six (6) months following the commencement of such work. "Substantial progress" is defined as construction which has proceeded to at least the inspection of framing, plumbing and wiring before the enclosure of the interior walls. In the event substantial progress has been made, the permit shall be valid for a period of twelve (12) months following its issuance.

A sign permit shall become invalid and expire after one hundred twenty (120) days following its issuance.

After a building or sign permit has expired, no work may be undertaken unless the permit has been extended or a new permit has been issued. A permit holder may request, in writing, an extension of a building or sign permit for up to an additional six (6) months, provided that said request is submitted at least thirty (30) days prior to the permit expiration date. The City Administrator may, in his or her sole discretion, grant a permit extension or may waive the 30-day notice requirement if the permit holder can show good cause for not completing said work or for not submitting the request in a timely manner. However, notwithstanding this section, the City is not obligated to extend any permit.

Insert at end of 112.1: Appeals to a decision of the Building and Zoning Officer and/or building inspector may be presented to and recommended by the Community Development Committee and approved by the City Council.

Insert at the end of R108.1: PERMIT REQUIRED AND FEES:

No construction, alteration, excavation or demolition shall be allowed unless and until a building permit authorizing such construction, alteration, excavation or demolition is issued by the Building and Zoning Department. A permit shall not be issued unless the proposed activity complies with the codes and ordinances of the City and the required fees as outlined in Section 20.06 of the Harvard City Code are paid. When any work requiring a building permit starts prior to the issuance of a required permit, the building permit fees shall be a minimum of fifty-dollars (\$250.00) or double the permit cost, whichever is greater.

Violation Penalties - Section R113.4

Delete in entirety.

Insert: Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, or without a permit that would normally be required by this code, shall be guilty of a misdemeanor, punishable by a fine of not less than \$250.00 or double the permit fee, whichever is greater."

Insert: Table R301.2 (1) is hereby amended to read as follows:

a. Ground snow load:	30 pounds per square foot
b. Wind speed:	107 mph
c. Seismic design category:	Design category B
d. Weathering:	Severe
e. Frost line depth:	42 inches below grade
f. Termite:	Moderate to heavy
g. Decay:	Slight to moderate
h. Winter design temperature:	0°F
i. Ice shield underlayment required:	Yes
j. Flood hazards:	Confirm with Engineering Dept.
k. Air freezing index:	2000
l. Mean annual temperature:	50°F.

Section R302.3 shall read as follows:

Dwelling units in two-family dwellings shall be separated from each other by wall and floor assemblies having not less than a 2-hour fire-resistance rating where tested in accordance with ASTM E119, UL 263 or Section 703.2.2 of the International Building Code. Such separation shall be provided regardless of whether a lot line exists between the two dwelling units or not. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

Exceptions:

1. A fire-resistance rating of 1/2 hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13D.

Section R302.5.1 is amended as follows:

Openings from a private garage directly into a room used for sleeping purposes are not permitted. Openings between the garage and the residence shall be equipped with a minimum one (1) hour fire-rated door.

Section R302.6 is amended as follows:

The garage shall be separated from the residence and its attic area by not less than 5/8" inch type X gypsum board applied to the garage side.

Section R305.1 is amended as follows:

Minimum Height. Habitable rooms, hallways, corridors, bathrooms, toilet rooms, and laundry rooms shall have a ceiling height of not less than eight (8) feet. The required height shall be measured from the finish floor to the lowest projection from the ceiling.

Section 302.123 and R313.1-R312.2 is deleted in its entirety.

Section R313.2.1 shall delete P2904.

Insert at end of R314.3 #3: and within crawl spaces that contain equipment.

Sections R402, R403, R404, R405, R406 and R504 are revised by deleting all references to "wood foundations."

Delete Exception.

Section R506.1 is amended as follows:

General. Concrete slab-on-ground floors shall be a minimum of three and one-half (3 1/2") inches thick (for expansive soils, see section R403.1.8). The minimum thickness for the required slab in a crawl space shall be two (2") inches.

Chapters 11 through 43 are deleted in their entirety.

ADOPTION OF SWIMMING POOL AND SPA CODE:

A. Adoption Of Code: The International Swimming Pool and Spa Code, 2021 edition, as published by the International Code Council, shall be and is hereby adopted as the swimming pool and spa code for the City, for the control of buildings and structures as provided herein; and each and all of the regulations, provisions, penalties, conditions and terms of said International Swimming Pool and Spa, are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with additions, insertions, deletions and changes prescribed in subsection B of this section.

B. Additions, Insertions, And Changes: The following sections of the International Swimming Pool and Spa, 2021 edition, are hereby revised as follows:

General - Section 101.1 Title.

Insert (second line): "City of Harvard, McHenry County, Illinois"

Code Compliance Agency - Section 101.1 Creation of Agency.

Insert: "City of Harvard Building and Zoning Department"

Duties and Powers of the Code Official - Section 104.2.

Insert at end: "The code official, however, is authorized to approve minor alterations, improvements, or changes after making a determination that such alterations, improvements, or changes do not affect the safety or structural integrity of a building or structure or negate the intent of these regulations."

Board of Appeals - Section 108 Board of Appeals.

Delete Sections 108.1 through 108.7

Insert: "108.1. Community Development Committee: Any person shall have the right to appeal to the city of Harvard Community Development Committee a decision of the application and interpretation of this code by the code official. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted or the provisions of this code do not fully apply. The establishment of the Community Development Committee, its membership and their terms, frequency of meetings, and the board's powers and duties shall be as indicated in the city code of the City of Harvard."



City of Harvard

Community Development Department
201 West Diggins Street - PO Box 310 – 60033 – 815-943-6468

To: Community Development Committee

From: Donovan Day, Community & Economic Development Director

CC: Lou Leone, City Administrator

Date: April 10, 2024

RE: Proposed TIF District

Purpose and Action Requested

Staff is seeking Community Development Committee's consideration for a proposed Tax Increment Finance District (TIF) that encompasses the former City Hall/Police Station and other properties in and near the downtown area.

Background/Discussion

On November 28, 2023 the City Council passed an Inducement Resolution (2023 R-120) for the owners of the old City Hall and Police Department property commonly known as 205 W. Front St. The Resolution allows the current owner to begin tracking eligible costs while the City works to create a TIF for the property. Since Illinois law requires a TIF to be a minimum of 1.5 acres and the subject property is .6 acres, staff is proposing to expand the area to include properties that are in need of revitalization and/or could be beneficial for future expansion of the downtown area. The proposed area is depicted on the attached map.

A proposal from Teska Associates is also attached, and allows Teska to perform the TIF Eligibility Study and Project Redevelopment Plan.

Staff is seeking input from the Community Development Committee on the proposed boundaries for the TIF and if any additional properties should be considered for inclusion into the proposed TIF.

CITY OF HARVARD

RESOLUTION NO. 2023 R-120

**A RESOLUTION OF THE CITY OF HARVARD, MCHENRY COUNTY, ILLINOIS, TO
INDUCE THE REDEVELOPMENT OF CERTAIN PROPERTY WITHIN A PROPOSED
REDEVELOPMENT PROJECT AREA**

**ADOPTED BY THE
PRESIDENT AND CITY COUNCIL
OF THE
CITY OF HARVARD**

THIS 28th DAY OF NOVEMBER, 2023

**PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY OF THE MAYOR
AND CITY COUNCIL OF THE CITY OF HARVARD, ILLINOIS**

THIS 28th DAY OF NOVEMBER, 2023

Resolution No. 2023 R-120

RESOLUTION OF THE CITY OF HARVARD, MCHENRY COUNTY, ILLINOIS, TO INDUCE THE REDEVELOPMENT OF CERTAIN PROPERTY WITHIN A PROPOSED REDEVELOPMENT PROJECT AREA

WHEREAS, the City of Harvard, McHenry County, Illinois (the “*City*”) is a non-home rule municipality created in accordance with the Constitution of the State of Illinois and as such has authority to promote the health, safety and welfare of the City and its citizens; authority to encourage private investment in industry, business and housing thereby enhancing the tax base of the City; authority to ameliorate blight; and, authority to enter into contractual agreements with third persons to achieve these purposes; and,

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act of the State of Illinois, 65 ILCS 5/1174.4-1, *et seq.*, as from time to time amended (the “*TIF Act*”), the President and City Council of the City (collectively, the “*Corporate Authorities*”) are empowered to undertake the redevelopment of a designated area within its municipal limits in which existing conditions permit such area to be classified as either a “conservation area” or “blighted area” (or a combination thereof) as defined in Section 11.74.4-3(a) of the TIF Act; and,

WHEREAS, the City is contemplating the utilization of the TIF Act to incentivize the redevelopment of certain real property generally depicted on *Exhibit A* attached hereto and made a part hereof, to be designated the Front Street Redevelopment Project Area (“*Proposed Project Area*”); and,

WHEREAS, Castcarr Properties, a limited liability company of the State of Illinois, has submitted a proposal to the City that it acquired and desires to redevelop the property commonly known as 205 W Front St, Harvard, Illinois, consisting of approximately .6 acres (the “*Subject Property*”) as a multi-family apartment building (the “*Project*”); and,

WHEREAS, the Developer has also informed the City that the ability to undertake this Project requires financial assistance from the City for certain costs that would be incurred in connection with the redevelopment of the Subject Property; which costs would constitute "*Redevelopment Project Costs*," as defined in the TIF Act; and,

WHEREAS, the Developer would like to incur certain costs in connection with the Project prior to the designation of the Proposed Project Area as a "redevelopment project area" under the TIF Act and the adoption of any ordinance authorizing the execution of a redevelopment agreement between the City and the Developer, wherein such costs may be reimbursed subject to certain conditions and limitations of the TIF Act; and,

WHEREAS, the Developer desires such costs related to the Project qualify for consideration as Redevelopment Project Costs that can be reimbursed utilizing incremental real estate taxes pursuant to the TIF Act, so long as such costs constitute Redevelopment Project Costs under the TIF Act; and,

WHEREAS, this Resolution is intended to allow the Developer to incur certain costs relating to the Project that may be considered Redevelopment Project Costs prior to the designation of the redevelopment project area and the adoption of any ordinance authorizing the execution of a redevelopment agreement between the City and the Developer, subject to the conditions and terms set forth in Section 3 of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the President and City Council of the City of Harvard, McHenry County, Illinois, as follows:

Section 1. That the above recitals are incorporated and made a part of this Resolution.

Section 2. That the Corporate Authorities may consider certain expenditures that qualify as "*Redevelopment Project Costs*", as such term is defined in the TIF Act, in connection with the Project, incurred prior to the designation of the redevelopment project area and the adoption of an ordinance authorizing the execution of a redevelopment agreement with the Developer, to be expenditures that are eligible for reimbursement through the TIF Act to the extent the Project is in furtherance of the redevelopment plan to be prepared setting forth the goals and objectives for the development, redevelopment and revitalization of the Proposed Project Area.

Section 3. That all undertakings of the City set forth in this Resolution are specifically contingent upon the designation of the Proposed Project Area as a "redevelopment project area" pursuant to the TIF Act and the approval and execution of a redevelopment agreement with the Developer, providing for the redevelopment of the Subject Property in accordance with the terms and conditions to be negotiated by the parties.

Section 4. That any financial assistance rendered to the Developer by the City shall be contingent upon the authority, restrictions, terms, and conditions imposed by the TIF Act.

Section 5. That this Resolution shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the Mayor and City Council of the City of Harvard, McHenry County, Illinois, this 28th day of November 2023.

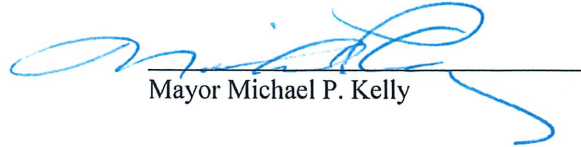
Aye: Aldermen Daniel Carncross, Charles Gorman, Lisa Haderlein, Lori Lancaster, John Lavallee,
Rosa Luna, Jay Schulz

Nay: Alderman Matthew Perkins

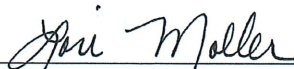
Absent: None

Abstain: None

APPROVED:



Mayor Michael P. Kelly

(SEAL)
ATTEST: 

City Clerk Lori Moller

Passed: November 28, 2023

Approved: November 28, 2023

Published: In Pamphlet Form



February 27, 2024

Donovan Day
Community development Director
City of Harvard
201 W. Diggins Street
Harvard, IL 60033

RE: TIF Consulting Services

Donovan:

Please accept the following proposal for services relating to the evaluation/creation of a new Tax Increment Financing (TIF) District in the City of Harvard. I am excited about the possibility of working with the City to put in place the tools needed to see this area (re)developed.

This project will involve evaluation for TIF eligibility of an area roughly including parcels within the downtown area and parcels along Diggins Street to the west of the downtown, as shown on the attached maps. However, a final boundary is subject to change throughout the process as determined by the eligibility of parcels within the initial study area.

The following scope proposes a multiple phase approach, where Teska will perform an eligibility study first to determine qualification of the area, and the City will not have to commit to further expense until you are satisfied that the proposed area will qualify for designation as a new TIF district. If the area does not qualify for designation, or it is determined that the proposed TIF will not accomplish the City's goals, or for any other reason, the process may be terminated.

We understand the confidential nature of this project and are committed to working with you to quickly evaluate eligibility of the area and develop options for a redevelopment plan and program. We estimate an approximate four (4) to six (6) month time frame from project initiation to approval of a new TIF district, and a not-to-exceed fee of **\$30,000** (or \$35,000 if a housing study is required). If the proposed new TIF district is eventually adopted, associated fees to establish the TIF are considered a TIF eligible expense and can be reimbursed to the City.

Attached is a recommended scope of services, following all requirements of the Illinois TIF Act. I have personally worked with communities all throughout the State on the creation of well over fifty (50) TIF districts, and I would be happy to provide you with additional references or recent TIF project summaries as desired. Should you have any questions, feel free to give me a call at 847.563.9485 or e-mail at Plosue@TeskaAssociates.com.

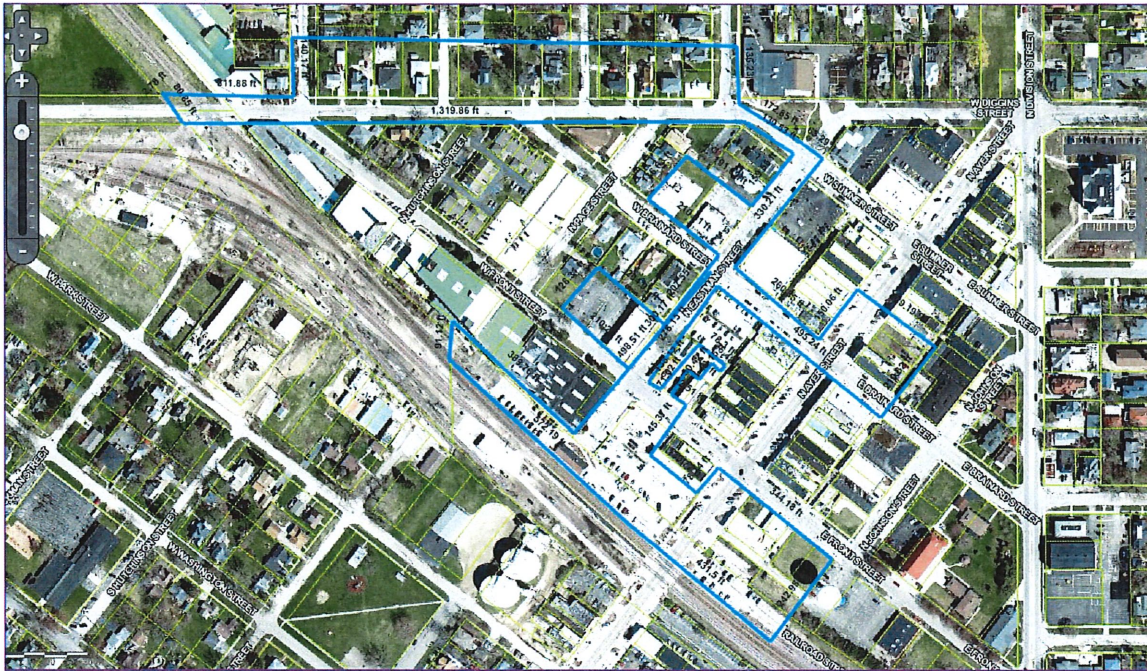
Sincerely,

A handwritten signature in blue ink, appearing to read 'Pete Iosue', is written over a horizontal line.

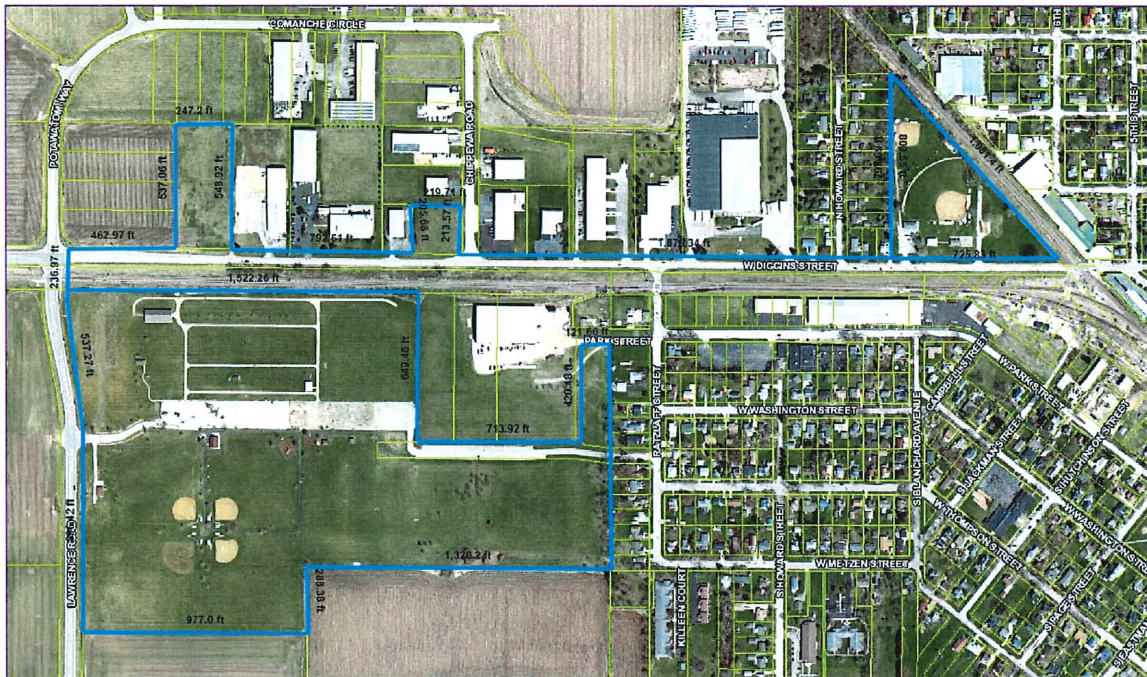
Pete Iosue, AICP
Associate Principal

teska associates inc

24103 West Lockport Street, Unit 107, Plainfield, IL 60544 office 815 436-9485 www.TeskaAssociates.com



Proposed study area (east/downtown)



Proposed study area (west/Diggins Street)

Tax Increment Financing (TIF) SCOPE OF SERVICES

The process for creating a new TIF district for the Study Area is clearly defined in Illinois Statutes and typically takes approximately four (4) to six (6) months to complete. We propose a multi-phase approach to evaluate the area, including the following steps:

PHASE 1: ELIGIBILITY FINDINGS REPORT

1.1 Kick-Off Meeting. Teska will meet with the City (either in person or conference call/zoom) to discuss the project. Discussion topics will include the proposed area to study (the Study Area), project phasing, meeting schedules, process (public notices, etc.) and adoption.

1.2 Eligibility Field Inventory. Teska will conduct a field survey of the Study Area as determined in Phase 1.1, in order to identify the existing land uses, site conditions, above ground public infrastructure conditions, and the characteristics of any existing buildings (if any) in accordance with the eligibility criteria contained in the Act. A selective photographic inventory of the properties covered in the field survey of the Study Area will be prepared.

1.3 Background Data Collection and Analysis. Teska will work with the City (and the appropriate township and McHenry County departments as necessary) to obtain supplemental information from official records related to the eligibility of the proposed Study Area. Supplemental information includes base maps with tax identifiers, ages of structures, presence of illegal uses, documented code violations, occupancy and vacancy status of structures, infrastructure deficiencies, equalized assessed values, and tax delinquencies. The information obtained through the field survey and through the review of pertinent documents will be tabulated and analyzed to ensure that the proposed Study Area is eligible as a Redevelopment Project Area in accordance with the Act.

1.4 Eligibility Findings Report. A draft report will be prepared for the Study Area which will outline the eligibility status of the parcels included in the proposed TIF district. The report will include maps to show the proposed TIF boundary, and any documented eligibility criteria existing within the Study Area.

1.5 Eligibility Review Meeting. Teska will meet with the City, to review the draft Eligibility Findings Report, determine the final boundary for a new TIF district, and discuss the process of moving forward with the preparation of a Redevelopment Plan, and plan adoption.

If the Eligibility Findings Report concludes that the Study Area is not eligible for TIF designation, the process can be ended at this point and we will not proceed on to Phase 2, incurring no additional expense to the City.

PHASE 2: PROJECT REDEVELOPMENT PLAN

2.1 Plan Preparation. Teska will prepare a Redevelopment Plan for the Project Area, as determined in Phase 1.5, that will include all required plan elements as outlined in the Tax Increment Allocation Redevelopment Act (Chapter 65 ILCS 5/11-74.4-1, et seq.) of the Illinois Statutes as amended. Highlights of the Redevelopment Plan's elements will include:

- Project Area boundary description, and corresponding maps and related exhibits;
- Redevelopment Plan and Program goals and objectives;
- Proposed Project Area land use plan, infrastructure, and public improvements;
- Examination of key redevelopment sites within the Project Area; and
- Proposed TIF Budget based on projected incremental revenue through the life of the TIF.

2.2 Identification of Public Notice of Meetings. Teska will identify the property owners of record and subsequent public notice lists for all properties located within the Redevelopment Project Area, and all residential properties located within the Project Area, and within 750 feet, as required by the Act. Teska will prepare all required notice letters.

The City must execute all required mailed and published public notifications of Joint Review Board and other required public meetings and hearings as described in state statutes and shall keep complete records of these notices. Teska has an ongoing relationship with a mailing house that can handle the required mailings for an additional nominal fee plus postage costs at the City's request.

2.3 Report Submittal and Review. A draft Redevelopment Plan will be prepared and submitted for review by the City. Teska will attend one (1) meeting to review and discuss the draft Redevelopment Plan. Teska will revise the draft Redevelopment Plan as necessary and create a Final Draft version of the Redevelopment Plan suitable for the TIF adoption process outlined in Phase 3.

PHASE 3: HOUSING IMPACT STUDY (IF REQUIRED)

TESKA will prepare a Housing Impact Study, if required. The Act requires that a Housing Impact Study be prepared if there are ten (10) or more residential units to be relocated, or seventy-five (75) or more residential units located within the Project Area. If it is determined that a housing impact study is required, Phase 3 will be conducted simultaneously with Phase 1 and Phase 2.

3.1 Housing Field Inventory.

TESKA will conduct a field survey of the parcels in the proposed Project Area (as identified in Task 1.2) to identify all residential properties within the Project Area and the approximate number of residents affected by the Redevelopment Plan. (This field inventory will be combined with the eligibility field study to reduce costs to the City).

3.2 Housing Impact Study.

A draft Housing Impact Study will be prepared which will outline the type of residential units (single-family, multi-family, etc.), number of bedrooms (if available), occupancy, and racial/ethnic background of residents. The most recent data from the federal census, American Community Survey will be the primary source of the demographic data, except for occupancy, which will be based on field observations and direct contact, where possible, with landlords for multi-family properties. The Housing Impact Study will also focus on any potential removal of housing units, potential relocation assistance, and the availability of replacement housing.

3.3 Public Meeting.

One (1) additional public meeting is required if the proposed Project Area necessitates preparation of a Housing Impact Study. This meeting would occur prior to mailing notice of the public hearing. TESKA will assist the City in preparation of required notices and attend the public meeting to present the proposed redevelopment plan and answer questions from the public.

PHASE 4: ADOPTION OF REDEVELOPMENT PROJECT

4.1 Coordinate with City Attorney. Teska will coordinate with the City Attorney to create a timeline for the adoption of the TIF and assist with the preparation of the required public notices and approval ordinances.

4.2 Joint Review Board Meeting. The City will convene a Joint Review Board (JRB) meeting for the Project Area as required by TIF statute. Teska will provide written notification along with a copy of the draft documents to the affected taxing districts and attend the meeting of the JRB to present the findings of the Redevelopment Plan and associated Eligibility Findings Report.

4.3 Public Notice of Meeting. In advance of this task, Teska will have prepared and will provide to the City, a taxpayer of record list for each Property Identification Number (PIN) within the Redevelopment Project Area. The City will be responsible for the mailing of the public notices for the public hearing.

4.4 Public Hearing. Teska will participate in one (1) formal public hearing as required by Illinois Revised Statutes to discuss the proposed TIF Plan and Program, discussion points from the Joint Review Board Meeting, and respond to questions from the public.

4.5 City Council Deliberation. Teska will participate in one (1) City Council meeting to answer any remaining questions and assist with the TIF adoption process.

4.6 Revisions. Teska will perform revisions to the draft Eligibility Study and draft Redevelopment Plan as necessary, based on comments from the public hearing, Joint Review Board meeting, and City Council recommendations. Teska will submit a final Redevelopment Plan and associated Eligibility Findings Report, in print and electronic format.

4.7 Filing of Required Documents. Teska will assist the City in submitting all required forms and data to McHenry County and the Illinois Department of Commerce and Economic Opportunity.

Continuing TIF Services. Teska can assist the City with annual Joint Review Board meetings and/or the filing of annual TIF reports to the Illinois Department of Commerce and Economic Opportunity as required by the Act. Teska can also assist the City with review of proposed TIF projects and requests for TIF assistance by property owners and developers within the existing and/or newly established redevelopment project area.

COST ESTIMATE:

The project may be terminated after Phase 1 if the eligibility report indicates eligibility is not sufficient to accomplish the City's goals, at no additional cost to the City. In addition, costs related to the establishment of a TIF district are considered as eligible TIF expenditures and can be reimbursed to the City by the TIF fund.

PHASE	COST
Phase 1 – Eligibility Findings Report	\$15,000
Phase 2 – Project Redevelopment Plan	\$12,500
Phase 3 – Housing Impact Study (if necessary)	\$5,000
Phase 4 –Adoption of Redevelopment Project	\$2,500
Total (without Housing Study) *	\$30,000
Total (with Housing Study) *	\$35,000

* Total cost excludes costs for preparation of a legal description and mailing costs for required notices. Teska has ongoing relationships with a surveyor and a mailing house that can assist with these additional tasks that fall outside of this scope of services, if desired by the City.



City of Harvard

Community Development Department
201 West Diggins Street - PO Box 310 – 60033 – 815-943-6468

To: Community Development Committee

From: Donovan Day, Community & Economic Development Director

CC: Lou Leone, City Administrator

Date: April 10, 2024

RE: Discussion Regarding the Revolving Loan Fund

Purpose and Action Requested

Staff is seeking Community Development Committee's consideration to revise the City's Revolving Loan Fund (RLF) program.

Background/Discussion

Since its inception around 1994, the RLF has played a pivotal role in assisting owners of commercial properties in revitalizing their buildings. The current program allows business owners to apply for a no-interest loan from the city, with an amount not to exceed \$50,000. Grantees are required to make monthly payments on an agreed-upon term, and a lien is recorded on the property until the loan is paid in full.

Upon reviewing minutes from a 2003 City Council meeting, it was noted that the initial purpose of the program was to stimulate economic growth by aiding new or existing Harvard community businesses in creating and retaining jobs, facilitating business expansion, and encouraging private institutions to leverage loans. However, subsequent amendments restricted eligibility to businesses located on Ayre St. and limited the use of funds to façade improvements. Unfortunately, documentation regarding these amendments is unavailable, suggesting they may have been internally stipulated by past administrations or the Harvard Economic Development Corporation.

Currently, the RLF has approximately \$153,000 in outstanding loans distributed among five property owners, leaving a remaining fund balance of approximately \$70,000 available for lending. Upon full repayment of existing loans, the RLF will have a projected balance of \$286,467.42 unless of course new loans are granted.

In an effort to bolster the fund and promote equitable distribution, our staff proposes applying interest to loans at fifty percent of the current market rate, with a minimum interest rate set at one to three percent depending on the nature of the project. For instance, public-facing improvements such as façade enhancements and interior upgrades would qualify for a lower interest rate compared to infrastructure projects like roof replacements or HVAC improvements.

If the Community Development Committee supports these proposed changes, staff will collaborate with the City Attorney to draft the necessary ordinance for consideration by the Administration Committee, ultimately leading to a recommendation to the full City Council.



City of Harvard

Community Development Department
201 West Diggins Street - PO Box 310 – 60033 – 815-943-6468

To: Community Development Committee

From: Donovan Day, Community & Economic Development Director

CC: Lou Leone, City Administrator

Date: April 10, 2024

RE: Discussion Regarding Business Registration

Purpose and Action Requested

Staff is seeking Community Development Committee's consideration to require businesses to register with the city at no cost unless a business doesn't register within a certain time frame.

Background/Discussion

As of now, our staff lacks a current business registry, which poses challenges in effectively communicating with local businesses. In light of this, we aim to create a comprehensive registry that will greatly enhance our ability to engage with and support our local business community.

Fortunately, our city possesses the necessary software infrastructure to accommodate business registration. This software was acquired at no cost to the city. Therefore, our staff does not find it necessary to impose a business registration fee, as it would not only promote business participation but also align with our commitment to supporting local enterprises.

Initially, there were discussions about integrating annual business inspections alongside the registration and licensing process. However, upon careful consideration, it has been determined that our Community Development Department currently lacks the capacity to undertake such inspections due to a limited staff.

The establishment of a business registration system will facilitate improved communication channels by ensuring that we have up-to-date contact information for business owners. Additionally, it will enable us to provide timely updates and valuable resources to our business community through monthly e-newsletters, including information on city-related initiatives and grant funding opportunities from federal, state, and SBA sources. Moreover, in the event of emergencies or infrastructure failures such as broken water mains, the registry will enable us to swiftly notify affected businesses in a given area.

By leveraging our software capabilities, businesses will have the convenience of registering online, thereby reducing paperwork and minimizing the time business owners need to allocate away from their operations for registration purposes.

It is worth noting that Woodstock recently implemented regulations mandating business registration. As per their requirements, early registration will be open until October 1, 2024. Any registrations completed after this date will be subject to a \$50 late fee. Additionally, starting from 2025, business registration and renewals will be conducted annually from January 1 through April 30.

Taking cues from Woodstock's approach, staff proposes a similar requirement for Harvard. However, before drafting an ordinance for consideration by the Administration Committee, we seek input from the Community Development Committee.