

# Illinois Energy Conservation Code News

Hello to all. I've been seeing many e-mails being passed around regarding the new Illinois Residential Energy Code. I would like to take some time to go over the new law -I wish I could talk to each of face to face, but email will have to work for now. If you have any questions on this law, please feel free to contact me and I will answer each one-if I can't, I will get an answer for you as soon as possible. I do represent all code officials by being on the Illinois Energy Advisory Council.

The Illinois Energy Conservation Code history goes back many years to when Representative Julie Hamos of Evanston submitted the energy bill in 2003. The intention was for both residential and commercial. A bill was passed in 2004 for only the commercial part: Public Act 093-0936 Illinois Energy Conservation Code for Commercial Buildings. The bill took almost two years to go through the Joint Committee of Administrative Rules (JCAR) before the Rules to enforce the bill were approved and became effective on April 8, 2006. The Rules were revised in 2007 to exclude any supplements to the code and on October 9, 2007 the 2006 International Energy Conservation Code (IECC) was required for all commercial building in Illinois. The 2009 IECC is required for all commercial buildings as of August 18, 2009.

Along came the American Recovery and Reinvestment Act (ARRA) and the Energy Efficiency and Conservation Block Grant (EECBG) with both referencing the 2009 IECC. Monies in the form of grants were distributed to states, counties and municipalities all being based that the 2009 IECC would be adopted for all construction. Illinois has received millions of dollars in grant monies since the Governor has signed letters indicating that Illinois will become 90% energy compliant in the next 8 years. Without the ARRA, I don't know if the Residential part of the Illinois Energy Code would have ever gone through, but it is here now. By Illinois Law, all commercial and residential buildings are to be built under the 2009 IECC (see below).

A little civics is next: Laws are submitted into the House or Senate and to become law they have to be approved by both. The bill is passed if they both approved of it. It then goes to the Governor to sign, he has three choices; sign it, don't sign it, or Veto it. If he doesn't sign it within 90 days it automatically becomes law. The Governor signed the bill for Residential energy on August 28, 2009 and it became Public Act 096-0778 (The 096 means the 96th Session). It then went to the Capital Development Board (CDB) who is the Administrative Agency. The new Residential Energy Code has to have Rules written to enforce it. The Rules were reviewed and approved by the Advisory Council on October 28th and by the CDB on December 8, 2009. They then had to be formatted for submission to the Secretary of State (SOS) and reviewed by corporation counsel prior to submittal. On January 29, 2009 the Rules were submitted to the SOS and a request for Emergency Rules was also submitted. The request for Emergency Rules means that the Rules are Effective and Enforceable immediately on January 29, 2009 for a period of 150 days. During this 150 day period there will be two 45 day public comment periods. If there are no comments the Emergency Rules may be over before 150 days and the original Rules submitted stay in effect. If there are changes made from the comment periods, they will be integrated into the final Rules (which may take more time).

The Emergency Rules are online now at: [www.ilga.gov](http://www.ilga.gov) When you get to the home page of the Illinois General Assembly look towards the bottom for **Illinois Register** under Rules and Regulations click it and the Cyber Page for the SOS will come up. Click on the February 16, 2010, Volume 34, Issue 7, then go to the Proposed or Emergency Rules (both the same) The Emergency Rules are on Page 2582. The Public Act is a start, but the Rules are the meat! The Rules are open for public comment now.

Now that you know where the Rules are, you can follow me through.

First look through Section 600.100 Definitions. Subparts B, C and D under Code explain which codes for what. Subpart D is for Residential. You also see the definition of a "residential building".

**Section 600.110 Adoption and Modification of the Code.** Section c) 2) **...to any new building or structure in this State for which a building permit application is received by a municipality or county. (NOTE: does not say anything about being issued)**

Section 600.320 Local Jurisdictions (this addresses commercial buildings only) a) if it requires a building permit b) you can be stricter for commercial if you would like to be, c) if a local jurisdiction doesn't enforce - the buildings still are required to be built to the Code.

Section 600.340 Home Rule Units can make the commercial more strict

Section 600.400 Standards for Residential Buildings. Sets the 2009 IECC as the Code and the CDB may modify.

**Section 600.420 Local Jurisdictions** a) if you require a building permit for a residential building then use must comply with the 2009 IECC; b) AHJ shall establish their own enforcement; and c) (most confusing) Cannot be more or less stringent than the 2009 IECC unless you are one of the following entities:

**i) if you adopted the 2006 IECC on or before May 15, 2009 - you can be MORE STRINGENT than the 2009 IECC**

**ii) if you had provided to the CDB that you had adopted the 2006 on or before May 15, 2009 - you can be MORE STRINGENT than the 2009 IECC**

iii) Chicago

Section 600.440 Application to Home Rule. Cannot be more or less stringent than the 2009 IECC.

Thanks for staying with me for this length of time!!! Now for some personal observations.

Is the Act confusing-yes, but I hope going through the Rules will help. Remember there are 1,313 incorporated municipalities in Illinois and only about 300 have building departments and codes and there are 102 counties in Illinois with only 30 having a national code adopted. This law does put it on the builder to build to the 2009 IECC.

Will this put more on the plan reviewer, and field inspector? YES! Have our staffs and budgets been trimmed? YES again! But remember we code officials are the First Preventers and we have to let our bosses, managers and elected officials know that the Governor has signed that Illinois will be energy compliant and we are the ones who will make it happen. Federal monies have come in and will be coming in again (make sure your municipality gets inline for it) for energy compliance. These monies that come in are for job preservation, job creation, and job training for the green environment. Look at this as an OPPORTUNITY for your municipality to be on the forefront for energy compliance: Train existing inspectors as "Energy Inspectors", hire additional Energy Inspectors (instead of layoffs). My municipality has taken advantage of the opportunities given us by the EECBG, we are educating the elected officials, starting to educate the residents, designers and builders of the new energy requirements. We have purchased the testing equipment, are training code inspectors to be energy raters, and are constantly looking out for energy training for the staff. We will be conducting new energy inspections on new residential buildings, which will allow us to expand the charges for inspections. In May we will begin conducting energy audits on older residential units in the Village.

This is a great time for the code official to show that they are an essential part of any municipality. This is the time to raise the profile of the code official, **we are The First Preventer!** We are the ones that make a building safe for the occupants, we are the ones that make the building safe for the First Responders to enter and to do their job. We are the ones that will help to make Illinois an energy compliant State.

Some very helpful Websites:

[www.illinoisenergy.org](http://www.illinoisenergy.org) this is for the Department of Commerce and Economic Opportunity - great for training information

[www.energycodes.gov](http://www.energycodes.gov) this is for the Department of Energy learn about RESCheck, take self tests

[www.ilga.gov](http://www.ilga.gov) for the Illinois General Assembly great to use daily

[www.cdb.state.il.us](http://www.cdb.state.il.us) this is for the Capital Development Board

[www.iccsafe.org](http://www.iccsafe.org) last but not least the International Code Council (I've been assured by the highest authority that the site will be getting better and better for users - sooner)

Thanks for staying with me.

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