AGENDA

VILLAGE OF LITTLE CHUTE PLAN COMMISSION MEETING

PLACE: Little Chute Village Hall – Village Board Room
DATE: Monday, January 8th, 2024
TIME: 6:00 p.m.

Virtually attend the January 8, Plan Commission meeting at 6 PM by following the link here:
Join Zoom Meeting: https://us06web.zoom.us/j/86499162435
Meeting ID: 864 9916 2435
Dial by your location: +1 312 626 6799 US (Chicago)

A. Call to Order
B. Roll Call
C. Public Appearance for Items Not on the Agenda

1. Approval of Minutes from the Plan Commission Meeting of December 11, 2023
2. Recommendation – CSM 1301 & 1221 E Lincoln Ave
3. Recommendation – Zoning Change Evergreen Drive
4. Discussion – Section 8 Updates Continued
5. Items for Future Agenda
6. Adjournment

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made with as much advance notice as possible to the Clerk's Office at 108 West Main Street, (920) 423-3852 January 4, 2024

MINUTES OF THE PLAN COMMISSION MEETING OF DECEMBER 11, 2023

Call to Order
The Plan Commission meeting was called to order at 6:00 PM by President Vanden Berg

Roll Call
PRESENT: President Vanden Berg
Jim Moes
Bill Van Berkel
Larry Van Lankvelt
Todd Verboomen
Tom Lonsway
Kent Taylor

STAFF PRESENT: Dave Kittel, Beau Bernhoft

Public Appearance for Items Not on the Agenda
None

Approval of Minutes from the Plan Commission Meeting of November 13, 2023
Moved by Commissioner Verboomen, seconded by Commissioner Van Berkel to approve the Plan Commission Meeting Minutes of November 13, 2023.

All Ayes – Motion Carried

Public Hearing – 400 Wilson Variance Request
Moved by Commissioner L. Van Lankvelt, seconded by Verboomen to enter Public Hearing at 6:01 PM
All Ayes – Motion Carried

Director Kittel presented a request to add on to an existing detached garage at 400 Wilson Street. This was posted in newspaper, residents within 100 feet were notified, no questions or concerns were posed to staff from residents. This would exceed size and height permitted in Village ordinance. Staff have reviewed and find no concern with the request. Commissioner Van Lankvelt asked if neighbors were contacted. The applicant, Mr. Marx said it was discussed and questioned had been answered. Mr. Marx stated the larger garage would allow him continue working on his passion, cars. Director Taylor asked about discussion on the curb with the garage. Director Kittel stated no proposed changes to the curb cut. Storm water would run directly to the street.

Moved by Commissioner Verboomen, seconded by Commissioner Van Lankvelt to exit Public Hearing at 6:09 p.m.

All Ayes – Motion Carried

Discussion/Action – 400 Wilson Variance Request
Commissioner Moes stated he does not support an addition to the garage over 400 square feet. The request is too large for the lot size, he does support the height increase. The maximum size allowed to stay under 35% would be a 523.75 square foot addition. President Vanden Berg stated he would support a 35% addition.

Moved by Commissioner Verboomen, Seconded by Commissioner L. Van Lankvelt to approve the request up to 35% of lot coverage without regard to the height difference.

All Ayes – Motion Carried

Discussion – Section 8 Update
Director Kittel presented the second portion of section 8 for review. Changes are included in the packet for review. Many of the changes simplify the ordinance.

Items for Future Agenda
Director Kittel stated there is a request for a review of setbacks on fences for commercial properties. More information will be presented in future meetings.

Adjournment

Moved by Commissioner L. Van Lankvelt seconded by Commissioner Verboomen to Adjourn Plan Commission Meeting at 6:19 PM

All Ayes – Motion Carried

VILLAGE OF LITTLE CHUTE

By: _____
Michael Vanden Berg, Village President

Attest: _____
Laurie Decker, Village Clerk

Item For Consideration

For Plan Commission Review On: 1/8/2024
Agenda Item Topic: CSM 1301 & 1221 E Lincoln Ave

Prepared On: 12/14/2023
Prepared By: Dave Kittel CDD

Report: A CSM to adjust property lines between 1301 and 1221 E Lincoln was recently submitted to the Village. The proposed CSM adjusts the property line in the Southwest corner of 1301 E Lincoln (Lot 1). This CSM has been reviewed by staff and follows requirements in Sec 42-64. After Plan Commission review this CSM will move to Villag Board on January 17, 2024 for final action. The CSM is attached to this report for Plan Commission review.

Fiscal Impact: None

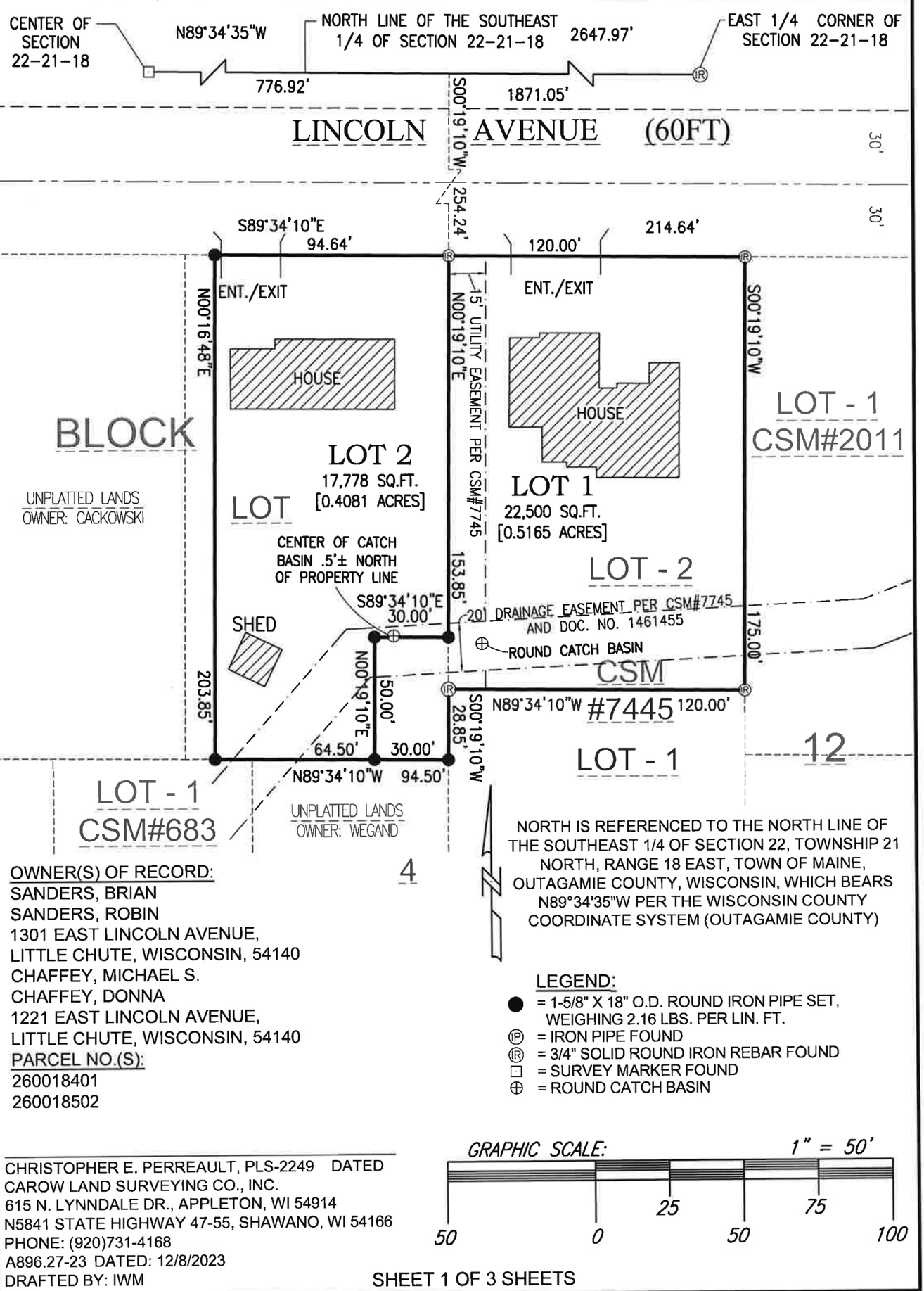
Recommendation/Board Action: To Recommend Approval of this CSM to the Village Board

Respectfully Submitted,

Dave Kittel, Community Development Director

CERTIFIED SURVEY MAP NO.____

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 7445 AS RECORDED IN DOC. NO. 2116824 AND PART OF LOT 4, BLOCK 12 OF THE ASSESSORS MAP OF THE VILLAGE OF LITTLE CHUTE, BEING PART OF GOVERNMENT LOT 2 IN SECTION 22, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.



NORTH IS REFERENCED TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 18 EAST, TOWN OF MAINE, OUTAGAMIE COUNTY, WISCONSIN, WHICH BEARS N89°34'35"W PER THE WISCONSIN COUNTY COORDINATE SYSTEM (OUTAGAMIE COUNTY)

OWNER(S) OF RECORD:
SANDERS, BRIAN
SANDERS, ROBIN
1301 EAST LINCOLN AVENUE,
LITTLE CHUTE, WISCONSIN, 54140
CHAFFEY, MICHAEL S.
CHAFFEY, DONNA
1221 EAST LINCOLN AVENUE,
LITTLE CHUTE, WISCONSIN, 54140

PARCEL NO.(S):
260018401
260018502

LEGEND:
- ● = 1-5/8" X 18" O.D. ROUND IRON PIPE SET, WEIGHING 2.16 LBS. PER LIN. FT.
- Ⓟ = IRON PIPE FOUND
- Ⓡ = 3/4" SOLID ROUND IRON REBAR FOUND
- □ = SURVEY MARKER FOUND
- ⊕ = ROUND CATCH BASIN

GRAPHIC SCALE: 1" = 50'

50 0 50 25 75 100

CHRISTOPHER E. PERREAULT, PLS-2249 DATED
CAROW LAND SURVEYING CO., INC.
615 N. LYNNDALE DR., APPLETON, WI 54914
N5841 STATE HIGHWAY 47-55, SHAWANO, WI 54166
PHONE: (920)731-4168

A896.27-23 DATED: 12/8/2023
DRAFTED BY: IWM

CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 7445 AS RECORDED IN DOCUMENT NO. 2116824 AND PART OF LOT 4, BLOCK 12 OF THE ASSESSOR'S MAP OF THE VILLAGE OF LITTLE CHUTE, BEING PART OF GOVERNMENT LOT 2 IN SECTION 22, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, CHRISTOPHER E. PERREAULT, PROFESSIONAL WISCONSIN LAND SURVEYOR, CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 7445 AS RECORDED IN DOCUMENT NO. 2116824 AND PART OF LOT 4, BLOCK 12 OF THE ASSESSOR'S MAP OF THE VILLAGE OF LITTLE CHUTE, BEING PART OF GOVERNMENT LOT 2 IN SECTION 22, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST ¼ CORNER OF SAID SECTION 22; THENCE N89°34'35"W, 1871.05 FEET ALONG THE NORTH LINE OF THE SOUTHEAST ¼ OF SECTION 22 TO THE NORTHERLY EXTENSION OF THE WEST LINE OF CERTIFIED SURVEY MAP NO. 7445; THENCE S00°19'10"W, 254.24 FEET ALONG SAID EXTENSION TO THE SOUTH LINE OF LINCOLN AVENUE AND THE POINT OF BEGINNING; THENCE S89°34'10"E, 120.00 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF SAID CERTIFIED SURVEY MAP; THENCE S00°19'10"W, 175.00 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF LOT 2 OF CERTIFIED SURVEY MAP NO. 7445; THENCE N89°34'10"W, 120.00 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF LOT 1 OF SAID CERTIFIED SURVEY MAP; THENCE S00°19'10"W, 28.85 FEET ALONG SAID WEST LINE; THENCE N89°34'10"W, 94.50 FEET; THENCE N00°16'48"E, 203.85 FEET TO THE SOUTH LINE OF LINCOLN AVENUE; THENCE S89°34'10"E, 94.64 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION OF BRIAN SANDERS, 1301 E. LINCOLN AVE., LITTLE CHUTE, WISCONSIN 54140.

THAT THIS MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY LINES OF THE LAND SURVEYED AND THE DIVISION OF THAT LAND.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCE OF THE VILLAGE OF LITTLE CHUTE.

_____

CHRISTOPHER E. PERREAULT, PLS-2249 DATED
CAROW LAND SURVEYING CO., INC.
615 N. LYNNDALE DR., APPLETON, WI 54914
N5841 S.T.H. "47-55", SHAWANO, WI 54166
PHONE: (920)731-4168
A896.27-23 (RFR) 12-7-2023

NOTES:

1) THE PROPERTY OWNERS OF RECORD IS (ARE): BRIAN SANDERS, ROBIN SANDERS, MICHAEL S. CHAFFEY AND DONNA M. CHAFFEY.
2) THIS CERTIFIED SURVEY MAP IS ALL OF TAX PARCEL NO.(S): 260018401 AND 260018502.
3) THIS CSM IS WHOLLY CONTAINED WITHIN LANDS DESCRIBED IN: DOCUMENT NO. 2158516 & 936655.

VILLAGE BOARD APPROVAL:

WE HEREBY CERTIFY THAT THIS CERTIFIED SURVEY MAP WAS APPROVED BY THE VILLAGE OF LITTLE CHUTE ON THIS _____DAY OF_____, 20____.

_____ _____

PRESIDENT DATED CLERK DATED

TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LAND INCLUDED ON THIS CERTIFIED SURVEY MAP.

_____ _____

VILLAGE TREASURER DATED COUNTY TREASURER DATED

CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 7445 AS RECORDED IN DOCUMENT NO. 2116824 AND PART OF LOT 4, BLOCK 12 OF THE ASSESSOR'S MAP OF THE VILLAGE OF LITTLE CHUTE, BEING PART OF GOVERNMENT LOT 2 IN SECTION 22, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF LITTLE CHUTE, OUTAGAMIE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE:

AS OWNER(S), I (WE) HEREBY CERTIFY THAT I (WE) CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. I (WE) ALSO CERTIFY THAT THIS MAP IS REQUIRED BY S.236.10 OR S.236.12 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL: VILLAGE OF LITTLE CHUTE.

WITNESS THE HAND AND SEAL OF SAID OWNER(S):

_____ _____

ROBIN SANDERS BRIAN SANDERS

STATE OF WISCONSIN)
)SS
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 20_____, THE ABOVE NAMED PERSON(S) TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

_____

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

OWNER'S CERTIFICATE:

AS OWNER(S), I (WE) HEREBY CERTIFY THAT I (WE) CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. I (WE) ALSO CERTIFY THAT THIS MAP IS REQUIRED BY S.236.10 OR S.236.12 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL: VILLAGE OF LITTLE CHUTE.

WITNESS THE HAND AND SEAL OF SAID OWNER(S):

_____ _____

MICHAEL S. CHAFFEY DONNA M. CHAFFEY

STATE OF WISCONSIN)
)SS
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 20_____, THE ABOVE NAMED PERSON(S) TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

_____

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

_____

CHRISTOPHER E. PERREAULT, PLS-2249 DATED
CAROW LAND SURVEYING CO., INC.
615 N. LYNNDALE DR., APPLETON, WI 54914
N5841 S.T.H. "47-55", SHAWANO, WI 54166
PHONE: (920)731-4168
A896.27-23 (RFR) 12-7-2023

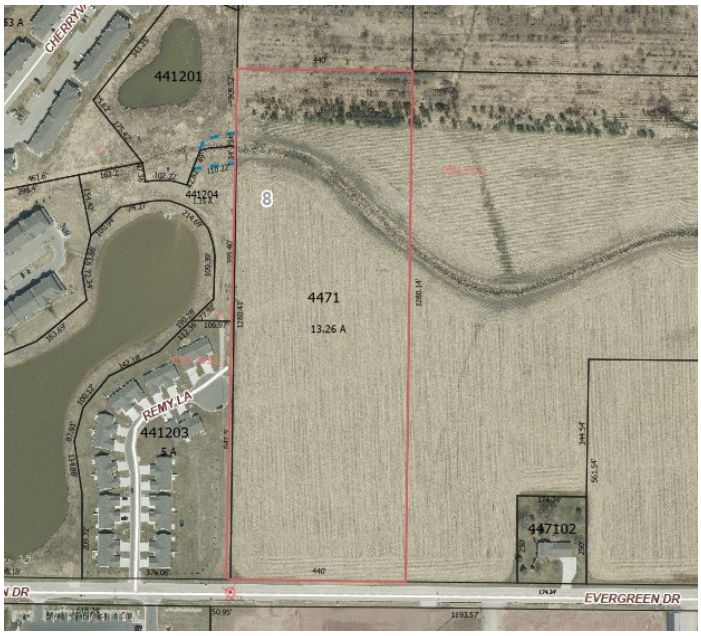
Item For Consideration

For Plan Commission Review On: 1/8/2024
Agenda Item Topic: Evergreen Dr Rezoning

Prepared On: 12/22/2023
Prepared By: Dave Kittel CDD

Report:

A Request to rezone a property from RT-Residential Two Family to RM- Residential Multifamily has been received. The property is located on Evergreen Dr near French pond, parcel number 260447100 and is shown below:



Additional maps, the original application and notice sent to adjacent property owners are attached to this report. The properties to the west align with this rezoning and is generally aligned with development of the area and in line with the Village's Comprehensive plan. As stated in the Comprehensive Plan the Village should "Encourage future residential use in the areas that can be served conveniently and economically with public utilities and community

Item For Consideration

facilities and services". This property has available utility hook ups at the property line and was previously planned for residential development per previous zoning and the planned future land use map developed for the Village's Comprehensive Plan.

Fiscal Impact: None

Recommendation/Board Action: Discussion and recommending approval of the rezoning to the Village Board.

Respectfully Submitted,

Dave Kittel, Community Development Director

Little Chute
ESTABLISHED 1848

Date Received: 12/19/2023
Receipt No. 11,094604
Fee $175

APPLICATION: ZONING CHANGE REQUEST FORM

To: Board of Trustees, Village of Little Chute, Outagamie County, WI

Applicant: 2064-2240 WEST EVERGREEN DRIVE LLC
P&R LEGACY LLC (LC)

Applicant named above, files herewith this Request for a change in Zoning of the following described property:

Description: W400FT NW SE SEC8 T21N R18E 13.33AC M/L (WAS PRT #200 014500)
Location: NW SE Sec. 8, T21, R18 NE SE Sec. 8, T21, R18

Tax Parcel ID Number: 260447000
Acres: 13.3300

Applicant herewith requests the Village Board to change zoning of the above-described property

from: Residential Two-Family District

to: Residential Multi-Family District

Signed: _____ **Dated:** 12/18/23

Attach a Scale Map (1" = 100') showing the area requested to be rezoned including all areas within 300 feet of the area requested. Attach a list of owners' names and addresses of all properties lying within 100 feet of the area proposed to be rezoned. Attach any documents the applicant may wish to include which may be of guidance or interest to the Village Board and Plan Commission.

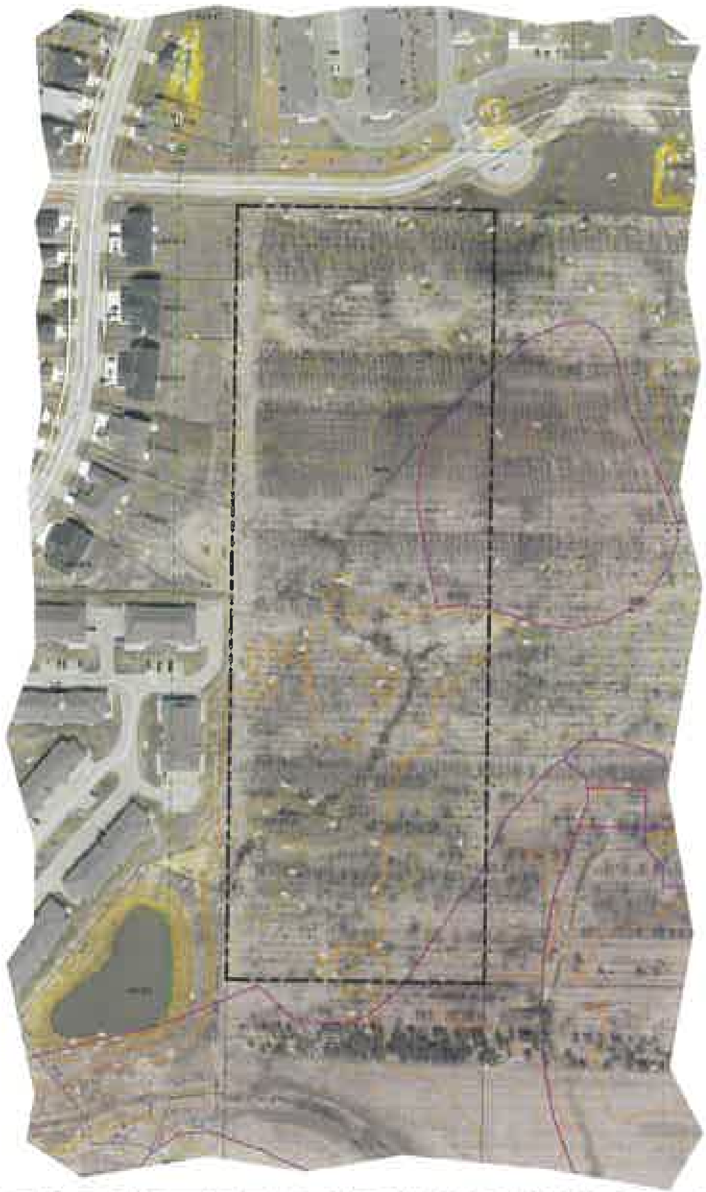
(See reverse)

ZONING CHANGE REQUEST - ADJACENT PROPERTY LIST

Tax Parcel ID Number: 260447000

Parcel #	Owner	Owner Address	Orientation to Parcel
311751319	Nickolas J Boylan	4650 N. Cherryland Avenue Appleton, WI 54913	Northwest
311641001	Michael S. Lesmeister	4636 N. Cherryvale Avenue Appleton, WI 54913	West
311641002	Cherryvale Estates LLC	501 S. Nicolet Rd. Appleton, WI 54914	West
311641003	Cherryvale Estates LLC	501 S. Nicolet Rd. Appleton, WI 54914	West
311641004	McGuire Properties & Rentals LLC	1945 W. Kohl Dr. Grand Chute, WI 54913	West
311641005	McGuire Properties & Rentals LLC	1945 W. Kohl Dr. Grand Chute, WI 54913	West
260441300	Premier Little Chute LLC	3120 Gateway Rd. Brookfield, WI 53045	West/Southwest
260441201	Village of Little Chute	108 W. Main St. Little Chute, WI 54140	Southwest
260447100	2064-2240 Evergreen Drive LLC P&R Legacy LLC (LC) **(Owner of parcel of interest)**	2311 E. Highpond Crossing Appleton, WI 54913	South
260447101	2064-2240 Evergreen Drive LLC P&R Legacy LLC (LC) **(Owner of parcel of interest)**	2311 E. Highpond Crossing Appleton, WI 54913	Southeast
260447001	2064-2240 Evergreen Drive LLC P&R Legacy LLC (LC) **(Owner of parcel of interest)**	2311 E. Highpond Crossing Appleton, WI 54913	East
260446903	Village of Little Chute	108 W. Main St. Little Chute, WI 54140	Northeast
260446901	Bridgewater Trails LLC	1256 Centennial Centre BL Hobart, WI 54155	North
260447000 **(Parcel of interest)**	2064-2240 Evergreen Drive LLC P&R Legacy LLC (LC) **(Owner of parcel of interest)**	2311 E. Highpond Crossing Appleton, WI 54913	

SHEET INDEX



NORTH

CONCEPTUAL SITE PLAN

1" = 100'-0"

0' 50' 100' 200' 400'

THE LOT DIMENSIONS AND BEARINGS SHOWN ON THIS PLAN ARE INTERPRETED VALUES. FOLLOW UP INVESTIGATION WITH STATE AND LOCAL AUTHORITIES AND/OR WITH CERTIFIED SURVEY MAP DATA WHEN AVAILABLE IS REQUIRED.

PROPOSED FOR:

OUTAGAMIE COUNTY HOUSING AUTHORITY

LITTLE CHUTE, WISCONSIN

Keller
PLANNERS | ARCHITECTS | BUILDERS
FOX CITIES
MADISON
MILWAUKEE
WAUSAU
www.kellerbuilds.com

PROPOSED FOR:
OUTAGAMIE COUNTY HOUSING AUTHORITY
LITTLE CHUTE, WISCONSIN

PRELIMINARY - NOT FOR CONSTRUCTION

REVISIONS

1		
2		
3		
4		
5		
6		

PROJECT MANAGER: K. VERSTEGEN

DESIGNER: R. LINDSTROM

DRAWN BY:

EXPEDITOR:

SUPERVISOR:

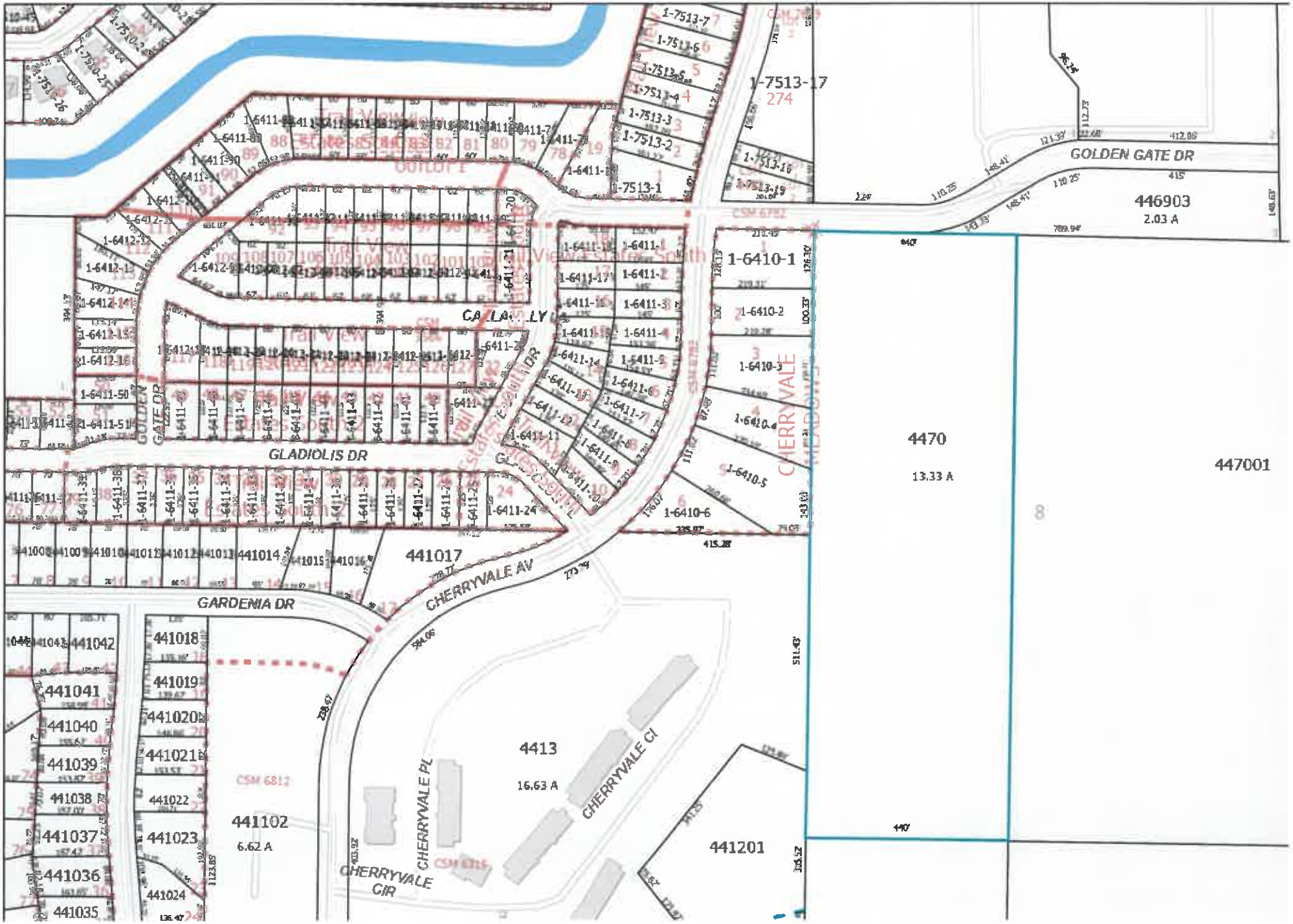
PRELIMINARY NO:

CONTRACT NO:

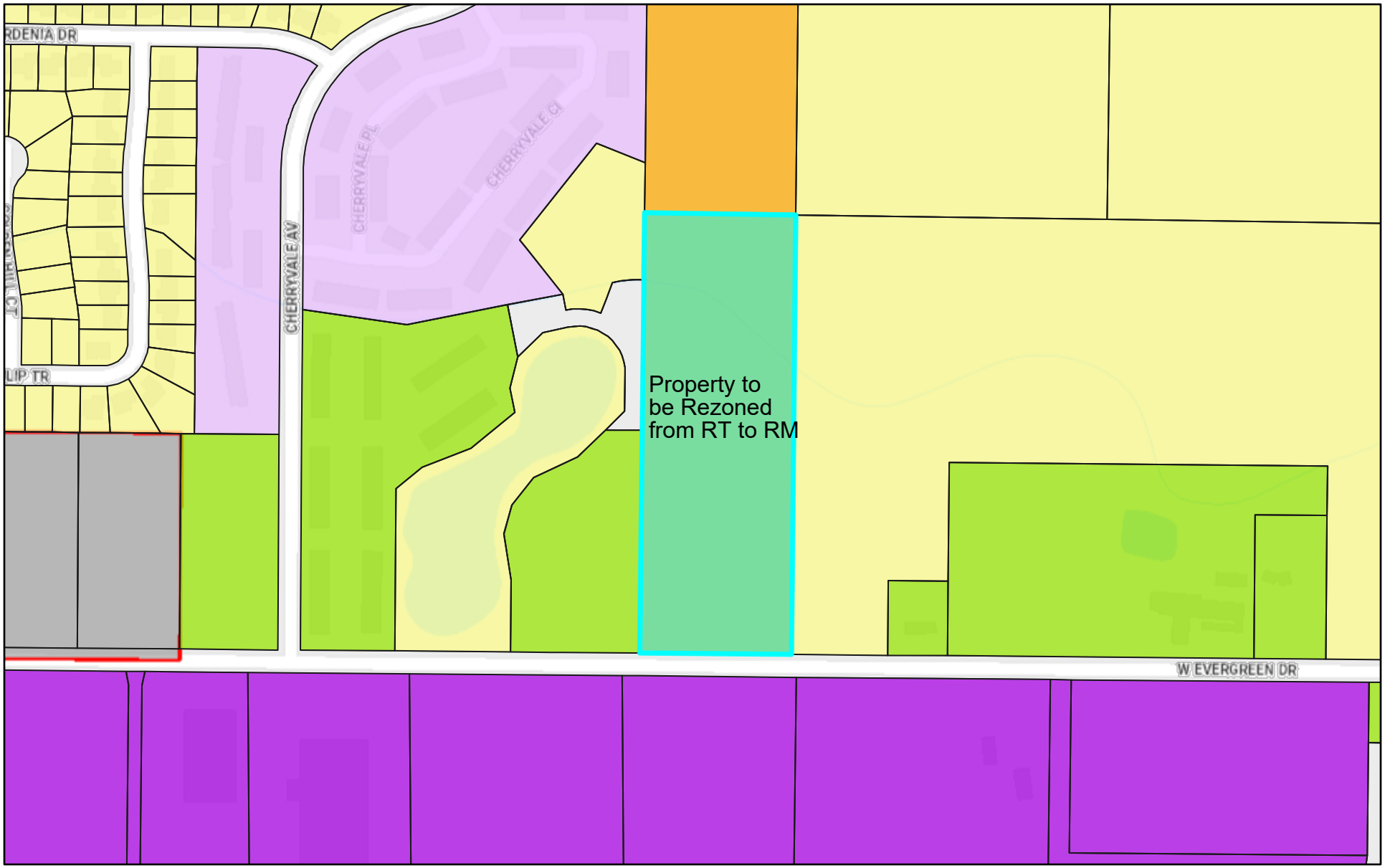
DATE: 12.12.2023

SHEET: C1.0

Outagamie County GIS Map



Zoning Map for Evergreen Dr



12/20/2023, 6:33:03 PM

1:4,800

0 0.04 0.08 0.16 mi

0 0.05 0.1 0.2 km

Robert E. Lee & Associates, Inc., Outagamie County

Parcels

Zoning

CH: Commercial Highway District

ID: Industrial District

RC: Residential Single-Family

RT: Residential Two-Family

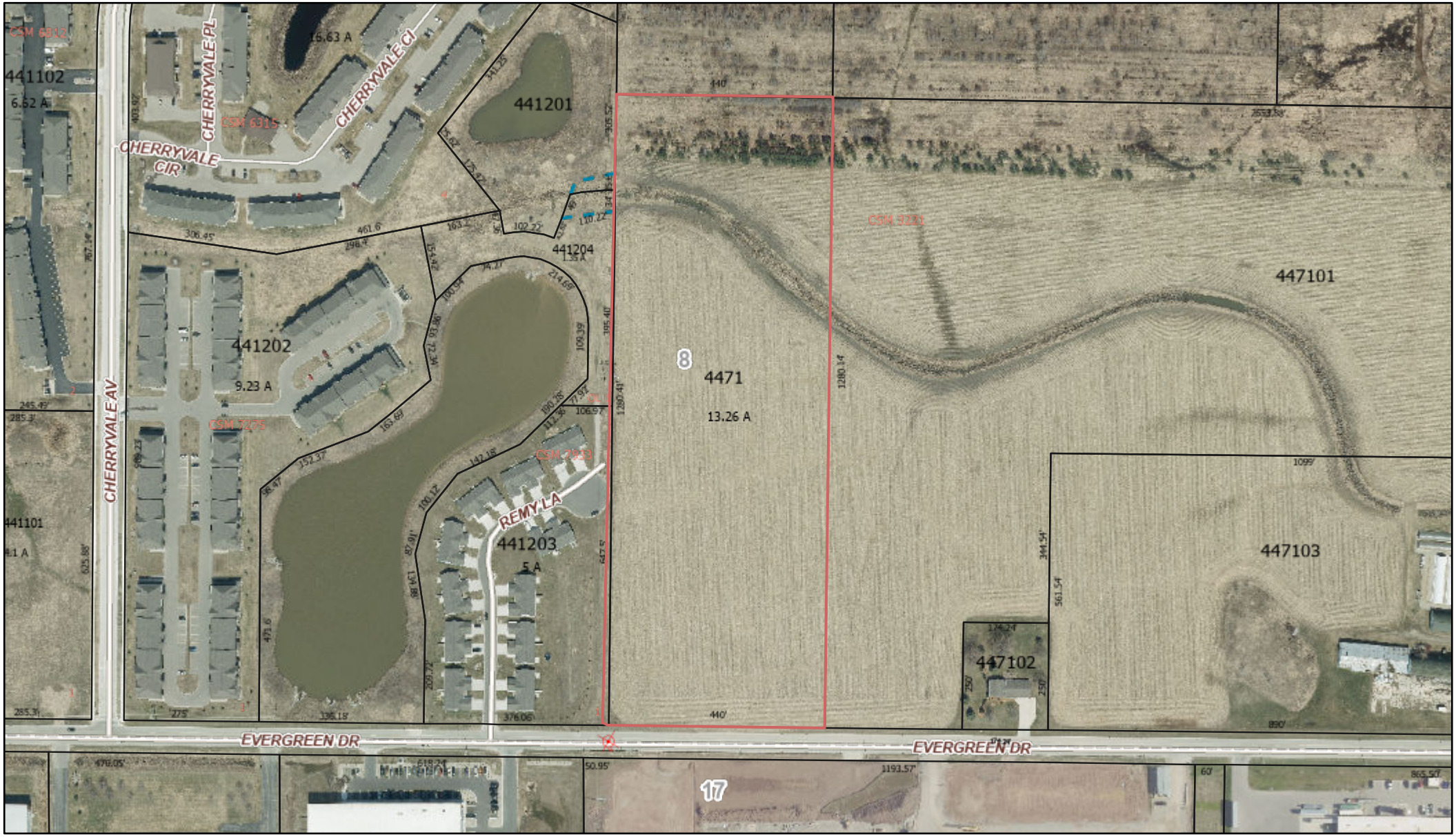
RM: Residential Multi-Family

No Zoning Designation

Village of Little Chute

Robert E. Lee & Associates, Inc., Outagamie County

Outagamie County GIS Map



12/20/2023, 6:36:15 PM

1:4,514

0 0.03 0.06 0.11 mi

0 0.04 0.09 0.17 km

Tax Parcel Information

PLSS Sections

Monuments

Quarter Corner

Display Parcel Lines

Meander Line

Lot Dimension

Acreage

CSM Lot Number

CSM Name

Tax Key

Streets

LOCAL

PVT

Highway Labels

VILLAGE OF LITTLE CHUTE
ORDINANCE NO. ___, SERIES OF 2024

AN ORDINANCE AMENDING CHAPTER 44, MUNICIPAL CODE OF THE VILLAGE OF LITTLE CHUTE AND THE OFFICIAL ZONING MAP, WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES IN THE DISTRICT AS NOW PROVIDED.

WHEREAS, a request for rezoning by the Village Board of Trustees, Village of Little Chute and has been referred to the Village of Little Chute Plan Commission for said Commission's recommendation; and

WHEREAS, the Village of Little Chute Plan Commission has recommended the following actions; and

WHEREAS, the Village Board of Trustees finds the following actions to be consistent with overall intent of the adopted guidelines within the Village Comprehensive Plan's goals, objectives, policies and recommendations; and

WHEREAS, the required public hearing regarding the rezoning has been held before the Village Board of Trustees,

NOW, THEREFORE, the Village Board of Trustees, Village of Little Chute, do ordain as follows:

Section 1. That the Zoning Ordinance, Chapter 44 Zoning, Municipal Code of the Village of Little Chute, and the official zoning map which is a part thereof, is hereby amended, by making the following changes:

(1) The following described property shall now be officially zoned as RM- Residential Multifamily;

Parcel # 260447100

More particularly described as follows:

W440FT OF LOT 3 CSM 3221 (PLATTED OUT OF PRT S1/2 SE SEC8-21-18) 13.26AC M/L (WAS PRT #200 014700)

Section 2. That this Ordinance shall be in full force and effect from and after its passage as provided by law, and upon its passage, the Village Zoning Administrator is authorized and directed to make the necessary changes to the official zoning map of the Village of Little Chute, all in accordance with this Ordinance.

Section 3. Recorded Vote. ____ For ____ Against

Date introduced: March 3, 2024
Date approved and adopted: March 17, 2024

VILLAGE OF LITTLE CHUTE

By _____
Michael R. Vanden Berg, Village President

By _____
Laurie Decker, Village Clerk

VILLAGE OF LITTLE CHUTE
VILLAGE BOARD
NOTICE OF PUBLIC HEARING
ZONING CHANGE REQUEST

NOTICE IS HEREBY GIVEN that a Public Hearing will be held for a request of zoning change from RT – Residential Two Famil to RM – Residential Multifamily, certain property in the Village of Little Chute, Outagamie County, Wisconsin as follows:

Address: Evergreen Dr

Parcel# 260447100

More particularly described as follows:

W440FT OF LOT 3 CSM 3221 (PLATTED OUT OF PRT S1/2 SE SEC8-21-18) 13.26AC M/L (WAS PRT #200 014700)

Applicant: 2064-2240 WEST EVERGREEN DRIVE LLC
P&R LEGACY LLC

A copy of the proposed zoning map may be seen at the Administrative Office at the Village Hall.

DATE OF HEARING: January 17, 2024
TIME OF HEARING: 6:00 p.m.
PLACE OF HEARING: Village Hall
Board Room
108 West Main Street
Little Chute, WI 54140

Laurie Decker
Village Clerk

If you have any questions, please contact the Zoning Administrator at (920) 423-3870

Publish: January 3rd and January 10th, 2024

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Item For Consideration

For Plan Commission Review On: 12/11/2023
Agenda Item Topic: Updates to Sec 8-87 to 8-95

Prepared On: 11/15/2023
Prepared By: Dave Kittel CDD

Report:

Section 8 of the Village of Little Chute code of Ordinances covers Buildings and Building Regulations. Over the years there have been some minor updates but, upon recent review there are some needed updates. Due to the size of the Ordinance Staff is breaking up the revisions into smaller segments to present for review. Attached is the third round of updates for Article IV of Section 8, the text ~~highlighted and strike through~~ are deletions Red and Underline are additions to the ordinance. With how the updates are currently proposed in Sec 8-21 the code has been adopted for all trades meaning Article IV is mostly no longer needed and redundant in its current format. The portion discussing HVAC permits and fees will be covered now in Sec 8-20 and 8-32. Section 8 will need to be re-organized and re-number before a final presentation of the updates are presented. The main changes to this portion of Section 8 are:

-Removing language referring to the Heatin, Ventilating and Air Conditioning code of the Village of Little Chute
-Updating code reference to the new updated building Code
- simplifying language and removing unnecessary items, the definitions previously provided are part of the referenced building code. The HVAC code is adopted in updated language
-Sec 8-87 through 8-91 and 8-93 through 8-95 are deleted as no longer needed.
-Sec 8-92 is to remain for now but, may be combined with Sec 8-20 pending final review

Fiscal Impact: None

Recommendation/Board Action: Discussion on updates to Sec 8

Respectfully Submitted,

Dave Kittel, Community Development Director

ARTICLE IV. HEATING, VENTILATING AND AIR CONDITIONING CODE

Sec. 8-87. Title.

This article shall be known as the "Heating, Ventilating and Air Conditioning Code of the Village of Little Chute," and will be referred to as the heating, ventilating and air conditioning code or this article.

(Code 2006, § 15-3-1)

Sec. 8-88. Purpose and scope.

(a) *Purpose.* The purpose of this article is to provide minimum regulations, provisions and requirements in the village to ensure safety and adequacy to persons and property wherever heating, ventilating and air conditioning is installed and to all alterations or improvements, including replacement of any apparatus or device, pertaining to heating, ventilating and air conditioning.

(b) *Scope.* The provisions of this article shall apply to every building, or portion of a building, devoted to a new use for which the requirements are in any way more stringent than the requirements covering the previous use.

(Code 2006, § 15-3-2)

Sec. 8-89. State regulations adopted.

(a) *Adopted by reference.* Wis. Admin. Code ch. COMM 23 and Wis. Admin. Code ch. COMM 64 are adopted and by reference made a part of this article with the same force and effect as though set out in full.

(b) *To be on file.* A copy of the heating, ventilating and air conditioning code shall be on file in the offices of the community development director and/or the director of public works.

(Code 2006, § 15-3-3)

Sec. 8-90. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Air conditioning means the process of treating air control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirements of the conditioned space.

Furnace means a completely self-contained direct-fired automatically controlled, vented appliance for heating air by transfer of heat of combustion through metal to air and designed to supply heated air through ducts to spaces remote from the appliance location.

Heating system means any combination of building construction, machines, devices or equipment, so proportioned, arranged, installed, operated and maintained as to produce and deliver in place the required amount and character of heating service.

Ventilating means the process of supplying or removing air by natural or mechanical means, to or from any space.

(Code 2006, § 15-3-4)

Sec. 8-91. Permit procedure.

(a) *Required.* It shall be unlawful for a person, firm or corporation to construct, install, alter or repair any heating, ventilating or exhaust system (and appurtenance), replace a boiler, furnace, install stoke and conversion units in or for any building before securing a permit, except that in cases of emergency the contractor may proceed with the work and file the application for a permit within 24 hours thereafter (Sundays and holidays excepted). A heating permit will not be required for the installation of electric baseboard or bathroom heaters when installed as auxiliary heat; that is, to supplement the existing heating system designed and installed to satisfy the load requirements of the space to be heated. The reference to appurtenances shall include direct heaters, cooling coils, central residential air conditioning (cooling) and similar devices affecting the safety or operation of the heating system.

(b) *Application.* The application shall be in writing upon forms which the community development director shall provide and shall include the name of the owner and the description of the property on which the work is to be done, along with such pertinent information as the community development director may require, and shall state that the property owner and the applicant will be bound by and subject to the provisions of this article.

(c) *Issuance, term, suspension and revocation.* When the community development director is satisfied that the work proposed by the applicant can be done in conformity with the provisions of this article and after appropriate fees have been paid to him, he shall issue the permit. Such permit shall allow for the continuous performance of the work named thereon. A permit shall automatically expire when work ceases for a period of 60 days without good reasonable cause for the same as may be approved by the community development director and shall automatically expire on completion of the work for which it is issued, provided the community development director may, upon notice, suspend or revoke such permit for violation of the provisions of this article.

(d) *Restrictions on issuance.*

(1) No HVAC permit shall be issued to any person who is in violation of this article until such violation has been corrected.

(2) No HVAC permit shall be issued to any person against whom an order issued by the community development director is pending, provided this restriction may be waived by the community development director.

(e) *Appeals for failure to issue, suspension or revocation.* Any person directly interested who is aggrieved by the decision of the community development director to refuse to issue a permit or to suspend or revoke such permit or to order work stopped may obtain a review of such determination pursuant to section 8-20(c).

(f) *Date required as part of the permit application.* All drawings submitted for approval shall be accompanied by sufficient data and information for the community development director to determine if the capacity of the equipment and the performance of the equipment shall satisfy the requirements of this section. The following data shall be submitted:

(1) Submit heat loss calculation in BTU per hour for each room to be heated.

(2) Include calculations for ventilation requirement.

(3) Submit one or more copies of complete drawings. When the heating and ventilation drawings require approval of the state department of commerce, one or more approved copies shall be submitted with the application.

(4) Summation of heating and ventilating load requirement.

(5) Installations shall be made to conform to approved drawings.

(6) Plot plan showing the location of the condensing unit for air conditioning.

(7) For solar systems, furnish an estimate of the amount of energy in BTUs to be delivered by the system on an annual basis, which estimate shall be based on the "F" chart analysis or another method appropriate to the system considered, and collector performance data as is determined by a recognized testing lab.

(8) For solar systems, furnish the collector tilt and azimuth angle and a solar path shading diagram for the proposed collector location indicating the shading between the hours of 9:00 a.m. and 3:00 p.m. CST for the entire year.

(9) For solar systems, furnish a plot plan showing the proposed location of the solar collector and any tree and/or structure that presently casts a shadow within 20 feet of the proposed collector location.

(10) For solar systems, furnish a detailed drawing showing anchorage and bearing of collector supports.

(11) For solar systems, furnish detailed drawings of all piping, pumps, blowers, wiring, storage vessels, ductwork, dampers, valves, insulation and all other material that will be required to install the system.

(g) *Design standards.*

(1) The heating and ventilating design shall conform to methods and standards approved by the community development director when not in conflict with the state department of commerce.

(2) Minimum design standards for all rooms in living quarters shall be 70 degrees Fahrenheit except bathrooms, which shall be 75 degrees Fahrenheit. The minimum outside design temperature shall be minus 20 degrees Fahrenheit.

(3) The total heat loss of a building, including the basement, shall be used in sizing heating units or electrical service for electrical space heating.

(4) The proper "U" factors shall be selected and shall reflect the additional heat loss in areas located over unheated areas.

(h) *Supplemental permits.* The license holder responsible for the work shall complete any application for a supplemental permit mailed to him and return it to the community development director within seven days of the postmark date of the application for a supplemental permit. Failure to return the application for a supplemental permit prior to commencing work shall be deemed to be working without a permit.

(Code 2006, § 15-3-5)

Sec. 8-92. Heating, ventilating and air conditioning (HVAC) inspections.

(a) In any new building or addition, immediately upon completion of those portions of the installation which are thereafter to be concealed or covered, the heating contractor shall notify the community development director that said portions of the installations are ready for inspection; and it shall be unlawful for any person, firm or corporation to lath over, plaster or cover up any heating work before such work has been inspected and a rough inspection card posted. The community development director shall have the right and authority to order the removal of all such lath, plaster or other covering which may have been placed over such work as has not been inspected. The community development director shall make inspections within

two working days after notice. Final inspection on new installations is to be made upon completion of such work. Inspection of repairs, replacement or conversion work is to be made upon completion of such work. The heating contractor shall notify the community development director as soon as the installation is complete and ready for inspection.

(b) Whenever any work or project governed by provisions of this article and for which a permit has been issued, as provided herein, is being performed or carried on in violation of any of the provisions of this article, it shall be the duty of the community development director to post a printed notice to stop work signed by the community development director on the premises where such work is in progress and to notify anyone in charge of such work on the premises of such stop work order. After the posting of such notice, it shall be unlawful for any person, firm or corporation to do any further work on such project until such time as the defects or violations of this article have been eliminated to the approval of the community development director.

(c) When the community development director finds any installation in which there are violations of the Code, he shall issue a written order specifying the violation and stating the date by which these corrections shall be made. Any licensee failing or neglecting to comply with written orders at the discretion of the community development director shall not be issued any further permits until such violations have been corrected and penalty fee paid. Failure or neglect to comply with the provisions of the HVAC Code and of the permit issued under this article shall be considered a violation of this article.

(Code 2006, § 15-3-6)

~~Sec. 8-93. Minimum requirements for the installation of gas-fired heating equipment and piping.~~

~~In addition to the standard referred to in section 8-89, which shall be classed as minimum standards of this article, the installation of gas heating equipment shall conform to the requirements set forth in this section:~~

~~(1) *Scope.*~~

~~a. *Applicability.* The provisions of this article, unless otherwise indicated herein, shall apply only to utilization pressure (not in excess of one-half pound per square inch) gas pumping systems extending from the gas meter outlet connection to the inlet connections of appliances. They are intended to cover the design fabrication, installation and test of gas piping systems for fuel gases such as natural gas, liquefied petroleum gas, liquefied petroleum air, gas or mixtures thereof. They are not intended to cover systems or portions of systems supplying equipment engineering, designed and installed for specific manufacturing, production processing, large power generating application, melting and treating furnaces, production ovens and similar applications.~~

~~b. *Exception.* Gas piping and control equipment requirements for systems using gas pressures in excess of one-half pound per square inch:~~

~~1. Generally, the valving arrangement shall conform to the American Standards Association (ASA Z21.33—1950). The community development director will recognize as approved valving, arrangements and designs approved by any other nationally recognized approved agency.~~

~~2. A safety relief valve shall be placed downstream from a gas pressure regulator where gas is supplied at pressures in excess of one-half pound per square inch. The discharge from the relief valve shall be piped to a safe location outside the building. (Valve setting not to exceed four pounds.)~~

3. Provide a suitable pressure gauge in the gas line located downstream from the pressure regulator.

4. Where a gas supply pressure is higher than that at which the burners are designed to operate, a gas pressure regulator shall be provided to reduce pressure to satisfy design conditions.

5. Where the gas supply pressure is in excess of one-half pound per square inch, the piping system shall be identified indicating the maximum line pressure. It is recommended that the legend "Gas ___ psi." (pressure per square inch to be inserted in the blank) be applied on gas piping near and downstream from pressure regulator at intervals of 50 feet in every room or area which is less than 50 feet.

6. Submit two copies of drawings (schematic is acceptable) and specifications to the community development director for review and approval.

(2) *Work on gas piping containing unmeasured gas.* Disconnecting inlet of gas meter, changing meter location or making connection to gas service pipe shall be done only by gas company employees or others authorized by the gas company to do such work. A pipe fitter shall connect or disconnect the building piping from outlet meter connections when necessary. No person, unless in the employ of the gas company or having permission from the gas company, shall turn on or reconnect gas service in or on any premises where and when gas service is not at the time being rendered. It shall further be unlawful to turn on or supply gas on or at any premises unless at least one gas appliance is connected to the gas piping system and all outlets are properly and securely connected to appliances or capped or plugged with screw joint fittings.

(3) *Authority to disconnect.* The community development director or the gas utility is hereby authorized to disconnect or have disconnected any gas space heating equipment or gas piping which shall be found not to conform to the requirements of this article or which may be found defective and in such condition as to endanger life or property. Where such disconnection has been made, a notice shall be attached to such equipment or gas piping be reconnected until authorized by the community development director to do so. Cost of such disconnect by the community development director shall be paid for by the owner of the premises.

(4) *General precautions.*

a. *Installation of gas piping.* Installation of gas piping shall be performed with the gas turned to off to eliminate hazards from leakage of gas. Connection of the new piping system to the existing system shall be done, if practical, with the gas turned off.

b. *Burner and pilot valves.* Before turning off the gas at the meter, except in cases of emergency, all burner and pilot valves on the premises supplied with gas through the meter shall be turned off and the meter test hand observed for a sufficient length of time to ascertain that there is not gas passing through the meter. When there is more than one meter on the premises, precaution shall be exercised to ensure that the proper meter is turned off.

c. *Checking for gas leakage.* No matches, candles, flame or other source of ignition shall be employed to check for gas leakage from meters, piping or appliances. Check for gas leakage with a soap and water solution.

d. *Artificial illumination.* Artificial illumination used in connection with a search for gas leakage shall be restricted to electric hand flashlights, fixed electric lights controlled only by explosion-proof safety switches or switches remote from the area of the leakage or approved safety lamps.

e. *Smoking not permitted.* When connecting or disconnecting pipe which contains gas, smoking shall not be permitted.

f. *Electric circuits grounded to gas piping.* Except for appliance controls requiring a ground electrical system, including low voltage, circuits shall not be grounded to gas piping.

(5) *Piping to meter location.*

a. *Piping extended to meter location.* Gas building piping shall be extended to the meter location specified by the gas company. The meter location and gas piping connection shall be such that the meter connections are easily accessible in order that the meter be read or changed.

b. *Piping marked.* Piping from multiple meter installations (four or more meters) shall be plainly marked near outlet connection with a permanent tag by the installer so that the piping systems supplied through them can be readily identified.

c. *Meters supplied by single service pipe.* Unless otherwise approved in writing by the gas company, all meters supplied by a single service pipe shall be at the same location.

d. *Piping systems not interconnected.* Unless otherwise approved, where two or more meters are installed on the same premises but supply separate consumers, the piping systems shall not be interconnected on the outlet side of the meters.

e. *Pipe capacity.* Gas building pipe capacities shall be as established by state law and state administrative code standards.

(6) *Size of piping to gas appliances.*

a. *Sufficient size.* Piping shall be of such size and so installed as to provide a supply of gas sufficient to meet the maximum demand without undue loss of pressure between the meter and the appliance. The minimum gas pipe shall be not less than three-fourths-inch. This does not apply to water heaters, space heaters and unit heaters with inputs of less than 50,000 input. The size of the gas pipe to be used depends upon the following factors:

1. Allowable loss in pressure to be provided for.

2. Maximum gas consumption to be provided for.

3. Length of pipe and number of fittings.

4. Specific gravity of the gas.

5. Diversity factor.

b. *Pressure loss.* The pressure loss in any gas piping system from the gas meter to any appliance for the maximum demand shall not exceed 0.3-inch water column. The minimum size of piping required to comply with the 0.3-inch pressure loss limitation shall be determined by the procedure given in subsection (6)c of this section or by standard engineering methods, including use of gas flow computers.

c. *Size of piping.* To determine the size of any section of gas pipe in a system, proceed as follows:

1. Measure the length of pipe from the gas meter to the most remote outlet of the building on that piping system. When separate or individual fuel lines are extended from the meter to one or more appliances, such as an individual gas line to heating plant, each separate fuel line from the meter shall be considered as a separate system.

2. In Table No. 1, select the horizontal line showing the distance or the next longer distance if the table does not give the exact length.

3. Use this horizontal line so selected to locate all gas demand figures for this particular system of gas piping.

4. Starting at the most remote outlet, find in the horizontal line just selected the gas demand for that outlet. If the exact figure of demand is not shown, choose the next larger figure in the same horizontal line.

5. Above this demand figure in the first line at the top of Table No. 1 will be found the correct size of pipe required to serve such an outlet.

6. Proceed in a similar manner for each outlet and each section of pipe. For each section of pipe, determine the total gas demand supplied by that section and use the length indicated by subsection (e)(5) of this section, which length is at all times taken as the total distance from the meter to the most remote outlet.

7. The hourly volume of gas required at each outlet shall be taken as not less than the maximum hourly rating specified by the manufacturer of the appliance to be connected to each such outlet. Where the manufacturer's rating of an appliance is given in British Thermal Units (BTU) per hour, this rating shall be divided by 970 to obtain the corresponding gas demand in cubic feet per hour for natural gas. Where BTU rating of gas appliances to be installed has not been definitely specified, estimate of approximate requirements may be based on current typical appliances.

d. *Extensions to existing piping.* Extensions to existing piping shall conform to subsection (6)a of this section. Existing piping, if extended, shall be converted to the proper size of pipe where necessary. In no case shall extensions be made to existing pipe which is smaller than permitted by subsection (6)a of this section.

(7) *Materials for pipe and fittings.*

a. *Rigid pipe and fittings.*

1. Gas pipe shall be black wrought iron or steel pipe complying with the American Standard for Wrought Iron and Wrought Steep Pipe ASA B36 D—1939. All pipe fittings (except shutoff cocks or valves) shall be malleable iron or steel when with wrought iron or steel pipe. In sizes three inches or larger, all piping must be welded. (See subsection (7)a.2 of this section.) Exception: plastic pipe may be used outside of a building only and when it is buried at a minimum depth of 12 inches and when it is used in the sizes of three-eighths-inch outside diameter for gaslights and five-eighths-inch outside diameter for gas grills. The plastic pipe must be an approved type.

2. The use of welded steel fittings, either shop or field fabricated, and jointing of pipe by welding is permissible.

3. Plain end pipe with gland-type couplings shall not be used within or under any building or structure but may be used for exterior or underground installations.

4. Ground joint unions or gasket-type unions with leather gaskets shall be used in gas building piping.

5. Copper or brass pipe in iron pipe sizes when assembled with threaded fittings of the same material may be used. Copper tubing with seat, flared or compression fittings shall not be used for building piping.

6. Aluminum piping in iron pipe sizes may be used provided that no aluminum pipe may be used for underground installations, nor in contact with masonry or concealed in walls or partitions constructed of masonry materials, nor exposed to alkaline chemicals, fumes or materials. Aluminum pipe shall not be extended through walls or ceilings.

b. *Semi-rigid tubings and flexible metal connectors.* Copper or aluminum semi-rigid tubing, flexible metal connectors and fittings may be used in place of rigid pipe for connection of individual appliances, other than gas space heating equipment and gas water heaters, to building piping. Flexible metal connections or fittings shall bear the seal or listing symbol of a nationally recognized testing agency acceptable to the community development director or be fabricated and assembled from material using a flared-type connection. The length of tubing shall not exceed six feet.

(8) *Concealed pipe.*

a. *Pressure.* The requirements of this section shall apply to concealed gas piping utilizing gas pressures up to and including four pounds per square inch. Concealed or embedded pipe or tubing shall be tested before being covered to a hydrostatic or compressed air pressure of not less than 50 pounds gauge for a period of not less than ten minutes.

b. *Minimum size.* No pipe smaller than three-fourths-inch pipe size shall be used in any concealed location.

c. *Gas piping embedded in concrete.*

1. When gas pipe is to be embedded in concrete or cement, it shall be coated with a corrosion-resisting material or laid in a conduit of iron pipe or glazed tile with tightly sealed joints. Tile joints shall be packed with jute or hemp at the base and remaining joint space filled with cement mortar or hot pour compound suitable for clay pipe. The coating or conduit shall be extended at least two inches beyond the point where the pipe emerges from its concrete embedment. Where the encasing conduit terminates underground, it shall be tightly sealed around the gas pipe with bituminous or asphaltic material to prevent the entrance of moisture. Where pipe is to be embedded directly in a concrete floor, necessary precautions shall be observed to prevent the pipe from being damaged prior to and during the pouring of the concrete floor. The piping shall be installed and supported above the underlying fill so that there will be a minimum thickness of three-fourths-inch of concrete both under and over the pipe in the finished installation. Gas pipe shall not be embedded in a cinder fill or in a cinder concrete fill unless the pipe is laid in glazed tile pipe with tightly sealed joints as specified in this subsection.

2. Gas pipe in solid floors, such as concrete, may be laid in channels in the floor suitably covered to permit access to pipe with minimum damage to the building. The channel may be covered with a removable cover or the channel may be filled with some noncorrosive material.

3. No gas line shall be buried in or contact with the ground or fill under any building or structure unless suitably encased in a conduit installed as prescribed in subsection (8)c.1 of this section for embedment in concrete.

d. *Piping in partitions.* Where concealed piping is located in hollow rather than solid partitions, the space concealing the pipe shall be ventilated to permit the escape of gas should leakage develop. Ventilation may be provided by small grills in the wall or by making the opening through which the pipe leaves the concealed space at least one-half-inch larger than the outside diameter of pipe.

e. *Connections in original installation.* When installing pipe which will be concealed, unions, running threads, righthand and lefthand couplings, bushings and swing joints made by combination of more than two fittings (not including nipples) shall not be used.

f. *Reconnections.* When necessary to insert fittings in piping which has been installed in a concealed location, the piping may be reconnected by the use of a ground joint union with a center-punched nut to prevent loosening by vibration.

(9) *Underground gas piping.*

a. *Corrosion-resistive material.* All wrought iron or steel gas piping installed below ground level outside of any building or structure shall be protected against corrosion with a coating or corrosion-resisting material recommended by the manufacturer for underground use and applied in accordance with manufacturer's printed instructions.

b. *Minimum depth.* Underground piping located exterior to any building or structure shall be installed at a depth to provide a minimum cover of 18 inches. Exception: The depth of burial of plastic gas pipe for gaslights three-eighths-inch outside diameter and grills five-eighths-inch outside diameter shall be not less than 12 inches. Where plastic gas piping passes with 12 inches of any underground electrical piping, it shall be run in a split tile or an approved asbestos product. Where it crosses underground electrical piping, it must be run in split tile or an approved cement asbestos product for a distance of two feet on each side of the electrical piping.

c. *Separate ditch.* Gas house piping shall not be installed in the same ditch with water, sewer, drainage or other piping.

d. *Dielectric insulation fittings.* When any portion of iron or steel pipe in gas house piping is buried or in contact with the ground and is to be connected directly, such as through a water heater or other appliance having water connections, to any copper piping or tubing that is at some point in contact with the ground, the copper and iron piping shall be separated electrically by means of dielectric insulation fittings installed in the gas line.

e. *Iron and copper piping.* Iron gas pipe buried or in contact with the ground shall be placed a minimum of two feet from all copper piping or tubing that is buried or in contact with the ground. Where iron and copper cross underground and it is impractical to maintain this spacing, the iron pipe shall have a 1/32-inch coating of corrosion-resisting material suitable for underground use and applied in accordance with manufacturer's printed instructions for a distance of two feet from the point of crossing.

(10) *Sleeve on building piping through masonry wall.* Where gas pipe passes through a wall below grade, the joint between the pipe and the wall shall be caulked or cemented so as to form as tight a seal as is possible. If the pipe is encased in a sleeve or conduit, both ends of the sleeve or conduit shall be tightly sealed.

(11) *Installation of gas piping.*

a. *Drip pipes.* Where practical, all gas piping shall be installed so that it will drain toward the meter. Horizontal piping shall be so graded approximately one-fourth inch to 15 feet. Where it is necessary to trap the gas line, the drip pipe shall be attached to trapped piping at every point where condensation might collect. The drop pipe shall not be smaller than the diameter of pipe to which it is attached and shall be at least six inches long. The end of the drop pipe shall be capped and shall be accessible for draining.

b. *Supporting pipe.* Gas piping shall be securely fastened and supported with pipe straps or hangers at sufficient intervals to prevent pipe from sagging more than one-fourth inch between supports. Gas pipe shall not be supported by or from other piping.

c. *Fittings.* A tee-fitting with the bottom outlet plugged or capped instead of an ell-fitting shall be used at the bottom of any riser to catch any dirt or other foreign materials.

d. *Avoid clothes chutes, etc.* Gas pipe inside any building shall not be run in through spaces used for air duct, clothes chutes, chimney or flue, ventilating duct, dumbwaiter or elevator shaft.

e. *Cap all outlets.* Each outlet, including a valve or cock outlet, shall be securely closed gastight with a threaded iron plug or cap if not used immediately after installation and shall be left closed until an appliance is connected thereto. Likewise, when an appliance is removed from an outlet and the outlet is not to be used again immediately, it shall be securely closed gastight, using a threaded iron plug or cap.

f. *Air or oxygen under pressure.* Where air or oxygen under pressure is used in connection with the gas supply, effective means shall be provided to prevent air or oxygen from passing back into gas piping. Where air or oxygen supply is interconnected with the gas piping system, a device used to prevent gas from passing the meter shall be approved by the community development director.

(12) *Gas shutoff valves.*

a. *Accessibility of gas valves.*

1. Main gas shutoff cocks or gate valves controlling several piping systems shall be placed an adequate distance from each other so they will be easily accessible for operation. These valves shall be plainly marked with a metal tag wired to the valve by the installer so that the piping systems supplied through them can be readily identified.

2. The main gas shutoff valves on all gas space heating equipment shall be placed as close as possible to the equipment but shall be located between four feet and six feet above floor level. No main gas shutoff valves shall be concealed in the space-heating cabinet. Exception: On suspended units, rooftop units, space heaters and through-wall units, the gas valve shall be easily accessible and placed within three feet of the unit.

3. All gas-fired appliances shall be equipped with a main shutoff valve located between the appliance and the building piping. The shutoff valve for heating plants and water heaters shall be of the lever type.

b. *Location of shutoff on piping for apartments on master meter.*

1. In multiple-tenant buildings supplied through a master meter, a shutoff cock shall be installed in the apartment, to be supplied at each of the appliances. If one riser or fuel line supplies all the gas to any one apartment, only one shutoff cock need be used if installed in this riser or fuel line, but it shall be located so as to be readily accessible.

2. In the event that shutoff cocks are to be installed on the risers or fuel lines in the basement, instead of in the piping at the appliance where the master meter is used, each riser or fuel line shall be tagged with a wired-on metal.

(Code 2006, § 15-3-7)

Sec. 8-94. Venting requirements.

(a) *General requirements.* The venting of all boilers, furnaces or appliances shall conform to the requirements as hereinafter set forth inclusive of this section, together with their subdivisions. Conditions not specifically mentioned in this section shall be governed by the current A.S.H.R.E. guides or section V of the standards of the National Fire Protection Association for the installation of gas appliances and gas piping, NFPA 54, as listed in appendix No. 1.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Chimney.

(1) *Factory-built chimney.* A chimney that is factory made, listed by a nationally recognized testing agency, for venting gas appliances, gas incinerators and solid or liquid fuel burning appliances.

(2) *Masonry chimney.* A field-constructed chimney built in accordance with the village building code.

(3) *Metal chimney.* A chimney made of metal of adequate thickness, properly galvanized or properly welded or riveted and built in accordance with nationally recognized codes or standards.

Chimney connector means the pipe which connects a solid or liquid fuel burning appliance to a chimney. (Use in place of smoke pipe or flue pipe.)

Chimney flue means the flue gas conveying passageway in a chimney.

Chimney liner means a vent pipe or flue liner inserted within a chimney for the purpose of flue products and preventing such condensation from contract with the interior of the chimney in which it is inserted.

Draft hood means a device built into an appliance or made a part of the vent connector from an appliance which is designed to:

(1) Ensure the ready escape of the flue gases in the event of no draft, backdraft or stoppage beyond the draft hood;

(2) Prevent a back draft from entering the appliance; and

(3) Neutralize the effect of stack action of the chimney or gas vent upon the operation of the appliance.

Gas vents.

(1) *Type B gas vents.* Factory-made gas vents listed by a nationally recognized testing agency for venting listed or approved appliances equipped to burn only gas.

(2) *Type B/W gas vents.* Factory-made gas vents listed by a nationally recognized testing agency for venting listed or approved gas-fired recessed heaters.

(3) *Type C gas vents.* Vents constructed of sheet copper not less than 24 ounces per square foot or galvanized iron of not less than No. 20 U.S. standard gauge or other approved noncombustible corrosion-resistant material.

Vent means a conduit or passageway, vertical or nearly so, for conveying vent gases to the outer air.

Vent connector means the pipe which connects a gas appliance, to a gas vent or chimney.

(c) *Barometric dampers.* Barometric dampers shall be constructed and installed in accordance with the manufacturer's instructions.

(d) *Acceptable types of chimneys or vents.* It shall be the duty of the owner of any building in which it is hereafter proposed to install any furnace, boiler or appliance to provide a properly constructed chimney or vent.

(1) *Flue gas exhaust.* Gas vents or chimney systems shall be engineered and constructed so as to develop a positive flow adequate to remove all flue gases to the outside atmosphere.

(2) *Chimneys.* Chimneys shall be used for venting the following types of appliances.

a. Incinerators, except that metal pipe not less than No. 20 U.S. standard gauge galvanized iron or other equivalent noncombustible, corrosion-resistant material may be used for venting incinerators installed in locations such as open sheds, breezeways or carports, provided the metal pipe is exposed and readily examinable for its full length and suitable clearance (18 inches from combustible) are maintained.

b. Appliances which may be converted readily to the use of solid or liquid fuels.

c. Combination gas-oil burning appliances.

d. Appliances listed for use with chimneys only.

(3) *Type B gas vents.*

a. Type B gas vents may be used to vent listed gas appliances, except as provided in subsections (d)(2), (d)(4) and (f)(1) of this section.

b. For the purpose of this section, listed gas appliances shall refer to appliances which are shown in a list published by an approved, nationally recognized testing agency, qualified and equipped for experimental testing and maintaining an adequate periodic inspection of current production of listed models and whose listing states either that the appliance complies with nationally recognized safety requirements or has been tested and found safe for use in a specific manner. Listed gas appliances are considered to be equipped with draft hoods and to produce flue gas temperatures not in excess of 550 degrees Fahrenheit at the outlet of the draft hood when operating at the manufacturer's normal input rating.

c. Listed Type B vents shall be installed in accordance with their listings and the manufacturer's instructions.

d. Type B vents installed outside a building or which pass through unheated portions of a building, except that portion above the roofline, shall be equipped that excessive condensation may be disposed of without damage to the foundation, floor, walls or footings.

e. Any shape-listed gas vent may be used provided its venting capacity is equal to the capacity of round pipe for which it is substituted and the minimum internal dimension of the gas vent is not less than two inches.

f. The gas vent or chimney should extend high enough above the building or other neighboring obstruction so that wind from any direction will not create a positive pressure in the vicinity of the gas vent or chimney termination. Gas vents shall extend at least two feet above the highest point where they pass through a roof or a building and at least two feet higher than any portion of a building of ten feet except that gas vents need not comply with this provision when equipped with an approved device and proper and effective venting is accomplished. Gas vents or chimneys shall not terminate less than four feet in vertical height above the highest connected appliance draft hood outlet or flue collar.

g. Gas vents and factory-built chimneys shall extend above the roof surface and through the flashing and shall terminate in a tope or listed room assembly with a venting capacity not less than that of the gas vent or chimney. The tope shall be of a design to prevent rain and debris from entering the gas vent or chimney.

h. All portions of gas vents and chimneys shall be adequately supported for the weight and design of the materials employed. Listed gas vents and factory-built chimneys shall be supported and spaced in accordance with their listings and the manufacturer's instructions.

i. The gas vent or chimney, when connected to a single appliance, shall be not less than the size of the draft hood outlet, or as provided in this section. When more than one appliance is connected to a gas vent or chimney, the area of passageway shall be not less than the area of the largest vent connector, plus 50 percent of the areas of additional vent connectors or as provided in subsection (d)(3)h of this section.

(4) *Marking of type B vents.* Gas vent systems shall be plainly and permanently identified by a label reading:

"This gas vent is for appliances which burn gas only. Do not connect to incinerators or solid or liquid fuel burning appliances."

This label shall be attached to the wall or ceiling at a point where the gas vent system enters the wall, ceiling or chimney.

(5) *Type BW gas vents.*

a. Type BW gas vents shall be used with listed vented recessed heaters when installed with combustible two by four wall construction.

b. Listed Type BW gas vents shall be installed in accordance with their listings and the manufacturer's instruction.

c. Type BW gas vents serving a vented recessed heater shall not terminate less than 12 feet in vertical height above the bottom of the heater.

(6) *Type C gas vents.*

a. Type C gas vents shall be used only for runs directly from the space in which the appliance is located through the roof to the outer air. Such gas vents shall not originate in any unoccupied attic or concealed space and shall not pass through any attic, inside wall, concealed space or through any floor.

b. When a Type C gas vent passes through a roof constructed of combustible material, it shall be guarded at the point of passage by a method described in subsection (e)(14) of this section or by a noncombustible, nonventilating thimble not less than four inches larger in diameter than the vent pipe and extending not less than 18 inches above and six inches below the roof with annular space open at the bottom and closed only at the top.

(e) *Vent connectors.*

(1) *Materials.* Vent connectors used for gas appliances having draft hoods and for listed conversion burners having draft hoods shall be constructed of materials having resistance to corrosion and heat not less than that of No. 24 U.S. standard gauge galvanized steel, except that Type B vent material may be used as the connector between the draft hood and the chimney.

(2) *Clearance.* Vent connectors shall be located in such a manner that continued operation of the appliance will not raise the temperature of surrounding combustible construction more than 90 degrees Fahrenheit above normal room temperature when measured with mercury thermometers or conventional bead-type thermocouple. Minimum clearances of vent connectors to combustible material shall be in accordance with state law and state administrative codes.

(3) *Unnecessary bends.* The vent connector shall be installed so as to avoid excessive turns or other construction features which create unnecessary resistance to flow of vent gases.

(4) *Joints.* Vent connectors shall be firmly attached to draft hood outlets by sheet metal screws or other approved means. Vent connectors using listed Type B gas vent material shall be securely assembled, using the method shown in the listing and the manufacturer's instructions. Joints of other than listed Type B gas vent material shall be securely fastened by sheet metal screws or other approved materials.

(5) *Pitch.* Vent connectors attached directly to side outlet draft hoods, such as on-floor furnaces, shall be pitched upward from the appliance at least one-fourth inch per foot. Vent connectors attached to top outlet draft hoods by means of 90 degree elbow may be horizontal or pitched upward from the appliance. No portion of any vent connector shall be run downward from the appliance nor shall there be any dips or sags.

(6) *Length.* The horizontal run of the vent connector shall be as short as possible, and the appliance shall be located as near to the gas vent or chimney as practicable. The maximum length of an uninsulated horizontal run of vent connector shall not exceed 75 percent of the height of the gas vent or chimney.

(7) *Clearances.* Vent connector clearances for gas appliances shall be as established by state law and state administrative code standards.

(8) *Support.* Vent connectors shall be securely supported for the weight and design of the materials employed to maintain proper clearances to prevent physical damage and to prevent separation of the joints. Support shall be accomplished by means of metal hangers spaced not more than six feet on centers. Wire hangers will not be permitted.

(9) *Provide vertical run.* Vent connectors shall have the greatest possible rise consistent with head room available between the draft hood outlet and the start of the horizontal run.

(10) *Location.* When the vent connector used for an appliance having a draft hood must be located in, or pass through, a crawl space or other area difficult to access which may be cold, that portion of the vent connector shall be listed Type B gas vent material or material having equivalent insulation qualities. Type C gas vent material or material having equivalent insulation qualities. Type C gas vent material used as a vent connector shall not pass through any floor or ceiling.

(11) *Chimney connection.* When an existing chimney wall is to be pierced for a chimney connection, approval shall be obtained from the community development director before the opening is cut. An inspection shall be made and approved before the connection is made to the opening. In entering a passageway in a masonry or metal chimney, the vent connector shall be installed above the extreme bottom to avoid stoppage. Means shall be employed which will prevent the vent connector from entering so far as to restrict the space between its end and the opposite wall of the chimney. A thimble or slip joint may be used to facilitate removal of the vent connector. The vent connector shall be firmly attached or inserted into the thimble or slip joint to prevent it from falling out.

(12) *Fireplace.* A vent connector shall not be connected to a chimney serving a fireplace unless the fireplace opening is permanently sealed.

(13) *Size, height and length of interconnected vent connectors.* Two or more vent connectors may be joined through a gas vent manifold or to a gas vent provided that:

a. Vent connectors carrying the gases of a single appliance shall have the greatest possible rise consistent with the head room available between the draft hood outlet and the points of its interconnection to manifold or common vent.

b. Size of vent connector shall be equal to or greater than the size shown in Table No. 3 of this section for the allowable heat input.

c. When Table No. 3 indicates that a vent connector must have a larger size than the draft hood, the size increase shall be made at the draft hood outlet.

(14) *Allowable input to vent connectors before interconnection.* Allowable input to vent connectors before interconnection for gas appliances shall be as established by state law and state administrative code standards.

(15) *Dampers.* Manually operated dampers shall not be placed in the vent connector from any gas appliance except an incinerator. Fixed baffles ahead of draft hoods are not classified as dampers.

(16) *Use of thimbles.*

a. When passing through combustible walls or partitions, vent connectors built of listed Type B gas vent material shall be installed so that the clearance required by the listing are maintained.

b. Vent connectors made of other than Type B vent material shall not pass through any combustible walls unless they are guarded at the point of passage by ventilated thimbles not smaller than the following:

1. For listed appliances, except incinerators; four inches larger in diameter than the vent connector, unless there is a run of not less than six feet of vent connector in the open, between the draft hood outlet and the thimble, in which case the thimble may be two inches larger in diameter than the vent connector.

2. For unlisted appliances having draft hoods; six inches larger in diameter than the vent connector.

3. For incinerators and unlisted appliances; 12 inches larger in diameter than the vent connector.

c. In lieu of thimble protection, all combustible material in the wall shall be cut away from the vent connector a sufficient distance to provide the clearance required from such vent connector to combustible material. Any material used to close up such opening shall be noncombustible.

(17) *Size.* Vent connectors shall not be smaller than the size of the flue collar or the draft hood outlet. When the appliance has more than one draft hood outlet and in the absence of the appliance manufacturer's specific instruction, the vent connector shall equal the combined area of the draft hood outlets for which it acts as a common connector to the gas vent chimney.

(f) *Special venting agreements.*

(1) *Appliance with sealed combustion chamber.* The provisions of draft hoods in subsections (a) through (e) of this section do not apply to listed appliances having sealed combustion chambers and which are so constructed and installed that all air for combustion is derived from outside the space being heated and all flue gases are discharged to the outside atmosphere. Such appliances, having integral venting, shall be considered as being properly vented when they are installed in accordance with their listing and the manufacturer's instructions.

(2) *Gas vent and chimney exhausters.* Forced venting and exhaust systems and power burners usually require special engineering and shall, in all cases, be subject to the approval of the community development director. However, when used, the following regulations shall apply:

a. When an exhauster is used with gas appliances requiring venting, provisions shall be made to prevent the flow of gas to the main burner in the event of failure of the exhaust system.

b. A vent connector serving a gas appliance vented by natural draft shall not be connected into the discharge side of a power exhauster.

c. Where an induced draft or forced draft fan is used with gas, oil or solid fuel, it shall be equipped with a control that will not allow the burner to start until proper draft has been established.

(g) *Engineered vent systems.* The size of chimneys, gas vents or vent connectors specified in this section shall not necessarily govern where standard engineering methods have been used to design the vent system.

(h) *Flues or vents.* This section applies only to natural draft venting. Forced venting or exhaust systems and power burners usually require special engineering and shall, in all cases, be subject to the approval of the community development director.

(1) *Check flue or vent.* Before connecting a flue or vent connector, the flue or vent shall be examined to ascertain that it is properly constructed, clear and will freely conduct the products of combustion to the outer air.

(2) *Size.*

a. For conversion burners not exceeding 400,000 hourly BTU input, the internal cross sectional area of the vent connector and the vent flue shall be such as to provide not less than one square inch of flue area per 6,500 BTU combined input of all gas appliances connected to such flue pipe as set forth in subsection (h)(2)c of this section. In no case shall this flue pipe be less than five inches in diameter.

b. For conversion burners exceeding 400,000 hourly BTU input, where the chimney or vertical flue is of such height as to provide a high draft intensity, the area of the chimney or vertical flue may be based on an input of greater than 6,500 BTU per square inch of cross sectional area, subject to the approval of the community development director.

c. Minimum permissible flue sizes for gas conversion burner installations shall be as established by state law and state administrative code standards.

(i) *Insufficient draft or down-draft to be provided against.* In the event conditions at the time of installation are such that the chimney or vertical flue has insufficient natural draft to properly carry away the products of combustion, provision shall be made to rectify existing conditions or provide mechanical means of maintaining constant updrafting during appliance operation, the draft must be proved before the burner may be operated.

(j) *Smoke pipes.*

(1) *Required weight of metal smoke pipes used with solid and liquid fuels.* For each and every steam or hot water boiler, warm air furnace or incinerator hereafter installed under the provisions of this article, the area of the breeching or smoke pipe shall not be less than the area of the smoke collar of the boiler or furnace to which it is connected, and each such breeching or smoke pipe shall be made of material equal in durability to galvanized iron of thickness (U.S. standard gauge) for the various breeching or smoke pipes, not less than the following:

For areas from 13 to 113 square inches	No. 24 gauge
For areas from 114 to 177 square inches	No. 18 gauge
For areas from 178 to 314 square inches	No. 16 gauge
For areas from 315 to 616 square inches	No. 14 gauge
For areas from 617 to 1,017 square inches	No. 12 gauge
For areas from 1,018 to 2,827 square inches	No. 10 gauge

(2) *Smoke pipes, how installed.*

a. Each such breeching or vent connector or smoke pipe shall be lock seamed or riveted, with all joints lapped not less than 1½ inches or be rigidly secured, and shall have proper construction for making tight connection to chimney flue the full thickness of masonry and shall not extend more than one-fourth-inch beyond liner.

b. The smoke pipe shall extend full size of the chimney flue for not less than 1½ diameter or more than two diameters so that additional appliances may be properly vented into the manifold.

c. Each such breeching or smoke pipe shall be short and direct to the chimney flue as possible and shall be installed with a pitch upward of not less than one-fourth-inch per running foot.

(3) *Multiple smoke pipe connections.* Two or more smoke pipes shall not be jointed for a single flue connection unless the smoke pipe and flue are of sufficient size to serve all the appliances so connected. The manifold for multiple smoke pipe connections shall be designed and installed so that the inlet connections enter so as not to cause opposed venting.

(4) *Clearances.* No part of any smoke pipe shall be placed nearer to any combustible ceiling than 1½ times the diameter of the pipe or nearer to any combustible wall than one diameter of the pipe, but the distances in this subsection may be reduced by one-half if the wall or ceiling is covered with one-fourth-inch asbestos paper and a metal shield so fastened so that an inch space exists between this shield and the combustible material.

(k) *Dampers.*

(1) All smoke pipes on hand-fired coal equipment shall be provided with a check damper placed on the side of the smoke pipe or at the end of a tee. Where cast iron smoke pipe dampers are used, they must be placed between the check damper and the heating equipment and supported on both sides of the pipe. The smoke pipe on all incinerators that is not fired by auxiliary fuel shall have a cast iron damper to control the draft.

(2) Automatically operated dampers shall be of approved type designed to maintain a safe damper opening at all times and arranged to prevent starting of the burner unless the damper is opened, at least 20 percent of the internal cross section area.

(l) *Draft regulators.* A draft regulator or draft hood shall be provided for all fired appliances, unless the burner is listed for use without one.

(Code 2006, § 15-3-8)

~~Sec. 8-95. Heating, ventilating and air conditioning (HVAC) permit fees.~~

~~The schedule of HVAC permit fees to be paid shall be as adopted by the village board, and such fees shall be paid at the time the permit is issued; such fees shall be doubled if work is commenced prior to issuance of a permit.~~

~~(Code 2006, § 15-3-9)~~