

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 1. Short title. This Act may be cited as the Warehouse Tornado Preparedness Act.

Section 5. Definitions. In this Act:

"Warehouse" means a building in which warehouse workers perform their duties and goods are stored in industries defined by any of the following North American Industry Classification System (NAICS) codes, however such building is denominated:

- (1) 493 for Warehousing and Storage;
- (2) 423 for Merchant Wholesalers, Durable Goods;
- (3) 424 for Merchant Wholesalers, Nondurable Goods;
- (4) 454110 for Electronic Shopping and Mail-Order Houses; or
- (5) 492110 for Couriers and Express Delivery Services.

"Warehouse worker" means any person who spends a majority of the person's working hours working within a warehouse, regardless of that person's status as an employee or independent contractor or the existence or non-existence of any employment relationship between the operator or owner of the warehouse. "Warehouse worker" does not include a person

who, due to the person's employment or any other reason, enters a warehouse irregularly, infrequently, or only for a short period of time.

Section 10. Tornado safety plan required. All operators of a warehouse within this State shall prepare a tornado safety plan for each warehouse they operate within 120 days after the effective date of this Act for each existing warehouse or, for warehouses opened on or after 120 days after the effective date of this Act, no later than 7 days after the warehouse becomes operational. Each plan shall be specific to the warehouse it was prepared for and must be reviewed and updated at least once per year or upon any significant change to the operations of the warehouse that affects the applicability or accuracy of the information in the plan. The operator of the warehouse should coordinate with the warehouse's local emergency services and disaster agency and fire department or fire protection district to create plans that, when implemented, will be consistent with the local jurisdiction's response activities. Copies of the plan and all updates made to the plan must be filed with the fire department or fire protection district in the jurisdiction in which the warehouse is located and the local emergency services and disaster agency in the jurisdiction in which the warehouse is located. The plan must, at a minimum, contain the following information:

(1) A floor plan of the warehouse with emergency exits, assembly points, shelter areas, and orienting landmarks clearly displayed.

(2) A written description of the actions that employees and supervisors are required to perform in the event of a tornado warning or other severe weather event.

(3) A list of all emergency equipment stored in the warehouse and the equipment's location and instructions on the use of the equipment.

(4) A written description of the actions that employees and supervisors are required to perform in the aftermath of a tornado or other severe weather event, including basic first aid procedures and guidelines for communications with other warehouse workers and first responders.

Section 15. Inclement weather risk reduction. Warehouse facilities constructed after the effective date of this Act must provide the means, through modification, installation, or demonstration via rational analysis, to meet a life-safety performance level for tornado loading that is equivalent to, or exceeds, the life-safety performance level for the most onerous of other building code-prescribed extreme environmental loading events, such as hurricane, wind, earthquake, fire, and flood. The evaluation may incorporate statistical analyses of published data sets for extreme load

intensity versus probability of exceedance, such as ASCE/SEI 7-22 Appendix G; occupancy load; facility location; and building construction type and may follow non-prescriptive performance-based methods to achieve the desired level. In lieu of this risk-targeted approach, the evaluating design professional may elect to follow prescriptive methods as outlined in the Federal Emergency Management Agency standard P-431, Tornado Protection: Selecting Refuge Areas in Buildings and the Best Available Refuge Area Checklist to ensure that shelter areas designated in tornado safety plans are qualified as the best available refuge areas.

Section 90. The Counties Code is amended by adding Section 5-1192 as follows:

(55 ILCS 5/5-1192 new)

Sec. 5-1192. Building inspector requirements.

(a) In this Section, "building inspector" means (i) a State or county employee whose duties include the inspection or examination of structures or property in a county to determine if zoning or other code violations exist or (ii) a third party contracting with the county whose duties include the inspection or examination of structures or property in a county to determine if zoning or other code violations exist. "Building inspector" includes a code enforcement officer, as defined in Section 5-41005.

(b) A building inspector who performs inspections or examinations under this Code must hold certification from the International Code Council in the area in which the inspector is inspecting or examining. The county must keep on file a copy of the certifications of the persons doing inspections or examinations on its behalf. A building inspector under this Section may have a grace period of one year from the date of hire to acquire the certification required under this Section.

Section 95. The Illinois Municipal Code is amended by changing Section 11-31.1-1 and by adding Section 11-31.1-1.5 as follows:

(65 ILCS 5/11-31.1-1) (from Ch. 24, par. 11-31.1-1)

Sec. 11-31.1-1. Definitions. As used in this Division, unless the context requires otherwise:

(a) "Code" means any municipal ordinance, law, housing or building code or zoning ordinance that establishes construction, plumbing, heating, electrical, fire prevention, sanitation or other health and safety standards that are applicable to structures in a municipality or any municipal ordinance that requires, after notice, the cutting of weeds, the removal of garbage and debris, the removal of inoperable motor vehicles, or the abatement of nuisances from private property;

(b) "Building inspector" means (i) a ~~full-time~~ state,

county, or municipal employee whose duties include the inspection or examination of structures or property in a municipality to determine if zoning or other code violations exist or (ii) a third party contracting with the municipality whose duties include the inspection or examination of structures or property in a municipality to determine if zoning or other code violations exist;

(c) "Property owner" means the legal or beneficial owner of a structure;

(d) "Hearing officer" means a municipal employee or an officer or agent of a municipality, other than a building inspector or law enforcement officer, whose duty it is to:

(1) preside at an administrative hearing called to determine whether or not a code violation exists;

(2) hear testimony and accept evidence from the building inspector, the building owner and all interested parties relevant to the existence of a code violation;

(3) preserve and authenticate the transcript and record of the hearing and all exhibits and evidence introduced at the hearing;

(4) issue and sign a written finding, decision and order stating whether a code violation exists.

(Source: P.A. 91-162, eff. 7-16-99.)

(65 ILCS 5/11-31.1-1.5 new)

Sec. 11-31.1-1.5. Building inspector requirements. A

building inspector who performs inspections or examinations under this Division must hold certification from the International Code Council in the area in which the inspector is inspecting or examining. The municipality must keep on file a copy of the certifications of the persons doing inspections or examinations on its behalf. A building inspector under this Section may have a grace period of one year from the date of hire to acquire the certification required under this Section.

Section 99. Effective date. This Act takes effect upon becoming law, except that Sections 90 and 95 takes effect on January 1, 2027.