

BEECHER FIRE PROTECTION DISTRICT
WILL COUNTY, ILLINOIS

ORDINANCE NO. 0626-19

AN ORDINANCE OF THE BEECHER FIRE PROTECTION DISTRICT, ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING, AND USE OF HAZARDOUS SUBSTANCES, MATERIALS, AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE BEECHER FIRE PROTECTION DISTRICT, PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS, AND REPEALING ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
BEECHER FIRE PROTECTION DISTRICT
ON June 26, 2019

**BEECHER FIRE PROTECTION DISTRICT
WILL COUNTY, ILLINOIS**

ORDINANCE NO. 0626-19

WHEREAS, The Beecher Fire Protection District, located in Will County, in the State of Illinois (the "District"), is a fire protection district duly organized under the laws of the State of Illinois, including but not limited to the Illinois Fire Protection District Act (the "Act," 70 ILCS 705/0.01 *et seq.*); and

WHEREAS, the District's Board of Trustees (the "Board") has express power pursuant to Section 11 of the Act (70 ILCS 705/11) to adopt and enforce fire prevention codes and standards parallel to national standards to promote fire prevention; and

WHEREAS, the Board has full power pursuant to Section 6 of the Act (70 ILCS 705/6) to pass all necessary ordinances, and rules and regulation for the proper management and conduct of the business of the Board for carrying into effect the objects for which the District was formed; and

WHEREAS, Section 11 of the Act (70 ILCS 705/11) empowers and makes it the legal duty and obligation of the District's Board to provide as nearly adequate protection from fire for all persons and property within the district as possible and to prescribe necessary regulations for the prevention and control of fire therein; and

WHEREAS, the District is empowered by the Act to provide reasonable safeguards through fire prevention codes to protect the public health and safety against the hazards of fire in buildings and structures; and

WHEREAS, the ICC (International Code Council) is a result of the consolidation of three previously recognized model code organizations: BOCA (Building Officials & Code Administrators), ICBO (International Conference of Building Officials) and SBCCI (Southern Building Code Congress International); and

WHEREAS, the 2015 Edition of the ICC (International Code Council) International Fire Code is a comprehensive compilation of codes designed to meet the needs of the local fire jurisdictions through model code regulations that prescribe safeguards for the safety and public health of all communities; and

WHEREAS, the Board of Trustees of the District deem it in the best interest of the District to amend and adopt a new Fire Prevention Code using the 2015 Edition of the International Fire Code as the District's model for the control of fire protection in buildings and structures as herein provided; and

WHEREAS, a copy of the 2015 International Fire Code has been on file with the District for thirty (30) days and has, during that time, been available for public use, inspection and examination.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Beecher Fire Protection District, Will County, Illinois, as follows:

SECTION 1: The Board finds the statements contained in the preamble to this Ordinance to be true and correct, and hereby adopts them as if written here in full.

SECTION 2: The Fire Prevention Code of the Beecher Fire Protection District (hereinafter referred to as the "Fire Prevention Code") is hereby amended to delete and repeal the present language in its entirety.

SECTION 3: The Fire Prevention Code of the Beecher Fire Protection District is hereby amended to be identical with the provisions of the publication marked and designated as the *International Fire Code*, 2015 edition as published by the International Code Council, as well as all appendixes, annual supplements thereto, and all referenced standards and codes therein, and the *2015 edition of the NFPA Life Safety 101*. Each and all of the regulations, provision, penalties, conditions, and terms of the aforesaid document are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions, and changes, if any, prescribed in **Exhibit A** of this Ordinance.

SECTION 4: That it shall be unlawful to design, construct, alter, enlarge, repair, demolish, remove, use, or maintain any building or structure within the boundaries of the Beecher Fire Protection District in violation of any terms or provisions of this Ordinance.

SECTION 5: At least three (3) copies of this Fire Prevention Code shall be placed on file with the District and shall be available for public inspection at all times during regular business hours as provided by law.

SECTION 6: All persons in violation of the Fire Prevention Code shall be subjected to fines as set forth and established in the Codes, this Ordinance, and all otherwise applicable District Ordinances.

SECTION 7: Any person who shall violate any of the provisions of this Ordinance or the Codes hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or fail to pay a fee or fine set by this Ordinance or the Codes hereby adopted, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Trustees or the Code Official or by a court of competent jurisdiction, within the time fixed therein, shall severally for each and every such violation and noncompliance respectively, be punishable by a fine of not less than Fifty (\$50.00) Dollars nor more than Five Thousand (\$5,000.00) Dollars, plus all legal fees and all costs caused by enforcement. Any such violation shall also be required to be corrected or remedied by all such persons as soon as possible. Each day that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions, including the issuance of mandatory injunctions.

SECTION 8: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$500.00 or more than \$5,000.00.

SECTION 9: As an alternative or in conjunction with the imposition of a fine as provided in this Ordinance, the Beecher Fire Protection District may elect to seek injunctive relief from a court of equity requiring the compliance with the code, demolition of the offending structure, or removal of the offending condition. The Beecher Fire Protection District shall be entitled to an award of reasonable attorney's fees and court costs incurred in enforcing this ordinance through this provision.

SECTION 10: Future versions of the District's Fire Prevention Code shall be revised by Board approval of additional exhibits hereto that amend the current **Exhibit A**. All such revisions shall be dated and shall be effective upon approval by the Board of Trustees.

SECTION 11: In the event the District enters into, or has entered into, an Intergovernmental Agreement with another unit of local government concerning the enforcement of the Fire Prevention Code, then the standards and requirements of the Intergovernmental Agreement shall apply, and the provisions thereof are incorporated herein by reference, as if fully set out at length herein.

SECTION 12: The Board of Trustees of the District hereby declares that should any section, paragraph, sentence, or word of this Ordinance or of the Code hereby adopted be declared for any reason to be invalid, it is the intent of said Board of Trustees that it would have passed all other portions of this Ordinance independent of the elimination of such portion as may be declared invalid.

SECTION 13: Neither the enactment of this Ordinance nor the repeal of any ordinance or parts of ordinances as provided for herein shall be construed to affect or abate any action or cause of action for violation of said prior ordinance or ordinances.

SECTION 14: The specific terms and conditions of this Ordinance shall prevail against other existing ordinances of the District to the extent that there might be any conflict. All Ordinances in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

SECTION 15: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with the law.

ADOPTED on June 26, 2019, by the following roll call vote:

AYES: 5

NAYS: 0

ABSENT: 0

Margie Cook
President, Board of Trustees
Beecher Fire Protection District

ATTEST:

[Signature]
Secretary, Board of Trustees
Beecher Fire Protection District

EXHIBIT A TO ORDINANCE NO. 0626-19

BEECHER FIRE PROTECTION DISTRICT
FIRE PREVENTION CODE

AMENDMENTS TO THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE

That the following sections of the 2015 International Fire Code are hereby revised as follows:

SECTION 101 GENERAL

That Subsection 101.1 be revised and shall read as follows:

101.1 TITLE: These regulations shall be known as the *Fire Code* of the Beecher Fire Protection District, hereinafter referred to as "this code."

SECTION 109 VIOLATIONS

That Section 109.4 be revised and shall read as follows:

109.4 VIOLATION PENALTIES: Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this Code, shall be guilty of an ordinance violation, punishable by a fine of not more than \$5,000.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 110 UNSAFE BUILDINGS

That Section 110.5 be added to read as follows:

110.5 FIRE WATCH: Where conditions exist that are deemed hazardous to life and property by the code official, a fire watch shall be implemented. The code official shall determine the number of personnel required and the duration necessary for the fire watch. A fee of seventy five dollars (\$75.00) per hour for each Beecher Fire Protection District's personnel assigned to the fire watch shall be charged. Conditions that may require a fire watch shall include, but are not limited to, the following:

- A. Buildings occupied or in use prior to completion of the fire safety equipment and supervision;
- B. Buildings in which the fire safety equipment and supervision is placed out-of-service and will not be restored within eight (8) hours with Authority having jurisdiction approval;
- C. Building with an occupancy load greater than the posted numbers;
- D. Special events or programs where there will be an occupant load greater than the established maximum capacity;
- E. Situations where the fire-load is greater than the normal day-to-day operation; and

- F. Where other unsafe or hazardous conditions exist.

SECTION 111 STOP WORK ORDER

That Section 111.4 be revised and shall read as follows:

111.4 FAILURE TO COMPLY: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$500.00 or more than \$5,000.00.

That Subsection 111.5 be added to read as follows:

111.5 INJUNCTIVE RELIEF: As an alternative or in conjunction with the position of other penalties as provided in other provisions of this Code, the District may elect to seek injunctive relief from a Court of equity requiring compliance with the Code, demolition of the offending structure or removal of the offending condition. The District shall be entitled to an award of reasonable attorney's fees and all costs of litigation, including court costs, deposition fees and expert witness fees incurred in enforcing this Ordinance through this provision.

AMENDMENTS TO THE 2015 EDITION OF NFPA 101 LIFE SAFETY CODE

The following section(s) of the 2015 edition of the NFPA 101 Life Safety Code are hereby revised as follows:

That Section 24.3.5.1 be stricken and deleted.

STATE OF ILLINOIS)
) SS
COUNTY OF WILL)

SECRETARY'S CERTIFICATE

I, Justin Barker, the duly qualified and acting Secretary of the Board of Trustees of the Beecher Fire Protection District, Will County, Illinois, do hereby certify that I am the keeper of its books and records and that attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE NO. 0624-19

AN ORDINANCE OF THE BEECHER FIRE PROTECTION DISTRICT, ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING, AND USE OF HAZARDOUS SUBSTANCES, MATERIALS, AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE BEECHER FIRE PROTECTION DISTRICT, PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS, AND REPEALING ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH

which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 24 day of June, 2019.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 24 day of June, 2019.



Secretary, Board of Trustees
Beecher Fire Protection District