

ORDINANCE NO. 2018-O-004

**AN ORDINANCE AMENDING ORDINANCE 13-O-1
TO REVISE CERTAIN BUILDING PLAN REVIEW AND APPROVAL
FEES CHARGED BY THE TRI-STATE FIRE PROTECTION DISTRICT**

WHEREAS, Tri-State Fire Protection District, DuPage County, 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, Section 1 of the Act (70 ILCS 705/1), provides that the District was created in the public interest to promote and protect the health, safety, welfare and convenience of the public and to, therefore, engage in the establishment, maintenance and operation of facilities for the prevention and control of fires and the establishment of regulations with respect thereto; and

WHEREAS, Section 6 of the Act (70 ILCS 705/6) provides that the District's Board of Trustees ("Board") has full power to pass all necessary ordinances, and rules and regulations for the proper management and conduct of the business of the Board for carrying into effect the objects and purposes 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 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 has established a Fire Prevention Bureau which is charged with the responsibility of reviewing, analyzing and approving plans and specifications for all new construction and or alterations to all existing property within the District; and

WHEREAS, the Board determines that it is in the public interest that a part of the costs of this review process should be borne by the property owner and/or building permit applicant seeking the review, analysis and approval of new and existing construction plans to ensure conformity with the fire prevention codes and ordinances of the District; and

WHEREAS, the Board previously adopted Ordinance 13-O-01 on April 15, 2013, for the provision for property owners and/or building permit applicants to share in the District's cost to provide plan review and approval; and

WHEREAS, the Board finds and determines that amendments to Ordinance 13-O-01 are necessary and proper and in the continuing best interest of the District and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Tri-State Fire Protection District, DuPage and Cook Counties, Illinois as follows:

Section 1: The Board finds the facts and statements contained in the preamble to this Ordinance to be true and correct and are hereby adopted as part of this Ordinance.

Section 2: Section 3 of Ordinance No. 13-O-01, entitled "Application Package Plan Fees," is hereby revised to read as follows with additions denoted in underline and deletions noted with a strike-out line:

"Section 3. Application Package Plan Fees

All applications for new construction and alterations to existing structures for approval by the Fire Prevention Bureau shall be charged ~~be accompanied by~~ an Application Package Plan Fee ~~for the fee~~ based on the below-referenced fee schedule. ~~\$385.00,~~ The application package shall will include the following submissions:

~~Application Package Plan \$385.00, the package will include the following:~~

1 Payment of the Application Package Plan Fee ~~Review Application fee~~

- 1 set of Construction plans
- 1 set of Fire Alarm plans
- 1 set of site plans
- 1 set of remodeling/new occupant plans (if any, due to new construction)
- 1 Hydro inspection
- 1 Stocking inspection
- 1 final inspection

The applicant shall be charged an Application Package Plan Fee in accordance with the following fee schedule:

New Construction:/
Addition/Remodel:

Any building or structure between 1 to 2500 10,000 square feet shall be charged at a rate of \$ 0.20 per square foot. The minimum fee shall be \$385.00. (anything exceeding 2500 sq. ft. would be \$.10 a sq. ft. in addition to the \$385.00 package fee)

Any building or structure in excess of 10,000 square feet shall be charged the following rate structure:

(1) \$ 0.20 per square foot for the initial 1 to 10,000 square feet of the building or structure;

(2) \$ 0.15 per square foot for that portion of the building or structure between 10,001 to 50,000 square feet;

(3) \$ 0.10 per square foot for that portion of the building or structure between 50,001 to 100,000 square feet;

(4) \$ 0.07 per square foot for the remaining portion of the building or structure that exceeds 100,000 square feet.

Sprinkler:

Sprinkler plan reviews are generally performed by a third-party consultant designated by the Fire Prevention Bureau. Applicant shall be responsible for the payment of the costs associated with the consultant's review. Applicant shall be billed directly by the consultant for the review services. To the extent the Fire Prevention staff is able to perform any required sprinkler plan review, applicant shall be charged in accordance with the sprinkler plan review fees set forth below. is excluded from this package, Sprinkler plans are done by FPE Consulting Services, Inc. and billed direct.

Any building needing an Ansul System plan review and inspection will be charged a \$75.00 fee. (in addition to the Application Package Plan Fee fee)

Any rejected plan submittals ~~will be charged~~ would be an additional \$60.00 (for plans under 2500 sq. ft.) for further review. Plans for buildings 2501 sq. ft. and over ~~will~~ would be charged an additional \$.05 per sq. ft. (Note: rejected plans due to package not having Fire, Site, Sprinkler and Ansul plans will not be charged) (underline in this provision in original)

Starting any work without a permit will result in a \$200.00 fine.

Any of the above inspections that need to be re-inspected there will be a \$60.00 charge.

After the second re-inspection of any Annual Inspection, there will be a fine of \$60.00 per visit.

If any sprinkler plans are reviewed by the Fire Prevention Bureau staff ~~need to be done in-house~~, the applicant shall be charged ~~charges will be~~ as follows:

<u># Sprinkler Heads</u>	<u>Fee</u>
1 – 20	\$1000.00
21 – 100	\$1500.00
101 – 200	\$2000.00
201 – 300	\$2500.00
301 – 500	\$3250.00
Over 500	\$3250.00 + \$ 1.50 per head

Applications submitted to the Fire Prevention Bureau shall be approved only upon full payment of all fees and costs required hereunder and a determination by the Fire Prevention Bureau that the submitted plans and specifications and other documents are in conformity with the then-current applicable Fire Prevention Codes and Ordinances of the District.”

Section 3: At least three (3) copies of the amended Ordinance, as approved, shall be placed on file with the District and shall be available for public inspection during regular business hours as provided by law.

Section 4: Any person, business, firm, corporation, entity or property owner seeking District review and/or approval shall be responsible for the payment of all fees and costs adopted in this Ordinance.

Section 5: The specific terms and conditions of this Ordinance shall supersede the provisions of Ordinance 13-O-01 as amended; the unchanged provisions of Ordinance 13-O-01 are hereby ratified and readopted and shall prevail against other existing ordinances of the District to the extent that there might be any conflict.

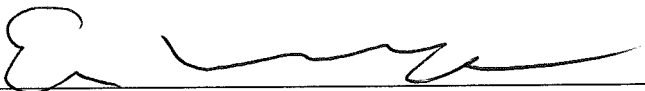
Section 6: Should any sentence, exception, clause, part or provision of this Ordinance, be declared by a court of competent jurisdiction, to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared to be invalid.

Section 7: Neither the enactment of this Ordinance nor the repeal of any ordinance or parts of any ordinance provided for herein shall be construed to affect or abate any action or cause of action for violation of said prior ordinances or ordinance.

Section 8: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in accordance with the law.

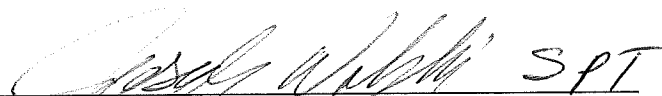
ADOPTED this 19th day of September, 2018, by the following roll call vote:

AYES: 2
NAYS: 0
ABSENT: 1



Eric Habercoss, President, Board of Trustees
Tri-State Fire Protection District

ATTEST:



Daniëlle Scarpelli, Secretary, Board of Trustees
Tri-State Fire Protection District

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)

SS

SECRETARY'S CERTIFICATE

I, DANIELLE SCARPELLI, the duly qualified and acting Secretary of the Board of Trustees of the Tri-State Fire Protection District, DuPage and Cook Counties, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

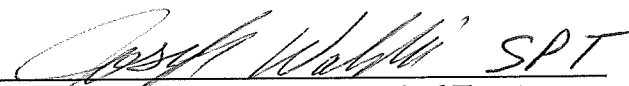
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which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 19 day of September, 2018.

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 19th day of September, 2018.



Danielle Scarpelli, Secretary, Board of Trustees
Tri-State Fire Protection District