

**TRI-STATE FIRE PROTECTION DISTRICT
DUPAGE COUNTY, ILLINOIS**

ORDINANCE NO. 14-O-003

**AN ORDINANCE ADOPTING AMENDMENTS TO
ORDINANCE 13-O-01 FOR THE PROVISION OF
PROPERTY OWNERS AND/OR BUILDING PERMIT APPLICANTS
TO SHARE IN THE COST FOR PLAN REVIEW AND APPROVAL**

**ADOPTED BY THE
BOARD OF TRUSTEES OF THE
TRI-STATE FIRE PROTECTION DISTRICT
THIS 20TH DAY OF OCTOBER, 2014**

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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 County, 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: The Board hereby adopts this Ordinance amending Ordinance 13-O-01 as provided in Exhibit 1, with indicated changes to Sections 3 and 5.

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 all fees as adopted in this Ordinance. Any person, business, firm, corporation, entity or property owner with a proven violation of this Code shall be responsible for all fines, costs and expenses, including but limited to attorney fees, litigation, adjudication and settlement costs, incurred by the District in enforcing the provisions of 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.

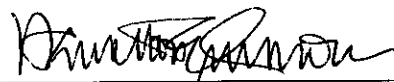
Section 6: Should any sentence, exception, clause, part or provision of this Ordinance, be declared by a court of competent jurisdiction, to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared to be invalid.

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.

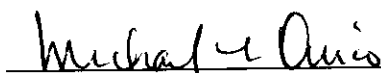
ADOPTED this 20TH day of October, 2014 by the Board of Trustees of the Tri-State Fire Protection District by the following roll call vote:

AYES: 3
NAYS: 0
PASS: 0
ABSENT: 0



Hamilton E. Gibbons, President
Board of Trustees of the
Tri-State Fire Protection District,
DuPage County, Illinois

ATTESTED AND DEPOSITED in the
Office of the Secretary this 20th day
of October, 2014.



~~Jill K. Strenzel, Secretary~~
Tri-State Fire Protection District
DuPage County, Illinois

Michael L. Orrico
Acting Secretary

**TRI-STATE FIRE PROTECTION DISTRICT
DUPAGE COUNTY, ILLINOIS**

ORDINANCE NO. 14-O-003

EXHIBIT 1

(Amendments to Sections 3 and 5 of Ordinance 13-O-001)

Section 3. Application Package Plan Fees

All applications for new construction and alterations approval by the Fire Prevention Bureau shall be accompanied by an Application Package Plan base fee of \$385.00. The package will include the following:

1 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

New Construction: **1 – 3000_square feet (anything exceeding 3,000 sq. ft. requires submittal of increased fees of \$.20 a sq. ft. in addition to the base \$385.00 fee)**

Sprinkler: **is excluded from this package, Sprinkler plans are generally done by FPE Consulting Services, Inc. and billed direct.**

Any building needing an Ansul System plan review and inspection will be charged an \$85.00 fee. (in addition to the Application Package Plan fee.)

Any rejected plan submittals will be charged-\$100.00 (for plans under 3,000 sq. ft.)_Plans 3,501 sq. ft. and over will be charged \$.05 per sq. ft. (Note: rejected plans due to package not having Fire, Site, Sprinkler and Ansul plans will not be charged)

Starting any work without a permit will result in a \$250.00 fine. The required inspection, permit and associated fees and fines are due and applicable regardless of the amount of time that transpires between commencement of the work and its discovery by the District.

Any of the above inspections that need to be re-inspected will be charged a \$75.00 re-inspection fee.

After the second re-inspection of any Annual Inspection, there will be a fee of \$75.00 per visit.

Sprinkler Plan Review Fees

Sprinkler plans reviewed by the District will be charged as follows:

<u># Sprinkler Heads</u>	<u>Fee</u>
1 – 20	\$1,000.00
21 – 100	\$1,500.00
101 – 200	\$2,000.00
201 – 300	\$2,500.00
301 – 500	\$3,250.00
Over 500	\$3,250.00 + \$ 1.50 per head

Sprinkler plans reviewed by the District's approved consultant shall be charged directly by the consultant.

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

Section 5. Penalty, Enforcement, Fees, and Fines

- A. If anyone shall have their Fire Alarm / Sprinkler System Disconnected for any reason without the Fire District's approval a \$500.00 fine shall be applied and an additional \$100.00 fine per day until the Fire Alarm/Sprinkler System is fully operational and approved by an authorized Fire Alarm /Sprinkler System contractor.
- B. Protective-signaling systems shall be maintained in service at all times. Systems shall not be out of service for more than twelve (12) hours for maintenance or repair.
- A \$100.00 fine shall be assessed for each day the system is out of service.
 - Any fire alarm panel that reads fire trouble that exists for more than five business days will be assessed a \$15.00 fine per day until the issue is fixed.
- C. A fire watch as ordered by the District shall be maintained for any fire alarm or fire sprinkler system that is Out of Service for more than 24 hours and shall be subject to a \$150.00 fee for the first hour and a \$100.00 fee for every hour after the first hour (per Fire Personal) during regular District business hours. If a fire watch is required after regular District business hours, then the fees shall be increased by 50%.

- D. Only members of the Tri-State Fire Protection District or people they designate will be permitted to RESET/SILENCE alarm panels. Any other person that resets/silence or attempts to reset/silence an activated fire alarm without the District's permission shall be subject to a \$125.00 fine.
- E. Any building within the Tri-State Fire Protection District that has two false alarms within a 30 day period shall be subject to a \$275.00 fine and an additional \$275.00 fine for every new activation thereafter, until the alarm is fixed or repaired by a certified alarm company.
- F. Any building within the Tri-State District Fire Protection District that has a false alarm due to the owner's or the owner's designee's negligence shall be subject to a \$125.00 fine for the first activation within a 30 day period. Thereafter, a \$275.00 fine shall be enforced for each new activation.
- G. Any Temporary Occupancy permit shall not last more than 30 days and shall be charged a fee of \$75.00.
- H. Any inspection/investigation made outside of normal working hours of the Fire Marshal or his designee shall be subject to a \$150.00 fee for the first hour and a \$95.00 fee for every hour after the first hour (per inspector/investigator).
- I. After the second re-inspection of any Annual Inspection there will be a \$75.00 fee per visit.

- J. After Fire Inspection fee \$250.00 – Any Commercial Building or Multi-Family Structure that has had a fire must be inspected by the District before it can reopen or allow residents to reenter common areas or moving back into units.
- K. Any violation that re-occurs within 365 days after the first inspection shall be subject to \$100.00 fine per violation per day until the violation is corrected.
- L. A \$150.00 fee shall be applied for residential sprinklers inspection.
- M. Any call pertaining to an elevator rescue is subject to a \$150.00 fine to be billed to the property owner/or management company.
- N. Any company/business that is in the Tri-State Fire Protection District that renews their business license shall be charged a \$175.00 processing fee. The Tri-State Fire District will conduct one fire inspection and one fire re-inspection without further charges. Any additional re-inspections will be charged at a rate of \$75.00 per inspection.
- O. Any company/ business or multi-family dwelling that changes fire alarm companies shall notify the District immediately, but in no event after later than 48 hours after the effective date and time of the change, and must have the Tri-State Fire Protection District inspect the fire alarm to ensure the alarm is in working order and shall be charged a \$75.00 inspection fee per building.

Any company/business or multi-family dwelling that does not contact the District for an inspection when it changes fire alarm companies is subject to a \$100.00 fine plus the required inspection fee per building. However, the required inspection and associated fees are due and applicable regardless of the amount of time that lapses between the change in alarm companies and the notice to the District or discovery of the change by the District.

- P. Any company/ business or multi-family dwelling that desires to have the sprinkler system for their building completed in phases is required to provide a written letter submitted to the District indicating 1) why the building owner requests a phased completion of their sprinkler system, and 2) a time line of the installation and a completion date. If approved – any company/business or multi-family dwelling that deviates from their submitted letter to the District is subject to a \$750.00 initial fine and a \$350.00 per day fine until the timeline of their phases meets the criteria of the letter they submitted.
- Q. Any company/business or multi-family dwelling that has a fire alarm system that is out of service for 24 hours must report their alarm status to the District or have their contracted alarm monitoring company provide such notification. Any company/business or multi-family dwelling that does not provide notification of alarms that have been out of service for 24 hours or more will be subject to

a \$250 fine for each 24 hour period that the alarm is out of service.

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)

SS

SECRETARY'S CERTIFICATE

I, Jill K. Strenzel, the duly qualified and acting Secretary of the Board of Trustees of the Tri-State Fire Protection District, DuPage County, 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:

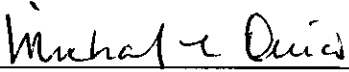
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which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 20th day of October, 2014.

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 20th day of October, 2014.



~~Jill K. Strenzel~~ Michael L. Orris
Secretary, Board of Trustees Acting Secretary
Tri-State Fire Protection District