

**FIRE PREVENTION CODE
ORDINANCE NO. 113-A
WINFIELD FIRE PROTECTION DISTRICT
DUPAGE COUNTY, ILLINOIS
AS AMENDED JULY 20, 2010**

AN ORDINANCE ADOPTING A FIRE PREVENTION CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, AND ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES.

Be it ordained by the Board of Trustees of the Winfield Fire Protection District, DuPage County, Illinois:

SECTION 1. ADOPTION OF FIRE PREVENTION CODES

There is hereby adopted by the Board of Trustees of the Winfield Fire Protection District, DuPage County, Illinois, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code recommended by the American Insurance Association, being particularly the 1976 edition, and the National Fire Protection Association Standard (NFPA) No. 101, 1988 edition thereof, known as the Life Safety Code, thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended (by Sections 10 and 11 of the Ordinance), of which code not less than three (3) copies have been and now are filed in the office of the Secretary of the Board of Trustees of the Winfield Fire Protection District and the same are hereby adopted and incorporated as fully as if set out in length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the Winfield Fire Protection District, DuPage County, Illinois.

SECTION 2. ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION

- a. The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Winfield Fire Protection District, Illinois which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.
- b. The person in charge of the Bureau of Fire Prevention shall be appointed by the Fire Chief of the Winfield Fire Protection District. His appointment shall continue during good behavior and satisfactory service.
- c. The Chief of the Fire Department may detail such members of the Fire Department as Inspector as shall from time to time be necessary.

SECTION 3. DEFINITIONS

- a. Wherever the word "Municipality" is used in the Fire Prevention Code, it shall be held to mean the Winfield Fire Protection District, Illinois.
- b. Wherever the term "Corporate Counsel" is used in the Fire Prevention Code, it

shall be held to mean the Attorney for the Winfield Fire Protection District, Illinois.

SECTION 4. PERMITS

a. Use Permits

- 1) All buildings except single family and town/row housing are required to have a use permit issued by the Bureau of Fire Prevention verifying that it meets the requirements of the Fire Prevention Code.
- 2) No use permit shall be issued unless the building is in conformance with the requirements of the Fire Prevention Code.
- 3) The use permit shall be required for all existing buildings in accordance with paragraph 1 above.
- 4) Use permits shall be required for buildings which change use, and special hazards controlled by this Code, added to or remodeled or altered.
- 5) Use permits shall expire annually from the date of issuance and may be renewed if buildings are maintained in conformance with this Ordinance.
- 6) Where Special Permits are required, application shall be made to the Fire Chief. He shall determine criteria, limitations and duration of Permits and shall not issue Special Permits until the appropriate requirements are met.

SECTION 5. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED.

- a. The limits referred to in Section 12.5b of the American Insurance Association's Fire Prevention Code, in which storage of explosives and blasting agents is prohibited are:

All areas of the District except by Special Permit from the Fire Chief of the District.

SECTION 6. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE ABOVE GROUND TANKS IS TO BE PROHIBITED.

- a. The limits referred to in Section 16.22a of the American Association's Fire Prevention Code in which storage of flammable liquids in outside above ground tanks is prohibited are:

All areas of the District except by Special Permit from the Fire Chief of the District.

- b. The limits referred to in Section 16.61 of the Fire Prevention Code, in which new bulk plants for flammable or combustible liquids are prohibited, are:

All areas of the District except by Special Permit from the Fire Chief of the District.

SECTION 7. ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED.

- a. The limits referred to in Section 21.6a of the American Insurance Association's Fire Prevention Code, is hereby established as follows:

All areas of the District except by Special Permit from the Fire Chief of the District.

SECTION 8. ESTABLISHMENT OF MOTOR VEHICLE ROUTES FOR VEHICLES TRANSPORTING EXPLOSIVES AND BLASTING AGENTS.

- a. The routes referred to in Section 12.7m of the American Insurance Association's Fire Prevention Code for vehicles transporting explosives and blasting agents are hereby established as follows:

By Special Permit from the Fire Chief of the District.

SECTION 9. ESTABLISHMENT OF MOTOR VEHICLE ROUTES FOR VEHICLES TRANSPORTING HAZARDOUS CHEMICALS OR OTHER DANGEROUS ARTICLES.

- a. The routes referred to in Section 20.14 of the American Insurance Association's Fire Prevention Code for vehicles transporting hazardous chemicals and other dangerous articles are hereby established as follows:

All state and federal highways, other areas only by Special Permit from the Fire Chief of the District.

SECTION 10. AMENDMENTS MADE IN THE AMERICAN INSURANCE ASSOCIATION'S FIRE PREVENTION CODE.

The Fire Prevention Code is amended and changed in the following respects:

Section 3.5 Construction and Protection.

Revise to read: "Handling and storage of wastepaper, rag, or other combustible materials shall be in a building equipped with an approved automatic sprinkler system.

Add: "Section 9.19 Automatic Extinguishing Systems.

Each existing building with Class 1 or Class 2 systems and each new building with Class 2 or Class 3 systems shall be provided with complete sprinkler protection."

Section 11.2 Markings of Exitways.

Revise to read:

- "a. In rooms accommodating more than 50 persons required exit doorways shall Be plainly marked by approved exit signs sufficiently illuminated when the floor area is occupied, to be readily distinguished.
- b. Where exit doorways are not visible from all locations, illuminated directional signs as required by the Bureau of Fire Prevention, shall be placed on walls or otherwise displayed in conspicuous locations to direct occupants to exit doorways."

Section 11.3 Lighting of Exitways.

Add last sentence to paragraph: "Required stairways, hallways, and other means of egress including exterior open spaces to or through which exit ways lead shall be adequately lighted at all times that the building served thereby is occupied. Power supplied shall be from and approved, unfailing, reliable source separate from that providing normal power supplies to the building."

Add: "Section 11.6 Number and Location of Exits.

- a. All rooms and/or buildings with an occupant load for ten (10) or more persons shall have two (2) separate means of egress. Each tenant space shall have access to two (2) means of egress."

Section 13.4 Bond and Responsibility for Fireworks Display Required.

b. Add subparagraph:

- "c. A \$100,000 per person and \$300,000 per accident insurance liability policy shall be considered as proof of this financial responsibility."

Section 14.4 Automatic Suppression Systems.

Revise to read:

- "a. The Bureau of Fire Prevention shall approve design criteria, extinguishing agents, water supplied and final installation. Design criteria shall follow nationally accepted practices.
- b. Where required: Fire suppression systems shall be installed and maintained

in full operating condition, as specified in this code, in the following location.”

Note: Floor areas are gross floor area per floor.

- 1) In every story or basement of all buildings where there is not provided at least twenty (20) square feet of opening entirely above the adjoining grade level in each fifty (50) lineal feet of exterior wall in the story, cellar or basement, or at least two (2) sides of the building. Openings shall have a minimum dimension of not less than thirty (30) inches. Such openings shall be unobstructed to allow fire fighting and rescue operations from the exterior.

For purposes of this section, an opening in an exterior wall qualifies as follows: (1) doors may be included in the determination of openings; (2) windows may be included in the determination of openings if they provide a glazed area of not less than thirty (30) inches in its least clear dimension.

Exception: If the area of a cellar or basement exceeds two thousand, five hundred (2,500) square feet, an automatic fire suppression system is required.

- 2) In all buildings or structures or portions thereof of high hazard uses.
- 3) In all buildings or structures or portions thereof used for institutional purposes.
- 4) In spray painting rooms or shops where painting, brushing, dipping or mixing is regularly conducted using flammable materials.
- 5) In rooms or areas used for incineration, trash, laundry collection or similar uses and within the chute serving these rooms. At alternate floor levels and at the top of all chutes used in conjunction with these rooms or areas.
- 6) In furnace rooms, boiler rooms and rooms for similar uses.
- 7) In storage rooms and maintenance rooms exceeding one hundred fifty (150) square feet.
- 8) Over commercial ranges, fryers and in hoods and ventilation ducts therefrom.
- 9) In all motels, hotels or similar occupancies.

Section 14.5 Standpipe.

Add:

- c. Horizontal standpipe systems shall be provided within buildings where any part of the building interior is over one hundred fifty (150) feet from a point where motorized fire apparatus may stop during emergency fire operations.
- d. Interior hose lines may be eliminated in buildings three (3) or less stories in height at the discretion of the local fire department.”

Add: “Section 14.6 Fire Alarm Systems

- a. The Bureau of Fire Prevention shall inspect and approve all design criteria, equipment and final installations. Design shall follow nationally accepted practices.
 - 1) Individual tenant spaces shall be provided with indicator lights near the entrance to each tenant space.
 - 2) Approved automatic fire suppression systems shall be accepted where approved fire alarm systems are required.
 - 3) Approved automatic detection equipment shall be provided to protect all building areas and shall be of a type to give prompt notification depending on hazards present. Approved smoke type detection shall be provided in residential uses.
 - 4) Where required from hazard to life and property, the fire alarm system shall be supervised and shall terminate at an approved point from which the fire department will be immediately notified of activation of the alarm system.
 - 5) All fire alarm system designs and components for such systems shall be in accordance with nationally recognized standards. NFPA 72 A shall be the minimum design criteria. Underwriter’s Laboratories, Inc., listings are acceptable as system components.
- b. Approved fire alarm systems, including automatic detection, shall be provided in the following location:
 - 1. Residential Uses
 - a. All hotels, motels, lodging houses, dormitories, apartments, town/row houses, and similar occupancies with three (3) or more living units, shall be equipped with an approved fire alarm system.
 - b. All buildings having multiple uses, including residential use, shall be equipped with an approved fire alarm system.

2. Schools
 - a. All school buildings shall be equipped with an approved fire alarm system.
3. Other Uses
 - a. Combustible goods and materials, manufacture, use and storage, including all mercantile, assembly, institutional, educational, industrial, storage or business uses and any combustible materials and products in buildings over one (1) story in height, and one (1) story buildings over three thousand (3,000) square feet in area shall be equipped with an approved fire alarm system.”

Add: “Section 14.7 Fire Extinguishers.

- a. All buildings other than single family dwellings shall be provided with first aid fire appliances in accordance with the hazards present.
- b. Installation of fire extinguishers shall be in accordance with nationally accepted practices.
- c. Maintenance of fire extinguishers shall be in accordance with nationally accepted practices.”

Add: “Section 16.28 Retesting.

All tanks and piping shall be retested every five (5) years when less than fifteen (15) years of age and every two (2) years thereafter. The method of testing shall be approved by the Bureau of Fire Prevention. The cost of testing shall be the burden of the owner or occupant.”

Section 16.75 Dispensing systems.

Revise to read:

- “a. (1) INSIDE LOCATION. Dispensing units shall ‘not’ be located inside garages.”
- “d. (2) PUMPS. Pumps shall be designated or equipped so that no part of the system will be subject to pressures above its designed working pressure. Pumps shall be located not less than ten (10) feet from lines of adjoining property lines and not less than five (5) feet from any building opening. Pumps shall be substantially anchored and protected against physical damage by vehicles.”

Section 16.996 Parking and Garaging.

Revise to read:

- “a. No tank vehicle shall be left unattended at any location, including any street, highway, avenue or alley, except where allowed by Special Permit. During actual discharge of the liquid, driver, operator or attendant person shall be present at the vehicle.”

Section 21.10 Parking and Garaging

Revise to read:

- “a. No tank vehicle shall be left unattended at any location, including any street, highway, avenue or alley, except where allowed by Special Permit. During actual discharge of the liquid, driver, operator or attendant person shall be present at the vehicle.”

Section 28.18 Fire Lanes.

Delete this Section.

SECTION 11. UNIFORM STANDARDS FOR THE INSTALLATION, MAINTENANCE AND TRANSMISSION OF PRIVATE ALARM SYSTEMS

This section shall apply to and govern all alarms required by this Ordinance. Where the terms of this section and any other provision of this Ordinance or any code adopted by this Ordinance shall be in conflict, the terms of this section shall control.

1. Uniform Wireless Alarm Network

The owner of any property required to install a fire alarm system, or any property owner who elects to install a discretionary alarm system, at their property shall, no later than June 1, 2011, install and maintain a wireless radio monitoring system, provided by the City's designated contractor, to monitor and transmit activated automated alarms and, supervisory and trouble signals by radio transmission to the City of Wheaton's remote supervising station. The equipment shall include a radio alarm transceiver and any other appurtenant equipment necessary for the system to function. The City, through its designated contractor, shall identify the minimum equipment required for the system to function. The property owner shall be responsible to pay the City a monitoring fee for said equipment, installation, maintenance, and monitoring.

2. Wireless Alarm Equipment

The District shall, by intergovernmental agreement with the City, provide a wireless network to which property subject to this Ordinance shall be connected. The City shall be the owner of all equipment associated with such Wireless Alarm Network. The owners of properties required by this Ordinance to be connected to the Wireless

Alarm Network (hereinafter “subscribers”) will be provided with a radio transceiver that replaces their current monitoring connection arrangement to the remote supervising station. The subscriber, through the monitoring fee, is leasing the radio transceiver from the City.

3. Wireless Fire Alarm Transceiver Equipment Installation and Maintenance

The installation and the annual and necessary maintenance, testing, and repair of the radio transceiver at the subscriber's premises will be completed solely by the City's designated contractor. The City will contract with a single vendor to provide this service. Subscribers to the Wireless Alarm Network will be advised of the City's contractor identity. Subscribers shall allow the City's contractor to have access to the radio transceiver during normal business hours for all required and necessary installation, annual and necessary maintenance, testing, and repair to ensure the system remains code compliant.

4. Connection Method

The method of connecting directly to the remote supervising station shall be by the Wireless Alarm Network or other alternate connection means as approved by the City. All alarm system control panels connected to a Wireless Network radio transceiver shall be provided with at least one reverse polarity output. All alarm control panels shall be UL listed.

5. Monitoring Fees and Other Charges

Upon connection to the City's remote supervising station, the subscriber shall pay the District an inclusive monthly monitoring and radio fee of \$85.00 or such other amount as may from time to time be established by the District. All other charges associated with the connection to the City's remote supervising station, installation of appropriate equipment and maintenance of equipment, shall be as follows, subject to such amendment that may hereafter be made from time to time:

a. Monthly Rate for Monitoring and Radio Lease	\$85.00
b. Replacement of Damaged Radio	\$804.00
c. Remove Subscriber Location Radio	\$55.00
d. New Subscriber Connection Fee	\$150.00
e. Disconnect/Reinstall Radio	\$200.00

Fees set forth herein may be amended in the discretion of the corporate authorities of the District from time to time hereafter.

6. Alarm Registration

All connections to the Wireless Alarm Network shall be preceded by a registration process. The alarm registration form, including all of its conditions, shall be mandatory requirements and conditions for each subscriber to the monitoring

service. The registration form shall be provided by the District. The registration form shall be accompanied by a copy of this ordinance.

7. Alarm System Maintenance

The installation and the annual and necessary maintenance, testing, and repair of the alarm system at the subscriber's premises, exclusive of the equipment listed in paragraph 2 above, will be completed as required in accordance with applicable codes and ordinances of the District or codes adopted by the District. While the City, pursuant to an intergovernmental agreement with the District, will repair and maintain its wireless equipment, including the radio transceiver at the subscriber's location, it is the responsibility of the owner of the alarm control panel within the premises to provide the required annual and periodic testing for all components of the alarm system.

8. Prior Agreements

Commencing with the adoption of this Ordinance, no property owner required to subscribe to the Wireless Alarm Network shall enter into or extend any exclusive agreement with any other party concerning any alternative alarm monitoring system.

9. Change in Ownership of Subscriber's Premises

The sale or transfer of the subscriber's premises shall not relieve the subscriber or subscriber's duties and obligations under the terms of this Ordinance until the new owner or person controlling the premises of a registered alarm system executes the registration form required by this Ordinance.

10. No Warranties or Representations

Nothing in this Ordinance shall constitute a representation or warranty that the alarm system or the monitoring of the alarm system will prevent any loss by fire, burglary or otherwise; or that the system will in all cases provide the protection for which it is installed or intended. Neither the District nor the City makes any representations or warranties, either expressed or implied, as to any matter whatsoever, including without limitation the condition of the equipment, its merchantability or its fitness for a particular purpose. A subscriber may not rely on any representations or warranties by the District or the City, expressed or implied, and nothing in this Ordinance or the requirements of this Ordinance shall be deemed to create any expressed or implied warranty.

11. The District and the City are not Insurers

Neither the District nor the City is an insurer under this Ordinance and the subscriber assumes all risk of loss or damage to the subscriber's premises or contents thereof. The subscriber shall have the right to purchase whatever insurance the subscriber requires in order to protect his property and/or person(s) from injury or the commission of any crime. Neither does this Ordinance create any certainty with regard to the

response time of any fire department should the department be dispatched as a result of a signal being received by the equipment required by this Ordinance. Nothing in this Ordinance waives or releases any and all statutory or common law immunities of the District or the City, which are specifically reserved.

12. Definitions

Notwithstanding anything to the contrary set forth elsewhere in this Ordinance or in any code adopted hereby, the following terms shall have the meanings set forth below:

“Remote supervising station” means the device that receives alarm signals from subscribers whose lines or radio frequency terminate at the City’s remote supervising station.

SECTION 12. AMENDMENTS MADE IN NATIONAL FIRE PROTECTION ASSOCIATION’S LIFE SAFETY CODE

- a. Specific amendments found in specific sections of this Ordinance shall supersede conflicting requirements of the Life Safety Code.

SECTION 13. OTHER PROVISIONS

1. Identification of Fire Hazard of Materials.

Any hazardous material shall be identified for health, flammability and reactivity in accordance with NFPA 704M, “Identification System for Fire Hazards of Materials,” 1969 Edition.

2. Fire Procedure Notice.

Owners, managers and agents of multiple dwelling units with three (3) or more living units shall post and maintain in a conspicuous location within each dwelling unit, an approved notice in writing which explains what procedures to use in the event of fire. The notice shall contain a diagram of exit routes and all fire exits.

3. Fire, Gases and Smoke Spread.

- c. Walls, partition, floor, ceilings, roofs, openings therein and other features necessary for prevention of spread of fire, smoke and gases, shall be provided and shall be maintained in proper condition and repair at all times. All openings, including doors, shall be provided with automatic self-closing devices designed to keep opening protective devices closed. Approved smoke and gases detecting devices may be considered for closing doors where openings must normally remain open.

4. Stairs, Fire Escape, Tunnel Safety Test.

All stairs, fire escapes, tunnels and similar safety devices shall be periodically tested for their safe use.

5. Stock Maintenance.

All stock shall be kept in a neat, orderly, compact manner in accord with good housekeeping.

6. Packing Materials.

Wherever and whenever stock is dispensed directly from a shipping container and combustible material is used as protective packing, such packing material shall be removed from the container and taken care of by removing to the outside in closed containers. Such container shall be kept closed at all times except when removing stock therefrom.

7. Removal of Packing.

No persons shall store in any building excess amounts of combustible empty packing cases, barrels, boxes, rubber tires, shavings, excelsior, rubbish, paper bags, litter, hay, straw and similar combustibles. Aisle ways and storage of the above mentioned combustibles necessary for the performance of business necessary for the performance of business.

The following water supplies shall be available commensurate with the hazards therein:

1) Town/Row or Cluster Housing	-	1500 to 2000 gpm
2) Apartment Type Construction	-	3000 to 4000 gpm
3) Industrial Type Development	-	3000 to 5000 gpm
4) Research & Development Laboratories	-	3000 to 4000 gpm
5) Business and Commercial Area	-	3000 to 4500 gpm
6) Mercantile Centers	-	3000 to 6000 gpm

b. Fire Hydrant Locations.

- 1) Fire hydrants shall be located along public streets so that no portion of the building will be over three hundred (300) feet from a fire hydrant. Where this is not possible, additional hydrants should be located on the premises accessible to motorized fire apparatus.
- 2) One hydrant shall be located at each intersection and intermediate hydrants where distance between intersections exceeds four hundred

(400) feet.

- 3) In apartments, townhouses, condominiums, town/row or cluster housing areas where streets or parking lots dead end, hydrants shall be placed along the access route.
- 4) At least two (2) fire hydrants shall be located within three hundred (300) feet of the building.
- 5) Additional fire hydrants shall be provided within five hundred (500) feet of the building so that the fire flow required divided by one thousand (1000) will equal the number of hydrants available.
- 6) Hydrants should be so located that:
 - a. Hydrants will be located approximately ten (10) feet from all-weather roadways. If this cannot be done, the closest part of the hydrant shall be set back at least two (2) feet from the curb line.
 - b. Hydrants should be located approximately fifty (50) feet from the building to be protected.
 - c. Access to fire hydrants shall be by all-weather roadways adequate in width, clearance and strength for fire fighting purposes. Such routes shall be maintained accessible during all seasons of the year. Legal provisions will be required for private roads.
- 7) Fire hydrants used in conjunction with water supplies shall meet the standards of the American Water Works Association Standard No. C-502, and shall have two (2) 2-1/2 inch and one (1) 4-1/2 inch outlets with auxiliary gate valves on the hydrant branch line. Threads shall be American National Standard. Pumper outlets shall face roadways.
- 8) Fire hydrants shall be protected from accidental damage by approved methods when located in areas subject to vehicular damage.

14. Fire Department Access.

- a. Public or private access shall be provided to each building so that the first responding fire department pumper unit will be so located that all points of the interior of the building may be reached by one hundred fifty (150) feet of fire department initial attack hose.

Exception - Where size of building and height of building does not allow this criteria to be met and interior stand-pipe system connected to a public water system and equipped with a fire department connection, the above criteria

may be considered met when approved by the Fire Prevention Bureau.

- b. Public or private access for motor fire apparatus shall be provided around the building so that it may be properly laddered and operation of mechanical elevated mechanism may be properly utilized. Minimum width of the access routes shall be twelve (12) feet with greater widths to accommodate vehicles when turning.
- c. Access routes shall be so arranged that fire department apparatus may respond from all points of the building to adjacent fire hydrants along routes not to exceed three hundred (300) feet from the most remote point of the building to the closest fire hydrant.
- d. Fire lanes on private property shall be approved by the Fire Marshall and parking of motor vehicles or otherwise obstructing such fire lanes or access routes shall be prohibited at all times.
- e. Private fire department access roads and ways shall be properly designed, maintained and accessible at all times.
- f. Access routes shall be circulating for adequate fire apparatus movement.
- g. Access roads shall be not less than fifteen (15) feet from buildings.

SECTION 14. EMERGENCY CONDITIONS

When in the opinion of the Fire Chief of the District there is actual and immediate danger because of hazardous conditions which endanger life of may cause adverse effects upon adjoining properties, the Bureau may order the building to be immediately vacated and cause immediate remedial action if necessary. The cost of such remedial action shall be borne by the owner of the premises.

SECTION 15. MODIFICATIONS

The Fire Chief of the District shall have power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner of lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Fire Chief of the District shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

SECTION 16. APPEALS

Whenever the Fire Chief of the District shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision to the Board of Trustees of the Winfield Fire Protection District within

fifteen (15) days from the date of the decision appealed.

SECTION 17. NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS

The Fire Chief of the District shall determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, or otherwise alter the provisions of the Fire Prevention Code, in addition to those now enumerated in said code. The Fire Chief of the District shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

SECTION 18. PENALTIES

- a. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply with any order made thereunder, or who shall build in violation to any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued 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 Fire Chief or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less the \$50.00 nor more than \$500.00. The imposition of one penalty for any violation or defects shall be required to be corrected or remedied by all such persons within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.
- b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 19. REPEAL OF CONFLICTING ORDINANCES

All former fire prevention ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code hereby adopted are hereby repealed.

SECTION 20. VALIDITY

The Board of Trustees of Winfield Fire Protection District hereby declared 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 that it would have passed all other portions of this ordinance independent of the elimination here from of such portion as may be declared invalid.

SECTION 21. DATE OF EFFECT

This Ordinance shall take effect and be in full force from and after its passage, approval and publication and required by law.

ADOPTED AND APPROVED as amended on this 20th day of July, 2010.

WINFIELD FIRE PROTECTION DISTRICT

By: _____
Mark Klage, President

R:\Municipal\FIRE DEPTS\Winfield\Ordinances\ORD-113 Fire Prevention Code.bkw072010.doc