

ORDINANCE NO. 06092022

**AN ORDINANCE REPEALING ORDINANCES NO. 111016C
AND ADOPTING THE 2021 INTERNATIONAL FIRE CODE FOR
THE CHANNAHON FIRE PROTECTION DISTRICT**

WHEREAS, the Channahon Fire Protection District (hereinafter "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 Board of Trustees of the District (hereinafter "the Board") has express power pursuant to 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 Board has established a Bureau of Fire Prevention to enforce the laws and ordinances governing the safeguarding of life and property from hazards of the fire and other hazards; 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, pursuant to its statutory authority, the Board previously determined it to be in the best interest of the District to adopt a fire prevention code for the control of fire protection in buildings and structures as in Ordinance No. 111016C; and

WHEREAS, the 2021 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, a copy of the 2021 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.

WHEREAS, the Board deems it in the best interests of the residents of the District to adopt the 2021 International Fire Code.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Channahon 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 Channahon 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: That Ordinance No. 111016C of the Channahon Fire Protection District is hereby repealed. 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.

SECTION 4: The Fire Prevention Code of the Channahon Fire Protection District is hereby amended to be identical with the provisions of the publication marked and designated as the International Fire Code, 2021 edition, including Appendices B, C, D, F, H, I, J, K, L, and M, as published by the International Code Council. Each and all 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 5: 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 Lemont Fire Protection District in violation of any terms or provisions of this Ordinance.

SECTION 6: 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 7: 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 8: 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 Dollars

(\$50.00) nor more than Seven Hundred Fifty Dollars (\$750.00), 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 9: 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 Five Hundred Dollars (\$500.00) or more than Seven Hundred Fifty Dollars (\$750.00).

SECTION 10: As an alternative or in conjunction with the imposition of a fine as provided in this Ordinance, 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 attorneys' fees and all costs of litigation including court costs, deposition fees and expert witness fees incurred in enforcing this Ordinance through this provision.

SECTION 11: 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 12: 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 the Board of Trustees 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 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: This Ordinance shall be in full force and effect ten (10) days after publication and shall supersede any ordinances, resolutions or motions, or parts thereof, in conflict with any part herein, and any such ordinances, resolutions or motions, or parts thereof, are hereby repealed to the extent of any conflict.

ADOPTED this 9th day of June, 2022, by the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

President, Board of Trustees
Channahon Fire Protection District

ATTEST:

Secretary, Board of Trustees
Channahon Fire Protection District

STATE OF ILLINOIS)
)
WILL COUNTY) SS

SECRETARY'S CERTIFICATE

I, _____, the duly qualified and acting Secretary of the Board of Trustees of the Channahon Fire Protection District, Will 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:

ORDINANCE NO. 060922

**AN ORDINANCE REPEALING ORDINANCE NO. 111016C
AND ADOPTING THE 2021 INTERNATIONAL FIRE CODE FOR
THE CHANNAHON FIRE PROTECTION DISTRICT**

Which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 9th day of June, 2022.

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 9th day of June, 2022..

Secretary, Board of Trustees
Channahon Fire Protection District