

ORDINANCE 17,532

AN ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF THE CITY OF PEORIA PERTAINING TO FIRE PREVENTION AND PROTECTION

WHEREAS, the City of Peoria, Illinois is a home rule municipality pursuant to Article VII, Section 6 of the Illinois Constitution of 1970; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Peoria, Illinois as follows:

Section 1. There shall be added to the Code of the City of Peoria the following underlined words and deleting the following stricken words in Article III of Chapter 11 of the Code of the City of Peoria pertaining to Fire Prevention and Protection:

ARTICLE II – FIRE DEPARTMENT

- **Sec. 11-49. - Fees for services.**

(a) *Vehicle fires.* When emergency response services are rendered by the Peoria Fire Department for fires of vehicles owned by persons, businesses or other entities who are not residents of the City of Peoria, Illinois, there shall be ~~a~~ an hourly charge for fire protection services as established in Table I with a minimum fee of \$300.00

(b) *Extrication from vehicles.* When emergency response services are rendered by the Peoria Fire Department for extrication of persons who are not residents of the City of Peoria and the owner of the vehicle is a person, business or other entity who is not a resident of the City of Peoria, there shall be ~~a~~ an hourly charge for extrication services as established in Table I with a minimum fee of \$300.00.

(c) *Non-emergency boat towing.* In non-emergency towing responses required to be performed by the Peoria Fire Department for towing boats owned by persons, businesses or other entities who are not residents of the City of Peoria, Illinois, there shall be ~~a~~ an hourly charge for boat towing services as established in Table I with a minimum fee of \$300.00.

(d) *Boat rescue.* When emergency response services are rendered by the Peoria Fire Department in response to a boat in distress and the boat in distress is owned by persons, business or other entities who are not residents of the City of Peoria, Illinois, there shall be ~~a~~ an hourly charge for fire protection services as established in Table I with a minimum fee of \$300.00.

Table 1

<u>8694</u>	<u>Truck, Fire Ladder</u>	<u>Ladder Length</u>	<u>75 ft.</u>	<u>hour</u>	<u>\$125.00</u>
	<u>Rescue Squad</u>	<u>Special Teams/Extrication</u>		<u>Hour</u>	<u>\$125.00</u>
<u>8489</u>	<u>AerialLift, Truck</u>	<u>Max. Platform Ht.</u>	<u>100ft.</u>	<u>Add to Truck Rate/hr.</u>	<u>\$34.00</u>
<u>8692</u>	<u>Engine, Fire</u>	<u>Pump Capacity</u>	<u>1500 gpm</u>	<u>Hour</u>	<u>\$85.00</u>
<u>8320</u>	<u>Generator</u>	<u>Prime Output</u>	<u>110 kW to 1500</u>	<u>Hour</u>	<u>\$375.00</u>
<u>8120</u>	<u>Boat, Tow</u>	<u>Size 55'x20'x5'</u>	<u>To 870 Steel</u>	<u>Hour</u>	<u>\$250.00</u>
<u>8121</u>	<u>Boat, Tow</u>	<u>Size 60'x21'x5'</u>	<u>To 1050 Steel</u>	<u>Hour</u>	<u>\$300.00</u>
<u>8135</u>	<u>Boat, Push</u>	<u>Size 58'x24'x7.5'</u>	<u>To 705 Flat Hull</u>	<u>Hour</u>	<u>\$250.00</u>
<u>8136</u>	<u>Boat, Push</u>	<u>Size 64'x25'x8'</u>	<u>To 870 Flat Hull</u>	<u>Hour</u>	<u>\$300.00</u>

(Ord. No. 15729, § 1, 12-21-04; Ord. No. 16662, § 1, 2-8-11)

ARTICLE III – FIRE PREVENTION CODES

Sec. 11-106. - Fees for permits and licenses.

(a) The fees for permits and licenses provided for in the fire prevention code, adopted by this article, and the articles of such code requiring such permits and licenses are as follows:

Fees

- (1) Chapter 1—Administration:
- (a) 105.6.35 Place of assembly ~~\$20.00~~ **\$40.00**
 - (b) 105.6.37 Pyrotechnic special effects material ~~250.00~~ **500.00**
 - (c) 105.7.1 Automatic fire-extinguishing systems 100.00
 - (d) 105.7.3 Fire alarm and detection systems and related equipment 100.00
 - (e) 105.7.4 Fire pumps and related equipment 100.00
 - (f) 105.7.9 Private fire hydrants 100.00
 - (g) 105.7.11 Standpipe systems 100.00

- (h) 105.6.44 Temporary membrane structures, tents and canopies~~25.00~~
50.00
- (i) 901.6.2 Annual System Compliance Inspection Fee.....\$25.00**

(2) Chapter 3—General Precautions against fires:

- (a) 307.2 Silvicultural/wildland management 100.00
- (b) 307.3.2 Recreational fires ~~5.00~~ **10.00**
- (c) 307.3.1 Bonfires ~~40.00~~ **80.00**
- (d) 307.4.1 Torches for removing paint 20.00
- (1) Special burn permit (construction site burn only) ~~100.00~~
200.00

- (b) All permit fees shall be doubled when work that requires a permit is started prior to obtaining the permit.
- (c) If any person, satellite or facility is required by [section 11-107](#) to obtain a hazardous materials and chemicals permit, that person, satellite or facility shall not be required to pay the fee for a permit pursuant to this section.

(Code 1957, § 12-51; Ord. No. 14463, § 1, 3-3-98; Ord. No. 15536, § 1, 10-7-03; Ord. No. 15955, § 1, 6-6-06)

• **Sec. 11-107. - Fees for hazardous materials, chemicals and wastes.**

The fee to be paid by each facility and transshipment facility is determined by the amount and character of the hazardous materials, hazardous chemicals, and/or hazardous wastes handled at a facility as determined below:

- (1) *The fixed facility fee* shall be calculated:
For hazardous materials, as set out in Table 1, by multiplying the base permit cost (~~\$50.00~~) **(\$66.50)** by the quantity range number; multiplied by the risk factor. The fee shall range from ~~\$55.00~~ **\$73.15** to ~~\$2,240.00~~ **\$2,979.20**.
 - a. For extremely hazardous substances, as set out in Table 2, by multiplying the base permit cost (~~\$100.00~~) **(\$133.00)** by the quantity range number, multiplied by the risk factor. The fee shall range from ~~\$110.00~~ **\$146.00** to ~~\$2,240.00~~ **\$2,979.20**
 - b. A fixed price may be given to a specific hazardous material, if the fire marshal determines that the specific use, storage method, or quantity on-hand does not constitute an unreasonable danger to public health and safety.
- (2) *Quantity range number.* The quantity range number shall be determined by the aggregate amount of all hazardous materials, hazardous chemicals or hazardous wastes identified at a facility. This quantity range number will remain the basis for the annual permit fee until such time as the business is fully re-inspected. Full re-inspections include a full inventory of materials and can be conducted at the request of the business or the fire marshal or his designee. The quantity range number for "hazardous materials" is determined on Table 1. The quantity range number for "extremely hazardous materials" is determined on Table 2.

Table 1
FOR NON-EHS MATERIALS

Quantity Range No.		Solids (lbs.)	Liquids (gls.)	Gases (cu. ft.)
1	200—2,000	10—250	300—4,500	
2	2,001—7,500	251—550	4,501—25,000	
4	7,501—15,500	551—1,550	25,001 — 75,000	
8	15,501—30,000	1,551—2,550	75,001—95,000	
12	30,001—40,500	2,551—3,550	95,001—110,500	
14	40,501—67,500	3,551—5,500	110,500—150,000	
20	67,501—85,000	5,501—10,000	150,001—200,000	
24	85,001—105,000	10,000—15,000	200,001—225,000	
28	105,001+	15,001+	225,000+	

Table 2
FOR EHS MATERIALS

Quantity Range No.	Solids (lbs.)	Liquids (gls.)	Gases (cu. ft.)
2	0—100	0—50	0—500
4	101—500	51—350	501—1,000
6	501—1,000	351—750	1,001—3,500
8	1,001—2,000	751—1,000	3,501—7,000
10	2,001—3,500	1,001—2,500	7,001—10,000
12	3,501—5,000	2,501—5,000	10,001—15,000
14	5,001+	5,001+	15,001+

- (3) *Risk factor.* The risk factor is a multiplier for calculating the risk attendant to hazardous materials and extremely hazardous materials based on the OSHA, Hazardous Material Identification System or the NFPA, Section 704 placard rating, as shown in Table 3. The highest risk factor assigned to such material handled at the facility identified during the inspection shall be used to determine the annual permit fee for the aggregate of all hazardous materials and extremely hazardous materials handled at the facility. If a chemical has a risk factor number and a special hazard rating it is automatically moved to the very high risk factor area
- (4) *Motor vehicle fuels.* Notwithstanding the foregoing, the annual fee for tanks used exclusively for the storage of gasoline or diesel fuel that is used primarily to fuel motor vehicles either at a facility commonly known as a

service station or on the premises of a firm that dispenses fuel primarily to its own motor vehicles from a fixed facility, shall be as follows:

The fee for underground tanks shall be ~~\$200.00~~ **\$266.00** for the first tank and ~~\$50.00~~ **\$66.50** for each additional tank on the same premises.

The fee for aboveground tanks will be ~~\$200.00~~ **\$266.00** for each tank.

The fee for any other material stored in a fixed aboveground or underground tank will be calculated by the formula set forth in subparagraph (a) of this section, based on the contents of the tank.

- (5) The annual fee for any satellite shall be ~~\$50.00~~ **\$66.50** per large tank and/or ~~\$50.00~~ **\$66.50** per construction site. In addition, notice by fax or phone shall be given to the hazardous materials office each time the satellite is relocated to another site and if the items are returned to the permitted facility of the owner/operator of the satellite.
- (6) *Self-storage facilities:* The storage of hazardous materials, hazardous chemicals or hazardous wastes in a self-storage unit or facility is prohibited.
- (7) *Public events.* Any event issued a public event permit by the City of Peoria will be inspected for on-site hazardous materials by the Peoria Fire Department prior to the opening of the event.

Any public event sponsored by a not-for-profit organization or organizations, voluntary or charitable organization or organizations, or city entities or extensions thereof, found to have hazardous materials on-site will be not be assessed a hazardous materials permit fee.

Any public event sponsored by a for-profit organization or organizations found to have hazardous materials on-site will be assessed a hazardous materials permit fee.

A hazardous materials permit is required for any public event where a hazardous material is used, made, sold, traded or displayed. If the public event falls into the category that requires a hazardous materials permit fee to be assessed, the following fee tables will be used to determine the permit fee. All fees are the responsibility of the organization that is sponsoring or organizing the special event.

Vendors: Only refer to vendors with hazardous materials on site. For the purpose of explanation, a vendor with a booth selling handcrafted items only would not be considered a hazardous material permitted vendor

Vendor hazardous materials fees:

1—4 vendors	per vendor	\$25.00 \$33.25
5—10 vendors	flat fee	\$150.00 \$199.50
11—20 vendors	flat fee	\$300.00 \$399.00
21—30 vendors	flat fee	\$550.00 \$731.50
31—40 vendors	flat fee	\$800.00 \$1,064.01
41+ vendors	flat fee	\$1,000.00 \$1,330.00

- (8) *Acetylene:* The annual hazardous materials fee for acetylene in oxy-acetylene torches used in welding and cutting operations shall be set at ~~\$40.00~~ **\$53.20** per set.

Businesses that use or distribute acetylene in bulk will be subject to the fees specified in Tables 1 and 2 in [section 11-107\(b\)](#)

- (9) *Automobile batteries* for consumer purchase only: the annual hazardous materials fee for automobile batteries in small quantities shall be as follows:

1—10	batteries	\$50.00 \$66.50
11—25	batteries	\$100.00 \$133.00

26 or more batteries will require that fees are applied as specified in Tables 1 and 2 in [section 11-107\(b\)](#)

- (10) *Small restaurant/bar type carbon dioxide cylinders* used specifically for consumer product distribution are not subject to the hazardous materials permit requirements.

Bulk Carbon Dioxide distribution plants with large storage tanks are subject to the fees specified in Tables 1 and 2 in [section 11-107\(b\)](#)

- (11) *Helium*: The annual hazardous materials fee for helium cylinders in small quantities shall be as follows:

1—10	cylinders	\$50.00 \$66.50
11—20	cylinders	\$100.00 \$133.00
21—30	cylinders	\$200.00 \$399.00

Bulk helium distribution plants with large storage tanks are subject to the fees specified in Tables 1 and 2 in [section 11-107\(b\)](#)

- (12) *Oxygen*: The annual hazardous materials fee for oxygen cylinders in small quantities shall be as follows:

1—4 small cylinders \$25.00

Oxygen bulk distribution/supply will require that fees are applied as specified in Tables 1 and 2 in [section 11-107\(b\)](#)

Pharmaceutical grade oxygen cylinders used in physician/dentists offices are not subject to the hazardous materials permit requirements.

- (13) *Propane*: The annual hazardous materials fee for propane cylinders in small quantities shall be as follows:

1—24	20 to 100 lb. cylinders	\$200.00 \$266.00
25—75	20 to 100 lb. cylinders	\$300.00 \$399.00

Bulk propane distribution plants are subject to the fees specified in Tables 1 and 2 in [section 11-107\(b\)](#)

- (14) *X-ray chemicals*: The annual hazardous materials fee for X-ray chemicals in small quantities shall be as follows:

Aggregate quantities less than 30 gallons ~~\$25.00~~ **\$33.25**

Aggregate quantities of 30+ gallons will require that fees are applied as specified in Tables 1 and 2 in [section 11-107\(b\)](#)

- (15) Electric transformer dielectric fluids containing less than 50 ppm of Polychlorylbiphenyl (PCB's), .05 percent Toluene, or .05 percent Benzene are not subject to the hazardous materials permit requirements.
- (16) *Used oil* in containers with a capacity no greater than 500 gals are not subject to the hazardous materials permit requirements.
- (17) *Tires:* New or used tires for sale/resale to consumers are not subject to the hazardous materials permit requirements.
Tire shredding plants or bulk tire storage facilities will require that fees are applied as specified in Tables 1 and 2 in [section 11-107\(b\)](#)
- (18) All fees are subject to annual adjustments based on the consumer price index (CPI) as determined by the City of Peoria's Finance Director, and based on changed inventories when reported or when found on a full inspection.
- (19) The fire marshal shall annually review the fees and formulas set forth in this section to assure that they continue to spread the costs of the maintenance of hazardous materials, regulation and response by the city in an equitable manner. The fire marshal shall annually, not later than April 1st, report to the city council a summary of the income and expenses related to the hazardous materials programs.
- (20) A full re-inspection shall occur at least once every four years; provided, however, they may occur more frequently at the discretion of the fire marshal or designee, based on risk factors and availability of time.

(Code 1957, § 12-51.1; Ord. No. 14463, § 1, 3-3-98; Ord. No. 14602, § 1, 10-24-98; Ord. No. 15955, § 1, 6-6-06; Ord. No. 16220, § 1, 12-11-07)

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this 12th

day of December, 2017.

APPROVED:
/s/ James E. Ardis, III
Mayor

ATTEST:
/s/ Beth Ball
City Clerk

EXAMINED AND APPROVED:
/s/ Donald B. Leist
Corporation Counsel