

## **ORDINANCE NO. 21- 36**

### **AN ORDINANCE AMENDING CHAPTER 15.14, FIRE PREVENTION AND LIFE SAFETY CODES AND AMENDMENTS, OF THE CARPENTERSVILLE MUNICIPAL CODE**

**WHEREAS**, the Village of Carpentersville, Kane County, Illinois (the “Village”) is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village’s home rule powers and functions as granted in the Constitution of the State of Illinois; and

**WHEREAS**, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, the Village Board finds it necessary and appropriate to update the Village Code to comply with the Municipal Adoption of Codes and Records Act (50 ILCS 220/0.01, *et seq.*) (the “Act”) to reflect and incorporate provisions of the 2018 International Fire Code and 2018 Life Safety Code; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Carpentersville, Kane County, Illinois, as follows:

**SECTION 1:** The foregoing recitals shall be and are hereby incorporated herewith.

**SECTION 2:** Chapter 15.14, Fire Prevention and Life Safety Codes and Amendments, of the Carpentersville Municipal Code, shall be amended to read as follows:

#### **Chapter 15.14 - FIRE PREVENTION AND LIFE SAFETY CODES AND AMENDMENTS**

- **15.14.010 - General provisions.**

This chapter shall apply to all existing and proposed buildings and structures within the Village with respect to precautions against the origin and spread of fire, smoke, noxious gases and similar hazards arising from the use of the buildings or structures, within the limitations of applicability in the ~~2012~~2018 International Fire Code and the ~~2006~~2018 Life Safety Code; shall apply to the proper use and maintenance of exit ways and all appurtenances and approaches thereto, fire protection and fire protective devices, and the practice of safety measures and precautions in the storage, handling and use of hazardous substance materials and devices; and shall provide for the issuance of permits. In any case where the provisions of these adopted codes conflict, the more restrictive provision shall control unless otherwise authorized by the fire official.

- **15.14.030 - Dangerous or hazardous conditions.**

A. Orders to Eliminate Dangerous or Hazardous Conditions. Whenever the *code official* shall find in any *structure* or upon any premises dangerous or hazardous conditions or materials as follows, the *code official* shall require that such dangerous conditions or materials be removed or remedied by the responsible party in accordance with the provisions of this chapter and title.

1. Dangerous conditions that are liable to cause or contribute to the spread of fire in or on said premises, building or *structure* or endanger the occupants thereof;
2. Conditions that would interfere with the efficiency and use of any fire protection equipment;
3. Obstructions to or on fire escapes, stairs, passageways, exit aisles, doors or windows, liable to interfere with the egress of occupants or the operation of the fire department in case of fire;
4. Accumulations of dust or waste material in air conditioning or ventilating systems or grease in kitchen or other exhaust ducts;
5. Accumulations of grease on kitchen cooking equipment, or oil, grease or dirt upon, under or around any mechanical equipment;
6. Accumulations of rubbish, waste, paper, boxes, shavings, or other combustible materials, or excessive storage of any combustible material;
7. Hazardous conditions arising from defective or improperly used or installed electrical wiring, equipment or appliances;
8. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible, explosive or otherwise hazardous materials;
9. Dangerous or unlawful amounts of combustible, explosive or otherwise hazardous materials;
10. All equipment, materials, processes or operations which are in violation of the provisions and intent of this code.

B. Maintenance. The *owner* shall be responsible for the safe and proper maintenance of the building, *structure*, premises or lot at all times. In all new and existing buildings and *structures*, the fire protection equipment, means of egress, alarms, devices and safeguards required by this code and

other jurisdictional ordinances, shall be maintained in a safe and proper operating condition.

- C. Occupant Responsibility. Where conditions exist in violation of this code, by virtue of storage, handling and use of substances, materials, devices and appliances, the occupant shall be held responsible for the abatement of said hazardous conditions.
- D. Unsafe Buildings and *Structures*. All buildings and *structures* that are or hereafter become unsafe or deficient in adequate exit facilities or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or by reason of illegal or improper use, occupancy or maintenance or which have sustained structural damage by reason of fire, explosion, or natural disaster, shall be deemed unsafe buildings or *structures*. A vacant building, or a portion of a building, unguarded or open at door or window, shall be deemed a fire hazard and unsafe within the meaning of this code. Unsafe buildings shall be reported to the *code official* for appropriate action deemed necessary under the provisions of this title, code and applicable law to secure abatement by repair and rehabilitation or by demolition.
- E. Evacuation. When in the opinion of the *code official*, there is actual and potential danger to the occupants or those in the proximity of any building, *structure* or premises because of unsafe structural conditions, or inadequacy of any means of egress, the presence of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials, the *code official* may order immediate evacuation of said building, *structure*, or premises. All of the occupants so notified shall immediately leave the building, *structure* or premises and persons shall not enter or reenter until authorized to do so by the *code official*.
- F. Unlawful Continuance. Any person who shall refuse to leave, or who interferes with evacuation of other occupants or continues any operation after having been given an evacuation order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor.

- **15.14.050 - Amendments to the International Fire Code/~~2012~~2018.**

The International Fire Code/~~2012~~2018, adopted by reference pursuant to Section 15.06.010, is amended as it applies within the ~~V~~Village as follows:

- A. Subsection 101.1, insert, as the name of the jurisdiction, "the Village of Carpentersville, Kane County, Illinois."
- B. Amend Subsection 102.1 by adding:

"5. When the work area, as determined by the fire official, exceeds 50 percent of the area of the unit in which work is being performed or when the unit has been vacant for 18 months or more."

C. Add a new Subsection 104.3.2 that reads as follows:

104.32 Inspection Frequency.

"The fire code official is authorized to inspect all commercial buildings and businesses annually, or a frequency determined by the code official, to ensure compliance with this code and a safe environment."

D. Add a new Subsection 104.3.3 that reads as follows:

104.3.3 Notification for Inspections.

~~Notification for Inspections.~~ If inspections are required by this code, the fire code official shall be notified at least three days in advance of all such inspections so that the inspections may be performed at a time when all facilities, construction, equipment, and other work and improvements that must be inspected are visible, accessible, and in a condition that is ready for and capable of inspection."

E. Delete the text of Subsection 105.1 in its entirety and replace it with:  
"permits will be issued upon payment of all fees required pursuant to Chapter 20.02 of the Village Code."

F. Add a new ~~Subsection 105.1.4~~ Section 105.8 that reads as follows:

~~"105.1.4~~ 105.8 Special Permits.

1. A Special Permit is required to store, handle, process, manufacture and/or transport, subject to any and all conditions set forth in the Special Permit, flammable, hazardous or toxic chemicals, liquids, and/or gases, which Special Permit may be issued by the fire code official for a specified time period.
2. This code recognizes that not all conditions, uses or occupancies are identifiable, in which case it will be necessary to analyze the condition, use or occupancy and specify requirements and controls not otherwise detailed in this code or other identified nationally accepted codes and standards, and establish such uses, conditions and occupancy requirements and controls by Special Permit"

G. Add a new Subsection 105.4.1.2 that reads as follows:

#### 105.4.1.2 Submittals Continued.

When required by the fire code official, plans showing all fire protection related features, means of egress, fire resistant assemblies, and conditions affecting fire protection or fire prevention shall be submitted to the fire code official for review and approval prior to the commencement of any construction, alterations, additions, and/or any other activity that increases fire hazards within a buildings, structures, and/or premises."

H. Add a new Section 105.4.1.3 that reads as follows:

#### 105.4.1.3 Outside agency review.

"The fire code official may have any submitted drawings sent to an outside agency or consultant for review. If that occurs, all expenses and billing shall be sent to representatives of the building's owner, or come from the representative's escrow account with the Village. No inspections or acceptance tests will be done until the review fees are paid in full."

I. Delete Subsection ~~108.1~~109.1 and Subsection ~~108.3~~109.3. For the applicable appeal procedure, see Sections 15.02.090 and 2.52.040 of the Village Code.

J. Add a new Subsection 315.3.5 that reads as follows:

"315.3.5 Stock Maintenance.

All commercial stock shall be kept in a neat, safe, orderly, and compact manner in accordance with good housekeeping."

K. Add a new Subsection 315.3.6 that reads as follows:

"315.3.6 Packing Material.

Wherever and whenever commercial stock is dispensed directly from a shipping container and combustible material is used as protective packing, such packing material shall be removed from the shipping container and disposed of in closed receptacles located on the outside of the building or structure. Such shipping containers shall be kept closed at all times except when removing stock therefrom."

L. Add a new Subsection 315.3.7 that reads as follows:

"315.3.7 Aisles Required.

Aisles with a minimum width of six feet, unless otherwise specified by the code official, are required for firefighting purposes. The location of all such aisles shall be approved by the fire code official."

- M. Delete, in its entirety, the text of Section 505 and replace it with the following:

"Section 505 Premises Identification

All Commercial Buildings shall have their common addresses displayed in at least six-inch-tall numerals and letters on the street-facing side of the building, in a readily visible location on the building."

505.1 Multiple Tenant Commercial or Industrial Space Door Markings

505.1.1

All multiple tenant space buildings shall mark their rear door with the tenant space address in three-inch-tall numerals and letters.

505.1.2

All gas meters and electric meters shall display the common address of the corresponding tenant space served by the meters in one inch English alphabetic letters."

- N. Delete the text of Section 507 in its entirety and replaced it with the following:

"507 Water supply

A water supply shall consist of a private fire main connected to the ~~v~~Village water main, provided that the public works department approves the connection in advance.

507.1

For all commercial and industrial buildings, access routes shall be arranged so that Fire Department apparatus may travel from any location adjacent to a building to the closest fire hydrant along a vehicle-accessible route not to exceed 300 feet in length.

507.2

All Commercial or Industrial buildings shall comply with the standards established by the Village Engineer for hydrant spacing, location, type, installation, and testing."

- O. Amend Subsection 901.1 by adding the following text after the first sentence:

"The provisions of this article shall govern the installation, operation, maintenance, and testing of all new and existing fire protection systems, devices, units and fire safety equipment in all occupancies as herein provided. Such systems shall comply with the referenced standards of this code, or with referenced NFPA codes, where provisions of this code do not apply.

The provisions of the article shall further govern the installation of fire protection systems in all new and existing buildings or parts of buildings that because of their size, construction, or occupancy, or lack of suitable protective equipment, constitute a special hazard to life or property, or an excessive burden upon the extinguishing facilities of the Fire Department."

- P. Delete the text of Subsection 903.2 in its entirety and replace it with the following:

"903.2 Where required.

Automatic Sprinkler Systems are required:

1. Where required in this code, including by another adopted model code, or by another authority having jurisdiction.
2. Throughout all buildings of Use Groups A1, A2, A3, E-I-H.
3. Throughout all buildings of Use Groups R1 and R2.
4. Throughout every building more than two stories or 28 feet high.
5. Throughout all cellars exceeding 1,500 square feet area.
6. Throughout all buildings of Use Groups B, M, F1, F2, S1, S2 and U that exceed 3,000 square feet.
7. Throughout every building, which by reason of its occupancy, causes a life-safety hazard or in the judgment of the fire code official constitutes a fire hazard to adjoining property."

- Q. Delete the text of Subsection 903.4.3 in its entirety and replace it with the following:

"903.4.3 Sprinkler control valves.

When a commercial building is more than one story in height, the fire code official shall require sprinkler control valves to separate the sprinkler system from each floor. These control valves shall have a tamper switch that reports to the fire alarm panel as a Supervisory Alarm. The fire official may require sprinkler control valves on any buildings with multiple tenants."

R. Add a new Subsection 903.4.4 that reads as follows:

"903.4.4 Heating and lighting.

All sprinkler rooms shall be heated and have adequate lighting."

S. Add a new Subsection 907.1.4 that will read as follows:

"907.1.4 Fire alarm system review and approval

Automatic fire alarm systems must be approved for their particular application and shall be used for protection and occupant notification in the event of fire. Automatic detecting devices shall be an approved device with a smoke detector used where residential, institutional, and assembly use groups exist. Three sets of fire alarm plans designed by a qualified fire alarm contractor and in compliance of NFPA 72, or another source approved by the fire code official, shall be submitted to the fire code official for review and approval. The fire alarm plans shall include all cut sheets, voltage drop, and battery calculations. A full copy of the approved fire alarm plans shall be kept on-site during all construction activities and acceptance testing by the fire code official."

T. Add a new Subsection 907.1.5 that will read as follows:

"907.1.5 Additional design criteria.

1. All newly installed systems shall be addressable.
2. Each tenant space in a multiple tenant building shall have its own zone on the fire alarm system panel indicating which tenant space the activated alarm/detector is in. When applicable, the exterior of this tenant space shall have a 75 candela white weatherproof strobe mounted near/above the door that flashes when an initiating device is activated in the space.
3. A primary power supply source for the operation of the fire alarm system under normal conditions shall be provided. A secondary power supply



for operation of the fire alarm system in the event of the failure of the primary supply shall be provided.

4. All fire alarm systems shall be connected to the Village Fire Dispatch Center (Quadcom Dispatch, 505 Elm Ridge Avenue) via a dedicated telephone circuit or an approved radio network. Fire alarm systems installed prior to October 21, 2008 may be connected to a location from which the Fire Department will be immediately notified of activation or trouble on the system and that is a UL approved monitoring station.
  5. All buildings with a fire alarm system shall mount a red weatherproof strobe light that flashes at 75 candelas to the front of the building, at an exact location determined by the Fire Department. This strobe will flash on the activation of the fire alarm system.
  6. All buildings with a supervised sprinkler system shall mount a blue weatherproof strobe light that flashes at 75 candelas over the Fire Department connection, one foot above the exterior sprinkler bell and will flash only upon sprinkler system activation.
  7. Where automatic sprinklers provide protection to an area with an approved flow switch interconnected to the fire alarm system, and the area is easily identifiable as to the location of the activation, additional automatic detectors are not required. When a building has numerous rooms protected by the zoned sprinkler system, the Fire Department may require additional smoke detectors for a more rapid means to identify the location of smoke or fire."
- U. Amend Subsection 907.8.1 by inserting the following language after the first sentence: "All fire alarms shall be maintained in good working order and shall be tested annually by a qualified individual, regardless of occupancy status . A copy of all testing results and certifications shall be submitted to the fire code official."
- V. Amend Subsection 910.2 by replacing reference to "910.2.2" with "910.2.3."
- W. Add a new Subsection 910.3 that reads as follows:
- "910.3 Additional buildings.
- Smoke and heat vents shall be installed in the following types of buildings:
1. In all sprinklered buildings with a gross floor area (combined floor areas of all floors) exceeding 40,000 square feet.

2. In all non-sprinklered buildings with a gross floor area exceeding 20,000 square feet.
  3. In all buildings over three stories or 35 feet in height.
  4. In buildings with multi-storied atriums."
- X. Delete the text of Subsection 910.4 in its entirety and replace it with the following:
- "1. Mechanical smoke exhaust. Smoke removal by permanently mounted exhaust fans that are operated by Manual Electric Disconnect switches that shall be located in the Sprinkler Riser room or in an area approved by the fire official. These fans shall be engineered by a licensed mechanical engineer and be designed to provide six air exchanges per hour. Maps shall be permanently mounted at those disconnect switches indicating locations of all fans. All exhaust fans shall have 12-inch numbers on each fan for identification purposes.
  2. No exhaust fan shall be connected to the building's fire alarm system.
  3. The mechanical smoke management system shall have an adequate supply and/or return air source to allow the system to operate properly.
  4. Smoke vents are acceptable. They shall be designed and spaced in accordance with the International Building Code, ~~2012~~2018, Section 910.3.3.
  5. Engineered smoke management systems shall comply with the International Building Code and NFPA 204, Smoke and Heat Vents.
  6. Performance designed smoke removal systems may be reviewed and approved by the fire code official if they comply with all of the requirements of this code.
  7. In buildings over three stories in height, interior access corridors, stairs and exit ways shall be provided with positive pressure. The pressurization system may operate continuously or be activated by the alarm signal of the fire alarm or the fire suppression system. Manual controls shall be provided."

~~Y. Add a new Subsection 912.2.3 that reads as follows:~~

~~"912.2.3 Connections.~~

~~All buildings required to have a Fire Department connection shall provide the following connection:~~

- ~~1. Two and one half inch by two and one half inch standard connection per NFPA 13 requirements.~~
- ~~2. Four inch sexless stortz connection.~~
- ~~3. These two connections shall have a check valve between them so they will not flow back to each other."~~

ZY. Add a new subsection 912.2.4 that reads as follows:

"912.2.4 Fire hydrants.

A fire hydrant compatible with Vvillage hydrants shall be connected to the Vvillage's water distribution system and shall be located within 100 feet of the sprinkler Fire Department connection. Distance variables can be considered by the fire code official."

AAZ. Add a new Subsection 1021.2.6 that reads as follows:

"1021.2.6 Number and location of exits.

All rooms or spaces with accommodations of 20 or more persons shall have two separate means of egress. This requirement may be waived by the fire code official provided that the rooms or spaces contain approved fire suppression system(s)."

BBAA. Add a new Subsection 5703.7 that reads as follows:

"5703.7 Underground flammable liquid storage tanks.

5703.7.1 Underground Tank Storage Installation, Acceptance and Testing

Installation, acceptance and testing of underground flammable liquid storage tanks shall be in accordance with the Illinois State Fire Marshall requirements.

~~Leak Detection. For the purpose of detecting and eliminating leakage of flammable, combustible, or hazardous liquids from underground storage tanks:~~

- ~~1. Liquid Sump. A ten inch minimum diameter galvanized steel culvert sump perforated with a reasonable number of large holes from its lowest level upward shall be installed for all tanks or groups of tanks. The culvert sump shall extend upward from a minimum of one foot below the bottom of the lowest tank in the area to ground level. The steel culvert sump shall be surrounded with Number Two (#2) stone for a minimum of 24 inches in diameter. The top of the culvert sump shall be housed in a vault enclosure with a removable cap for ease of inspection and maintenance. The number, location and installation of liquid sumps shall be approved by the fire code official.~~

- ~~2. Discharge Line Leak Detectors. All discharge lines from underground storage tanks utilizing a submersible pump for pressurization shall be equipped with Discharge Line Leak detectors.~~
- ~~3. Retesting. The retesting of tanks shall be in accordance with the requirements of this code.~~
- ~~4. Before tanks are placed into the hole they shall be tested with not less than three psi (20.60 kPa) or more than five PSI (34.48 kPa) air pressure. All leaks or deformations shall be corrected in a manner approved by the fire official before tanks are placed into the hole. Mechanical caulking is not permitted for correcting leaks in welded tanks.~~

#### ~~5703.7.2 Underground Flammable Liquid Storage Tank Testing~~

~~All underground flammable liquid storage tanks shall be subjected to the following test:~~

- ~~1. All tanks shall be strength tested before they are placed in service in accordance with the applicable provisions of the code or standard under which they were built. The American Society of Mechanical Engineers code stamp, American Petroleum Institute monogram, the label of the Underwriters' Laboratories, Inc., or the Underwriters' Laboratories of Canada or an approved equivalent identification label on a tank shall be evidence of compliance with the strength test.~~
- ~~2. Before tanks are placed into the hole, they shall be tested with not less than three psi (20.60 kPa) or more than five psi (34.48 kPa) air pressure. All leaks or deformations shall be corrected in a manor approved by the fire code official before tanks are placed into the hole. Mechanical caulking is not permitted for correcting leaks in a welded tank.~~
- ~~3. After tanks are set in the excavation and all lines are connected, another air test shall be conducted. This test must be conducted before the lines and the tank are covered over and before the tank is filled with product.~~
- ~~4. When the vertical length of the fill and vent pipes is such that when filled with liquid the static head imposed upon the bottom of the tank exceeds 10 psi (68.95 kPa), the tank and related piping shall be tested hydrostatically to a pressure equal to the static head imposed. In special cases where the height of the vent above the top of the tank is excessive, the hydrostatic test pressure shall be specified by the fire official.~~

~~5. Periodic tests of underground tank storage systems may be required by the fire official in accordance with the authority granted by this Title, to determine that leakage has not occurred.~~

~~6. All discharge lines from tanks utilizing submersible pumps for pressurization shall be tested to a pressure not less than twice the rated discharge head of the pump."~~

- **15.14.060 - Reserved.**

**Editor's note**— Ord. No. 14-39, § 6, adopted October 7, 2014, repealed § 15.14.060, in its entirety. Former § 15.14.060 pertained to amendments to the National Fire Prevention Code/1999 and was derived from Ord. 08-51 § 11 (part), adopted 2008.

- **15.14.065 - Open burning.**

A. Except as otherwise provided in this section, it is unlawful to build, light or ignite any bonfire to burn any refuse, waste paper, leaves, trash or any article or commodity which the *owner* or possessor thereof desires to destroy or dispose of, at any time anywhere in the Vvillage.

B. The following acts shall be permitted only in accordance with the provisions set forth in this section:

1. Commercial establishments may burn waste paper and other combustibles in a properly designed incinerator that has been approved by and a written permit issued by the Environmental Protection Agency of the state;

2. Controlled burning of structures or other property for training purposes by a duly authorized fire department or fire district is permitted where approved in writing by the village president and board of trustees and conducted by skilled personnel thereof, with fire trucks and other firefighting apparatus present, and where such burning may be accomplished without danger of fire spreading to other properties;

3. Burning required by the U.S. Army Corps of Engineers for wetland stabilization and the Illinois Environmental Protection Agency in permitted areas for ecological management is permitted where approved in writing by the fire official or his or her designee;

4. Annual homecoming bonfires for high schools situated with the Vvillage are permitted on school property only when placed a safe distance from buildings, under the supervision and control of school authorities and following guidelines for bonfire and burning established

by the Village fire department and when the police chief and fire chief of the village are given at least five days advance written notice;

5. The use of manufactured "fire pits" are allowed provided only approved natural woods (no construction material) are burned. The unit must be used only on a noncombustible surface with all components of the device in place and must be positioned at least fifteen (15) feet from any structure and ten (10) feet from any property line. The woods being burned must fit completely into the pit and an adult must be present during all times when the "pit" is in use. Fire pits shall not be used when the winds are stronger than ten (10) miles per hour. Homemade "pits" are not allowed;
6. The use of charcoal or LP gas barbeque grills is allowed only in conformance with the following provisions: no charcoal or LP gas barbeque grill, when in use, shall be operated on any balcony within ten (10) feet of any combustible construction, or less than ten (10) feet from any property line. No charcoal or LP gas barbeque grill when in use, shall be positioned under any horizontal structure such as a roof, ceiling, carport, canopy, and gazebo or positioned under any patio, porch or deck that is constructed of combustible, non-flame retardant material. The above referenced provision shall not be applicable if the location of the grill is protected by an automatic sprinkler system.

- **15.14.070 - Limits for flammable, hazardous or toxic chemicals, liquids and gases.**

- A. Purpose. This section shall regulate the storage, handling, processing, manufacturing and transportation of flammable, hazardous or toxic chemicals, liquids and gases.
- B. Establishment of Limits. Limits are established prohibiting or restricting the storage, handling, processing, manufacturing and transportation of flammable, hazardous, or toxic chemicals, liquids, and gases as set forth herein.
- C. Manufacturing or Storage of Explosives and Blasting Agents. The storage of explosives and blasting agents is prohibited within the corporate limits of the Village of Carpentersville, except by special permit issued by *the fire official*.
- D. Manufacturing, Sales or Storage of Fireworks. The manufacture, sales (including Class C fireworks/1.4G consumer fireworks) or storage of fireworks is prohibited within the corporate limits of the Village of Carpentersville, except by special permit issued by *the fire official*. In addition, any violation of the Fireworks Regulation Act of Illinois, 425

ILCS 30, *et seq.*, as amended from time to time, shall be a violation of this subsection.

1. Violation—Penalty. Any person, firm or corporation violating or being liable under this subsection shall be fined in the amount as set forth in Chapter 20.06, "Fines," for each offense of storage, and a separate offense shall be deemed committed on each day that such violation continues unabated.
2. Violation—Penalty. Any person, firm or corporation violating or being liable under this subsection shall be fined in the amount as set forth in Chapter 20.06, "Fines," for each offense of manufacture or sales, and a separate offense shall be deemed committed with each recurrence of such violation of the manufacture or sales provisions of this subsection.

E. Fireworks Display. Fireworks displays are only allowed by special permit from the *fire official*. All displays shall comply with the requirements of the state fire marshal.

1. Violation—Penalty. Any person, firm or corporation violating or being liable under this subsection shall be fined in the amount as set forth in Chapter 20.06, "Fines," for each offense, and a separate offense shall be deemed committed with each recurrence of such violations of this subsection.

F. Pyrotechnics. The use of indoor pyrotechnics is banned in the Vvillage.

G. Storage of Flammable Liquids in Outside Above-Ground Tanks. The storage of flammable liquid in outside above-ground tanks is prohibited within the corporate limits of the Vvillage of Carpentersville, except by special permit issued by the *fire official*.

H. Storage of Liquefied Petroleum Gases. The above-ground (over five hundred (500) gallons capacity) storage of liquefied petroleum gases is prohibited within the corporate limits of the Vvillage of Carpentersville, except by special permit issued by the *fire official*.

I. Routes for motor vehicles transporting explosives and blasting agents are established as follows:

1. Illinois State Route 68;
2. Illinois State Route 25;
3. Illinois State Route 31;
4. Randall Road;
5. Long Meadow Parkway.

There shall be no other routes permitted.

- J. Routes for motor vehicles transporting hazardous chemicals or other dangerous articles are established as follows:

1. Illinois State Route 68;
2. Illinois State Route 25;
3. Illinois State Route 31;
4. Randall Road;
5. Lake Marian Road;
6. Long Meadow Parkway.

There shall be no other routes permitted.

• **15.14.080 - Hazardous materials.**

- A. Statement of Liability. The recipients, benefactors, administrators, personal representatives, executors, successors, heirs or assigns thereof ("persons"), who are determined by the *fire official* to be recipients of emergency assistance or emergency services as a result of an incident involving known or potentially hazardous materials shall reimburse the Vvillage for any extraordinary expenses or supplies and equipment expended as a result of services or assistance provided. In addition, the parties set forth above shall reimburse any third parties for services rendered or supplies and equipment expenses as a result of their involvement in the incident. Said reimbursement to the Vvillage and all appropriate third parties shall also include the cost of all related medical monitoring or medical treatment of any representatives who, as a part of their association with the incident, may have come in contact with known or potentially hazardous materials.
- B. Definition. A "hazardous material" is defined as: any substance, material or mixture of substance which is toxic, corrosive, an irritant, strong sensitizer, radioactive, flammable, combustible or which generates pressure through decomposition, heat or other means, which may cause injury or illness to humans, domestic livestock or wildlife, or other material defined as hazardous by the Illinois Environmental Protection Act or any state or federal law.
- C. Incident Expense Recovery. A person causing or permitting a hazardous material incident shall be responsible jointly and severally for all of the following:
1. Reimbursement in full for any and all costs incurred by the Vvillage in responding to such hazardous materials incidents at the rate set forth in Chapter 20.02, "Fees," Section 20.02.010, "License and Permit Fees" of this code per hour per vehicle (or any fraction of an hour) in such response to a hazardous material incident, plus administrative expenses and interest as set forth below in subsection D;



2. Reimbursement in full for any and all costs incurred by the Vvillage for equipment and materials damaged, lost, spent, destroyed or rendered irreparable in connection with a hazardous materials incident, including costs of time of employees spent in replacing said equipment and materials;
  3. Reimbursement of and full liability for any and all costs of cleanup and removal resulting from a hazardous material incident, including, but not limited to, expenses charged by a third party as defined in subsection E below, which may be necessitated by such hazardous incident.
- D. Incident Expense Recovery Administration. The Vvillage shall prepare and forward to the person or persons causing or permitting a hazardous material incident a bill for the total casts and expenses incurred for which said person or persons are responsible pursuant to this section; provided, however, any costs in connection with any third party may be billed directly by such third party. Payment of the total bill shall be made within thirty (30) days of receipt. Any bill or portion of a bill remaining unpaid after thirty (30) days shall accrue interest on the unpaid balance at the rate of one and one-half percent per month, or fraction of a month.
  - E. Definition. The term "third party" as used herein means any person, persons, company, corporation or business entity specifically brought in to investigate or mitigate an incident. Such persons shall not be or include employees or officers of the Vvillage.
  - F. Limitation of Liability. The Vvillage, its former and current appointed and elected officials, officers, employees, agents and volunteers shall have no liability or responsibility for any claim, injury or damage of any kind resulting from a potentially hazardous material incident to which the Vvillage or any of its departments, officers, agents, or employees respond.
- **15.14.090 - Amendments to the Life Safety Code/~~2006~~2018 (NFPA 101).**
    - A. General Purpose. The Life Safety Code/~~2006~~2018 (NFPA 101), shall apply to all buildings and *structures* in the incorporated limits of the Vvillage of Carpentersville which are in existence at the time of the adoption hereof, or which may in the future be constructed and occupied, with respect to precautions against the origin and spread of fire, smoke, noxious gases and similar hazards, arising from the use of the buildings or *structures*, within the limitations of applicability stated in said code; shall apply to the proper use and maintenance of exit ways and all appurtenances and approaches thereto, fire protection and fire protective devices, and the practice of safety measures and precautions in the storage, handling and use of hazardous substance materials and devices; and shall provide for the issuance of permits and shall provide for all things and matters set forth in it as though

they were set out fully here and shall be in all respect a self-existing document.

B. The Life Safety Code/~~2006~~2018 (NFPA 101), adopted pursuant to Section 15.06.010, is amended as it applies within the Vvillage as follows:

1. Section 7.10.1.6, replaced entirely as follows: Floor proximity signs shall be required for all commercial buildings and businesses over two thousand five hundred (2,500) square feet, any place of assembly that serves alcohol, such as a nightclub, banquet hall, tavern, dance hall or for any occupancy where the fire official deems that signs are necessary for public safety. All such uses shall require floor proximity exit signs placed near the floor in addition to those signs required for doors and corridors. The signs shall be illuminated in accordance with 7.10.5. These signs shall be of the same size of the exit signs required in 7.10.6.1. The bottom of the sign shall not be less than six inches (15.2 cm) but not more than eight inches (20.3 cm) above the floor. For exit doors, the sign shall be mounted on the door or adjacent to the door with the nearest edge of the sign within four inches (10.2 cm) of the door. When applicable, the fire inspector can require a white strobe light that activates with the fire alarm located as close to the sign as possible.
2. Section 7.10, add: 7.10.10. Inoperable Exit Signs/Emergency Lighting. All commercial properties shall repair inoperable exit signs and emergency lighting within forty-eight (48) hours of noted violations. Consideration may be given when a device needs further repair where parts need to be ordered by a vendor.
3. Section 24.3.5.1, Sprinkler Requirements for One- and Two-Family Dwellings, deleted.

C. The following supplemental code provisions shall apply and, where in conflict with the life safety, shall control:

1. Illumination of Signs. All required exit signs shall be the red L.E.D. (light emitting diode) type or the self-luminous type.
2. Locked or Damaged Exit Doors. When an exit door is determined as inoperable and there is potential danger of the occupants not being able to safely exit the building, the fire chief or his or her designee may order the building closed until repairs are made.

D. Violations. The procedures for violations of the Life Safety Code/~~2006~~2018 (NFPA 101) shall be those set forth in Chapter 15.02 and elsewhere in this title, as applicable.

- E. The fire chief or his or her designee shall have the authority to write citations to the Life Safety Code/~~2006~~2018 (NFPA 101).

**15.14.100 - Public event on private property.**

- A. A permit is required prior to set-up of any apparatus related to an authorized carnival, circus, fair or similar public event. An application packet, in accordance with the permit application checklist provided by the community development department shall be complete and submitted to the *director* no less than fifteen (15) business days before the planned event.
- B. Permit requests shall be reviewed and approved by the fire, police, public works, and community development departments, as well as the village clerk.
- C. All permits shall be reviewed for compliance with the applicable building, plumbing, electrical and life safety codes of the Vvillage, as herein adopted and amended.
- D. For any event that the Vvillage deems necessary to require fire, police, or other Vvillage personnel to be on-site for during or after the event, reimbursement shall be made to the village for all over-time compensation costs to the Vvillage.
- E. Fees and Escrow. No permit shall be released until all fees, as required by Title 20, "Fees and Fines" of this code, and a cash escrow to cover the entirety of the Vvillage's estimated over-time compensation costs for providing Vvillage personnel to assist with the event are provided to the Vvillage following the event, any escrow balance shall be promptly paid by the permit holder or will be reimbursed by the Vvillage.

- **15.14.110 - Elevator inspection program and standards.**

- A. The ~~v~~Vvillage of Carpentersville adopts and provides for a program of elevator inspections (the "Program") to be operated and administered in compliance with the Elevator Safety and Regulation Act (225 ILCS 312/1 et seq.) (the "Act"), as amended, and any administrative rules adopted thereunder.
- B. The following standards, as published by the American Society of Mechanical Engineers, American National Standards, and American Society of Civil Engineers, are adopted by reference as the Elevator Codes of the Vvillage of Carpentersville and, except as modified in this chapter, each and all of the regulations, provisions and conditions and terms of the below listed standards are referred to, adopted and made a part hereof by reference as if fully set forth in this code:

1. American Society of Mechanical Engineers (ASME):
  - a. Safety Code for Elevators and Escalators (ASME A17.1-~~2005~~2019) A17.1(a)-2005 and A17.1(s)-~~2005~~2019;
  - b. Guide for Inspection of Elevators, Escalators, and Moving Walks (ASME 17.2-~~2004~~2020);
  - c. Safety Code for Existing Elevators and Escalators (ASME A17.3-~~2005~~2017);
  - d. Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A18.1-~~2005~~2017); and
  - e. Standard for the Qualification of Elevator Inspectors (ASME QEI-1-~~2004~~2018).
2. American National Standards:
  - a. Safety Requirements of Personal Hoists and Employee Elevators (ANSI A10.4-~~2004~~2016).
3. American Society of Civil Engineers (ASCE):
  - a. Automated People Mover Standards (ASCE 21-~~2000~~2005).

At least three copies of each of the referenced codes shall be kept on file in the office of Village Clerk for public inspection. Copies shall also be made available in the office of the director of code enforcement for public inspection.

- C. Inspection fees under the program shall be as set forth in Section 20.02.010 of this code.

**SECTION 3:** In all other respects, all other provisions of Chapter 15.14 of the Village Code remain unchanged.

**SECTION 4:** If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are provisionally repealed to the extent of such conflict during the term of effectiveness of this Ordinance.

**SECTION 6:** This Ordinance shall become effective on January 1, 2022.

Passed this 2<sup>nd</sup> day of November, 2021 by roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee Jeff Frost (Second)	<u>X</u>			
Trustee John O'Sullivan (Motion)	<u>X</u>			
Trustee Jim Malone	<u>X</u>			
Trustee Maria Vela			<u>X</u>	
Trustee Humberto Garcia	<u>X</u>			
Trustee Brenda Sandoval	<u>X</u>			
President John Skillman	<u>X</u>			

APPROVED THIS 2ND DAY OF NOVEMBER, 2021.



  
Village President, John Skillman

ATTEST:   
Village Clerk, Kelly Mastera

Published: November 8, 2021



## CERTIFICATION


I, Kelly Mastera, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Carpentersville, Kane County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Carpentersville.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Carpentersville, held on the 2nd day of November, 2021, the foregoing Ordinance entitled, ***An Ordinance Amending Chapter 15.14, Fire Prevention and Life Safety Codes and Amendments, of the Carpentersville Municipal Code***, as duly passed by the President and Board of Trustees of the Village of Carpentersville.

The pamphlet form of Ordinance No. ~~2021-~~ 36, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 8th day of November, 2021, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Carpentersville this 8th day of November, 2021.

  
\_\_\_\_\_  
Kelly Mastera, Village Clerk  
Village of Carpentersville,  
Kane County, Illinois



