

ORDINANCE NO. 001-2023

**AN ORDINANCE ADOPTING THE
2021 INTERNATIONAL FIRE CODE, WITH CERTAIN AMENDMENTS,
AS THE FIRE CODE OF THE LEYDEN FIRE PROTECTION DISTRICT**

WHEREAS, code officials have long recognized the need for a single, up-to-date Fire Code applicable throughout the country; and

WHEREAS, representatives of the three major code writing organizations, International Code Council (ICC), International Conference of Building Officials (ICBO), and Southern Building Code Congress International, Inc. (SBCCI), have joined together to develop one International Fire Code (IFC), for the entire country; and

WHEREAS, the Leyden Fire Protection District, Cook County, Illinois (the "District"), is a fire protection district duly organized under the laws of the State of Illinois; and,

WHEREAS, the Board of Trustees of the District (the "Board of Trustees") 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 of Trustees also has full power pursuant to 70 ILCS 705/6 to pass all necessary ordinances, and rules and regulations for the proper management and conduct of the business of the Board of Trustees of the District for carrying into effect the objects for which the District was formed; and

WHEREAS, Section 11 of the Fire Protection District Act (70 ILCS 705/11) (the "Act") empowers and makes it the legal duty and obligation of this Board of Trustees 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 Building and Fire Prevention Codes to protect the Public Health and Safety against the hazards of fire in buildings and structures; and

WHEREAS, the Board of Trustees of the District deems it in the best interest of the District to adopt a Fire Code similar to Cook County, Illinois, with certain amendments, as the District's Fire Code, with certain other amendments; and

WHEREAS, Cook County has adopted the 2021 International Fire Code with certain amendments and deletions.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Leyden Fire Protection District, Cook 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 Leyden 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: The Fire Prevention Code of the Leyden 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 as published by the International Code Council, as well as all appendixes, annual supplements thereto, and all referenced standards and codes therein. Each and all of the regulations, provisions, 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 4: 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 Leyden Fire Protection District in violation of any terms or provisions of this Ordinance.

SECTION 5: 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 6: 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 7: 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 (\$50.00) Dollars nor more than One Thousand (\$1,000.00) Dollars, 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 8: 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 \$50.00 or more than \$1,000.00.

SECTION 9: As an alternative or in conjunction with the imposition of a fine as provided in this Ordinance, the Leyden Fire Protection District may elect to seek injunctive relief from a court of equity requiring the compliance with the code, demolition of the offending structure, or removal of the offending condition. The Leyden Fire Protection District shall be entitled to an award of reasonable attorney's fees and court costs incurred in enforcing this ordinance through this provision.

SECTION 10: 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 11: In the event the District enters into, or has entered into, an Intergovernmental Agreement with another unit of local government concerning the enforcement of the Fire Prevention Code, then the standards and requirements of the Intergovernmental Agreement shall apply, and the provisions thereof are incorporated herein by reference, as if fully set out at length herein.

SECTION 12: The Board of Trustees of the District hereby declares 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 of Trustees that it would have passed all other portions of this Ordinance independent of the elimination 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: 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. All Ordinances in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

SECTION 15: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with the law.

ADOPTED this 9th day of May, 2023 by a roll call vote as follows:

AYES: 3

NAYS: 0

ABSENT: 0

ATTEST:

Secretary, Board of Trustees
Leyden Fire Protection District



President, Board of Trustees
Leyden Fire Protection District

EXHIBIT A

LEYDEN FIRE PROTECTION DISTRICT

IFC 2021 FIRE CODE WITH AMENDMENTS

AMENDMENTS TO THE INTERNATIONAL FIRE CODE

The District adopts the following sections of the 2021 IFC and excludes these sections not specifically listed below:

Chapter, Part 1
Chapters 2 through 11
Chapter 12 (except where it conflicts with Section 120-150)
Chapters 20 through 40
Chapters 50 through 67
Chapter 80
Appendices D through H, J, K and M.

IFC Section 101.1

Insert: "the Leyden Fire Protection District."

IFC Section 103.2

Amended to read: "The *fire code official* shall be appointed by the Board of Trustees of the Leyden Fire Protection District.

IFC Section 110.4

Amended to read:

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 (\$50.00) Dollars nor more than One Thousand (\$1,000.00) Dollars, 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.

As an alternative or in conjunction with the imposition of a fine as provided in this Ordinance or the Codes, the Leyden Fire Protection District may elect to seek injunctive relief from a court of equity requiring the compliance with the code, demolition of the offending structure, or removal of the offending condition. The Leyden Fire Protection District shall be entitled to an award of reasonable attorney's fees and court costs incurred in enforcing this Ordinance or the Codes through this provision.

IFC Section 112.4

Amended to read: 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 \$50.00 or more than \$1,000.00.

IFC Chapter 56

Notwithstanding any language to the contrary in this Chapter, all sales of consumer fireworks within the District must fully comply with Section 235.90 of the Illinois Administrative Code (41 ILL. Adm. Code §235.90) and obtain a permit from the District Fire Chief at least 15 days in advance of any display.

Any fireworks sales must be located in a structure or shopping container and may not be sold from a tent or vehicle.