

**ORDINANCE NO. 2025-O-09**

**AN ORDINANCE AMENDING ORDINANCE NO. 2024-O-01 BY AMENDING SECTION 112 – VIOLATIONS – OF THE AMENDED FIRE PREVENTION CODE FOR THE EAST DUNDEE AND COUNTRYSIDE FIRE PROTECTION DISTRICT**

**WHEREAS**, the East Dundee and Countryside Fire Protection District (the “District”) previously adopted Ordinance No. 2024-O-01, entitled “An Ordinance Adopting an Amended Fire Prevention Code for the East Dundee and Countryside Fire Protection District,” which approved and adopted an amended fire prevention code for the District; and

**WHEREAS**, Exhibit A to Ordinance No. 2024-O-01 includes Section 112, entitled “Violations,” which sets forth penalties and enforcement provisions for violations of the District’s fire prevention code; and

**WHEREAS**, the Board of Trustees of the District finds it necessary and appropriate to amend Section 112.4 and related provisions in order to (i) clarify violation penalties, (ii) establish a defined late payment penalty for unpaid fines, and (iii) expressly authorize methods of collection for unpaid fines, penalties, and related costs; and

**WHEREAS**, the Board of Trustees further finds that such amendments are in the best interests of the District and its residents and are necessary to promote and protect the public health, safety, and welfare by encouraging compliance with the fire prevention code and ensuring effective enforcement of violations;

**NOW THEREFORE BE IT ORDAINED** by the President and Board of Trustees of the East Dundee and Countryside Fire Protection District, Kane and Cook Counties, Illinois, as follows:

## SECTION ONE

### AMENDMENT TO SECTION 112 – VIOLATIONS

Section 112 of Exhibit A to Ordinance No. 2024-O-01, entitled "An Ordinance Adopting an Amended Fire Prevention Code for the East Dundee and Countryside Fire Protection District," is hereby amended by deleting the existing Section 112.4 in its entirety and substituting the following Section 112.4, Section 112.4.2, Section 112.4.2.1, Section 112.4.2.2, and Section 112.4.2.3 in lieu thereof:

#### **112.4 Violation Penalties.**

Persons who shall violate a provision of this code, or who shall fail to comply with any of the requirements thereof, or who shall erect, install, alter, repair, or do work in violation of the approved construction documents, the directives of the fire code official, or of a permit or certificate issued under provisions of this code, shall be guilty of an ordinance violation, punishable by a fine of not less than Fifty and 00/100 Dollars (\$50.00) nor more than One Thousand and 00/100 Dollars (\$1,000.00) per violation, plus court costs and all legal fees incurred by the District in enforcing this code and collecting any fine or penalty. Each day a violation continues after due notice has been served shall be deemed a separate offense.

**112.4.2 Failure to pay; additional penalty.** Any fine or penalty imposed pursuant to Section 112.4 that is not paid in full on or before the due date stated on the citation, invoice, or final notice of violation shall incur an additional late payment penalty equal to fifty percent (50%) of the unpaid fine, not to exceed the maximum fine allowed by law.

**112.4.2.1 Collection; liens.** Any fine, penalty, late charge, or cost imposed pursuant to this code that remains unpaid after the due date shall constitute a debt due and owing to the District. The District is authorized to use any lawful means of collection, including, without limitation:

1. Filing a civil action to recover such amounts;
2. Employing a collection agency; and
3. Recording a lien against the real property upon which the violation occurred, in the manner and to the extent permitted by applicable Illinois statutes.

**112.4.2.2 Recovery of costs and legal fees.** In addition to any fines and penalties provided in Sections 112.4 and 112.4.2, the violator and/or person responsible shall be liable to the District for all reasonable costs of enforcement and collection, including but not limited to court costs, filing and recording fees, title search fees, collection agency fees, and all legal fees incurred by the District.

**112.4.2.3 No waiver of other remedies.** The remedies and penalties set forth in Section 112.4.2 and its subsections are cumulative of any other remedies or enforcement procedures available to the District at law or in equity, and the exercise of any one remedy shall not be deemed a waiver of the right to exercise any other remedy.

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**SECTION TWO**

**SEVERABILITY**

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which shall remain in full force and effect.

**SECTION THREE**

**EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with law.

**PASSED** by the Board of Trustees of the East Dundee and Countryside Fire Protection District, Kane and Cook Counties, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2025.

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED** by the President of the Board of Trustees of the East Dundee and Countryside Fire Protection District, Kane and Cook Counties, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2025.

President, Board of Trustees  
East Dundee and Countryside  
Fire Protection District

ATTEST:

Secretary, Board of Trustees  
East Dundee and Countryside  
Fire Protection District

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