

ORDINANCE NO. 1978-M-37

AN ORDINANCE AMENDING THE FIRE PREVENTION CODE  
PRESCRIBING REGULATIONS GOVERNING CONDITIONS  
HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR  
EXPLOSION, AND ESTABLISHING A BUREAU OF FIRE  
PREVENTION AND PROVIDING OFFICERS THEREFOR  
AND DEFINING THEIR POWERS AND DUTIES

Be it ordained by the City Council for the City of St. Charles,  
Kane and DuPage Counties, Illinois:

1. That Ordinance 1967-17 entitled "An Ordinance Adopting a Fire  
Prevention Code Prescribing Regulations Governing Conditions Hazardous to  
Life and Property from Fire or Explosion and Establishing a Bureau of Fire  
Prevention and Providing Officers Therefor and Defining Their Powers and  
Duties" be and is hereby deleted and the following substituted therefore:

ARTICLE 1. ADOPTION OF FIRE PREVENTION CODE.

There is hereby adopted by the City Council for the City of St.  
Charles, Illinois, for the purpose of prescribing regulations governing  
conditions hazardous to life and property from fire or explosion, that  
certain code known as the (1) FIRE PREVENTION CODE recommended by the  
American Insurance Association, being particularly the 1976 edition thereof  
and the whole thereof, save and except such portions as are hereinafter  
deleted, modified or amended (by Article 5 of this ordinance), and (2) The  
National Fire Protection Association No. 101, 1976 edition, known as the  
LIFE SAFETY CODE, of which codes not less than three (3) copies have been  
and now are filed in the office of the Clerk of the City of St. Charles  
and the same are hereby adopted and incorporated as fully as if set out at  
length herein, and from the date on which this ordinance shall take effect,  
the provisions thereof shall be controlling within the corporate limits of  
the City of St. Charles, Illinois.

ARTICLE 2. ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION.

a. The Fire Prevention Code shall be enforced by the Bureau of  
Fire Prevention in the Fire Department of the City of St. Charles, Illinois,

which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.

b. The person in charge of the Bureau of Fire Prevention shall be designated by and serve at the pleasure of the Chief of the St. Charles Fire Department.

c. The Chief of the Fire Department may detail such members of the Fire Department as inspectors as shall from time to time be necessary.

d. Reports of the Bureau of Fire Prevention shall be made periodically and transmitted to the Chief Executive Officer of the municipality, it shall contain all proceedings under this code, with such statistics as the Chief of the Fire Department may wish to include therein; the Chief of the Fire Department shall also recommend any amendments to the Code which, in his judgment, shall be desirable.

#### ARTICLE 3. DEFINITIONS.

a. Wherever the word "Municipality" is used in the Fire Prevention Code, it shall be held to mean the City of St. Charles, Illinois.

b. Wherever the term "Corporate Counsel" is used in the Fire Prevention Code, it shall be held to mean the Attorney for the City of St. Charles, Illinois.

c. Wherever the term "Permit" is used, it shall be held to mean a "Special Permit" issued by the Bureau of Fire Prevention.

#### ARTICLE 4. ESTABLISHMENT OF HAZARDOUS MATERIALS, LIQUIDS AND GASES LIMITS.

a. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED.

- 1) The limits referred to in Section 12.5b of the American Insurance Association's Fire Prevention Code, in which storage of explosives and blasting agents is prohibited are:

All areas of the City except by Special Permit from the Bureau of Fire Prevention.

b. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE ABOVE GROUND TANKS IS TO BE PROHIBITED.

- 1) The limits referred to in Section 16.22a of the American Association's Fire Prevention Code in which storage of flammable liquids in outside above ground tanks is prohibited are:

All areas of the City except by Special Permit from the Bureau of Fire Prevention.

c. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH BULK STORAGE OF LIQUIFIED PETROLEUM GASES IS TO BE RESTRICTED.

- 1) The limits referred to on Section 21.6a of the American Insurance Association's Fire Prevention Code, in which bulk storage of liquified petroleum gases is restricted are hereby established as:

All areas of the City except by Special Permit from the Bureau of Fire Prevention.

d. ESTABLISHMENT OF MOTOR VEHICLE ROUTES FOR VEHICLES TRANSPORTING EXPLOSIVES AND BLASTING AGENTS.

- 1) The routes referred to in Section 12.7m of the American Insurance Association's Fire Prevention Code for vehicles transporting explosives and blasting agents are hereby established as follows:

By Special Permit from the Bureau of Fire Prevention.

e. ESTABLISHMENT OF MOTOR VEHICLE ROUTES FOR VEHICLES TRANSPORTING HAZARDOUS CHEMICALS OR OTHER DANGEROUS ARTICLES.

- 1) The routes referred to in Section 20.14 of the American Insurance Association's Fire Prevention Code for vehicles transporting hazardous chemicals and other dangerous articles are hereby established as follows:

All state and federal highways; other areas only by Special Permit from the Bureau of Fire Prevention.

ARTICLE 5. AMENDMENTS MADE IN THE FIRE PREVENTION CODE.

The Fire Prevention Code, recommended by the American Insurance Association being particularly the 1976 edition, is amended and changed in the following respects:

A) Amend Section 1.9. Permits. (e) to read:

"Section 1.9. Permits.

"Two types of permits are used. Prior to issuance, application, review and approval of process, operation, storage or use shall be made by the Bureau of Fire Prevention. They are:

- 1) Annual Permits - To insure that no unusual hazards have been installed or stored in the premises and to insure that the owner and/or occupant is familiar with his responsibility with regard to safe fire practices.
- 2) Special Permits - To provide for the safety of extra but occasional hazards. The time limits and extra precautionary steps in conjunction with this permit may vary with the hazard."

B) Add the following to Section 1.12. Definitions:

"Section 1.12. Definitions:

"Building Code - the St. Charles Building Code."

"Fire Suppression System - shall mean an approved fire control and extinguishing system".

"Municipality - The City of St. Charles, Illinois."

C) Amend Section 2.2 Permit Required to read:

"Section 2.2 Permit Required

"An annual permit shall be required to conduct or maintain any tire recapping or rebuilding plant."

D) Amend Section 3.2. Permit Required to read:

"Section 3.22 Permit Required

"An annual permit shall be obtained to conduct or maintain any automobile wrecking yard, junk yard or waste material handling plant."

E) Amend Section 3.5. Construction and Protection. to read:

"Section 3.5. Construction and Protection.

"Handling and storage of waste paper, rags or other combustible materials shall be in a building which is equipped with an approved automatic fire suppression system."

F) Amend Section 4.2. Permit Required. to read:

"Section 4.2. Permit Required.

"A Special Permit shall be required for bowling lane resurfacing operations and for bowling pin refinishing.

G. Amend Section 5.2(a) Permit Required. to read:

"Section 5.2(a) Permit Required.

"a. No person shall store, keep or have on hand more than 25 pounds (for 35mm. film about 5,000 feet) of nitrate motion picture film without an annual permit."

H) Amend Section 6.2(a) Permit Required. to read:

"Section 6.2(a) Permit Required.

"a. All retailers, jobbers and wholesalers storing or handling more than 25 pounds of cellulose nitrate plastics (pyroxylin) shall obtain an annual permit."

- I) Add: "Section 7.6. Location. as follows:  
"Section 7.6. Location.  
"Storage and handling of combustible fibers in quantities in excess of 10 cubic feet shall be allowed only by Special Permit issued by the Bureau of Fire Prevention."
- J) Amend Section 0.2. (a) Permit Required. to read:  
"Section 0.2. (a) Permit Required.  
"a. No person shall engage in the business of dry cleaning without an annual permit which shall prescribe the class of system to be used."
- K) Add: "Section 9.8. Automatic Extinguishing Systems. as follows:  
"Section 9.8. Automatic Extinguishing Systems.  
"Each existing building with Class I or Class II systems and each new building with Class II or Class IIIA or IIIB systems shall be provided with complete automatic sprinkler protection."
- L) Amend Section 11.2. Marking of Exitways (a) and (b) to read:  
"Section 11.2. Marking of Exitways (a) and (b)  
"a. On floors or in rooms accommodating more than 50 persons required exit doorways shall be plainly marked by approved exit signs sufficiently illuminated when the floor area is occupied, to be readily distinguished.  
  
b. Where exit doorways are not visible from all locations, illuminated directional signs as required by the Bureau of Fire Prevention, shall be placed on walls or otherwise displayed in conspicuous locations to direct occupants to exit doorways."
- M) Add to Section 11.3. Lighting of Exitways. the following:  
"Section 11.3. Lighting of Exitways.  
"Required stairways, hallways, and other means of egress including exterior open spaces to or through which exitways lead shall be adequately lighted at all times that the building served thereby is occupied. Power supplies shall be from an approved, unfailing, reliable source separate from that providing normal power supplies to the building."
- N) Add: "Section 11.6. Number and Location of Exits. as follows:  
"Section 11.6. Number and Location of Exits.  
"a. All rooms and/or buildings with an occupant load for (20) or more persons shall have two (2) separate means of egress. Each tenant space shall have access to two means of egress."
- O) Add to Section 13.4. Bond and Responsibility for Fireworks Display Required. the following:  
"Section 13.4. Bond and Responsibility for Fireworks Display Required.  
"Public liability insurance in amounts not less than \$1,000,000 bodily injury and \$250,000 property damage and the City of St. Charles shall be added as an additional insured."
- P) Add: "Section 14.6. Fire Alarm Systems. as follows:  
"Section 14.6. Fire Alarm Systems.  
"a. The Bureau of Fire Prevention shall inspect and approve all design criteria, equipment and final installations. Design criteria shall follow nationally accepted practices.

- 1) Individual tenant spaces shall be provided with indicator lights near the entrance to each tenant space.
- 2) Approved automatic fire suppression systems shall be accepted where approved fire alarm systems are required.
- 3) Approved automatic detection equipment shall be provided to protect all building areas and shall be of a type to give prompt notification depending on hazards present. Approved smoke type detection shall be provided in residential uses.
- 4) Where required from hazard to life and property, the fire alarm system shall be supervised and shall terminate at an approved point from which the fire department will be immediately notified of activation of the alarm system.
- 5) All fire alarm system designs and components for such systems shall be in accordance with nationally recognized standards. NFPA 72 A shall be the minimum design criteria. Underwriter's Laboratories, Inc. listings are acceptable as system components."

"b. Approved fire alarm system, including automatic detection, shall be provided in the following locations:

- 1) Residential Uses
  - a) All hotels, motels, lodging houses, dormitories, apartments, town/row houses, and similar occupancies with three or more living units shall be equipped with an approved fire alarm system.
  - b) All buildings having multiple uses including residential use shall be equipped with an approved fire alarm system.
- 2) Schools
  - a) All school buildings shall be equipped with an approved fire alarm system.
- 3) Other Uses
  - a) In all other uses over one story in height and in such one story buildings exceeding 5,000 square feet in area."

Q) Add to Section 16.27. Testing. the following:

"Section 16.27. Testing.

"f. All tanks and piping not over 15 years old shall be re-tested every five (5) years and every two (2) years thereafter. A certificate of such test shall be sent to the Bureau of Fire Prevention."

- R) Add to Section 16.37. Testing. the following:  
"Section 16.37. Testing.  
"b. All tanks and pipings not over 15 years old shall be retested every five (5) years and every two (2) years thereafter. A certificate of such tests shall be sent to the Bureau of Fire Prevention."
- S) Add to Section 16.41. Scope. the following:  
"Section 16.41. Scope.  
"c. No aggregate capacity in excess of five (5) gallons shall be allowed without a Special Permit issued by the Bureau of Fire Prevention."
- T) Amend Section 16.99. Parking and Garaging. to read:  
"Section 16.99. Parking and Garaging.  
"a. No tank vehicle shall be left unattended on any street, highway, avenue or alley. During actual discharge of the liquid, some responsible person shall be present at the vehicle."  
"b. Tank vehicles containing flammable or combustible liquids shall not be parked unattended on private property indoors or outdoors without Special Permit issued by the Bureau of Fire Prevention."
- U) Amend Section 20.3(a) Permit Required. to read:  
"Section 20.3(a) Permit Required.  
"A Special Permit shall be required for the storage and handling of any hazardous chemicals."
- V) Amend Section 21.3(a) Permits and Reports of Installations. to read:  
"Section 21.3(a) Permits and Reports of Installations.  
"A Special Permit for each installation of liquified petroleum gas shall be obtained from the Bureau of Fire Prevention."
- W) Amend Section 21.10(a) Parking and Garaging. to read:  
"Section 21.10(a) Parking and Garaging.  
"a. No LP-Gas tank vehicle shall be left unattended on any street, highway, avenue, or alley. During actual discharge of the liquid, some responsible person shall be present at the vehicle."  
"b. Tank vehicles containing LP-Gas shall not be parked indoors or outdoors except by Special Permits issued by the Bureau of Fire Prevention."
- X) Add Section 22.6. Location. as follows:  
"Section 22.6. Location.  
"Lumber Yards and Woodworking Plants shall be located only in areas having prior approval by the Bureau of Fire Prevention."

- Y) Amend Section 23.3. Permit Required. to read:  
"Section 23.3. Permit Required.  
"Magnesium storage, handling and processing shall be allowed only by Special Permit issued by the Bureau of Fire Prevention."
- Z) Add to Section 28.3. Smoking Prohibited Under Certain Conditions. the following:  
"Section 28.3. Smoking Prohibited Under Certain Conditions.  
"e. Areas devoted to persons other than employees shall be considered hazardous and smoking shall be prohibited. This normally would include stores and places of assembly where more than 10 persons may congregate.  
  
"f. Smoking shall be prohibited in stores, offices and sleeping areas in hotel, motel, and similar occupancies. Appropriate notice shall be posted in each such area."
- AA) Amend Section 28.16. Fire Department Access. to read:  
"Section 28.16. Fire Department Access.  
"a. Public or private access shall be provided to each building so that the first responding fire department pumper unit will be so located that all points of the interior of the building may be reached by 150 feet of fire department initial attack hose."  
  
Exception - Where size of building and height of building does not allow this criteria to be met and interior stand-pipe system connected to a public water system and equipped with a fire department connection, the above criteria may be considered met when approved by the Fire Prevention Bureau.  
  
"b. Public or private access for motor fire apparatus shall be provided around the building so that it may be properly laddered and operation of mechanical elevated mechanism may be properly utilized. Minimum width of the access routes shall be 12 feet with greater widths to accommodate vehicles when turning.  
  
"c. Access routes shall be so arranged that fire department apparatus may respond from all points of the building to adjacent fire hydrants along routes not to exceed 300 feet from the most remote point of the building to the closest fire hydrant.  
  
"d. Fire lanes on private property shall be approved by the Bureau of Fire Prevention and parking of motor vehicles or otherwise obstructing such fire lanes or access routes shall be prohibited at all times.  
  
"e. Private fire department access roads and ways shall be properly designed, maintained and accessible at all times.  
  
"f. Access routes shall be circulating for adequate fire apparatus movement.  
  
"g. Access roads shall be not less than 15 feet from buildings."

BB) Add Section 28.17 Water Supplies for Fire Department Use as Follows:

"Section 28.17 Water Supplies for Fire Department Use

"a. Water Supplies - Quantity

The following water supplies shall be available commensurate with the hazards therein:

- 1) Detached Single Family - 1000 to 1500 gpm
- 2) Town/Row or Cluster Housing - 1500 to 2000 gpm
- 3) Apartment Type Construction - 3000 to 4000 gpm
- 4) Industrial Type Development - 3000 to 5000 gpm
- 5) Research and Developmental Laboratories - 3000 to 4000 gpm
- 6) Business and Commercial Areas - 3000 to 4500 gpm
- 7) Mercantile Centers - 3000 to 6000 gpm

"b. Fire Hydrant Locations

- 1) Fire hydrants shall be located along public streets so that no portion of the building will be over 300 feet from a fire hydrant. Where this is not possible additional hydrants should be located on the premises accessible to motorized fire apparatus.
- 2) One hydrant shall be located at each intersection and intermediate hydrants where distance between intersections exceeds 400 feet.
- 3) In apartments, townhouses, condominiums, town/row or cluster housing areas where streets or parking lots dead end, hydrants shall be placed along the access route.
- 4) At least two (2) fire hydrants shall be located within 300 feet of the building.
- 5) Additional fire hydrants shall be provided within 500 feet of the building so that the fire flow required divided by 1000 will equal the number of hydrants available.
- 6) Hydrants should be so located that:
  - a) Hydrants will be located approximately 10 feet from all-weather roadways. If this cannot be done, the closest part of the hydrant shall be setback at least two feet from the curb line.

- b) Hydrants should be located approximately 50 feet from the building to be protected.
  - c) Access to fire hydrants shall be by all-weather roadways adequate in width, clearance and strength for fire fighting purposes. Such routes shall be maintained accessible during all seasons of the year. Legal provisions will be required for private roads.
- 7) Fire hydrants used in conjunction with water supplies shall meet the standards of the American Water Works Association Standard No. C-502, and shall have two 2½ inch and one 4½ inch outlets with auxiliary gate valves on the hydrant branch line. Threads shall be American National Standard. Pumper outlets shall face roadways.
  - 8) Fire hydrants shall be protected from accidental damage by approved methods when located in areas subject to vehicular damage.
- CC) Add Section 28.18. Fire Extinguishers. as follows:  
"Section 28.18 Fire Extinguishers  
"a. Installation and maintenance of fire extinguishers shall be provided in accordance with the National Fire Protection Association No. 10, PORTABLE FIRE EXTINGUISHERS, 1978 edition.
  - DD) Add "Section 28.19. Identification of Fire Hazard of Materials. as follows:  
"Section 28.19 Identification of Fire Hazard of Materials  
"Any hazardous material shall be identified for health, flammability, and reactivity in accordance with practices specified in the National Fire Protection Association No. 704 IDENTIFICATION SYSTEM FOR FIRE HAZARDS AND MATERIALS, 1975 edition."

#### ARTICLE 6. MODIFICATIONS.

The Chief of the Bureau of Fire Prevention shall have power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or leasee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the Bureau of Fire Prevention thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

ARTICLE 7. APPEALS

Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code so not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the City Council within 30 days from the date of the decision appealed.

ARTICLE 8. NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.

The Building Commissioner, the Chief of the Fire Department and the Chief of the Bureau of Fire Prevention shall act as a Committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in said code. The Chief of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

ARTICLE 9. PENALTIES.

a. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued 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 St. Charles Fire Department or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively be fined not less than \$25.00 nor more than \$500.00. When not otherwise specified, each ten day period that a prohibited condition is maintained shall constitute a separate offense.

b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

ARTICLE 10. REPEAL OF CONFLICTING ORDINANCES.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code hereby adopted are hereby repealed.

ARTICLE 11. VALIDITY.

The City Council for the City of St. Charles, Illinois, hereby declares that should any section, paragraph, sentence or work of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of said City Council that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

2. That Ordinance 1967-17 as hereinabove amended shall remain in full force and effect.

3. That this ordinance shall be in full force and effect from and after its passage, approval and publication pursuant to law.

PRESENTED to the City Council of the City of St. Charles this 2nd day of October, 1978.

PASSED by the City Council of the City of St. Charles this 2nd day of October, 1978.

APPROVED by the Mayor of the City of St. Charles this 2nd day of October, 1978.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Council Vote:

Ayes: 8

Nayes: 0

STATE OF ILLINOIS )  
 )  
COUNTIES OF KANE AND DUPAGE ) SS.  
 )  
CITY OF ST. CHARLES )

This is to certify that the above and foregoing is a true and correct copy of Ordinance No. 1978-M-37 entitled An Ordinance Amending the Fire Prevention Code Prescribing Regulations Governing Conditions Hazardous to Life and Property From Fire or Explosion, and Establishing a Bureau of Fire Prevention and Providing Officers Therefor and Defining Their Powers and Duties

passed by the City Council of the City of St. Charles on the 2nd day of October 1978 A.D., as morefully appears from the records and files of said City in my custody.

Given under my hand and the official seal of said City of St. Charles, this 2nd day of October 1978 A.D.

  
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Mary E. Chrencik, City Clerk