

FIRE PREVENTION CODE

Chapter 15.28

FIRE PREVENTION CODE⁴

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15.28.320	Section 28.16 amended - fire department access. (REMOVED)
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15.28.350	Section 28.19 added - identification of fire hazard of materials. (REMOVED)

15.28.010 Fire Prevention Code, Life Safety Code - adopted - modifications.

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The provisions of a) the ICC International Fire Prevention Code, 2003 edition as published by the International Code Council, Inc. 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, and b) the NFPA 101 Life Safety Code, 2003 edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, are hereby adopted by reference as if fully set forth herein, together with the amendments listed herein, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion. These codes and amendments thereto shall be known as the "City of St. Charles Fire Prevention Code."
(Ord. 2004-M-76 § 1; Ord. 1988-M-15 § 1; Ord. 1978-M-37 Art. 1.)

15.28.020 Bureau of Fire Prevention – Establishment & Duties.

- A. The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the department of the City, which is established and which shall operate 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; said reports shall contain all procedures 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.

(Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 2.)

15.28.030 Definitions.

- A. Wherever the words "Fire Prevention Code" or "Code" are used, they shall be held to mean the City of St. Charles, Illinois, Fire Prevention Code.
- B. Wherever the word "Municipality" is used in the Fire Prevention Code, it shall be held to mean the City of St. Charles, Illinois.
- C. Wherever the term "Corporation Counsel" is used in the Fire Prevention Code, it shall be held to mean the City Attorney for the City of St. Charles, Illinois.
- D. Wherever the term "Fire Officials," "Fire Inspector," "Inspector," "Code Official," "Authority Having Jurisdiction," or "Fire Marshal" is used, it shall be held to mean the Fire Marshal of the City of St. Charles, Illinois.
- E. Wherever the term "Bureau of Fire Prevention" is used, it shall be held to mean the Bureau of Fire Prevention of the City of St. Charles, Illinois.

(Ord. 2004-M-76 § 1; Ord. 1988-M-15 § 1; Ord. 1978-M-37 Art. 3.)

15.28.040 Limits for the storage, handling, processing, manufacturing and transportation of flammable, hazardous or toxic chemicals, liquids and gases.

- A. Prohibited Storage of Explosives and Blasting Agents. The storage, handling and use of explosives and blasting agents are hereby prohibited.
- B. Prohibited Storage of Flammable and Combustible Liquids. The storage of flammable and combustible liquids in outside, above-ground tanks is hereby restricted as follows: As approved by the Fire Prevention Code by the City of St. Charles, Illinois 60174. See F-2206.2.3.
- C. Prohibited Storage and Manufacturing of Fireworks. The manufacture, sale, handling, use or storage of fireworks is prohibited within the corporate limit of the City of St. Charles. See F-3301 (pg. 265), Explosives & Fireworks.
- D. Restricted Bulk Storage of Liquefied Petroleum Gases. The bulk storage of liquefied petroleum gases in excess of 500 gallons of water capacity is hereby prohibited.
- E. Motor Vehicle Routes for Transporting Hazardous Chemicals and Other Dangerous Articles Including Liquefied Petroleum Gases and Combustible and Flammable Liquids. Routes for vehicles transporting hazardous chemicals and other dangerous articles including combustible and flammable liquids are hereby established as follows:
 - 1. Routes approved by the state or federal governments.
 - 2. No tank vehicles shall be parked for over one hour or left unattended at any time.

(Ord. 2004-M-76 § 1; Ord. 1988-M-15 § 1; Ord. 1978-M-37 Art. 4.)

15.28.050 Amendments to the ICC International Fire Prevention Code 2003.

1. Section 101.1 insert the name of jurisdiction: “City of St. Charles, Kane and DuPage Counties, Illinois.”
2. Section 105.6.28, including exceptions 1 and 2, is hereby deleted in its entirety and the following shall be substituted therefore:
105.6.28 LP-gas. An operational permit is required for any storage and use of LP-gas over 30 gallons water capacity.
3. Amend Section 108.3 to read as follows:
108.3 Qualifications. The City Council of the City of St. Charles, Illinois, shall serve as the Board of Appeals.
4. Amend Section 307.1 (pg. 26) to read as follows:
307.1 General. A person shall not cause or allow open burning except as provided by City Ordinance or by Special Permit.
5. Amend Section 307.2 (pg. 26) to read as follows:
307.2 Permit Required. Open burning other than allowed by City Ordinance shall be allowed only after applying for and receiving a special permit from the Bureau of Fire Prevention for controlled burning for range and wildlife management practices, prevention or control of disease or pests, or special functions.

Open burning shall only be allowed when the following requirements have been met:
 - a) A special permit shall be requested by and issued to the owner of the property upon which the burning is to be kindled.
 - b) Applications for open burning shall be submitted in writing at least fifteen (15) days before the fire is to be kindled.
 - c) All applications shall, as a minimum, contain information regarding the purpose of the burning, the nature, and approximate quantities of material to be burned, the date, time, and location of the burning site.
 - d) The location of the burning site shall be not less than fifty (50) feet from any structure.
 - e) No flammable or combustible liquids or solids shall be used to start or assist in starting or assist in the accelerated spread of the fire.
 - f) The fire shall not be used for waste disposal purposes and the fuel shall be chosen to minimize the generation of air contaminates.
 - g) Only clean, well-seasoned wood shall be used. Wood which has been coated on the surface or pressure treated with any chemical that is in any way harmful or hazardous to a person’s health or well-being shall not be used.
 - h) The fire shall not burn for more than two (2) hours.
 - i) Any open burning shall be constantly attended until the fire has been extinguished.
 - j) Fire extinguishment equipment shall be available for immediate use.
 - k) All open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.
 - l) Open burning prohibited: The Fire Official shall order the extinguishment, by the permit holder, or the Fire Department, of any open burning which creates or adds to a hazardous condition or objectionable situation.
6. Section 307.3.1 (pg. 27) Bonfires is hereby deleted in its entirety.
7. Amend Section 307.3.2 (pg. 27) Recreational Fires to include outdoor fireplaces or pits.
8. Section 308 (pg. 27) Open Flames is hereby amended as follows:
 - a) 308.3.2 Open flame decorative devices. Delete exception #10.
 - b) 308.3.5 Religious ceremonies. Delete in its entirety.
 - c) 308.3.7 Group A occupancies. Delete exceptions #1, 2, & 3.
9. Section 311.2.2 (pg. 29) Fire Protection. Delete Exceptions #1 and 2.

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10. Add Sections 315.4, 315.5 and 315.6 as follows:

315.4 Stock Maintenance. All stock shall be kept in a neat, orderly, compact manner in accord with good housekeeping practices. Storage shall not be within two (2) feet of the ceiling or the floor or roof structural members, eighteen (18) inches from the sprinkler heads nor shall storage obstruct egress from a building.

315.5 Packing Materials. Wherever and whenever stock is dispensed directly from a shipping container and combustible material is used as protective packing, such packing material shall be removed from the container and taken care of by removing to the outside in closed containers. Such containers shall be kept closed at all times except when removing stock therefrom.

315.6 Removal of Packing and Waste Materials. No persons shall store in any building excess amounts of combustible empty packing cases, wooden or plastic pallets, barrels, boxes, rubber tires, shavings, excelsior, rubbish, paper bags, litter, hay, straw and similar combustibles. Aisleways and storage of the above mentioned combustibles necessary for the performance of business shall be kept in an orderly and neat manner. Combustible materials shall be removed daily or more often as is necessary to suitable vaults, bins, dumpsters, compactors or separate buildings. Such practices shall be as approved by the Fire Marshal.

11. Add Section 316 as follows:

316 Miscellaneous Provisions

316.1 Tenant Separation. Each tenant space shall be separated from other tenant spaces and corridors by walls, partitions, and floor-ceiling assemblies having at least a one- (1-) hour approved fire resistance rating.

316.2 Hazardous Areas. Rooms used for storage, boiler or furnace rooms, fuel storage, janitors closets, maintenance shops, electric utility rooms, kitchens, sprinkler rooms and similar uses shall be separated from other building areas by assemblies having a fire resistance rating of not less than one hour with appropriate protection of openings into the rooms.

316.3 Fire Procedure Notice. Owners, managers, and agents of multiple dwelling units with three (3) or more units, motels, hotels and places of assembly shall post and maintain in a conspicuous location within each dwelling unit and in access routes, a written notice which explains what procedures to use in the event of a fire. The notice shall contain a diagram of all fire exits.

316.4 Fire Extinguishers. Each building, other than single family residential, shall be equipped with one or more fire extinguishers of a type, size, and location as specified by the Fire Marshal.

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12. Add Sections 503.7, 503.7.1, 503.7.2, 503.7.3, 503.7.4, 503.7.5, 503.7.6, 503.7.7, 503.7.8, 503.7.9, 503.7.10 and 503.7.11 as follows:

503.7 Public Access and Fire Lanes on Private Property, Devoted to Public Use, shall be provided so that:

503.7.1 Public or private access is provided to each building so that the first responding fire department pumper unit will be able to be so located that all points of the interior of the building may be reached by one hundred fifty (150) feet of initial attack hose.

503.7.2 Where the size or height of the building does not allow this regulation to be met, an interior standpipe system equipped with fire department hose connections approved by the Fire Official may be allowed as an exception. The standpipe system shall be connected to a public water system.

503.7.3 Design and installation shall meet the design criteria for a Class I or III system of NFPA No. 14.

503.7.4 Public or private access for motor fire apparatus shall be provided around the building so that there may be proper operation of ladders and mechanically elevated mechanisms. Minimum width of the fire lanes shall be 20 feet with greater widths to accommodate vehicles when turning and laddering buildings.

503.7.5 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 three hundred (300) feet from the most remote point to the building to the closest fire hydrant.

503.7.6 Fire lanes on private property shall be approved by the Fire Marshal, and parking of motor vehicles otherwise obstructing such fire lanes or access routes shall be prohibited at all times. Permanent all-weather signs identifying fire lanes and access ways shall be posted.

503.7.7 Public or private fire department access roads and ways shall be all weather, properly maintained and accessible at all times. Such access roads and ways shall be a minimum of six (6) inches of granular stone surfaced by at least two (2) inches of bituminous asphalt material or such other construction acceptable to the Fire Marshal.

503.7.8 Access roads shall be not less than fifteen (15) feet from the building and further if the height of the building requires a greater setback to ladder the buildings.

503.7.9 Access routes shall be continuous around the building.

503.7.10 This requirement may be modified by the Fire Marshal where adequate building access openings and a complete fire suppression system are provided.

503.7.11 Where cul de sacs are permitted, they shall not be less than ninety (90) feet in diameter. The maximum length of the cul de sac shall be one hundred (100) feet.

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13. Add Sections 506.3, 506.4, 506.5 and 506.6, as follows:
- 506.3 Purpose and applicability.** The purpose of the rapid entry key system is to allow the fire department to gain immediate access to a building in emergency situations without forcible entry. The Fire Marshal shall require all buildings to have an approved key box system. An application form is available at the Fire Prevention Bureau Office.
- 506.4 Location.** The installation of the approved key box shall be approved by the Fire Marshal. The box shall be located not more than six (6') feet above grade. The key box may be supervised by a tamper switch.
- 506.5 Contents.** The approved key box shall contain keys to gain necessary access as required by the Fire Marshal.
- 506.6 Alarms.** The key box may be connected to the building's fire alarm system. The tamper switch shall be as a trouble or supervisory signal on the fire alarm system.
14. Delete the provisions of Sections 508.5 and 508.5.1, including the exceptions to 508.5.1 but retaining the provisions of Sections 508.5.2 through 508.5.6, and substitute the following therefor:
- 508.5 Fire Hydrant Systems.** This section defines water supplies for fire department use for new buildings and structures. Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6.
- 508.5.1 Water supply; where required.** All buildings or structures shall be served by a public water supply system meeting the following criteria: The system shall be under pressure with an average static pressure of not less than 35 pounds per square inch (psi). Flows shall be calculated at 20 psi residual pressure. Water supplies shall be available for a continuous four-hour duration. Water supplies shall be delivered under pressure to fire hydrants located as follows:
- 508.5.1.1 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 shall be located on the premises accessible to motorized fire apparatus.
- 508.5.1.2 One hydrant shall be located at each intersection and intermediate hydrants shall be placed where the distance between intersections exceeds 400 feet.
- 508.5.1.3 At least two (2) fire hydrants shall be located within 300 feet of the building.
- 508.5.1.4 Additional fire hydrants shall be provided within 500 feet of the building so that the fire flow required divided by 1,000 will equal the number of hydrants available.
- 508.5.1.5 Hydrants shall be located approximately ten (10) feet from an all-weather roadway. If this cannot be done, the closest part of the hydrant shall be set back at least five (5) feet from the curb line.
- 508.5.1.6 A fire hydrant shall be located within 75 feet of the fire department connection.

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508.5.1.7 Hydrants shall be located approximately 50 feet from the building to be protected.

508.5.1.8 Access to fire hydrants shall be all-weather roadways adequate in width, clearance and strength for fire fighting purposes. Such routes, including private roadways, shall be maintained accessible during all seasons of the year. Legal provisions will be required for private roads.

508.5.1.9 Fire hydrants shall meet the requirements of the City of St. Charles and the standards of the American Water Works Association, and shall have two and one-half (2½) inch outlets and one (1) four and one-half (4½) inch outlet with auxiliary gate valves on the hydrant branch line. Threads shall be American National Standard. Pumper outlets shall face roadways.

15. Amend Section 605.1 to read as follows:
605.1 Abatement of Electrical Hazards. Identified electrical hazards shall be abated. Identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the code official responsible for enforcement of the electrical code as adopted in Section 15.04.040 of the St. Charles Municipal Code. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.
16. Add Section 605.10 as follows:
605.10 Ground fault protection. Ground fault protection of equipment, including a remote key operated shunt trip switch, shall be provided for any service of 800 amperes and above.
17. Add Section 610.2.1 as follows:
610.2.1 Protection of kitchen exhaust ducts. All commercial kitchen exhaust ducts shall be protected by a U.L. listed one- (1-) hour fire-rated assembly. A listed kitchen duct wrap is an approved method.
18. Amend Section 901.6 to read as follows:
901.6 Inspection, testing and maintenance. Fire detection and alarm systems, fire extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other fire protection systems and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as approved by the fire code official. The fire code official shall be notified before any required acceptance testing. A qualified technician shall annually inspect, test and maintain all fire protection systems, including but not limited to fire alarm, sprinkler systems and fire pumps.
19. Amend Section 901.7 and add Section 901.7.1 as follows:
901.7 System out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service. Automatic fire suppression systems shall not be out of service for more than eight (8) hours for maintenance or repairs. A fire watch by a competent person is required until repairs are completed.

901.7.1 Vacant buildings. Vacant buildings or unoccupied buildings or portions of shall maintain all required sprinkler and standpipe systems and

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all component parts in a workable condition at all times. Fire alarm systems shall be maintained in operating condition at all times. The system shall be tested in the presence of the Code Official upon restoration to use.

20. Delete the provisions in Section 903.2 “Automatic Sprinkler Systems – Where Required” inclusive of subsections 903.2.1 through 903.2.13 and Table 903.2.13 and substitute the following therefore:
903.2 Where required. An automatic fire suppression system shall be installed and maintained in full operating condition throughout every story and basement of all buildings subject to this code.
- Exception: Unoccupied structures of less than 400 square feet, considered low hazard and located not less than 100 feet from another structure. The requirements shall be subject to modifications by the authority having jurisdiction to compensate for particular building conditions to meet the intention of the code. (Ord. 2008-M-4 § 1.)
21. Delete the provisions of Section 903.3.1.2 “NFPA 13R Sprinkler Systems” (pg. 168) in its entirety and substitute the following therefore:
903.3.1.2 NFPA 13R Sprinkler Systems. NFPA 13R Sprinkler systems are allowed only in one- and two-family dwellings; if provided, they shall be installed throughout in accordance with NFPA 13R.
22. Delete the provisions of section 903.3.5.1.1 “Limited Area Sprinkler System” (pg. 169) and substitute the following therefore:
903.3.5.1.1 Limited Area Sprinkler Systems. Limited area sprinkler systems serving fewer than five (5) sprinklers on any single connection are permitted to be connected to the domestic service where a wet automatic standpipe is not available. Limited area sprinkler systems connected to domestic water supplies shall comply with each of the following requirements:
23. Delete Exceptions No. 3 and No. 5 of Section 903.4 “Sprinkler System Monitoring and Alarms” (pg. 169) in their entirety.
24. Add Section 903.7 as follows:
903.7 Sprinkler system tests:
- i. The main drain valve(s) and all other control valves on all sprinkler systems shall be operated at least two (2) times per year to determine that there is a free water flow at adequate pressure and that all other valves operate freely and that supervisory service, if any exists, is operating properly.
 - ii. An internal inspection of the piping shall be performed periodically, but at least once every ten (10) years to check for debris buildup, and the piping is to be flushed if needed. If debris is noted, internal inspections shall be at five (5) year intervals thereafter.
 - iii. Each dry pipe valve shall be cleaned and reset at least once each year.
 - iv. Automatic antifreeze solution systems and limited area systems that are supplied from a domestic water source and which are not required to provide a test line shall be exempt from the requirements of this section.
 - v. All inspector’s test valve(s) shall be operated on a monthly basis to assure the proper operation of the sprinkler system. An inspector’s test valve is required at the end of each sprinkler system.
 - vi. Where automatic sprinklers provide protection to an area, approved flow and tamper switches interconnected to the fire alarm system shall be provided. Each floor and each area over 15,000 square feet in area shall be separately zoned. Each type of system (sprinkler, halon, kitchen, HVAC, etc.) shall be zoned separately. Each sprinkler system need only be zoned per floor.

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- vii. All fire alarm and fire suppression systems shall have an outside alerting device of a type and at a location approved by the Fire Marshal. Additional smoke detection is not required in buildings with an automatic sprinkler system unless required by a specific use group.
25. Delete the provisions of Section 907.2 “Where required” and substitute the following therefore:
907.2 Where required. An approved manual, automatic or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23. Where automatic sprinkler protection, installed in accordance with Section 903.3.1.1 or 903.3.1.2, is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required. An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector. Notwithstanding any provision of Section 907 and its subsections to the contrary, an approved manual fire alarm signaling system shall be installed and maintained in all buildings over one (1) story in height or over 1,000 square feet.
26. Delete all of the Exceptions to 907.2.3 “Group E,” in their entirety.
27. Delete the provisions of Section 907.3 “Where required – retroactive in existing buildings and structures” and substitute the following therefore:
907.3 Where required – retroactive in existing buildings and structures. An approved manual, automatic or manual and automatic fire alarm system shall be installed in existing buildings and structures in accordance with Sections 907.3.1 through 907.3.1.8. Where automatic sprinkler protection, installed in accordance with Section 903.3.1.1 or 903.3.1.2, is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall be approved. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector. Notwithstanding any provision of Section 907 and its subsections to the contrary, an approved manual fire alarm signaling system shall be installed and maintained in all buildings over one (1) story in height or over 1,000 square feet.
28. Delete Exceptions 1 and 2 to 907.3.1.1 “Group E” in their entirety.

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29. Add a Section 907.3.1.9 “R-1 and R-2 in buildings with multiple uses” as follows:
907.3.1.9 R-1 and R-2 in buildings with multiple uses. Where a building contains uses in groups R-1 and/or R-2 (where used as hotels, motels, lodging houses, dormitories, apartments and similar occupancies) and one or more additional uses classified in other use groups, the building shall be equipped with an approved fire alarm system.
30. Delete the Exception of Section 907.4.1 “Location” in its entirety.
31. Delete the provisions of Section 907.15 “Monitoring” and its exceptions and substitute the following therefore:
907.15 Supervisory service. Where required by this chapter or the International Fire Code, an approved supervising station in accordance with NFPA 72 shall monitor fire alarm systems. All required fire protective signaling systems shall transmit alarm and trouble signs to an approved central station, proprietary system, or remote-station system, and shall be approved by the Fire Department. The following methods are approved:
1. Direct connect
 2. AES Radio
 3. Or other methods approved by the Fire Official
- Exception: Supervisory service is not required for:
1. Single- and multiple-station smoke alarms required by Section 907.2.10.
 2. Smoke detectors in Group I-3 Occupancies
32. Delete the provisions of Section 907.20.2 and its exception, and substitute the following therefore:
907.20.2 Testing. Testing of automatic fire alarm systems and all alarms which monitor control valves and flow switches for fire protection and fire alarm equipment shall be performed monthly or more frequently where required by NFPA 72 or by the Fire Code Official. Where automatic testing is performed at least weekly by a remotely monitored fire alarm control unit specifically listed for the application, the manual testing frequency shall be permitted to be extended to annual.
- Exception: Devices or equipment that are inaccessible for safety considerations shall be tested during scheduled shutdowns where approved by the Fire Code Official, but not less than every 18 months.
33. Add a Section 907.20.2.1, as follows:
907.20.2.1 Records. The written record of all tests shall contain the following information:
1. The date and time of all tests.
 2. The name or initials of the person who conducted the test.
 3. The water pressure on the sprinkler riser gauge before and after each test (sprinkler only).
 4. Any problems found before, during, or after each test.
 5. Provide a diagram showing areas served by control valves shall be placed adjacent to each valve.
34. Add a Section 907.21 “Alarms out of service” as follows:
907.21 Alarms out of service. No alarm shall be out of service for more than 24 consecutive hours without the approval of the Fire Marshal. Continuous guard service as approved by the Fire Marshal is required for any building where the alarm will be out of service for 24 hours or more.

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35. Amend the provisions of Section 909.1 “Scope and purpose” (pg. 181) by adding the following:
Section 909.1.1 Where required. An emergency smoke control system is also required when one or more of the following applies:
 1. In all sprinklered buildings with a gross (total of all floors) floor area of 40,000 square feet or more.
 2. In all nonsprinklered buildings with a gross floor area of 7,500 square feet or more.
 3. In all buildings over three (3) stories or thirty-five (35’) feet in height.
 4. In buildings with multi-storied atriums.
 5. In covered malls including anchor stores and tenant spaces.
36. Amend the provisions of Section 909.2 “General Design Requirements” (pg. 181) by adding the following:
909.2.1 Design criteria. Mechanical or gravity venting may be utilized. Mechanical venting shall provide not less than six (6) air changes per hour, in addition to meeting the other criteria of this Section. Gravity venting shall conform to nationally accepted practices based upon the anticipated smoke production and cubic area to be vented. For ordinary hazards, gravity roof venting shall not be less than a 1:100 factor, and such vents shall be spaced not more than 120 feet on centers.
37. Amend Section 909.16 “Firefighter’s smoke control panel” (pg. 186) to read as follows:
909.16 Firefighter’s smoke control panel. A firefighter’s smoke control panel for fire department emergency response purposes only shall be provided and shall include manual control or override of automatic control for mechanical smoke control systems. The panel shall be located in a fire command center complying with Section 911, and shall comply with Sections 909.16.1 through 909.16.3. The location and design of controls for all smoke control systems shall be subject to the approval of the Fire Chief.
38. Amend the provisions of Section 912.1 “Installation” and substitute the following therefore:
912.1 Installation. The type (Siamese, Storz) and size of the fire department connection shall be in accordance with the NFPA standard applicable to the system design and shall be subject to approval of the Fire Department, based upon an analysis of the building’s size and use group. Generally, a 5-inch size, Storz type connection is required. A locking type connection cap is required, and available through the City-approved supplier. An application is available at the Fire Prevention Office.
39. Add subparagraph 6 to Section 1006.3 “Illumination emergency power” as follows:
 6. In all rooms and spaces over 2,000 square feet in area with an occupancy load of 20 or more.
40. Amend the provisions of Section 1008.1.8.3 “Locks and Latches” by deleting Conditions No. 2, 2.1, 2.2, 2.3 and 3.
41. Amend the provisions of Section 1008.1.8.5 “Unlatching” by deleting item No. 3 of the Exception in its entirety.
42. Delete the provisions of Section 1008.1.8.6 “Delayed Egress Locks” in its entirety.
43. Amend the provisions of Section 1008.1.8.7 “Stairway Door” by deleting items No. 3 of the Exception in its entirety.
44. Amend the provisions of Section 1012.3 “Opening Limitations” by deleting the first paragraph and substituting the following therefore:

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1012.2 Opening limitations. Open guards shall have balusters or ornamental patterns such that a 4-inch diameter (102 mm) sphere cannot pass through any opening up to a height of 34 inches (864 mm). From a height of 34 inches (864 mm) to 42 inches (1067 mm) above the adjacent walking surfaces, a sphere 8 inches (203 mm) shall not pass. In occupancies in Groups A, B, E, I-1, I-2, I-4, M and R and in public garages and open parking structures, guards shall not have an ornamental pattern or design that would provide a ladder effect.

45. Delete the Exception to Section 1014.1 “Exit or Exit Access Doorways Required” (pg. 210) and substitute the following therefore:

Exception: Group I-2 occupancies shall comply with Section 1013.2.2. All Group H, I and R-2 occupancies shall provide two exits or exit access doorways from any space, regardless of occupant load or egress distance.

46. Delete Table 1014.1 “Spaces With One Means of Egress” (pg. 210) and substitute the following therefore:

Table 1014.1
Spaces with One Means of Egress

Occupancy	Maximum Occupant Load
A, B, E, M, U	20
H-1, H-2, H-3 H-4, H-5, I-1, I-3, I-4	NA
R-1, R-3, R-4	10
S	20

47. Amend Table 1016.1 to read as follows:

Table 1016.1
Corridor Fire Resistance Rating

Occupancy	Occupant Load Served by Corridor	Required Fire-Resistance Rating (hours)	
		Without Sprinkler System	With Sprinkler System ^c
H-1, H-2, H-3	All	Not Permitted	1
H-4, H-5	Greater than 30	Not Permitted	1
A, B, E, F, M, S, U	Greater than 30	1	1
R	Greater than 10	1	1
I-2 ^a , I-4	All	Not Permitted	1
I-1, I-3	All	Not Permitted	1 ^b

- a. For requirements for occupancies in Group I-2, see Section 407.3
- b. For a reduction in the fire-resistance rating of occupancies in Group I-3, see Section 408.7.
- c. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.

48. Delete Section 1018.2 “Buildings With One Exit” (pg. 214) and Table 1018.2 in its entirety and substitute the following therefor:

1018.2 Buildings with one exit. Only one exit shall be required in buildings as described in Section 1014.1.

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49. Amend the provisions of Section 1023.3 to read as follows:
1023.3 Exit discharge location. Exterior balconies, stairways and ramps shall be located at least 10 feet (3048 mm) from adjacent lot lines and from other buildings on the same lot unless the adjacent building exterior walls and openings are protected in accordance with Section 704 based on fire separation distance. Exit doors in exterior walls shall be provided and spaced not more than 150 feet apart.
50. Amend Section 2206.2.2 “Above-ground tanks located inside buildings” to read as follows:
2206.2.2 Above-ground tanks located inside buildings. Above-ground tanks for the storage of Class I, II and IIIA liquid fuels are not allowed to be located in buildings.
51. Amend Section 2206.2.3 “Above-ground tanks located outside, by deleting the same in its entirety, including the four numbered subparagraphs thereto and Table 2206.2.3, to read as follows:

2206.2.3 Above-ground tanks located outside, above grade. The storage of flammable or combustible liquids in outside aboveground tanks is prohibited within the corporate limits of the City of St. Charles, Illinois, except by Special Permit issued by the Fire Chief. Compliance with the following criteria is required for the issuance of a Special Permit for such use:

1. The aboveground tank site is required to be a minimum of 100 feet to the property line, except residential, educational, institutional, and assembly occupancies which shall be 300 feet. The location of the aboveground tank shall also comply with such additional and further regulations as may be provided in the City of St. Charles’s Zoning Ordinance and other requirements provided by law. The tank location shall not be located in such a fashion that in the opinion of the Fire Chief constitutes a threat to life or property.
2. Buildings on the same parcel shall be at least 50 feet from the tank site.
3. A site plan for the installation of the aboveground tank shall be submitted to the Fire Official showing all buildings and structures on the same parcel.
4. Fixed fire protection systems shall be provided for all aboveground tank installations over 500 gallons in capacity.
5. At least 2 (two) fire hydrants shall be provided within 300 feet of the aboveground tank.
 - a. The minimum flow for each hydrant shall be 1,000 gallons each.
 - b. The fire flow duration shall be 60 minutes for flows up to 1,000 gpm; 2 hours to 2,000 gpm, and 3 hours for 3,000 gpm.
6. An evacuation plan shall be developed and submitted to the Fire Official for review and approval for all properties within ¼ mile of the aboveground tank.
7. A description of the proposed truck routes used to serve the tank (fill/discharge) shall be provided to the Fire Official for review and approval.
8. A site plan and complete description shall be provided to the Office of the Illinois State Fire Marshal for review and approval.
9. All aboveground storage tanks shall be 2 (two) hour fire-rated and U.L. listed (ULI 2085).
10. The maximum number of tanks at one business location is one (1) tank.
11. The maximum size shall not exceed 1,000 gallons capacity.
12. The aboveground tank shall be provided with tank containment or diking to equal the maximum tank capacity plus the fire flow noted above.
13. The aboveground tank shall be protected with physical barriers per Section 312.2.

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14. Aboveground storage tank(s) shall not be for use by the general public nor shall any liquid contained in an aboveground tank be transferred into any type vessel or device to be used or controlled by the general public.
15. All aboveground tank installations shall be enclosed by a metal cyclone type fence with screening attached. A metal roof structure shall be provided to provide protection from the weather, and include the secondary containment area or dike. Each tank shall be provided with a minimum of 3 (three) feet of clear space for maintenance and inspection.
16. No liquid shall be stored in an aboveground tank that has a flash point less than that of gasoline or -36 to -45 degrees F.
17. An automatic shutoff device capable of stopping the delivery of fuel into a storage tank at 90% of the tank capacity shall be provided.
18. Tank contents must be transferred by means of fixed pumps only. Pumps must be designed and equipped so as to prevent accidental discharge.
19. All tank openings associated with piping, vents, and inspections, shall be through the top of the tank only.
20. Approved anti-siphon devices shall be installed at each connection of the piping to the tank when such piping extends below the level of the top of the tank.
21. U.L. listed, portable ABC type fire extinguisher(s) shall be provided.
22. No parking is allowed within 50 feet of an aboveground tank.
23. All aboveground tank plans must include the following:
 - a. Site plans as mentioned above.
 - b. Aboveground tank details including all piping systems, pump and transfer systems, manufacturer's tank specifications, and all site protection, safety equipment, and safety signage per NFPA 704.
 - c. The aboveground tank requires a City of St. Charles Building Permit, and 4 (four) sets of plans and specifications are required.
 - d. Approval for all aboveground tank installations shall be by the Fire Chief (or his designee) and the Building Official.

52. Amend Section 2401.1 "Scope" to read as follows:

2401.1 Scope. Tents, canopies and membrane structures shall comply with this chapter. Air-supported structures and membrane structures that are air-supported or air-inflated are prohibited. References in the 2003 International Fire Code to air-supported or air-inflated structures as being permitted shall be disregarded.

53. Amend Section 2703.1 "Scope" to read as follows:

2703.1 Scope. The storage, use and handling of all hazardous materials shall be in accordance with this Section. Hazardous materials are not permitted uses except by specific approval of the Fire Chief on a case-by-case basis. Such approval shall be based on an analysis of the products, processes and applications involved and on the criteria listed in this Section, Exhibit A.

54. Delete the provisions of Section 2703.2.4.2 "Aboveground tanks" in its entirety, including the exception and section 2703.2.4.2.1. (See Section 2206.2.3 for applicable regulations.)

55. Add Section 3301.2 "Permit required" to read as follows:

3301.2 Permit required. Permits shall be required as set forth in Section 105.6 and regulated in accordance with this section. An application for permit, on a form developed by the Fire Official, shall be made in writing at least thirty (30) days in advance of the display of fireworks or discharge of explosives.

56. Amend 3301.2.4.2 to read as follows:

3301.2.4.2 Fireworks display. The permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the Fire Chief for the

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payment of all potential damages to a person or persons and to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors. The minimum amounts that may be required by the Fire Chief are Public Liability Insurance in the amount of not less than \$1,000,000 bodily injury and \$250,000 property damage, with the City of St. Charles named as an additional insured.

57. Amend Section 3405.1 "Scope" to read as follows:
3405.1 Scope. Dispensing, use, mixing and handling of flammable liquids shall be in accordance with Section 3403 and this Section. Tank vehicle and tank car loading and unloading and other special operations shall be in accordance with Section 3406. Flammable or combustible liquids shall not be dispensed by gravity from tanks, drums, barrels or similar containers. Approved pumps that take suction from the top of the container shall be used. Special type dispensers, such as coin, key or card operated devices, for self-service operation by the general public are prohibited. No tank vehicle shall be left unattended on any lot, street, highway, avenue, alley, or any other location, public or private.
- Exception:
1. When necessary due to the viscosity of the liquid, the Fire Chief may permit special methods.
 2. Containers of organic coatings having no fire point and which are opened for pigmentation are not required to comply with this Section.
58. Delete Section 3404.2.8 "Vaults" in its entirety, including Sections 3404.2.8.1 through 3404.2.8.18.
59. Delete Section 3404.2.9 "Above-ground tanks" in its entirety, including Sections 3404.2.9.1 through 3404.2.9.6.10. (See section 2206.2.3 for applicable requirements.)
60. Amend Section 3404.2.12 to read as follows:
3404.2.12 Testing of underground tanks. Before being covered or placed in use, tanks and piping connected to underground tanks shall be tested for tightness in the presence of the Fire Code Official. Piping shall be tested in accordance with Section 3403.6.3. The system shall not be covered until it has been approved. All tanks and piping shall be retested every five years when less than 15 years of age and every two years thereafter.
61. Add a Section 3701.3 "Notice" to read as follows:
3701.3 Notice. The owner of any business required under the provisions of the ILLINOIS TOXIC SUBSTANCES ACT to post notice to the employees of such business in relation to the presence of toxic substances shall display such notice in accordance with the provisions of such ACT.
62. Add a Section 3701.4 "Emergency Contingency Plan" to read as follows:
3701.4 Emergency Contingency Plan. The owner shall notify all employees of the Emergency Contingency Plan required under the ILLINOIS TOXIC SUBSTANCES ACT. The plan shall be posted along with the notice in relation to toxic substances noted in 3701.3.

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63. Add section 3801.4. "Storage Prohibited/Permit Required" to read as follows:
3801.4 Storage Prohibited/Permit Required. Aboveground storage of liquefied petroleum gas utilizing one or more containers having a total capacity of over 1,000 gallons water capacity shall be prohibited. Any tank installation using containers over 30 gallons or aggregate capacity over 60 gallons water capacity shall require a Permit issued by the Fire Official. All portable propane cylinders (regardless of size) shall be stored in approved racks outside the building.
64. Add section 3801.5 to read as follows:
3801.5 Parking Restrictions. No tank vehicle shall be left unattended on any lot, street, highway, avenue, alley or any other location, public or private.
65. Add Exhibit A:

Exhibit A

Performance Guidelines for High Hazard Uses in the City of St. Charles

1. Specific location: The geographic location and distances to other structures, rivers, streams, and other use groups.
2. Zoning: The proximate distances to assembly, educational, institutional, and residential uses and vacant land zoned for these uses.
3. Types of hazardous materials which are not allowed: Materials listed in Section 307.3 High Hazard Group H-1 that present a detonation hazard shall not be permitted under any circumstances.
4. Allowable construction types: Type I and II only.
5. Required fire protection for High Hazard materials:
 - a. Provide extra hazard Group II fire sprinkler system
 - b. Provide a fixed foam fire protection system
6. Required water supply system: 3,000 to 6,000 gallons per minute from a reliable source.
7. Required review of the maximum allowable quantities per the control areas and compliance with Sections 414, 415, 416, 417 and 418.
8. Required review for potential for:
 - a. Noise
 - b. Glare and heat
 - c. Vibration
 - d. Dust or air pollution
 - e. Odor
 - f. Electromagnetic interference
 - g. Water pollution and containment
 - h. Hazardous waste and by-products
9. Required safeguards provided for toxic substances.
10. Review of hazardous materials truck routes to and from the site.
11. Elevation of product handling and transfer.
12. Separation between high hazard areas and other use areas within the same building shall be provided by means of a four (4) hour rated reinforced solid masonry wall.
13. Submittal and review of all hazardous materials MSDS.
14. A specific evacuation plan is required for the building and surrounding area.
15. A contingency plan is required for any spill or release of product to mitigate the hazard and provide a complete listing of persons to contact."

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(Ord. 2004-M-76 § 1; Ord. 1988-M-15 § 1; Ord. 1978-M-37 Art. 5 (part).)

15.28.060 Water Supplies for Fire Department Use.

- A. This section applies to newly constructed buildings and structures and to those buildings or structures increased in height or area.
- B. All buildings or structures shall be served by a public water supply system meeting the following criteria. This system shall be under pressure with an average static pressure of not less than 35 pounds per square inch (psi). Flows shall be calculated at 20 psi residual pressure. The supplies shall be available for a continuous four-hour duration except that flows less than 2,000 gpm shall be available for a two-hour duration.
- C. Consistent with proper fire prevention, the following water supplies shall be available commensurate with hazards therein:

Type of Development or use	Flow required in Gallons per Minute
A. Single-family Detached Residential	1,000 to 1,500
B. Two-family and Townhouse Residential	1,500 to 2,000
C. Multi-family	3,000 to 4,000
D. Industrial and Storage	3,000 to 5,000
E. Research & Development Labs	3,000 to 4,000
F. Business and Commercial Areas	3,000 to 4,500
G. Mercantile Centers	3,000 to 6,000
H. Assembly and Educational	3,000 to 5,000
I. Health Care and Institutional	3,000 to 4,000

(Ord. 2004-M-76 § 1; Ord. 1988-M-15 § 1; Ord. 1978-M-37 Art. 5 (B).)

15.28.070 Emergency Conditions.

In case there shall be, in the opinion of the Fire Official, actual and immediate danger to life and property from the hazards of fire and explosion arising from the storage, handling, or use of hazardous substances, materials, or devices, or from conditions hazardous to life and property in the use or occupancy of buildings or premises, the Fire Official shall employ such labor and machinery, equipment and devices and cause the necessary work to be done to render said occupants or property temporarily safe, whether the procedure prescribed in this section has been instituted or not.

- A. Where practical and time constraints permit, the owner, occupant or other person responsible for the emergency condition shall be notified of the emergency condition, in writing, and shall have the option of making the condition safe.
- B. The owner and occupants of the premises shall be jointly and severally liable for any costs incurred in connection with the same.
- C. The Fire Official of the City of St. Charles, Illinois, shall cause proper action to be instituted against the owner of the premises, and the occupants if different than the owners, for the recovery of costs incurred by the City of St. Charles, Illinois, in the performance of the emergency work.
- D. For the purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them:
 - a. "Hazardous Substance" or "Hazardous Material" means any substance or material or mixture of substances which is toxic, corrosive, an irritant, strong sensitizer, radioactive,

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flammable, combustible, or which generates pressure through decomposition, heat or other means and which may cause injury, or illness to humans, domestic livestock, or wildlife or as defined by the Illinois Environmental Protection Act or any federal law.

- b. "Hazardous material Incident" means an incident which threatens public health or safety involving the actual or potential release of a hazardous substance or hazardous material.
- c. "Toxic" means any substance (other than a radioactive substance) which has the capacity to produce bodily injury or illness to man through ingestion, inhalation, or absorption through any body surface.
- d. "Corrosive" means any substance which, in contact with living tissue, causes destruction of tissue by chemical action, but does not refer to action on inanimate surfaces.
- e. "Irritant" means any substance, no corrosive, which, on immediate, prolonged or repeated contact with normal living tissue, will induce local inflammatory reaction.
- f. "Strong Sensitizer" means any substance which will cause on normal living tissue through an allergic or photo dynamic process, a hypersensitivity of the same substance.
- g. "Radioactive" means any substance which emits ionizing radiation.
- h. "Flammable" means any substance which has a flash point of less than 100 degrees Fahrenheit.
- i. "Combustible" means substance with a flash point greater than 100 degrees Fahrenheit.
- j. "Person" shall mean any individual, partnership, corporation, trust, firm, company, estate, association, or other legal entity.

Control of Hazardous Substances or Hazardous Materials:

- a. It shall be unlawful for any person to use, store, deliver or transport hazardous substances or hazardous materials, or cause the use, storage, delivery or transporting of hazardous substances or hazardous materials in any manner inconsistent with the requirements of the Fire Prevention Code of the City of St. Charles or any other applicable City ordinance, County ordinance, State law or Federal law.
- b. It shall be unlawful for any motor vehicle carrying, transporting or containing a hazardous substance or hazardous material to park or stand, other than temporarily for the purpose of, and while actually engaging in, loading or unloading, on private property, without the knowledge and express consent of the person who is in charge of the property and who is aware of the nature of the hazardous substance or hazardous material the motor vehicle contains.
- c. It shall be unlawful for any person using, storing, manufacturing, producing, disposing, treating, transporting or causing the use, storage, manufacture, production, disposal, treatment or transportation of any hazardous substance or hazardous material in any manner which results in a hazardous materials incident.

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Hazardous Materials or Hazardous Substance Incident Expense Recovery:

- a. Any person causing or permitting a hazardous material incident shall be responsible for all of the following:
 - 1) Reimbursement in full, of any and all costs incurred by the CITY in connection with the operation (including equipment and vehicles), maintenance, and staffing required to respond to such hazardous materials incident. Vehicles and staffing will be charged the hourly rate of pay, including overtime expenses and overhead costs, for each employee who participates in such response to a hazardous materials incident. Any maintenance costs incurred by the CITY will be reimbursed at the rate of time and materials.
 - 2) Reimbursement, in full, for any and all costs incurred by the CITY for equipment and materials used, damage, lost, spent, destroyed or rendered irreparable in connection with a hazardous materials incident.
 - 3) Assumption of, and all liability and costs for, any cleanup or removal resulting from any hazardous material incident, including but not limited to any independent cleanup contractor necessitated by such hazardous material incident.
 - 4) Any and all costs and reasonable attorney's fees incurred in connection with the enforcement of the Ordinance and any collection undertaken hereunder.
- b. The City of St. Charles shall prepare and forward to the person or persons causing or permitting a hazardous material incident a bill for the total costs and expenses incurred for which such person or persons are responsible pursuant to this Section; provided, however, any costs in connection with any independent cleanup contractor shall be billed directly by such contractor. 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 of receipt shall accrue interest on the unpaid balance at the rate of 1 ½% per month, or fraction of month.

Limitation of Liability: The City, its officers, agents or employees, shall not have any liability or responsibility for any claim, injury, or damage of any kind resulting from a hazardous material incident to which the City or any of its departments, officers, agents or employees responds.

Invalidity: Should any clause, sentence, paragraph or part of this Ordinance be declared a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

(Ord. 2006-M-59; Ord.2006-M-25 Pgrph D; 2004-M-76 § 1; Ord. 1988-M-15 § 1; Ord. 1978-M-37 Art. 5 (B).)

15.28.080 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 do not allow this criteria to be met and interior standpipe 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.

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- 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 20 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 obstruction 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.

(Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (C).)

15.28.090 Deferral of Certain Improvements.

- A. **In General.** Certain upgrades and improvements to buildings required under this Chapter which are designed for the protection of the owner's property, but not for the protection of life or the property of others, may be deferred for a specified amount of time, in accordance with the standards stated in this Section.
- B. **Application.** An Application for the Deferral of Upgrades or Improvements under this Section may be made by the owner of any building or structure to the Chief of the Fire Department, (e.g., "the Fire Chief"), on a form provided by the Fire Department, containing all information required on such form, along with the following information:
 - 1. The legal description of the property for which deferral is requested;
 - 2. Proof of the current ownership of the real estate parcel, and the names and addresses of all occupants of the building or structure;
 - 3. If the real estate parcel is owned by a land trust, a verified identification of all beneficiaries, in compliance with the Illinois Land Trust Beneficial Interest Disclosure Act (765 ILCS 405);
 - 4. The specific upgrades or improvements for which deferral is requested;
 - 5. The reasons which the applicant relies upon as justifying the requested deferral, specifically referring to the standards for deferral set forth below;
 - 6. A current Plat of Survey of the parcel, showing all lot lines, all existing and proposed buildings and structures located on the parcel, all adjoining streets, and the distances between the buildings or structures on the parcel to buildings or structures on adjoining parcels;
 - 7. Any other evidence, documents or other materials available to support the Application, and to establish that the standards for deferral set forth below have been met, including any additional information requested by the Fire Chief or his designee.

The application shall be signed and verified by the current owner, and all current occupants, of the real estate parcel for which deferral is sought.

- C. **Standards for Deferral of Upgrades or Improvements.** The Fire Chief may permit the deferral of specific improvements or upgrades required under this Section only if the evidence submitted by the applicant establishes each of the following conditions:
 - 1. The deferral of the upgrades or improvements will not increase the risk to the safety of any persons on the premises, or to the property of others; and
 - 2. Deferral of the specific improvements or upgrades is necessary to alleviate a particular hardship upon the owner, as distinguished from a mere inconvenience if the deferral is not permitted; and
 - 3. The particular hardship is expected to be alleviated at some specific time in the future; and

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4. The particular hardship was not created by any current owner or occupant of the property; and
 5. The hardship to the owner would outweigh the benefits that would be obtained by immediate completion of the upgrades or improvements.
- D. **Inspection of Site.** Upon receipt of the Application and all supporting documents, the applicant shall arrange for an inspection of the site, and surrounding properties, by the Fire Chief.
- E. **Decision of Bureau.** The Fire Chief shall either issue its permit granting the requested deferral (either in whole or in part, and subject to necessary conditions and restrictions), or deny the requested deferral. Permits granting deferrals may contain such conditions and restrictions as may be necessary to ensure compliance with the standards set forth in this title and section, and to implement the general purpose and intent of this title. The Permit for Deferral shall be valid only if the owner and all occupants of the parcel execute a Deferral Agreement (described in Subsection F below). The Permit for Deferral shall expire within a reasonable time after the particular hardship necessitating the deferral is expected to be alleviated; provided, however, that no Permit for Deferral shall be granted for more than five years.
- F. **Deferral Agreement.** Every Permit for Deferral shall be contingent upon the record owner, and all occupants of the parcel, signing a Deferral Agreement which shall legally describe the property subject to the Permit for Deferral, and shall specifically set forth all sections of this title which are being deferred, and the expiration of the deferral period; and shall contain the agreement of the record owner of the premises to complete the required improvements and upgrades prior to the expiration of the deferral period. The Deferral Agreement shall then be recorded with the Kane County Recorder of Deeds.

(Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (D).)

15.28.100 Appeals.

Any person may appeal a decision of the Chief of the Fire Department under this title, in the following manner:

1. **Appeal Step 1.** Any person may submit to the Fire Chief a Request for Reconsideration of the Decision. The Fire Chief and the person filing the Request for Reconsideration shall conduct a personal meeting to discuss the Request for Reconsideration within 14 days after the Request is submitted. Within 14 days after the personal meeting, the Fire Chief shall either affirm or modify the original decision.
2. **Appeal Step 2.** Any person who shall disagree with the affirmation or modification of the original decision by the Fire Chief provided for in Appeal Step 1 above, may appeal that decision to the City Council of the City of St. Charles.

(Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (E).)

15.28.110 New materials, processes or occupancies requiring 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 the Fire Prevention 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.

(Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (F).)

15.28.120 Violation - Penalty.

Any violations of this Chapter shall be enforced and prosecuted in accordance with the provisions of Chapter 15.101 of the St. Charles Municipal code. The Chief of the Fire Department shall have all of the rights and responsibilities given to the Building Commissioner under Chapter 15.101 for the prosecution and enforcement of any violations under this chapter.

(Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (G).)

15.28.130 Section 6.2.(a) amended - permit for storage of cellulose nitrate plastics.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (H).)

15.28.140 Section 7.6 added - permit for storage of combustible fibers.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (I).)

15.28.150 Section 0.2(a) amended - Permit for dry-cleaning business.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (J).)

15.28.160 Section 9.8 added - Automatic extinguishing systems.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (K).)

15.28.170 Section 11.2 amended - Marking of exitways.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (L).)

15.28.180 Section 11.3 amended - Lighting of exitways.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (M).)

15.28.190 Section 11.6 added - Number and location of exits.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (N).)

15.28.200 Section 13.4 amended - Bond and responsibility for fireworks display required.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (O).)

15.28.210 Section 14.6 - Fire alarm systems.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 2003-M-11 § 1; Ord. 1978-M-37 Art. 5 (P).)

15.28.220 Subsection (f) added to Section 16.27 - Testing of tanks and pipes.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-7 Art. 5 (Q).)

15.28.230 Subsection (b) added to Section 16.37 - Testing of tanks and pipes.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-7 Art. 5 (R).)

15.28.240 Subsection (c) added to Section 16.41 - Permit for aggregate capacity in excess of five gallons.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (S).)

15.28.250 Section 16.99 amended - Tank vehicles.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-7 Art. 5 (T).)

15.28.260 Section 20.3(a) amended - Permit for storage of hazardous chemicals.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-7 Art. 5 (U).)

15.28.270 Section 21.3.(a) amended - Permits and reports of installation.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-7 Art. 5 (V).)

15.28.280 Section 21.10.(a) amended - Liquefied petroleum gas tank vehicles.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-7 Art. 5 (W).)

15.28.290 Section 22.6 added - Location of lumberyards and woodworking plants.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (X).)

15.28.300 Section 23.3. amended - Permit for storage of magnesium.

FIRE PREVENTION CODE

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (Y).)

15.28.310 Subsections (e) and (f) added to Section 28.3 - Smoking prohibited under certain conditions.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (Z).)

15.28.320 Section 28.16 amended - Fire department access.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5(AA).)

15.28.330 Section 28.17 added - Water supplies for fire department use.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (BB).)

15.28.340 Section 28.18 added - Fire extinguishers.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (CC).)

15.28.350 Section 28.19 added - Identification of fire hazard of materials.

Removed in its entirety. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 5 (DD).)

15.28.360 Deferral of certain improvements.

Renumbered to 15.28.090. (Ord. 2004-M-76 § 1; Ord. 1993-M-31 § 1; Ord. 1978-M-37 Art. 6.)

15.28.370 Appeals.

Renumbered to 15.28.100. (Ord. 2004-M-76 § 1; Ord. 1993-M-31 § 2; Ord. 1978-M-37 Art. 7.)

15.28.380 New materials, processes or occupancies requiring permits.

Renumbered to 15.28.110. (Ord. 2004-M-76 § 1; Ord. 1978-M-37 Art. 8.)

15.28.390 Violation - Penalty.

Renumbered to 15.28.120. (Ord. 2004-M-76 § 1; Ord. 1993-M-31 § 3; Ord. 1978-M-37 Art. 9.)