

ORDINANCE NO. 2008 - 03

AN ORDINANCE ESTABLISHING THE FIRE PREVENTION CODE AND LIFE SAFETY CODE FOR THE ALGONQUIN-LAKE IN THE HILLS FIRE PROTECTION DISTRICT

WHEREAS, the Algonquin-Lake in the Hills Fire Protection District, located in McHenry and Kane Counties, is a fire protection district duly organized under the laws of the State of Illinois; and

WHEREAS, the Board of Trustees of the District has express power pursuant to 70 ILCS 705/11, to adopt and enforce fire prevention codes and standards parallel to national standards to promote fire prevention; and

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

WHEREAS, the Fire Protection District Act, 70 ILCS 705/11, (the "Act") empowers and makes it the legal duty and obligation of this Board of Trustees to provide as nearly adequate protection from fire for all persons and property within the District as possible and to prescribe necessary regulations for the prevention and control of fire therein; and

WHEREAS, the District is empowered by the Act to provide reasonable safeguards through Fire Prevention Codes to protect the Public Health and Safety against the hazards of fire in buildings and structures; and

WHEREAS, the Board of Trustees of the District deem it in the best interest of the District to adopt and amend new Fire Prevention Codes as the District's models for the control of fire protection in buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms as amended by the Fire Prevention Codes listed in **Exhibit A** hereto, are hereby adopted and made a part thereof, as if fully set out in this Ordinance, except for the additions, insertions, deletions and changes set forth in **Exhibit A** to this Ordinance; and

WHEREAS, the 2006 Edition of the International Fire Code is a comprehensive compilation of codes designed to meet the needs of the local fire jurisdictions through model code regulations that prescribe safeguards for the safety and public health of all communities; and

WHEREAS, Board of Trustees also adopts the International Existing Building Code, 2006 Edition and the Illinois Accessibility Code, 1997 Edition as part of the District's Fire Prevention Codes.

NOW, THEREFORE, be it ordained by the Board of Trustees of the Algonquin-Lake in the Hills Fire Protection District, McHenry and Kane Counties, Illinois, as follows:

SECTION 1: The facts and statements contained in the preamble to this Ordinance are hereby found by the Board of Trustees to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2: The Fire Prevention Codes of the Algonquin-Lake in the Hills Fire Protection District, located in McHenry and Kane Counties, (hereinafter referred to as the "Fire Prevention Codes") shall hereafter be identical with the provisions of the publication(s) listed in **Exhibit A** hereto, and said publication(s) listed in Exhibit A hereto are hereby incorporated herein by reference as if fully set forth, except as amended in **Exhibit A** to this Ordinance. At least three (3) copies of these Fire Prevention Codes shall be placed on file with the District and shall be available for public inspection at all times during regular business hours as provided by law.

SECTION 3: That it shall be unlawful to design, construct, alter, enlarge, repair, demolish, remove, use or maintain any building or structure within the boundaries of the Algonquin-Lake in the Hills Fire Protection District in violation of any terms or provisions of this Ordinance.

SECTION 4: That the specific terms and conditions of this Ordinance shall prevail against other existing ordinances of the District to the extent that there might be any conflict.

SECTION 5: All persons in violation of the Fire Prevention Codes shall be subjected to fines as set forth and established in the Codes and in the District's Ordinance 2008 - 03. Any person, business, firm, corporation, entity or property owner with a proven violation of this Code shall be responsible for all fees, costs and expenses, including but not limited to attorney fees, litigation, adjudication and settlement costs, incurred by the Algonquin-Lake in the Hills Fire Protection District in enforcing the provisions of the adopted Code.

SECTION 6: Future versions of the District's Fire Prevention Code shall be revised by Board approval of additional **Exhibits** hereto that amend the current **Exhibit A**. All such revisions shall be dated and shall be effective upon approval by the Board of Trustees.

SECTION 7: The Board of Trustees of the District hereby declares that should any section, paragraph, sentence or word of this Ordinance or of the Code hereby adopted be declared for any reason to be invalid, it is the intent of said Board of Trustees that it would have passed all other portions of this Ordinance independent of the elimination here from of such portion as may be declared invalid.

SECTION 8: Neither the enactment of this Ordinance nor the repeal of any ordinance or parts of ordinances as provided for herein shall be construed to affect or abate any action or cause of action for violation of said prior ordinance or ordinances.

SECTION 9: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in accordance with the law.

ADOPTED this 17th day of December, 2008, by the following roll call vote:

AYES: 3 Bemis, Bumbales, Cortless

NAYS: 0

ABSENT: 0



President, Board of Trustees
Algonquin-Lake in the Hills Fire Protection District

ATTEST:



Secretary, Board of Trustees
Algonquin-Lake in the Hills Fire Protection District

STATE OF ILLINOIS)
)
COUNTY OF MCHENRY)

SS

SECRETARY'S CERTIFICATE

I, CHUCK BUMBALES, the duly qualified and acting Secretary of the Board of Trustees of the Algonquin-Lake in the Hills Fire Protection District, McHenry and Kane Counties, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

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which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 17th day of December, 2008.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of December, 2008.



Secretary, Board of Trustees
Algonquin-Lake in the Hills Fire Protection District