

ORDINANCE NO. 2018-05

**AN ORDINANCE ADOPTING VARIOUS SECTIONS OF THE
2018 NFPA NATIONAL FIRE CODES**

WHEREAS, the Addison Fire Protection District No. 1 (the "District") is a fire protection district duly organized under the Laws of the State of Illinois; and

WHEREAS, the Board of Trustees (the "Board") of the District has expressed power to adopt and enforce fire prevention codes and standards parallel to national standards pursuant to 70 ILCS 705/1 I; and

WHEREAS, on December 4th, 2013 the Board adopted Ordinance No. 13-11 "AN ORDINANCE ADOPTING VARIOUS SECTIONS OF THE 2014 NFPA NATIONAL FIRE CODES"; and

WHEREAS, the District's Fire Prevention Bureau has advised the Board that it would be in the best interest of the District to adopt various sections of the National Fire Code, 2018 edition, Volumes 1 through 12 published by the National Fire Protection Association "2018 NFPA National Fire Code", which would provide regulations for the general fire safety and welfare of the public; and

WHEREAS, the Board has found that such code is parallel to National standards and is in the best interests of the fire safety needs of the District; and

WHEREAS, three (3) copies of The 2018 NFPA National Fire Code have been on file in the office of the Secretary of the District for more than fifteen (15) days before adoption of this Ordinance and have been available for public use, inspection and examination.

NOW, THEREFORE, BE IT ORDAINED by The Board of Trustees of the Addison Fire Protection District No. 1 as follows:

Section One: That the 2018 NFPA National Fire Code, except for the following sections, is hereby adopted as additional portions of the building code of the District:

1000	1001	1002	1003	1021	1041	1051	1221	1401	1402
1403	1405	1406	1410	1420	1452	1470	1500	1521	1561
1581	1582	1600	1710	1720	1730	1901	1902	1903	1904
1906	1911	1914	1921	1922	1931	1932	1961	1962	1963
1964	1971	1972	1973	1974	1975	1976	1977	1981	1982
1983	1993	1999	2001	5000					

Section Two: The Fire Code Official and the Bureau of Fire Prevention staff shall enforce the provisions of this Ordinance, and in connection therewith, they shall possess all of the enforcement powers and authority conferred upon them by the laws of the State of Illinois and the Ordinances of the District.

Section Three: Nothing in this Ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section Four: In any case where a provision of any code adopted by reference in this Ordinance, or any other provision of this Ordinance, is found to be in conflict with a provision of any other code or ordinance of the District existing on the effective date of this Ordinance, including but not limited to Ordinance No. 13-11, the provision which established the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of any other ordinance or code of the District existing on the effective date of this Ordinance of the District, including but not limited to Ordinance No. 13-11, established a lower standard for the promotion and protection of the health and safety of the people, the provisions of this Ordinance shall be deemed to prevail and such other ordinances or code are hereby declared to be repealed to the extent that they may be found in conflict with this Ordinance or code adopted by reference in this Ordinance.

Section Five: The District further adopts and incorporates by reference, all existing and subsequent amendments made by the Village of Addison, Illinois, to the NFPA Fire Code, 2018 edition, as set forth in the Addison Village Code.

Section Six: Penalties For Violations:

A. Any person violating any provisions of this Ordinance, unless a different fine is established, shall be fined not less than one hundred fifty dollars (\$150.00) nor more than one thousand dollars (\$1000.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation continues or occurs.

B. The application of the above financial penalty shall not prevent the enforced removal of prohibited conditions.

C. As an alternative or in conjunction with the imposition of a fine as provided in Section 5(A) of this Ordinance, the District may elect to seek injunctive relief from a court of equity requiring compliance with the code, demolition of the offending structure or removal of the offending condition. The District shall be entitled to an award of reasonable attorney's fees and all costs of litigation including court costs, deposition fees and expert witness fees incurred in enforcing this Ordinance through this provision.

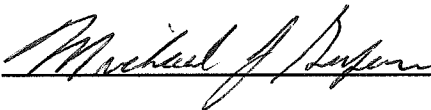
Section Seven: That the District shall certify to the adoption of this Ordinance and caused the same to be published as required by law and this Ordinance shall take full force and effect ten (10) days after the date of final passage and approval.

ADOPTED this 1st day of August, 2018 by the following roll call vote:

AYES: 3
NAYS: Ø
ABSENT: Ø
ABSTAIN: Ø



ATTEST:



President, Board of Trustees
Addison Fire Protection District No. 1



Secretary, Board of Trustees
Addison Fire Protection District No. 1

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE) SS

SECRETARY'S CERTIFICATE

I, CHARLES BAXA, JR., the duly qualified and acting Secretary of the Board of Trustees of the Addison Fire Protection District No. 1, DuPage County, Illinois, do hereby certify that 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 meeting held on the 1st day of August, 2018.

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 1st day of August, 2018.





Secretary, Board of Trustees
Addison Fire Protection District No. 1