

ORDINANCE NO. 680

VILLAGE OF BELLEVUE, ILLINOIS

ORDINANCE ADOPTING FIRE CODE

WHEREAS, Section 11-30-4 of the Illinois Municipal Code (65 ILCS 5/11-30-4) authorizes municipalities to prescribe the strength and manner of constructing all buildings, structures and accessories; and

WHEREAS, Section 1-3-2 of the Illinois Municipal Code (65 ILCS 5/1-3-2) authorizes municipalities to adopt by reference regulations regarding construction, reconstruction or alteration of structures; and

WHEREAS, the President and Village Board of the Village of Bellevue, Illinois have determined that it is in the best interests of the Village and its residents that the Village adopt a fire code;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE VILLAGE BOARD OF THE VILLAGE OF BELLEVUE, PEORIA COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: Adoption. The *2006 International Fire Code*, as published by the International Code Council, Inc. (the "Code"), is hereby adopted as the Fire Code of the Village, for the control of buildings and structures as therein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes set forth in Section 2 below.

The Village Clerk shall keep a copy of the Code on file and available for public use, inspection and examination.

Section 2: Amendments. The following sections of the Code are hereby revised as follows:

Section 102.6, *Referenced codes and standards*, shall be amended to read as follows:

Section 102.6, *Referenced codes and standards.* The codes and standards referenced in this code shall be those that are listed in Chapter 45 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards the more restrictive provision shall apply.

Section 103.1, *General*, shall be amended to read as follows:

Section 103.1, *General.* The division of fire prevention is established within the jurisdiction under the direction of the fire marshal. The

function of the division shall be the implementation, administration and enforcement of the provisions of this code.

Section 104.1, *General*, shall be amended to read as follows:

Section 104.1, *General*. The fire marshal or designee is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code.

Section 105.6.31, *Open burning*, shall be amended to read as follows:

Section 105.6.31, *Open burning*. Open burning shall be permitted only in accordance with Limestone Township Fire Protection District Ordinance No. 2011-1, an ordinance relating to open burning

Section 508.5.1, *Fire hydrant locations*, shall be amended to read as follows:

Section 508.5.1, *Fire hydrant locations*. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the code official in consultation with the Limestone Township Fire Protection District

Exceptions:

- (1) For one- and two-family occupancies, the distance requirement is 500 feet.

Section 508.5.5, *Clear space around hydrants*, shall be amended to read as follows:

Section 508.5.5, *Clear space around hydrants*. A four-foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

Section 804.1.1, *Restricted occupancies pertaining to natural cut trees*, shall be amended to read as follows:

Section 804.1.1, *Restricted occupancies pertaining to natural cut trees*. Natural cut trees shall be prohibited in Group A, E, I-1, I-2, I-3, I-4, M, R-1, R-2 and R-4 Occupancies.

Exceptions: Exceptions shall be deleted.

Section 901.4, *Installation regarding fire sprinkler systems*, shall be amended to read as follows:

Section 901.4, *Installation regarding fire sprinkler systems.* Fire protection systems shall be maintained in accordance with the original installation standards for that system, except when they have been approved as non-required, discontinued, or out of service by the fire marshal or designee. Required fire protection systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. This requirement shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary to make repairs, tests, alterations or additions. The fire marshal or designee shall be notified before disconnection and interruption of protection and when tests repairs, alterations, or additions are started and upon completion. The fire marshal shall be advised of extent of and reason for such work. Alterations to fire protection systems shall be done in accordance with applicable standards.

Section 901.4.2, *Non-required fire protections systems,* shall be amended to read as follows:

Section 901.4.2, *Non-required fire protections systems.* All non-required fire protection systems shall be maintained in accordance with the original installation standards for that system, unless the fire marshal or designee approves discontinuation of the equipment. All discontinued equipment and devices, such as pull stations, nozzles, detectors, sprinklers, sensors and hose connections shall be removed.

Exceptions: The fire marshal or designee may allow discontinued equipment to remain in place provided that the spirit and intent of the law is observed and the public health, safety and welfare are ensured.

Section 3809.12 through 3809.15 are hereby deleted in their entirety and replaced by the following:

Section 3809.12, *Location of storage outside of buildings.* Storage outside of buildings, for containers awaiting use, resale or part of a cylinder exchange program shall be located not less than 20 feet (6,096 mm) from openings into buildings, 20 feet (6,096 mm) from any motor vehicle fuel dispenser and 10 feet (3,048 mm) from any combustible material and in accordance with Table 3809.12.

TABLE 3809.12: SEPARATION OF EXPOSURES OF CONTAINERS AWAITING USE, RESALE OR EXCHANGE STORED OUTSIDE OF BUILDINGS FROM EXPOSURES

QUALITY OF LP-GAS STORED	DISTANCES TO A BUILDING OR GROUP OF BUILDINGS, PUBLIC WAY OR LOT LINE OF PROPERTY THAT CAN BE BUILT UPON (feet)
500 pounds or less	0
501 to 2,500 pounds	10

2,501 to 6,000 pounds	15
6,001 to 10,000 pounds	20
Over 10,000 pounds	25

For SI: 1 foot = 304.8 mm, 1 pound = 0.454 kg.

- a. Containers are allowed to be located a lesser distance.  
For SI: 1 foot = 304.8 mm, 1 pound = 0.454 kg.

Section 3809.13, *Protection of containers*. Containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicular protection shall be provided as required by the fire code officials.

Section 3809.14, *Separation from means of egress for containers located outside of buildings*. Containers located outside of buildings shall not be located within 20 feet (6,096 mm) of any exit access doors, exits, stairways or in areas normally used, or intended to be used, as a means of egress.

Section 3809.15, *Alternative location and protection of storage*. Where the provisions of Sections 3809.12 and 3809.13 are impractical at construction sites, or at buildings or structures undergoing major renovation or repairs, the storage of containers shall be as required by the fire code official.

**Section 4: Definitions.** The following words, terms and phrases, when used in the fire prevention codes adopted under this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Acute hazardous waste* means a waste listed in 40 CFR 261.31, 261.32 and 261.33(e), as amended.

*Chief* means the fire marshal or his delegate.

*Commercial* means a business which is engaged in material-handling, wholesale operations or sales, or retail sale.

*Extremely hazardous substance* means a substance listed in the appendices to 40 CFR 355.

*Facility* means any land, building, equipment, structure, stationary item, or, adjacent sites owned, leased, operated by the same business (contained within the same address) will be considered a single permissible site. Any of the above items located at sites with separate addresses (even though they have the same owner) will be considered separate permissible sites.

*Fire Marshal* means the Fire Chief of the Limestone Township Fire Protection District or his designee.

*Handles or handling* means uses or using of, disposes or disposing of, generates or generating of, processes or processing of, treats or treating of, or stores or storing of.

*Hazard category* means the five physical or health classes defined in 40 CFR 370.2.

*Hazard class* means the class of hazardous materials authorized for transportation by 49 CFR subchapter C.

*Hazardous chemical* means any hazardous chemical as defined under 29 CFR 1910.12000(c).

*Hazardous material* means a material subject to 49 CFR subchapter C, including those:

- (1) Defined at 49 CFR 171.8 or 171.11 as amended; or
- (2) Listed in the hazardous materials table at 49 CFR 172.101 or 172.102, as amended, for any transportation mode; and
- (3) Any other substance determined by the fire department, state OSHA or federal OSHA to pose a significant health and safety hazard.

The term "*hazardous materials*" does not include food, drugs, alcoholic beverages, cosmetics, tobacco or tobacco products intended for personal consumption.

*Hazardous waste* means waste as defined in 40 CFR 261, as amended.

*Industrial* means a business engaged in janitorial, maintenance, engineering, building or other types of service operations.

*Manufacturer or manufacturing* means a business engaged in the production of materials or market items.

*Municipality* means the Village.

*Person* means the owner, operator or manager of any entity or any other individual in charge of handling hazardous materials, hazardous chemicals or hazardous wastes and includes but is not limited to individuals, trusts, corporations (including governmental corporations), partnerships, joint ventures or a state or political subdivision thereof.

*Public event* is described as an organized gathering of 20 or more people, accessible to the general public, for purposes such as civic, social or religious functions, recreation or food or drink consumption.

*Release* means any spilling, leaking, pumping, pouring, emitting, escaping, emptying, discharging, injecting, leaching, dumping or disposing of a hazardous material into or on any land, air, water, well, stream, sewer or pipe so that such hazardous material or any constituent thereof may enter the environment.

*Remedial action* means any action consistent with permanent remedy taken instead of or in addition to removal actions in the event of a release or threatened release of a hazardous material into the environment, to prevent or minimize the release of hazardous materials so that they do not migrate to cause a substantial present or potential hazard to human health, property or the environment. The term includes, but is not limited to, such actions at the location of the release as storage, confinement, perimeter protection using dikes, trenches, or ditches, clay cover, neutralization, cleanup of released hazardous materials or contaminated materials, recycling or reuse, diversion, destruction, segregation of reactive wastes, repair or replacement of leaking containers, collection of leachate and runoff, onsite treatment or incineration, provision of alternate water supplies, and any monitoring reasonably required to assure that such actions protect the public health and welfare and the environment.

*Removal* means the cleanup or removal of released hazardous materials from the environment, such actions as may be necessary or appropriate to monitor, assess, and evaluate the release or threat of release of hazardous materials, the disposal of removed material, or the taking of such action as may be necessary to prevent, minimize, or mitigate damage to the public health or welfare or the environment. The term includes, but is not limited to, security fencing, provision of alternative water supplies, and temporary evacuation of threatened individuals.

*Response* means any removal or remedial action.

*Satellite* means any portable or mobile container including tanks, trailers, sheds or similar equipment or structures in which any hazardous material is handled, and which is temporarily located at a fixed site owned or leased by another, including a public way in the Village of Bellevue.

*Threshold planning quantity* means the amount of an extremely hazardous substance as defined in 40 CFR 355, as amended.

*Tier II inventory form* means the hazardous chemical inventory forms set forth in 40 CFR 370.41 as amended.

*Transshipment facility* means any land, building, equipment, structure, stationary item or combination thereof that is located on a single site or on contiguous of adjacent sites owned, leased, operated or otherwise controlled by the same person, whose principal business consists of the handling of materials, including the handling of hazardous materials or hazardous wastes while such material remains in the stream of interstate, intrastate or international commerce.

Section 5: The provisions of the Code shall not apply to (i) any interior, non-structural work performed on buildings or other structures in existence on the date of this Ordinance and (ii) buildings or structures less than 140 square feet in size

Section 6: This Ordinance shall be effective upon its passage and publication as provided by law.

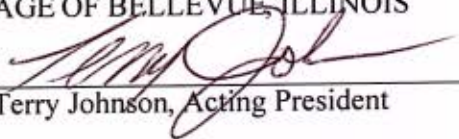
PASSED AND APPROVED THIS 22 DAY OF April, 2014.

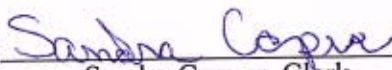
AYES: 5

NAYS: 0

ABSENT: 1

VILLAGE OF BELLEVUE, ILLINOIS

By:   
Terry Johnson, Acting President

Attest:   
Sandra Cooper, Clerk

313-918.d1