

ORDINANCE NO. 00-01

**WARRENVILLE FIRE PROTECTION DISTRICT
HAZARDOUS SIGNAGE ORDINANCE**

WHEREAS, 430 ILCS 50/5.11 authorizes Units of Local Government to adopt ordinances and regulations which require a hazard signage system applicable to equipment, facilities, structures, or locations involved in the use, storage, or manufacture of hazardous materials; and

WHEREAS, the hazard signage system authorized by 430 ILCS 50/5.11 may use the NFPA 704 Standard System for the Identification of the Fire Hazards of Materials for Emergency Response or such other system that is consistent with federal law or regulation; and

WHEREAS, 820 ILCS 255/1, et seq. requires that any employer, manufacturer, supplier, or importer of hazardous materials, as defined by federal or state law, to provide Material Safety Data Sheets upon request and to make the fire department or fire departments who are responsible to respond to the facility familiar with the layout and the specific hazards of any facility which uses, stores or produces toxic and hazardous materials; and

WHEREAS, the Warrenville Fire Protection District is a unit of local government authorized by provisions of 70 ILCS 705/1 et seq. to pass all necessary ordinances and resolutions to accomplish the needs of the District.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Warrenville Fire Protection District (hereinafter referred to as "WFPD") as follows:

SECTION 1: This Ordinance supersedes any and all previous ordinances which may conflict with the provision contained herein.

SECTION 2: DEFINITIONS: As used in this Ordinance, any word, term or phrase shall have the same meaning as that contained in federal or state law, except that specifically the terms below shall have the following meanings:

FACILITY: Any building, structure, installation, equipment, pipe or pipeline including but not limited to any pipe into a sewer or publicly owned treatment works, well, pond, lagoon, impoundment, ditch, landfill, storage container, tank, motor vehicle, truck trailer, rolling stock or aircraft. Also, any site or area where a hazardous material has been deposited, stored, disposed of, abandoned, placed, or otherwise come to be located.

HAZARDOUS MATERIALS: Any material, substance or mixture of materials or substances which are toxic, flammable, corrosive, explosive, carcinogenic or radioactive including, but not limited to, any substance or material which is designated a hazardous material pursuant to the "Hazardous Materials Transportation Act" (49 U.S.C.A., sections 1801, et seq.) in a quantity and form which may pose a substantial present or potential hazard to human health, property or the environment when improperly released, treated, stored, transported, disposed of, or otherwise managed.

PERSON: Any individual, business, firm, partnership, corporation, association, trust, estate, joint venture or other legal entity, or their legal representative, agent or assign.

SECTION 3: No sooner than 90 days after the passage of this ordinance, the Bureau of Fire Prevention shall begin to identify those facilities that use, produce, or store hazardous materials. The Bureau shall notify the owner of such a facility of the placarding requirements of this ordinance and shall adopt a reasonable period for compliance.

SECTION 4: The owner of any building or facility which stores, uses, produces, transports or imports hazardous substances shall be responsible for installing and maintaining hazardous materials placards on the outside of the building, on the inside and outside of the building as directed by the Fire Chief or his designee.

The placarding shall comply with the NFPA 704M Hazardous Materials Placarding System and shall be a minimum thirty (30) inches square or such size as is deemed suitable by the Fire Chief or his designee. The placards shall be made of weather resistant material, mounted square on point in a location approved by the Fire Chief or his designee. Smaller placards may be required inside the facility to mark special hazards.

Placards shall not be removed without permission of the Fire Chief. Permission shall be requested from the Fire Chief to remove placards from buildings that no longer contain hazardous materials.

The owner of a facility subject to these regulations shall provide the Fire Department with all necessary telephone numbers and other necessary communications information that can help the Fire Department report and respond to an accident involving a hazardous material.

SECTION 5: VIOLATIONS:

Criminal prosecutions under this Ordinance shall be by the State's Attorney or the Attorney General of the State of Illinois in accordance with 430 ILCS 50/8.02.

Civil penalties shall not exceed \$10,000 for each violation and an additional civil penalty not to exceed \$1,000 for each day during which a violation continues.

SECTION 6: This Ordinance shall become effective ninety (90) days after passage by the Board of Trustees.

ADOPTED BY THE BOARD OF TRUSTEES of the Warrenville Fire Protection District this

14th day of February 2000, on roll call vote as follows:

AYES: 3

NAYS: 0

ABSTAIN: 0

ABSENT: 0

BY: Cliff Johnson
President, Board of Trustees
Warrenville Fire Protection District

ATTEST:

Kenneth McChatt
Secretary, Board of Trustees
Warrenville Protection District

STATE OF ILLINOIS)
)
COUNTY OF DuPAGE) SS

SECRETARY'S CERTIFICATE

I, **Kenneth J. McNatt**, the duly qualified and acting Secretary of the Board of Trustees of the Warrenville Fire Protection District, DuPage County, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

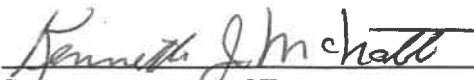
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which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 14th day of February, 2000.

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 14th day of February, 2000.



Secretary, Board of Trustees
Warrenville Fire Protection District