

**ORDINANCE NO: 17-04**

**AN ORDINANCE ADOPTING AMENDMENTS TO THE  
FIRE PREVENTION AND BUILDING CODES FOR  
THE WARRENVILLE FIRE PROTECTION DISTRICT**

**WHEREAS**, the Warrenville Fire Protection District (the "District"), 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 full power 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 under 70 ILCS 705/6; and

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

**WHEREAS**, the Fire Protection District Act, 70 ILCS 705/11 (the "Act") empowers and makes it the legal duty and obligation of the is 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 Building and Fire Prevention Codes to protect the Public Health and Safety against the hazards of fire in the buildings and structures and,

**WHEREAS**, the District has recently adopted new fire prevention and building codes by adoption of its Ordinance No. 16-05 in November 2016; and

**WHEREAS**, the Board of Trustees of the District deem it in the best interest of the District to amend and adopt an additional fire prevention code provision and an additional building code provision to supplement the codes adopted in Ordinance 16-05, while keeping the remainder of the fire prevention and building codes intact.

**NOW, THEREFORE**, be it Ordained by the Board of Trustees of the Warrenville Fire Protection District, DuPage County, 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 code of the Warrenville Fire Protection District is hereby amended to address issues related to open-flame cooking devices, and the building code of the District is hereby amended to address maintenance of weeds and trash as set forth in Exhibit A to this Ordinance.

**SECTION 3:** 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. However, all other remaining provisions of District Ordinance No. 16-05 shall remain in full force and effect notwithstanding the adoption of these two amendments.

**SECTION 4:** All persons in violation of the Fire Prevention Code or Building Code shall be subjected to fines as set forth and established in the Codes and in the District Ordinance No. 2002-02.

**SECTION 5:** 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 6:** 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 7:** 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 28th day of June, 2017, by the following roll call vote:

**AYES:** 5

**NAYS:** 0

**ABSENT:** 0

  
President, Board of Trustees  
Warrenville Fire Protection District

~~ATTEST:~~

  
Secretary, Board of Trustees  
Warrenville Fire Protection District

STATE OF ILLINOIS        )  
  )  
COUNTY OF DUPAGE        )        SS

**SECRETARY'S CERTIFICATE**

I, Jeff Carstens, the duly qualified Secretary of the Board of Trustees of the Warrenville Fire Protection District, DuPage County, Illinois, and the keeper of the records thereof, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

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has been adopted by said Board of Trustees at its meeting on the 28th day of June, 2017.

I do further certify that a quorum of said Board of Trustees was present at the said meeting, and that the Board complied with all requirements of the Illinois Open Meetings Act. Further, I certify that the Ordinance has not been amended or altered and is in full force and effect as of the date indicated below.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 28th day of June, 2017.

  
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Secretary, Board of Trustees  
Warrenville Fire Protection District

## EXHIBIT A

### **Warrenville Fire Protection District Fire Prevention Code**

Section 308.1.4 of the International Fire Code (2015 Edition) is hereby amended as follows:

#### **308.1.4 Open-flame Cooking Devices.**

Open flame cooking devices, charcoal grills and other similar devices used for cooking shall not be located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One and two family dwellings, except that LP gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP gas capacity] with an aggregate LP gas capacity not to exceed 100 lbs (5 containers).
2. LP gas cooking devices having LP gas container with a water capacity not greater than 2 1/2 pounds [nominal 1 pound (0.454 kg) LP gas capacity].

### **Warrenville Fire Protection District Building Code**

The Warrenville Fire Protection District Building Codes are hereby amended as follows:

#### **Weeds and Trash.**

All premises and exterior property shall be maintained free from weeds in excess of ten (10) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.