

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 07- 33**

**AN ORDINANCE REVISING THE
“FIRE PREVENTION CODE”
OF THE BATAVIA MUNICIPAL CODE**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
THIS 19TH DAY OF MARCH, 2007**

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane & DuPage Counties, Illinois,
This 20th day of March, 2007

Prepared by:

City of Batavia
100 N. Island Ave.
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS
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**AN ORDINANCE REVISING THE
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OF THE BATAVIA MUNICIPAL CODE**

WHEREAS, the City Council of the City of Batavia, Kane County, Illinois has determined that amendment to its Fire Prevention Code is necessary for the health, safety and welfare of its citizenry.

NOW THEREFORE, be it ordained by the City Council of the City of Batavia, Kane County, Illinois, as follows:

SECTION 1: Title 9, “Building Regulations,” Chapter 11 “Fire Prevention Code” of the Batavia Municipal Code, is hereby revised by deleting Sections 9-11-1 through 9-11-8 and substituting the following therefore:

9-11-1 FIRE PREVENTION CODE, LIFE SAFETY CODE; ADOPTED; MODIFICATIONS.

There is hereby adopted by reference by the City Council as if fully set out at length herein, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, these certain codes three copies of which have been on file for more than 30 days in the office of the City Clerk and which are known as:

1. INTERNATIONAL CODE COUNCIL (ICC) INTERNATIONAL FIRE CODE - 2006, except as deleted or modified by Sections 9-11-2 through 9-11-3.
2. The National Fire Protection Association No. 101, 2000 Edition known as the LIFE SAFETY CODE, the whole thereof.

9-11-2 AMENDMENTS TO THE INTERNATIONAL FIRE CODE/2006

The following Sections are Amendments to the ICC International Fire Code. The "F" numbers referred to the numbering system therein.

- A. **Section F-101.1:** Insert for name of jurisdiction “City of Batavia, Kane and DuPage Counties, Illinois.”

B. Section F-102.10: Added as follows:

The strict application of the Fire Code would require installation of a fire alarm system or sprinkler system in a structure existing as of August 15, 1994 which could cause hardship. Therefore, said installation shall only be required on change of use and/or alterations (as defined in this code) exceeding 25% of the physical value of the building, excepting the requirements of the National Fire Protection Association No. 101 Life Safety Code, which requirements shall be applied.

C. Section F-103.5: Add a new section.

Whenever the terms “authority having jurisdiction,” “Chief of the Fire Prevention Bureau,” “Fire Marshal,” “Code Official,” or “Fire Prevention Bureau” are used in this Chapter it shall be held to mean the City of Batavia Fire Code Official.

D. Section F-108: Replace with the following:

1. Appeal of Code Official Decision. Any person aggrieved by the decision of the Code Official may appeal said decision. Application for appeal may be made when the party asserts that the intent of the Code has been met by the party’s submitted plans or construction or that the Code has been incorrectly interpreted or that substitute construction and protective assemblies and systems will provide as good as or better structure or building when completed. Any appeal shall be in writing as set forth below.
2. The City Services Committee shall receive and review any written application for appeal of any such decision of the Fire Code Official. Such appeal must be filed with the City Services Committee within ten (10) days of the Code Official’s written decision.
3. Within forty-five (45) days of the date of filing the written appeal, the designated Committee shall meet in public session and take evidence from the party filing the appeal and the Code Official with respect to the subject of the appeal.
4. At the conclusion of the taking of the evidence, the Committee shall make written findings of fact together with its recommendation and forward same to the full Batavia City Council.
5. The final decision as to whether the appeal shall be granted shall be made by the City Council. In making this decision, the City Council shall review only the record of the evidence taken by the designated Committee, which shall include the Committee’s findings of fact and recommendation. No further evidence may be presented to the City Council. The granting of an appeal not constituting a variation to the Batavia Municipal Code shall be accomplished by a majority vote upon an appropriate motion. Any variation to the Batavia Municipal code shall be by duly adopted ordinance.

E. **Section F-112:** Added as follows:

Emergency Conditions:

In case there shall be, in the opinion of the Fire Official, actual and immediate danger to life and property from the hazards of fire and explosion arising from the hazardous storage, handling and use of materials in any use or occupancy of buildings or premises, the Fire Official shall employ such labor and machinery, equipment and devices and cause the necessary work to be done to render said occupancy or property temporarily safe, whether the procedure prescribed in this section has been instituted or not.

1. Where practical and time constraints permit, the owner, occupant or other person responsible for the emergency condition shall be notified of the emergency condition in writing, and shall have the option of making the condition safe where practical.
2. The owner and occupants of the premises shall be jointly and severally liable for any costs incurred in connection with the same.
3. The Fire Official of the City of Batavia, Illinois shall cause proper action to be instituted against the owner of the premises, and the occupants, if different than the owner, for the recovery of costs incurred by the City in the performance of the emergency.

F. **Section F-201.5:** Added as follows:

Whenever the words "Fire Prevention Ordinance," "Fire Prevention Code," "the Ordinance," or "Code" are used herein they shall be held to mean this Chapter in its entirety, including the codes adopted by reference herein.

G. **Section F-202:** Add the following:

1. **Condominium:** A condominium is a form of ownership. Buildings or portions thereof, constructed under the Building Code, shall be in keeping with its use and occupancy. Each condominium shall be considered a separate unit.
2. **Basement:** That portion of a building that is partly or completely below grade plane. A basement shall be considered as a story above grade plane where the finished surface of the floor above the basement is:
 - a. More than 6 feet (1829 mm) above grade plane; or
 - b. More than 12 feet (3658 mm) above the finished ground level at any point.
3. **Grade Plane:** A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the

lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

4. New Construction: New construction, when used in this code, are new buildings, those having height and/or area added to an existing building, those having interior alterations exceeding 25% of the buildings value, and buildings changing use within a Use Group or those changing Use Groups.

H. **Section F-304.1.2:** Delete last sentence which deals with the wild land interface code.

I. **Section F-503.1.1:** Revised to read as follows:

Public Access and Fire Lanes on Private Property, Devoted to Public Use, shall be provided so that:

1. Public or private access is provided to each building (included any building under construction) so that the first responding fire department pumper unit will be able to be so located that all points of the interior of the building may be reached by 150 feet of initial attack hose.

Where the size or height of the building does not allow this regulation to be met, an interior standpipe system equipped with fire department hose connections approved by the Fire Code Official may be allowed as an exception. The standpipe system shall be connected to a public water system.

- a. Minimum of 2-1/2" diameter pipe shall serve the 2-1/2 inch discharge outlets. Each outlet shall have a 2-1/2" gated valve, a 2-1/2" x 1-1/2" National Standard thread reducer coupling and 1-1/2" caps.
2. Access roads shall be not less than ten (10) feet from the building and further if the height of the building requires a greater set back to ladder the building.
3. Access routes shall be continuous around the building.
 - a. This requirement may be modified by the Fire Official where adequate building access openings and a complete fire suppression system are provided.

J. **Section F-505.1:** Add the following:

Written alphabetic numbers are prohibited.

K. **Section F-508:** Changed to read as follows:

WATER SUPPLIES FOR FIRE DEPARTMENT USE

- **Section F-508.1:** Replace “application” with the following:

This section applies to all new subdivisions, all proposed building construction and development of commercial, industrial, mercantile, educational, institutional, assembly and residential properties and to those buildings of similar uses which are increased in size (area and/or height), fire load or fire hazard.

- **Section F-508.2:** Replace Water Source with the following:

All buildings or structures shall be serviced by a public water supply system meeting the criteria of Section 508. This system shall be under pressure with an average static pressure of not less than 35 lbs. per square inch (psi). Flows shall be calculated at 20 psi residual pressure. The supplies shall be available for a continuous four-hour duration except that flows less than 2,000 gpm need be available for a two-hour duration.

- **Section F-508.3:** Fire Flow Required: The following minimum water supplies shall be available commensurate with the hazards therein:

1. Single Family Detached Residential - 1000 gpm
2. Town/Row or Cluster Housing – 1500 gpm
3. Apartment Type Construction - 3000 gpm
4. Industrial and Storage – 3000 gpm
5. Research & Development Laboratories – 3000 gpm
6. Business & Commercial Areas – 3000 gpm
7. Mercantile Centers - 3000 gpm
8. Assembly & Educational – 3000 gpm
9. Health Care & Institutional - 3000 gpm

- **Section F-508.5.1:** Revised to read: Fire Hydrants Location.

1. Fire hydrants shall be located along public streets so that no portion of the building or structure to be protected will be over 300 feet from any required hydrant. Where this may not be possible, additional hydrants shall be located upon the premises accessible to motorized fire apparatus.
2. Water supplies including fire hydrants in accordance with this Code shall be in operation prior to the construction of any building.

3. Hydrants shall normally be located at street intersections, and in no case shall the space between hydrants exceed four hundred feet (400') in single family residential districts and three hundred feet (300') in other areas. This distance shall be measured along an approved fire lane, access route, street or similar apparatus route.
4. Hydrants shall be located on the north and west side of roads, streets and access routes.
5. At least two (2) hydrants shall be located within 300 feet of each building.
6. Additional fire hydrants may be required and located closer than the spacing noted in this section for high hazard uses, for dead end roads or at the termination of cul-de-sacs.
7. Additional fire hydrants shall be provided within 500 feet of each building so that the required fire flow divided by 1000 will equal the number of hydrants available.
8. Hydrants shall be located within 75 feet of any fire department (sprinkler or standpipe) connection as determined by the Fire Code Official.

Section F-508.6 Add to read: Fire hydrants shall be installed so that:

1. Access to fire hydrants shall be approved fire lanes or roadway adequate in width (minimum of 20 feet), clearance and strength for firefighting purposes. Such routes shall be maintained accessible during all seasons of the year. Legal provisions or easements for access may be required for private roads.
2. Hydrants shall be located approximately five (5) feet from all weather roadways. If this cannot be done, the closest part of the hydrant shall be set back a maximum of ten (10) feet from the roadway curb line.
3. Hydrants should be located approximately 25-50 feet from the building to be protected. Hydrants shall be located no closer than 50 feet from transformers, other hazardous electrical equipment, or other hazards to the use of the fire hydrant.
4. Each hydrant shall have the pumper (steamer) connection normally facing the primary street and shall be accessible so that a connection can be made between the hydrant and the Fire Department apparatus, located in the street, with twenty feet (20') of fire department suction hose.
5. Nozzle outlets shall be a minimum of eighteen inches (18") and no more than thirty-six inches (36") above the finished grade.

- **Section F-508.7:** Add to read as follows:

Fire hydrants used in conjunction with water supplies shall be the City of Batavia standard, one four and one-half inch (4-1/2") steamer outlet and two (2) two and one-half inch (2-1/2") hose connections. All threads shall be National Standard. Operating nuts shall open to the left in a counter clockwise direction.

- L. **Section F-703.5:** Add the following:

Required for Hazardous Areas: Rooms used for storage, boiler or furnace rooms, fuel storage, janitor closets, maintenance shops and kitchens shall be separated from other building areas by assemblies having a fire resistance rating of not less than 1-hour with appropriate protection of openings into the rooms. Office and warehouse separation walls shall be a minimum one (1) hour rated assembly. Wall construction material shall be suitable for type of building construction.

- M. **Section F-903:** AUTOMATIC FIRE SUPPRESSION SYSTEMS

- **Section F-903.2:** Amend to read as:

Where required: Automatic fire suppression systems shall be provided where required in Title 9 of the Municipal Code, otherwise known as the "Building Code."

- **Sections 903.2.1, 903.2.1.1, 903.2.1.2, 903.2.1.3, 903.2.1.4, 903.2.1.5, 903.2.2, 903.2.3, 903.2.3.1, 903.2.5 exception, 903.2.6, 903.2.8, 903.2.8.1, 903.2.8.2, 903.3.1.2, 903.3.1.3:** Delete these exceptions

- N. **Section F-907.1.2:** Add the following:

Approval: The automatic fire alarm system shall be approved for the particular application and will be used for detection and signaling in the event of fire. Automatic detecting devices shall be approved devices with smoke detectors used where residential, institutional and assembly uses exist.

Silence and Reset Switches: Each fire alarm control panel shall have a single button to silence the system and a single button to reset the system.

- **Section 907.2:** Add the following:

Where required: The following are locations where a fire alarm system with automatic detection is required:

1. **Residential Uses:** In all buildings of use groups (R-1 and R-2) where used as hotels, motels, lodging houses, dormitories, apartments and similar occupancies. All buildings having multiple uses including residential use shall be equipped with an approved fire alarm system.

2. Other uses: All other buildings over three stories in height or buildings over 3,000 square feet in area or occupancies presenting a high life or fire hazard as determined by the Fire Code Official, such as assembly, educational or institutional use groups.

• **Sections 907.2.1 Group A, 907.2.2 Group B, 907.2.3 Group E, 907.2.4 Group F, 907.2.7 Group M, 907.2.8.1 Group R-1, 907.2.9 Group R-2:** Delete these exceptions

• **Section 907.20.5:** Add the following:

No alarm shall be out of service for more than 24 consecutive hours.

O. **Section F-912.7:** Add the following:

Fire department connections serving sprinkler systems, standpipes and other fire protection systems shall be provided with a four (4) inch Storz connection with a cap.

P. **Section F-1011.1:** Add the following:

On all floors or in rooms with an occupant load of twenty-nine (29) or more persons, required exit doors shall be plainly marked by approved exit signs sufficiently illuminated when the floor or room is occupied.

Q. **Section F-1006.1.1:** Add the following:

Emergency Lighting: Emergency power supplies from an independent, approved reliable source (battery or automatic starting generator) shall be provided in all rooms and spaces, stairways, corridors, access routes and other exit components.

• **Section F-1006.3:** Replace: "Section 2702 of the International Building Code" with "adopted 2005 Edition of the National Electric Code."

R. **Section F-1007:** Delete this exception. Illinois Accessible Code will apply.

S. **Section F-1015.1:**

1. Add #4: Any room or space over 2, 000 square feet and/or 29 occupants.

2. Revise Table 1015.1: Line ABEFMU, change 49 to 29.

T. **Section F-1019.2 and Table F-1019.2:** Delete these exceptions.

U. **Section F-2701.7:** Shall be added as follows:

LIMITS FOR THE STORAGE, HANDLING, PROCESSING, MANUFACTURING,
AND TRANSPORTATION OF FLAMMABLE,

HAZARDOUS OR TOXIC CHEMICALS, LIQUIDS AND GASES.

ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED.

- **Section 2701.7.1:** Shall be added as follows:

The storage of explosives and blasting agents is prohibited within the corporate limits of the City of Batavia, Illinois.

- **Section 2701.7.2:** Shall be added as follows:

1. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE ABOVE GROUND TANKS IS TO BE PROHIBITED.

The storage of flammable liquids in outside above ground tanks is prohibited within the corporate limits of Batavia, Illinois except in approved existing tanks.

2. ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED.

The above ground storage (over 500 gallon capacity) of liquefied petroleum gases is prohibited within the corporate limits of the City of Batavia, Illinois except approved existing tanks.

- **Section 2701.7.3:** Shall be added as follows:

ESTABLISHMENT OF MOTOR VEHICLE ROUTES FOR VEHICLES TRANSPORTING EXPLOSIVES AND BLASTING AGENTS.

Vehicles transporting explosives or blasting agents are hereby prohibited within the corporate limits of the City of Batavia, Illinois except by Special Permit.

- **Section 2701.7.4:** Shall be added as follows:

ESTABLISHMENT OF MOTOR VEHICLE ROUTES FOR VEHICLES TRANSPORTING HAZARDOUS CHEMICALS OR OTHER DANGEROUS ARTICLES.

Vehicles transporting hazardous chemicals or other dangerous articles are hereby prohibited within the corporate limits of the City of Batavia, Illinois except by Special Permit.

V. **Section F-2703.13:** Shall be added to read as follows:

Further, no tank vehicle shall be left unattended on any lot, street, highway, avenue, alley or any other location, public or private, within the City of Batavia, Illinois.

W. **Section F-3301.1.3:** Revised to read as follows:

Fireworks: The possession, manufacture, storage, sale, handling and use of fireworks, including 1.3G, 1.4G and sparklers are prohibited.

Delete exceptions 1, 2, and 4.

• **Section F-3301.2:** Revise to read as follows:

Applications: Applications in a form developed by the Fire Code Official for permits shall be made in writing at least thirty (30) days in advance of the display or discharge of fireworks.

• **Section F-3301.2.4.2:** Revised to read as follows:

Bond and Responsibility: Bond and responsibility for Fireworks Display and Discharge requires "public liability insurance in an amount not less than \$1,000,000.00 bodily injury/property damage. The City of Batavia shall be added as an additional insured.

X. **Section F-3804.2:** Change 2,000 to 500.

9-11-3 PENALTY

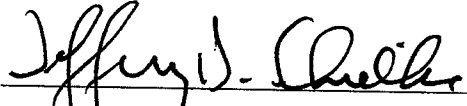
Any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of the provisions of this building title, including provisions adopted by reference, or who refuses to remedy a violation of any such provision or to remedy a hazard of fire, explosion, collapse, contagion, or spread of infectious disease found to exist and duly ordered eliminated, shall be fined not more than seven hundred fifty dollars (\$750.00) for each offense, and each day upon which such violation continues shall constitute a separate offense.

SECTION 2: This Ordinance shall be in full force and effect upon its presentation, passage and publication.

CITY OF BATAVIA, ILLINOIS ORDINANCE 07-33

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this 19th day of March, 2007.

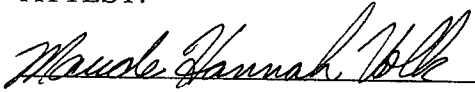
APPROVED by me as Mayor of said City of Batavia, Illinois, this 19th day of March, 2007.



 Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	Wollnik	X				Sparks	X			
2	Dietz	X				Wolff	X			
3	Miller	X				Barnard	X			
4	Volk	X				Schmitz	X			
5	Frydendall	X				Nelson	X			
6	Liva	X				Clark	X			
7	Vance	X				Brown	X			
Mayor Schielke										
VOTE:		14 Ayes	0 Nays	0 Absent	0 Abstention(s) counted as _____					
Total holding office:		Mayor and 14 aldermen								

ATTEST:



 Maude Hannah Volk, City Clerk