

CHAPTER 92: FIRE PREVENTION

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GENERAL PROVISIONS

§ 92.01 EXPLOSIVES AND FIREWORKS; PERMIT REQUIREMENTS.

(A) It shall be unlawful for any person to sell, keep, expose for sale, loan or give away any toy pistol, toy gun, toy cannon, blank cartridge, or any fireworks, firecrackers, torpedoes, bombs, squibs, rockets, spin-wheels, fire balloons, Roman candles, detonating canes, or ammunition therefor, or any substance or articles of any explosive nature designed or intended to be used as fireworks, anywhere in the Village.

(B) It shall be unlawful for any person to be possessed of or to discharge anywhere in the Village any of the articles enumerated in this section. However, Lake County Fire Prevention District and the President and Board of Trustees may issue a permit for the discharge of fireworks and for pyrotechnical displays as hereinafter provided.

(C) (1) Application for permits for the discharge of fireworks or pyrotechnical displays shall be in writing and shall state the name of the person, place of residence and age, the place where it is proposed to give such public display of fireworks, what experience the applicant has had, if any, in the discharge of fireworks, such application being sworn to before a notary public or other officer authorized by law to administer oaths.

(2) The President shall, upon receipt of such applicant's statement, refer the same to the Lake County Fire Prevention District who shall have an inspection made of the premises at the location given in the application where it is proposed to give such public display of fireworks, and if, in the judgment of the Lake County Fire Prevention District, it would not be hazardous to surrounding property or dangerous to any person or persons to permit such public display of fireworks at such location, they shall approve such application and return the same to the President and Board of Trustees, whereupon the President and the Board of Trustees shall have the option in their sole discretion to issue a permit upon payment of a fee of \$10, giving the applicant permission to conduct such public display of fireworks. Such permits shall designate the kinds and quantities of fireworks to be used at such public display, and no other kinds and no greater quantities of fireworks than therein specified shall be used at such public display.

(D) It shall be unlawful to keep or store any nitroglycerine or the explosive commonly known as T.N.T. in the Village in any quantities, excepting medicinal or laboratory purposes and for such purposes no more than one quarter ounce shall be stored in any one building or premises.

(E) All explosives must be kept or stored in accordance with the rules of the State Fire Marshal, subject to the provisions of this section.

(‘77 Code, § 42.04) Penalty, see § 10.99

Cross-reference:

Public nuisances affecting peace and safety, see § 93.05

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§ 92.02 STARTING OR MAINTAINING FIRES IN STREETS, SIDEWALKS OR OTHER PUBLIC PLACES PROHIBITED.

No person shall start or maintain any fire in any street, sidewalk, park or public place, or any place within 30 feet of any building or structure. ('77 Code, § 42.05) Penalty, see § 10.99

Cross-reference:

Burning of garbage and refuse, see § 50.03

FIRE PREVENTION CODE

§ 92.15 ADOPTION OF CODE BY REFERENCE.

There is hereby adopted by the Village for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code recommended by the American Insurance Association, being the most current edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, of which code not less than two copies have been and are now on file in the Village Office and the same are hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling within the limits of the Village. ('77 Code, § 26.01)

§ 92.16 DEFINITION.

For the purpose of the Fire Prevention Code, ***MUNICIPALITY*** shall be held to mean the Village of Deer Park. ('77 Code, § 26.02)

§ 92.17 ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS PROHIBITED.

The limits referred to in Section 12.5b of the Fire Prevention Code, in which storage of explosives and blasting agents is prohibited are all areas in the Village. ('77 Code, § 26.03)

§ 92.18 ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE ABOVE-GROUND TANKS IS PROHIBITED.

(A) The limits referred to in Section 16.22a of the Fire Prevention Code in which storage of flammable liquids in outside aboveground tanks is prohibited are all areas in the Village.

(B) The limits referred to in Section 16.61 under the Fire Prevention Code, in which new bulk plants for flammable or combustible liquids are prohibited are all areas in the Village.

('77 Code, § 26.04)

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§ 92.19 ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUIFIED PETROLEUM GASES IS RESTRICTED.

The limits referred to in Section 21.6a of the Fire Prevention Code, in which bulk storage of liquefied petroleum gas is restricted are all areas in the Village. (‘77 Code, § 26.05)

ALARM SYSTEM REGULATIONS

§ 92.29 PURPOSE.

It is the purpose of this chapter to encourage proper maintenance of alarm systems to eliminate false alarms due to negligence on the part of the owners and to thereby provide better service in those instances in which there exists legitimate needs for an emergency police response.

§ 92.30 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALARM SYSTEM: An assembly of equipment device(s) designed to signal the presence of a hazard requiring urgent attention and to which police or fire personnel are expected to respond; and, for the purposes of this definition, includes internal premises systems in which an audible signal emits sounds or flashing light or beacon designed to signal persons outside the premises.

DIRECT ALARM SYSTEM: An alarm system which utilizes a telephone line which has as its sole use the transmission of an alarm signal to a central receiving facility operated and maintained by or on behalf of the Village of Kildeer Police Department.

FALSE ALARM: A false alarm shall be deemed to have occurred when a Kildeer police unit responds to a direct alarm or to a call for assistance based on an alarm activated to another third party when the Chief of Police determines that said alarm was caused by a mechanical failure of the system, neglect of the owner to keep the system working properly, or careless use of the system. It shall not be considered a false alarm in the event that the Chief of Police of the Village of Kildeer (“Chief of Police”) is unable to determine that the reason for activation of the alarm is attributed to the mechanical failure of the system, neglect of the owner to keep the system working properly, or to the owner’s careless use of the system.

NONDIRECT ALARM SYSTEM: Any alarm system, including but not limited to a direct dialing system, which is not a direct alarm system.

PERSON: Any individual, corporation, partnership, association, or any other legal entity.

§ 92.31 PERMIT REQUIRED.

No person shall connect or suffer or permit a direct alarm connection from any building, place, or premises to a receiving station owned or operated by or on behalf of the Village of Kildeer without first obtaining a permit therefor from the Village of Kildeer Police Department.

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§ 92.32 PERMIT APPLICATION PROCEDURE.

(A) No permit shall be issued except upon written application to the Village of Kildeer Police Department.

(B) Said application shall be in the form prescribed by the Village of Kildeer Police Department. Said application shall include language to the effect that the applicant shall indemnify and hold harmless the Village of Deer Park and the Village of Kildeer for any failure of service or any damages that might result from the installation or operation of the alarm system.

(C) An applicant shall certify that alarm system maintenance will be provided and be available twenty-four (24) hours per day, seven (7) days per week.

(‘77 Code, § 26.06(c)) (Ord. 87-11, passed 12-21-87) Penalty, see § 10.99

§ 92.33 EXISTING CONNECTIONS.

Those individuals who presently have a direct alarm connection shall procure a permit as above described within ninety (90) days of the adoption of this subchapter. In the event that said individuals do not procure said permit within said time, then in that event, said individuals shall be subject to termination of the connection privilege upon seven (7) days’ written notice from the Village of Kildeer Police Department.

§ 92.34 EXEMPTION.

The preceding sections of this chapter shall not apply to the installation and operation of any nondirect alarm system which is not connected directly to a receiving station owned, operated, and maintained by or on behalf of the Village of Kildeer Police Department. The Village recommends that any alarm system installed by an owner conform to the most recent specifications of the American National Standards Institute, Underwriter Laboratory, or equivalent specifications of an approved rating bureau.

§ 92.35 SERVICE CHARGES FOR FALSE ALARMS.

Any person who fails to maintain or secure proper maintenance for his alarm system shall pay a service charge for false alarms resulting therefrom. An individual who has a direct alarm connection to a receiving station owned, operated, and maintained by or on behalf of the Village of Kildeer Police Department shall pay a service charge of twenty five dollars (\$25.00) each for the fourth and fifth false alarm in any calendar year; and the sum of fifty dollars (\$50.00) for each false alarm thereafter in the same calendar year.

§ 92.36 MAINTENANCE OF RECORDS.

The Chief of Police shall maintain accurate records of all false alarms as well as all activated alarms. The Chief of Police shall give written notice to any owner who experiences two (2) false alarms in a calendar year. Said notice shall notify the owner that the owner shall be subject to service charges for each false alarm commencing with a fourth false alarm in any calendar year.

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§ 92.37 DISCONNECTION.

The Village of Kildeer Police Department may revoke any permit heretofore issued and/or disconnect any direct alarm system connection of any owner in any of the following events:

- (A) The owner fails to pay any service charges assessed within thirty (30) days of invoice.
- (B) The owner fails to obtain a permit for a direct alarm system connection as required by the terms of this Chapter.
- (C) The Chief of Police determines that the owner's alarm system is unreliable and/or not properly maintained. For the purpose of this Section, the Chief of Police may make such a determination in the event that the Village of Kildeer Police Department receives more than ten (10) false alarms in any calendar year.

§ 92.38 DISCONNECTION NOTICE.

In the event that the Chief of Police determines to disconnect any direct alarm connection for any of the reasons set forth in the preceding Section, then in that event, the Chief of Police shall give written notice thereof to the owner and provide said owner with seven (7) days to cure the defect, if possible. At the conclusion of the seven (7) day period, in the event that the Chief of Police determines that the owner has not cured said defect, then in that event, the Chief of Police may cause said disconnection to occur.

§ 92.39 RECONNECTION PROCEDURE.

In the event that an owner has had his system terminated as a direct alarm system to the Village of Kildeer facilities pursuant to the terms of this Chapter, the owner can reapply for a permit by paying a reapplication fee off one hundred dollars (\$100.00) and by providing sufficient documentation to establish that his alarm system will fully comply with the requirements of this Chapter.

§ 92.40 TESTING OF EQUIPMENT.

No direct alarm system shall be tested or demonstrated without the owner having thereto obtained the permission of the Village of Kildeer Police Department.

§ 92.41 RESERVATION OF RIGHTS.

The Village of Kildeer in conjunction with the Village of Deer Park reserves the right at any time to discontinue the service of providing monitoring of any and all alarm systems after written notice to that effect. The Village of Kildeer in conjunction with the Village of Deer Park is under no obligation to supply this service to any person.

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§ 92.42 NONDIRECT ALARM PROVISIONS.

It is hereby declared unlawful and a violation of this Chapter for any owner of a nondirect alarm system to allow more than three (3) false alarms from that system in any calendar year. The owner of a nondirect alarm system, which has more than three (3) false alarms in any calendar year, shall be fined a sum not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each false alarm thereafter, commencing with the fourth false alarm in a calendar year.

§ 92.43 AVOIDANCE OF PROSECUTION.

The owner of a nondirect alarm system, which has more than three (3) false alarms in a calendar year, may avoid prosecution for violating this Chapter as follows:

(A) If the notice is for the fourth and/or fifth false alarm in any calendar year, then the owner of the alarm system shall pay twenty five dollars (\$25.00) for each violation provided that said amount is paid and received within five (5) days from the issuance of the notice of violation, excluding Saturdays, Sundays, and holidays; and fifty dollars (\$50.00) for each violation provided that said amount is paid and received within thirty (30) days from the issuance of the notice of violation, excluding Saturdays, Sundays and holidays. The payment shall be made to the Village of Kildeer in care of the Village Clerk.

(B) If the notice is for the sixth or greater false alarm in any calendar year, then the owner of the alarm system shall pay fifty dollars (\$50.00) for each violation provided that said amount is paid and received within five (5) days from the issuance of the notice of violation, excluding Saturdays, Sundays, and holidays; and seventy five dollars (\$75.00) for each violation provided that said amount is paid and received within thirty (30) days from the issuance of the notice of violation, excluding Saturdays, Sundays and holidays. The payment shall be made to the Village of Kildeer in care of the Village Clerk.

(C) In the event that the owner of the alarm does not pay the required sum within the initial five (5) day period, as here above provided, the Village Clerk of Kildeer shall send notice that the fine has not been received within the prescribed five (5) day period, and that, therefore, the fine has escalated as described above. The fine must then be paid within thirty (30) days of the initial notice of violation to avoid prosecution.

§ 92.49 PENALTY.

Any person who violates any of the provisions of this Chapter, for which a penalty is not otherwise specifically provided, shall be fined, upon conviction, a sum not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each and every offense, and each day that such offense continues or occurs shall be considered a separate and distinct offense.

(Ord. 00-35, passed 10-16-00)