

VILLAGE OF LA GRANGE

ORDINANCE NO. 0-02 27

AN ORDINANCE AMENDING CHAPTER 94
OF THE VILLAGE OF LA GRANGE CODE OF ORDINANCES

WHEREAS, The President and Board of Trustees of the Village of La Grange have determined that it is in the best interests of the Village and its residents to control the recreational fires and the use of outdoor fireplaces by adding section 94.40 through 94.41 to Chapter 94 of the La Grange Code of Ordinances, entitled Fire Prevention Code; Flammable or Reactive Gases; Explosives and Fireworks; and,

WHEREAS The President and Board of Trustees of the Village of La Grange have determined that it is in the best interests of the Village and its residents to prohibit the wholesale storage and/or sale of fireworks; and,

WHEREAS The President and Board of Trustees of the Village of La Grange have determined that it is in the best interests of the Village and its residents to include fire sprinklers and standpipes in subsection 94.31 Plan Review Fees - New Systems; and,

WHEREAS The President and Board of Trustees of the Village of La Grange have determined that it is in the best interests of the Village and its residents to provide for the assessment of fees for the reinspection of properties,

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, County of Cook and State of Illinois, as follows:

Section 1. Recital. The forgoing recital is hereby incorporated into this Ordinance as a finding of the President and Board of Trustees.

Section 2. Addition to Chapter 94. That Chapter 94: Fire Prevention Code; Flammable or Reactive Gases; Explosives and Fireworks be amended to include Section 94.40 through 94.41 titled “Outdoor Fireplaces and Recreational Fires.”

Section 3. Addition to Chapter 94. That Chapter 94: Fire Prevention Code; Flammable or Reactive Gases; Explosives and Fireworks, subsection 94.31 Plan Review Fees - New Systems be amended to include fees for fire sprinkler and standpipe systems.

Section 4. Addition to Chapter 94. That Chapter 94: Fire Prevention Code; Flammable or Reactive Gases; Explosives and Fireworks, be amended to include Section 94.34 “Reinspection Fees.”

Section 5. Amendment to Chapter 94. That Chapter 94: Fire Prevention Code; Flammable or Reactive Gases; Explosives and Fireworks be amended to remove parts of section 94.20 – 94.27 Explosives and Fireworks to prohibit the wholesale storage and/or sale of fireworks.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

**CHAPTER 94: FIRE PREVENTION CODE; FLAMMABLE OR REACTIVE GASES;
EXPLOSIVES AND FIREWORKS**

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FIRE PREVENTION CODE**§ 94.01 ADOPTION BY REFERENCE.**

(A) The BOCA National Fire Prevention Code, tenth (10th) edition, 1996, as published by the Building Officials and Code Administrators International Inc., is hereby adopted by reference as a part of this code as if fully set out herein, except that the following sections of the BOCA code are not adopted: Section F-107.0 "Permits"; and Section F-113.0 "Means of Appeal; and that Section 101.1 be further amended to insert "Village of La Grange" as the name of the jurisdiction. (Ord. No. 0-96-25; passed 6-10-96) (Ord. 0-98-37, passed 10-12-98)

(B) In the event that any provision of the BOCA National Fire Prevention Code is in conflict with state law, any provisions of this code or with any other applicable ordinance of the village, the state law and such other regulation of the village shall prevail.

(C) In their interpretation and application, the provisions of this chapter shall be held to the minimum requirements adopted for the promotion of the public health, safety and general welfare. Wherever the requirements of this chapter are at variance with the requirements of any other(s), the highest or most restrictive standards shall apply.

('69 Code, § 155-1) (Ord. passed 9-12-55; Am. Ord. 0-63-27, passed 6-24-63; Am. Ord. 0-66-5, passed 3-14-66; Am. Ord. 0-70-29, passed 9-28-70; Am. Ord. 0-72-27, passed 11-27-72; Am. Ord. 0-80-40, passed 12-8-80; Am. Ord. 0-89-20, passed 5-27-89)

§ 94.02 APPEALS.

Appeals to any decision or order shall be made in writing to the Board of Trustees of the village and reviewed by the Building Board of Appeals established under § 150.120.

('69 Code, § 155-20) (Ord. passed 9-12-55; Am. Ord. 0-80-40, passed 12-8-80)

FLAMMABLE OR REACTIVE GASES**§ 94.10 DEFINITIONS.**

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

FLAMMABLE GASES. Any gas which will burn in the normal concentrations of oxygen in the air.

GAS UNDER PRESSURE. Any flammable or reactive gas that is under pressure more than 25 pounds per square inch.

LIQUIFIED GAS. One that, at normal temperatures inside its container, exists partly in the liquid state and partly in the gaseous state and under pressure as long as any liquid remains in the container.

REACTIVE GAS. Any gas that will react with other materials or with themselves with the production of potentially hazardous quantities of heat or reaction products by a reaction other than burning (combustion) and under reasonable anticipated initiating conditions of heat and shock.
(‘69 Code, § 155-175) (Ord. 0-86-06, passed 3-24-86)

§ 94.11 SALE OR MANUFACTURING OF FLAMMABLE OR REACTIVE GASES.

It shall be unlawful for any person or business establishment located within the village to offer for sale, expose for sale, sell, manufacture or otherwise distribute flammable or reactive gases which are liquified or under pressure and which are in a container of more than five U.S. gallons liquid capacity.
(‘69 Code, § 155-180) (Ord. 0-86-06, passed 3-24-86) Penalty, see § 94.99

§ 94.12 POSSESSION OF FLAMMABLE OR REACTIVE GASES.

It shall be unlawful for any person to possess any flammable or reactive gases which are liquified or under pressure and which are in containers with an aggregate volume in excess of 500 gallons (U.S.) liquid capacity, excluding any possession of flammable or reactive gases which are being administered for medical or therapeutic treatment.
(‘69 Code, § 155-185) (Ord. 0-86-06, passed 3-24-86) Penalty, see § 94.99

EXPLOSIVES AND FIREWORKS

§ 94.20 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning:

FIREWORKS. Any explosive composition or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect of a temporary exhibitional nature by explosion, combustion, deflagration or detonation. **FIREWORKS** includes: blank cartridges, toy cannons in which explosives are used, balloons that require fire underneath to be propelled, firecrackers, torpedoes, skyrockets, Roman candles, bombs or other items of like construction, and any containing any explosive compound, or any tablets or other devices containing any explosive substance or combustible substances producing visual effects. **FIREWORKS** excludes “snake” or “glow worm” pellets, smoke devices, sparklers and trick noisemakers known as “party poppers,” “booby traps,” “snappers,” “trick matches,” “cigarette loads” and “auto burglar alarms.”
(Ord. 0-89-32, passed 5-8-89)

§ 94.21 MANUFACTURE AND SALE OF EXPLOSIVES.

No person or corporation shall:

(A) Manufacture or store within the village any gunpowder, gun cotton, giant powder, dynamite, nitroglycerine, fulminate of mercury or other high explosive of similar nature. (‘69 Code, § 155-100)

(B) Keep, sell, offer for sale or give away within the village any gunpowder, gun cotton, giant powder, dynamite, nitroglycerine, fulminate of mercury or other high explosive of similar nature in any quantity whether in bulk or otherwise, except fixed ammunition as described in this chapter. ('69 Code, § 155-105)
Penalty, see § 94.99

§ 94.22 FIXED AMMUNITION LICENSE.

(A) Any person or corporation desiring a license for the sole purpose of keeping, selling or giving away loaded ball cartridges or shot shells for use in rifles, pistols or shotguns shall be entitled to a license upon application made as provided in this code, provided that such licensee shall not have on hand at any one time more than 25,000 rounds of such ammunition. ('69 Code, § 155-110)

(B) No person or corporation shall keep, sell, offer for sale or give away within the village any gunpowder, gun cotton, giant powder, dynamite, nitroglycerine, fulminate of mercury or other high explosive of similar nature, in any quantity, whether in bulk or otherwise, except fixed ammunition. ('69 Code, § 155-105)
Penalty, see § 94.99

§ 94.23 BLASTING.

No person or corporation shall blast or cause to be blasted any rock.
('69 Code, § 132-20) Penalty, see § 94.99

§ 94.24 RETAIL SALE OF FIREWORKS PROHIBITED.

The retail sale of fireworks, "snake" or "glow worm" pellets, smoke devices, sparklers and trick noisemakers (known as "party poppers," "booby traps," "snappers," "trick matches," "cigarette loads" and "auto burglar alarms") is prohibited.
('69 Code, § 155-125) (Am. Ord. 0-89-32, passed 5-8-89) Penalty, see § 94.99

§ 94.25 DISCHARGE OF FIREWORKS PROHIBITED; EXCEPTION.

The discharge, firing or use of all fireworks is hereby prohibited. However, the President and Board of Trustees may order the public display of fireworks by properly qualified people under the direct supervision of experts in the handling of fireworks. Such display shall be of such a character and so located, discharged or fired as, in the opinion of the Fire Chief and Chief of Police, shall not be hazardous to surrounding property or endanger any person.
(Ord. 0-89-32, passed 5-8-89) Penalty, see § 94.99

§ 94.26 STORAGE OF FIREWORKS; SALE AT WHOLESALE PROHIBITED; EXCEPTION; PERMIT.

(A) The storage or sale of fireworks at wholesale is prohibited, except by permit from the President, subject to the approval of the Board of Trustees, issued for one year.

(B) Application for permits must be filed with the village clerk at least 30 days before the issuing of the permit and must give a detailed description of the proposed care and storage of the materials and of the structural conditions and occupancies of the building.
(69 Code, § 155-130) Penalty, see § 94.99

§ 94.27 INSPECTION OF PREMISES.

Permits may be issued only after an inspection of the premises by the Police Chief and the Fire Chief or their authorized agents, who shall file with the Clerk a certificate of approval or their disapproval and reasons therefor.
(69 Code, § 155-135)

PLAN REVIEW FEES: FIRE ALARM AND SUPPRESS SYSTEMS

§ 94.30 DEFINITION

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

CONFORMING. Systems, equipment and devices which are in full compliance with the requirements as set forth in the BOCA National Fire Prevention Code as adopted in § 94.01 of this Code of Ordinances.

ALARM. Any audible or visible signal or intelligence indicating existence of a supposed fire or emergency requiring both response and emergency action on the part of the fire-fighting service; additionally, the alarm device or devices by which fire and emergency signals are received.

AUTOMATIC FIRE SUPPRESSION SYSTEM. An engineered system utilizing carbon dioxide (CO₂), foam, wet or dry chemical, a halogenated extinguishing agent, a clean extinguishing agent or an automatic sprinkler system to detect automatically and suppress a fire through fixed piping and nozzles.
(Ord. 0-98-37, passed 10-12-98)

§ 94.31 PLAN REVIEW FEES - NEW SYSTEMS

The fee for reviewing fire alarm and suppression systems required by the Village Code and newly installed in existing or new commercial or multi-family residential structures shall be as follows:

(A) Fire detection, alarm and/or notification systems which cover areas up to and including 10,000 square feet of protected area shall be charged a fee of thirty-five dollars (\$35.00) per system.

(B) Fire detection, alarm and/or notification systems which cover areas exceeding 10,000 square feet of protected area shall be charged a fee of seventy dollars (70.00) per system.

(C) These charges shall be based on each system or type of system which is included in the review, and shall be charged separately for each.

(D) For fire detection and suppression system which protect cooking appliances and exhaust extraction equipment (referred to as hood & duct systems) the fee shall be thirty-five dollars (\$35.00) per system in each occupancy.

(Ord. 0-98-37, passed 10-12-98)

§ 94.32 FEES FOR NEW NON-REQUIRED AND NON-CONFORMING SYSTEMS

Non-required systems which are installed at the discretion of the property owner and which conform to the Village Code shall be charged no fees for review.

(A) The La Grange Fire Department will perform no review or approval of non-conforming, non-required systems.

(Ord. 0-98-37, passed 10-12-98)

§ 94.33 FEES FOR EXISTING SYSTEMS

Charges for reviews of existing, conforming systems will be based on the type of system for which changes are to be made.

(A) Building which have existing non-conforming systems which are subsequently required to be upgraded to a conforming system due to changes in occupancy shall be charged fees as set forth in Section 1.0

(B) Building which have non-conforming systems which are subsequently upgraded at the owner's discretion to a conforming system shall be charged no fees for plan review.

(C) For repairs or alterations to existing sprinkler systems the fee shall be the greater of three cents (\$0.03) per square foot of the area served by the system to be repaired or altered or twenty-five dollars (\$25.00).

(Ord. 0-98-37, passed 10-12-98)

§ 94.99 PENALTY.

(A) Any person who shall violate any section of § 94.10 through § 94.12 shall, on conviction thereof, be fined not less than \$10.00 nor more than \$200.00 for each offense on a daily basis.

(B) Whoever violates § 94.21(A) shall be fined not less than \$50.00 nor more than \$200.00 for each offense. Every day that such violation continues shall constitute a separate offense.

(C) Whoever violates § 94.23 shall be subject to a fine of not less than \$10.00 nor more than \$200.00 for each offense.

(D) Whoever violates any other provisions of this chapter, where no other penalty is provided, shall be deemed guilty of a misdemeanor and shall be fined not less than \$25.00 nor more than \$300.00 for each offense. Each day that such violation shall continue shall constitute a separate offense.

(Ord. 0-98-37, passed 10-12-98)