

CHAPTER 2

FIRE REGULATIONS

SECTION:

5-2-1: Fire Lanes in Shopping Centers

5-2-2: Open Burning

5-2-3: Fire Sprinkler Systems

5-2-4: Hazardous Materials Emergency Response Cost Recovery

5-2-1: FIRE LANES:

A. The four (4) shopping Centers within the corporate limits of the Village, namely, Eastgate Shopping Center, Wilshire Village, Wilshire Mall and East Alton Plaza, and that part of 310 Smith Street located adjacent to the Madison County Housing Authority Olin Home, wherein the public is parking at a close range to various mercantile establishments aforesaid, which creates a fire hazard to the property and is dangerous to the life of persons is hereby declared to be a fire hazard and a nuisance. Therefore, there shall hereafter be a thirty-foot (30') space open for the purpose of driving fire fighting equipment in case of fire or emergency in the aforesaid fire lanes.

B. A fire lane is defined as an open space thirty feet (30') adjacent to the outside curb of the sidewalk in front of all mercantile establishment, or twenty feet (20') from existing sidewalks at Township Village Apartments and the 9th street Shopping Center.

C. No person shall park his motor vehicle except for emergency purposes within the aforesaid fire lanes and all deliveries to mercantile establishments in the above shopping centers shall be made at the rear entrance wherever possible.

D. "No Parking" signs shall be placed at or near the above fire lanes. (Ord. 774; 3-30-71, Ord. 1237; 10-21-97)

5-2-2: OPEN BURNING: Except as hereinafter provided, it shall be unlawful for any person to cause or engage in open burning of any matter within the corporate limits.

The definition of "open burning" means the combustion of any matter in such a way that the products of the combustion are emitted to the open air without originating in or passing through equipment for which a permit has been issued by the Environmental Protection Agency of the State of Illinois.

Nothing in this Section shall be construed to prohibit the burning of fuels for legitimate campfire, recreational, heating and cooking purposes, or in domestic fireplaces, provided that no garbage shall be burned in such cases. (Ord. 791; 3-22-72)

Section 1. That hereafter, except as hereinafter provided, it shall be unlawful for any person to cause or engage in open burning of any manner within the corporate limits.

Section 2. That the definition of "open burning" means: the combustion of any matter in such a way that the products of the combustion are emitted to the open air without originating in or

passing through equipment for which a permit has been issued by the Environmental Protection Agency of the State of Illinois.

Section 3. Nothing in this Ordinance shall be construed to prohibit the burning of fuels for legitimate campfire, recreational, heating and cooking purposes, or in domestic fireplaces, provided that no garbage shall be burned in such cases.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5. Any person, firm or corporation who or which shall violate the provisions of this ordinance shall be subject to a fine of not less than \$10.00 not more than \$500.00 for each such violation. Each day that any violation of this ordinance continues shall constitute a separate offense.

5-2-3: FIRE SPRINKLER SYSTEMS: Any person desiring to use a fire sprinkler system shall install same at his own cost, including material and labor. Said person using a fire sprinkler system shall be liable for any and all damages to any street, sidewalk, utilities or personal property and shall repair or replace same.

All material and labor used in installation of a fire sprinkler system shall be in accordance with the Village specifications and the Water Department shall have the right to inspect the sprinkler system at any time when deemed necessary by said Department. (Ord. 739; 3-18-69)

5-2-4: HAZARDOUS MATERIALS EMERGENCY RESPONSE COST RECOVERY

A. The Illinois Hazardous Material Emergency Response Reimbursement Act, currently 430 ILCS 55-1 et seq., be and is hereby adopted and incorporated by reference to the provisions of this Code, including the definitions contained within such Act, currently in Section 55-3 of the Act.

B. The “responsible party”, as defined in the Act, shall have the duty to reimburse the Village in a timely and reasonable manner for an emergency response to a Hazardous Material Emergency Incident on the part of the Village and any of its supporting agencies and other local governments, and for any private contractor responding to the incident at the request of the Village for the costs incurred in the course of providing such emergency action.

C. Such costs and fees shall include replacement costs of materials, use of materials, reimbursement of salaries expended by the Village, and shall further include mutual aid departments used to assist in the handling or mitigation of hazards.

D. The Fire Chief, or his designated representative, shall further have the right to take immediate action to mitigate or abate immediate hazard, including the seizure of property, the expenses of which shall be the responsibility of the property owner.

E. If the costs associated with the aforementioned emergency response are not paid to the Village in a timely manner, the response, mitigation, and abatement costs shall become a lien on the affected property.

F. Affected persons and property owners shall be notified of such lien as soon as possible.