

**CHAPTER 6**

**FIRE DEPARTMENT AND FIRE PREVENTION CODE**

**DIVISION 1 - FIRE DEPARTMENT PERSONNEL**

SEC. 6.1-1 CREATION. There has heretofore been created and is hereby continued and maintained a Fire Department as one of the administrative departments of the Town of Normal.

SEC. 6.1-2 DEPARTMENTAL STRENGTH AND ALLOCATION OF AUTHORIZED PERSONNEL AMONG POSITION CLASSIFICATIONS. The authorized full-time strength of the Fire Department and the number of persons authorized to hold various job classifications within the Department is established and may be changed from time to time by the corporate authority of the Town by the adoption of the Annual Budget Document. The full-time department may be assisted by not more than ten volunteer, part-time firefighters.

SEC. 6.1-3 APPOINTMENT OF PERSONS TO POSITION CLASSIFICATIONS WITHIN THE FIRE DEPARTMENT.

- A. Fire Chief. The Fire Chief shall be appointed by the Municipal Manager in the manner provided in the Town's Personnel Code.
- B. Assistant Fire Chief. The Assistant Fire Chief position shall be filled by the appointment of the Fire Chief with the consent of the Municipal Manager in the manner provided by the Personnel Code of the Town.
- C. Battalion Chief. The Battalion Chief position hereby created shall be filled by the appointment of the Fire Chief with the consent of the Municipal Manager in the manner provided by the Personnel Code of the Town. (Added 12/16/02 by Ord. No. 4840)
- D. Firefighter II. This entry-level and lowest ranking position in the Fire Department shall be appointed by the Fire Chief with the consent of the Municipal Manager in the manner provided by the Personnel Code of the Town.
- E. Promotional Positions. The following positions are promotional in the Fire Department:

Captain  
Lieutenant  
Firefighter II

Appointments to such promotional positions shall be made by the Fire Chief with the consent of the Municipal Manager in accordance with the terms of any collective bargaining agreement governing such appointment.

- F. Other Appointed Positions. All other authorized full-time positions in the Fire Department shall be filled by appointment of the Fire Chief, with the consent of the Municipal Manager in the manner provided in the Personnel Code of the Town.
- G. Part-Time Volunteer Firefighters. Part-time volunteer firefighters may be appointed and removed by the Chief. Persons desiring to serve as volunteer part-time firefighters shall submit a written application for employment to the Chief. The Chief may review such applications, interview such applicants and hire those individuals deemed the best able to perform the duties of part-time volunteer firefighters. No person shall first be employed as a volunteer part-time firefighter who is more than 34 years of age or who is unable to pass a physical examination designed to ascertain whether that person is physically able to perform the duties of a firefighter. Such examination shall be given by a licensed physician at Town expense, prior to hiring an individual as a part-time volunteer firefighter.
- H. Certification. Within two years from the date of original appointment as a volunteer part-time firefighter, all part-time volunteer firefighters shall successfully obtain certification as a Firefighter II from the State of Illinois. Failure to obtain such certification within the period specified shall be grounds for termination.

(Entire 6.1-3 Amended 5/17/04 by Ord. No. 4946)

SEC. 6.1-4 DUTIES OF FIRE DEPARTMENT PERSONNEL. Personnel in the Fire Department shall perform the duties and responsibilities assigned to the current job description for the position held, as such job descriptions may from time to time be revised and approved by the corporate authority.

SEC. 6.1-5 PERSONNEL REGULATIONS. Personnel regulations and compensation:

- A. Full-Time Members. Except as otherwise provided in a collective bargaining agreement with the Town, all full-time members of the Department shall be subject to the Personnel Code provided in Chapter 18 of the Municipal Code.
- B. Part-Time Volunteer Firefighters.
  - 1. Training Time. All part-time volunteer firefighters are required to take part in all training programs assigned by the Chief, which shall include not less than six hours of training time a month. Part-time volunteer firefighters will be paid for such training time at the hourly rate established for part-time volunteer firefighter training time in the Salary Administrative Program, as that rate is amended from time to time by the corporate authority through the adoption or amendment of budget documents.
  - 2. Call-In Time. Part-time volunteer firefighters called in by a command officer for other than training or officer-assigned work-in purposes who respond to such call shall be paid for such call-in time at the hourly rate established for part-time volunteer firefighters call-in time in the Salary

Administration Program, as that rate is amended from time to time by the corporate authority through the adoption or amendment of budget documents.

3. Officer Assigned Work-In. Firefighter II part-time volunteer firefighters asked, by a command officer, to work "officer assigned work-in" and actually performing such services shall be paid for such officer assigned work-in at the hourly rate established for part-time volunteer firefighters officer assigned work-in in the Salary Administration Program, as that rate is amended from time to time by the corporate authority through the adoption or amendment of the budget document.

SEC. 6.1-6 DISCIPLINE, SUSPENSION AND REMOVAL. The Municipal Manager with respect to the Fire Chief and the Chief with respect to all other positions in the Department may discipline, suspend or remove such persons in the following way:

- A. For persons subject to the terms of a collective bargaining agreement, in accordance with the applicable terms of the agreement.
- B. For persons not subject to the terms of a collective bargaining agreement, in accordance with the Town Personnel Code.

**DIVISION 2 - FIRE INSPECTOR**

SEC. 6.2-1 CREATION. The positions of Fire Inspector having before been created are continued. Such positions shall be filled by appointment of the Fire Chief with the consent of the Municipal Manager in the manner provided in the Personnel Code of the Town.

SEC. 6.2-2 FIRE INSPECTORS. Said Fire Inspectors shall have authority to administer and enforce all Fire Codes and regulations of the Town of Normal and the State of Illinois within the Town of Normal and specifically, but not limited to the Fire Prevention Code of the National Fire Protection Association as adopted by the Town of Normal and shall make recommendations to the Fire Chief as to ordinances desirable for the prevention or elimination of fire hazards. It shall be the further duty of said Fire Inspectors to inspect all properties on a regular but unscheduled basis for fire hazards in compliance with fire codes and regulations of the Town of Normal and State of Illinois. Said inspectors shall maintain records and reports of all inspections, issue orders to violators and follow up to see that violations are corrected. Said inspectors shall assume and do all other duties as assigned by the Fire Chief or the City Manager, including the making of necessary public relation contacts. The compensation for such position shall be as is from time to time provided by the President and Board of Trustees. Fire Inspectors shall serve as Fire Marshal as that term is used in the Fire Prevention Code of the National Fire Protection Association.

**DIVISION 3 - FIREMEN'S PENSION FUND**

SEC. 6.3-1 CREATION OF THE BOARD. That the Board of Trustees of the firemen's pension fund be and the same is hereby created as by statute provided consisting five (5) members. Two members of the Board shall be appointed by the President of the Board of Trustees of the Town of Normal. Two members of the Board shall be active participants of the pension fund who are elected from the active participants of the fund. One member of the Board shall be a person who is retired under the Firemen's Pension Fund Act who is elected from persons retired under the Firemen's Pension Fund act.

SEC. 6.3-2 MEMBERS. The members of said Board chosen from the active firemen of such municipality and one person chosen from the retired firemen shall be elected as provided by statute and board rule. The other board members as set forth in said statute shall consist of those persons appointed by the President of the Board of Trustees of the Town of Normal.

SEC. 6.3-3 POWERS OF BOARD. The Board shall have the powers and duties stated in 40 ILCS 5/4 et seq. Illinois Compiled Statutes as therein provided and as may be hereafter provided.

(Entire Division 3 was amended 3/6/06 by Ord. No. 5058)

**DIVISION 4 - FIRE PREVENTION CODE**

**SECTION 6.4-1 ADOPTION.** This Division shall provide the Town of Normal with rules and regulations to improve public safety by promoting the control of fire hazards; regulating the installation, use, and maintenance of equipment; regulating the use of structures, premises, and open areas; providing for the abatement of fire hazards; establishing the responsibilities and procedures for code enforcement; and setting forth the standards for compliance and achievement of these objectives.

This Division shall be known as Fire Prevention Code. This Division adopts NFPA 1, Fire Prevention Code, of the National Fire Protection Association, and its incorporated standards, appendices, and codes as published in the National Fire Codes of the National Fire Protection Association being particularly the 2015 edition thereof, including all amendments thereto adopted by the NFPA through their August 2015 meeting, save and except those portions such as are hereinafter deleted, modified, or amended by SEC. 6.4-16 of this Division. The same are hereby adopted and incorporated as fully as if set out at length herein. One copy of the adopted issue of NFPA 1, Fire Prevention Code, of the National Fire Protection Association, and the adopted standards, appendices and codes of the National Fire Codes shall be filed in the office of the City Clerk and the provisions thereof shall be controlling within the limits of the Town of Normal. (Amended 12/4/00 by Ord. No. 4691)(Amended 3/5/07 by Ord. No. 5121)(Amended 8/3/09 by Ord. No. 5283)(Amended 10/21/13 by Ord. No. 5510)(Amended 1/4/2016 by Ord. No. 5615)

In case any provision of the foregoing Codes are inconsistent or are in conflict with any other Town Code, the provision that is more restrictive shall prevail. The determination as to which of said Codes is the more restrictive shall be made in the sole discretion of the Fire Chief of the Town of Normal, or his duly designated agent for said purpose.

**SECTION 6.4-2 DUTY TO OBEY.** It shall be unlawful for any person to violate this Division, to permit or maintain such a violation, to refuse to obey any provision thereof, or to fail or refuse to comply with any such provision or regulation except as variation may be allowed by the action of the Chief of the Fire Department in writing. Proof of such unlawful act or failure shall be deemed prima facie evidence that such act is that of the owner or other person in control of the premises. Prosecution or lack thereof of either the owner, occupant, or the person in charge shall not be deemed to relieve any of the others.

**SECTION 6.4-3 DIVISION OF FIRE PREVENTION.** The Fire Chief of the Normal Fire Department shall be responsible for the enforcement of the Fire Prevention Code. The Fire Chief of the Normal Fire Department may detail qualified members of the Fire Department as inspectors as shall from time to time be necessary. To assist in the performance of the responsibilities and duties placed upon the Fire Chief of the Normal Fire Department, a Division of Fire Prevention in the Fire Department of the Town of Normal is hereby created.

**SECTION 6.4-4 DUTIES.** It shall be the duty of the officers of the Division of Fire Prevention to enforce all laws and ordinances of the Town of Normal, covering the following:

- A. The preservation of safety to life and the prevention of fires;
- B. The storage, sale, and use of combustible, flammable or explosive materials;

- C. The installation and maintenance of automatic and other fire alarm systems and fire extinguishing equipment;
- D. The means and adequacy of exit in case of fire or other emergency, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters, and all other places in which numbers of persons work, live, or congregate, from time to time, for any purpose;

They shall have such other powers and perform such other duties as are set forth in other sections of this Chapter, and as may be conferred and imposed from time to time by law, or as designated by the Fire Chief.

SECTION 6.4-5 INSTRUCTIONS. The Fire Chief of Normal shall prepare instructions for the Fire Inspectors, and forms for their use in the reports required by this Division.

SECTION 6.4-6. Reserved.

SECTION 6.4-7 PERMIT. Before permits may be issued as required by this Code, the Fire Inspectors shall inspect and approve the receptacles, processes, vehicles, buildings, or storage places to be used for any such purposes.

SECTION 6.4-8 INSPECTIONS. The Fire Inspectors shall inspect or cause to be inspected all premises on a periodic basis, and shall make such orders as may be necessary for the enforcement of the laws and ordinances governing the same and for safeguarding or life and property from fire.

SECTION 6.4-9 COMPLIANCE.

- A. Whenever any inspection shall find in any building, or upon any premises or other places, combustible or explosive matter or dangerous accumulations of rubbish or unnecessary accumulations of waste paper, boxes, shavings, or any highly flammable materials especially liable to fire, and which is so situated as to endanger property; or shall find obstructions to or on fire escapes, stairs, passageways, doors, or windows, liable to interfere with the operations of the Fire Department or egress of occupants in case of fire, the inspector shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to the appeals procedure provided for in the Fire Prevention Code.
- B. Any owner or occupant failing to comply with such order within a reasonable period after the service of the said order shall be liable to penalties as hereinafter provided.
- C. The service of any such order may be made upon the occupant of the premises to whom it is directed, either by delivering a copy of same to such occupant personally, or leaving it with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises. Whenever it may be necessary to serve such

an order upon the owner of premises, such order may be served either by delivering to and leaving with the said person a copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy by certified mail to the owner's last known post office address.

- D. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building, structure, or land is used in violation of this Chapter, the proper authorities of the Town, in addition to other remedies, may institute any appropriate action or proceeding to prevent such an unlawful erection, maintenance or use to restrain, correct or abate such violation; to prevent the occupancy of said building or structure or land; or to prevent any illegal act, conduct, business or use in or about such premises.

SECTION 6.4-10 RECORDS. The Fire Inspectors shall compile and keep a record of all fires and all the facts concerning the same, including injuries, deaths, rescue of persons, statistics as to the extent of such fires and the damage caused thereby, and whether such losses were covered by insurance, and if so, in what amount. Such record shall be made daily from the reports made by the Fire Inspectors under the provisions of this ordinance.

SECTION 6.4-11 ANNUAL REPORT. The Fire Inspectors shall make an annual report of the activities of the Bureau of Fire Prevention and shall transmit this report to the Fire Chief of the Normal Fire Department. The report shall contain all proceedings under the Fire Prevention Code with such statistics as the Fire Chief may wish to include therein.

SECTION 6.4-12 AMENDMENTS. The Fire Chief of the Normal Fire Department or the Chief Fire Inspector shall also recommend any amendments to the Fire Prevention Code or ordinance that shall be desirable.

SECTION 6.4-13 SCOPE. The provisions of the Fire Prevention Code shall apply equally to both public and private property, and it shall apply to all structures and their occupancies, except as otherwise specified.

SECTION 6.4-14 SOURCE OF DIVISION. This act shall be deemed in exercise of the police powers of the Town of Normal for the preservation and protection of the public health, peace, safety, and welfare, and all the provisions of the Fire Prevention Code shall be liberally construed for that purpose.



SECTION 6.4-15 PENALTY.

- A. Any person found guilty of violating, disobeying, omitting, neglecting or refusing to comply with, or resisting or opposing the investigation or enforcement of any of the provisions of this Code, upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for the first offense and not less than two hundred and fifty dollars (\$250.00) nor more than one thousand dollars (\$1,000.00) for the second and each subsequent offense in any 180 day period: provided however, that all actions seeking the imposition of fines only shall be filed as quasi-criminal actions subject to provisions of the Illinois Code of Civil Procedure (735 ILCS 5/1 et seq.). A separate and distinct offense shall be regarded as committed each day upon which said person shall continue any such violation, or permit any such violation to exist after notification or knowledge of the existing thereof. (Amended 6/3/02 by Ord. No. 4797).
- B. Persons receiving citations for violations of the Fire Prevention Code may settle certain of those violations as set forth in SEC. 17.2 of the Town of Normal Municipal Code. (Amended 12/4/00 by Ord. No. 4691)

SECTION 6.4-16 ADDITIONS, INSERTIONS, DELETIONS, AMENDMENTS, AND MODIFICATIONS TO NFPA 1.

- A. Amend Section 1.3 Application of NFPA 1 to read as follows:
- Section 1.3 Application. The provisions of this Code shall apply to all buildings, structures, vehicles, marine vessels, premises, and conditions within this jurisdiction. The provisions of this Code shall apply equally to existing as well as new buildings, structures, marine vessels, premises, and conditions not in compliance with this Code may be permitted to continue unless in the opinion of the Fire Chief they constitute a fire hazard to life or property.
- B. Amend Sections 1.10 Board of Appeals to read as follows:
- Section 1.10 Board of Appeals. As used in NFPA, the term Board of Appeals shall mean the Building Board of Appeals as established by the Town pursuant to Chapter 11 of the Town of Normal Municipal Code, 1969, as amended
- C. Amend Section 1.16.4 to read as follows:
- Section 1.16.4. Any person who fails to comply with the provisions of this Code or who fails to carry out an order made pursuant of this Code or violates any condition attached to a permit, approval, or certificate, shall be subject to the penalties established by SEC. 6.4-15 of this Division.

- D. Add Section 1.16.6 Reinspection Fee to read as follows:

Section 1.16.6 Reinspection Fee. Continuous violations requiring more than one (1) reinspection shall be subject to a fifty dollar (\$50.00) fine for each and every subsequent reinspection.

- E. Add the following sentence at the end of Section 2.1 General:

As the documents or portions thereof are updated, the most current code or section adopted by the National Fire Prevention Association shall apply.

- F. Amend Section 2.2 by deleting “NFPA 5000, Building Construction and Safety Code, 2015 Edition.”

- G. Amend Section 2.4 by deleting “NFPA 5000, Building Construction and Safety Code, 2015 Edition.”

- H. Add Section 3.3.122.1 to read as follows:

Section 3.3.122.1 Designation of Fire Lanes. The following alleys with the width of each alley shown in parenthesis, are hereby designated as fire lanes:

1. The north-south alley extending between Hovey Avenue and the former SPCSL Corp. tracks, located in the block bounded by Franklin Avenue on the east and University Street on the west. (20 feet)
2. The north-south alley extending between Church Street and Cullom Street in the block bounded by Main Street on the west, Cullom Street on the south, University Street on the east and Church Street on the north. (20 feet)
3. The alley paralleling the former SPCSL Corp. tracks, said alley extending between a municipal parking lot on the southwest and Linden Street on the northeast in the block bounded by East Beaufort Street on the north, Linden Street on the east, railroad right-of-way on the south and a municipal parking lot on the west. (22 feet)
4. The south half of the north-south alley extending between Dale Street and Osage Street in the block bounded by Main Street on the east, Dale Street on the north, Kingsley Street on the west and Osage Street on the south. (16 feet)
5. The north-south alley extending between Osage Street and Beaufort Street in the block bounded by Osage Street on the north, University Street on the east, Beaufort Street on the south and Main Street on the west. (20 feet)
6. The north-south alley extending between Willow Street and Locust Street in the block bounded by Willow Street on the north, Normal Avenue on the east, Locust Street on the south, and University Street on the west. (20 feet)

7. The north 396 feet of the north-south alley extending between Locust Street and College Avenue in the block bounded by Main Street on the west, Locust Street on the north, University Street on the east and College Avenue on the south. (20 feet)
8. The east-west alley extending between Broadway Avenue and parking lot adjacent to the west of the SPCSL Corp. right-of-way in the block bounded by Broadway Avenue on the west, College Avenue on the north, the SPCSL Corp. right-of-way on the east and North Street on the south. (12 feet)
9. The north-south alley extending between Irving Street and Vernon Avenue in the block bounded by Fell Avenue on the west, Irving Street on the north, Broadway Avenue on the east and Vernon Avenue on the south. (20 feet)
10. The north-south alley extending between Irving Street and Vernon Avenue in the block bounded by Hester Avenue on the west, Irving Street on the north, Fell Avenue on the east and Vernon Avenue on the south. (20 feet)
11. The alley extending between the SPCSL Corp. right-of-way and continuing to Vernon Avenue in the block bounded by Hester Avenue on the east, Vernon Avenue on the south, School Street on the west and the SPCSL Corp. right-of-way on the north. (20 feet)
12. The east-west alleys extending between Oak Street and Maple Street in the block bounded by Oak Street on the west, College Avenue on the north, Walnut Street on the east and Dewey Avenue on the south. (16 feet)
13. The northeasterly-southwesterly alley extending between the SPCSL Corp. right-of-way and the intersection of College and Linden in the block bounded by the SPCSL Corp. right-of-way on the west, College Avenue on the north, Linden Street on the east and Beaufort Street on the south. (10 feet)

(Subsection H Amended 8/3/09 by Ord. No. 5283)(Amended 10/21/13 by Ord. 5510)

I. Add to Section 10.16.3 Decorations and Floats the following:

No float shall be erected over any mechanical vehicle which shall hinder the occupant from being able to remove himself safely and quickly.

All electrical wiring to decorations shall be on a separate circuit of the proper capacity to protect all wiring and conform to the electrical code of the Town.

The Fire Prevention Division can reject any display, float, house decoration, or structure placed in a hazardous location to life, safety, or dangerous to property. The Fire Prevention Division shall have the authority to have the said structure, decoration, float, or display removed or replaced at any time.

Any float placed on display must be located at least fifty (50) feet from any building or structure.

The above sections shall prevail to any place within the jurisdiction of the Fire Department of the Town of Normal. (Amended 8/3/09 by Ord. No. 5283)

J. Add Section 13.1.1.2 Minimum Safety Margin. Any fire sprinkler hydraulic calculation submitted to the Town of Normal shall have at a minimum 10 psi Safety Margin.

K. Amend Section 13.2.2.2(1) by deleting the word “three” and substituting the word “two” in lieu thereof.

L. Amend Section 13.3.1.8.2.1 by deleting the existing language and substituting the following:

Supervision of automatic sprinkler systems is required for all automatic sprinkler systems, except for automatic sprinkler systems in a one or two-family dwelling. Waterflow alarms shall be transmitted to an approved proprietary alarm-receiving facility, a remote station or a central station.

M. Add Section 13.3.1.8.2.3 Automatic Sprinkler Alarms for Multi-Story Buildings as follows:

In multi-story buildings that have sprinkler systems, approved floor control valves with water flow switches shall be provided for each floor. There shall be a white horn/strobe unit installed in weatherproof housing above each fire connection for each sprinkler system.

N. Add Section 13.3.1.8.2.4 Automatic Sprinkler Alarms for Multi-Tenant Buildings as follows:

In sprinklered buildings with multiple tenants an approved control valve with water flow switches shall be provided for each tenant space. There shall be a white horn/strobe unit installed in weatherproof housing above each fire connection for each sprinkler system. An additional amber strobe shall be installed at an approved exterior location for each unit to be activated by the flow switch for that particular unit.

O. Add Section 13.3.1.8.2.5 Notification Devices for Sprinkler Alarms in Multi-Tenant Buildings as follows:

Approved audio/visual devices shall be connected to every automatic sprinkler system. Such devices shall be activated by the flow of water through any flow switch installed in the sprinkler system. All water flow devices shall activate alarm notification devices in compliance with NFPA 13 and 72. Where there are multiple tenants or uses in a building, the activation of a water flow device in any area of the building will activate all notification devices in the building or structure.

- P. Amend Section 13.5.1 Private Service Mains by adding the following:

Private service mains shall be constructed of metal pipe, and shall not be PVC, concrete or other non-metallic material. A private service main supplying water to a building shall be installed the full length from the supply to the final location within the building or structure at a single time and by a single contractor.

- Q. Amend Section 18.2.2.1 Access Boxes to read as follows:

Any building, other than a one or two family dwelling, that has an automatic alarm system which is capable of dialing a remote station for Fire Department notification as described in NFPA72 shall have an approved access box installed in an accessible location approved by the Fire Department.

- R. Add Section 18.4.2.1 Hydrant Flow to read as follows:

Section 18.4.2.1 Hydrant Flow. Water flow from hydrants, as recommended by the Illinois Insurance Services Office (ISO), shall be required before occupancy of any structure. Where at least fifty percent (50%) of the required water flow is not present at the closet hydrant to any structure, said structure shall have a sprinkler system installed conforming with NFPA standards. Water flows shall be tested and/or certified by the Normal Fire Department.

- S. Add Section 18.5.11 Hydrant Location to read as follows:

Hydrants. Other than single-family and two-family zoning, pumper type hydrants shall be located no more than 250 feet apart and at such additional locations as are necessary due to configuration, size, use of buildings, or property as required by the division of fire prevention. (Amended 8/3/09 by Ord. No. 5283)(Amended 10/21/13 by Ord. No. 5510)

- T. Add Section 13.5.1.1 Water Supply to a Private Hydrant to read as follows:

Section 13.5.1.1 Water Supply to a Private Hydrant. All water supply mains to a private fire hydrant shall be constructed and installed so that such mains do not pass through a building or structure. (Added 1/7/02 by Ord. No. 4762)(Amended 8/3/09 by Ord. No. 5283) (Amended 10/21/13 by Ord. No. 5510)

- U. Add Section 42.3.4 Fuel Storage Tanks Under or Above Ground:

All storage of gasoline or other volatile fuel shall be in compliance with the rules and regulations promulgated by the Office of the State Fire Marshall as amended from time to time. The following provisions shall apply to any above ground storage of gasoline or other volatile fuel:

1. No above ground storage tanks shall be located within any residential zoning district.
2. A maximum of two (2) tanks per occupancy.

3. The aggregate capacity of above ground storage of gasoline or other volatile fuel shall be a maximum of five hundred (500) gallons per lot or use whichever is more restrictive, and a maximum of one thousand (1,000) gallons in a B-1 Business Zoning District and M-1 Manufacturing Zoning District.
4. All above ground storage tanks shall conform to applicable NFPA Codes and appendices.
5. All tanks at the time of installation must meet or exceed the Underwriters Laboratory standard 2085 or the latest revision thereof.
6. The Fire Department may issue regulations requiring diking or other containment methods where life, health, and safety so require.
7. Tanks shall be screened from view of streets and residential property.
8. Tanks shall not be located closer than two hundred (200) feet to an assembly occupancy or building containing any residential dwelling units.
9. Tanks exceeding 500 gallons shall be equipped with an automatic alarm system notifying the Town or the local central dispatching agency of any problems with the tank affecting public safety.
10. In the B-1 Business District, tanks and related facilities shall be screened from street view with a concrete or masonry wall or similar permanent material other than wood, vinyl, metal or mesh.
11. The Fire Chief, or his or her designee, may issue a permit for a temporary waiver of any of the requirements set forth under paragraphs 1, 2, 3, 7, 8, 9, or 10 of this Subsection O for the temporary storage of fuel tanks. Any request for a waiver must be made in the form and manner required by the Fire Chief. The Fire Chief may approve a request for a temporary waiver only if he or she finds that (i) the waiver will not conflict with any State or Federal law or any rule or regulation of the State Fire Marshall and (ii) the granting of the waiver will not jeopardize the health, safety, or welfare of the public or of any employee or agent of the Town. The decision to grant or deny a waiver rests in the discretion of the Fire Chief. Any waiver granted may not exceed a period of 12 months.

(Amended 8/3/09 by Ord. No. 5283)(Sub-Section O Amended 10/15/2012 by Ord. No. 5457)(Sub-Section O Amended 6/1/2015 by Ord. No. 5587)(Sub-Section U Amended 3/20/2017 by Ord. No. 5685)

V. Combustion Heaters in Outdoor Public Assembly Areas:

1. A combustion heater is any heating unit that uses propane gas, natural gas, kerosene, or gasoline which is designed and intended to be used in various locations either indoors or outdoors.

2. For purposes of this Section, a “place of assembly” is any place used for a gathering of persons for deliberation, worship, entertainment, eating, drinking, amusement, awaiting transportation, sports, work breaks, or similar uses. A “place of assembly” excludes residential premises.
3. Wherever a combustion heater is used outdoors in a place of assembly, the heater must meet the following conditions:
  - a. The heater must be permanently attached to the ground, floor, or wall such that it cannot be tipped or knocked over.
  - b. The heater must be provided with a permanent fuel supply that is piped to the unit that has a remote shut-off valve that is no closer than 20 feet from the unit. The remote shut-off may be closer than 20 feet from the unit if the remote shut-off is on the other side of a solid wall at least ten feet high with a minimum one-hour fire rating. Where multiple heaters are used in a single location, a single remote shut-off valve must be utilized and located no closer than 20 feet from any unit or on the other side of a solid wall at least 10 feet high with a minimum one-hour fire rating.
  - c. The heater must be listed for the use to which it is being put from the agency recognized for that purpose by either NFPA or International Code Council.
  - d. The unit must be located or screened such that persons cannot be accidentally burned by the unit.
  - e. The unit must be shut-off when there are no persons on the premises.
  - f. A minimum distance from combustibles must be maintained at the greater of those set forth by the listing company or the following:
    - (1) 16 inches above the reflector,
    - (2) 30 inches below the reflector, and
    - (3) 30 inches beside the reflector.
  - g. Overhead deflectors and burners must be a minimum of 84 inches above the ground.

(Entire Sub-Section S Added 11/3/2008 by Ord. No. 5220)

(Entire SEC. 6.4-16 Amended 1/18/05 by Ord. No. 4992)(Entire SEC. 6.4-16 Amended 3/5/07 by Ord. No. 5121)(Entire SEC. 6.4-16 Amended 1/4/2016 by Ord. No. 5615)

#### SECTION 6.4-17 OPEN BURNING & PERMIT SYSTEM.

- A. Rules for Open Burning and Other Activities Requiring Permits. The rules for open burning and other activities requiring permits are contained in this Section.

1. Open Burning Prohibition. Except as otherwise provided herein, it shall be unlawful for any person to ignite, burn, cause to be ignited or burned or permit to be ignited or burned any paper, furniture, building, structure, material constituting refuse (as that term is defined and used in Chapter 21 of the Municipal Code of the Town of Normal, 1969, as amended), leaves, lawn trimmings, or garden wastes on any public right-of-way street, alley or sidewalk, or in any private yard, lot, courtway, or other open unenclosed space within the corporate limits of the Town of Normal.
2. Cooking and Recreational Fires. A permit is required for all fires conducted outside of a building, except cooking and recreational fires which are allowed without a permit under the following conditions:
  - a. Cooking fires are allowed under the following conditions:
    - (1) The fire is built in a fireplace, or grill;
    - (2) The fire is used for cooking purposes only;
    - (3) The fire is kept under competent and continuous supervision;
    - (4) All flammable and combustible material not used as fuel for the fire is removed a sufficient distance from the fire so as not to constitute a hazard;
    - (5) All fires and coals are thoroughly extinguished after the use thereof has been completed; and
    - (6) Only clean, dry firewood or charcoal may be used for cooking fires. Construction materials or yard waste are strictly prohibited. The use of flammable or combustible liquids, other than commercially produced charcoal lighter fluid, to start the fire is strictly prohibited.
  - b. Recreational fires are allowed under the following conditions:
    - (1) The fire is in a commercially available portable fireplace, a chiminea, a permanent outdoor fireplace constructed of stone or firebrick, or in an approved fire pit. For purposes of this Section, an approved fire pit shall be bare ground with no vegetation no less than fifteen feet in diameter.



- (2) Only clean, dry firewood may be used for recreational fires. Construction materials or yard waste is strictly prohibited. The use of flammable or combustible liquids, other than commercially produced charcoal lighter fluid, to start the fire is strictly prohibited.
  - (3) The fire is kept under competent and continuous supervision.
  - (4) All flammable and combustible material not used as fuel for the fire is removed a sufficient distance from the fire so as not to constitute a hazard.
  - (5) All fires and coals are thoroughly extinguished after the use thereof has been completed.
  - (6) No fire shall exceed three feet in diameter or two feet in height.
  - (7) No fire in an approved container (portable fireplace or chiminea) shall be located within 8 feet of a building. No fire in a fire pit shall be located within 25 feet of a building.
  - (8) At least one functioning, portable fire extinguisher with a 4-A rating shall be outside and available for immediate use at all times when the fire is burning, or a functional garden hose attached to a functional water source.
  - (9) No recreational fires are permitted between the hours of 11:00 p.m. and 7:00 a.m.
  - (10) No recreational fire shall be permitted when the Fire Chief or his designee has issued an order banning all recreational fires. The Fire Chief may issue an order banning all recreational or special event fires when wind conditions or drought create a significant risk of fire spreading beyond the recreational or special event fire.
  - (11) All recreational fires shall be extinguished when repeated wind gusts in excess of 20 miles per hour are presented or when there is sustained wind in excess of 15 miles per hour.
3. Permits Required. It shall be unlawful to have an open fire, except cooking and recreational fires as set forth in SEC. 6.4-17(A)(2) of this Code or to engage in the following activities in the Town of Normal unless a permit has been obtained prior to the open fire or engaging in the listed activity:

- a. Special event fires. A person or entity may have an open special event fire if the following conditions are met:
- (1) A special event fire permit has been obtained from the Town of Normal Fire Department.
  - (2) The group or person obtaining the permit provides competent and continuous supervision;
  - (3) That the fire is built in connection with an activity comparable to one of the following illustrative examples: school pep rally bonfire, scouting, and related activities; group wiener roasts; or campfires.
  - (4) The fire is in a fire pit which shall consist of bare ground with no vegetation no less than 30 feet in diameter.
  - (5) Only clean, dry firewood or non-treated lumber may be used for special event fires. The use of flammable or combustible liquids, other than commercially produced charcoal lighter fluid, to start the fire is strictly prohibited. No special event fire shall exceed ten feet in diameter or ten feet in height.
  - (6) All flammable and combustible material not used as fuel for the fire is removed a sufficient distance from the fire so as not to constitute a hazard.
  - (7) All fires and coals are thoroughly extinguished after the use thereof has been completed.
  - (8) No special event fire shall be located within 50 feet of a building.
  - (9) At least one functioning, portable fire extinguisher with a 4-A rating shall be outside and available for immediate use at all times when the fire is burning, or a functional garden hose attached to a functional water source.
  - (10) No special event fires are permitted between the hours of 11:00 p.m. and 7:00 a.m.
  - (11) No special event fire shall be permitted when the Fire Chief or his designee has issued an order banning all special event fires. The Fire Chief may issue an order banning all special event fires when wind conditions or drought create a significant risk of fire spreading beyond the special event fire.

- (12) All special event fires shall be extinguished when repeated wind gusts in excess of 20 miles per hour are presented or when there is sustained wind in excess of 15 miles per hour.
- b. A permit is required for the operation of any plant or the conduct of any operation that produces potentially explosive dust as a product, or by-product, during the operation of such plant or the conduct of such operation.
  - c. A permit is required:
    - (1) For the storage, handling, or use of containers of more than:
      - i. 2,000 gallons (7,570L) individual water capacity or an aggregate water capacity of 4,000 gallons (15,140L) of flammable compressed gases, or
      - ii. 10,000 gallons (37,850L) individual water capacity or an aggregate water capacity of 20,000 gallons (75,700L) of nonflammable compressed gases.
    - (2) For each temporary installation of flammable compressed gases over ten (10) gallon water capacity.
    - (3) To store, use, or handle containers of flammable liquefied gases of 2,000 gallons (7,570L) individual water capacity aggregate water capacity of 4,000 gallons (15,140L).
    - (4) To store, use, or handle liquefied medical gases exceeding 2,000 gallons (7,570L) water capacity in any one container or an aggregate water capacity of 4,000 gallons (15,140L).
  - d. Permits to manufacture, possess, sell, or otherwise use explosive materials shall be obtained in accordance with the requirements set forth in NFPA 495, Manufacture, Transportation, Storage, and Use of Explosive Materials.
  - e. A permit is required for:
    - (1) Storage, handling, or use of Class I flammable liquids in excess of 15 gallons (56.78L) inside of any building or in excess of 60 gallons (227.1L) outside of any building.
    - (2) Storage, handling, or use of Class II or III flammable or combustible liquids in excess of 25 gallons (94.36L) in a building or 60 gallons (227.1L) outside of a building.

- (3) The initial installation of an oil burner and attendant fuel tank installed in accordance with applicable NFPA Codes and standards as listed in Annex A of this Code.
  - (4) The replacement of an existing oil burner or fuel oil tank connected to the oil burner.
- f. Permits for the supervised display of fireworks conducted in accordance with the provisions of NFPA 1123, and the State of Illinois Fireworks Use Act, 425 ILCS 35/1 et. seq., shall be required. Application for such permits shall be made in writing at least 15 days in advance of the date of display and shall include a sketch of the display area including distances and physical barriers where required. Additionally, all permit applications shall be accompanied by a \$1,000 cash bond to insure compliance with all laws, ordinances and regulations and to pay for any damage which the display may cause.
  - g. A permit is required for the storage or handling of more than 25 pounds (11.4 kg) of pyroxylin plastics, for the manufacture of articles of pyroxylin plastics in the manufacturing or assembling of other articles.
  - h. A permit is required for all installations, additions, or modifications to any sprinkler system, fire suppression system, fire alarm or fire detection system. Plans for all systems shall be submitted before installation and system test shall be witnessed and/or certified by the Division of Fire Protection.
  - i. A permit is required for other regulated materials and operations as provided in NFPA 1.
- B. Permit Application and Appeal Process. Permits for open burning for special events and for other activities requiring a permit shall be as set forth in this section.
- 1. Special Event Permit Applications. The Fire Chief or his designee may issue a permit for a fire at a special event if the following information is provided to the Town:
    - a. The name, address and phone number of the person seeking the permit. (If the permit is sought for a group or association, the name address and phone number of the association's member who is in charge of the event.); and
    - b. The location, date and time of the fire, including a brief description of the event and type of fire, e.g. campfire, bonfire, wiener roast, and

- c. If the property is not owned by the person seeking the permit, written authorization from the owner of the property for the fire.
  - d. Such other information as the Fire Chief believes is necessary for the determination that the public safety would not be jeopardized by the issuance of a special event permit.
2. Denials of Special Event Fire Permit Applications. The Fire Chief, or his designee, may deny a Special Event Permit request for any of the following reasons:
- a. Required information is missing or false; or
  - b. The application is not timely filed or;
  - c. A prior event sponsored by the individual or organization sponsoring this event violated Town ordinances, caused a disturbance; or created a fire hazard or;
  - d. A prior event held at this location violated Town ordinances, caused a disturbance; or created a fire hazard or;
  - e. The proposed location, time or type of fire presents a substantial risk to the public health and welfare if the permit were issued or;
  - f. A permit has been granted in the past year for any location within 1500 feet of the proposed location and the Fire Department finds that the issuance of a fire permit would unduly disrupt the quiet of the area of the proposed fire or;
  - g. One or more fire permits have been issued within 48 hours of the time being requested for the permit and the Fire Department reasonably believes that there are insufficient fire or police resources available to monitor the special event or;
  - h. Weather or environmental conditions, such as high winds or droughts, exist or are predicted to exist, which would cause a danger to property or persons if the special event fire were to occur.

3. Appeals of Denials of Special Event Permits. The denial of a special event fire permit by the Fire Chief, or his designee, may be appealed to the City Manager by the applicant. Such appeal shall be in writing, filed with the City Manager and must specify objections to the decision of the Fire Chief or his designee. The City Manager or his designee shall within seven (7) days act upon the appeal. If the City Manager or his designee determines that a permit should not be issued, then he shall inform the applicant of his decision in writing specifying his reasons therefore. All decisions of the City Manager, or his designee shall be final and reviewable only in the courts in accordance with applicable law.
  
4. Applications for Permits Other than Special Event Permits. The Fire Chief or his designee may issue any permit required by this division if the following information is provided to the Town:
  - a. The name, address and phone number of the person seeking the permit. (If the permit is sought for a corporation or association, the name address and phone number of the corporation or association's member who is in charge of the item for which a permit is required.), and
  - b. The location of the item, including an exact description of the item or items for which a permit is required, and
  - c. If the property on which the item is to be located is not owned by the person seeking the permit, written authorization from the owner of the property for the item, and
  - d. Any operating permits or other permits required to be possessed to own or operate the item in question, and
  - e. A description of the use of the property on which the item or items are to be located, including all structures, parking areas and drives on the property, and
  - f. A description of the uses of the properties adjacent to the property on which the item or items are to be located, including all structures, parking areas and drives on those properties, and
  - g. Such other information as the Fire Chief believes is necessary for the determination that the public safety would not be jeopardized by the issuance of a permit.
  
5. Denials of Permits for Activities Other Special Events. The Fire Chief, or his designee, may deny a permit request for any of the following reasons:
  - a. Required information is missing or false; or

- b. The application is not filed in sufficient time to make a reasonable assessment of the risk involved by the item or items or;
- c. A prior permit issued to this individual, corporation or organization violated Town ordinances, caused a danger or caused a fire or;
- d. A prior permit issued at this location violated Town ordinances, caused a danger or fire or;
- e. The proposed location, time or type of item presents a substantial risk to the public health and welfare if the permit were issued or;
- f. A permit has been granted for any location within 1500 feet of the proposed location and the Fire Chief determines that the issuance of a permit would create a danger to the public health and welfare.

6. Appeals of Denials of Permits Other than Special Events. The denial of a permit other than a special event fire permit by the Fire Chief, or his designee, shall be final and reviewable only in the courts in accordance with applicable law.

C. Revocation of a Permit. The Fire Chief, or his designee, may revoke a previously issued permit if weather conditions create a hazardous condition or if the Fire Chief learns of additional information which would cause him to have not issued the permit in the initial instance. The Fire Chief, or his designee, shall immediately notify the holder of a permit of the revocation of the permit. It shall be unlawful to engage in any activity for which a permit had been issued after that permit has been revoked.

(SEC. 6.4-17 Amended 12/4/00 by Ord. No. 4695)(Amended 4/21/03 by Ord. 4865)(Amended 10/4/10 by Ord. No. 5350)

SECTION 6.4-18 FAILURE TO COMPLY WITH STATE FIRE MARSHAL EQUIPMENT REGULATIONS. Any person servicing, installing, repairing, altering, or modifying any equipment subject to regulation by the State of Illinois Fire Marshal shall comply with said state regulations or be subject to penalty as set forth in this Chapter.

SECTION 6.4-19 RELIEF FROM PERSONAL RESPONSIBILITY. The Fire Inspector or other officer or employee charged with the enforcement of this Code while acting for the Town of Normal shall not thereby render himself personally liable and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his official duty. Any suit instituted against any officer or employee because of an act performed by him in the lawful discharge of his duties and under the provisions of this Code shall be defended by the legal representative of the Town of Normal until a final termination of the proceedings. The Code Official or any of his subordinates shall not be liable for costs in any action, suit or proceeding that may be instituted in pursuance of the provisions of this Code and any officer of the Division of Fire Prevention acting in good faith and without malice shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of his official duties in connection herewith.

**DIVISION 5 - FOREIGN FIRE INSURANCE BOARD**

SECTION 6.5-1 CREATION - There is hereby established a Foreign Fire Insurance Board.

SECTION 6.5-2 DEFINITIONS:

- A. Board - The Foreign Fire Insurance Board.
- B. Department - Normal Fire Department.
- C. Fund - Foreign Fire Insurance Tax Fund.
- D. Members of the Department - Any person currently employed full-time in the Normal Fire Department in the position of Firefighter, Inspector, Lieutenant, Captain, Assistant Chief or Chief.

SECTION 6.5-3 ELECTION OF MEMBER:

- A. The Foreign Fire Insurance Board shall consist of seven (7) members consisting of the Fire Chief and six (6) members elected by sworn members of the Fire Department as hereafter provided. (Amended 7/2/12 by Ord. No. 5446)
- B. Members shall be elected to a two-year term by the members of the Department the last full week of April in even numbered years. (Amended 6/5/06 by Ord. No. 5075)

SECTION 6.5-4 FUND ESTABLISHED:

- A. All funds received by the Town from the Foreign Fire Insurance Gross Receipts Tax shall be separately accounted for by the Town's Finance Director.
- B. The Finance Director shall provide the treasurer of the Board a monthly accounting of receipts and expenditures of the Foreign Fire Insurance Tax Funds.
- C. No expenditure shall be made from the Fund without approval of the Board.
- D. Any checks drawn on the Fund shall be processed and executed according to then current Town procedures.



- E. The Board shall prepare an annual budget, in accordance with the Town's established budget process. The budget shall propose how monies will be spent in the following fiscal year (April 1, to March 31). The budget shall also specify those funds to be held in reserve to meet unexpected expenditure needs throughout the year. The proposed budget shall be submitted to the Town Council for approval in accordance with the Town's established budget process.

SECTION 6.5-5 OFFICERS AND SPECIAL MEETINGS: The Board shall, in accordance with the Open Meetings Act, establish a regular time and place for its meetings. The Board shall annually elect a Board Chair and Treasurer. The chairman shall preside at the meetings. There shall be records kept of all resolutions, proceedings, and actions of the Board and these records shall be open to the public. Special meetings may be called by the chairman. Any person shall be entitled to appear and be heard on any matter before the Board. (Amended 7/2/12 by Ord. No. 5446)

SECTION 6.5-6 POWERS AND DUTIES: Subject to the provisions of this Division:

- A. The Board shall have the power to approve the expenditure of monies from the fund for the maintenance, use and benefit of the department.
- B. The Board may adopt rules and regulations for governing the Board and the execution of the duties of the Board, and provide for election of the Board and management of the fund.
- C. The Board may amend or revoke rules and regulations so adopted.
- D. Any expenditure the Board approves shall comply with the then current purchasing policies of the Town.

**DIVISION 6 – EMERGENCY MEDICAL SERVICES**

**SEC. 6.6-1 – DEFINITIONS.**

- A. Emergency Medical Services shall mean pre-hospital and inter-hospital emergency care and non-emergency medical care at a basic life support, intermediate life support or advanced life support level as defined by the Illinois Emergency Medical Services Systems Act.
- B. Medicare Allowable shall mean the dollar amount or dollar fee amount for various types of emergency medical services and related transportation services as published from time to time by the United States Department of Health and Human Services Centers for Medicare and Medicaid Services.

**SEC. 6.6-2 – FEES FOR EMERGENCY MEDICAL SERVICES, TRANSPORTATION, AND OTHER EMERGENCY SERVICES BY THE TOWN OF NORMAL.** There are hereby established fees for emergency medical services, related transportation services, and other emergency services provided by the Town of Normal as follows:

A.	Basic Life Support Services (BLS)	\$500.00
B.	Advanced Life Support 1 (ALS1)	\$600.00
C.	Advanced Life Support 2 (ALS2)	\$673.00
D.	Mileage	\$12.00/mile
E.	Medical Treatment with No Transport	\$150.00
F.	Oxygen	\$ 15.00

The charges for the foregoing services shall be adjusted on January 1 of each year by multiplying the then current fee by 1.03, and the product shall be the new fee for such service.

(SEC. 6.6-2 Amended 3/16/09 by Ord. No. 5244)(SEC. 6.6-2 Amended 4/5/2010 by Ord. No. 5334)

**SEC. 6.6-3 – LIABILITY FOR PAYMENT.** Any person transported or provided emergency medical services by the Town of Normal shall be liable for and pay the Town of Normal the fee then currently in effect pursuant to SEC. 6.6-2 above.

**SEC. 6.6-4 – THIRD PARTY BILLING.** The City Manager is authorized to contract with a third party for the purpose of billing for transport and emergency medical services provided by the Town of Normal.

**SEC. 6.6-5 – FAILURE TO PAY.** All fees for services rendered pursuant to this Division shall be due within sixty (60) days of service. Any person failing to timely remit payment for such service shall be assessed a late fee of \$25.00, plus accruing interest, as set forth in Chapter 25 of this Code.

SEC. 6.6-6 – EMERGENCY MEDICAL SERVICE FOR PERSONS CONFINED BY A GOVERNMENTAL AUTHORITY. Any person held in custody, confined or incarcerated by the Town or any other governmental entity, including, but not limited to, individuals who are 1) under arrest, 2) incarcerated, 3) imprisoned, 4) escaped from confinement, 5) under supervised release, 6) on medical furlough, 7) residing in a mental health facility or halfway house, 8) living under home detention, or 9) confined completely or partially in any way under a penal statute or rule shall be solely responsible for the payment of any medical services, including emergency medical services, rendered to and received by that person from the Town during the course of his or her confinement, including, without limitation, transportation to and from a medical treatment facility and any treatment deemed necessary by his or her treating physician, whether or not requested by the person. Such person shall be required to reimburse the town, in full, for any fees or charges incurred for such services, if not paid directly to a medical facility or practitioner by the person or his or her insurance carrier. (Added 9/4/2012 by Ord. No. 5452)

(Entire Division 6 Added 3/6/06 by Ord. No. 5060, effective date of July 1, 2006)