

ORDINANCE NO. 09-\_\_001\_\_

**AN ORDINANCE ESTABLISHING A SCHEDULE OF FEES FOR FIRE PREVENTION INSPECTIONS AND REVIEWS WITHIN THE BOUNDARIES OF THE OSWEGO FIRE PROTECTION DISTRICT**

**WHEREAS**, the Oswego Fire Protection District (the "District") is a fire protection district duly incorporated under the laws of the State of Illinois (70 ILCS 705/1 *et seq.*); and

**WHEREAS**, the District has established, adopted and continues to maintain a fire prevention code for the benefit and safety of both residents and non-residents of the District parallel to national standards in accordance with 70 ILCS 705/11; and

**WHEREAS**, it has been and remains the intention of the District to require that all structures and buildings erected and constructed within the boundaries of the District are built and constructed in accordance with the terms of District's fire prevention code, as well as the laws of the State of Illinois relating to building construction; and

**WHEREAS**, various types of new construction require fire prevention inspections and approval from the District's fire prevention authorities; and

**WHEREAS**, the Board desires to create a schedule of fees for fire prevention inspections, tests, and plan reviews, in order that the District may be adequately compensated for the cost of providing such services and to provide incentives to building owners and developers within the District to properly install and maintain their property fire protection systems, while penalizing those who fail to do so.

**NOW, THEREFORE, Be It Ordained** by the Board of Trustees of the Oswego Fire Protection District as follows:

**Section One: Definitions.** For the purpose of this section, the following words and phrases shall have the meanings ascribed to them in this section.

- A. Fire Alarm and/or Fire Detection System: The term "fire alarm" and/or "fire detection system" shall mean and include any system that detects or reacts to fire or possible fire conditions and initiates audible, visual, and/or sensory producing equipment or devices

whose primary purpose is to warn occupants of a building and/or structure fire. Included in this definition shall be initiating and notification devices but not limited to; smoke detectors, manual pull stations, electric horns, electrical or mechanical bells, as well as, warning strobes and/or lights.

- B. Fire Suppression System: The term “fire suppression system” shall mean and include any automatic and/or manual equipment or devices whose primary purpose is to suppress and/or extinguish a fire within and/or associated with the contents of a building and/or structure. This definition shall include but not limited to; automatic fire sprinklers, manual fire sprinklers, engineered fire suppression systems, fire pumps, dry chemical extinguishing equipment, chemical (liquid, gas, vapor, and/or solid) fire suppression equipment, explosion suppression equipment, and commercial cooking hood and duct suppression equipment.
- C. Fire Protection District: That portion of real property within the jurisdictional boundaries of the Oswego Fire Protection District according to the District’s ordinances.
- D. System: Includes all fire alarm systems, sprinkler systems and other automated systems that transmit alarms or signals to the District, whether directly or indirectly.
- E. Code Official: The term shall mean the Fire Chief, Fire Marshal, or the designee of the Fire Chief or Fire Marshal.

**Section Two: Schedule of Fees.** The schedule of fees for reviews, inspections, and tests are as follows and shall be paid in full prior to issuance of any review comments and/or approvals:

- A. Fees for Plan Review of Fire Alarm and Detection Systems:
  - 1) Fire alarm plan review fee - one hundred dollars (\$100.00). This fee includes the initial plan review, two (2) revision reviews, and two (2) acceptance tests.
  - 2) Each additional review will generate a fifty dollar (\$50.00) fee in addition to the original fees as outlined above.
- B. Fees for Conducting & Witnessing Fire Alarm Acceptance Test
  - 1) The fire alarm plan review fee includes accommodations for conducting and witnessing the first two (2) fire alarm acceptance tests.
  - 2) Each additional acceptance test required, whether due to previous tests being unsuccessful or responsible parties failing to participate, will generate a seventy dollar (\$70.00) fee for the first hour and thirty-five dollars (\$35.00) per hour for every hour, or portion thereof, beyond the first hour.
- C. Fees for Plan Review of Sprinkler Suppression Systems:
  - 1) Sprinkler plan review fee - one hundred fifty dollars (\$150.00), plus fifty cents (\$.50) for every sprinkler head exceeding one hundred (100). This fee includes the initial plan review and one (1) inspection/hydrostatic test.
  - 2) Each additional review will generate a fee equal to fifty per cent (50%) of the original fee as outlined above.
- D. Fees for Sprinkler Installation Inspection while Conducting & Witnessing the Hydrostatic Test

- 1) The sprinkler system plan review fee includes accommodations for conducting and witnessing one (1) sprinkler system inspection/hydrostatic test.
- 2) Each additional inspection/hydrostatic test required, whether due to previous installation/tests being unsuccessful or responsible parties failing to participate, will generate a fee equal to fifty per cent (50%) of the original sprinkler plan review fee as outlined above.

E. Fees for Plan Review of Extinguishing Systems for Commercial Cooking

- 1) Engineered dry chemical, compressed gas, foam, or liquefied chemical agent fire suppression systems utilized to protect commercial cooking areas plan review fee - seventy-five dollars (\$75.00). This fee includes the initial plan review and one (1) acceptance test.
- 2) Each additional review will generate a fifty dollar (\$50.00) fee in addition to the original fees as outlined above.

F. Fees for Acceptance Test of Extinguishing Systems for Commercial Cooking

- 1) The plan review fee includes accommodations for conducting and witnessing one (1) acceptance test.
- 2) Each additional acceptance test required, whether due to previous tests being unsuccessful or responsible parties failing to participate, will generate a fifty dollar (\$50.00) fee in addition to the original fees as outlined above.

G. Fees for Outside Plan Reviews:

When it is determined by the Code Official that a fire detection, and/or fire suppression system requires a plan review by an independent professional, a base fee equal to the cost of the independent professional's services plus fifteen percent (15%) will be charged. Said fees must be paid in full, prior to the issuance of any review comments and/or approval.

**Section Three:** The Code Official is hereby permitted to waive the fees due under this Ordinance in cases of demonstrated financial hardship, intergovernmental cooperation, or in cases where Systems have been repaired or replaced and are operating properly. Requests for the waiver of fees must be made in writing to the Code Official.

**Section Four:** All revenue from the fees assessed pursuant to this Ordinance shall be deposited in the general fund of the Oswego Fire Protection District.

**Section Five:** That this Ordinance shall supersede any ordinances or motions or parts of ordinances or motions in conflict with any part herein, and any such ordinances or motions or parts of such ordinances are hereby repealed.

**Section Six:** If any section, paragraph or provisions of this Ordinance shall be held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions of this Ordinance.

**Section Seven:** The Secretary of the Oswego Fire Protection District is hereby directed to publish this Ordinance in full at least once in a newspaper published in the District. Publication shall take place at least ten (10) days prior to implementation of this Ordinance. That the provisions of this Ordinance shall be in full force and effect ten (10) days after publication as provided by law (70 ILCS 705/7), yet no earlier than February 1, 2009.

**ADOPTED** this 12<sup>th</sup> day of January, 2009, by the following roll call vote:

AYES:  4

NAYS:  0

ABSENT:  1

On file

ATTEST:

President, Board of Trustees  
Oswego Fire Protection District

On file  
Secretary, Board of Trustees  
Oswego Fire Protection District

STATE OF ILLINOIS        )  
  )  
COUNTY OF KENDALL     )

SS

**SECRETARY'S CERTIFICATE**

I, \_\_\_\_\_, the duly qualified and acting Secretary of the Board of Trustees of the Oswego Fire Protection District, Kendall County, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

**ORDINANCE NO. 09-\_\_001\_\_**

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which said Ordinance was adopted by the Board of Trustees of the Oswego Fire Protection District at a regular meeting held on the 12th day of January, 2009, at which meeting a quorum was present.

I further certify that the vote on the question of the adoption of the said Ordinance by the Board of Trustees of the Oswego Fire Protection District was taken by Ayes and Nays and recorded in the Journal of Proceedings of the Board of Trustees of the Oswego Fire Protection District.

I do further certify that the Ordinance of which the foregoing is a true and correct copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 12<sup>th</sup> day of January 2009.

\_\_\_\_\_ on file  
Secretary, Board of Trustees  
Oswego Fire Protection District