

ORDINANCE NO. 2025-01

**AN ORDINANCE AMENDING THE FIRE PREVENTION CODES
OF THE OSWEGO FIRE PROTECTION DISTRICT (EV CHARGING STATION SAFETY)**

WHEREAS, the Oswego Fire Protection District, located in Kendall and Will Counties, is a fire protection district duly organized under the laws of the State of Illinois; and

WHEREAS, the Board of Trustees of the District has express power pursuant to 70 ILCS 705/11, to adopt and enforce fire prevention codes and standards parallel to national standards to promote fire prevention; and

WHEREAS, the Board of Trustees of the District also has full power pursuant to 70 ILCS 705/6, to pass all necessary ordinances, and rules and regulations for the proper management and conduct of the business of the Board of Trustees of the District for carrying into effect the objects for which the District was formed; and

WHEREAS, the Fire Protection District Act, 70 ILCS 705/11, (the "Act") empowers and makes it the legal duty and obligation of this Board of Trustees to provide as nearly adequate protection from fire for all persons and property within the District as possible and to prescribe necessary regulations for the prevention and control of fire therein; and

WHEREAS, the District is empowered by the Act to provide reasonable safeguards through Fire Prevention Codes to protect the Public Health and Safety against the hazards of fire in buildings and structures; and

WHEREAS, the Board of Trustees of the District recognizes that the National Fire Protection Agency (NFPA) has issued an Interim Tentative Amendment #1767 (TIA) to the National Electrical Code (NEC), NFPA 70 2023 Edition, specifically addressing issues concerning the lack of an emergency disconnecting requirement similar to that required by NFPA 30A at fuel dispensing facilities; and

WHEREAS, the Board of Trustees of the District recognizes that an issued NFPA TIA automatically becomes a Public Input for the next edition of the standard, and is then subject to all of the procedures of the standards development process; and

WHEREAS, the Board of Trustees of the District recognizes that the 2026 edition of NFPA 70 is therefore the earliest edition of the NEC where these requirements could become codified; and,

WHEREAS, the Board of Trustees of the District has previously adopted a fire prevention code (hereinafter referred to as the "Fire Prevention Code"); and,

WHEREAS, the Board of Trustees of the District deem it in the best interest of the District to amend the Fire Prevention Code for the District with respect to the control of Electric Vehicle Charging Stations in buildings, structures, and parking sites as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms are hereby adopted and made a part thereof, to this Ordinance.

NOW, THEREFORE, be it ordained by the Board of Trustees of the Oswego Fire Protection District, located in Kendall and Will Counties, Illinois, as follows:

SECTION 1: The fire prevention code of the Oswego Fire Protection District, located in Kendall and Will Counties, (hereinafter referred to as the "Fire Prevention Code") shall hereafter also include the provisions listed in **Exhibit A** hereto. This exhibit shall be available for public inspection at all times during regular business hours as provided by law.

SECTION 2: That the specific terms and conditions of this Ordinance shall prevail against other existing ordinances of the District to the extent that there might be any conflict.

SECTION 3: That any such violations and/or failures to comply with the conditions listed in **Exhibit A**, shall be subject to the conditions of the prevailing Fire Prevention Code of the Oswego Fire Protection District.

SECTION 4: The Board of Trustees of the District hereby declares that should any section, paragraph, sentence or word of this Ordinance be declared for any reason to be invalid, it is the intent of said Board of Trustees that it would have passed all other portions of this Ordinance independent of the elimination here from of such portion as may be declared invalid.

SECTION 5: Neither the enactment of this Ordinance nor the repeal of any ordinance or parts of ordinances as provided for herein shall be construed to affect or abate any action or cause of action for violation of said prior ordinance or ordinances.

SECTION 6: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in accordance with the law.

ADOPTED this 10th day of February 2025, by the following roll call vote:

AYES: 5

NAYS: 0

ABSENT: 0



President, Board of Trustees
Oswego Fire Protection District

ATTEST:


Secretary, Board of Trustees
Oswego Fire Protection District

STATE OF ILLINOIS)
)
COUNTY OF KENDALL) SS

SECRETARY'S CERTIFICATE

I, Sarah Zameda, the duly qualified and acting Secretary of the Board of Trustees of the Oswego Fire Protection District, located in Kendall and Will Counties, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE NO. 2025-01

**AN ORDINANCE ESTABLISHING Electric Vehicle Charging Station PREVENTION
CODES
FOR THE OSWEGO FIRE PROTECTION DISTRICT**

which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 10th Day of February, 2025.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of February, 2025.



Secretary, Board of Trustees
Oswego Fire Protection District

EXHIBIT A

ELECTRIC VEHICLE CHARGING STATION FIRE PREVENTION CODE

SECTION 1 – ELECTRIC VEHICLE CHARGING STATIONS

(A) Equipment Location and Design Criteria:

1A. Charging Equipment Location:

- a) Electric charging station equipment shall be located such that it neither obstructs nor interferes with a driver's view of approaching, merging, or intersecting traffic in and around the right-of-way
- b) The charging station equipment shall not impede pedestrian, bicycle, or vehicular traffic
- c) The charging station equipment shall not be located within the required area of the legal parking space, vehicle overhang, or associated circulation aisles as defined and in accordance with Local ordinances and regulations
- d) Electric vehicle charging station equipment shall not be located within commercial parking garages

Exception:

- i. *They may be located on the top-most level of a parking structure where that level is open-air above it, and*
- ii. *They shall be located such that they are remote from both egress stairs and the egress paths of vehicles exiting the level such that no exiting vehicle is required to travel past any charging station equipment*

1B. Charging Equipment Design:

- a) Electric vehicle charging stations shall be listed and labeled in accordance with UL 2202, Standard for Electric Vehicle (EV) Charging System Equipment
- b) Electric vehicle charging system equipment shall be listed and labeled in accordance with UL 2594, Standard for Electric Vehicle Supply Equipment.

2. *Protection of Electric Vehicle Charging Station Equipment:* Adequate vehicle protection of charging station equipment shall be provided, such as curbing, bollards, or wheel stops. All equipment shall be maintained by the property owner where it is located and the owner shall provide warranty and services for the charging stations and infrastructure for the duration of their useful life.

3. *Access to Equipment:* Charging station outlets and connector devices shall be no less than thirty-six inches (36") and no more than forty-eight inches (48") above the ground or pavement surface where mounted, and shall contain a retraction device and/or a place to hang permanent cords and connectors a sufficient and safe distance above the ground or pavement surface. Equipment shall be mounted on pedestals and located as to not impede pedestrian travel or create trip hazards on sidewalks.

4. *Lighting:* Where charging station equipment is installed, adequate site lighting shall be provided in accordance with Local ordinances and regulations

EXHIBIT A

ELECTRIC VEHICLE CHARGING STATION FIRE PREVENTION CODE

5. *Data Collection*: To allow for maintenance and notification, the owners of public charging stations are required to provide the following information to the local Building Department:

- a) the charging station's geographic location
- b) date of installation
- c) equipment type and model
- d) owner contact information
- e) location of emergency shut off switches

6. *Emergency Shut Off*: If a problem arises during the charging process, the **Emergency Shut Off Switch** allows users, operators, or emergency personnel to immediately halt the charging process and secure the area, thereby reducing the risk of accidents. Beyond human safety, Emergency Shut Off Switches also protect the expensive charging station equipment; by cutting power during an emergency, damage can be prevented and/or limited to both the charging station and, by extension, the vehicle being charged.

To be both safe and effective, the *manual* **Emergency Shut Off Switch(es)** shall:

- a) Be clearly visible and accessible
- b) Be marked "ELECTRIC VEHICLE EMERGENCY DISCONNECT"
- c) Be labeled such that it is clear to which EV Charging Station(s) the shut offs apply (*will have their power shut off*)
- d) Immediately cut power to the indicated EV Charging Station(s) when activated
- e) Be located at least 10' but not more than 100' away from the EV Charging Station and vehicle(s) being charged
- f) Be in direct line of sight of the affected EV Charging Station
- g) Have the ability to be "Locked-Out/Tagged Out" after an emergency use such that power cannot be inadvertently restored without proper maintenance/service

Automatic **Emergency Shut Off Switch(es)** designed to close/stop the flow of current in the event of a fire or impact shall:

- a) Be properly installed in the base of each vehicle charging pedestal
- b) Immediately cut power to the impacted EV Charging Station(s) when activated
- c) Provide an audible and visual indicator at the pedestal when activated

Both manual and automatic **Emergency Shut Off Switches** shall only be resettable by manual intervention upon proper maintenance/service

EXHIBIT A

ELECTRIC VEHICLE CHARGING STATION FIRE PREVENTION CODE

(B) Signage:

1. Public electric vehicle charging stations shall be posted with signage indicating that the space is reserved for electric vehicle "charging" purposes only. The signage shall also indicate:
 - a) A phone number or other contact information to which to report when the equipment is not functioning properly
 - b) Location(s) of the **Emergency Shut Off Switch**
 - c) Information identifying voltage, amperage levels, usage fees, and safety information
 - d) Any time limits on use, tow away, or fine provisions