

ORDINANCE NUMBER 24-29
**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE,
COOK AND KANE COUNTIES, ILLINOIS, AMENDING SECTIONS 94.01 AND
151.002 AND REPEALING SECTIONS 94.02, 94.03, 94.04, 151.014, AND 151.021 OF
THE VILLAGE CODE REGARDING FIRE PREVENTION AND SAFETY
REGULATIONS IN THE VILLAGE**

WHEREAS, the Village of East Dundee (“Village”) is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Article VII Section 10 of the Constitution of the State of Illinois authorizes and encourages units of local government to contract or otherwise associate among themselves and with the State to obtain or share services and to exercise, combine, or transfer any power or function; and

WHEREAS, Chapter 94 of the “Code of the Village of East Dundee,” as amended (“Village Code”), sets forth fire prevention and safety regulations in the Village; and

WHEREAS, Chapter 151 of the “Code of the Village of East Dundee,” as amended (“Village Code”), sets forth building code regulations for the Village; and

WHEREAS, the Village desires to amend Chapters 94 and 151 of the Village Code to remove the contradictory provisions of the Code relating to building code regulations and fire prevention and safety of buildings and structures in the Village; and

WHEREAS, the President and Board of Trustees have determined it to be in the best interest of the Village to amend the Village Code as set forth in this Ordinance;

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: Incorporation. That the recitals above shall be and are hereby incorporated as Section 1 as if restated herein.

SECTION 2: Amendment to Section 94.01. Section 94.01 titled “Adoption of Fire Prevention Code,” of Chapter 94, titled “Fire Safety,” of Title IX, titled “General Regulations,” of the Village Code is hereby amended as follows, with additions **bold** and double-underlined and deletions ~~struck through~~:

“§ 94.01 ADOPTION OF FIRE PREVENTION CODE FIRE PREVENTION AND SAFETY REGULATIONS AND ENFORCEMENT.

~~(A) A certain document, three copies of which are on file in the office of the Village Clerk, being marked and designated as “The International Fire Prevention Code, 2000 Edition” is hereby adopted as the Fire Prevention Code of the village, in the state, for the control of buildings and structures, as herein provided.~~

- (B) ~~Each and all of the regulations, provisions, penalties, conditions and terms of the International Fire Prevention Code are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter with the additions, insertions, deletions and changes, if any, prescribed in § 94.03.~~

All building code regulations related to fire prevention and safety for proposed, existing, and temporary buildings and structures in the village are established and enforced by the East Dundee and Countryside Fire Protection District, including but not limited to as follows:

- (A) **Receiving and reviewing building permit applications for all construction, alteration, additions, repair, removal, demolition, use, location, occupancy, and maintenance of all proposed, existing, temporary, or modified buildings and structures in the village to determine compliance with fire prevention and safety regulations as set forth by the Fire District.**
- (B) **Conducting plan reviews, inspections, and consultations of all proposed, existing, temporary, or modified buildings and structures in the village to determine compliance with fire prevention and safety regulations set forth by the Fire District.**
- (C) **Imposing and collecting fees related to fire prevention and safety regulations, as provided by the Fire District fee schedule.**
- (D) **Issuing citations, fines, and other penalties for noncompliance with fire prevention and safety regulations.**
- (E) **Otherwise enforcing fire safety regulations.**

The Village requires that all building, zoning, and other development permits for proposed, existing, temporary, and modified buildings and structures within the Village comply with the Fire District building regulations as a condition for granting permits or an occupancy certificate. The Village may require verification from the Fire District prior to issuing any permits or certificates of occupancy.

SECTION 3: Repeal of Section 94.02. Section 94.02 titled “Inconsistent Ordinances Repealed,” of Chapter 94, titled “Fire Safety,” of Title IX, titled “General Regulations,” of the Village Code is hereby repealed in its entirety and reserved for future use.

SECTION 4: Repeal of Section 94.03. Section 94.03 titled “Additions, Insertions and Changes,” of Chapter 94, titled “Fire Safety,” of Title IX, titled “General Regulations,” of the Village Code is hereby repealed in its entirety and reserved for future use.

SECTION 5: Repeal of Section 94.04. Section 94.04 titled “Establishment of Limits,” of Chapter 94, titled “Fire Safety,” of Title IX, titled “General Regulations,” of the Village Code is hereby repealed in its entirety and reserved for future use.

SECTION 6: Amendment to Section 151.002. Section 151.002 titled “Adoption of Codes—2006,” of Chapter 151, titled “Building Regulations; Construction,” of Title XV,

titled "Land Usage," of the Village Code is hereby amended as follows, with additions **bold** and double-underlined and deletions ~~struck through~~:

"§151.002 ADOPTION OF CODES.

* * *

~~(G) International Fire Code—2006 Edition;~~

(GH) International Fuel Code—2006 Edition; and

(HI) 2015 International Energy Conservation Code."

SECTION 7: Repeal of Section 151.014. Section 151.014 titled "Addition, Insertions, Deletions and Changes to the International Fire Code—2006," of Chapter 151, titled "Building Regulations; Construction," of Title XV, titled "Land Usage," of the Village Code is hereby repealed in its entirety and reserved for future use.

SECTION 8: Repeal of Section 151.021. Section 151.021 titled "Addition, Insertions, Deletions, and Changes to the International Fire Code—2006," of Chapter 151, titled "Building Regulations; Construction," of Title XV, titled "Land Usage," of the Village Code is hereby repealed in its entirety and reserved for future use.

SECTION 9: Continuation. All provisions of the Village Code not amended herein shall remain in full force and effect.

SECTION 10: Severability. If any Section, paragraph, or provision of this Ordinance shall be held to be invalid and unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 11: **Repeal.** All ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be hereby repealed.

SECTION 12: **Effect.** That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

[SIGNATURE PAGE FOLLOWS]

PASSED this 19th day of August 2024 pursuant to a roll call vote as follows:

AYES: Kunze, Mahony, Brittin, Saviano, Treiber and Sauder

NAYES: Ø

ABSENT: Ø

APPROVED by me this 19th of August 2024.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk