

TITLE 5
FIRE REGULATIONS

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CHAPTER 1
FIRE DEPARTMENT

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5-1-1: **CREATION OF DEPARTMENT:** There is hereby created a Fire Department to be known as the Morton Volunteer Fire Department. The Fire Department shall consist of a Director of Fire and Emergency Services (Fire Chief), one (1) Deputy Fire Chief, two (2) Assistant Fire Chiefs, four (4) Captains, firefighters, Engineers, a President, a Vice President, and a Secretary-Treasurer. (Ord. 122, 3-5-56; amd. Ord. 93-4, 5-17-93; amd. Ord. 94-2, 5-2-94; amd. Ord. 03-09, 7-21-03)

5-1-2: **OFFICERS; COMPENSATION:** There are hereby created the following offices, each to be filled by a member of said Fire Department as may be appointed by the Fire Chief or elected by majority vote of the members as indicated below, and each member serving in each office to receive an annual rate of compensation as set across from each office, in addition to their firefighter pay, as follows:

President (elected)	\$125.00
Vice President (elected)	\$50.00
Secretary-Treasurer (elected)	\$300.00
Deputy Chief (appointed)	\$1,800.00
Assistant Chiefs (2) (appointed)	\$1,200.00 each
Captains (4)	\$500.00 each

The above compensation shall be the amount paid to each officer after all deductions for F.I.C.A. and applicable withholding on F.I.C.A. (Ord 79-26, 12-3-79; amd. Ord. 83-27, 4-16-84; amd. Ord. 93-4, 5-17-93; amd. Ord. 94-2, 5-2-94; amd. Ord. 03-09, 7-21-03)

5-1-3: **DIRECTOR OF FIRE AND EMERGENCY SERVICES:** There is hereby created the position of Director of Fire and Emergency Services, who shall be appointed by the President of the Board of Trustees with the consent of the Board of Trustees. The Director shall be required to reside within the corporate limits of the Village within six (6) months of the date of his or her appointment. (Ord. 94-2, 5-2-94)

5-1-4: **DUTIES OF DIRECTOR OF FIRE AND EMERGENCY SERVICES:** The Director shall be responsible for the Fire Department (fire, rescue, and paramedics) and shall perform such duties as may from time to time be assigned by the President and Board of Trustees, including but not limited to the following:

- (A) Assign officers and engineers to administer the duties of the Department.
- (B) Direct the work of each unit within the Department. Be the final authority in all matters concerning the protection of life and property.
- (C) Be responsible for the maintenance and condition of all Fire Department apparatus, equipment, and building facilities.
- (D) Maintain the general attitude, discipline, and morale of the officers, members, and employees of the Department.
- (E) Stay well informed on the conditions and operating efficiency of the Department's apparatus and equipment.
- (F) Prescribe rules and regulations as may be necessary for the efficient operation of the Fire Department.
- (G) Cooperate with and aid the Board of Trustees and prescribe disciplinary action within the Fire Department when required.
- (H) Develop and maintain a budget for the Fire Department.
- (I) Maintain and comply with all reports and regulations of the State Fire Marshall's Office, and maintain any other reports or comply with all other regulations required by any other governmental body.
- (J) Maintain all payroll records and all other records of the Department.
- (K) Perform all other duties and exercise all other powers required or allowed by Village ordinance and State statute. (Ord. 94-2, 5-2-94)

5-1-5: **RECORDS:** (Rep. by Ord. 94-2, 5-2-94)

5-1-6: **ORGANIZATION:** (Rep. by Ord. 94-2, 5-2-94)

5-1-7: **FIREFIGHTER; COMPENSATION:** The Fire Chief shall appoint and designate as many volunteer firefighters as he or she may deem necessary and shall see that such volunteers are properly organized. Said volunteers may with the consent and approval of the President and Board of Trustees make and establish rules and regulations for the government of their Department, not inconsistent with the provisions of this Chapter, and not inconsistent with any rules or procedures established by the Director of Fire and Emergency Services. Each member of the Fire Department shall receive the following compensations:

For each emergency response, drill, meeting, or official department activity attended:

Probationary Firefighter:	\$12.00
Active member with State of Illinois Firefighter II Certification:	\$18.00

In addition to the above, if a firefighter goes to the hospital with a paramedic, the compensation shall be increased by \$5.00.

The following additional educational bonuses will be added to the above compensation schedule for active members (non-probationary) for each emergency response, drill, meeting, or other official department activity attended:

Current Emergency Medical Technician (EMT) license (all levels) and meeting all of the requirements for active EMT status within the Peoria Area EMS System:	\$2.00
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At least three (3) other certifications from an approved class listing as published or as may from time to time be modified by the Fire Chief:	\$2.00
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The maximum allowable compensation for each emergency response, drill, meeting, or other official department activity attended shall be twenty-seven dollars (\$27.00).

The above compensation shall be the amount for each member of the Fire Department after all deductions for F.I.C.A. and applicable withholding on F.I.C.A. (Ord. 122, 3-5-56; amd. Ord. 83-27, 4-16-84; amd. Ord. 86-20, 4-6-87; eff. 5-1-87; amd. Ord. 94-2, 5-2-94; amd. Ord. 03-09, 7-21-03; amd. Ord. 13-33, 4-7-14)

5-1-8: **BOND OF SECRETARY-TREASURER:** Before entering upon the duties of his office, the Secretary-Treasurer shall execute a bond to the Village in the penal sum of twice the amount of the funds in the Treasury of the Department at the time he takes office, plus twice the aggregate estimated to be received by him during the following year. (Ord. 122, 3-5-56)

5-1-9: **DUTIES OF SECRETARY-TREASURER:** (Rep. by Ord. 94-2, 5-2-94)

5-1-10: **ISSUANCE OF WARRANTS:** (Rep. by Ord. 94-2, 5-2-94)

5-1-11: **QUALIFICATIONS:** No person shall be a member of said Fire Department unless he has attained the age of eighteen (18) years, is a person of good moral character, and is a resident of the Village or of the territory within one and one-half (1 1/2) miles of the Village and a resident of the Morton Area Farmers Fire Protection District, provided that at least eighty percent (80%) of the membership of said Fire Department shall be residents of the Village proper. (Ord. 625, 10-21-74; amd. Ord. 16-07, 10-17-16)

5-1-12: **RETIREMENT:** Every member who upon attaining the age of sixty (60) years shall automatically be retired from active service and participation as such member and at the annual banquet following shall be presented with a service pin and made an honorary member of the Fire Department; provided, however, that in the event such member shall hold the office of President, Fire Chief, Assistant Fire Chief, or Secretary-Treasurer, the retirement at age sixty (60) shall not be mandatory for so long as such member retains one of said offices or until he attains the age of sixty five (65) years, and provided further that any member before attaining the age of sixty (60) but who becomes permanently disabled shall be automatically retired and presented a service pin and made an honorary member of the Department regardless of length of service at the annual banquet following such permanent disablement. (Ord. 122, 3-5-56)

5-1-13: **HINDERING OFFICERS:** It shall be unlawful to wilfully or intentionally hinder or interfere with any Village officer or fireman in the performance of his duty, or wilfully or negligently drive any vehicle, locomotive, or train of cars across, or upon any hose or otherwise damage any equipment or apparatus belonging to said Department. (1944 Code, Sec. 94)

5-1-14: **PROPERTY SAVED AT FIRE:** No person shall be permitted to remove or take away any property in the possession of the Department saved from fire until proof of the ownership shall have been made to the satisfaction of the Fire Chief. (1944 Code, Sec. 95)

5-1-15: VOLUNTEER FIREFIGHTER PENSION FUND:

- (A) Each member of the Morton Volunteer Fire Department who has completed five (5) years of active service, and who is sixty (60) years of age or older, upon retirement shall be paid by the Village as part compensation for his services with said Fire Department, a monthly pension for the rest of his life equal to five dollars (\$5.00) for each full year of creditable service with said Fire Department.
- (B) Each member of the Morton Volunteer Fire Department who has completed ten (10) years of active service and who is between fifty five (55) and sixty (60) years of age, upon retirement shall be paid by the Village as part compensation for his services with said Fire Department, a monthly pension for the rest of his life equal to five dollars (\$5.00) for each full year of creditable service with said Fire Department, less six and two-thirds percent (6 2/3%) for each year said member is under sixty (60) years of age, said percentage of reduction to be prorata for a part of year to the nearest month; e.g. if said member is five (5) months twenty (20) days from attaining the age of sixty (60) years, the percentage reduction is three and one-third percent (3 1/3%).
- (C) In the event a member of the Morton Volunteer Fire Department who has at least five (5) years of active service dies, then the present lump sum value of the benefit accrued at the time of death shall be paid to the member's designated beneficiary of the plan, or if none, or if the beneficiary is deceased, to the duly appointed executor or administrator of the member's estate. Said payment shall be made within sixty (60) days of the date of death, upon application of the beneficiary or personal representative of the estate, and presentation of a death certificate and letters of office, if applicable.
- (D) In the event a member of the Morton Volunteer Fire Department who has at least five (5) years of active service becomes permanently disabled, then the member or his duly appointed conservator shall within sixty (60) days of said disability or, if applicable, sixty (60) days from the appointment of said conservator, inform in writing to the Board of Trustees of the Morton Volunteer Fire Department Pension Fund which option he or she desires. The option is to either receive the present lump sum value of the benefit accrued at the time of disability (in which event no other payments would be made) or elect to receive a monthly benefit commencing at normal retirement date. Said monthly benefit will be determined on the basis of the active service credited to date of disability, and upon said disability the member shall cease to receive additional credit. The member or his conservator shall apply in writing to the Board of Trustees of the Morton Volunteer Fire Department Pension Fund in the event he becomes permanently disabled and shall furnish such information as deemed appropriate by the Morton Volunteer Fire Department Pension Fund, and shall, if requested, submit to an examination by a physician designated by the Morton Volunteer Fire Department Pension Fund.
- (E) In the event a member of the Morton Volunteer Fire Department terminates his employment and he has completed at least five (5) years of creditable service, then he shall be eligible for a retirement on the following basis:
1. If he has completed five (5) or more years but less than ten (10) years, he shall be eligible for pension benefits; and same shall commence after he has attained the age of sixty (60) years.
 2. If he has completed ten (10) or more years, he shall be eligible for early retirement and a reduced benefit as provided in subsection (B) of this Section; or he may begin to receive his retirement benefits at such time as he attains the age of sixty (60) years.
 3. If a member dies after terminating employment but before he begins to receive benefits, then the present lump sum value of the benefit accrued at the time of death shall be paid to the member's designated beneficiary of the plan, or if none, to the duly appointed executor or administrator of his estate.

- (F) Upon the death of a member receiving a pension, and who has not received his pension for one hundred twenty (120) months, his widow, or if no widow, his dependents, if any, shall continue to receive his same monthly payment until a total of one hundred twenty (120) payments have been made since his retirement.
- (G) The Board of Trustees of the Village shall annually, unless more frequently found to be necessary, transfer from any fund available, money sufficient to meet the requirements of this Section, to the Morton Volunteer Fire Department Pension Fund theretofore established in December, 1973, and hereby ratified, the receipts and disbursements of which shall be made in the name of said Fund by the Morton Village Treasurer.
- (H) There is hereby established a three (3) member Board of Trustees of the Morton Volunteer Fire Department Pension Fund of the Village, who shall be composed of the Fire Chief, the chairman of the Fire Committee of the Morton Village Board, and a member of the Morton Volunteer Fire Department who is elected annually by the at-large membership of said Fire Department.
- (I) Any member who is unable to actively perform his duties on the Morton Volunteer Fire Department because he is engaged in other duties for the Village, such as Mayor or Trustee, or in active military service of the United States of America, shall be given credit for each year the same as if he were in active service with the Fire Department.
- (J) In the event that the Foreign Fire Insurance Board elects not to contribute all the funds it receives in any year, which were collected as a result of the foreign fire insurance tax, to the Volunteer Fireman Pension Fund, then for the ensuing year commencing the next January 1, the monthly pension shall be reduced to two dollars (\$2.00) per month. (Ord. 80-44, 4-6-81; amd. Ord. 03-16, 8-18-03; amd. Ord. 03-09, 7-21-03)

5-1-16: **FOREIGN FIRE INSURANCE BOARD:** There is hereby created a Foreign Fire Insurance Board. The Board shall consist of seven (7) trustees, made up of the Fire Chief and six (6) members who shall be elected at-large by the sworn members of the Fire Department. The election shall take place annually. (amd. Ord. 01-35, 12-17-01; amd. Ord. 09-25, 9-21-09)

5-1-17: **ARSON INVESTIGATOR:** There is created within the Fire Department the designation of Arson Investigator, for the purpose of investigating the cause, origin and circumstances of fires and explosions as may be required by 425 ILCS 25, the Fire Investigation Act, and for the investigation of fires or explosions that are suspected to be arson or arson-related crimes.

An Arson Investigator, having met the requirements of the Illinois Law Enforcement Training Standards Board, will first be certified by the Illinois Office of the State Fire Marshal before being eligible for appointment within the department. The Fire Chief may further classify a qualified Arson Investigator as a Peace Officer, pursuant to the authority granted under 20 ILCS 2910, the Peace Officer Fire Investigation Act, and when so classified the Arson Investigator shall possess the same powers of arrest, search and seizure and the securing and service of warrants as sheriffs of counties, and police officers within the jurisdiction of their political subdivision. (Ord. 16-06, 10-17-16)

CHAPTER 2
FIREWORKS

SECTION:

- 5-2-1: Definition
 5-2-2: Regulations
 5-2-3: Consumer Fireworks Displays
 5-2-4: Permit
 5-2-5: Permit Fees

5-2-1: **DEFINITION:** Definitions related to fireworks and fireworks displays contained in 425 Illinois Compiled Statute 35/1, as now in effect or as may be amended from time to time, are hereby adopted and incorporated by reference. (Ord. 95-7, 6-19-95, amd. Ord. 6-15, 6-5-06)

5-2-2: **REGULATIONS:**

- (A) Except as hereinafter provided, Title 41, Illinois Admin. Code, Chapter I, Part 230 and Part 235, as now in effect or as may be amended from time to time, are hereby adopted and incorporated by reference.
- (B) The storage, display, sale or use of novelty fireworks (1.4S) is prohibited in temporary locations, facilities or structures including, but not limited to, tents, stands, canopies, and membrane structures.
- (C) No person shall display, sell or offer for sale, or keep for the purpose of so doing, any professional display (1.3G) fireworks or any consumer (1.4G) fireworks in the Village.

5-2-3: **CONSUMER FIREWORKS DISPLAYS:**

- (A) The possession, ignition or use of consumer fireworks and consumer fireworks displays are specifically prohibited within the Village.
- (B) The Director of Fire and Emergency Services is prohibited from issuing a permit for consumer fireworks displays within the Village or unincorporated areas of Tazewell County which are covered by contract by the Morton Fire Department.

5-2-4: PERMIT:

- (A) It shall be unlawful to discharge or set off any outdoor professional display fireworks, or give or exhibit any pyrotechnic or flame effect displays in the Village, excepting displays for which a permit has been issued by the Director of Fire and Emergency Services or his/her designee.
- (B) Except as hereinafter provided, the Director of Fire and Emergency Services may adopt necessary rules and regulations for the administration of this ordinance which shall be based upon 425 ILCS 35, Title 41, Illinois Admin Code, Chapter I, Part 230 and Part 235 or codes and standards otherwise adopted by Village ordinance.
- (C) Fireworks and pyrotechnic display permits shall only be issued to State of Illinois licensed display distributors and operators.
- (D) All outdoor professional fireworks displays shall be attended by fire response equipment and personnel as may be deemed necessary and appropriate by the Director of Fire and Emergency Services.

5-2-5: PERMIT FEES:

- (A) There shall be a fifty dollar (\$50.00) permit fee for the issuance of outdoor fireworks displays.
- (B) There shall be a one hundred fifty dollar (\$150.00) permit fee for the issuance of pyrotechnic display permits.

CHAPTER 3

FIRE PREVENTION CODE

SECTION:

- 5-3-1: Fire Prevention
- 5-3-2: Designating Qualified Personnel
- 5-3-3: Availability to General Public
- 5-3-4: Reviewing Plans
- 5-3-5: Determining Code Violations
- 5-3-6: Monetary Penalty For Violation Of Chapter

5-3-1: **FIRE PREVENTION:** There is hereby adopted for the purpose of prescribing regulations governing hazards to life and property from fire or explosion, Life Safety Code (NFPA 101) 2012 Edition, except for 24.3.5 (Extinguishment requirements), as now in effect or as may be amended from time to time. (Ord. 95-7, 6-19-95; amd. Ord. 01-19, 9-17-01; amd. Ord. 14-10, 7-7-14)

5-3-2: **DESIGNATING QUALIFIED PERSONNEL:** The Village of Morton shall designate or otherwise contract with a qualified private fire and life safety contractor, who shall report to the Director of Fire and Emergency Services, and shall be responsible for fire prevention, fire protection and life safety related reviews, inspections, enforcement and other similar services for and on behalf of the Village. (Ord. 04-08, 6-21-04)

5-3-3: **AVAILABILITY TO GENERAL PUBLIC:** Fire and Life Safety Code interpretation and consulting services related to the Village's fire prevention, fire protection and life safety codes and requirements shall be made available to the general public for a reasonable fee, as may be determined by and paid directly to the designated fire and life safety contractor. (Ord. 04-08, 6-21-04)

5-3-4: **REVIEWING PLANS:** Plans reviewed by the Village's fire and life safety contractor will be reviewed and acted upon by within ten (10) business days after said contractor receives all plans and documents as may be required. (Ord. 04-08, 6-21-04)

5-3-5: **DETERMINING CODE VIOLATIONS:** When, in the opinion of the Director of Fire and Emergency Services or his/her designee, it becomes necessary for the Village to consult with its designated fire and life safety contractor, including site inspection when appropriate, to establish if one (1) or more code violations exist at or on privately owned property within the Village, and if said violation(s) is determined to in fact exist, and a notice to correct said violation is issued or other necessary and appropriate action is taken by or on behalf of the Village to compel the property owner or other responsible person or business to correct said violation(s), then, in addition to any fines or fees that may be imposed pursuant to the violation(s), the property owner shall pay either to the Village or directly to the designated fire and life safety contractor, any and all fees or charges related to the Village's consultation related to the violation(s) including any fees or costs that may be incurred while determining if the violation has been corrected. (Ord. 04-08, 6-21-04)

5-3-6: **MONETARY PENALTY FOR VIOLATION OF CHAPTER:** Any person, firm, corporation, or customer who violates, neglects, or refuses to comply with, or who resists or opposes the enforcement of any provision of this Chapter shall be subject to a fine of not less than fifty dollars (\$50.00), nor more than seven hundred fifty dollars (\$750.00), and such person shall be deemed guilty of a separate offense for each and every day during which said violation, neglect, or refusal to comply with the provisions of this Chapter shall continue. (Ord. 04-08, 6-21-04)

CHAPTER 4

FIRE DETECTION SYSTEMS

SECTION:

- 5-4-1: Fire Detection System
- 5-4-2: Maintenance Of Fire Detection Systems
- 5-4-3: Presumption Of Improper Working Condition
- 5-4-4: Violations
- 5-4-5: Inspection
- 5-4-6: Penalty

- 5-4-1: **FIRE DETECTION SYSTEM:** A fire detection system is defined as any type of mechanical device or devices which automatically activates a fire alarm.
- 5-4-2: **MAINTENANCE OF FIRE DETECTION SYSTEMS:** The owner, occupant, or lessee of a premises containing a fire detection system shall maintain said system in proper working condition.
- 5-4-3: **PRESUMPTION OF IMPROPER WORKING CONDITION:** Any fire detection system which activates a fire alarm due to any cause other than smoke or heat shall be presumed not to be in proper working condition.
- 5-4-4: **VIOLATIONS:** The Village Fire Chief shall have authority to file a complaint for and on behalf of the Village against any owner, occupant, or lessee of a premises containing a fire protection device not maintained in proper working condition.
- 5-4-5: **INSPECTION:** In the event a fire detection system is activated, the Village Fire Chief or any party acting in his stead shall have the right to inspect said fire detection system.
- 5-4-6: **PENALTY:** Any owner, occupant, or lessee of a premises who fails to maintain a fire protection device or devices in proper working condition shall be fined a minimum of one hundred fifty dollars (\$150.00) and a maximum of seven hundred fifty dollars (\$750.00). (Ord. 78-20, 10-2-78; amd. Ord. 99-37, 12-6-99)

CHAPTER 5
PARAMEDIC SERVICES

SECTION:

- 5-5-1: Establishment Of Paramedic Department
- 5-5-2: Powers And Duties Of Fire Chief
- 5-5-3: Charge For Usage
- 5-5-4: Due Date Of Payment
- 5-5-5: Penalty For False Alarms
- 5-5-6: Severability Clause

5-5-1: **ESTABLISHMENT OF PARAMEDIC DEPARTMENT:** There is hereby established a Paramedic Department of the Village to be supervised by the Fire Chief, and which Department shall see to the operation of the ambulance service of the Village, under the terms and provisions of this Chapter, or such other ordinances or amendments hereto, as may from time to time be enacted by the President and Board of Trustees of this Village.

5-5-2: **POWERS AND DUTIES OF FIRE CHIEF:** It shall be the duty of the Fire Chief with reference to the Paramedic Department to accomplish the following:

- (A) To promulgate such rules, regulations, and procedures as are necessary and appropriate in the operation of the paramedic service.
- (B) To have charge of all property and equipment used by the Paramedic Department.

5-5-3: **CHARGE FOR USAGE:**

(A) **Payment For Services:** Any person who uses emergency medical services as may be provided by the Village of Morton shall pay to the Village for said service an amount determined as set forth in this section.

(B) **Definitions:** The following definitions shall apply:

BLS: Basic Life Support as defined by, or may from time to time be modified by, Medicare.

ALS: Advanced Life Support as defined by, or may from time to time be modified by, Medicare.

ALS-2: Intensive Advanced Life Support as defined by, or may from time to time be amended by, Medicare.

RESIDENT: A person residing within the corporate limits of the Village of Morton.

MILEAGE: The distance traveled with a patient in an ambulance from the point of patient pickup to a hospital or other final destination.

CHARGES: Charges shall consist of the base rate and mileage.

(C) Base Rate: The base rate charge is expressed in dollars and shall be as follows:

BLS	six hundred dollars (\$600.00)
ALS	seven hundred dollars (\$700.00)
ALS-2	eight hundred dollars (\$800.00)
Treatment only; no transport	three hundred dollars (\$300.00)
ALS Intercept Services	five hundred dollars (\$500.00)

Residents may deduct fifty dollars (\$50.00) from the applicable base rate.

(D) Standby Charges: There shall be a Standby Charge of one hundred dollars (\$100.00) per hour.

(E) Mileage: Mileage shall be charged as follows:

Ten dollars (\$10.00) per mile

(F) Should any provision of this ordinance be deemed inconsistent with the rules and regulations for ambulance-related billing as set forth by, and from time to time modified by Medicare and its carriers, Medicare's rules and regulations shall supersede this ordinance and Village staff may modify billing procedures as may be required to comply with Medicare's rules and regulations. (amd. Ord. 01-02, 5-21-01; amd. Ord. 07-30, 9-4-07; amd. Ord. 10-35, 3-7-11)

5-5-4: **DUE DATE OF PAYMENT:** All charges shall be due within thirty (30) days of the date of service. If the charges are not paid on or before said time the Village may take such action as is reasonably necessary including the filing of a lawsuit to collect for said services.

For any account which is not paid on or before said thirty (30)-day period, interest as allowable by Statute shall be due in addition to the charge for service. Interest shall in that case be computed from the date of service.

5-5-5: **PENALTY FOR FALSE ALARMS:** A person commits the offense of transmitting a false alarm for paramedic services when any person transmits to the Village a false alarm of the need for paramedic services, knowing at the time of such transmission that there is no reasonable ground for believing that the need for paramedic services exists.

A person who violates this Section shall, upon conviction, be fined two hundred fifty dollars (\$250.00).

A person convicted of more than one (1) offense of this Section shall, upon conviction, be subject to a fine of seven hundred fifty dollars (\$750.00) or imprisonment not to exceed six (6) months, or by both such fine and imprisonment. (amd. Ord. 99-37; 12-6-99)

5-5-6: **SEVERABILITY CLAUSE:** If any section, subsection, paragraph, sentence, clause, or phrase of this Chapter, or any part thereof, or application thereof to any person, firm, corporation, public agency, or circumstance, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Chapter or any part thereof. It is hereby declared to be the legislative intent of the Village Board of Trustees that this Chapter would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not then been included.
(Ord. 89-9, 8-21-89)

CHAPTER 6
FIRE HYDRANTS

SECTION:

- 5-6-1: Removal Of Obstructions
5-6-2: Notification
5-6-3: Penalty

5-6-1: **REMOVAL OF OBSTRUCTIONS:** All fire hydrants that are maintained by the Village for the purpose of fire protection shall be free from obstruction at all times so that they are clearly visible in either direction from the adjacent street. Owners or occupants of property adjacent to a fire hydrant shall be responsible for maintaining their adjacent property as follows:

- (A) Trees, shrubs, bushes, or evergreens that overhang the hydrant must be trimmed so that they are at least four feet (4') above the top of the hydrant, are at least two feet (2') from the edge of the fire hydrant, and are not located so as to obstruct the view of the hydrant from the street.
- (B) No fences or other structures may be located on adjacent property that would be in violation if they were trees, shrubs, bushes, or evergreens. (Ord. 97-37, 4-20-98)

5-6-2: **NOTIFICATION:** Upon notification by the Village of any obstruction as defined in Subsection 5-6-1(A) or (B) of this Chapter, the adjacent property owner or occupant of the property shall have five (5) days to remove the obstruction. In the event the obstruction is not removed within that time, the Village, in the case of trees, shrubs, bushes, or evergreens may remove the obstruction. (Ord. 97-37, 4-20-98)

5-6-3: **PENALTY:** In the event that an adjacent property owner or occupant of the property fails to remove the obstruction after notification, then the owner or occupant of the adjacent property shall be deemed to have violated this Chapter, and upon conviction, shall be subject to a fine of at least fifty dollars (\$50.00) but no more than seven hundred fifty dollars (\$750.00). A separate violation shall be deemed to have occurred for each and every day from the date of the initial notice until removal. (Ord. 97-37, 4-20-98; amd. Ord. 99-37, 12-6-99)

