

10/7/96, 10/17/96, 10/21/96

105-0-96

AN ORDINANCE

Adopting the B.O.C.A. 1996 National Fire Prevention Code  
Tenth Edition and Appendix A and the 1994  
NFPA Life Safety Code as the Fire Prevention Code  
of the City of Evanston

WHEREAS, the City Council of the City of Evanston considers it in the public interest to adopt as its standard for construction, alteration and installation permits, and general fire protection the B.O.C.A. National Fire Prevention Code, Tenth Edition, 1996, and the NFPA Life Safety Code, 1994; and

WHEREAS, the City Council of the City of Evanston has caused three (3) copies of the aforesaid Codes to be kept on file in the office of the City Clerk for public inspection for a period of more than thirty (30) days prior to the adoption of this ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That Section 4-5-1 of the Code of the  
City of Evanston, 1979, as amended, be further amended to read as follows:

4-5-1: ADOPTION OF THE BUILDING OFFICIALS AND CODE  
ADMINISTRATORS INTERNATIONAL INC.'S (B.O.C.A.) NATIONAL  
FIRE PREVENTION CODE OF 1996 AND THE NATIONAL FIRE  
PROTECTION ASSOCIATION (NFPA) Life Safety Code 101 (1994): The  
City Evanston hereby adopts by reference thereto the Building Officials  
and Code Administrators International Inc. (B.O.C.A.) National Fire  
Prevention Code of 1996, Chapters 1 through 44 and Appendix A, and

the NFPA Life Safety Code 101 of 1994 thereof as criteria for the control and regulation of conditions which would constitute fire hazards to persons or property within the City or which would interfere with fire suppression forces, excepting therefrom the sections which are modified or deleted in Section 4-5-2 of this Code.

SECTION 2: That Section 4-5-2 of the Code of the City of Evanston, 1979, as amended, be further amended to read as follows:

4-5-2: MODIFICATIONS TO THE CODE: The following sections of the hereinabove adopted Fire Prevention Code are modified or deleted as follows:

F-101.1 Title: These regulations as set forth herein shall be known as the Fire Prevention Code of the City of Evanston and is herein referred to as such or as "this Code."

F-105.1 Enforcement Officer: It shall be the duty and responsibility of the Fire Chief or his duly authorized representative, to enforce the provisions of the Fire Prevention Code as herein set forth. The designated enforcement officer of this Code is herein referred to as the code official. The code official shall have full police power to enforce the provisions of this Code.

F-108.1 Inspections: The Code official or other designated inspector of the Fire Department upon the complaint of any person or whenever there is reason to believe health or safety is endangered shall inspect all structures and premises for the purpose of ascertaining and causing to be corrected any condition liable to cause fire, contribute to the spread of fire, interfere with firefighting operations, endanger life, or any violation of the provisions or intent of this Code and ordinance and any other law or standard affecting life safety from fire.

F-110.1 General: Whenever the Fire Department personnel shall find in any structure or upon any premises dangerous or hazardous conditions or materials as follows, he shall order such dangerous conditions or materials to be removed or remedied in accordance with the provisions of this Code and all applicable laws:

1. Dangerous conditions or materials which are liable to cause or contribute to the spread of fire in or on said premises, buildings or structures, or endanger the occupants thereof;

2. Conditions which would interfere with Fire Department operations, vehicles and equipment including, but not limited to, fire hydrants, suppression and extinguishing equipment, Fire Department connections, fire lanes, and access to buildings and portions of buildings;
3. Obstructions to, defective, or inadequate fire escapes, exits, stairs, passageways, doors and windows which are liable to prevent or interfere with the safe egress of occupants or the operations of the Fire Department in case of fire or other emergencies;
4. Accumulations of dust or waste material in air conditioning or ventilating systems or the grease in kitchen or other exhaust ducts;
5. Accumulations of grease on kitchen cooking equipment or oil, grease or dirt upon, under or around any mechanical equipment;
6. Accumulations of rubbish, waste, paper, boxes, shavings or other combustible materials, or excessive storage of any combustible material;
7. Hazardous conditions arising from defective or improperly used or installed electrical wiring, equipment or appliances;
8. Hazardous conditions arising from defective or improperly installed equipment or handling or using combustible, explosive or otherwise hazardous materials; and
9. Dangerous or unlawful amounts of combustible, explosive or otherwise hazardous materials; and
10. All equipment, materials, processes or operations which are in violation of the provisions and intent of this Code.
11. All structures shall have their street address conspicuously displayed so that it is visible from the street and in contrasting color from the background on which it is mounted. At least three inch tall numbers shall be used. Numbers written in script shall be prohibited. All structures with the exception of one/two family dwellings shall also display their address in the rear of the structure so that it is visible from the alley side.

F-110.3

Inspections and Unsafe Buildings: The fire official shall inspect or cause to be inspected all buildings and premises authorized by this Code, including the situs of potential hazards and appliances for the purpose of ascertaining and causing to be corrected any condition which may be

reasonably foreseen to be a fire or explosive hazard or interfere with the suppression of fire or abating of a public emergency, or which constitutes a violation of the provisions of this Code and any other law or standard affecting life safety. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety, or health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment, as specified in the 1996 B.O.C.A. National Fire Prevention Code or any other effective ordinance, are for the purposes of this section, unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated, by repair, rehabilitation, demolition or removal in accordance with procedures provided by law.

F-112.3 Penalty for Violation: Any person, firm or corporation violating the provisions of this Code or failing to comply with any lawful order issued pursuant to any section hereof, in addition to being required by a court of competent jurisdiction to comply with this Code or such order, may be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense. Each day of violation after notice shall be deemed a separate offense.

F-113.1 Appeals: Any person, firm or corporation aggrieved by any decision, interpretation or order of the fire official made under any provision of this Code or the standards adopted herein, may appeal such decision, interpretation or order to the Fire Chief by filing a written notice of such intent to the office of the Fire Chief within five (5) days of the transactions appealed from. The Fire Chief, or his designee, shall convene a hearing upon such appeal within ten (10) days of receipt thereof and may, when no immediate hazard exists, continue such hearing from time to time for cause. The Fire Chief shall establish reasonable rules for such hearings and shall make a record of proceedings. The decision of the Fire Chief shall be deemed final as to the order or interpretation appealed from. Where there are practical difficulties in the implementation of the strict provisions of this Code, the Fire Chief may modify such provision provided that such modification shall effect substantial conformance with the provisions hereof, provide for the public safety, and do substantial justice.

F-113.2-  
F-113.6.2 Appeals: Sections F-113.2 through F113.6.2 of the B.O.C.A. Fire Prevention Code are hereby deleted in their entirety.

F-113.7 Appeals - Administrative Decisions: The final decision of the Fire Chief, or his authorized representatives, shall be and considered an administrative decision for all purposes.

F-202.0 Definitions: Fire Watch: The use of certified Illinois Fire Fighters (with radio communications directly to the Police/Fire Communications Center) or other professional agencies as approved by the Fire Chief or his designee, to remain in a structure and regularly survey the structure for signs of fire or other emergency conditions which may require the evacuation of the building and/or the notification of an emergency to the Fire Department. Fire Watch is used, when determined by the Fire Chief or his designee that a condition exists that requires trained personnel to monitor the structure.

F-309.1.2 Fire Protection: Hood and Duct Systems: All commercial hood and duct suppression systems shall comply with the revised U/L 300 by February, 1998.

F-316.0 Gas shut-off valves: All fuel burning appliances shall have individual gas shut off valves located within 5 feet of the appliance, within the same room.

F-403.1 to F403.8.2 Open Burning: Sections F-403.1 through F-403.8.2 of the B.O.C.A. Fire Prevention Code, 1996 are hereby deleted in their entirety.

F-503.1.2 Apartment buildings with more than three stories or with more than 11 units shall have a fire alarm system installed in accordance with NFPA 72. These systems shall include both manual and automatic initiating devices.

F-503.4.4 Smoke Detectors:

1. Use Group R1 and Dormitories: All existing residential uses as defined by the Building Code listed in Chapter 44, Use Group R-1 and also all existing dormitory buildings arranged for the shelter and sleeping accommodation of more than twenty (20) persons shall be provided with a fire and smoke alarm system as approved by the fire official and installed in accordance with nationally recognized standards listed in Chapter 44. When activated manually or automatically, the fire and smoke alarm system shall provide an audible alarm throughout the building.

2. Single-Family, Multi-Family, Mixed Use:

(a) Every dwelling unit in a single-family, multi-family or mixed use building shall be equipped with at least one approved smoke detector of the ionization or photoelectric type in an operating condition within fifteen feet (15') of every room used for sleeping purposes. The detector shall be installed on the ceiling and at least six inches (6") from any wall, or a wall located between four (4) and six (6) inches from the ceiling.

(b) Every single-family residence shall have at least one approved smoke detector installed on every story of the dwelling unit including basements but not including unoccupied attics. In dwelling units with split levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level if the lower level is less than one full story below the upper level; however, if there is an intervening door between the adjacent levels, a smoke detector shall be installed on each level.

(c) Every structure which (1) contains more than one dwelling unit, or (2) contains at least one dwelling unit and is a mixed use structure, shall contain at least one approved smoke detector at the uppermost ceiling of each interior stairwell. The detector shall be installed on the ceiling, at least six inches (6") from the wall, or on a wall located between four (4) and six (6) inches from the ceiling.

F-504.5.1

Systems placed out of service: Any required fire protection/detection system placed out of service for more than six (6) hours in a day and/or for a cumulative total of twenty (20) hours a week shall require the approval of the Code Official or his designee. Any fire protection/detection system placed out of service for periods equal to or greater than those stated without the approval of the Code Official, will be subject to following fines:

First Warning .....	No Charge
Second Warning .....	\$200.00
Third Warning .....	\$300.00
Fourth and Subsequent Warnings .....	\$500.00

F-519.2

Fire Extinguishers Required: A portable fire extinguisher shall be installed in the following locations in accordance with NFPA 10 listed in Chapter 44:

1. In all occupancies in Use Groups A-1, A-2, A-3 B, E, I-2, R-1 and H.
2. In all areas containing commercial kitchen exhaust hood systems.
3. In all areas where fuel is dispensed.
4. In all areas where a flammable or combustible liquid is used in the operation of spraying, coating or dipping.
5. In all occupancies in USE Group I-3 at staff locations. Access to portable fire extinguishers shall be permitted to be locked.
6. On each floor of structures under construction, except occupancies in Use Group R-3.
7. In any laboratory, shop or other room of similar purpose.
8. Where required by the sections indicated in Table F-519.2 for various operations, processes, structures and areas.

F-601.1.2 BARBECUE GRILLS: Barbecues grills shall not be used on any stairs or porches that are a means of egress. The use of barbecues will be allowed on balconies or at ground level provided the following regulations are complied with:

(a) Clearance of not less than a 30 inch radius shall be provided between barbecue units and all combustible material including exterior windows or door openings.

(b) Extreme caution shall be exercised when lighting the barbecue to prevent flames from elevating to an excessive height.

(c) Hot ashes or cinders shall be deposited into noncombustible receptacles free of all combustible material. Such receptacles shall be placed on a noncombustible surface. In every case a clearance of not less than a 30 inch radius between the discarded ashes or cinders and all combustible material, exterior window or door opening shall be met.

(d) The use of the barbecue shall not cause the building's fire alarm system to activate.

(e) On wooden balconies, a portable fire extinguisher shall be located within 10 feet of the BBQ, but not affixed to the grill. The fire extinguisher shall be at least a 10 pound ABC.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: October 28, 1996

Adopted: December 16, 1996

Approved: December 20, 1996  
Lorraine A. Norton  
Mayor

ATTEST:

Kuster Davis  
City Clerk

Approved as to form:

Heylby  
Corporation Counsel