

AMENDING CHAPTER 5 "FIRE DEPARTMENT", SECTION 5.14 "FALSE FIRE ALARM FEE", AND SECTION 5.15 "FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS", OF THE CITY OF DEKALB, ILLINOIS MUNICIPAL CODE.

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, the City's Fire Chief recommends adopting an amendment to Chapter 5 of the City's Municipal Code as set forth in the attached and incorporated Exhibit A (the "Amendment"); and

WHEREAS, the City's corporate authorities find that approving the Amendment is in the City's best interests for the protection of the public health, safety, and welfare; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The recitals to this ordinance are true, material, adopted and incorporated as Section 1 to this ordinance.

SECTION 2: The City's corporate authorities adopt and approve the Amendment attached and incorporated as Exhibit A.

SECTION 3: This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provision of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City's corporate authorities that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, this ordinance shall supersede state law.

SECTION 4: This ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 9th day of December 2024 and approved by me as Mayor on the same day. Passed on First Reading by a 7-0-1 roll call vote. Aye: Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None. Absent: Zasada. Second Reading waived by a 7-0-1 roll call vote. Aye: Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None. Absent: Zasada.




COHEN BARNES, Mayor

ATTEST:


Ruth A. Scott, Executive Assistant

CHAPTER 5

FIRE DEPARTMENT

LATEST REVISION: ~~March 25, 2019 (2019-034)~~

SECTIONS:

5.01 DEPARTMENT ESTABLISHED.

5.02 DIRECTOR OF LIFE SAFETY AND PARAMEDIC SERVICES.

5.03 ORGANIZATION.

5.04 APPOINTMENT, FIREFIGHTER.

5.05 ASSISTANT FIRE CHIEF.

5.06 POWERS OF DIRECTOR OF LIFE SAFETY AND PARAMEDIC SERVICES.

5.07 POWERS AT FIRES.

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5.10 IMPERSONATING FIREFIGHTERS.

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5.16 FIRE SAFETY REGISTRATION AND COMMERCIAL BUILDING INSPECTION PROGRAM.

5.17 HAZARDOUS MATERIALS.

5.18 COST RECOVERY PROGRAM.

5.18-5 MOTOR VEHICLE ACCIDENT COST RECOVERY

5.19 FEES.

5.01 DEPARTMENT ESTABLISHED.

There is hereby established a Fire Department of the City of DeKalb which shall consist of a Chief, one or more Deputy Chiefs, one or more Assistant Fire Chiefs, Battalion Chiefs, Captains, Lieutenants, and such number of other firefighters and employees as the Council shall from time to time provide.

5.02 ORGANIZATION.

The Fire Department shall be organized into such divisions and units thereof, as shall be determined by the Fire Chief with the approval of the City Manager. The scope, duties and responsibilities of each division and for each officer and employee shall be established in the Fire Department's Rules and Regulations and Standard Operating Guidelines issued by the Fire Chief. The manual may be revised from time to time.

5.03 APPOINTMENT FIREFIGHTER.

- a) All firefighters shall be appointed by the Board of Fire and Police Commissioners. Appointments shall be made only after a vacancy has been established or upon requisition by the Fire Chief with the approval of the City Manager; provided, however, that no appointment shall be made without an appropriation having been made for the salary of said position. All firefighters shall be required to satisfy all rules and regulations of the Board of Fire and Police Commissioners, other applicable local regulations, and all applicable state or federal regulations.

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- b) Original appointments of firefighters to the Fire Department shall be for a probationary period consistent with the then-current requirements of the collective bargaining agreement between the City and the Fire Department's bargaining unit or, for nonbargaining unit employees, for a period consistent with applicable City policies or regulations. At the end of the probationary period, the Fire Chief shall certify to the Board of Fire and Police Commissioners that the appointment is either to be made permanent or nullified.

5.04 FIRE CHIEF.

- a) Command. The Fire Chief shall have the management and control of all matters pertaining to the Fire Department. He shall have sole and absolute control and command of all persons connected with the Fire Department. He shall possess full power and authority over its organization, government and discipline, and to that end he may prescribe and establish, from time to time, such rules and such regulations as he may deem advisable, subject to the approval of the City Manager. He shall be appointed and removed from office at the discretion of the City Manager. His appointment shall be subject to the approval of the Council.
- b) Apparatus. The Fire Chief shall have the custody of the Fire Department buildings and all property and equipment belonging to the Fire Department.
- c) Investigation of Fires: Records. The Fire Chief, or designee, shall investigate the cause of all fires which shall occur in the City as soon as may be after they occur, and keep a record of his proceedings and the circumstances of each cause. He shall have the right to enter upon the premises wherein any fire has occurred, if necessary, in order to investigate the origin of the fire. In addition to the foregoing records, the Fire Chief or his designee(s) shall maintain a record (log) of all incidents of the Fire Department.
- d) Attendance at Emergencies. It shall be the duty of the Fire Chief, if in his power, to attend all major structure or complex emergency incidents occurring in the City.
- e) Annual Report. The Fire Chief shall, on a schedule established by the City Manager, make a full and complete report to the City Manager of all transactions in the department for the preceding year. Such report shall also show, as nearly as can be ascertained, the type and number of emergency response activities for the previous fiscal year.
- f) Collective Bargaining Agreements and Discipline. The Fire Chief, or designee, shall have authority to impose discipline consistent with the rules and regulations of the Fire

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Department established by him, the personnel policies or other regulations of the City where applicable, and the provisions of the then-current Collective Bargaining Agreement in effect between the City and Fire Department employees.

- g) **Other Powers Permitted by Law:** The Fire Chief shall have such additional and supplemental authority as may be provided by applicable Illinois law, including but not limited to the provisions of the Illinois Municipal Code, and other powers or authority as established by any other City ordinance, resolution or applicable regulation.

5.05 DEPUTY FIRE CHIEF.

There is hereby created the position of Deputy Fire Chief, who shall perform such duties as established by the Fire Chief. All Deputy Fire Chiefs shall be appointed and removed by the Fire Chief, subject to the advice and consent of the City Manager. Under circumstances where the Fire Chief is unable or unavailable to act, the Deputy Fire Chief may temporarily assume the power and authority of the Fire Chief, either 1) for a brief duration during an actual emergency without additional action; or 2) for a prescribed period of time when authorized by the City Manager.

5.06 ASSISTANT FIRE CHIEF.

There is hereby created the position of Assistant Fire Chief, who shall perform such duties as established by the Fire Chief. All Assistant Fire Chiefs shall be appointed and removed by the Fire Chief, subject to the advice and consent of the City Manager. Under circumstances where the Fire Chief and Deputy Fire Chief are both unable or unavailable to act, the Assistant Fire Chief(s) may, in order of seniority, temporarily assume the power and authority of the Fire Chief, either 1) for a brief duration during an actual emergency without additional action; or, 2) for a prescribed period of time when authorized by the City Manager.

5.07 POWERS AT FIRES.

- a) **Command.** The Fire Chief or other Fire Department officer in command may prescribe limits in the vicinity of any emergency incident, within which no persons, shall be permitted to go. The Police Department shall, on request of the Fire Chief, or other Fire Department officer in command of the Fire Department at any fire, enforce the provisions of this Section.
- b) **Removal of Property.** The Fire Chief in command at any emergency incident shall have power to cause the removal of any property whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire, or to protect adjoining property.

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- c) **Destroying Buildings.** The Fire Chief, or in his absence, the Fire Department officer in command at any emergency may direct the members of the Fire Department to demolish and remove any building, erection or fence for the purpose of checking the progress of any fire.
- d) **Obedience to Orders.** Every person who shall be present at a fire shall obey the orders of the Fire Chief and other Fire Department officers of the Fire Department, in extinguishing the fire and in the removal and protection of property.
- e) **Assistance.** It shall be lawful for the Fire Chief, or other Fire Department officer in command of the Fire Department to require the aid of any person to aid in the extinguishing of any fire.

5.08 HINDERING FIREFIGHTER: DAMAGING FIRE APPARATUS.

No person shall offer any hindrance to any Fire Department officer or firefighter in the performance of his duty at an emergency incident, or in any manner interfere with, destroy, damage or deface any Fire Department apparatus or equipment belonging to the City of DeKalb.

5.09 OBSTRUCTING FIRE HYDRANTS.

No person shall in any manner obstruct the use of any fire hydrant, or have or place any material in front thereof, or within five feet of either side thereof.

5.10 IMPERSONATING FIREFIGHTERS.

No person, not a member of the Fire Department, shall impersonate a firefighter or Fire Department officer of the Fire Department at an emergency incident or going to or returning from an emergency incident, by wearing a cap or badge or in any other way.

5.11 BADGES.

Every member of the Fire Department shall be issued a badge to be furnished by the City, and any member who shall lose or destroy the same, shall be required to pay the cost of replacing it. Whenever any member shall leave the department, he shall immediately deliver his badge and all other property belonging to the City, to the Fire Department.

5.12 FIREFIGHTERS PENSION FUND.

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There is hereby established in the City a firefighter's pension fund in accordance with 40 ILCS 5/4-10, et. seq. The pension fund shall be administered by a Board of Trustees as provided by said law.

5.13 ESTABLISHMENT OF AMBULANCE SERVICE.

There is hereby established within the Fire Department of the City of DeKalb, and under the command of the Fire Chief, a City ambulance service.

5.14 FALSE FIRE ALARM FEE.

~~5.14 — (2018-090)~~

- a) Any person, firm, corporation or institution having a fire alarm, smoke detector or other type of alarm in a building owned, operated or under the control of said person, firm, corporation or institution, and which alarm has a direct or indirect connection with calls for a response from the DeKalb Fire Department, shall be charged a fee of One Hundred Fifty Dollars (\$150.00) upon the second (2nd) false fire alarm or/ nuisance alarm and for each successive false fire alarm or /nuisance -alarm within that calendar year the charge will be progressively increased by Fifty Dollars (\$50.00) up to a maximum of \$750.00 per false fire alarm or/nuisance alarm.
- b) For purposes of this Section, "false fire alarm" shall mean the willful and knowing initiation or transmission of a signal, message, or other notification of an event of fire when no such danger exists. ~~any alarm initiated for malicious/mischievous purposes or because of a malfunctioning installed fire alarm system.~~
- c) For purposes of this Section, "nuisance alarm" shall mean an alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance or an alarm activated by a cause that cannot be determined by the Fire Department.
- ~~e)d)~~ For purposes of this Section, each building shall be allowed one (1) false fire alarm or /nuisance alarm per calendar year.

5.15 FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS.

- a) All fire hydrants shall have a maximum distance of three hundred (300) feet between fire hydrants. There shall be a maximum distance of three hundred (300) feet from a fire hydrant to a protected structure, or protected property, as measured by roadway. Access roads shall be maintained during all seasons.
- b) All fire suppression systems shall have a fire department connection (~~Siamese~~ "FDC"); a fire hydrant will be required to supply the system. A fire hydrant for a fire suppression

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system shall be located no closer to the building (~~Siamese~~FDC) than thirty (30) feet and no further from the building (~~Siamese~~FDC) than fifty (50) or the height of the building.

- c) Any building that has an Early Suppression Fast Response (E.S.F.R.) fire suppression system will be required to contact the DeKalb Fire Department for specific regulations.
- d) Fire hydrants shall be located no closer than five (5) feet to a street curb.
- e) A fire hydrant shall ~~be~~ have a 4" steamer and two 2-½" side ports and be installed at a maximum height of twenty-four (24) inches and a minimum height of eighteen (18) inches from the bottom of the pumper connection to the final grade (ground level). The pumper connection shall face the street.
- f) The type and location of All Fire Department eConnections (FDC) (sprinkler, standpipe) shall be ~~located~~ in accordance with Fire Department ~~recommendations~~ approval.
- g) A listed electric waterflow gong shall be located above the FDC or in a location approved by the Fire Department.
- ~~g)h)~~ All fire hydrants shall be on a looped water main system, unless otherwise approved in writing by the City Engineer and the Fire Chief.
- ~~h)i)~~ A fire hydrant for a cul-de-sac shall be located at the throat of the bulb.
- ~~i)j)~~ The Fire Department shall have the authority to go on private property for the limited purpose of testing and inspecting fire hydrants for emergency use.

5.16 FIRE SAFETY REGISTRATION AND COMMERCIAL BUILDING INSPECTION PROGRAM. (2019-031)

a) Definitions:

Building: Any structure, temporary or permanent, constructed upon real property within the City of DeKalb.

Commercial Building: Any Building, whether vacant or occupied, which is zoned or utilized for any commercial or industrial use or purpose, along with the parcel(s) of property on which it is located. A Commercial Building shall include any Mixed-Use Property as defined herein. A Commercial Building shall not include any Excluded Building. Any Commercial Building that is vacant shall be nonetheless considered to

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be a Commercial Building. For purposes of this Ordinance, buildings owned by the City of DeKalb shall be deemed to be Commercial Buildings.

Commercial or Industrial Use: Any zoning designation or use which is identified as or is consistent with a use enumerated as a commercial use or as an industrial use in the City's Unified Development Ordinance.

Excluded Building: Any Commercial Building which is: 1) owner-occupied and exclusively residential in nature; 2) a Governmental Building; 3) a home-based business (business operated out of a portion of a private, owner-occupied, single-family residential structure) or, 4) residential rental property, multi-unit or otherwise, that is required to be registered with the City pursuant to the requirements of Chapter 10 of the City Code of Ordinances, unless such property is a Mixed-Use Property as defined herein.

Governmental Building: Any parcel of real property, improved with a temporary or permanent structure, where either the real property or the structure is owned or leased by the State or Federal Government or a unit thereof, or by a unit of local government other than the City of DeKalb. Where a property includes multiple uses, such portion of the property or Building which qualifies as a Governmental Building shall be deemed Excluded, and the balance shall not be excluded.

Mixed-Use Property: Any Building which is zoned for or utilized in a fashion as to include a combination of uses which include residential uses (whether for rental or owner-occupied) in connection with either a Commercial or Industrial Use, regardless of whether such property is registered as a residential rental property.

Owner: The person or entity listed of record as being the Owner of a parcel of property, and also as identified on the property registration form filed with the City. The Owner shall be the person or entity upon whom legal process shall be served and shall be the person or entity who has the authority to exercise the legal rights of the Owner (such as approving compliance agreements).

Pre-Plan Walkthrough: A Walkthrough inspection completed at a Commercial Building and the property on which it is located, in compliance with Insurance Services Offices standards and requirements applicable to building emergency pre-planning, identifying ingress/egress points, utility connections, fire alarm or sprinkler panel/connection locations, bulk flammables storage areas and other similar information. A Pre-Plan Walkthrough shall cover all portions of the Building and property inspected.

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Public Area: Any portion of a Building which members of the public, customers, or persons other than Owner's (or a given tenant's) employees and agents are permitted to enter.

- b) **Registration of Commercial Buildings Required:** The Owner of each Commercial Building is required to maintain a current registration with the City of DeKalb for said building. There shall be no fee for registration of a Commercial Building, and no process for suspension or revocation of registration.
1. Registration shall provide the name and contact information for the Commercial Building's Owner, and other related information.
- (a) The Owner shall be required to designate a 24-hour emergency contact and keyholder who shall have authority to grant the City expedited, immediate access to the property during the course of an emergency response to the property.
 - (b) The Owner shall also be required to designate and provide contact information for a local representative who shall have the authority to grant the City access to any portion of the building or property which is solely under the control of the Owner, for purposes of completing an inspection or walkthrough under this ordinance.
 - (c) Owners are encouraged, but not required, to provide floor plans or other information showing the layout of all Buildings required to be registered under this ordinance. Owners are required to provide a floor plan identifying any Public Areas and identifying any portion of a Building which is vacant.
 - (d) At the time of initial application for registration, each Building shall be assigned a twelve (12)-month annual registration period (with the City undertaking to include all Buildings under common ownership within the same registration period). Subsequently, each Owner shall renew the registration of each Building by filing an application for renewal at least ninety (90) days prior to the end of the then-current term of the assigned registration period. In the event of any change in ownership of a Building or in the identity of the emergency contact, the registration shall be updated within ten days of the date of the change (but shall not change the timeline for applicable Building Inspections or Walkthroughs). In the event that there is no change in building ownership or emergency contact, the annual renewal shall be a simplified verification of existing information.

2. Multi-Unit Buildings:

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- (a) Buildings which are not multi-unit, or which are multi-unit, but which are either vacant or occupied by a single entity shall be subject to common inspection / walkthrough and shall be treated as a single unit for purposes of this ordinance. Multi-unit buildings where the occupancies are not separated by permanent, physical improvements (e.g. offices separated by cubicles) shall be treated as single units.
- (b) Buildings which are multi-unit, with the units being fully separated by permanent, physical improvements shall be subject to inspection/walkthrough on a unit-by-unit basis, with the City attempting to complete all inspections/walkthroughs at the same time. The exterior portion of the inspection/walkthrough, and the inspection/walkthrough of any shared interior common areas shall be conducted at the same time as the unit-by-unit inspection/walkthrough. Any violations discovered within an individual unit that do not extend beyond the individual unit shall be handled on a unit-by-unit basis. Any violations discovered that present a threat to a portion of the occupancy extending beyond an individual unit (e.g. an inoperable, buildingwide fire suppression system) shall be addressed to the affected portion of the building.
- c) Pre-Plan Walkthrough: The Fire Department shall endeavor to conduct Pre-Plan Walkthroughs updates of all Commercial Buildings once every three years.
 - 1. Documentation: The Fire Department shall endeavor to prepare Pre-Plan documentation based upon the completion of the Pre-Plan Walkthrough, in a fashion compliant with applicable Insurance Services Office standards, and shall maintain such documentation in a format accessible to emergency responders. Building Owners are encouraged, but not required, to provide building plans, schematics and related documents, in electronic format if possible, to enable the efficient preparation of accurate Pre-Plans.
 - (a) The initial inspection report to be utilized is in the form attached hereto as Exhibit A or a computerized version of the same (which exhibit need not be codified). Updates or modifications to the inspection report shall require the approval of the City Council.
 - 2. Portion of Building Subject to Pre-Plan Walkthrough: The Commercial Building and the property on which it is located shall be subject to the conduct of a Pre-Plan Walkthrough, excluding any individual residential units in a Mixed-Use Building.

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3. Refusal to Permit Pre-Plan Walkthrough: The Fire Department shall attempt to conduct the Pre-Plan Walkthrough contemplated by this Ordinance. In the event that any Owner or Tenant refuses to permit the Pre-Plan Walkthrough of a Building or a portion thereof, the Fire Department shall conduct a Walkthrough in such portion as the Owner or Tenant permits access to. The City shall document the Owner's or Tenant's refusal in writing and shall provide a copy of such notice to the Owner within a reasonable time thereafter.
- d) Applicable Standards: No provision of this Ordinance shall have an impact upon the determination of the applicable building code or standards to which a Building or property is held. It is the intention of the City to recognize any applicable 'grandfathering' provisions of the City's Building and Fire Codes relating to Buildings. It is expressly recognized that not all buildings will comply with the most updated provisions of the City's building codes, and that under applicable laws, existing Buildings benefit from provisions in the codes that permit grandfathering of existing conditions.
 1. The City acknowledges that with regard to Buildings which were constructed a significant time ago, or which were constructed and amended over a period of time, it may be challenging to identify the applicable building codes and standards for all or for portions of a Building. The City shall act in good faith and shall extend a reasonable opportunity to conference with the Owner regarding the identification of the appropriate standard, and shall work in good faith to identify standards that are:
 - a) appropriate for the Building given its age; b) attainable given the nature of the structure; and, c) appropriate to preserve public safety and the safety of building occupants.
 2. In the event that there is a dispute regarding which code or standard is applicable that is not resolved through the conference identified in (f)(1), such dispute may be referred to the Building Code Board of Appeals consistent with the provisions of Chapter 24 of the City Code of Ordinances.

5.17 HAZARDOUS MATERIALS.

a) Definitions.

Hazardous Materials means any substance or materials in such quantity or form which, as determined by the Fire Chief, or authorized representative, poses an unreasonable and imminent risk to the health, life of safety or persons or property or

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to the ecological balance of the environment. Hazardous materials shall include, but not be limited to, substances such as radioactive materials, petroleum products, gases, poisons, pesticides and corrosives. (1999-003)

Abatement means reducing the intensity of or putting an end to an existing incident involving the release of a hazardous material.

Clean up means the process of neutralizing a released material and recovering it for disposal, removing the effects of, or ordering a private recovery company to provide this service.

Costs means all resources and costs expended by the City and any mutual aid responding Fire Departments, Fire Districts, and any other governmental agencies or units, including, but not limited to, personnel straight time and over time, the hourly cost of salaried employees obtained by dividing annual salary by minimum required hours for the position, private contract labor, the use of City vehicles, the repair of any damage to vehicles and/or equipment resulting from the response and clean up, and the cost of any supplies expended in response to the incident. (1999-003)

Hazardous Materials includes any substance or materials which may be found on the Consolidated List of Covered Substances. Such list may be amended from time to time. Copies are available for inspection in the Community Development Department. These substances were referred from the following: (2008-014)

1. Extremely Hazardous Substance List, issued by EPA, November 17, 1986.
2. OSHA Hazardous Communication Standard Base Lists.
3. Senate Committee Print 99-169; Senate Committee on Environment and Public Works, 99th Congress, 2nd Session, August 1986.
4. Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Notification List.

Release means any spill, leak, discharge or release of a Hazardous Material into the atmosphere, onto the land or into any body of water from whatever source.

- b) Liability for resources and cost expended. Any person or firm who intentionally or unintentionally causes a hazardous material to be released within the corporate limits of the City shall be liable for payment of all resources and costs expended by the City and any responding mutual aid Fire Departments, Fire Districts and other

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governmental agencies and units as a result of the response to the release of hazardous materials, abatement or clean up activity. (2001-009, 2008-014)

The remedy provided in this Section shall be in addition to any other remedies provided by law.

Following the resolution of a hazardous material incident, the Fire Chief shall assemble a report of costs incurred by all City departments and forward said report to the Finance

Department for billing purposes. (1988-028; 1994-049, 1999-003, 2008-014)

- c) **Notification of Release.** Any release of Hazardous Materials shall be immediately reported to the DeKalb Fire Department by telephone or in person. The report shall include the nature of the release, the physical state of the chemical, the name of the product(s) involved, estimates of the amount of product(s) released and location of the release site. (1994-049, 2008-014)
- d) **Authority.** The Fire Chief or his authorized representative shall have the authority to enter any premises whereupon a release has been reported or occurred. This section of Chapter 28, subsection 28.04-3 of the DeKalb Municipal Code supersedes Section F-2312.0 of the BOCA Fire Prevention Code, 1993. (1994-049)
- e) **Penalties.** Whoever violates any provision of this ordinance shall be fined not less than fifty dollars (\$50.00) or more than \$500.00. Every day a violation occurs shall constitute a separate offense. This section of Chapter 28, subsection 28.04-4 of the DeKalb Municipal Code supersedes Section F-2310.0 of the BOCA Fire Prevention Code, 1996. (1988-028, 1994-049, 2008-014)

5.18 COST RECOVERY PROGRAM.

- a) There is hereby established a Cost Recovery Program for the purpose of recovering costs for the DeKalb Fire Department in responding to incidents due to negligent, unlawful or unauthorized acts as defined herein. (2001-009)
- b) **Definitions.** (2001-009, 2001-077)

Contract. An oral or written agreement to have work performed by a contractor.

Contractor. Person or entity that has a contract to perform a task or service.

Emergency Response. Any call requiring the Fire Department to respond.

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Incendiary Act. A fire purposely set by a person or persons.

Malicious Act. A wrongful act intentionally done without legal justification or excuse; an unlawful act done willfully and purposely.

Negligence. Failure to use the ordinary care a reasonably prudent and careful person would use under similar circumstances; failure to do something which a reasonable person would do; or the doing of something which a reasonable and prudent person would not do.

Person. The word “person” may include an individual, contractor, business, association, or any other entity.

- c) **Acts Requiring Cost Reimbursement.** The following acts are subject to the fees enumerated in Section 28.05-3. (2001-009)
1. **Negligence/Careless Acts:** Any person whose negligence or careless actions or conduct causes an incident resulting in appropriate emergency response, may be required to make payment to the City of DeKalb for the costs of that emergency response.
 2. **Malicious or Incendiary Acts:** Any person whose malicious or intentional, reckless incendiary act causes an incident resulting in emergency response, may be required to make payment to the City of DeKalb for the costs of that emergency response.
 3. **Driving Under the Influence:** Pursuant to Chapter 625, Section 5/11-501(a) of the Illinois Compiled Statutes, any person who has a 0.08 or more alcohol concentration in his or her blood or breath, or whose blood or urine contains evidence of the unauthorized use of cannabis, as defined by the Illinois Cannabis Control Act, 720 ILCS 550/1 et seq. (1994), or of the unauthorized use of a controlled substance, as defined by the Illinois Controlled Substances Act, 720 ILCS 570/100 et seq. (1994), and who causes an incident resulting in appropriate emergency response, upon conviction (includes supervision and probation) may be required to make payment to the City of DeKalb for the costs of that emergency response.
 4. **Helicopter Standby:** When a helicopter (other than governmental crafts such as Coast Guard crafts or those carrying political personnel) lands or hovers within the boundaries of the City, the person responsible for such helicopter may be required

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to make payment to the City of DeKalb, for the costs of a fully staffed fire engine required for standby.

5. Fire Company Standby: When a Fire Company (engine, truck, or ambulance with the appropriate number of firefighters) is requested or required to standby for a noncity sponsored event, the person responsible may be required to make payment to the City of DeKalb for the costs of such Fire Company standby.

5.18-5 MOTOR VEHICLE ACCIDENT COST RECOVERY. (2017-001)

This fee will be charged for all motor vehicle accidents that meet any one of the following criteria:

- a) Provide hazardous materials assessment and scene stabilization.
- b) Clean up and material used (sorbents) for hazardous fluid clean up and disposal.
- c) Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.
- d) Extrication (heavy rescue tools, ropes, airbags, cribbing etc.).
- e) Air Care (multi-engine company response, mutual aid, helicopter).

5.19 FEES. (2017-001)

- a) Effective February 24, 2001, the following fees shall apply to all acts enumerated in Section 28.05: (2001-009, 2011-032)

Per Fire Engine Per Hour	\$470.00
Per Truck Company Per Hour	\$470.00 Per
Command Vehicle Per Hour	\$236.00 Per
Ambulance Per Hour	\$470.00
Per Administrative Vehicle Per Hour	\$137.00 Per
Administrator Per Hour	\$137.00 Per
Fire Inspector Per Hour	\$105.00 Per
Suppression Member Per Hour	\$105.00
(Fees revised per CPI 7-1-11)	

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- b) Effective August 19, 2011, the following fees shall apply to all acts enumerated in Section 28.05-5: (2011-032)

Motor Vehicle Accident

\$250.00 per hour per non-transport Vehicle

\$ 70.00 per hour per non-transport Responder

(A minimum of one (1) hour will be assessed for each incident.)

- c) On or before July 1 of each year, the City shall positively adjust the fees in accordance with the most recent increase in the Consumer Price Index (CPI) – All Urban Consumers for the Chicago, Gary, Kenosha Region, if any. (2016-024)

Said increase shall be based upon either the most recent annual to annual comparison, or most recent available monthly comparison, at the discretion of the Finance Director. The adjusted fees shall be rounded up to the nearest whole dollar. (2016-024)

- d) A minimum of one (1) hour shall be charged. Subsequent hours will be billed at fifteen (15) minute increments.
- e) Late Fees: All fees shall be paid to the City Finance Division within sixty (60) days of the invoice date. In the event that the fees are not paid within the sixty (60) day period, an additional charge of five percent (5%) shall be added to the outstanding balance and will subsequently be added each thirty (30) day period that the balance remains unpaid.
- f) Waiver of Fees: The Fire Chief, or his/her designee, may waive or reduce fees, upon his discretion, based on mitigating circumstances.

DeKalb Fire Department
700 PINE ST
DEKALB, IL 60115

Commercial Building Inspection Checklist

Occupancy Name: _____	
Address: _____	
	Phone: _____
Inspector: _____	
Date Inspected: ____/____/____	

Exits

Notes:

Exit Sign Obscured	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____
Emergency Lighting functional	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____
Egress obstructed or restricted	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____
Exit Light Not Illuminated	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____

Fire Protection Equipment

Notes:

Fire extinguisher obstructed/obscured	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____
Fire extinguisher serviced and tagged	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____
Fire hydrant or FDC obstructed	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____
Annual Sprinkler Inspection Required	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____
Annual Fire Alarm Inspection Required	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____
Smoke Detector	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____

Electrical

Notes:

Extension Cord as permanent wiring	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____
Exposed open electrical	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____
Maintain 36" clearance around panel	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____

Plumbing

Notes:

Plumbing safe, sanitary, and usable	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____
Boilers over 200,000 BTUs require state	<input type="checkbox"/> Pass	<input type="checkbox"/> Fail	<input type="checkbox"/> N/A	<input type="checkbox"/> Unk	_____

Structural

Notes:

**DeKalb Fire Department
700 PINE ST
DEKALB, IL 60115**

Commercial Building Inspection Checklist

Occupancy Name: _____	
Address: _____	
	Phone: _____
Inspector: _____	
Date Inspected: ____/____/____	

Structural

Notes:

Exterior Condition	[] Pass	[] Fail	[] N/A	[] Unk	_____
Interior Condition	[] Pass	[] Fail	[] N/A	[] Unk	_____

General

Notes:

Address Posted	[] Pass	[] Fail	[] N/A	[] Unk	_____
Knox Box	[] Pass	[] Fail	[] N/A	[] Unk	_____
Occupant Load	[] Pass	[] Fail	[] N/A	[] Unk	_____
Combustible Waste Storage	[] Pass	[] Fail	[] N/A	[] Unk	_____

Storage

Notes:

Secure pressure cylinder	[] Pass	[] Fail	[] N/A	[] Unk	_____
Combustibles in Mechanical/electrical	[] Pass	[] Fail	[] N/A	[] Unk	_____
Fueled Equipment Inside Building	[] Pass	[] Fail	[] N/A	[] Unk	_____
Inadequate Clearance to Heat Source	[] Pass	[] Fail	[] N/A	[] Unk	_____
Storage within 18" of Sprinkler	[] Pass	[] Fail	[] N/A	[] Unk	_____

Other

Notes:

Additional Violation	[] Pass	[] Fail	[] N/A	[] Unk	_____
Additional Violation	[] Pass	[] Fail	[] N/A	[] Unk	_____
Additional Violation	[] Pass	[] Fail	[] N/A	[] Unk	_____
Additional Violation	[] Pass	[] Fail	[] N/A	[] Unk	_____