

CHAPTER 4 FIRE PREVENTION AND PROTECTION*

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State law references-Adoption of technical codes by reference, Ill. Rev. Stat. Ch. 24, § 1-3-1 et seq., Ch. 85, § 1001 et seq.; municipal fire protection, Ill. Rev. Stat. Ch. 24, Art. 11, Div. 6 et seq.; false alarm, Ill. Rev. Stat. Ch. 38, § 26-1; Fire Protection Training Act, Ill. Rev. Stat. Ch. 85, § 531 et seq.; environmental protection agency, Ill. Rev. Stat. Ch. 111 1/2, § 1001 et seq.; fire protection districts, Ill. Rev. Stat. Ch. 127 1/2, § 21 et seq.; fireworks, Ill. Rev. Stat. Ch. 127 1/2, § 101 et seq.

ARTICLE I. IN GENERAL

Secs. 4-1-4-15. (Reserved)

ARTICLE II. FIRE DEPARTMENT

DIVISION 1. GENERALLY

Sec. 4-16. Adoption Of Statute By Reference:

In accordance with the procedures required by state law, 40 Illinois Compiled Statutes 5/4-101 through 5/4-142 of the Illinois pension code, approved March 18, 1963¹, as amended, are hereby adopted by reference as if set out at length in this section.

(Code 1972, § 5-6-1)

¹ 40 ILCS 5/4-101 et seq.

Sec. 4-17. Contributions:

All contributions by both the village and individuals covered by the firefighters' pension fund shall be made in conformance with law.

(Code 1972, § 5-6-2)

Sec. 4-18. Pension Fund Board Of Trustees:

Pursuant to 40 Illinois Compiled Statutes 5/4-121 of the Illinois pension code, a board of trustees of the firefighters' pension fund shall be created, consisting of the village president, the village clerk, the village treasurer, the fire chief and the village attorney

(Code 1972, § 5-6-3; Ord. 80-20, 10-2-1980)

Sec. 4-19-4-85 Established:

There is hereby established a department of the village government which shall be known as the fire department, and which shall embrace a fire chief and the members of the village fire department.

(Code 1969, Ch. 9; Code 1972, § 5-1-1)

Every member of the fire department shall be a certified emergency medical technician and shall maintain such certification while he is a member of the fire department.

(Code 1972)

Sec. 4-18. Fire Insurance Tax Fund^{1,2}:

It shall be the duty of the village treasurer to keep all monies received on account of fire insurance tax separate and apart from all other funds in his hands.

(Code 1972, § 5-1-5)

¹ See also § [2-401](#) et seq., taxation, of this code.

² 65 ILCS 5/11-10-1 et seq.

Sec. 4-19. Fire Chief³:

There is hereby created the position of the chief of the fire department of the village; said fire chief shall be appointed by the president and the board of trustees voting jointly; said fire chief shall hold such position for the term of one year or until a successor is appointed and qualified. This person need not be a resident of the village in order to be appointed to said position.

(Code 1972, § 5-1-2; Ord. 78-14, 9-7-1978; Ord. 90-8, § 2, 5-14-1990; Ord. 91-12, § 1, 6-24-1991) ³ See also [chapter 2](#), "Administration", of this code.

Sec. 4-20. Fire Chief-Duties Generally:

The chief shall be chief of the fire department, subject to the president and board of trustees, and shall have command and control of the department and all members thereof. He shall have the general care and custody of the engines, hose carts, hoses, trucks, hooks, ladders and all other property and equipment of the department and shall personally attend to all repairs required to be made upon same.

(Code 1972, § 5-1-6)

📖 Sec. 4-21. Fire Chief-Command At Fires:

The fire chief shall attend all fires occurring within the village and take command of the organization, and see that the several members of the fire department faithfully perform their respective duties. With the concurrence of the president and board of trustees, or any two (2) members thereof, the fire chief may order the tearing down of any buildings when, in any case, it shall be deemed necessary to check the progress of any fire.

(Code 1972, § 5-1-7)

📖 Sec. 4-22. Department Records; Annual Report:

The fire chief shall keep in a book to be provided for such purpose a full, true and complete record of all the property and equipment of the fire department, together with a record of all transactions of the fire department and of all property placed in his charge and custody. He shall annually, at the close of each fiscal year, make a written report to the president and board of trustees showing the condition of the department under his management, together with a complete list of all fires occurring in the village during the preceding year, the date and location of each fire, the loss incurred thereby, the amount of insurance and such other information as he may deem important to the village.

(Code 1972, § 5-1-8)

📖 Sec. 4-23. Establishment Of Boundaries At Fires; Removal Of Property When Necessary:

The fire chief or other officer in command may prescribe limits in the vicinity of any fire within which no persons except those who reside therein, firemen, policemen and those admitted by order of any officer of the fire department be permitted to go. He shall have power to cause a removal of any property whenever it shall become necessary for the preservation of such property from fire, to prevent the spreading of fire or to protect adjoining property.

(Code 1972, § 5-1-9)

📖 Sec. 4-24. Conduct Of Spectators At Fires; Disobedience:

Every person who shall be present at a fire shall be subject and obedient to the orders of the fire chief and other officers of the fire department engaged in extinguishing the fire and in the removal and protection of property. In case any person shall refuse to obey such orders, the fire chief shall take appropriate disciplinary action.

(Code 1972, § 5-1-10)

📖 Sec. 4-25. Interfering At Fires; Tampering With, Damaging Equipment:

Any person who shall wilfully offer any hindrance to any officer or fireman in the performance of his duty at a fire, or shall wilfully in any manner destroy, injure or deface any hose cart, hose or other fire apparatus belonging to the village, shall be subject to a penalty as provided in this code.

(Code 1972, § 5-1-11)

📖 Sec. 4-26. Driving Over Fire Hose:

No wagon, railroad car or other vehicles shall be driven over any unprotected hose of the fire department of the village when laid down on any street or alley by order of the fire chief or other proper officer, without the consent of the fire chief or officers or members in charge of such hose.

(Code 1972, § 5-1-12)

📖 Sec. 4-27. Opening Signal Box:

It shall be unlawful for any person, except those connected with the management of the fire department, to open any signal box unless it is to communicate an alarm of fire; or to break, cut, deface, derange or in any manner meddle or interfere with any signal box or fire alarm, telegraph or telephone wires.

(Code 1972, § 5-1-13)

📖 Sec. 4-28. Chief To Turn Over Books, Equipment To Successor:

On the expiration of his term of office or his resignation thereof or removal therefrom, the fire chief shall on demand deliver to his successor in office all books, records, equipment and property of every description in his possession belonging to the village or appertaining to his office.

(Code 1969, Ch. 9; Code 1972, § 5-1-14)

📖 Sec. 4-29. Compensation:

(a) The chief and members of the fire department shall receive for their services such compensation and shall be granted such privileges and immunities in accordance with section [2-34](#) of this code.

(b) The compensation of the personnel of the fire department for fire calls, ambulance calls, fire drills and training sessions shall be as follows:

(1) *Fire calls, ambulance calls, fire drills, training sessions:*

	<i>Rate Of Pay Per Call</i>
Deputy or assistant chief	\$ 6.50

Line officer	6.00
Engineer and emergency medical technicians (EMTs)	5.50
Firefighters	5.00
Probationary (6 months)	4.00

The ranking EMT officer on the call shall be considered the officer in charge. If no EMT officers are on the crew, the senior EMT will be considered the officer in charge. If no EMTs or officers are on the crew, the man in the radio operations will be considered the officer in charge.

Every ambulance crew, on every call, will have an officer in charge. The officer in charge will be responsible for the cleaning and resupplying of the unit after the call and will validate the rest of the crew.

(2) *Fire Drills And Training Sessions*: No member of the paid on call department shall be paid for more than three (3) fire drills or for more than three (3) training sessions per week. Maximum payment shall not exceed a total of three (3), whether drills or related training sessions or a combination of both.

(3) *Fire Prevention Inspector*: The fire prevention inspector shall receive the amount of ten dollars (\$10.00) per bona fide inspection of a business or commercial building. A copy of every inspection report is to be submitted to the village clerk's office. The words "bona fide" will be interpreted to mean any fire inspection that has a legitimate complainant, a new business license inspection or yearly inspection for commercial properties.

(Code 1972, § 5-1-15; Ord. 85-25, 12-23-1985; Ord. 87-11, § 1, 6-8-1987)

Sec. 4-30. Ambulance Service!

(a) The fire department shall provide ambulance and rescue service in cases of emergency requiring the prehospital care and transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless at the time of the dispatch of a fire department vehicle.

(b) The response area shall be limited to the territory within the corporate limits of the village. Service outside corporate limits shall be limited to:

- (1) Circumstances governed by contract or mutual aid agreements; and
- (2) Extreme lifesaving necessity.

(c) Except when personnel or equipment is needed for continued lifesaving support, the fire chief shall ensure that neither personnel nor equipment is unduly delayed:

- (1) In its dispatch to or departure from the scene;
- (2) In transportation to and/or from the hospital; or
- (3) Within a hospital.

(d) The fire department shall transport persons only to one of the following hospitals:

Christ hospital, Oak Lawn, Illinois;

Little Company of Mary hospital, Evergreen Park, Illinois;

Palos community hospital, Palos Heights, Illinois;

Community memorial general hospital, LaGrange, Illinois;

Loyola hospital, Maywood, Illinois;

provided, however, that in exceptional circumstances, the fire chief may authorize the transportation of persons to other hospitals that have specialist physicians or special equipment and facilities not available at the above mentioned hospitals.

(Code 1972, § 5-1-16; Ord. 80-11, 7-17-1980; Ord. 88-27, § 1, 9-26-1988; Ord. 2001-31, § 1, 9-10-2001)

1 210 ILCS 50/1 et seq.

 **Sec. 4-30.1. Fee Schedule:**

(a) A fee, for emergency medical services rendered by or on behalf of the village of Justice or for ambulance service provided by or on behalf of the village or any municipality which provides emergency medical services to the village pursuant to a contract or mutual aid agreement with the village, will be charged as follows:

<u>Procedure</u>	<u>Resident Cost</u>	<u>Nonresident Cost</u>
BLS emergency	\$ 400.00	\$ 600.00
BLS nonemergency	400.00	600.00
BLS return trip	400.00	500.00
ALS base rate	500.00	700.00
Response charge	500.00	700.00
ALS response charge	500.00	700.00
BLS loaded mileage	11.00/mile	11.00/mile
ALS loaded mileage	11.00/mile	11.00/mile
Cold administration	50.00	75.00
Hot pack administration	50.00	75.00
Extrication	320.00	650.00
Chem strip	27.50	55.00
Glucose administration	27.50	55.00
OB delivery	500.00	1,000.00
Oxygen therapy	50.00	75.00
Body bag	27.50	55.00
Cardiac pacing	200.00	300.00

Suction	27.50	55.00
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<u>Procedure</u>	<u>Resident Cost</u>	<u>Nonresident Cost</u>
EKG	55.00	110.00
Spinal immobilization	50.00	220.00
IV therapy	50.00	75.00
Drug administration	27.50	55.00
Irrigation	27.50	55.00
Communicable disease protection	27.50	55.00
Burn care	27.50	55.00
Bandaging	27.50	55.00
Airway intubation	55.00	110.00
Pulse oximetry	27.50	55.00
Splinting	27.50	55.00
Stair chair	27.50	55.00

(b) The fire chief is authorized to waive any or all of the fees due from a person, business, or other entity under this section. He may do so by administrative regulation or on an individual basis.

(c) All revenue from the charges assessed pursuant to the emergency medical service portion of this section shall be deposited in the ambulance fund.

(d) When emergency response services are rendered by or on behalf of the village of Justice for noncommercial passenger vehicle fires of persons, businesses, or other entities who are not residents of the village, the charge to be assessed will be six hundred seventy five dollars (\$675.00).

(e) When emergency response services are rendered by or on behalf of the village of Justice for any other purpose to persons, businesses, or other entities that are not residents of the village of Justice, the charges to be assessed are as follows:

(1) One hundred fifty dollars (\$150.00) per hour or fraction thereof for each vehicle responding to such call.

(2) Thirty five dollars (\$35.00) per hour or fraction thereof for each firefighter responding to such call.

(3) When emergency response services are rendered by or on behalf of the village for salvage or property preservation purposes due to natural occurrence, windstorm, or mechanical damage, etc., and not due to fire loss, the charge will be equal to the cost of any materials used and thirty five dollars (\$35.00) per hour per firefighter installing the materials.

(f) No charge shall be levied against nonresidents of the village if the total charge of the emergency response service is less than fifty dollars (\$50.00).

(g) All revenue from the charges assessed pursuant to the emergency response services portions of this section shall be deposited in the corporate fund.

(h) Nothing in this section shall authorize the village to refuse to provide any service to any person, business or entity that has not paid for services previously provided or that owes any money for services provided.

(Ord. 2001-31, § 1, 9-10-2001; Ord. 2005-16, § 2, 8-8-2005)

Sec. 4-31. Illinois Fire Protection Training Act:

(a) The village is desirous to elect to participate in the programs under the Illinois fire protection training act, public act 77-1665¹, as amended. In order for the village to be eligible for initial or continued participation in the programs, the law requires that before an individual may commence regular employment as a firefighter, he must have been certified by the state fire marshal as having successfully completed an approved firefighter I, II and III training course. The village intends to establish its own school or to utilize some other school certified by the state fire marshal for the purpose of providing the training required under such act.

(b) The village hereby elects to participate in the programs provided for in the Illinois fire protection training act.

(c) Before an individual may commence part time or paid on call employment as a firefighter, he must have been certified by the state fire marshal as a firefighter II, as having successfully completed an approved training course as provided in such act.

(d) The firefighter II training must be completed by the trainee within his probationary period of thirty six (36) months, for volunteer, part time and paid on call personnel.

(e) The fire chief shall make the necessary amendments to the personnel rules, the manual of rules of the fire department, in order to require that any person accepted by the fire department of the village shall not become a regular member of the fire department unless and until he shall complete, pursuant to the Illinois fire protection and training act, the approved training course within thirty six (36) months of the date of his initial employment.

(Code 1972, § 5-1-17; Ord. 82-13, 10-7-1982)

¹ 50 ILCS 740/1 et seq.

Sec. 4-32. Penalty:

Any person violating any provision of sections [4-24](#) through [4-27](#) of this division shall be fined not more than fifty dollars (\$50.00).

Sec. 4-33. Performance Evaluation:

(a) In conjunction with the provisions of section [4-29](#) of this division, all pay raises will be based upon an incentive performance system plus weighted average of production and

performance from the prior fiscal year. The performance evaluation will be determined by the supervisory personnel. The system will be established by the police and fire committee of the village board, based upon a general order of the department entitled level of performance report/noting.

(b) All levels of personnel will be so evaluated.

(c) The board will determine the appropriate salary for each level of performance at the first meeting in May of each year.

(d) The board will also consider the level of education in granting raises. A rate of ten cents (\$0.10) for each of the following levels will be added to the compensation due an employee:

Firefighter III

Fire apparatus engineer

Fire officer I

Fire officer II

Fire officer III

Haz-mat I

Haz-mat tech

EMT-P

Associate degree in fire science

Bachelor's degree in fire science

Justice firefighters who successfully complete each of the classes listed below, by the anniversary dates of the service indicated, shall receive a ten cent (\$0.10) per hour pay raise:

Fire prevention inspector I	Vertical rescue I
Fire prevention inspector II	Vertical rescue II
Fire investigator	3 year anniversary
Arson investigator	5 year anniversary
Airport firefighter	10 year anniversary
Roadway extrication specialist	15 year anniversary
Auto extrication technician II	20 year anniversary
Breathing apparatus specialist	25 year anniversary
Fire attack and suppression technician	30 year anniversary

All firefighters who have successfully completed any of the proposed classes by the indicated dates, up to June 26, 1995, shall be paid retroactive to May 1, 1995.

(Ord. 91-23, § 1, 7-22-1991; Ord. 91-24, § 1, 8-12-1991; Ord. 95-14, § 1, 6-26-1995)

Sec. 4-34. Paramedic Program:

A paramedic program is established for the village under the direction, control and supervision of the fire chief. The various requirements of section [4-30](#) of this division are embodied into this program.

(Ord. 96-17, § 1, 7-8-1996)

Sec. 4-35. Hiring, Status, And Compensation:

Paramedics shall be hired by the fire chief. They shall not be full time employees of the village. They are not entitled to any benefits, except those specifically authorized by the president and board of trustees. The compensation of such individuals shall be in accordance with section [2-34](#) of this code. The fire chief shall establish a job description for said individuals. Paramedics shall from time to time be called upon to perform the duties of a firefighter.

(Ord. 96-17, § 2, 7-8-1996)

Sec. 4-36. Staffing:

This program will be provided on a twenty four (24) hour, seven (7) day a week basis. It will be staffed with two (2) paramedics at all times. The minimum equipment carried on ambulances shall meet the department of transportation equipment specifications.

(Ord. 96-17, § 3, 7-8-1996)

Sec. 4-37. Training:

The fire chief shall interview each person who applies as a paramedic. A resume shall be provided, all individuals shall have such training as is required by the state and the village. The fire chief shall have the right to reject any individual from service for just cause or for reasons of incompatibility.

(Ord. 96-17, § 4, 7-8-1996)

Secs. 4-38-4-45. Reserved:

DIVISION 2. PENSION FUND¹

¹ 40 ILCS 5/4-101 et seq.

Sec. 4-46. Adoption Of Statute By Reference:

In accordance with the procedures required by state law, 40 Illinois Compiled Statutes 5/4-101 through 5/4-142 of the Illinois pension code, approved March 18, 1963¹, as amended, are hereby adopted by reference as if set out at length in this section.

(Code 1972, § 5-6-1)

1 40 ILCS 5/4-101 et seq.

📖 Sec. 4-47. Contributions:

All contributions by both the village and individuals covered by the firefighters' pension fund shall be made in conformance with law.

(Code 1972, § 5-6-2)

📖 Sec. 4-48. Pension Fund Board Of Trustees:

Pursuant to 40 Illinois Compiled Statutes 5/4-121 of the Illinois pension code, a board of trustees of the firefighters' pension fund shall be created, consisting of the village president, the village clerk, the village treasurer, the fire chief and the village attorney.

(Code 1972, § 5-6-3; Ord. 80-20, 10-2-1980)

Secs. 4-49-4-60. Reserved:

📖 ARTICLE III. RESERVE FIRE DEPARTMENT^{2 2}

2 65 ILCS 5/10-2.1-5, 5/10-2.1-6, 5/10-2.1-8.

📖 Sec. 4-61. Established:

There is hereby established a department of the village government which shall be known as the village reserve fire department, which shall be under the jurisdiction of the fire chief of the regular fire department of the village.

(Code 1972, § 5-2-1)

📖 Sec. 4-62. Members:

The reserve fire department shall consist of not more than twenty (20) members, who shall be residents of the village, between the ages of sixteen (16) and eighteen (18) years.

(Code 1972, § 5-2-2)

📖 Sec. 4-63. Supervision:

The members of the reserve fire department shall be subject to the orders and directions of the chief of the fire department.

(Code 1972, § 5-2-3)

📖 Sec. 4-64. Compensation:

Members of the reserve fire department shall not be entitled to compensation for any services rendered as members of such department, but shall be volunteer members serving without pay.

(Code 1972, § 5-2-4)

Sec. 4-65. Bylaws:

The members of the reserve fire department shall have the right to adopt bylaws to govern the operation of the department, which bylaws shall be subject to the approval in writing of the fire chief of the fire department.

(Code 1972, § 5-2-5)

Sec. 4-66. Minors; Parents' Consent:

The parents of any members of the reserve fire department shall consent to and approve the joining of the department by any members of the department, such members being minors as set forth herein.

(Code 1972, § 5-2-6)

Sec. 4-67. Auxiliary Duties:

The members of the reserve fire department shall not be assigned any duties on firefighting equipment while a fire is in progress but shall only be assigned such auxiliary duties as may be prescribed by the fire chief of the fire department.

(Code 1972, § 5-2-7)

Sec. 4-68. Rules And Regulations¹:

The fire chief of the fire department shall also have the right to prescribe reasonable rules and regulations governing the operation of the reserve fire department, and shall have the right to remove any member of the department upon violation of any of such rules or for any other reason for the good of the department, subject to approval of the discipline action board of the fire department.

(Code 1972, § 5-2-8)

¹ 50 ILCS 745/1 et seq.

Sec. 4-69. Use Of Equipment:

Any member of the reserve fire department to whom any equipment, books, records or personal property of any kind or description which is entrusted by the fire chief or any member of the fire department shall be returned to the department upon demand of the fire chief.

(Ord. 70-2, 2-19-1970; Code 1972, § 5-2-9)

Secs. 4-70-4-85. Reserved:

ARTICLE IV III. FIRE PREVENTION¹

¹ 20 ILCS 2905/1 et seq.

DIVISION 1. GENERALLY

Sec. 4-86. Definitions: Adoption Of National Fire Codes¹:

(a) As used in this article, the words "fire prevention code" shall mean the standards adopted in section 4-88 of this article. In accordance with the procedures required by state law, there are hereby adopted, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, the national fire codes, being codes and standards of the National Fire Protection Association, being the most current volumes of such code published, save and except such portions as are hereinafter deleted, modified or amended, of which code not less than three (3) copies are filed in the office of the clerk of the village and the same are incorporated in this section fully as if set out at length herein; the provisions thereof shall be controlling within the limits of the village.

(Code 1972, § 5-3-1; Ord. 80-24, 12-4-1980)

¹ 65 ILCS 5/1-3-1 et seq.; 50 ILCS 220/1 et seq.

(b) As used in the fire prevention code:

Corporation Counsel: The attorney for the village.

Municipality: The village.

(Code 1972, § 5-3-3)

Sec. 4-87. Penalties:

(a) Any person who shall violate any of the provisions of the fire prevention code adopted by this article or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the president and board of trustees or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be subject to a penalty as provided in this code. The imposition of one penalty for any violation shall not excuse the violation or permit to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

(Ord. 71-8, 5-20-1971; Code 1972, § 5-3-13)

Sec. 4-88. Adoption Of National Fire Codes¹:

In accordance with the procedures required by state law, there are hereby adopted, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, the national fire codes, being codes and standards of the National Fire Protection

Association, being the most current volumes of such code published, save and except such portions as are hereinafter deleted, modified or amended, of which code not less than three (3) copies are filed in the office of the clerk of the village and the same are incorporated in this section fully as if set out at length herein; the provisions thereof shall be controlling within the limits of the village.

(Code 1972, § 5-3-1; Ord. 80-24, 12-4-1980)

1 65 ILCS 5/1-3-1 et seq.; 50 ILCS 220/1 et seq.

Sec. 4-89. Bureau Of Fire Prevention:

(a) The fire prevention code shall be enforced by the fire inspector of the village, who shall be appointed pursuant to section [2-26](#) of [chapter 2, article II](#) of the Justice Municipal Code, and who shall exercise such authority under the supervision of the commissioner of the building department.

(b) The fire inspector shall be appointed on the basis of his qualifications. His appointment shall be for one year or during good behavior and satisfactory service.

(c) A report of the fire inspector shall be made annually and transmitted to the president of the village; it shall contain all proceedings under this article, with such statistics as the commissioner of the building department may wish to include therein.

(Code 1972, § 5-3-2; Ord. 2009-20, § 1, 8-10-2009)

Sec. 4-90. Modification Of Code:

The fire inspector shall have power, subject to the approval of both the commissioner of the building department and of the chairman of the building, plats and zoning committee, to modify any of the provisions of the fire prevention code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured and substantial justice done. The particulars of such modification when granted or allowed and the decision of the building inspector thereon shall be entered upon the records of the building department and a signed copy shall be furnished the applicant.

(Code 1972, § 5-3-10; Ord. 2009-20, § 1, 8-10-2009)

Sec. 4-91. Permits:

The chairman of the building, plats and zoning committee of the board of trustees, and the commissioner of the building department and the fire inspector shall act as a board of approval to determine and specify, after giving affected persons an opportunity to be heard at a public hearing of which due notice shall be given by one publication in a newspaper of general circulation in the village, and any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in the fire prevention code. The fire inspector shall post such a list in a conspicuous place in the building department and distribute copies thereof to interested persons.

(Code 1972, § 5-3-11; Ord. 2009-20, § 1, 8-10-2009)

Sec. 4-92. Appeals:

Whenever the commissioner of the building department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the fire prevention code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the commissioner of the building department to the president and board of trustees within thirty (30) days from the date of the decision appealed.

(Code 1972, § 5-3-12; Ord. 2009-20, § 1, 8-10-2009)

Sec. 4-93. Construction Of Codes:

(a) The national fire codes shall be construed in conjunction with the provisions of the county building ordinance.

(b) Nothing in this article shall be construed as being in conflict with the provisions of the county building ordinance, and the Chicago electrical code. The regulations which are more restrictive or impose higher standards or requirements shall govern.

(Code 1972, § 5-3-14; Ord. 80-24, 12-2-1980)

Sec. 4-94 Automatic Detection And/Or Extinguishment Of Fires:

(a) The authority having jurisdiction (AHJ) as identified by the village board of trustees is hereby authorized to adopt and promulgate rules based upon the standards of any nationally recognized organization embodying details for the installation and construction of automatic sprinkler equipment and/or automatic fire detection equipment in such instances where, based upon the standards contained herein, any building or part thereof because of its size, construction, occupancy or lack of suitable protective equipment, shall be deemed by the AHJ to constitute a special fire hazard to life or property. or an excessive burden upon the fire extinguishing facilities of the fire department.

(b) All automatic sprinkler equipment and/or fire detection equipment specified herein shall be inspected at least once each year by a licensed fire sprinkler and/or fire alarm contractor and at all times maintained in proper operative condition by the owner or occupant of such building. The occupants of such buildings containing such equipment shall promptly notify the building commissioner in case such sprinkler system or any other equipment specified herein is withdrawn from such building, or the use of such equipment therein is interrupted, curtailed or altered.

(c) Automatic sprinkler equipment approved by any nationally recognized testing laboratory shall be installed and connected to an adequate water supply, with the sprinkler heads, valves, and auxiliary equipment being of standard types as determined by the AHJ and the building commissioner.

(d) No automatic sprinkler equipment shall be installed or altered until plans have been submitted to the and approved by the Building Commissioner.

(e) (1) The AHJ shall require for any business, industrial, or institutional structure, the installation of such approved automatic sprinkler equipment in all of the following instances based upon the standards contained therein:

a. Automatic sprinkler systems, which comply with NFPA 13 of the National Fire Protection Association, shall be installed throughout all structures which are: 1) newly constructed; 2) increased in the hazard classification of the use; and 3) when altered, remodeled, expanded, increased in size, or changed in configuration in any way whatsoever, including damage as a result of a fire or other disaster, wherein the square footage for such alterations, remodeling, expansion, increase in size or configuration is equal to fifty percent (50%) or more of the original square footage of the existing structure, as determined by the village building commissioner, and

b. Throughout every building or structure which by reason of its interior construction or highly combustible occupancy involves a severe life hazard to its occupants or in the judgment of the AHJ constitutes a fire menace to adjoining property; and

c. Throughout all basements and cellars used for the 1) manufacture, storage, or sale of combustible material, 2) the storage or sale of merchandise, or 3) the housing or storage of motor vehicles or motor vehicle parts; and

d. Automatic standpipe systems, which comply with NFPA 14 of the National Fire Protection Association, shall be installed in any building which is three (3) stories or more or thirty-five (35) feet or more in height.

e. All required alarm systems shall be connected to a UL approved twenty-four (24) hour central monitoring service that will report an activation of the automatic alarm to the fire department. An approved twenty-four (24) hour monitoring service includes the fire department 911 center. An approved service is one that complies with the National Fire Protection Association's standard NFPA 72, Central Watch Service. Alarm systems shall comply, where applicable, with section [7-29](#) of this code. Excepting businesses approved by the village as a home occupation business, the following businesses shall be required to install and maintain in working order the alarm system sited in this subsection (e) within each of its business premise or location: 1) all new businesses; and 2) all existing businesses that are sold and reopened under new ownership.

f. A manually operated device (pull box) used to initiate an alarm signal shall be installed at each exit of the structure.

g. All buildings, excluding class A buildings, transferred to a new owner are to be in full compliance with the current life safety and health codes and the accessibility standards act (20 ILCS 3105/1 et seq.), as published by the capital development board.

(2) The AHJ shall require for all multiple-family dwellings with two (2) units or more, condominiums, condominium conversions, and town homes, hereafter erected, and when altered, remodeled, expanded, increased in size, or changed in configuration in any way whatsoever, including damage as a result of a fire or other disaster, wherein the square footage for such alterations, remodeling, expansion, increase in size, or configuration is equal to fifty percent

(50%) or more of the original square footage of the existing structure, as determined by the village building commissioner, the following requirements:

a. Throughout every building or structure, interior walls of cement block which follow the roof line and are sealed to the end of the fascia with eight (8) feet of fire rated plywood from the cement block wall outward on the roof; or as approved by the AHJ and the Building Commissioner.

b. Smoke detectors, heat detectors, and strobe lights both inside and out in accordance to the guidelines of the NFPA 72 and shall be connected to a UL approved twenty-four (24) hour central monitoring service that will report an activation of the automatic alarm to the fire department. An approved twenty-four (24) hour monitoring service includes the fire department 911 center. An approved service is one that complies with the National Fire Protection Association's standard NFPA 72, Central Watch Service. Alarm systems shall comply, where applicable, with section [7-29](#) of this code.

c. A manually operated device (pull box) used to initiate an alarm signal shall be installed at each exit of the structure.

d. Automatic sprinkler systems throughout the entire structure, which complies with NFPA 13-D or NFPA 13-R as applicable, of the National Fire Protection Association, and provides a separate cold water line, fully charged, which shall only be used for the purpose of providing, such sprinkler protection. In addition to NFPA 13-D or NFPA 13-R as applicable, the following areas shall be required to be fully sprinkled:

1. For every furnace and hot water tank area, one (1) sprinkler head for every seventy-five (75) square feet of such area.

2. For general storage area, one (1) sprinkler head for every one hundred (100) square feet of such area, plus one (1) sprinkler head for each individually provided storage area, which shall be installed above the individual area.

3. For utility and or laundry area, one (1) sprinkler head for every one hundred (100) square feet of such area.

4. On all stairways, one (1) sprinkler head for every landing and off-landing.

5. In all corridors in excess of landing areas, one (1) sprinkler head for every one hundred (100) square feet of area.

6. In all public areas there shall be installed one (1) sprinkler head for every one hundred (100) square feet of area.

e. In addition to the foregoing, a local audible alarm system shall be installed into the cold water line and shall be installed at or near the water main. Such alarm system shall be so equipped to automatically detect a flow of water within the sprinkler system resulting in the activation of the audible alarm system which must be readily heard throughout the building.

f. To provide proper fireproofing, all tray ceilings/cathedral ceilings, located twelve inches (12") above any sprinkler head must be enclosed by double five-eighths inch (5/8") drywall, as applicable.

g. Hard wired smoke alarms shall be located in each stairway, hallway, laundry room and basement. Such smoke alarms shall be connected directly to an electrical circuit in the structure.

h. Ground fault circuit interceptor (GFCI) outlets shall be installed in each kitchen, bathroom, and laundry area(s).

i. In addition to the requirements in this subsection (e), for condominium conversions, a separate gas meter, electric meter, and water meter shall be installed for each individual living unit and a separate set of meters, as necessary, shall be installed for the common areas.

(3) The AHJ shall require for any single-family dwelling that is 1) newly constructed; or 2) altered, remodeled, renovated, increased in size, or changed in configuration in any way whatsoever, including damage as a result of a fire or other disaster, wherein the square footage for such alterations, remodeling, expansion, increase in size, or configuration is equal to fifty percent (50%) or more of the original square footage of the existing structure, as determined by the Building Commissioner, the installation of such approved automatic sprinkler equipment throughout the entire structure as mandated by NFPA-13D. In addition:

a. One (1) fire sprinkler head at and in each heating plant area of a single- family residence, with the sprinkler head to be located within five (5) feet of a furnace and the hot water heater; and

b. One (1) fire sprinkler head within any attached garage; and

c. To provide proper fireproofing, all tray ceilings/cathedral ceilings located twelve inches (12") above any sprinkler head, must be enclosed by double five-eighths inch (5/8") drywall, as applicable.

(4) The AHJ shall require for any mobile home or manufactured home that is 1) newly constructed; or 2) all mobile homes brought into a mobile home park after March 13, 2006, the installation of such approved automatic sprinkler equipment throughout the entire structure as mandated by NFPA-13D. In addition, one (1) fire sprinkler head at and in each heating plant area of a mobile home, with the sprinkler head to be located within five (5) feet of a furnace and the hot water heater; and one (1) fire sprinkler head within any attached garage.

(f) Nothing in this section shall be construed to require the installation of sprinklers in safe deposit or other vaults, or in rooms or buildings devoted to the manufacture or storage of aluminum powder, calcium carbide, calcium phosphide, metallic sodium and potassium, quicklime, magnesium powder, sodium peroxide or like material, where the application of water may cause or increase fire, nor in any other location where the installation of sprinklers may increase the hazard; nor shall it be construed in any way to interfere with the substitution of other approved protective equipment.

(g) Any person violating the terms and conditions of this section shall be subject to a penalty not exceeding seven hundred fifty dollars (\$750.00) for each and every day that the violation of this section is allowed to remain in effect, with each and every day being a complete and separate offense. In addition, the appropriate authorities of the village may take such other actions they deem proper to enforce the terms and conditions of this section, including, without limitation, an action in equity to compel compliance with its terms. Any person violating the terms of this

section shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorney's fees of the village due to its enforcement of this provision.

(Code 1972, § 5-3-16.2; Ord. 98-9, § 1, 2-23-1998; Ord. 2000-05, § 1, 1-10-2000; Ord. 2000-57, § 1, 10-23-2000; Ord. 2001-04, § 1, 2-26-2001; Ord. 2002-25, §§ 1, 2, 7-8-2002; Ord. 2004-18, §§ 2, 3, 5, 8-9-2004; Ord. 2005-07, §§ 2, 3, 4, 5, 2-14-2005; Ord. 2006-01, § 2, 1-9-2006; Ord. 2006-06, § 3, 3-13-2006; Ord. 2006-22, § 2, 11-27-2006; Ord. 2007-21, § 2, 10-9-2007)

Sec. 4-95. Multiple-Family Dwelling Definition:

Within the context of this article, the term "multiple-family dwelling" shall mean a dwelling containing two (2) or more dwelling units, originally constructed for such purpose.

(Code 1972, § 5-5-1; Ord. 98-35, § 1, 8-10-1998)

Sec. 4-96. Multiple-Family Dwelling Sprinkler Protection; Audible Alarm:

(Rep. by Ord. 2004-18, § 4, 8-9-2004)

Sec. 4-97. Sprinkler Systems-Installation:

(a) A test pipe and valve shall be installed at the furthest point of the sprinkler system so as to enable tests to be made indicating discharge pressures. The discharge pressure at the furthest point of the system shall not be less than fifteen (15) pounds per square inch (psi).

(b) All sprinkler pipe and fittings shall be so installed that the system may be drained.

(Code 1972, § 5-5-3)

Sec. 4-98. Sprinkler Systems-Permits:

(a) Plans for sprinkler systems, together with a copy of the detailed drawings and specifications submitted in connection with the application for a building permit, shall be submitted to the fire department for approval prior to the installation of any sprinklers.

(b) Prior to the issuance of any occupancy permit, sprinkler systems shall be tested, approved and certified fully operational by the fire Department. Such systems shall remain fully operational thereafter.

(Code 1972, § 5-5-4)

Sec. 4-99. Balconies:

All balconies which are part of any multiple-family dwelling unit hereafter constructed shall extend for at least four feet (4') horizontally beyond the apartment opening and shall be capable of providing a refuge to inhabitants of such dwelling units from heat and smoke.

(Code 1972, § 5-5-5; Ord. 73-18, 7-19-1973)

Sec. 4-100. Buildings Containing Three Or More Stories:

The following are special regulations for all buildings containing three (3) or more stories:

(1) Standpipes:

a. Standpipes and sprinkler fire department siamese connections shall be no further than ten feet (10') apart, shall be located on the street or road side wall of any such building, shall be readily accessible and shall be located no further than three hundred feet (300') from the nearest operable fire hydrant, which three hundred feet (300') shall be measured along a route normally used by motor vehicles.

b. Wet standpipes for class II and class III service shall be provided for each floor as follows:

1. All hose so installed shall be of a type single jacket rubber-lined three hundred (300) psi test with NST (national standard thread).

2. Such standpipes shall be installed in accordance with the national fire codes.

(2) Elevators, Fire Service:

a. A two (2) position keyed switch shall be provided at the main floor for each single elevator and for each group of elevators. This keyed switch shall be located in the left doorjamb of the elevator entrance. Where there is more than one elevator, the left elevator shall have the switch. The keyed switch shall be located not less than six feet six inches (6'6") above the floor and approximately four feet (4') below the head jamb. When the switch is not in the "on" position, the signal elevator and all elevators in a group which are in normal service shall return nonstop to the main floor, and the doors shall open. The "main floor" shall be defined as the floor where the keyed switch is located. The main floor shall be determined by the chief of the bureau of fire prevention. The key shall not be removable when switch is in the "on" position.

1. An elevator traveling away from the main floor shall reverse at the next available floor without opening its doors and return nonstop to the main floor.

2. Door reopening devices for power operated doors which may be affected by smoke or heat so as to prevent door closures shall be rendered inoperative.

3. Elevators equipped with power-operated doors and standing at a floor other than the main or street floor shall close their doors without delay.

4. The emergency stop button in the car shall be rendered inoperative until the car reaches the main floor.

5. All keyed switches shall be marked "on" and "off".

b. A keyed switch shall be provided in or adjacent to the operating panel of each elevator. The switch, when operated, shall put the elevator on emergency service. The key shall be compatible with the fire department master key for all elevators located within the village.

1. When on emergency service an elevator shall be operable only by a person in the car.

2. Elevators on emergency service shall respond to the car buttons only and shall not be affected in their operation from registered corridor calls.

3. Power-operated doors shall remain closed when the elevator stops at any landing except the main floor until opened by continuous pressure on a door-open button or switch. As soon as this door-open button switch is released, the doors shall automatically reclose.

4. Where mechanical-electrical safety edge devices are installed on the leading edge of the car doors, these devices shall remain operative and doors may be maintained in open position by operation of the device. Any features that may cause doors to reclose after being held a predetermined time shall be disconnected.

c. Keys required to call or operate elevators shall be kept in a metal box mounted in a conspicuous location at the main floor as approved by the Bureau of Fire Prevention. The box shall have a lock-type cover which can be opened only by the Fire Department's alarm box key. The box shall contain a separate key for each elevator in the group.

d. When the elevator or elevators are controlled by an attendant, the operation of the key switch shall sound a bell mounted under the car platform as a signal to the attendant to return nonstop to the main floor.

e. Attendant-operated elevators shall comply with all the provisions and operations, except the automatic operation is not required when the car control is manual through a car switch.

f. For double-deck elevator installations, the upper deck is to be used for firemen's emergency control and as such will comply with all provisions of this Section.

g. Every group of elevators in a building subject to the provisions of this Section shall be available for firemen's emergency service. In buildings where there are several groups of elevators and where individual key switches are provided to cause cars to return to the main floor, this arrangement is satisfactory, provided that a separate key box is provided for each group of elevators.

h. Immediately adjacent to the firemen's return switch in the car station, a push button shall be provided to cancel all registered calls when the elevator is on firemen's control. The button shall be marked "Fire Cancel". This button shall not be required if all car calls are canceled when the car makes its first stop.

(3) Fire Extinguishers And Pull Stations:

a. Ten (10) pound ABC fire extinguishers shall be installed in breakable glass-fronted cabinets at locations meeting the requirements of the national fire codes.

b. Fire alarm systems shall conform to all requirements of the national fire codes.

c. Emergency lighting circuits shall be provided for all exit signs and in all corridors, stairwells, basements, assembly rooms and any other public areas. Such lighting shall conform to the requirements of the fire prevention code.

(4) Blueprints:

a. Prior to the issuance of any building permit, all plans, specifications and blueprints for all construction related to NFPA article 28, section 28-18 of the fire prevention code amendments shall be approved by the Bureau of Fire Prevention of the Fire Department.

b. All such blueprints shall conform to the requirements specified in the national fire codes.

(5) Smoke Hatches: Smoke hatches shall be provided in all stairways. Such hatches shall be activated by automatic smoke detection devices.

(6) Miscellaneous:

a. All stairways, shafts, corridors, boiler or furnace rooms, laundry rooms, storage rooms, trash rooms, janitor closets and mechanical equipment rooms, shall be completely enclosed and fire-rated at no less than two (2) hours.

b. One smokeproof tower shall be provided on all buildings exceeding three (3) stories in height.

(Code 1972, § 5-3-17)

 **Sec. 4-101. Ventilation Panels:**

All buildings of a controlled atmosphere design, having nonoperable windows or no windows at all, shall be constructed with the Fire Department ventilation panels at all floor levels at locations determined by the Chief of the Fire Prevention Bureau.

(Code 1972, § 5-3-18)

 **Sec. 4-102. Conflicting Provisions:**

Nothing in this Article shall be deemed to conflict with any other law or ordinance of the Village or any such regulations contained in this Chapter.

(Code 1972, § 5-3-19)

 **Sec. 4-103. Reimbursement For Hazardous Emergency Responses:**

(a) Any recipient of any hazardous materials response by the Fire Department and Police Department, and any other Village departments, shall be responsible for reimbursing the Village for the actual costs and expenses of the Village as a result of said hazardous materials response, including, but not limited to, supplies, equipment, clothing and manpower expenses. For purposes of this Section "actual costs and expenses" shall also include the actual costs and expenses of any other municipality or agency that renders aid to the Fire and Police Department, in relation to said hazardous materials response.

(b) Upon completion of a hazardous materials response, the Village shall tender an itemized written bills to the recipient which set forth the actual costs and expenses of that hazardous materials response.

(c) For purposes of this Section, the "recipient" of a hazardous materials response shall be defined as the owner(s) and/or tenant(s) of the building and/or real or personal property where the hazardous materials response took place.

(d) For purposes of this Section, a "hazardous materials response" shall be defined as any response by the Fire and Police Departments to an incident involving the spilling, leaking or escape of any hazardous substance from any container intended for the storage or transportation of said hazardous substance or any fire or explosion involving a hazardous substance. For purposes of this Section, "hazardous substance" shall be defined as in 415 Illinois Compiled Statutes 5/3.14 of the Illinois Environmental Protection Act, except that petroleum products and natural gas shall also be considered "hazardous substances" for purposes of this Section.

(Ord. 92-43, § 1, 11-23-1992)

 **Sec. 4-104. Key Box Access:**

(a) All commercial and industrial buildings may install a key box, of a type and installation location approved by the Building Commissioner.

(b) The key box may contain:

- (1) Keys to locked points of ingress whether on the interior or exterior of such buildings.
- (2) Keys to locked mechanical equipment rooms.
- (3) Keys to locked electrical rooms.
- (4) Keys to elevator controls.
- (5) Keys to other areas as directed by the fire chief.

(c) The key box shall be of a type having a tamper switch.

(d) The key box shall be supervised by the fire chief and he may set rules to govern the number and distribution of the key box keys, and the procedure for gaining access.

(e) Any person, business or company who shall violate the key box provisions of this code shall be subject to the penalty provisions stated in [section 1-7](#) of this code.

(Ord. 92-45, § 1, 12-14-1992)

 **Sec. 4-105. Fire Resistance:**

(a) The provisions of this section shall apply to all multi-family structures containing two (2) or more living units; or one or more living units in a structure containing any other type of use such as business or industrial. The fire resistance rating of structural elements (including walls, floors and roof) and tenant separation or party walls shall be a minimum of two (2) hours and be constructed of masonry or concrete.

(b) Exterior and loadbearing wall construction shall be of masonry. All floors shall be of the precast concrete type, or poured concrete type having at least a two (2) hour fire resistance rating.

(Ord. 93-34, § 1, 9-27-1993)

📖 Sec. 4-106. Fire Hydrant Maintenance And Repair:

(a) It shall be unlawful for any person, business, corporation or other entity to allow a fire hydrant, whether on public or private property to fall into any state of disrepair or obstruction. It shall further be unlawful for any person, business or corporation to permit any obstruction by parking, growth of vegetation or construction of any fire hydrant located on private property or public easement connected to private property.

(b) It shall be the responsibility of each owner of private property on which is installed a system of fire hydrants operated by the owner of the private property to have inspected each hydrant annually by a licensed plumber or an inspector approved by the property insurer and report the condition to the village fire prevention bureau within thirty (30) days of the conduct of the inspection. The inspection shall be conducted only during the months of March, April, September or October of each year.

(c) The annual inspection shall include operation of the valve and stem, caps, drain, and free flow of the hydrant. The owner shall further cause to have a certified fire flow from each fire hydrant, by the village staff, every three (3) years at the owner's expense.

(d) It shall be the responsibility of each owner of private property on which is installed one or more fire hydrants operated by the owner of the private property to repair any deficiency in the operation of the fire hydrant or the water system supplying the fire hydrant within thirty (30) days of the date of notice of the deficiency.

(Ord. 99-14A, § 1, 6-14-1999)

📖 Sec. 4-107 Replacement Of Terms Secondary To Dissolution Of Fire Department:

(a) By reason of the dissolution/disbanding of the Justice fire department (and by extension of the bureau of fire prevention), there no longer exists within the village of Justice a "fire department," not a "chief" thereof; nor does there exist a "bureau of fire prevention," nor a "chief" thereof.

(b) Any references in [chapter 4, article IV](#) of the Justice Municipal Code (or elsewhere in said code where applicable to fire prevention code enforcement to the term, "fire department," shall be and is hereby replaced with the term "building department," and likewise all references to the term "chief of the fire department," or "fire chief," or any other such similar term, shall be and is hereby replaced with the term, "commissioner of the building department."

(c) Any references in [chapter 4, article IV](#) of the Justice Municipal Code (or elsewhere in said code where applicable to fire prevention code enforcement to the term, "bureau of fire prevention," shall be and is hereby replaced with the term "building department," and likewise all references to the term "chief of the bureau of fire prevention" or any such similar term shall be and is hereby replaced with the term, "fire inspector."

(Ord. 2009-20, § 2, 8-10-2009)

Secs. 4-99-4-115. Reserved:

DIVISION 2. FIREWORKS¹

1 425 ILCS 30/1 et seq.

Sec. 4-116. Definition:

For the purposes of this division, “fireworks” are hereby defined as any explosive composition or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect of a temporary exhibitional nature by explosion, combustion, deflagration or detonation, and shall include blank cartridges, toy cannons in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, sky rockets, Roman candles, sparklers, bombs or other fireworks of like construction and any fireworks containing any explosive compound; or any tablets or other device containing any explosive substances, or containing combustible substances producing visual effects. The term “fireworks” shall not include toy pistols, toy canes, toy guns or other devices in which paper caps containing twenty five one-hundredths (0.25) grain or less of explosive compound are used, provided that they are so constructed that the hand cannot come in contact with the paper caps which contain less than twenty five one-hundredths (0.25) grain of explosive mixture, the sale and use of which shall be permitted at all times.

(Code 1972, §§ 5-4-1, 6-4-7)

Sec. 4-117. Sale:

It shall be unlawful to sell or offer for sale any fireworks in the village.

(Code 1972, § 5-4-2)

Sec. 4-118. Discharge:

No person shall set off, fire or explode any fireworks whatsoever.

(Code 1972, §§ 5-4-3, 6-4-8)

Sec. 4-119. Exhibitions:

Public exhibitions of fireworks and pyrotechnics may be given if a license therefor is granted by the village board. Such exhibitions shall be given subject to the supervision of the fire chief or of some person designated by him.

(Code 1969, Ch. 19, Art. 2; Code 1972, §§ 5-4-4, 6-4-8)

Sec. 4-120. Possession And Manufacture:

No person shall have, keep, store, use, manufacture, assemble, mix, sell, handle or transport any fireworks; provided, however, that nothing in this Article shall be held to apply to the possession or use of signaling devices for current daily consumption by railroads, vessels and others requiring them or to the possession, sale or use of normal stocks of flashlight compositions by photographers or dealers in photographic supplies; and provided further that the fire chief or some person designated by him may issue permits for the display of fireworks as hereinafter provided.

(Code 1972, § 6-4-9)