

STATE OF ILLINOIS        )  
COUNTIES OF DUPAGE    )        SS  
AND WILL                    )

**SECRETARY'S CERTIFICATE**

I, **LAURIE KAGANN**, the duly qualified and acting Secretary of the Board of Trustees of the Lisle-Woodridge Fire Protection District, DuPage and Will Counties, Illinois, and the keeper of the records thereof, do hereby certify that attached hereto is a true and correct copy of a Ordinance entitled:

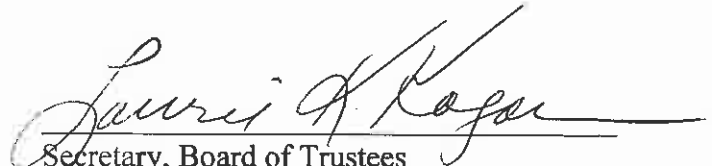
**ORDINANCE NO. 05-01**

**AN ORDINANCE ESTABLISHING A  
SCHEDULE OF FINES FOR FALSE ALARMS**

adopted by said Board of Trustees at its meeting on the 8<sup>th</sup> day of February 2005.

I do further certify that a quorum of said Board of Trustees was present at the said meeting, and that the Board complied with all requirements of the Illinois Open Meetings Act. Further, I certify that the Ordinance has not been amended or altered and is in full force and effect as of the date indicated below.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 8<sup>th</sup> day of February 2005.

  
Secretary, Board of Trustees  
Lisle-Woodridge Fire Protection District

(SEAL)

# CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

# Daily Herald

Legal Notice  
STATE OF ILLINOIS  
COUNTIES OF DUPAGE  
AND WILL  
55

**SECRETARY'S CERTIFICATE**

I, LAURIE KAGANN, the duly qualified and acting Secretary of the Board of Trustees of the Lisle-Woodridge Fire Protection District, DuPage and Will Counties, Illinois, and the keeper of the Records thereof, do hereby certify that attached hereto is a true and correct copy of a Ordinance entitled:

**ORDINANCE NO. 95-01**  
**AN ORDINANCE ESTABLISHING A SCHEDULE OF FINES FOR FALSE ALARMS**

adopted by said Board of Trustees of its meeting on the 8th day of February 2003.  
I do further certify that a majority of said Board of Trustees was present at the said meeting, and that the Board complied with all requirements of the Illinois Open Meetings Act. Further, I certify that the Ordinance has not been amended or altered and is in full force and effect as of the date of this notice.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of February 2003.  
(Laurie K. Kagann Secretary, Board of Trustees  
Lisle-Woodridge Fire Protection District)

(SEAL)

**ORDINANCE NO. 95-01**  
**AN AMENDED ORDINANCE ESTABLISHING A SCHEDULE OF FINES FOR FALSE ALARMS**

WHEREAS, the Lisle-Woodridge Fire Protection District is a fire protection district duly organized under the laws of the State of Illinois; and  
WHEREAS, the Board of Trustees of the District has express power pursuant to 70 ILCS 205.1, to adopt and enforce fire prevention codes and standards parallel to national standards to promote fire prevention; and  
WHEREAS, the Board of Trustees ("the Board") of the District also has full power pursuant to 70 ILCS 205.1, to pass all necessary ordinances, and rules and regulations for the proper management and conduct of the business of the Board of Trustees of the District for carrying into effect the objects for which the District was formed; and  
WHEREAS, many homes, business establishments and public buildings within the District are equipped with systems, including automatic detection devices and signaling devices that transmit alarms or signals of a fire or medical emergency to the District; and  
WHEREAS, a variety of circumstances result in false alarms being transmitted, which endanger the life safety of innocent people and result in the expenditure of substantial amounts of money for personnel and equipment sent to respond to such false alarms; and  
WHEREAS, the Board desires to create a schedule of fines for false alarms in order that the District may be adequately compensated for the cost of responding to false alarms and to provide incentives to building owners within the District to maintain their private fire alarm systems in good working order and repair, while penalizing those who fail to do so; and  
WHEREAS, on September 5, 1995, the Board passed Ordinance 95-19. Its original false fire alarm fine ordinance, and on April 28, 1998, the Board amended this Ordinance with the passage of Ordinance 98-17, and on November 13, 2001, the Board again amended this Ordinance with the passage of Ordinance 01-13; and  
WHEREAS, the Board desires to again amend its false alarm fine ordinance to correct the definition section, to correct formatting errors and to add a section that addresses malicious fire alarm tampering.

**NOW, THEREFORE, Be It Ordained by the Board of Trustees of the Lisle-Woodridge Fire Protection District as follows:**

**Section One: Definitions.** For the purpose of this section, the following words and phrases shall have the meanings ascribed to them in this section.

A. **False Alarm:** An alarm signal which indicates the existence of any emergency situation when in fact no such emergency exists, and shall include any alarm signal generated by any fire protection system by whatever means.

B. **Improper Design:** Under the scope of this definition when a new System is installed in a negligent or faulty manner, or when a System is designed in a substandard or faulty manner, either of which results in a False Alarm activation in a non-emergency situation.

C. **Improper Maintenance:** Under the scope of this definition when existing Systems have not been properly maintained by the property owner, which results in a False Alarm activation in a non-emergency situation. This definition includes, but is not limited to, the improper maintenance of all components within any System.

D. **Improper Use:** Under the scope of this definition when an action of a User results in a False Alarm activation in a non-emergency situation due to the User's carelessness or negligence.

E. **Intentional False Alarms:** Those False Alarms that are purposely and/or accidentally activated in non-emergency situations, without prior notification to the Lisle-Woodridge Fire Protection District.

F. **Malicious False Alarms:** Those false alarms activated by unauthorized, untrained individuals who create a primary or subsequent incident due to the invasive action(s) to any portion of any system regardless of the situation or circumstances.

G. **Out of Service System:** A System that has been disabled by an Alarm Technician of the Fire District. Personnel upon site cannot currently operate as required.

H. **System:** Includes all fire alarm systems, sprinkler systems and other automated systems that transmit or sound alarms or signals that require a response by the Fire District.

I. **Twelve-month Period:** The Twelve-month Period shall be the 12 calendar months immediately preceding the date of the False Alarm for which the citation was issued.

J. **User:** The owner of the property from which the False Alarm originates and any individual, partnership, corporation, organization or other entity on the property shall be included in this definition.

**Section Two: Schedule of Fines:** The schedule of fines for False Alarms is as follows:

A. **Type of False Alarms Charged:** A User shall be cited for each False Alarm if such False Alarm is:

1. an Intentional False Alarm;
2. a Malicious False Alarm;
3. due to or caused by Improper Installation or Design;
4. due to or caused by Improper Maintenance;
5. due to or caused by Improper Use; or
6. resulting from any test, repair, alteration or addition to a System without prior notification thereof to the Lisle-Woodridge Fire Protection District.

B. **Type of False Alarms Not Charged:** A User shall not be charged for each of the following False Alarms when verified by Fire District Personnel:

1. Fire causing damage to structures or contents of a protected premises.
2. Earthquake, tornado or hurricane winds causing structural damage to the protected premises.
3. Flooding to the protected premises due to overflow of natural drainage or other water leaks within the building.
4. Lightning causing physical damage to the protected premises.
5. Telephone line malfunction verified to the Fire District by an authorized telephone company supervisor within seven days of the occurrence.
6. Electrical service interruption verified to the Fire District by the local power company manager within seven days of the occurrence.
7. Plumbing or electrical malfunctions unrelated to the fire detection system.

C. **Fines:** A User shall be fined for False Alarms as follows:

1. First False Alarm within a Twelve-month Period: warning letter (no fine).
2. Second False Alarm within a Twelve-month Period: \$150.00.

er and by virtue of the laws of the State of Illinois,  
s the publisher of the **DAILY HERALD**,  
cular newspaper and has been circulated daily in the  
Carol Stream, Glendale Heights, Glen Ellyn,  
edinah, Naperville, Oak Brook, Oakbrook Terrace,  
Chicago, Wheaton, Winfield, Wood Dale

r more than one year prior to the date of the first  
erred to and is of general circulation throughout said

ALD is a newspaper as defined in "an Act to revise  
ded in 1992 Illinois Compiled Statutes, Chapter 715,  
of which the annexed printed slip is a true copy, was  
in said DAILY HERALD.

igned, the said PADDOCK PUBLICATIONS, Inc.,  
d by, this authorized agent, at Arlington Heights,

PADDOCK PUBLICATIONS, INC.  
DAILY HERALD NEWSPAPERS

BY Kristle Epler  
Authorized Agent

Control # T3486653

**ORDINANCE NO. 05-01**

**AN AMENDED ORDINANCE ESTABLISHING A  
SCHEDULE OF FINES FOR FALSE ALARMS**

**WHEREAS**, the Lisle-Woodridge Fire Protection District is a fire protection district duly organized under the laws of the State of Illinois; and

**WHEREAS**, the Board of Trustees of the District has express power pursuant to 70 ILCS 705/11, to adopt and enforce fire prevention codes and standards parallel to national standards to promote fire prevention; and

**WHEREAS**, the Board of Trustees ("the Board") of the District also has full power pursuant to 70 ILCS 705/6, to pass all necessary ordinances, and rules and regulations for the proper management and conduct of the business of the Board of Trustees of the District for carrying into effect the objects for which the District was formed; and

**WHEREAS**, many homes, business establishments and public buildings within the District are equipped with systems, including automatic detection devices and signaling devices that transmit alarms or signals of a fire or medical emergency to the District; and

**WHEREAS**, a variety of circumstances result in false alarms being transmitted, which endangers the life safety of innocent people and result in the expenditure of substantial amounts of money for personnel and equipment sent to respond to such false alarms; and

**WHEREAS**, the Board desires to create a schedule of fines for false alarms in order that the District may be adequately compensated for the cost of responding to false alarms and to provide incentives to building owners within the District to maintain their private fire alarm systems in good working order and repair, while penalizing those who fail to do so; and

**WHEREAS**, on September 5, 1995, the Board passed Ordinance 95-19, its original false fire alarm fine ordinance; and on April 28, 1998, the Board amended this Ordinance with the passage of Ordinance 98-1; and on November 13, 2001, the Board again amended this Ordinance with the passage of Ordinance 01-13; and

**WHEREAS**, the Board desires to again amend its false alarm fine ordinance to augment the definition section, to correct formatting errors and to add a section that addresses malicious fire alarm tampering.

**NOW, THEREFORE, Be It Ordained** by the Board of Trustees of the Lisle-Woodridge Fire Protection District as follows:

**Section One: Definitions.** For the purpose of this section, the following words and phrases shall have the meanings ascribed to them in this section.

- A. **False Alarm.** An alarm signal which indicates the existence of any emergency situation when in fact, no such emergency exists, and shall include any alarm signal generated by any fire protection system by whatever means.
  
- B. **Improper Installation or Design:** Under the scope of this definition when a new System is installed in a negligent or faulty manner, or when a System is designed in a substandard or faulty manner, either of which results in a False Alarm activation in a non-emergency situation.
  
- C. **Improper Maintenance:** Under the scope of this definition when existing Systems have not been properly maintained by the property owner, which results in a False Alarm activation in a non-emergency situation. This definition includes, but is not limited to, the proper maintenance of all components within any System.
  
- D. **Improper Use:** Under the scope of this definition when an action of a User results in a False Alarm activation in a non-emergency situation due to the User's carelessness or negligence.
  
- E. **Intentional False Alarms:** Those False Alarms that are purposely and non-accidentally activated in non-emergency situations without prior notification to the Lisle-Woodridge Fire Protection District.
  
- F. **Malicious False Alarms:** Those false alarms activated by unauthorized, untrained individuals who create a primary or subsequent incident due to the invasive action(s) to any portion of any System regardless of the situation or circumstance(s).
  
- G. **Out of Service System:** A System that has been disabled by an Alarm Technician or Fire District Personnel when it cannot currently operate as required.

H. System: Includes all fire alarm systems, sprinkler systems and other automated systems that transmit or sound alarms or signals that require a response by the Fire District.

I. Twelve-month Period: The Twelve-month Period shall be the 12 calendar months immediately preceding the date of the False Alarm for which the citation was issued.

J. User: The owner of the property from which the False Alarm originates and any individual, partnership, corporation, organization or other entity on the property shall be included in this definition.

**Section Two: Schedule of Fines**: The schedule of fines for False Alarms is as follows:

A. Type of False Alarms Charged: A User shall be cited for each False Alarm if such False Alarm is:

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2. a Malicious False Alarm;
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4. due to or caused by Improper Maintenance;
5. due to or caused by Improper Use; or
6. resulting from any test, repair, alteration or addition to a System without prior notification thereof to the Lisle-Woodridge Fire Protection District.

B. Type of False Alarms Not Charged: A User shall not be charged for each of the following False Alarms when verified by Fire District Personnel:

1. Fire causing damage to structures or contents of a protected premises.
2. Earthquake, tornado or hurricane winds causing structural damage to the protected premises.
3. Flooding to the protected premises due to overflow of natural drainage or other water leaks within the building.
4. Lightning causing physical damage to the protected premises.
5. Telephone line malfunction verified to the Fire District by an authorized telephone company supervisor within seven days of the occurrence.
6. Electrical service interruption verified to the Fire District by the local power company manager within seven days of the occurrence.
7. Plumbing or electrical malfunctions unrelated to the fire protection system.

C. Fines: A User shall be fined for False Alarms as follows:

1. First False Alarm within a Twelve-month Period: warning letter (no fine).
2. Second False Alarm within a Twelve-month Period: \$150.00.
3. Each additional False Alarm within a Twelve-month Period after two shall result in a false alarm charge of at least \$200.00, with each charge increasing by \$50.00 for each additional False Alarm, not to exceed \$500.00 per additional incident.
4. If the False Alarm is a Malicious False Alarm, the schedule of fines above shall apply and an additional fine of up to \$500, as well as, formal charges may be assessed at the discretion of the Fire Prevention Bureau Chief.
5. If the False Alarm is an Intentional Alarm, then an additional fine of \$1,000 shall be added to the fine listed above, and formal charges will be filed in accordance with 720 ILCS 720, 5/26-1 with the appropriate police agency.

D. Out of Service System: If a System: (i) cannot be restored or returned to normal, or (ii) gives three (3) or more False Alarms within a twelve (12) hour period, the Lisle-Woodridge Fire Protection District reserves the right to place the System out-of-service and may require a fire watch at its discretion. If District personnel are required to serve on fire watch, the offending User(s) must reimburse the District at the actual cost of personnel and equipment. Any System placed out-of-service under this section must be repaired and placed back in service within the time period specified by the Lisle-Woodridge Fire Protection District.

E. Joint and Several Liability: More than one User may be charged under this Ordinance for a single False Alarm, and the User(s) so charged are jointly and severally liable for any citations and fines due under this Ordinance.

F. Additional Fines: That, in addition to the fines set forth in Section Two, if any User refuses to pay or fails to pay within 60 days of notice of the fine, the User will be deemed to have further violated this Ordinance and will incur an additional fine of not less than \$25, nor more than \$500 for each offense plus all legal fees and all costs caused by enforcement. Such fees and costs shall include, but not be limited to, staff costs of inspection or reinspection, legal fees, and staff cost of enforcement. A separate offense shall be deemed committed for each day on which a violation occurs or continues.

G. Failure to Pay: Failure to pay any fine which is reduced to judgment will result in a lien filed against the User's property.

H. Revenues: All revenue from the charges assessed pursuant to this Ordinance shall be deposited in the general fund of the Lisle-Woodridge Fire Protection District.

**Section Three: Liability.** The Lisle-Woodridge Fire Protection District assumes no liability for:

1. Any defects in the operation of a System.
2. For failure or neglect to respond appropriately upon receipt of an alarm.
3. For failure or neglect of any person in connection with the installation, operation or maintenance of any System.
4. The transmission of alarm signals, pre-recorded alarm messages, or the relaying of such signals and messages.

**Section Four: Waivers.** The Fire Chief and his designees are hereby permitted to waive the warnings and/or fees due under this Ordinance in cases of demonstrated financial hardship, intergovernmental cooperation, or in cases where Systems have been repaired or replaced and are operating properly. Requests for the waiver of fees must be made in writing to the Fire Prevention Bureau Chief, who shall make the initial determination as to the validity of the waiver request.

**Section Five: Appeal Procedure.** All Users who are assessed fines in accordance with Section Two of this Ordinance or denied a waiver of fine pursuant to Section Four of this Ordinance shall have the right to appeal their fines before the Fire Chief of the District in accordance with the appeal procedure established below:

**Step One.** All applications for appeal shall be made in writing to the Fire Chief within fifteen (15) calendar days from the date that the fines under this Ordinance are imposed, or they are deemed waived. Upon receipt of an application for appeal, the Fire Chief will schedule a hearing on the User's appeal. Said hearing shall commence no less than fifteen (15) calendar days from the date that the Fire Chief receives the User's application for appeal. All Users making an application for appeal shall be given an opportunity to be heard and may appear with the representative of their choosing. The Fire Chief shall provide the User with a written notice of his decision within five (5) business days from the completion of the appeal.

**Step Two.** All Users that have completed Step One of this appeal procedure shall have the right to an additional appeal before the Board of Trustees of the District. Said appeal to the Board of Trustees shall be made in writing to the Fire Chief within fifteen (15) calendar days from the date

that the Fire Chief renders his decision on Step One of the appeal procedure. All Users making an application for appeal before the Board of Trustees shall be given an opportunity to be heard and may appear with the representative of their choosing. The Board of Trustees may opt to appoint a hearing officer to hear the Step Two appeal. The hearing officer shall report his or her factual findings and any recommendations to the Board of Trustees at its next regular board meeting. The Board of Trustees shall deliberate and make a decision on the Step Two appeal at that meeting, and the Board or its designee shall provide the User with a final written determination on the appeal within five (5) business days of the date of its board meeting.

**Section Six: Entire Agreement.** The following describes the responsibility of the Fire District in accordance with the entire agreement:

- A. **Fire District Service:** Nothing in this Ordinance shall authorize the District to refuse to provide any service to any person, business or other entity that has not paid for services previously provided or that owes money for services previously rendered.
  
- B. **Superceding Effect:** That this Ordinance shall supersede any ordinances or motions or parts of ordinances or motions in conflict with any part herein, and any such ordinances or motions or parts of such ordinances are hereby repealed.
  
- C. **Validity:** If any section, paragraph or provisions of this Ordinance shall be held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions of this Ordinance.

**Section Seven: Publication.** That the Secretary of the Lisle-Woodridge Fire Protection District is hereby directed to publish this Amended Ordinance in full at least once in a newspaper published in the District. Publication shall take place at least ten (10) days prior to implementation of this Ordinance. That the provisions of this Ordinance shall be in full force and effect ten (10) days after publication as provided by law.



**Section Three:** This Resolution shall supersede any resolutions or motions, or parts of resolutions or motions, in conflict with any part herein, and any such resolutions or motions, or parts thereof, are hereby repealed.

**Section Four:** If any section, paragraph or provision of this Resolution shall be held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions of this Resolution.

**Section Five:** That this Resolution shall be in full force and effect from and after its passage.

**ADOPTED** this 22<sup>nd</sup> day of February, 2005 by the following roll call vote:

AYES: 3 (Kagann, Lawrence, Fisher)

NAYS: 0

ABSENT: 2 (Schreiber, Michals)

  
\_\_\_\_\_  
President, Board of Trustees  
Lisle-Woodridge Fire Protection District

**ATTEST:**

  
\_\_\_\_\_  
Secretary, Board of Trustees  
Lisle-Woodridge Fire Protection District