

ORDINANCE NO. 12-08

**AN ORDINANCE AMENDING ORDINANCE NO. 09-06 REGARDING
REGULATIONS GOVERNING
THE MONITORING OF FIRE ALARM AND DETECTION SYSTEMS
IN THE LISLE-WOODRIDGE FIRE PROTECTION DISTRICT**

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

WHEREAS, the Board of Trustees (the “Board”) of the District has express power pursuant to Section 11 of the Fire Protection District Act (the “Act”) to adopt and enforce fire prevention codes and standards parallel to national standards to promote fire prevention (70 ILCS 705/11); and

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

WHEREAS, many business establishments and public buildings within the District are required by the District’s Ordinance No. 12-07 adopted on the date hereof (amending Ordinance No. 07-02) to be equipped with fire alarm systems, including automatic detection devices and signaling devices that transmit fire alarms or signals to a Central Station; and

WHEREAS, the District has heretofore, on the 22nd day of September, 2009, adopted Ordinance No. 09-06 in an effort to provide better protection against fire by establishing standards and regulations pertaining to the transmission of fire alarm, trouble and supervisory signals generated by automatic fire alarm systems required by the District’s Ordinance No. 07-02 currently amended as the District’s Ordinance No. 12-07 (“Generated Signals”) via a wireless

radio monitoring system, which the District finds to be the most expeditious method available for communicating an alarm to the District's fire department; and

WHEREAS, the implementation of a wireless radio direct connect system requires Generated Signals to be transmitted through a wireless radio network to a Communications Board maintained by the District; and

WHEREAS, Ordinance No. 09-06 as adopted on September 22, 2009, contemplated the District maintaining, through a vendor, both the wireless radio network and the Communications Board maintained by the District; and

WHEREAS, certain portions of Ordinance No. 09-06 as adopted on September 22, 2009, have been held to be invalid by a court of competent jurisdiction; and

WHEREAS, the District has determined that it shall discontinue operation of the wireless radio network contemplated by Ordinance No. 09-06 as adopted on September 22, 2009, but that it will continue to maintain a Communications Board capable of receiving Generated Signals from multiple networks maintained by Licensed Alarm Companies; and

WHEREAS, Section 3 of Ordinance No. 09-06 as adopted on September 22, 2009, provides in pertinent part that should any portion of Ordinance No. 09-06 be declared to be invalid, it is the intent of the Board of Trustees of the District that the remaining provisions be given full force and effect; and

WHEREAS, in order to provide the level of protection against fire contemplated by Ordinance No. 09-06 as adopted on September 22, 2009, in a manner consistent with certain orders of court, amendment of Ordinance No. 09-06 is necessary.

NOW, THEREFORE, be it ordained by the Board of Trustees of the District as follows:

Section 1.1: Amendment.

All sections and subsections of Ordinance No. 09-06 are hereby deleted and replaced with Sections 1.2 through 8.1 of this Ordinance.

Section 1.2: Effective Date.

The provisions of this Ordinance as hereafter set forth shall be effective as of the date of its adoption. All provisions of Ordinance No. 09-06 as adopted on September 22, 2009, not consistent with the provisions of this amendment or not specifically hereafter set forth are hereby declared to be repealed and shall hereafter be of no further force and effect. To the extent that this Ordinance refers to the District's Ordinance No. 12-07, which amends the District's Ordinance No. 07-02 and is adopted on the date of adoption of this Ordinance No. 12-08, the adoption of this Ordinance and the adoption of Ordinance No. 12-07 shall be deemed to have occurred simultaneously.

Section 2.1: Applicability.

The provisions of this Ordinance shall apply to all properties required to be protected by an automatic fire alarm system pursuant to the provisions of the Fire Prevention Code adopted by the District's Ordinance No. 12-07 (the "Code"). Said properties, for purposes of this Ordinance, shall be hereafter referred to as "Affected Property" or "Affected Properties."

Section 2.2: Compliance.

The owners of all Affected Properties (hereafter "Owner" or "Owners") in the District are required to comply with this Ordinance at such times as hereafter set forth. Where an Affected Property is leased, both its Owner and the lessee thereof are required to comply with this Ordinance. Where used in this Ordinance, the term "Owner" shall include the lessee of an Affected Property.

Section 2.3: Discontinuance of District Network and Maintenance of District's Communications Board.

As of October 4, 2012, the District shall no longer provide a direct connection network over which Generated Signals from Affected Properties can be transmitted to the Keltron 703 Communications Board maintained by the District ("Communications Board") for purposes of relaying Generated Signals received from Affected Properties to the District's dispatch service ("DuComm"). The District shall, however, maintain the Communications Board for purposes of receiving and relaying to DuComm, Generated Signals transmitted from Affected Properties via networks maintained by Licensed Alarm Companies, as contemplated by the provisions of this Ordinance.

Section 2.4: Wireless Direct Connection Required.

The Owners of all Affected Properties, on or before the date for compliance set forth in Section 4.1 hereof, shall engage a Licensed Alarm Company of the Owner's choice to provide a wireless radio connection capable of instantly transmitting all Generated Signals directly to the Communications Board maintained by the District for purposes of receiving, identifying and instantly transmitting said Generated Signals by wireless radio direct connection to DuComm. Said Generated Signals shall be delivered directly to the District's Communications Board by the Owner's alarm company by the method contemplated by Section 3.1 hereof, or by such alternate method as may be approved by the Chief of the District's Fire Prevention Bureau ("Bureau Chief") upon application as provided in Section 3.2, which said approval shall not be unnecessarily withheld.

All Affected Properties shall be equipped with wireless radio transmitters capable of sending Generated Signals through a Licensed Alarm Company's wireless radio network, as set

forth in Section 3.1 hereof, which network shall be directly connected to the District's Communications Board. Said wireless radio transmitters shall each have at least 60 hours of secondary power.

Section 2.5: Approval of Connection.

All connections to the District's Communications Board by Affected Properties shall be preceded by an application process. The Bureau Chief shall provide the Owners of Affected Properties seeking direct connection, or their agent or alarm company, with all required application forms necessary for approval.

Section 2.6: DuComm Fees.

All fees assessed by DuComm for maintaining Affected Properties on its dispatching network shall be the responsibility of the Owners of the Affected Properties.

Section 3.1: Connection to Alarm Company Provider Network.

All Generated Signals shall be transmitted through a wireless radio network operated and maintained by a Licensed Alarm Company, which shall be directly connected to the District's Communications Board. The District's Fire Prevention Bureau shall provide all Licensed Alarm Companies with access to the District's Communications Board (hereafter "Alarm Company Access") for purposes of bringing the Owners of Affected Properties into compliance with the provisions of this Ordinance. Alarm Company Access shall be provided to Licensed Alarm Companies after application to and approval by the District's Bureau Chief. Alarm Company Access shall be gained by each alarm company approved by the Bureau Chief (hereafter "Approved Company") attaching a Keltron 703 Communications Board operated and maintained by it (hereafter "703 Subpanel") to the District's Communications Board.

Section 3.2: Approval Process.

The Bureau Chief shall provide application forms and develop such procedures as are necessary to implement the approval process contemplated by Sections 2.4, 2.5 and 3.1 above. The process for Licensed Alarm Companies to become Approved Companies shall be limited to those procedures necessary to ensure that the 703 Subpanels or alternate equipment or method sought to be connected to the District's Communications Board are compatible with the District's equipment and are capable of instantly transmitting Generated Signals received by the 703 Subpanel or proposed alternate equipment or method to the District's Communications Board in a format that can be instantly transmitted by the District's Communications Board to DuComm.

Section 3.3: Shared Systems or Equipment.

Nothing in this Ordinance shall prohibit two or more alarm companies from gaining access to the District's Communications Board by use of a 703 Subpanel or approved alternate device or method shared by them.

Section 4.1: Time for Compliance.

1. Any person or entity who acquires an Affected Property after the date of this Ordinance shall comply with this Ordinance immediately upon accepting title or right to possession thereto.

2. Owners of Affected Properties who, on the date of the adoption of this Ordinance, are parties to a fire alarm monitoring agreement with a Licensed Alarm Company which provides alarm monitoring services as provided in Ordinance No. 12-07 as adopted on the date of adoption of this Ordinance, shall comply with this Ordinance no later than the current expiration

or termination date of the fire alarm monitoring contract between such Owner and the Owner's current alarm company, or 180 days following the adoption of this Ordinance, whichever is later.

3. Owners of Affected Properties who, on the date of the adoption of this Ordinance, are not parties to a fire alarm monitoring agreement with a Licensed Alarm Company and who are connected to the network provided by the District or its vendor pursuant to the provisions of Ordinance No. 09-06 as adopted on September 22, 2009, shall comply with this Ordinance within 90 days of its adoption.

4. Owners of Affected Properties who are not parties to an agreement with a Licensed Alarm Company to provide monitoring services required by the Code as of the date of adoption of this Ordinance, and who are not connected to the network provided by the District pursuant to Ordinance No. 09-06 shall immediately comply with this Ordinance.

5. The Bureau Chief shall have the authority, for good cause shown, to extend the compliance dates set forth in this section for such time as shall be necessary for Owners of Affected Properties to engage an alarm company capable of providing a network over which direct connection to the District's Communications Board can be made or to allow an alarm company chosen by the Owner of an Affected Property reasonable time to establish access to the District's Communications Board.

6. Notwithstanding anything to the contrary set forth herein, nothing in this Ordinance shall excuse the Owners of Affected Properties from complying with all provisions of the Code, including those provisions governing monitoring of automatic fire alarms during the time allowed for compliance with the direct connection provisions of this Ordinance.

Section 5.1: Notice to Owners of Affected Properties.

Notice of the adoption of this Ordinance, along with a copy hereof, shall be sent to the Owners (including lessees) of all Affected Properties within 30 days of the adoption of this Ordinance.

Section 5.2: Notice to Licensed Alarm Companies.

Notice of the adoption of this Ordinance, in the form set forth in Exhibit A hereto, along with a copy hereof, shall, within 10 days of its adoption, be sent to all alarm companies licensed to install and maintain automatic fire alarm monitoring systems in the State of Illinois.

Section 6.1: Maintenance of Fire Alarm Systems.

All fire alarm systems shall be subjected to annual and periodic testing in accordance with the provisions of the currently adopted edition of NFPA 72. The results of all required tests shall be recorded and shall be provided to the District as part of the annual fire alarm system compliance verification. Proof of said testing shall be submitted to the Fire Prevention Bureau annually in accordance with the District's Fire Prevention Code.

Section 7.1: Variance.

Notwithstanding anything to the contrary set forth herein, where compliance with this Ordinance by an Owner of Affected Property imposes a serious economic hardship on the Owner of the Affected Property or is economically impractical or not technically feasible, the Owner of the Affected Property may apply to the Bureau Chief for a variance from the terms of this Amended Ordinance. The Bureau Chief is hereby authorized to grant such variances from compliance with the terms of this Ordinance which, in the Bureau Chief's discretion, shall provide a satisfactory method of communicating Generated Signals to the District's fire department without undue economic hardship to such Owner of Affected Property.

Section 8.1: Severability.

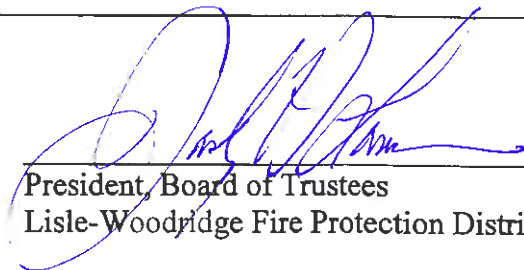
Should any section, paragraph, sentence or clause of this Ordinance be declared for any reason to be unlawful or invalid, it is the intent of the Board of Trustees of the District that the remaining provisions of this Ordinance be given full force and impact, independent of any portion or portions that might be found unlawful or invalid.

ADOPTED this 6th day of July, 2012, by the following roll call vote:

AYES: Lawrence, Kagann, Filipello, Urasky, Fisher

NAYS: Ø

ABSTAIN: Ø



President, Board of Trustees
Lisle-Woodridge Fire Protection District

ATTEST:



Secretary, Board of Trustees
Lisle-Woodridge Fire Protection District

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE) SS

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 County, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

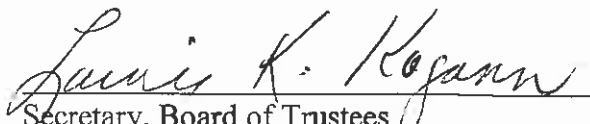
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which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 6th day of July, 2012.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of July, 2012.


Secretary, Board of Trustees
Lisle-Woodridge Fire Protection District