

ORDINANCE

WHEREAS, The City of Chicago is a home rule unit of government pursuant to Section 6(a), Article VII of the 1970 Illinois Constitution; and

WHEREAS, Pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including protecting the public health, welfare and safety of its citizens; and

WHEREAS, the recent February 20, 2003 tragedy in West Warwick, Rhode Island which claimed 98 lives highlighted the need for stringent nightclub fire safety protection, and

WHEREAS, Chicago's February 17th tragedy at the Epitome which claimed 21 innocent lives drew attention to the fatal consequences of panic situations in high risk assembly occupancies; and

WHEREAS, the National Fire Protection Association ("NFPA") has reported that fires in assembly occupancies have proven to be some of the most deadly when the proper systems and feature are not present, and

WHEREAS, the National Fire Sprinkler Association, in conjunction with Tyco Labs, has demonstrated that one or more fire sprinklers could have stopped the Rhode Island fire, and that the activation of fire sprinklers at the Fine Line Music Café nightclub in Minneapolis on February 18, 2003 saved 150 patrons in a fire caused by pyrotechnics; and

WHEREAS, U.S. history is replete with nightclub catastrophes; Coconut Grove in Boston (1942), Rhythm Club in Natchez, Mississippi (1940), Beverly Hills Supper Club in Kentucky (1988) and the Happyland Social Club in New York (1990), among others; and

WHEREAS, the Federal Emergency Management Agency in its report entitled *America Burning* stated that "the most effective fire loss prevention and reduction measure with respect to both life and property is the installation and maintenance of fire sprinklers"; and

WHEREAS, the City of Chicago is committed to evaluating, maintaining and upgrading the building and fire safety code to ensure the greatest level of protection for citizens, visitors and workers; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

Section 1. Chapter 13-84-331 of the Municipal Code of Chicago is hereby amended by inserting the language underscored and deleting the language bracketed as follows:

13-84-331 Special requirements for nightclubs and restaurants.

Every *newly constructed*, reconstructed or substantially rehabilitated [nightclub or] restaurant with an occupancy of more than 50 persons and located in whole or in part more than four feet below street grade shall be equipped with an approved automatic sprinkler system”. Every newly constructed, reconstructed or substantially nightclub with an occupancy of more than 50 persons, including employees, shall be equipped with an approved automatic sprinkler system. Every existing [nightclub or] restaurant with an occupancy of more than 50 persons and located in whole or in part more than four feet below street grade shall be equipped with an approved automatic sprinkler system, [within six months after the effective date of the ordinance.]. Every existing nightclub with an occupancy of more than 50 persons, including employees, shall be equipped with an approved automatic sprinkler system following the guidelines of NFPA 13 effective July 1, 2005. Every existing nightclub with an occupancy of more than 50 persons, including employees, shall submit building surveys, plans and specifications detailing the automatic sprinkler system retrofit to the Fire Prevention Bureau and the Water Department on or before July 1, 2004.

Section 2. This ordinance shall be in affect after passage and publication.

Alderman Howard M. Burk, 14th Ward