

# Fire protection districts can pass and enforce stronger fire codes in unincorporated areas.

**CASE TITLE:**  
**Wauconda Versus Stonewall Orchards**

The Illinois Supreme Court has ruled that fire protection districts have the authority under Section 11 of the Fire Protection District Act (70 ILCS 705/11) to adopt fire prevention codes and standards in unincorporated areas under the district’s jurisdiction. The regulations may differ from, and be stricter than, those imposed by a county.

The ruling was the result of a case in Wauconda where the district required sprinklers in a golf course clubhouse, but the county did not. The court held that both the county and the district had jurisdiction and that the more stringent code can apply. This ruling makes clear that fire protection districts have clear authority to adopt fire protections codes that protect the health, safety and welfare of the public.

To reach the objectives of FEMA’s Firefighter Life Safety Summit, first pass the most stringent code following the national standards in your unincorporated areas, then take your efforts to the municipalities that you protect and negotiate with them to pass similar codes through your intergovernment agreements. For more information call NIFSAB toll-free at **1-866-264-3722**, and for more information visit **www.firesprinklerassoc.org**.

For more information and a copy of the Attorney Mary Spiegel article on this case go to [www.firesprinklerassoc.org](http://www.firesprinklerassoc.org) and click on “Fire Protection Districts”.



**Northern Illinois  
 Fire Sprinkler  
 Advisory Board**

[www.firesprinklerassoc.org](http://www.firesprinklerassoc.org)

708-403-4468  
 62 Orland Square Drive  
 Suite 201  
 Orland Park, IL 60462  
[NIFSAB@NIFSAB.org](mailto:NIFSAB@NIFSAB.org)

