

Illinois Association of Fire Protection Districts

Fire District Trustees, Chiefs and Fire Marshals Hold the Key to a Fire Safe Illinois

As a Trustee, Chief or Fire Marshal for a fire protection district you have many responsibilities in your mission to protect the residents. The responsibilities that we ask you to look at are your fire and building code regulations.

According to FEMA's *America Burning*:

Finding #2: "The most effective fire loss prevention and reduction measure with respect to both life and property is the installation and maintenance of fire sprinklers."



- ❖ Recommendation: "The approach should be community based; no tactic or strategy should detract from the requirement for sprinklers."

And just as you protect your district residents, your obligation is to also provide the best for your firefighters.

According the FEMA's *Firefighter Life Safety Summit*:

To reach the objective of reducing the firefighter fatality rate by 25% within 5 years and by 50% within 10 years, 16 recommendations were developed to meet these objectives.



- ❖ # 15 is in direct reference to your fire codes. "Strengthen advocacy for the enforcement of codes and the installation of home fire sprinklers."

After you review these strong FEMA/USFA Recommendations and the legal precedents, what can you do?

You have the legal authority based on *Orland vs. Intrastate Piping* case and the recent precedent set in *Wauconda Fire Protection District vs. Lake County* that allows you to pass and enforce your fire code in the unincorporated areas.

DID YOU KNOW?

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 11-1 of the Fire Protection Code Act (10 ILCS 150/11) 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 means that fire protection districts have clear authority to adopt fire protection codes that protect the health, safety and welfare of the public.

To reach the objectives of FEMA's Firefighter Life Safety Summit, fire pass the most stringent code following the national standards in unincorporated areas. Use your authority to the municipalities that you protect and negotiate with them to pass similar codes through your intergovernmental agreements. For more information call NIFSA at 815-294-9722, and for more information visit www.fireprotection.org.

For more information and a copy of the Attorney General's opinion on this case go to www.fireprotection.org and click on "Fire Protection Districts".

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First and Foremost:

1st Fire districts are the key to Illinois passing residential fire sprinkler legislation. Set the moral tone and pass the most stringent code following the national standards in your unincorporated areas. This shows the recommended way to protect your citizens and firefighters.

2nd Then take your educational and informational efforts to the municipalities that you protect and negotiate with them to pass similar codes through your intergovernmental agreements.

