



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2745

Introduced 2/15/2008, by Sen. Michael Noland

SYNOPSIS AS INTRODUCED:

425 ILCS 25/9

from Ch. 127 1/2, par. 9

Amends the Fire Investigation Act. Provides that the fire chief, or a subordinate delegated by the fire chief, of any municipality or fire protection district that contains, in whole or in part, a university, college, or community college or that has a university, college, or community college within one mile of the boundaries of the municipality or fire protection district may inspect of any rental property within the corporate boundaries of a municipality to ensure compliance with the fire and life safety codes in force in the municipality or fire protection district. Provides that, if the municipality or fire protection district has not adopted a fire or life safety code, the code for Fire Prevention and Safety as modified and adopted by the Office of the State Fire Marshal shall be used.

LRB095 16664 LCT 42695 b

1 AN ACT concerning fire safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Fire Investigation Act is amended by
5 changing Section 9 as follows:

6 (425 ILCS 25/9) (from Ch. 127 1/2, par. 9)

7 Sec. 9. No person, being the owner, occupant or lessee of
8 any building or other structure which is so occupied or so
9 situated as to endanger persons or property, shall permit such
10 building or structure by reason of faulty construction, age,
11 lack of proper repair, or any other cause to become especially
12 liable to fire, or to become liable to cause injury or damage
13 by collapsing or otherwise. No person, being the owner,
14 occupant or lessee of any building, or structure, shall keep or
15 maintain or allow to be kept or maintained on such premises,
16 combustible or explosive material or inflammable conditions,
17 which endanger the safety of said buildings or premises.

18 The Office of the State Fire Marshal shall adopt and
19 promulgate such reasonable rules as may be necessary to protect
20 the public from the dangers specified in the preceding
21 paragraph. Such rules shall require the installation,
22 inspection or maintenance of necessary fire extinguishers,
23 fire suppression systems, chemical fire suppression systems

1 and fire alarm and protection devices. A copy of any rule,
2 certified by the State Fire Marshal shall be received in
3 evidence in all courts of this State with the same effect as
4 the original.

5 All local officers charged with the duty of investigating
6 fires shall enforce such rules, under the direction of the
7 Office of the State Fire Marshal, except in those localities
8 which have adopted fire prevention and safety standards equal
9 to or higher than such rules adopted by the Office of the State
10 Fire Marshal.

11 The Office of the State Fire Marshal, and the officers of
12 cities, villages, towns and fire protection districts by this
13 Act, charged with the duty of investigating fire, shall, under
14 the direction of the Office of the State Fire Marshal, inspect
15 and examine at reasonable hours, any premises, and the
16 buildings and other structures thereon, and if, such dangerous
17 condition or fire hazard is found to exist contrary to the
18 rules herein referred to, or if a dangerous condition or fire
19 hazard is found to exist as specified in the first paragraph of
20 this Section, and the rules herein referred to are not
21 applicable to such dangerous condition or fire hazard, shall
22 order the dangerous condition removed or remedied, and shall so
23 notify the owner, occupant or other person interested in the
24 premises. Service of the notice upon the owner, occupant or
25 other interested person shall be in person or by registered or
26 certified mail.

1 The fire chief, or a subordinate delegated by the fire
2 chief, of any municipality or fire protection district that
3 contains, in whole or in part, a university, college, or
4 community college, or that has a university, college, or
5 community college within one mile of the boundaries of the
6 municipality or fire protection district may inspect any rental
7 property within its corporate boundaries to determine and
8 ensure compliance with the fire and life safety codes in force
9 in the municipality or fire protection district. If the
10 municipality or fire protection district has not adopted a fire
11 or life safety code, the code for Fire Prevention and Safety as
12 modified and adopted by the Office of the State Fire Marshal
13 shall be used.

14 The amendatory Act of 1975 is not a limit on any home rule
15 unit.

16 (Source: P.A. 85-1434.)