

ORDINANCE NO. 7778-37

AN ORDINANCE REPEALING PROVISIONS OF  
CHAPTER 12 OF THE URBANA CITY CODE AND  
ADOPTING IN THEIR STEAD PROVISIONS RELATING  
TO THE ADOPTION OF THE BOCA BASIC FIRE CODE, 1975

WHEREAS, Division 3 of Article 1 of the Illinois Municipal Code, as amended, provides that a municipality is authorized to adopt by reference the provisions of certain published regulations in full, such as fire prevention code, provided that at least three (3) copies of such published regulations are filed in the office of the clerk of the municipality and there kept available for public use, inspection and examination; and

WHEREAS, three (3) copies of "The BOCA Basic Fire Prevention Code, 1975", as published and prepared by the Building Officials and Code Administrators International, Inc., a nationally recognized technical trade and service association, were duly filed in the office of the City Clerk of the City of Urbana on the 12th day of September, 1977, and there been kept available for public use, inspection and examination, as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

That all provisions of Chapter 12, entitled "Fire Prevention" of the Urbana City Code, be and the same are hereby repealed upon the taking effect of this Ordinance completely amending that chapter. In place thereof, the following shall be and the same is hereby adopted, approved and enacted:

Section 1. Adoption of Fire Prevention Code. "The BOCA Basic Fire Prevention Code, 1975", with all amendments and appendices A, B and C thereto, as published and prepared by the Building Officials and Code Administrators International, Inc., (hereinafter "Fire Prevention Code") be and the same is hereby adopted by reference the same as if the provisions of such code, except to that extent that the following parts, provisions or sections thereof are hereinafter clarified, modified or otherwise amended, were herein incorporated and set forth in full:

A. That Subsection F-100.1, entitled "Title", of Section F-100.0, entitled "General", of Article 1, entitled "Administration and Enforcement", of the said Fire Prevention Code be and the same is hereby amended by inserting the words "City of Urbana" in and for the designation "[name of jurisdiction]" in the second line of said subsection.

B. That the designated fees specified and referred to in Subsection F-103.7, entitled "Payment of Fees", of Section F-103.0, entitled "Permits", of Article 1, entitled "Administration and Enforcement", shall be those fees as may be fixed from time to time by the Urbana City Council in Section 18.22, entitled "Schedule of Fees", of Chapter 18, entitled "Licenses", of the Urbana City Code, as amended.

C. That the Building Code Board of Appeals, as heretofore established by Ordinance No. 7475-67, entitled "An Ordinance Adopting the BOCA Basic Building Code and Supplement Thereto With Certain Delegations, Modifications and Exceptions", and as hereafter may otherwise be established by any subsequent ordinance, be and the same is hereby authorized to hear those appeals specified and referred to in Section F-104.0, entitled "Board of Appeals", of Article 1, entitled "Administration and Enforcement", of the said Fire Prevention Code.

D. That part F-105.5.1, entitled "Penalty for Violations", of Subsection F-105.5, entitled "Failure to Correct Violations", of Section F-105.0, entitled "Orders to Eliminate Dangerous or Hazardous Conditions", of Article 1, entitled "Administration and Enforcement", of The Fire Prevention Code, be and the same is hereby amended in accordance with the penalty clause hereinafter set forth in full in this chapter.

E. That the limits of the district where the storage of explosives and blasting agents is prohibited, as specified in Subsection F-2701.2, entitled "Storage", of Section 2701.0, entitled "General Requirements", of Article 27, entitled "Explosives, Ammunition and Blasting Agents", of the said Fire Prevention Code, be and the same is hereby established to be the corporate limits of the City of Urbana.

F. That the following provisions relative to the underground tank storage of flammable and combustible liquids be and the same are hereby adopted in addition to the provisions of Section F-2904.0, entitled "Underground Tank Storage", of Article 29, entitled "Flammable and Combustible Liquids", of the said Fire Prevention Code:

(1) Registration. All underground tanks for the storage of flammable and combustible liquids shall be registered within six (6) months of the effective date of this ordinance. Said registration shall be made to the fire official in such form and detail as the fire official may prescribe. Said registration shall also be accompanied by a plot plan showing to scale the size, dimension, and location of all such underground storage tanks, all existing structures on the site, distances from lot lines, any existing sewer lines, and any other pertinent plan or drawings required by the fire official for evaluation of the storage.

(2) Tri-Annual Testing. All underground tanks for the storage of flammable and combustible liquids shall be tested for tightness on or before the 10th day of May in every third year in accordance with such rules and regulations as duly promulgated by the fire official pursuant to part 5 of Subsection F-2904.5 of the said BOCA, Fire Prevention Code, 1975. Each such test shall be performed by a person, firm, or corporation qualified to test such underground storage tanks and shall be conducted as specified in NFIPA 329 - 1972, of the National Fire Prevention Association.

(3) Report of Test Results. A report of such test results shall be made and delivered to the fire official on or before the 1st day of June of the year in which such test is required to be conducted. If the report of the test indicates that said underground storage tank is found to be in a satisfactory condition of tightness in accordance with NFIPA 329 - 1972, the tank shall be approved by the fire official and a Certificate of Acceptability issued. If said storage tank is found defective as a result of testing, the fire official shall order the same to be

removed or remedied in accordance with applicable provisions of the said BOCA Fire Prevention Code, 1975.

G. That the limits restricting the bulk storage of liquefied petroleum gas for the protection of heavily populated or congested commercial areas, as specified in Subsection F-3102.1, entitled "Location", of Section F-3102.2, entitled "Container Storage", of Article 31, entitled "Liquefied Petroleum Gases", of the said Fire Prevention Code, be and the same is hereby established to be all areas zoned as residential or business under the then current Urbana Zoning Ordinance, as amended.

Section 2. Penalty for Violations. Any person, firm or corporation violating any of the provisions of this ordinance, any of the provisions of The BOCA Basic Fire Prevention Code, 1975, or any duly promulgated rule or regulation of the fire official interpreting or implementing the provisions of this Ordinance or of The BOCA Basic Fire Prevention Code, 1975, or any person, firm or corporation failing to comply with any order issued pursuant to any section of this Ordinance or any section of The BOCA Basic Fire Prevention Code, 1975, shall, upon conviction thereof, be fined not less than Five Dollars (\$5.00) nor more than Two Hundred Dollars (\$200.00) for each offense. Each day that a violation continues after service of notice as provided for in The Basic Fire Prevention Code, 1975, shall be deemed a separate offense.

Section 3. Savings Clause. Nothing contained herein or in The BOCA Basic Fire Prevention Code, 1975, herein adopted by reference, shall be construed to affect any suit or proceeding now pending in any court, or any right lawfully acquired, or any liability incurred, nor any cause of action accrued or existing under any act or ordinance repealed hereby, nor shall any other right or remedy of any character be continued, impaired or affected hereby.

Section 4. Severability Clause. If any provision or part hereof or of The BOCA Basic Fire Prevention Code, 1975, herein adopted by reference, or any application of either to any person, firm, corporation or circumstance is held invalid, the remainder and the application thereof to other persons, firms or corporations not similarly situated or to other circumstances shall not be affected thereby.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Sections 1-2-4 and 1-3-3 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the Members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 7th day of November, 1977.

PASSED by the City Council this 7th day of November, 1977.

Duane Eckerty, City Clerk  
Duane Eckerty, City Clerk  
Beverly Umbarger, Deputy Clerk  
Beverly Umbarger, Deputy Clerk

APPROVED by the Mayor this 14th day of November, 1977.

Jeffrey T. Markland, Mayor  
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION

I, Duane Eckerty, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the Champaign-Urbana Courier on the 19th day of November, 1977, and a Certificate of Publication is attached hereto.

Duane Eckerty, City Clerk  
Duane Eckerty, City Clerk  
Beverly Umbarger, Deputy Clerk  
Beverly Umbarger, Deputy Clerk

COPY OF ADVERTISEMENT

24884

# Certificate of Publication

STATE OF ILLINOIS }  
Champaign County } ss.

CHAMPAIGN-URBANA COURIER, Inc., a corporation hereby certifies that it is the publisher of THE COURIER, a daily secular newspaper of general circulation in said County, printed in the City of Urbana, and published in the City of Urbana and in the City of Champaign, in said County and State, and that said newspaper is a newspaper as defined in "An Act to revise the law in relation to notices," approved February 13, 1874, as amended, and that the printed notice hereto annexed and hereby made a part of this certificate has been published in said

newspaper at least once each week for one successive weeks in each and every copy

and impression thereof; that the date of the first newspaper containing said publication was

Nov 19 A.D. 19 77, and that the date of the last newspaper containing said

publication was \_\_\_\_\_ A.D. 19 \_\_\_\_\_; and that \_\_\_\_\_

Barbara A. Rees by resolution of the Board of Directors of said CHAMPAIGN-URBANA COURIER, Inc., has been authorized to make this certificate.

IN TESTIMONY WHEREOF said CHAMPAIGN-URBANA COURIER, Inc., has caused this cer-

tificate to be executed in its name by said Barbara A. Rees

this 19th day of Nov A.D. 19 77.

CHAMPAIGN-URBANA COURIER, Inc.

Publication Fee, \$ 46.65

By Barbara A. Rees

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**CERTIFICATE OF PUBLICATION**

in

**THE COURIER**

**CHAMPAIGN AND URBANA, ILLINOIS**

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In the Matter of

7778-37 fire code provisions

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Solicitors or  
Attorneys

City of Urbana

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