

VILLAGE OF BURNHAM

ORDINANCE NO. 2014-O-004

AN ORDINANCE AMENDING SECTION 38-181. AND SECTION 38-183. OF THE CODE OF ORDINANCES, VILLAGE OF BURNHAM, ILLINOIS

WHEREAS, the Village of Burnham, Cook County, Illinois, (the “Village”) has elected by Referendum on March 11, 1980 to become a home rule unit, and accordingly, pursuant to the provisions of the Constitution of the State of Illinois of 1970, particularly Article VII, Section 6(a) thereof, the Village is a home rule unit; and

WHEREAS, pursuant to the powers of a home rule unit set forth in Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970, the Village may exercise any power and perform any function pertaining to its government and affairs, including but not limited to, the power to regulate for the protection of public health, safety, morals, and welfare, to license, to tax and to incur debt; and

WHEREAS, the Corporate Authorities of the Village of Burnham deem it advisable to update THE NFPA 101 Life Safety Code, 1997 Edition; and

WHEREAS, the Corporate Authorities of the Village of Burnham deem it advisable to amend Section 38-181. of the Code of Ordinances, Village of Burnham, Illinois in order to adopt by reference the NFPA 101 Life Safety Code, 2012 Edition, as published by the National Fire Protection Association, with

amendments thereto and with revisions thereto, as the Life Safety Code of the Village of Burnham.

BE IT ORDAINED by the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, in the exercise of its home rule powers, as follows:

Section 1. The Corporate Authorities of the Village hereby find that all of the recitals contained in the preambles of this Ordinance are true, correct and complete and do hereby incorporate them into this Ordinance by this reference.

Section 2. Section 38-181. Adoption. of the Code of Ordinances, Village of Burnham, Illinois is hereby amended to read as follows:

Sec. 38-181. Adoption.

A certain document, at least one copy of which, in accordance with 65 ILCS 5/1-3-2 and pursuant to the authority granted to the village by the home rule provisions of the state constitution of 1970, has been available for public use, examination and inspection for 30 days in the office of the village clerk, being marked and designated as “NFPA 101 Life Safety Code, 2012 Edition,” as published by the National Fire Protection Association, except as modified in this article, and such code is hereby adopted as the life safety code of the

village as the minimum regulations, with due regard to function, for the design, operation, and maintenance of buildings and structures for safety to life from fire and similar emergencies. Each and all of the regulations, provisions, conditions, and terms thereunder of the NFPA 101 Life Safety Code, 2012 Edition, are hereby referred to, adopted and made a part of this article, as if fully set forth in this article, with additions, insertions, deletions and changes, if any, prescribed in section 38-183.

Section 3. Section 38-183. Amendments to the NFPA 101 Life Safety Code, 2012 Edition. of the Code of Ordinances, Village of Burnham, Illinois is hereby amended to read as follows:

Sec. 38-183. Amendments to the NFPA 101 Life Safety Code, 2012 Edition.

The NFPA 101 Life Safety Code, 2012 Edition, as adopted in section 38-181, is hereby changed, modified and amended in the following respects:

The definition of the term “Authority Having Jurisdiction (AHJ) in Chapter 3, section 3.2.2* is deleted, and the following is substituted in lieu thereof:

Authority Having Jurisdiction (AHJ). The chief of the fire department of the village or his authorized representative.

Section 4. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. Each section, paragraph, sentence, clause, and provision of this Ordinance shall be deemed to be separable, and if any section, paragraph, sentence, clause, provision or part shall be declared unconstitutional or invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect the validity of the remainder of this Ordinance nor any part thereof, other than the part declared to be unconstitutional or invalid or unenforceable.

Section 6. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

Section 7. This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or, (b) legislate in a manner or regarding a manner not delegated to municipalities by state law. It is the intent of the Corporate Authorities of the Village of Burnham that to the extent that the terms of this Ordinance should

be inconsistent with any non-preemptive state law, that this Ordinance should supersede state law in that regard within its jurisdiction.

Section 8. This Ordinance shall be published in pamphlet form by the authority of the Village President (Mayor) and the Board of Trustees of the Village of Burnham, Cook County, Illinois.

PASSED by the Village President (Mayor) and Board of Trustees of the Village of Burnham, Cook County, Illinois, this 8th day of July, 2014.

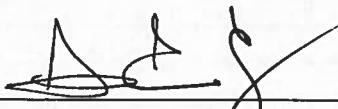
ROLL CALL VOTE:

ROLL CALL:

AYES: Trustees John Cap, Reynaldo Espino, Grace Garcia, Carmella Richardson, Brenda Greer and Travis Claybrooks

NAYS: None

ABSENT: None



VILLAGE CLERK

APPROVED by me this 18th day of July, 2014.



VILLAGE PRESIDENT (MAYOR)

ATTEST:



VILLAGE CLERK

(SEAL)

Recorded in Village Records: July 18, 2014
Published in pamphlet form by authority of the Village President (Mayor) and
Board of Trustees of the Village of Burnham, Cook County, Illinois on
July 18, 2014.

ATTEST:



VILLAGE CLERK

