

ORDINANCE NO. 2011-08

AN ORDINANCE AMENDING CHAPTER 34, "FIRE PREVENTION AND PROTECTION," ARTICLE III, FIRE PREVENTION CODES, SECTION 34-83, ENFORCEMENT AGENCY OF THE ORDINANCES OF THE VILLAGE OF STICKNEY, ILLINOIS.

BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, A HOME RULE UNIT OF GOVERNMENTS AS FOLLOWS:

WHEREAS, the Village of Stickney, (the "Village") is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village of Stickney Fire Department conducts annual and as needed inspections of the properties and businesses in the Village limits; and

WHEREAS, this amendment updates the Village of Stickney's Fire Prevention and Protection codes to allow fire inspections of businesses and properties.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS.

Section 1. Recitals. The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Adoption. Chapter 34, FIRE PREVENTION AND PROTECTION, ARTICLE III, FIRE PREVENTION, shall amend Section 34-83. ENFORCEMENT AGENCY, by adding (e) which will read as follows:

(e) Right of entry. Whenever it is necessary to make an inspection to enforce the provision of the village codes, or whenever the fire inspector has reasonable cause to believe that there exists in a building or upon any premises any condition or violations of village code which make the building or premises unsafe, dangerous or hazardous, the fire inspector shall have the authority to enter the building or premises unsafe, dangerous or hazardous, the fire inspector shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the fire inspector by this code. If such building or premises is occupied, the fire inspector shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the fire inspector shall first make a reasonable effort to locate the owner or other person having charge of control of the building or premises and request entry. If entry is refused, the fire inspector has recourse to every remedy provided by law to secure entry.

Section 3. Home Rule. This ordinance is enacted under the Home Rule powers of the Village as set forth in the Constitution and laws of the State of Illinois.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication in the manner provided by law.

Section 5. Conflicts. This Ordinance supersedes all ordinances or parts of ordinances directly conflicting with the terms and provisions contained herein, but only to the extent of such conflict.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 7. Certification and Publication. The Village Clerk of the Village of Stickney shall certify to the adoption of this Ordinance and cause the same to be published in pamphlet form.

PASSED AND APPROVED at a regular meeting of the President and the Board of Trustees of the Village of Stickney, Illinois this 7th day of June, 2011


AYES: Trustee Mares, Morelli, Schimel, Walik, White and Zeedyk

NAYS: _____

ABSENT: _____


ABSTAIN: _____

APPROVED by me this 8th day of June, 2011



President Daniel A. O'Reilly of the Village
of Stickney, Cook County, Illinois

ATTESTED, Filed in my office,
and published in pamphlet form
this 8th day of June, 2011



Audrey McAdams
Clerk of the Village of Stickney, Cook County, Illinois