

ARTICLE 9
FIRE PREVENTION AND SAFETY

SECTION 9.1 ADOPTION OF FIRE CODES

There is hereby adopted by the City of Mt. Vernon, Illinois for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion those certain Codes known as the International Fire Code 2006 Edition issued by the International Code Council and the NFPA 101 Life Safety Code 2006 Edition, issued by National Fire Protection Association, the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, of which Codes not less than one copy of each have been and are now filed in the Office of the Clerk of the City of Mt. Vernon, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Mt. Vernon. In the event of a conflict between the two foregoing referenced Codes, the more restrictive or stringent provision of the respective Codes shall control.

SECTION 9.2 DEFINITIONS

(a) Wherever the word “Municipality” is used in the Fire Prevention Code, it shall be held to mean the City of Mt. Vernon, Illinois.

(b) Wherever the term “Corporate Counsel” is used in the Fire Prevention Code, it shall be held to mean the Attorney for the City of Mt. Vernon, Illinois.

(c) Wherever the term “Fire Official” is used within the Codes adopted herein, it shall be held to mean the Fire Prevention Inspector for the City of Mt. Vernon, Illinois, or such fire official as designated by the Chief of the Mt. Vernon Fire Department.

(d) Wherever the term “Fire Prevention Code” is used herein, it shall be held to mean Article 9 of the Revised Code of Ordinances of the City of Mt. Vernon and the Codes adopted thereby.

SECTION 9.3 PROHIBITION OF STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE, ABOVE-GROUND TANKS.

(a) Notwithstanding any provision of the Codes adopted herein, the storage of flammable liquids in outside, aboveground tanks is prohibited within the corporate limits of the City of Mt. Vernon, except upon real estate having an industrial zoning classification, provided all provisions of the Codes adopted herein shall be applicable to said storage upon said industrial real estate.

SECTION 9.4 PERMITS

All permits or license referred to in the Fire Prevention Code shall be valid for a period of one year from May 1 to April 31 only and must be renewed annually.

SECTION 9.5 AMENDMENTS MADE IN THE FIRE PREVENTION CODE

(a) In addition to the requirements of Section F-307.0 of the International Fire Code, the following provisions shall also apply:

No person shall kindle or maintain any bonfire or rubbish fire or other fire or authorize any such fire to be kindled or maintained at any point within the limits of the City of Mt. Vernon.

1. Except as provided in Section 13.8 of the Revised Code.
2. Except the burning of fuels for legitimate campfire, recreational, and cooking purposes, or in domestic fireplaces in areas where such burning is consistent with other laws shall be allowed, provided that no garbage shall be burned in such places. Moreover, small open flames for heating tar, for welding, acetylene torches, highway safety flares, and the like shall also be allowed.
3. Except in an incinerator constructed pursuant to specifications which hereinafter follow.
4. Except upon application to the Chief of the Mt. Vernon Fire Department or his designee for authorization to burn landscape waste upon the premises where it is produced under the supervision of the Mt. Vernon Fire Department pursuant to a Resolution enacted by the City Council upon recommendation by the Fire Chief and upon determination by the City Council that the burning will not endanger the public health or safety and that the burning will promote economic development, construction of industrial or retail facilities, and the creation of jobs and promote the best interest of the City of Mt. Vernon and its citizens. The Chief of the Fire Department shall determine and maintain a schedule of costs incurred by the City arising from supervision of such burning, and said costs shall be paid by the applicant unless waived by the City Council within its authorization Resolution; the applicant shall be required to pay an estimate of the costs prior to burning and the balance due for the actual costs shall be paid within 10 days of completion of the burning.

Any person who shall violate the provisions of this Section shall be subject to the penalties provided in Article 22 of the Revised Code of Ordinances of the City of Mt. Vernon.

(b) Incinerators shall be subject to the following provisions:

1. The incinerator shall be built with primary and secondary combustion chambers. It shall include a down pass and/or other means of creating turbulence for the gases of combustion to assure thorough mixing of gases of the products of combustion prior to their entering the secondary combustion chamber. Total heat release in the entire incinerator, excluding ash pit, shall not be more than 24,000 B.T.U.'s per cubic foot per hour.
2. The secondary combustion chamber shall be designed so that the gas velocity at some point in this chamber shall not exceed nine feet per second at 1400°F. The length of this gas travel shall be a distance not less than the cross sectional area of that part of the passage in which that velocity is attained.

3. Charging doors for the incinerator shall be substantial in design and weight, made of heavy, high-grade cast iron accurately hinged having straps for anchoring securely into masonry, or as otherwise acceptable, and with ample free air openings for aeration and secondary air.

4. Cleanout and ash doors in hot areas shall be cast iron of sufficient weight to avoid warping. Undergrate ash doors shall be steel or cast iron of sufficient size to facilitate cleaning.

5. Grates shall be of heavy duty cast iron construction dumping type, all grate support members shall be such that the grates are supported independent of the refractory walls. The free air opening shall be at least 40%.

6. Exterior construction may be of common brick, sheet steel, or cast iron. Interior construction shall have linings of first quality high heat duty refractory (cone-31) with thickness in accordance with rated capacity of incinerator. The incinerator roof is to be constructed of an acceptable thickness high heat duty refractory supported by steel members bearing independently of inner walls.

7. Spark arrester shall be installed on top of stack made of high temperature aluminum alloy or vitrified fire clay or cast iron or conical design.

8. Capacity - Incinerator shall be a Class 1 unit having a rated capacity of not less than 25 pounds per hour suitable for Type 1 waste. All establishments, commercial, industrial, or residential where burning inside or outside is contemplated, shall first be investigated by the Fire Department for load factor determination. Permission shall be granted to install incinerator of an acceptable design within the load factor determination.

9. Incinerator shall be constructed according to plans and specifications available at the Mt. Vernon Fire Department or may be "portable" or "package" unit fabricated in accordance with Incinerator Institute of America and N.F.B.U. Standards.

10. Classification 1

- a. Type of waste Type 1 Rubbish.
- b. Permissible components Combustible waste, paper cartons, rags, floor sweepings, domestic, commercial, or industrial sources.
- c. Approximate composition by weight. Rubbish 100%.
No garbage, animal, or human tissue, organic, or vegetable matter is permitted.
- d. Moisture content % 25% of weight.
- e. Incombustible solids % 10% of weight.

f. BTU value/pounds of refuse 6500 as fired

A. It shall be unlawful for any person owning, using, or in charge of any incinerator located within the Fire Limits of the City of Mt. Vernon to cause, suffer, or allow the emission or discharge of smoke, dust, fumes, gas, mist, or vapor from any such source into the atmosphere which is of a shade in excess of No. 2 on the Ringlemann Chart, as published by the United States Bureau of Mines or of such capacity as to obscure an observer's view to a degree greater than does smoke of a shade equal to No. 1 on said Ringlemann Chart.

B. The effluent from the stack shall be odorless.

C. The effluent from the stack shall not exceed a particular matter emission of 0.4 grains per standard dry cubic foot of wet gas volume when calculated to fifty percent (50 %) excess air; Except that smoke with a density not exceeding No. 3 of the Ringlemann Chart may be permitted for a period of periods aggregating three (3) minutes in any hour.

Any emission or discharge into the open air of smoke, particulate matter, or other matter as herein above described, from any single such source in excess of the limitations established in or pursuant to the above shall be deemed and is hereby declared to be a public nuisance.

It shall be unlawful for any person to sell, offer for sale, expose for sale, exchange, deliver, or install for use, in the Fire Limits any make, model, or type of incinerator which does not meet the requirements of this Article.

In approving any make, model, or type of incinerator, the following minimum standards shall apply and no such make, model, or type shall be approved unless it shall conform to the minimum standards as set forth in the National Board of Fire Underwriters for Incinerators Bulletin No. 82 dated July, 1958.

All classifications for incinerators shall fall into one of the following:

Class 1

Class "A" Domestic and Small Industrial Type Incinerators

Class 11

Class "B" Domestic and Small Industrial Type Incinerators

Class 111

Class "C" Flue Fed Incinerators

Class 1V

Class "D" Commercial and Industrial Type Incinerators

SECTION 9.6 ADOPTION OF FURTHER REGULATIONS

There are hereby adopted and incorporated by reference the following: Title 41: Fire Protection Chapter 1: State Fire Marshal Part 160, Storage, Transportation, Sale, and Use of Gasoline and Volatile Oils:

Rules and Regulations Relating to General Storage. Part 170, Storage, Transportation, Sale, and Use of Gasoline and Volatile Oils: Rules and Regulations Relating to Service Stations, Part 180, Storage, Transportation, Sale, and Use of Gasoline and Volatile Oils: General Rules. Part 100, Fire Prevention and Safety.

In the event of a conflict between the foregoing and the Codes adopted within Section 9.1 herein, the more restrictive or stringent provision of the respective Codes shall control.

SECTION 9.7 APPEALS

Whenever the Fire Prevention Inspector, designated fire official, or the Chief of the Fire Department, shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal the decision to City Manager within thirty (30) days from the date of the decision; thereafter the decision of the City Manager may be appealed to the City Council within 30-days from date of decision of the City Manager.

SECTION 9.8. REGULATION OF SALE AND POSSESSION OF FIREWORKS

Subsection 1. Fireworks are any explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect of a temporary exhibitional nature by combustion, explosion, deflagration or detonation; fireworks shall include “Consumer Fireworks,” “Display Fireworks,” and “Permitted Fireworks” as hereinafter described.

Subsection 2. “Consumer Fireworks” mean those fireworks that must comply with the construction, chemical composition, and labeling regulations of the Consumer Products Safety Commission, as set forth in 16 CFR, Parts 1500 and 1507 and classified as fireworks UN0336 or UN0337 by the United States Department of Transportation under 47 CFR 142101. Consumer Fireworks (1.4G Fireworks) do not include “Permitted Fireworks” described within Section 3 herein and shall not include “Display Fireworks” (1.3G Fireworks) as defined within the Illinois Fireworks Use Act, but Consumer Fireworks shall include (but shall not be limited to) the following:

- (a) Blank cartridges;
- (b) Toy cannons in which explosives are used;
- (c) The type of balloons which require fire underneath to propel the same;
- (d) Firecrackers, torpedoes, skyrocket, Roman candles, bombs or other devices of similar construction;
- (e) Any fireworks containing any explosive compound;
- (f) Any tablets or other devices containing any explosive substance, or containing combustible

- substances providing visual effects;
- (g) Sparkling devices which produce a shower of sparks upon ignition (except Sparklers, defined below) including, but not limited to items commonly known as “fountains,” “spinners,” “wheels,” or similar devices.

Subsection 3. The term “Permitted Fireworks” shall mean and include snake or glow worm pellets, smoke devices, trick noisemakers known as party poppers, booby traps, snappers, trick matches, cigarette loads, and auto burglar alarms; sparklers, toy pistols, toy canes, toy guns, or other similar devices and toy pistol paper or plastic caps as hereinafter specifically defined:

- (a) Snakes, glow worm - Pressed pellet of pyrotechnic composition that produces a large, snake-like ash upon burning. The ash expands in length as the pellet burns. These devices may not contain mercuric thiocyanate.
- (b) Smoke devices - Tube or skewer containing pyrotechnic composition that upon ignition produces white or colored smoke as a primary effect.
- (c) Trick noisemaker - Item that produces a small report intended to surprise the user; these devices include:
 - (1) Party popper - Small plastic or paper item containing not more than 16 mg of explosive composition that is friction sensitive. A string protruding from the device is pulled to ignite it, expelling paper streamers and producing a small report.
 - (2) Booby trap - Small tube with string protruding from both ends, similar to a party popper in design. The ends of the string are pulled to ignite the friction sensitive composition, producing a small report.
 - (3) Snapper - Small, paper-wrapped item containing a minute quantity of explosive composition coated on small bits of sand. When dropped, the device explodes, producing a small report.
 - (4) Trick match - Kitchen or book match that has been coated with a small quantity of explosive or pyrotechnic composition. Upon ignition of the match, a small report or a shower of sparks is produced.
 - (5) Cigarette load - Small wooden peg that has been coated with a small quantity of explosive composition. Upon ignition of a cigarette containing one of the pegs, a small report is produced.
 - (6) Auto burglar alarm- Tube which contains pyrotechnic composition that produces a loud whistle and/or smoke when ignited. A small quantity of explosive, not exceeding 50 mg, may also be used to produce a small report. A squib is used to ignite the device.
- (d) Sparklers - A wire or stick coated with pyrotechnic composition which shall not exceed one hundred grams per item that produces a shower of sparks upon ignition.
- (e) Toy pistols, toy canes, toy guns, and other similar devices - Devices in which paper or plastic caps containing twenty-five-hundredths grains or less of explosive compound are used, provided they are so constructed that the hand cannot come in contact with the cap

when in place for the explosive.

- (f) Toy pistol paper or plastic caps - Item which contains less than twenty five-hundredths grains of explosive material.

Subsection 4. Any term used within this Ordinance not otherwise defined herein shall have the same meaning as provided within the Illinois Fireworks Use Act (425 ILCS 35/0.01 et seq).

Subsection 5. Neither the State of Illinois nor the City of Mt. Vernon recognize the term “Safe and Sane Fireworks” and any item labeled as such are subject to the definitions contained herein. The labeling of a device shall not determine whether the device is a permitted firework or is a consumer firework. If the possession, use, or sale of a firework is not authorized within this Ordinance then it is prohibited; and if authorized, such possession, use, or sale is restricted as provided within this Ordinance.

Subsection 6. No person may sell or hold for sale or distribute or offer for sale or possess or purchase or discharge any “Consumer Firework” within the City of Mt. Vernon, without first strictly complying with the provisions of the Illinois Fireworks Use Act, and without first complying with the provisions of Section 9.8 of the Revised Code of Ordinances; provided that in the event of a conflict between said Illinois Fireworks Use Act and Section 9.8 of the Revised Code of Ordinances, the more restrictive provision shall control. Only such “Consumer Fireworks” as are authorized by the Illinois State Fire Marshal’s Office pursuant to the Illinois Fireworks Use Act and as are authorized and approved by the Fire Chief of the City of Mt. Vernon shall be permitted for sale, distribution, or possession within the City of Mt. Vernon.

Subsection 7. (A) No person may sell, possess for sale, distribute or offer for sale any fireworks in the City of Mt. Vernon unless such person has first obtained a permit to sell fireworks pursuant to this Ordinance and also, if applicable, a transient merchant license under Section 11.7 of the Revised Code of Ordinances. A fireworks permit shall be required for each location where fireworks are sold, held for sale, distributed or offered for sale. No permit shall issue except for Permitted Fireworks and/or Consumer Fireworks.

An applicant for a permit under this Ordinance shall pay to the City of Mt. Vernon a fee in the amount of \$25.00 per location, which fee shall not be refundable; each permit shall be issued for not longer than one (1) year and shall in all events expire on April 30 following the date of issuance. All permits shall be issued within 15-days from receipt of a proper application if the applicant and location are in compliance with the provisions of this ordinance and with State and Federal law.

Any person who desires to obtain a fireworks permit shall file a written application with the Fire Chief. The permit application shall be under oath and shall include the applicant's name, permanent business address (which must include a street address), residence address of the applicant(if the applicant is a corporation the residence address of its officers), residential and business telephone numbers, the location at which the applicant intends to do business, a copy of the applicant's certificate of registration under the Illinois Retailer's Occupation Tax Act, a complete inventory and list of all fireworks to be sold or offered for sale, and a certificate of insurance evidencing a general liability policy in the amount of not less than One Million Dollars (\$1,000,000). In addition, the application shall provide a copy of a written lease or other written evidence from the owner of the location where the applicant proposes to sell indicating permission

of the owner to use the location. Each permit issued hereunder shall clearly designate that it is a “Consumer Fireworks Permit” if the permit authorizes the sale of “Consumer Fireworks.” Unless the applicant has also complied with each of the provisions of the Illinois Fireworks Use Act no person shall be issued a “Consumer Fireworks” Permit.

(B) No person may purchase or possess any Consumer Fireworks in the City of Mt. Vernon unless such person has first obtained a permit to possess said fireworks pursuant to this Ordinance and pursuant to the Illinois Fireworks Use Act. An applicant for a permit under this Ordinance to possess Consumer Fireworks shall pay to the City of Mt. Vernon a fee in the amount of \$25.00 per applicant, which fee shall be non-refundable; each permit shall issue for not longer than one (1) year and shall in all events expire on April following the date of issuance. All permits shall be issued within 15 days from receipt of a proper application if the applicant is in compliance with the provisions of this Ordinance and with the Illinois Fireworks Use Act. Any person who desires to obtain a permit to possess Consumer Fireworks shall file a written application with the Fire Chief; the permit applicant shall be under oath and shall include the applicant’s name, business address (which must include a street address), a residence address of the applicant (if the applicant is a corporation the residence address of its officers), residential and business telephone numbers, location at which the applicant intends to possess fireworks, and a certificate of insurance evidencing a general liability policy in the amount of not less than One Million Dollars (\$1,000,000.00). In addition to the permit to possess as required herein, the applicant shall also be required to obtain the required display permit under Subsection 12 herein before discharge or display of any Consumer Fireworks within the corporate limits of the City of Mt. Vernon. No permit to possess Consumer Fireworks shall be issued unless all requirements, including training requirements, of the Illinois Fireworks Use Act have been complied with.

(C) Prior to the issuance of the permit each applicant shall file with the Fire Chief a cash deposit in the amount of \$1,000 to secure compliance with this Ordinance unless the applicant is the owner of real estate situated within Jefferson County, Illinois and provides written proof of same. The Fire Chief shall hold the cash deposit as security for compliance with this Ordinance and if the applicant or permit holder or any employee or agent of same shall fail to comply with this Ordinance and a fine shall be assessed under Subsection 11 then said cash deposit shall be applied to payment of said penalty. Unless an alleged violation is pending, the cash deposit shall be held for 30-days after expiration or surrender or termination of the permit at which time any balance of the cash deposit held by the Fire Chief shall be refunded either personally to the permit holder or by certified mail to the permit holder; provided, however, that if the permit holder shall fail to keep the Fire Chief informed of a current mailing address then said cash deposit shall be forfeited to the City after one attempt by the Fire Chief or his designee to refund the bond by certified mail.

Subsection 8. Fireworks shall be possessed, kept, stored, held for sale, distributed sold, discharged, and/or delivered subject to the following additional restrictions:

- (a) Fireworks shall not be stored or kept for sale or offered for sale at any location unless there are two (2) approved chemical fire extinguishers readily available and equipped for use in extinguishing fires.
- (b) Over each entrance to any room where fireworks are stored or kept for sale or offered for sale there shall be designated a sign in conspicuous type: CAUTION - FIREWORKS -

NO SMOKING.

- (c) No smoking shall be allowed and no person shall smoke within any structure or room where fireworks are stored or kept for sale or offered for sale. In addition, smoking is prohibited and no person shall smoke within twenty-five feet (25') of any location where fireworks are stored or kept for sale or offered for sale.
- (d) Fireworks shall not be exposed in windows where the sun shines through glass on the merchandise displayed, except where such fireworks are in the original package, and all fireworks kept for sale on front counters must remain in original packages; provided, however, that fireworks in open stock may be kept in showcases or in counters out of reach of the public.
- (e) No fireworks shall be stored, kept, sold, held for sale or offered for sale or discharged by any person within one hundred fifty feet (150') of any gasoline pump or gasoline bulk station or in any building in which gasoline or volatile liquids are sold or present in quantities in excess of one gallon, except in retail stores where cleaners, paint, and oils are handled in sealed containers only.
- (f) No firework shall be discharged by any person within one hundred fifty feet (150') of any location where fireworks are sold, held for sale, distributed or offered for sale or within one hundred fifty feet (150') of any gasoline pump or gasoline bulk station or in any building or location at which gasoline or volatile liquids are present.
- (g) No person shall ignite any firework in any motor vehicle or throw a firework from a motor vehicle nor shall any person place or throw any ignited article of firework into or at a motor vehicle or at or near any person or group of people.
- (h) Fireworks shall not be sold to nor purchased by minors under the age of 16-years unless the minor is under the immediate supervision of a responsible adult.
- (i) Fireworks shall not be sold to nor purchased by any intoxicated person or person who appears to be intoxicated nor to any person who is otherwise so diminished in capacity such that it reasonably appears that he creates a danger to himself or others by the use of fireworks.
- (j) There shall be at least two (2) exits from each booth, room, or building from which fireworks are sold, held for sale, distributed or offered for sale.
- (k) At each location where fireworks are sold, held for sale, distributed or offered for sale there shall be a sales clerk who is at least 18-years of age on duty to serve consumers at the time of purchase or delivery.
- (l) No firework shall be discharged upon any public street, alley, parking lot, sidewalk or public way, upon any property owned by the United States, the State of Illinois or other state or any municipality or other political subdivision or agency thereof or upon any property, including privately owned property, which is open to or held out for use by the public, except a display subject to the provisions of Subsection 12 herein which has been authorized in writing by the owner of the public or private property.
- (m) Each permit holder, his employees, and agents are each subject to the restrictions within this Section and, in addition, said permit holder and his employees and agents shall strictly enforce all smoking and discharge prohibitions described within this Ordinance upon any property owned or controlled or in the possession of the permit holder.
- (n) Fireworks shall be sold only from a permanent, non-residential structure; fireworks shall not be sold from a motor vehicle, a temporary structure or a private residence.

- (o) No “Consumer Firework” shall be sold to nor possessed by any person unless such person holds a valid permit issued by the City complying with the Illinois Fireworks Use Act. Each, the seller and purchaser, shall have committed a violation upon sale of a “Consumer Firework” to any person not possessing the required permit.

Subsection 9. The Fire Chief or his designee, the Chief Building Inspector or his designee, and the Mt. Vernon Police Department may at reasonable hours enter and inspect the location or premises of any permit holder to determine compliance with this Ordinance. If any permit holder or his agent or employee has in his possession any firework in violation of this Ordinance the permit shall be revoked and all such fireworks seized and the fireworks shall be kept to be used as evidence. If any person is observed to have in his possession any fireworks or to be using or possessing any fireworks in violation of this Ordinance such fireworks may be seized and the fireworks shall be kept to be used as evidence. Upon conviction of the offender or with the permission of the offender, the fireworks shall be destroyed. If an alleged offender is determined to be innocent of any violation, permissible fireworks shall be made available for return to the person in whose possession they were found, although said person must arrange for delivery of same within 30-days from date of notice to said person.

Subsection 10. Any permit issued hereunder may be revoked or suspended by the Fire Chief for good cause after notice and opportunity to be heard. The Fire Chief shall afford to the permit holder an opportunity to present evidence bearing upon the question of revocation or suspension of the license. Cause for revocation or suspension shall include the violation of any provision of this Ordinance or of any federal law or statute of the State of Illinois by the permit holder or by any employee or agent of the permit holder or that the permit holder has made a false statement on any application for permit under this Ordinance or for reason that the permit holder has refused to permit any police officer or member of the Fire Department of the City or Inspector of the City to inspect the premises or the activities of the premises at reasonable times. The decision of the Fire Chief suspending or revoking a license shall be in writing and shall be subject to review by the City Manager upon written request of the permit holder.

Subsection 11. If any person possesses or offers for sale or makes sale of any fireworks without first having obtained a permit under this Ordinance, the Mt. Vernon Fire Department at the direction of the City Manager may hold such fireworks or fireworks inventory of the person until he/she obtains the required permit. If the property is held by the City of Mt. Vernon for more than 60-days and the person whose property is being held does not obtain the permit under this Ordinance, the City may petition the Circuit Court of Jefferson County, Illinois for an order for the sale of the property being held. If the court finds that the person whose property is held has not obtained a permit under this Ordinance prior to the filing of the Petition the court may order and authorize the City to sell the property or may order the destruction of the property by the City. The proceeds of sale of the property less reimbursement to the City of the reasonable expenses for the storage and sale of the property shall be deposited in the general corporate fund of the City.

Subsection 12: Display of Fireworks. It shall be unlawful for any person to display or allow to be displayed Consumer Fireworks and/or Display Fireworks (as defined within the Illinois Fireworks Use Act) within the corporate areas of the City of Mt. Vernon without a permit.

- (a) Pyrotechnic Displays

Pyrotechnic displays of Display Fireworks in the City of Mt. Vernon shall be permitted upon compliance with the following conditions:

- (1) All persons shall file an application for a pyrotechnic display permit at least 15 days in advance of the date of the pyrotechnic display.
- (2) The application for a pyrotechnic display permit shall contain identifying information for the person sponsoring the display, the exact location of the display, the exact date and time of the display, and identifying information for the individual who is the licensed lead pyrotechnic operator supervising the display.
- (3) The application shall be accompanied by a certificate of insurance from an insurance company licensed to do business in the State of Illinois evidencing a minimum of \$1,000,000 in liability coverage.
- (4) The application shall also be accompanied by a current and valid copy of the State issued lead pyrotechnic operator's license.
- (5) The application shall be subject to approval by the Fire Chief or his or her designee.
- (6) After the permit has been granted, the possession, use and display of Display Fireworks shall be lawful for that purpose only. No permit granted hereunder shall be transferrable.
- (7) No permit shall be required for supervised displays of State or County fair associations.
- (8) Applicant shall pay a fee in the amount of \$25.00.
- (9) Provided that the application requirements have been met by the applicant, a Pyrotechnic Fireworks Display Permit shall be issued by the Fire Chief.

(b) Consumer Displays

- (1) All persons shall file an application for a consumer display permit at least 15 days in advance of the date of the consumer display.
- (2) The application for a consumer display permit shall contain identifying information for the person sponsoring the display, the exact location of the display, the exact date and time of the display, and identifying information for the consumer operator handling the display who shall have received training from a Consumer Fireworks training class approved by the State Fire Marshall.
- (3) The application shall be accompanied by a certificate of insurance from an insurance company licensed to do business in the State of Illinois evidencing a minimum of One Million Dollars (\$1,000,000) in liability coverage.
- (4) The application shall be subject to approval by the Fire Chief or his or her designee.
- (5) The applicant shall also be subject to a criminal background check as a condition of issuing a permit.
- (6) After the permit has been granted, the possession, use and display of Consumer Fireworks shall be lawful for that purpose only. No permit granted hereunder shall be transferrable.
- (7) Applicant shall pay a fee in the amount of \$25.00.

- (8) Provided that the application requirements have been met by the applicant, a Consumer Fireworks Display Permit shall be issued by the Fire Chief.

Subsection 13: Adoption by Reference. The rules and regulations as may from time to time be amended, for the administration of the Fireworks Use Act (425 ILCS 35/0.01 et seq.), by the State Fire Marshal, including, but not limited to, National Fire Protection Association (NFPA) 1123 guidelines for outdoor displays, NFPA 1126 guidelines for proximate audience displays, audience proximity distances for consumer Display Fireworks, and the list of approved Consumer Fireworks are adopted herein by reference.

Subsection 14. Any person that violates any provision of this Ordinance shall be punished by a fine of not more than \$200.00 for each violation; each consumer firework in the possession of the person shall constitute a separate violation and each day that any firework is sold or offered for sale without a permit or each day that a violation continues shall constitute a separate violation.

In addition, if a person is found guilty of violating any of the provisions of this Ordinance said person shall be subject to the other remedies and provisions of this Ordinance in addition to the imposition of a fine.

Any person who is convicted (including a no contest or supervision plea) of any violation of this Ordinance by a court of competent jurisdiction shall be ineligible to receive a permit under this Ordinance for a period of 2-years from the date of the conviction.

SECTION 9.9. Deleted Pursuant to Ordinance 2006-27 – 06/2006

SECTION 9.10. FIRE ALARM SYSTEMS AND COMPONENTS

(a) No person, firm, or corporation shall install, maintain, or use any fire alarm system and/or component in violation of the regulations set forth in this Article and the Standards thereby adopted by reference.

(b) There is hereby adopted by reference and incorporated herein, as though set forth in full herein, the provisions of the National Fire Alarm Code (NFPA 72), as recommended by the National Fire Protection Association, at least one copy of which such regulations is filed in the Office of the Fire Inspector of the City of Mt. Vernon. Such regulations shall be kept by the Fire Inspector available for public use, inspection, and examination. In the event of a conflict between the specific provisions of this Article and NFPA 72, the specific provisions of this Article shall control.

(c) No person, firm, or corporation shall attach, install, connect, or maintain any fire alarm system or component unless same shall comply with the provisions of this Article and the regulations adopted thereby; and no person, firm, or corporation shall attach, install, connect, or maintain any fire alarm system to the City property or to Central Dispatch within the Fire Department or Police Department of the City of Mt. Vernon unless same shall be approved by the Fire Chief and shall be installed, maintained, and used in the manner prescribed by this Article and the regulations adopted thereby. No alarm, component, equipment, device, or system shall be installed upon or in City property shall he owned, maintained, and controlled by the City or its employees unless for fire protection to City property only, and the City shall

have or assume no liability for the maintenance or use thereof or for damage thereto.

SECTION 9.11. AUXILIARY PROTECTION SIGNALING SYSTEMS FOR FIRE ALARM SERVICE

(a) Auxiliary protective signaling systems for fire alarm service within the City Limits of the City of Mt. Vernon shall be installed only in compliance with NFPA 72 and upon the following terms and conditions:

1. Complete information regarding the system, including specifications, wiring diagrams, floor plans, and zones, shall be submitted to the City of Mt. Vernon for approval prior to installation of equipment or wiring.

2. All devices, combinations of devices, and equipment constructed and installed in conformity with these standards shall be UL/FM approved for the purpose for which they are intended.

3. Upon completion of the installation of the system, a satisfactory test of the entire installation shall be made in the presence of a representative of the Mt. Vernon Fire Department.

4. Auxiliary protective signaling systems for fire alarm service shall be installed and operate on its own separate individual line or lines. It shall not be combined with or utilize the lines of any burglar alarm or other alarm system.

5. Permission for the connection of the auxiliary system; the applicant shall submit a written request on forms supplied by the City for connection to the Fire Department or Central Dispatch alarm panels. Such connections shall not be completed until approval is granted.

(b) System Operation.

1. The actuation of any approved device shall cause its respective zone alarm lamp on the main fire alarm control panel to illuminate and cause the alarm signals to sound an audible signal throughout the protected premises. Operating an alarm acknowledged push button (reset) on the main panel shall silence the alarm signals. However, a subsequent alarm from another zone shall automatically resound the signals and illuminate the corresponding zone lamp until it is acknowledged. This shall continue until all actuated devices are restored and the system is reset. Systems without the automatic resound features are forbidden.

2. In addition, the following shall occur upon the actuation of the alarm devices: (a) the initial operation of any manual station shall cause the alarm signal to be transmitted over the telephone lines to the remote alarm panels located at the Police Station; (b) the initial operation of any automatic alarm initiating device shall cause the alarm signal to be transmitted first to a remote dispatch center which services the alarm system, which remote dispatch center shall manually cause the alarm system to be transmitted over the telephone lines to the remote alarm panels located at the Police Station; (c) the transmitter shall be of the reverse polarity type.

3. Power failures, open ground, or any disarrangements of the system wiring or components shall be indicated by an audible trouble signal and a visual signal. The audible trouble signal may be silenced; however, the trouble lamp shall remain lighted until the system has been returned to normal operating condition. Each new fault shall resound the trouble signal even though a previous trouble signal may have been silenced.

4. The system shall operate from a source of 120 VAC and automatically transfer to standby batteries should the main power fail. Batteries shall be rated at sufficient capacity to operate the system for 60 hours with the main power source disconnected and then, at the end of that period, operate all alarm systems in an alarm condition for 15 minutes. Disconnecting the batteries, low battery voltage, or high battery voltage shall sound a system trouble on the main control panel. Failure of the 120 VAC system and an automatic transfer to batteries shall indicate and sound a system trouble at the remote alarm panels.

(c) Auxiliary Generator.

An auxiliary generator will be considered as a standby power supply (in lieu of Section 9.14(b)(4)), subject to the following:

1. The generator shall be completely automatic in change over from the normal power source to generator operation, or a specifically trained operator shall be on duty at all times.

2. Standards for the installation and operation of said generator shall be governed by NFPA 72.

3. In the event that an auxiliary generator is utilized in lieu of an approved battery standby, attention is specifically called to NFPA 72, Section 1-5.2.5 which provides that a storage battery shall be provided that shall have a sufficient capacity for operation of the alarm system for at least four hours.

(d) Control Panel.

1. The control unit shall be UL/FM approved, along with all necessary components required to provide a complete fire alarm system. The control shall contain all components necessary to provide a complete system. The control shall contain features to accomplish a trouble and/or alarm signal and shall provide the necessary supervised detection circuits, supervised alarm circuits, and supervised audible alarm circuits. Lamps shall be provided on the cabinet face to indicate AC power on, Alarm, and Trouble Conditions.

2. Disconnect Transmitter Signal - A disconnect switch shall be provided behind a locked cabinet door to disable the transmitter panel. The transmitter disconnect shall be used when the system is tested or serviced and shall not allow transmission of the alarm signal to the remote panel. When operated, the disconnect shall provide a means to deter transmission and shall operate an "OFF NORMAL" lamp and sound a trouble alarm. During such periods as the disconnect circuitry is in operation, a trouble condition will be indicated at the remote panel. When the system is reset and restored, the disconnect shall reset and return to the normal condition. The disconnect switch shall be under the sole

control of the alarm user, and the disconnect of an alarm transmitter shall be made only by the alarm user; upon an alarm user placing a disconnect switch into the off position and disconnecting the alarm transmitter, the alarm user shall provide 24-hour fire watch for the premises served by the alarm system, which fire watch shall include regular and repeated inspections and patrols, the frequency and nature of which shall be documented in writing by the alarm user and maintained as a permanent record by the alarm user.

(e) Installation and Design.

1. All systems shall be installed in a workmanlike manner and in accordance with the specifications and standards approved by this Department.

2. Devices shall be so located and mounted that accidental operation will not be caused by vibration or jarring.

3. All systems shall test free of grounds except parts of circuits or equipment which are intentionally and permanently grounded to provide ground, fault detection, emergency ground signaling, or circuit grounding. All systems shall be so designed that they do not depend upon the effectiveness of any ground connection or normal operation.

4. A system shall be so designed and installed so that it shall be capable of performing its intended function at 85 percent and at 110 percent of the rated voltage.

(f) Monthly Tests.

1. The system shall be tested at least once each month as provided within Section 9.15(e) herein to verify the reliability of the system.

2. A different component of the system (detector, pull box, etc.) shall be used each month as a means of activating the system.

3. The City's Central Dispatch, the Fire Department, and the Police Department shall be notified at least one (1) hour prior to the test.

(g) Approval.

Applications for permission to install and connect auxiliary systems shall be made to the City Building Inspector and to the Fire Department. The Fire Department shall, when necessary, obtain the advice, inspection, or other assistance of the Building Inspector, Electrical Inspector, or other appropriate department. Final Action of any such application shall be made by the Chief of the Fire Department or his duly authorized representative.

SECTION 9.12. ALARM SYSTEMS IN GENERAL, INCLUDING FIRE ALARM

(a) Definitions.

“Alarm business” shall mean any business operated for profit, which engages in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, servicing, or responding to a burglary or holdup alarm system or fire alarm, or which causes any of these activities to take place.

“Alarm equipment suppliers” shall mean any person, firm, or corporation that sells, leases, or installs signaling devices which, upon activation, either automatically or manually, will transmit an alarm.

“Alarm systems” shall mean any signaling device which is electronically operated which automatically sends visual and audible signals over a signal line to be registered by indicators at a monitor panel in a receiving terminal of the City's Central Dispatch and/or alarm companies' receiving location.

“Alarm user” shall mean any person on whose premises an alarm system is maintained with the City of Mt. Vernon.

“City of Mt. Vernon alarm contractor” shall mean the alarm company contracted by the City of Mt. Vernon for the installation and maintenance of the Police or Fire Department monitoring systems.

“City's Central Dispatch” shall be the Dispatch Station at the Mt. Vernon Police Station.

“False alarm” shall mean the activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system or of his employee or agents. “False alarm” does not include alarm signals activated by violent conditions of nature, telephone line interruptions, acts of God, or other extraordinary circumstances not reasonably subject to control by the alarm business installer or alarm user.

“Fire Chief” shall mean the Chief of the Mt. Vernon Fire Department.

“Local alarm system” shall mean a system which produces a signal at the premises protected.

“Police Chief” shall mean the Chief of the Mt. Vernon Police Department.

(b) Monitoring System.

The City of Mt. Vernon may contract for the installation of a uniform monitoring system to receive visual and audible signals over a line or lines at a central location. Such system shall have a capacity to meet present needs and the ability to expand for future needs and shall be available to any subscriber who meets the requirements for a permit for connection as defined in this Section.

(c) Application for Permit by Alarm Users.

Each person within the City of Mt. Vernon who wishes to install in his home, place of business, or other premises an alarm system subsequent to September 1, 1987 which is connected to the Police Department or Fire Department through the City's Central Dispatch or which automatically directly dials the City's Central Dispatch or which produces an audible signal at the premises, other than a single station smoke detector, shall obtain an installation permit for each separate alarm system he/she wishes to connect.

Application for each separate fire alarm system shall be submitted to the Fire Chief, and permits for each separate police alarm system shall be submitted to the Police Chief and shall be subject to the approval of the respective Chief. Provided, however, that application for alarms in conjunction with new construction may be submitted to the Building Inspector, although such application shall be subject to the approval of the respective Chief. No application fee shall be charged for a permit.

The application for an alarm system user permit shall include the following: name, address, and telephone numbers of the alarm user; and the type of business organization (individual, partnership, or corporation); if a partnership, the names and addresses of the partners; and if a corporation, the names and addresses of the principal officers and the state where incorporated. The application shall also include the name and address of an authorized individual who shall be available during any hour of any day. The issuance of a permit shall in no way constitute a warranty of the signaling device involved, and issuance of said permit shall be specifically subject to the City of Mt. Vernon's disclaimer of liability as detailed in this Section and further detailed in the Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/1-101 et seq.

The alarm user applicant shall provide a "hold harmless" statement with the application. The hold harmless statement will contain the following wording:

"In consideration of the issuance of a permit for the installation of the requested direct police and/or fire alarm connection to the Police and/or Fire Department, the owner-applicant herein on behalf of himself and his co-workers, if any, his heirs, administrators, executors, and assigns hereby releases the City of Mt. Vernon, a municipal corporation, its officers, employees, and alarm monitoring contractor from any and all liability, suits, judgments, claims of any kind or nature, including attorney fees and court costs arising or which may arise from the use, utilization, or maintenance of said alarm system upon the premises at (address), whether such claim is brought by the applicant or any third party or entity, and the applicant further agrees to defend any legal action, whether it is based on an allegation jointly or severally, against the City of Mt. Vernon, a municipal corporation, its officers, employees, and alarm monitoring contractor for any action or nonaction on their parts."

(d) Subscriber Charges.

The permit holder shall pay the alarm equipment installer for all equipment charges and connection fees to the monitoring system, and maintenance charges necessitated by the installation, operation, and maintenance of signaling devices in the monitoring system. The company supplying and maintaining the monitoring system shall have the right to charge subscribers or their equipment installer a reasonable fee for connection to, and maintenance of, the system.

(e) Direct Connection Alarms.

Revocation of permit. The respective Fire Chief or Police Chief may revoke or suspend any permit issued pursuant to the provisions of this Section, after giving written notice to the holder and an opportunity for the permit holder to effect compliance within 72 hours, if it is determined that the alarm system under said permit has been installed, maintained, or operated in violation of the provisions of this Section or of

any terms or conditions of said permit or in violation of any law.

Right of inspection. The City of Mt. Vernon shall have the right to inspect any alarm system on the premises where it is intended to be used, both prior to and subsequent to the issuance of a permit, at reasonable times, to determine whether a permit should be granted and whether it is being used in conformity with the terms of the permit and in conformity with the Revised Code of

Ordinances of the City of Mt. Vernon, the Statutes of the State of Illinois, and all codes and regulations adopted or issued relating thereto.

No charges shall be made by the City for a routine inspection conducted by the City upon the City's own initiative. A charge of Ten Dollars (\$10.00) each for all other inspections shall be charged, except that each alarm user who has a new alarm system installed shall be entitled to three inspections by the City without charge during the sixty (60) days after the initial installation of the alarm system.

Testing. There shall be no testing or demonstrating alarm systems without first notifying the City of Mt. Vernon, in accordance with procedures established by the city, prior to such test or demonstration, and obtaining permission of the respective Fire Chief or Police Chief or such person delegated by each. Any activation due to a test of demonstration without said notice and permission shall be deemed a false alarm. The respective Fire Chief or Police Chief shall be notified in writing by the alarm installer of the expected completion date of the initial installation, major alteration, or addition of an alarm system prior to completion of said work. All fire alarms shall be tested at least once a month on either the first or third Monday between 9:00 a.m. and 4:00 p.m; or if the first or third Monday falls on a holiday, then testing shall occur on the first Monday following the holiday.

Maintenance. Each person, firm, or corporation holding a permit for the operation and maintenance of an alarm system shall be responsible to maintain, repair, and keep in good working order the alarm system; and each shall be responsible for any false alarms transmitted by the device which they operate or maintain. The failure to maintain, repair, or keep in good working order the alarm system as required herein shall, subject to the hereinafter provisions for notice and opportunity to be heard, be cause to suspend or revoke any permit issued hereunder and shall be cause for removal of the alarm system. The City of Mt. Vernon shall maintain a record of all false alarms and, subject to the hereinafter provisions for notice and opportunity to be heard, may revoke or suspend any permit for the operation of the alarm system involved in the transmission of two (2) false fire alarms or four (4) false police alarms in any one calendar year.

Charges. In addition to any other penalty herein provided, the City of Mt. Vernon shall charge a fee of One Hundred Dollars (\$100.00) per false fire alarm to the owner or occupant of the premises for each automatic alarm transmitted to the City of Mt. Vernon by activation on the premises of an automatic or manual alarm system, in excess of two (2) fire alarms in each calendar year from the said premises, and a fee of Twenty five Dollars (\$25.00) for each false police alarm in excess of four (4) in any calendar year. Charges shall be payable to the City of Mt. Vernon by the user permit holder upon receipt of a statement for such charges. Activation of an alarm by an act of God or by an independent cause not within the control or responsibility of the alarm user shall not constitute a false alarm for purposes of imposition of the charges herein.

No charge shall be imposed for false alarms for sixty (60) days after initial installation of thirty (30) days after major alterations or additions, nor shall false alarms during that period be counted toward the false alarms allowed per calendar year provided written proof satisfactory to the City of such major alterations is submitted to the respective Fire Chief or Police Chief by the permit holder within five (5) days after receiving a billing of charges for the false alarm, provided only one such waiver of charges shall be permitted each calendar year.

Hearings. Every alarm user shall upon written request be entitled to a hearing before the City Manager and Police Chief and Fire Chief, or designated agents of each of said officers, upon receipt of a billing of charges for false alarms or upon receipt of notice of suspension or revocation of any permit. Said hearing must be requested by the alarm user within five (5) days after receiving a billing of charges for the false alarm or after receiving notice of suspension or revocation of the permit. At the hearing, the alarm user will be given the opportunity to present evidence and argument to show that the permit should not be suspended or revoked, or that the alarm activation was not false, or that the alarm activation comes within one of the permissible exceptions or that the permit should not be suspended or revoked.

Liability. The City of Mt. Vernon shall take reasonable precaution to assure that alarm signals received by the City of Mt. Vernon are given appropriate attention and are acted upon with dispatch. However, the City of Mt. Vernon and the alarm contractor shall not be liable for any failure or neglect of any person in connection with the installation and operation of equipment, the transmission of alarm signals, and the relaying of such signals. In the event that the City of Mt. Vernon finds it necessary to disconnect a defective signaling device, the City of Mt. Vernon shall incur no liability by such action.

Automatic dialer-type alarms. The procedures and requirements for automatic dialer-type alarms shall be the same as for direct connection alarms, except as herein provided. The City of Mt. Vernon shall provide a distinct and separate trunk line(s) apart from emergency telephone trunk lines for the use of automatic dialer-type alarms, and only those lines may be used to automatically transmit a signal to Central Dispatch. Under no circumstances shall the automatic dialer-type equipment be permitted to automatically connect to the emergency telephone lines. Automatic dialer-type fire alarms shall be subject to the provisions of Section 9.14(b)(2).

Local alarm system. The procedures and requirements for local alarm systems shall be the same as for direct connection alarms, except as hereinafter provided. Every local alarm system installed subsequent to the effective date of this Section shall be constructed, equipped, and installed in such fashion as to be incapable of sounding for more than thirty (30) minutes after a signal activation thereof. A fine of One Hundred Dollars (\$100.00) shall be assessed to the owner or occupant of the premises whose local alarm system activates to sound for a period in excess of thirty (30) minutes after the City's Central Dispatch is notified of said alarm. All single station smoke detectors that are installed in a home, place of business, or other premises shall be exempt from this Section.

Resetting the Alarm. The alarm user shall be solely responsible for resetting the alarm system after activation. If the alarm system is in good working order, the resetting of the alarm system shall occur as soon as the condition giving rise to the alarm, activation permits; or, in the case of a false alarm, the resetting of the alarm system shall occur immediately.

Penalties. Except as otherwise provided, whoever violates any provision of this Section shall be subject to a fine of not less than Five Dollars (\$5.00) or more than Two Hundred Dollars (\$200.00) for each offense. Each day that such violation continues shall constitute a separate offense.

SECTION 9.13. FIRE APPARATUS ACCESS ROAD.

Fire apparatus access roads (i.e. fire lane) shall be provided and maintained as required within Section 503 of the International Fire Code.

Subject to the provisions of Section 503 of the International Fire Code, each fire lane shall be twenty (20) feet wide and shall completely encircle the structure. In the event there is a sidewalk adjacent to the structure, the fire lane shall extend eighteen feet from the curb. In the event there is an awning or other overhang attached to and projecting from the structure, the fire Lane shall extend twenty (20) feet from the edge of the awning or overhang. All curbing affected shall be painted yellow, and each lane shall be striped with yellow lines diagonal to the lane at eight-foot intervals, or each lane shall be clearly marked by an approved sign.

The parking, standing, or stopping of any motor vehicle within any fire lane designated by this ordinance, or the blocking or obstructing of any fire lane designated by this Ordinance, or the blocking of access to any fire lane is hereby prohibited, except by authorized emergency vehicles as defined in Article 18 of the Revised Code, except by attended delivery vehicles, and except within designated areas approved in writing by the Chief of the Fire Department and the Chief of Police. Any person who shall violate the provisions of this paragraph shall be punishable by a penalty of \$20.00 if paid within 72 hours of the violation, which offense shall be charged by means of a citation or “hang-on” ticket; failure to pay the penalty within 72 hours shall subject the violator to the penalties stated within Article 22, Section 22.6 of the Revised Code of Ordinances.

SECTION 9.14.

In addition to other applicable requirements, premises receiving gas service shall be subject to the following “manual shutoff valve” requirements:

a. Valves Controlling Multiple Systems:

Accessibility of Gas Valves: Main gas shutoff valves controlling several gas piping systems shall be readily accessible for operation and shall be installed so as to be protected from physical damage.

Shutoff Valves for Multiple House Lines: In multiple tenant buildings or buildings adjacent to each other supplied through a master meter or meters or where meters are not readily accessible from the equipment location, an individual shutoff valve for each apartment or tenant line shall be provided at a convenient point of general accessibility.

In a common supply system serving more than one building, exterior shutoff valves shall be installed at each building.

b. Equipment Shutoff Valves and Connections:

Any gas utilization equipment connected to a piping system shall have an accessible, approved manual shutoff valve installed upstream of any connector and within six (6) feet of the equipment it serves.

SECTION 9.15. Hazardous Materials.

The Mt. Vernon Fire Department is hereby authorized to control and eliminate hazardous materials and hazardous material emergencies. The Fire Department shall have the authority to summarily remove, abate, and remedy all hazardous material emergencies or incidents within or without the corporate limits of the City of Mt. Vernon which are dangerous or prejudicial to public health or public safety. Expenses incurred by the Mt. Vernon Fire Department shall be the joint and severable liability of the owner or owners of the hazardous material, the owner of the means of transport, and all other persons having responsibility for or contributing to the hazardous material emergency or incident whether resident or nonresident.

The Mt. Vernon Fire Department as determined by its Chief or his designee is hereby authorized to seek and obtain the services of an independent hazardous material specialist or to seek and obtain the service of a hazardous material specialist associated with the company or companies responsible for the removal, abatement or remedy of a hazardous material emergency or incident. The expenses of removal, abatement or remedy shall include but be limited to charges for all materials used; a charge for all firefighting services including equipment and manpower; charges for experts, specialists or other consultants; and all other charges associated or related to the hazardous material emergency or incident.

The Fire Chief of the Mt. Vernon Fire Department shall ascertain the expenses incurred in removing, abating or remedying the hazardous material emergency or incident and shall notify the responsible party informing said party that all expenses and charges are due and payable within 30-days from date of notice of the charges. Any person who shall fail or refuse to pay the expenses of removal, abatement or remedy shall be responsible for all attorneys' fees, collection costs and other collection costs and other expenses incurred by the City of Mt. Vernon in effecting collection of the amounts owing. Monies collected hereunder as expenses for removal, abatement or remedy of any hazardous material emergency or incident shall be used by the City of Mt. Vernon to purchase materials, training and programs for controlling and containing hazardous material emergencies and incidents.