

VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Mathew Trout
Dean Pruett
Lisa Meehling
Ray Matchett, Jr.
Mike Blaies
Denise Albers

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
14 SOUTHGATE CENTER, FREEBURG, IL 62243
PHONE: (618) 539-5545 • FAX: (618) 539-5590
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR
Tony Funderburg

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
John Tolan

POLICE CHIEF
Stanley Donald

VILLAGE ATTORNEY
Weilmuenster & Keck, P.C.

March 27, 2017

NOTICE

MEETING OF LEGAL AND ORDINANCE COMMITTEES **Annexation; Building; Zoning; Subdivision** **(Meehling/Blaies/Pruett/Trout)**

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, March 29, 2017, at 5:30 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items to be Discussed:

A. Old Business

1. Approval of February 22, 2017 Minutes
2. Zoning Report/Nuisance Properties

B. New Business

1. St. Clair County Update of Building and Property Maintenance Codes
2. Fireworks Code

C. General Concerns

D. Public Participation

E. Adjourn

At said Legal and Ordinance Meeting, the Village Trustees may vote on whether or not to hold an Executive Session to discuss the selection of a person to fill a public office [5 ILCS, 120/2 - (c)(3)], litigation [5 ILCS, 120/2 - (c)(11)] personnel [5 ILCS, 120/2 - (c)(1)]; collective negotiating matters between the public body and its employees or their representatives [5 ILCS, 120/2-(c)(2), real estate transactions [5 ILCS, 120/2 - (c)(5)] or discussion of executive session minutes, [5 ILCS-120/2-(c)(21)

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Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Meehling/Blaies/Pruett/Trout)
Wednesday, February 22, 2017 at 5:30 p.m.

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The meeting of the Legal and Ordinance Committee was called to order at 5:30 p.m. by Chairperson Lisa Meehling on Wednesday, February 22, 2017, in the Freeburg Municipal Center. Members attending were Chairperson Lisa Meehling, Trustee Mike Blaies, Trustee Dean Pruett, Trustee Matt Trout, Mayor Seth Speiser, Village Clerk Jerry Menard, Trustee Denise Albers, Trustee Ray Matchett, Zoning Administrator Gary Henning (absent), Public Works Director John Tolan, Village Administrator Tony Funderburg and Office Manager Julie Polson.

A. OLD BUSINESS:

1. Approval of January 25, 2017 Minutes: *Trustee Matt Trout motioned to approve the January 25, 2017 minutes and Trustee Dean Pruett seconded the motion.* All voting yea, the motion carried.
2. Zoning Report/Nuisance Properties: No report.
3. Combination of Plan Commission and Board of Appeals: Village Administrator Tony Funderburg advised the first meeting was held last night, and further commented we have a good group. He already had a member send us ideas pertaining to last night's meeting. Item can be taken off the agenda.

B. NEW BUSINESS:

1. Municode Proposal: Tony stated we have been wanting to do provide a more user friendly, updated code, and this company can do that for us. He confirmed there is money in the budget to do this. Attorney Keck advised Tony our zoning code is very outdated. There will be a much needed comprehensive review by the Combined Planning and Zoning Board. Trustee Lisa Meehling said she has researched other municipalities that use Municode, it is very easy to find what you are looking for and there are many municipalities in this area that use Municode.

Trustee Matt Trout motioned to recommend to the full Board we contract with Municode as our municipal code provider with the first year estimated charges of \$2,700 and Trustee Dean Pruett seconded the motion. All voting yea, the motion carried.

Julie advised we received a notice that Kyle Schmeder of 927 Old Fayetteville Road is requesting a special use permit to operate a landscaping business. This will be heard before the St. Clair County Board of Appeals on Monday, March 6th at 7:10 p.m. The committee asked that Steve Woodward represent the Village and our Comprehensive Plan.

C. **GENERAL CONCERNS:** None.

D. **PUBLIC PARTICIPATION:** None.

E. **ADJOURN:** *Trustee Matt Trout motioned to adjourn at 5:44 p.m. and Trustee Dean Pruett seconded the motion.* All voting yea, the motion carried.


Julie Polson
Office Manager

Legal and Ordinance Committee Meeting
Wednesday, February 22, 2017

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LEGAL ORDINANCE MEETING

MARCH 29, 2017

Gary Henning Zoning Administrator

6-Occupancy Permits issued to date in March

8-Building Permits issued to date in March

- 2-Sign (6 signs)
- 1-Accessory Structure
- 1-New Home
- 1-Electrical
- 1-Wheelchair Ramp
- 1-Pole Barn
- 1-Fence

Nuisances Corrected to date in March-7

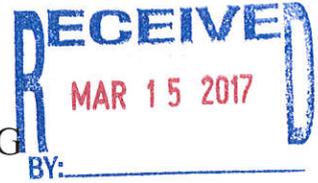
An agreement has been reached with Mark Meorchen on cleaning up his property—the front and side has been cleaned the problem is in the back. Mr. Meorchen has until the end of August to clean up the back and put up a fence.

Agreements have been made between Bonnie Waters and Jim Stout to have cars-trucks licensed by April 3, 2017 or Police will tag to be towed. Nothing done as of March 14, 2017.

Agreement was made end of November with Bruce Brown to have side and back yard cleaned up of junk by April 3, 2017. As of February 1st he has loaded up a wagon full of junk and getting to ready to haul off. Still a mess as of March 14, 2017.



COUNTY OF ST. CLAIR
DEPARTMENT OF BUILDING & ZONING



PHONE (618) 825-2715
FAX (618) 277-0482



10 PUBLIC SQUARE
BELLEVILLE, ILLINOIS 62220-1623
www.co.st-clair.il.us

March 13, 2017

**Village of East Carondelet
Village of Freeburg
Village of Marissa
Village of New Athens**

**Village of Fayetteville
Village of Lenzburg
Village of Millstadt
Village of St Libory**

RE: Updating Building and Property Maintenance Codes

Chief Community Officials:

The St Clair County Building and Zoning Department is currently in the process of updating Chapters 7 - *Building Regulations* and 29 - *Property Maintenance Code* of the St Clair County Code of Ordinances to reflect the adoption of the 2012 International Building Codes with modifications and the 2011 National Electrical Code with modifications. A public hearing will be held March 15, 2017 in the County Board Room on the 5th Floor of the St. Clair County Building at 4:00 p.m.

Enclosed is the new agreement between your municipality and St. Clair County. You will need to adopt these new codes and include a copy of the ordinance with this completed contract.

Please note that the fee schedule for the next five years does not increase. It will remain the same at the 2016-2017 fee schedule.

For any questions or concerns, please call me at (618) 825-2530.

Sincerely,

Anne Markezich, Director
Building & Zoning Department
AM:da

Enc. (2)

SCHEDULE "A"
RESIDENTIAL PERMIT FEE SCHEDULE

Effective Date 04/01/2017 - 06/30/22

Cost Thousand	Fee Amount	Cost Thousand	Fee Amount	Cost Thousand	Fee Amount	Cost Thousand	Fee Amount
Up to 1	\$54.02	Up to 34	\$414.88	Up to 94	\$853.52	Up to 300	\$2,234.27
Up to 2	\$86.43	Up to 35	\$414.88	Up to 96	\$870.81	Up to 310	\$2,305.58
Up to 3	\$118.85	Up to 36	\$427.84	Up to 98	\$883.77	Up to 320	\$2,361.76
Up to 4	\$151.26	Up to 37	\$430.00	Up to 100	\$898.90	Up to 330	\$2,417.95
Up to 5	\$183.66	Up to 38	\$440.81	Up to 105	\$924.83	Up to 340	\$2,487.09
Up to 6	\$216.08	Up to 39	\$442.96	Up to 110	\$968.04	Up to 350	\$2,547.59
Up to 7	\$248.49	Up to 40	\$458.09	Up to 115	\$996.14	Up to 360	\$2,614.58
Up to 8	\$280.91	Up to 42	\$471.05	Up to 120	\$1,039.35	Up to 370	\$2,672.92
Up to 9	\$311.15	Up to 44	\$486.19	Up to 125	\$1,065.28	Up to 380	\$2,726.94
Up to 10	\$315.48	Up to 46	\$496.98	Up to 130	\$1,110.66	Up to 390	\$2,802.57
Up to 11	\$315.48	Up to 48	\$514.28	Up to 135	\$1,138.75	Up to 400	\$2,858.74
Up to 12	\$315.48	Up to 50	\$527.24	Up to 140	\$1,179.80	Up to 420	\$2,973.27
Up to 13	\$315.48	Up to 52	\$540.21	Up to 145	\$1,210.05	Up to 440	\$3,098.60
Up to 14	\$315.48	Up to 54	\$568.29	Up to 150	\$1,251.11	Up to 460	\$3,236.89
Up to 15	\$315.48	Up to 56	\$568.29	Up to 155	\$1,281.36	Up to 480	\$3,340.61
Up to 16	\$317.63	Up to 58	\$585.58	Up to 160	\$1,307.29	Up to 500	\$3,455.13
Up to 17	\$328.44	Up to 60	\$598.54	Up to 165	\$1,352.67	Up to 520	\$3,569.65
Up to 18	\$328.44	Up to 62	\$611.51	Up to 170	\$1,395.88	Up to 540	\$3,694.98
Up to 19	\$341.41	Up to 64	\$624.47	Up to 175	\$1,423.97	Up to 560	\$3,772.77
Up to 20	\$341.41	Up to 66	\$641.76	Up to 180	\$1,452.07	Up to 580	\$3,924.02
Up to 21	\$341.41	Up to 68	\$656.89	Up to 185	\$1,480.16	Up to 600	\$4,036.39
Up to 22	\$341.41	Up to 70	\$669.85	Up to 190	\$1,519.05	Up to 620	\$4,150.91
Up to 23	\$341.41	Up to 72	\$682.82	Up to 195	\$1,551.46	Up to 640	\$4,265.43
Up to 24	\$356.53	Up to 74	\$700.10	Up to 200	\$1,579.55	Up to 660	\$4,377.80
Up to 25	\$356.53	Up to 76	\$713.06	Up to 210	\$1,650.85	Up to 680	\$4,494.48
Up to 26	\$373.82	Up to 78	\$726.03	Up to 220	\$1,722.17		
Up to 27	\$373.82	Up to 80	\$738.99	Up to 230	\$1,789.15		
Up to 28	\$382.46	Up to 82	\$756.28	Up to 240	\$1,849.65		
Up to 29	\$382.46	Up to 84	\$769.25	Up to 250	\$1,920.95		
Up to 30	\$382.46	Up to 86	\$782.22	Up to 260	\$1,977.14		
Up to 31	\$399.75	Up to 88	\$797.34	Up to 270	\$2,046.28		
Up to 32	\$399.75	Up to 90	\$827.59	Up to 280	\$2,106.79		
Up to 33	\$399.75	Up to 92	\$840.55	Up to 290	\$2,175.94		

SCHEDULE "B"
COMMERCIAL AND INDUSTRIAL PERMIT FEE SCHEDULE
Effective Date 04/01/2017 - 06/30/22

Cost Thousand	Fee Amount	Cost Thousand	Fee Amount	Cost Thousand	Fee Amount	Cost Thousand	Fee Amount
Up to 1	\$140.45	Up to 37	\$635.28	Up to 115	\$1,506.09	Up to 390	\$4,284.88
Up to 2	\$192.32	Up to 38	\$656.89	Up to 120	\$1,575.23	Up to 400	\$4,373.47
Up to 3	\$226.89	Up to 39	\$659.04	Up to 125	\$1,616.28	Up to 420	\$4,548.50
Up to 4	\$263.62	Up to 40	\$678.49	Up to 130	\$1,685.43	Up to 440	\$4,745.14
Up to 5	\$328.44	Up to 42	\$700.10	Up to 135	\$1,728.65	Up to 460	\$4,922.32
Up to 6	\$373.82	Up to 44	\$721.71	Up to 140	\$1,793.48	Up to 480	\$5,116.79
Up to 7	\$393.27	Up to 46	\$741.16	Up to 145	\$1,836.69	Up to 500	\$5,291.82
Up to 8	\$436.48	Up to 48	\$767.08	Up to 150	\$1,901.51	Up to 520	\$5,466.84
Up to 9	\$455.93	Up to 50	\$786.53	Up to 155	\$1,946.88	Up to 540	\$5,665.64
Up to 10	\$460.26	Up to 52	\$810.30	Up to 160	\$1,990.11	Up to 560	\$5,838.50
Up to 11	\$460.26	Up to 54	\$851.36	Up to 165	\$2,054.92	Up to 580	\$6,015.69
Up to 12	\$460.26	Up to 56	\$853.52	Up to 170	\$2,098.15	Up to 600	\$6,186.40
Up to 13	\$460.26	Up to 58	\$872.96	Up to 175	\$2,167.29	Up to 620	\$6,363.58
Up to 14	\$460.26	Up to 60	\$898.90	Up to 180	\$2,210.51	Up to 640	\$6,540.76
Up to 15	\$460.26	Up to 62	\$918.34	Up to 185	\$2,253.72	Up to 660	\$6,713.63
Up to 16	\$462.41	Up to 64	\$942.12	Up to 190	\$2,318.55	Up to 680	\$6,888.65
Up to 17	\$479.70	Up to 66	\$961.56	Up to 195	\$2,361.76	Up to 700	\$7,065.84
Up to 18	\$479.70	Up to 68	\$985.33	Up to 200	\$2,404.98	Up to 720	\$7,238.71
Up to 19	\$505.62	Up to 70	\$1,006.93	Up to 210	\$2,515.18	Up to 740	\$7,413.73
Up to 20	\$505.62	Up to 72	\$1,028.54	Up to 220	\$2,623.22	Up to 760	\$7,588.76
Up to 21	\$505.62	Up to 74	\$1,050.16	Up to 230	\$2,724.77	Up to 780	\$7,763.78
Up to 22	\$507.79	Up to 76	\$1,071.76	Up to 240	\$2,822.02	Up to 800	\$7,940.96
Up to 23	\$505.62	Up to 78	\$1,093.37	Up to 250	\$2,930.06	Up to 820	\$8,113.83
Up to 24	\$525.07	Up to 80	\$1,114.97	Up to 260	\$3,016.49	Up to 840	\$8,265.09
Up to 25	\$525.07	Up to 82	\$1,138.75	Up to 270	\$3,128.85	Up to 860	\$8,440.12
Up to 26	\$548.85	Up to 84	\$1,160.35	Up to 280	\$3,128.85	Up to 880	\$8,615.14
Up to 27	\$548.85	Up to 86	\$1,179.80	Up to 290	\$3,325.48	Up to 900	\$8,790.17
Up to 28	\$568.29	Up to 88	\$1,203.56	Up to 300	\$3,409.76	Up to 920	\$8,943.58
Up to 29	\$568.29	Up to 90	\$1,246.79	Up to 310	\$3,450.81	Up to 940	\$9,118.61
Up to 30	\$568.29	Up to 92	\$1,268.39	Up to 320	\$3,610.70	Up to 960	\$9,291.48
Up to 31	\$589.90	Up to 94	\$1,292.17	Up to 330	\$3,692.82	Up to 980	\$9,447.05
Up to 32	\$589.90	Up to 96	\$1,311.61	Up to 340	\$3,803.02	Up to 1 MIL	\$9,447.05
Up to 33	\$589.90	Up to 98	\$1,335.38	Up to 350	\$3,891.61		
Up to 34	\$611.51	Up to 100	\$1,354.83	Up to 360	\$3,999.65		
Up to 35	\$611.51	Up to 105	\$1,400.21	Up to 370	\$4,090.41		
Up to 36	\$633.11	Up to 110	\$1,465.02	Up to 380	\$4,174.68		

SCHEDULE "B"
COMMERCIAL AND INDUSTRIAL PERMIT FEE SCHEDULE

Effective Date 04/01/2017 - 06/30/22

Cost Millions	Fee Amount						
Up to 1.1	\$10,453.84	Up to 5.4	\$11,437.04	Up to 16.5	\$12,512.71	Up to 34.5	\$13,689.55
Up to 1.2	\$10,479.98	Up to 5.6	\$11,465.63	Up to 17.0	\$12,543.99	Up to 40.0	\$14,031.79
Up to 1.3	\$10,506.18	Up to 5.8	\$11,494.30	Up to 17.5	\$12,575.35	Up to 40.5	\$14,382.58
Up to 1.4	\$10,532.44	Up to 6.0	\$11,523.03	Up to 18.0	\$12,606.79	Up to 41.0	\$14,742.15
Up to 1.5	\$10,558.77	Up to 6.2	\$11,551.84	Up to 18.5	\$12,638.31	Up to 41.5	\$15,110.70
Up to 1.6	\$10,585.17	Up to 6.4	\$11,580.72	Up to 19.0	\$12,669.91	Up to 42.0	\$15,488.47
Up to 1.7	\$10,611.63	Up to 6.6	\$11,609.67	Up to 19.5	\$12,701.58	Up to 42.5	\$15,875.68
Up to 1.8	\$10,638.16	Up to 6.8	\$11,638.70	Up to 20.0	\$12,733.33	Up to 43.0	\$16,272.57
Up to 1.9	\$10,664.76	Up to 7.0	\$11,667.79	Up to 20.5	\$12,765.17	Up to 43.50	\$16,679.39
Up to 2.0	\$10,691.42	Up to 7.2	\$11,696.96	Up to 21.0	\$12,797.08	Up to 44.0	\$17,096.37
Up to 2.1	\$10,718.15	Up to 7.4	\$11,726.21	Up to 21.5	\$12,829.07	Up to 44.5	\$17,523.78
Up to 2.2	\$10,744.95	Up to 7.6	\$11,755.52	Up to 22.0	\$12,861.15	Up to 45.	\$17,961.88
Up to 2.3	\$10,771.81	Up to 7.8	\$11,784.91	Up to 22.5	\$12,893.30	Up to 45.5	\$18,410.92
Up to 2.4	\$10,798.74	Up to 8.0	\$11,814.37	Up to 23.0	\$12,925.53	Up to 46.0	\$18,871.20
Up to 2.5	\$10,825.73	Up to 8.2	\$11,843.91	Up to 23.5	\$12,957.85	Up to 46.5	\$19,342.98
Up to 2.6	\$10,852.80	Up to 8.4	\$11,873.52	Up to 24.0	\$12,990.24	Up to 47.0	\$19,826.55
Up to 2.7	\$10,879.93	Up to 8.6	\$11,903.20	Up to 24.5	\$13,022.72	Up to 47.5	\$20,322.21
Up to 2.8	\$10,907.13	Up to 8.8	\$11,932.96	Up to 25.0	\$13,055.27	Up to 48.0	\$20,830.27
Up to 2.9	\$10,934.40	Up to 9.0	\$11,962.79	Up to 25.5	\$13,087.91	Up to 48.5	\$21,351.03
Up to 3.0	\$10,961.73	Up to 9.2	\$11,992.70	Up to 26.0	\$13,120.63	Up to 49.0	\$21,884.80
Up to 3.1	\$10,989.14	Up to 9.4	\$12,022.68	Up to 26.5	\$13,153.43	Up to 49.5	\$22,431.92
Up to 3.2	\$11,016.61	Up to 9.6	\$12,052.74	Up to 27.0	\$13,186.32	Up to 50.0	\$22,992.72
Up to 3.3	\$11,044.15	Up to 9.8	\$12,082.87	Up to 27.5	\$13,219.28		
Up to 3.4	\$11,071.76	Up to 10.0	\$12,113.08	Up to 28.0	\$13,252.33		
Up to 3.5	\$11,099.44	Up to 10.5	\$12,143.36	Up to 28.5	\$13,285.46		
Up to 3.6	\$11,127.19	Up to 11.0	\$12,173.72	Up to 29.0	\$13,318.67		
Up to 3.7	\$11,155.01	Up to 11.5	\$12,204.15	Up to 29.5	\$13,351.97		
Up to 3.8	\$11,182.90	Up to 12.0	\$12,234.66	Up to 30.0	\$13,385.35		
Up to 3.9	\$11,210.85	Up to 12.5	\$12,265.25	Up to 30.5	\$13,418.81		
Up to 4.0	\$11,238.88	Up to 13.0	\$12,295.91	Up to 31.0	\$13,452.36		
Up to 4.2	\$11,266.98	Up to 13.5	\$12,326.65	Up to 31.5	\$13,485.99		
Up to 4.4	\$11,295.15	Up to 14.0	\$12,357.47	Up to 32.0	\$13,519.71		
Up to 4.6	\$11,323.38	Up to 14.5	\$12,388.36	Up to 32.5	\$13,553.51		
Up to 4.8	\$11,351.69	Up to 15.0	\$12,419.33	Up to 33.0	\$13,587.39		
Up to 5.0	\$11,380.07	Up to 15.5	\$12,450.38	Up to 33.5	\$13,621.36		
Up to 5.2	\$11,408.52	Up to 16.0	\$12,481.51	Up to 34.0	\$13,655.41		

ST. CLAIR COUNTY
BUILDING & ZONING DEPARTMENT
AGREEMENT FOR BUILDING INSPECTION PROGRAM

I. Purpose of the Agreement:

THIS AGREEMENT IS MADE AND ENTERED THIS 1st DAY OF April, 2017, BY AND BETWEEN ST. CLAIR COUNTY BUILDING AND ZONING DEPARTMENT AND THE VILLAGE OF FREEBURG, ST. CLAIR COUNTY, ILLINOIS, TO PROVIDE BUILDING INSPECTIONS IN THE VILLAGE OF FREEBURG.

II. Village of Freeburg agrees to:

- 1) Adopt “The International Building Code 2012”, “The International Residential Code 2012”, “The International Fuel Gas Code 2012”, “The International Mechanical Code 2012”, “The International Fuel Gas Code 2012”, “The International Commercial Energy Conservation Code 2012”, “The International Energy Conservation Code 2012”, “The National Electrical Code NEC 2011”, “The International Code Council Electrical Code Administrative Provisions 2012”, “The International Code of Administrative Provisions”, “The International Swimming Pool and Spa Code 2012”, “NFPA 72 – National Fire Alarm and Signaling Code 2013”, “The Illinois Accessibility Code” and “The current Illinois State Plumbing Code” (hereinafter “Codes”), consistent with the codes utilized by the St. Clair County Building and Zoning Department and abide by the requirements therein.
- 2) Accept applications for building permits and to forward the same to St. Clair County Building and Zoning Department (hereinafter “County”) on a daily basis.
- 3) Collect the fees as required in Section III(1)(b) and forward them to the County prior to the 5th day of any given month.
- 4) Provide the homeowner/tenant with all St. Clair County materials regarding the Codes’ requirements.
- 5) Maintain an official record of all actions and activities related to building inspections conducted by the County in the Village of Freeburg and any such notices, orders, or building permits issued by the Village of Freeburg; as specified in the provisions of the Codes, and all such records shall be open for public inspection at appropriate times and within the provisions of Illinois Law.
- 6) Notify the County ten (10) days prior to all building code hearings and board meetings pertaining to the building inspection program or appeals thereby generated. The Village of Freeburg shall provide written notice to the County within forty-eight (48) hours of a special or emergency meeting of the board. The Village of Freeburg shall appoint a separate board to hear all appeals at the municipal level. All costs of appeals shall be the Village of Freeburg’s responsibility.

- 7) Perform inspections of pre-manufactured buildings under 300 square feet, driveways, sidewalks, decks, porches, parking lots, fences, and existing building appurtenances only.
- 8) HOLD THE COUNTY HARMLESS FROM ANY AND ALL LIABILITY, CLAIMS, DAMAGE OR CAUSES OF ACTION WHICH MAY BE SUSTAINED OR ASSERTED AGAINST SAID COUNTY AS A RESULT OF THE VILLAGE OF FREEBURG'S ADMINISTRATIVE PERFORMANCE OF THE INSPECTIONS AND FUNCTIONS DESCRIBED IN THE FOREGOING PARAGRAPHS.
- 9) INDEMNIFY AND HOLD HARMLESS THE COUNTY OF ST. CLAIR AND THE DEPARTMENT OF BUILDING AND ZONING, AND ALL EMPLOYEES AND ASSIGNS FROM ANY AND ALL LIABILITY, CLAIMS, DAMAGE OR CAUSES OF ACTION WHICH MAY BE SUSTAINED OR ASSERTED AGAINST SAID COUNTY OR DEPARTMENT AS THE RESULT, DIRECTLY OR INDIRECTLY, OR IN ANY MANNER OF THE PERFORMANCE OR FAILURE OF PERFORMANCE ON THE PART OF THE COUNTY OR DEPARTMENT DURING THE PERFORMANCE OF ANY INSPECTION OR ACTIVITY TO BE CONDUCTED BY THE COUNTY OR DEPARTMENT UNDER THIS AGREEMENT. THE VILLAGE OF FREEBURG AGREES TO DEFEND ST. CLAIR COUNTY AND THE ST. CLAIR COUNTY BUILDING AND ZONING DEPARTMENT ITS EMPLOYEES, REPRESENTATIVES, AND ASSIGNS IF NAMED IN A SUIT BROUGHT PURSUANT TO THIS AGREEMENT.

III. St. Clair County agrees to:

- 1) Provide building inspection services to the Village of Freeburg as follows:
 - a) The County will conduct all required inspections on new construction for framing of the building, plumbing installation, electrical installation, and existing appurtenances.
 - b) All inspections and services will be subject to the following fees:
 - i) Fifty percent (50%) of the cost of the building permit for any improvement based on the County's then current permit fee schedule. (*Attached Schedule A & B*). Schedule is set for 5 years.
 - ii) Fifty dollars (\$50.00) for inspections of electrical service upgrades.
 - iii) Twenty-five dollars (\$25.00) for inspections of all electrical rewires.
 - iv) Seventy Five (\$75.00) for all re-inspections, which result from either the premises failing an initial inspection or for no access to the building.
 - v) All fees shall be NON-REFUNDABLE.

- vi) Upon thirty (30) days written notice to the municipality the above fees are subject to change by St. Clair County, said change in any contractual period (one year period) is limited to a maximum of ten percent (10%).
- c) The County agrees to secure and maintain during the life of this Agreement the following types of insurance with an insurance company licensed to do business in the State of Illinois or provide proof of self-insurance to the City, to wit:
 - i) Worker's Compensation Insurance and Unemployment Insurance as prescribed by the Statutes of the State of Illinois.
 - ii) In the event any insurance policy herein required is canceled; the County shall notify the Village of Freeburg within thirty (30) days prior to such cancellation, if it is possible to do so.

IV. Term of Agreement:

This Agreement will automatically renew on its anniversary date (yearly) unless written notice to terminate is received by either party sixty (60) days prior to the anniversary date at the addresses indicated below. Notice of termination of the agreement to be sent via the U.S. Mail or via facsimile.

Any and all written communication between the parties to this agreement will be addressed to the representatives and addresses below.

Mayor Seth Speiser
 Village of Freeburg
 14 Southgate Center
 Freeburg, IL 62243
 Phone: (618) 539-5545
 Fax: (618) 539-5590

St. Clair County Building & Zoning Department
 Attn: Anne Markezich
 #10 Public Square
 Belleville, IL 62220
 Phone: 618-825-2530
 Fax: 618-277-0482

 County Board, Chairman Date

 St. Clair County Building &
 Zoning Department, Director Date

 Environment Committee, Chairman Date

 Village of Freeburg, Mayor Date

ARTICLE VIII – FIREWORKS CODE

7-8-1 **DEFINITIONS.** As used in this Article, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

Common Fireworks: Any fireworks designed primarily to produce visual or audible effects by combustion.

(A) The term includes:

- (1) Ground and hand-held sparkling devices, including items commonly known as dipped sticks, sparklers, cylindrical fountains, cone fountains, illuminating torches, wheels, ground spinners, and flitter sparklers;
- (2) Smoke devices;
- (3) Fireworks commonly known as helicopters, aerials, spinners, roman candles, mines and shells;
- (4) Class C explosives classified as common fireworks by the United States Department of Transportation, by regulations found in the Code of Federal Regulations.

(B) The term does not include fireworks commonly known as firecrackers, salutes, chasers, skyrockets, and missile-type rockets.

Dangerous Fireworks: Any fireworks not defined as a “common firework”.

Fireworks: Any composition or device, in a finished state, containing any combustible or explosive substance for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and classified as common or special fireworks.

Special Fireworks: Any fireworks designed primarily for exhibition display by producing visible or audible effects. The term includes:

(A) Fireworks commonly known as skyrockets, missile-type rockets, firecrackers, salutes, and chasers; and

(B) Fireworks not classified as common fireworks.

7-8-2 **SALE OF FIREWORKS UNLAWFUL.** It is unlawful for any person to sell any fireworks within the Village other than those fireworks designated in **Section 7-8-5** of this Article, provided that this prohibition shall not apply to duly authorized public displays.

7-8-3 **POSSESSION, USE AND DISCHARGE OF DANGEROUS FIREWORKS UNLAWFUL.** It is unlawful for any person to sell, possess, use, transfer, discharge or explode any dangerous firework within the Village; provided that this prohibition shall not apply to duly authorized public displays.

7-8-4 **PERMIT REQUIRED TO SELL OR DISPLAY FIREWORKS.** It is unlawful for any person to engage in the retail sale of or to sell fireworks or to hold, conduct, or engage in a public display of fireworks within the Village without first having obtained a valid permit issued pursuant to the provisions of this Article.

7-8-5 **TIME LIMIT SET ON SALE AND USE.** No permit holder shall offer for retail sale or sell any fireworks within the Village except from **12:00 Noon** on the **28th of June** to **12:00 Noon** on the **6th of July** of each year. No fireworks may be sold or discharged between the hours of **11:00 P.M.** and **9:00 A.M.** Provided, the sale and use of fireworks as provided in this Section shall be limited to the following:

Dipped stick, sparklers and smoke devices.

7-8-6 **PERMIT FEES.** The annual fee for a "seller's permit" for the sale of fireworks as may be authorized under this Article, shall be **One Hundred Dollars (\$100.00)** per year for each seller's permit, payable in advance. The fee for a "public display permit" for the public display of fireworks shall be **One Hundred Dollars (\$100.00)**, payable in advance, unless waived by the Village Board.

7-8-7 **ISSUANCE – NONTRANSFERABLE VOIDING.**

(A) **Sellers.** Each seller's permit issued under this Article shall be for only one retail outlet. The number of seller's permits shall not be limited as long as all conditions are met as stated in **Section 7-8-11** of this Article. Each seller's permit issued pursuant to this Article shall be valid only for the current year, shall be used only by the designated permittee and shall be nontransferable.

(B) **Public Display Permit.** Each public display permit issued pursuant to this Article shall be valid for the specific authorized public display event only, shall be used only by the designated permittee and shall be nontransferable. Any transfer or unauthorized use of a permit is violation of this Article and shall void the permit granted in addition to all other sanctions provided in this Article.

7-8-8 **APPLICATION FOR PUBLIC DISPLAY PERMIT.** Applications for a permit to conduct a public display of fireworks shall be made to the Fire Chief at least **fourteen (14) days** prior to the scheduled event. Applicants shall meet all qualifications and requirements of state law regarding public display of fireworks and all fire and safety requirements as set forth in the standards for public display, and as set forth in **Section 7-8-12** of this Article.

7-8-9 **APPLICATION FOR SELLER'S PERMIT—CONDITIONS FOR ISSUANCE.** Applications for seller's permits shall be made to the Village Clerk annually on or after **April 1st** of the year for which the permit is issued and the filing period shall close on **April 15th** of such year unless extended by action of the Village Board. Applications shall be signed by the retail seller, if an individual, or by the duly authorized officer, if an association or corporation. It is unlawful for a fireworks manufacturer, wholesaler or supplier to make application for or to obtain a retail sales permit on behalf of any retailer. Seller's permits for the sale of those fireworks allowed pursuant to **Section 7-8-4** of this Article shall be issued only to applicants meeting the following conditions:

(A) The retailer or person in charge and responsible for the retail operation shall be **twenty-one (21) years** of age or older, of good moral character and of demonstrated responsibility.

(B) The applicant shall have a valid and current license issued by the State of Illinois authorizing the holder to engage in the retail sale of fireworks. **(See 425 ILCS 35)**

(C) The applicant shall own or have the right to possess a temporary fireworks stand complying with the requirements of this Article.

(D) The applicant shall procure and maintain a policy or policies of public liability and property damage insurance issued by a company or companies authorized to do business in the State of Illinois in the following minimum amounts: **Five Hundred Thousand Dollars (\$500,000.00)** for injuries to any one person in one accident or occurrence; **One Million Dollars (\$1,000,000.00)** for injuries to two or more persons in any one accident or occurrence; **Five Hundred Thousand Dollars (\$500,000.00)** for damage to property in any one accident or occurrence; **One Million Dollars (\$1,000,000.00)** combined single limit for any one accident or occurrence. In addition, the Village is to be an additional named insured and the policy shall provide for the immediate notification of the Village by the insurer of any cancellation of any policy.

(E) The permit holder's location or place of business shall be only in those areas or zones within the Village where commercial activities are authorized under applicable zoning law; provided, that the sale of those fireworks authorized by **Section 7-8-5** of this Article shall not be deemed an enlargement of an existing nonconforming use.

(F) The applicant shall post with the Village a performance bond or a cash deposit in an amount not less than **Two Hundred Dollars (\$200.00)** conditioned upon the prompt removal of the temporary fireworks stand and the cleaning up of all debris from the site of the stand, which deposit shall be returned to the applicant only in the event that the applicant removes the temporary stand and cleans up all debris to the satisfaction of the Village. In the event the applicant fails to do so, the performance bond or cash deposit shall be forfeited. In no event shall the applicant be entitled to the return of the performance bond or cash deposit if he or she has failed to remove the stand and clean up all debris by the **tenth (10th) of July** following the sales period.

(G) No seller's permit shall be issued for a location which fails to meet the criteria set forth in **Section 7-8-11** of this Article, including the minimum stand separation requirement. When necessary, in order to determine priority as to a proposed location, the earliest date and time of filing of an application for a seller's permit with the Village Clerk shall be controlling.

7-8-10 SALE FROM STANDS – EXCEPTIONS. All approved fireworks as set forth in **Section 7-8-5** of this Article except toy paper caps containing not more than **twenty-five hundredths grain** of explosive compound for each cap and trick or novelty device not classified as common fireworks, shall be sold and distributed only from temporary stands.

7-8-11 STANDARDS FOR TEMPORARY STANDS. The temporary stands of all seller's permit holders shall conform to the following minimum standards and conditions:

(A) Temporary fireworks stands need not comply with all provisions of the Building Code; provided, however, that all such stands be erected under the supervision of the Village Building Inspector, who shall require all stands to be constructed in a safe manner ensuring the safety of attendants and patrons. In the event any temporary stand is wired for electricity, the wiring shall conform to the electrical code.

(B) No temporary fireworks stand shall be located within **fifty (50) feet** of any other building or structure, nor within **two hundred fifty (250) feet** of any gasoline station, oil storage tank or premises where flammable liquids or gases are kept or stored.

(C) Each temporary fireworks stand must have at least two exits, which shall be unobstructed at all times.

(D) Each temporary fireworks stand shall have, in a readily accessible place, at least two, **two and one-half (2½) gallon** pressurized water fire extinguishers which are in good working order.

(E) All weeds, grass, and combustible material shall be cleared from the location of the temporary fireworks stand and the surrounding area to a distance of not less than **twenty-five (25) feet**, measured from the exterior walls of the temporary fireworks stand.

(F) No smoking shall be permitted in or near a temporary fireworks stand for a distance of not less than **fifty (50) feet** measured from the exterior walls of the temporary fireworks stand. Signs stating: **"No Smoking Within 50 Feet"** shall be posted on the exterior of each wall of the temporary fireworks stand.

(G) Each temporary fireworks stand shall have a person who is **eighteen (18) years** old or older in attendance at all times the stand is stocked. Stock from the stand shall not be removed and stored in any other building during the sales period without the express approval of the Fire Chief.

(H) All unsold stock and accompanying litter shall be removed from the temporary fireworks stand by **12:00 Noon** on the **seventh (7th) day of July** of each year.

(I) No temporary fireworks stand shall be located within **five hundred (500) feet** of any other temporary fireworks stand.

(J) Each temporary fireworks stand shall have provisions for sufficient off-street parking, at least **fifteen (15) spaces**, to avoid impeding a continuous flow of traffic at entrances and exits from the premises.

(K) No person shall discharge any fireworks within **two hundred fifty (250) feet** of the exterior walls of any temporary fireworks stand. Signs stating: **"No discharge of fireworks within 250 feet."** shall be posted on the exterior of all walls of the temporary fireworks stand.

7-8-12 STANDARDS FOR PUBLIC FIREWORKS DISPLAYS. All public fireworks displays shall conform to the following minimum standards and conditions:

(A) All public fireworks displays shall be planned, organized and discharged by pyrotechnician, "Pyrotechnician" means an individual who by experience and training has demonstrated the required skill and ability for safety setting up and discharging displays of special fireworks. All individuals shall have a license under the provisions of the Pyrotechnic Distributor and Operator Licensing Act. **(225 ILCS 227)**

(B) A permit must be obtained from the Village and approved by the Fire Chief or designee prior to any display of public fireworks. The permit shall include the name of the applicant and his or her address, the name of the Pyrotechnician and his or her address; the exact location, date and time of the proposed display; the number, type and class of fireworks to be displayed the manner in which the fireworks are being stored prior to the public fireworks display; and shall include the name and address of the insurance company providing the bond required.

(C) A drawing shall be submitted to the Fire Chief showing a plan view of the fireworks discharge site and the surrounding area within a **five hundred (500) foot** radius.

The drawing shall include all structures, fences, barricades, street fields, streams and any other significant factors that may be subjected to ignition or that may inhibit firefighting capabilities.

(D) When, in the opinion of the Fire Chief, such requirement is necessary to preserve the public health, safety and welfare, the permit may require that a Fire Department pumper and a minimum of two trained firefighters shall be on site **thirty (30) minutes** prior to and after the shooting of the event. The exhibitor shall repay the Village for all costs to firefighters for such time.

(E) All combustible debris and trash shall be removed from the area of discharge for a distance of **three hundred (300) feet** in all directions.

(F) All unfired or "dud" fireworks shall be disposed of in a safe manner.

(G) A minimum of two 2A-rated pressurized water fire extinguishers and one fire blanket shall be required to be at the fireworks discharge site.

(H) The permit shall be immediately revoked at any time the Fire Chief or a designee deems such revocation is necessary due to noncompliance, weather conditions such as, but not limited to, extremely low humidity or high winds. The display shall also be cancelled by accidental ignition of any form of combustible or flammable material in the vicinity due to falling debris from the display.

(I) Areas of public access shall be determined by the Fire Chief or designer and maintained in an approved manner.

7-8-13 **USE OF FIREWORKS IN PUBLIC PARKS.** It shall be unlawful for any person to discharge or possess any fireworks upon public land or in any public park, owned by the Village, provided, however, that such use shall be permitted under the following circumstances:

(A) This provision shall not apply to possession of fireworks in the otherwise lawful use of public rights of way such as sidewalks and planting strips. This subsection shall not be a defense to a charge of obstructing traffic or otherwise obstructing a public right of way.

(B) The Fire Chief shall designate limited areas for use during the hours permitted by the Article for the discharge of fireworks as allowed by **Section 7-8-5** of this Article. Otherwise lawful discharge and possession of fireworks as allowed by **Section 7-8-5** in such areas shall not be a violation of this Section. In doing so, the Fire Chief shall consider:

- (1) The sensitivity of the area's environment, wildlife and wildlife habitat;
- (2) The inconvenience and nuisance to abutting property owners;
- (3) The safety and suitability of the area as a place for the discharge of fireworks; and
- (4) Danger of fire or other destruction of public property and improvements from the use of the fireworks.

(C) Upon designation of any area, it shall be signed and posted by **July 1st** of each year for use on **July 4th** between the hours of **9:00 A.M.** and **11:00 P.M.** Designation of any area may be appealed in writing to the Village Board by any citizen of the Village. The decision of the Village Board shall be final.

(D) Nothing in this Article shall be deemed to limit the authority of the Village Board to allow event display of special fireworks under a permit issued in accordance with the provisions of the Code and State statutes.

7-8-14 **SPECIAL EFFECTS FOR ENTERTAINMENT MEDIA.** This Code does not prohibit the assembling, compounding, use and display of special effects of whatever nature by any person engaged in the production of motion pictures, radio, or television productions, theatricals or operas when such use and display is a necessary part of the production and such person possesses a valid permit issued by the Village in accordance with **Sections 7-8-7** and **7-8-8** of this Code.

7-8-15 **NONPROHIBITED ACTS.** This Code does not prohibit the use of flares or fuses in connection with the operation of motor vehicles, railroads, or other transportation agencies for signal purposes or illumination or for use in forest protection activities.

7-8-16 **APPLICABILITY.** The provisions of this Code shall not be applicable to toy paper caps containing not more than **twenty-five hundredths grain** of explosive compound for each cap and trick nor to novelty device not classified as common fireworks.

7-8-17 **STATUS OF STATE LAW.** This Code is intended to implement applicable State law, to wit, **Chapters 225 ILCS 227 and 425 ILCS 35**, and shall be construed in connection, with that law and any and all rules or regulations issued pursuant to that law.

7-8-18 **ENFORCEMENT.** The Fire Chief or designee, is authorized to enforce all provisions of this Code and, in addition to criminal sanctions or civil remedies, may revoke any permit issued pursuant to this Code upon any failure or refusal of the permittee to comply with the lawful orders and directives of the Fire Chief or designee, or to comply with any provisions of this Code or the requirements of the community development code relating to temporary structures.

7-8-19 **RECKLESS DISCHARGE OR USE PROHIBITED.** It is unlawful for any person to discharge or use fireworks in a reckless manner which creates a substantial risk of death or serious physical injury to another person or damage to the property of another.

EXHIBIT "A"

APPLICATION FOR AN OUTDOOR PYROTECHNIC DISPLAY PERMIT

PART A – DISPLAY SPONSOR INFORMATION

Display Sponsor's Name	Telephone Number
Address	Cell Phone

PART B – PYROTECHNIC DISTRIBUTOR INFORMATION

Pyrotechnic Distributor's Name		OSFM License
Address		Telephone Number
Location Where Fireworks Stored		Storage Dates
Lead Pyrotechnic Operator's Name		OSFM License
Assistant's Names	Date of Birth	License No. (if any)
Liability Insurance: (not less than \$1,000,000.00)		
Name and Address of Insurer		Telephone Number
Policy Number		Coverage Dates
Type of Coverage		
List Type, Size and Approximate Number of Fireworks to be Displayed: (if you need more space, please attach a separate sheet of paper.)		

PART C – DISPLAY INFORMATION

Display Location	
Property Owner's Name	Telephone Number
Owner's Address (if different than Display Location)	
Date of Display	Time of Display
Alternative Date	Time of Alternative Display
By signing below, the Owner of the property on which the Outdoor Pyrotechnic Display will take place, hereby authorizes the Display Sponsor and the Pyrotechnic Distributor to perform the Outdoor Pyrotechnic Display on said property.	
Signature:	

PART D – SITE INSPECTION INFORMATION

Answer the following questions	Yes	No
Is distance to any fire hydrant or water supply greater than 600'?		
Is display area clear from overhead obstructions?		
Have provisions been made to keep the public out of display area?		
Is a hospital, nursing home, or other institution within 600' of the display site?		
Have provisions been made for on-site fire protection during the display?		
Has a diagram of the display site been attached to this application?		
Identify the largest mortar size (in inches) you intend to use.		
Identify the minimum secured diameter of the display site (in feet) based on the largest mortar size.		

**PART E – FIRE DEPARTMENT AUTHORIZATION
(Completed by Fire Department)**

Department Name	Telephone Number	
Department Address		
Based on review of the Display Site, the provided Diagram, And this application:	Yes	No
Have you verified the answers the applicant has given to Part D of this application?		
Will the performance of the described Outdoor Pyrotechnic Display at the planned display site be hazardous to property or endanger any person?		
By signing below, the Fire Chief of the above-identified fire jurisdiction, or his or her designee, hereby acknowledges that he or she inspected the Display Site:		
Signature:		
Print Name:	Date	

PART F – DIAGRAM OF DISPLAY SITE (Completed by the Applicant)

In the space provided below, draw and identify the location of the following items:
Streets, Discharge Site, Fallout Area, Parking Area, Spectator Area, Buildings, Overhead Obstructions, and Spotters.
The associated separation distances must also be shown. Do not forget to identify the direction in your drawing:

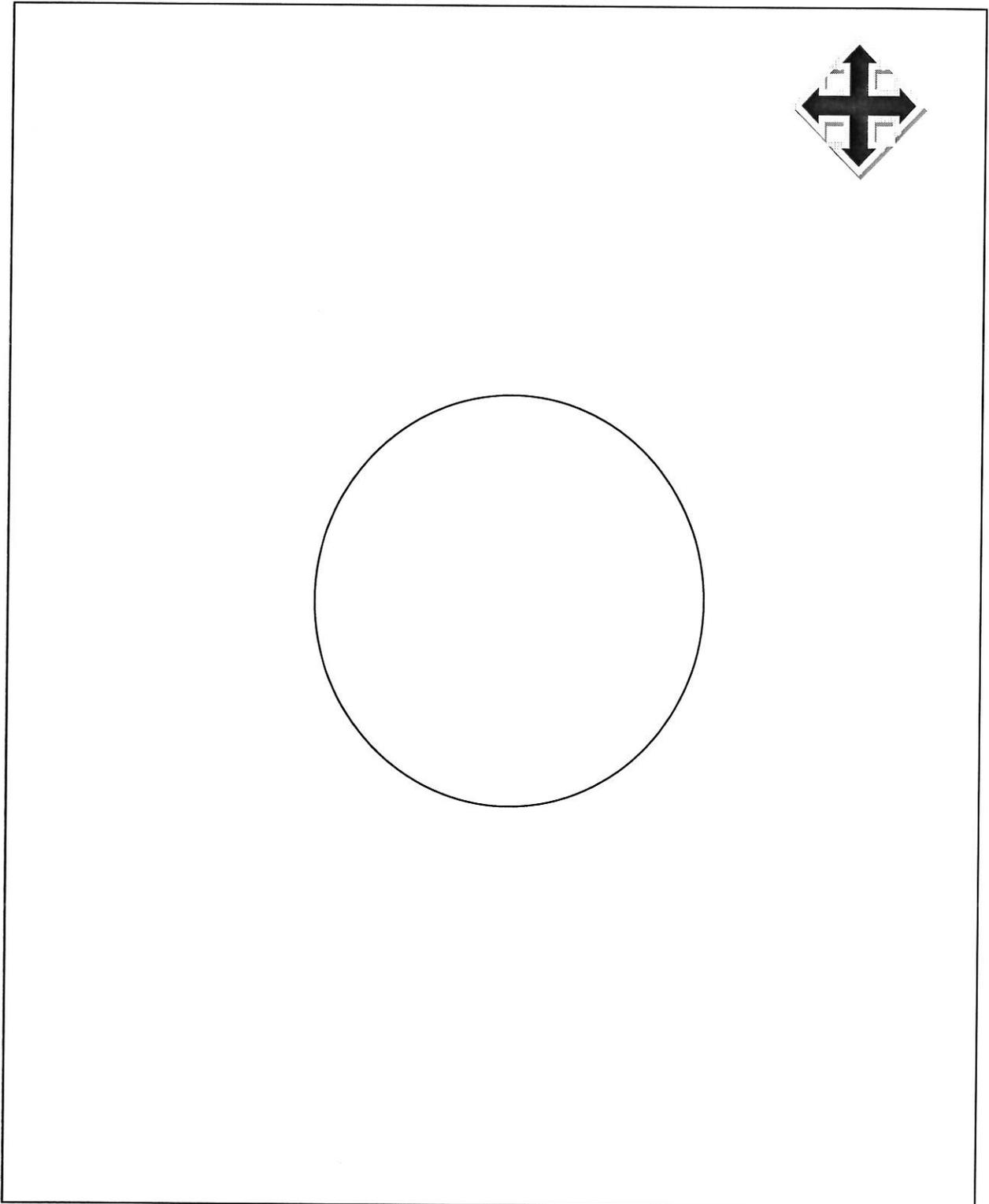


EXHIBIT "B"

OUTDOOR PROFESSIONAL DISPLAY SITE CHECKLIST

PART A – DISPLAY INFORMATION

Name of Company: _____ License No. _____

Name of Lead Operator: _____ License No. _____

Location of Display: _____

Venue Contact: (Name, Address and Telephone Number)

Date of Display: _____ Alternative Display Date: _____

Assistants Names Date of Birth License No. (If Any)

PART B – DISPLAY SITE SELECTION/MINIMUM DISTANCES

Did the operator provide you a copy of the Display Site plan? The display site plan must include the dimensions and locations of the discharge site, the fallout area, and identify the spectator viewing area and parking areas which must be located outside of the display site. The associated separation distances must also be shown.

Identify the largest mortar size in inches: ()

The minimum display site size required to conduct the display is based on the size of the largest mortar. To determine the minimum area for the display site, go to Table 1 and read the number next to size of the largest mortar identified above:

Table 1

Mortar Size (in inches)	Minimum Secured Diameter of the Site (in feet)
<3	280
3	420
4	560
5	700
6	840
7	980
8	1120
10	1400
12	1680

Where unusual or safety-threatening conditions exist, the authority having jurisdiction shall be permitted to increase the required separation distances as it deems necessary.

Spectators and spectator parking areas must be located outside of the display site.

Dwellings, buildings, and structures are not permitted to be located within the display site without the approval of the authority having jurisdiction and the owner and the dwelling, building, or structure is unoccupied during the display. The building may remain occupied if the structure provides protection through substantial noncombustible or fire-resistant construction for the occupants.

Fire protection personnel and their vehicles and other emergency response personnel and vehicles shall remain at or beyond the perimeter of the display site during the actual firing of the display.

Review sample Display Site Plan at end of this document.

PART C – LOCATION OF DISPLAY

Mortars shall be placed at the approximate center of the display site.

There shall not be any overhead object over the mortars or within 25 ft of the trajectory of any aerial shells.

Ground display pieces shall be located a minimum distance of 75 ft from spectator viewing areas and parking areas.

Exception: For ground pieces with greater hazard potential (such as large wheels with powerful drivers, and items employing large salutes) or all roman candles and multishot devices, the minimum separation distance shall be increased to 125 ft (38 m).

PART D - MORTARS

Mortars shall be positioned and spaced so that shells are propelled away from spectators, over the fallout area, and to afford maximum protection to the shooter and loader. Under no circumstances shall mortars be angled toward the spectator viewing area.

Mortar racks or bundles shall be constructed in a thorough and workmanlike manner to be capable of holding multiple mortars in position during normal functioning. Mortar racks or bundles that are not inherently stable shall be secured or braced to stabilize them. Stabilization shall be accomplished by using stakes, legs, A-frames, side-boards, or equivalent means.

PART E – GROUND DISPLAY

To the extent that it is practical, all ground display pieces shall be positioned outside the discharge area of aerial displays.

Exception: Where aerial shells have been preloaded, ground display pieces shall be permitted to be located in that discharge area.

Dry grass or combustible materials located beneath ground display pieces shall be wet down before the display if they are in sufficient quantity to be a fire hazard.

Poles for ground display pieces shall be securely placed and firmly braced so that they do not fall over during functioning of the fireworks device.

PART F – DISPLAY SITE SAFETY

The authority having jurisdiction and the operator shall meet and determine the level of fire protection required.

During the period before the display, where pyrotechnic materials are present, unescorted public access to the site shall not be permitted.

Are there enough monitors positioned around the discharge site to prevent spectators or any other unauthorized persons from entering the discharge site? The discharge site must be restricted throughout the display and until the discharge site has been inspected after the display. The authority having jurisdiction may approve delineators or barriers to be used in crowd control.

Does the display have at least two spotters, or preferably more, assigned to watch the flight and behavior of aerial shells and other aerial fireworks to verify that they are functioning as intended. If any unsafe condition is detected, such as hazardous debris falling into the audience, the spotter shall signal the shooter to cease firing until the unsafe condition is corrected. The spotters shall be in direct communication with the shooter during the conduct of the display, with an effective means of informing the shooter of any hazardous condition.

PART G – DISCHARGE AREA SAFETY

During the firing of the display, all personnel in the discharge site shall wear head protection, eye protection, hearing protection, and foot protection and shall wear cotton, wool, or similarly flame-resistant, long-sleeved, long-legged clothing. Personal protective equipment, as necessary, shall be worn by the operator and assistants during the setup and cleanup of the display.

No person shall ever place any body part over the mortar during the loading and firing of a display until mortars have been checked for the absence of any shells following the display.

Smoking materials, matches, lighters or open flame devices shall not be allowed within 50 ft (15 m) of any area where fireworks or other pyrotechnic materials are present.

Exception: Devices such as fuses, portfires, and torches shall be permitted to be used to ignite fireworks.

No person shall be allowed in the discharge area while under the influence of alcohol, narcotics, or medication that could adversely affect judgment, mobility, or stability.

The first shell fired shall be observed carefully to determine that its trajectory is such that the shell functions over the fallout area and that any hazardous debris or unexploded shells land in the fallout area. The display shall be interrupted and the mortars shall be reangled or repositioned as necessary for safety at any time during an outdoor fireworks display.

PART H – HALTING DISPLAY

Wherever, in the opinion of the authority having jurisdiction or the operator, any hazardous condition exists, the fireworks display shall be postponed until the condition is corrected. Such conditions include but are not limited to the following:

The lack of crowd control,

If high winds, precipitation, or other adverse weather conditions prevail, or

If any unsafe condition is detected, such as hazardous debris falling into the audience, the spotter shall signal the shooter to cease firing until the unsafe condition is corrected.

In the event of a condition arising requiring the entry of fire protection or other emergency response personnel into the fallout area or security perimeter, the display shall be halted until the situation is resolved and the area is once again clear.

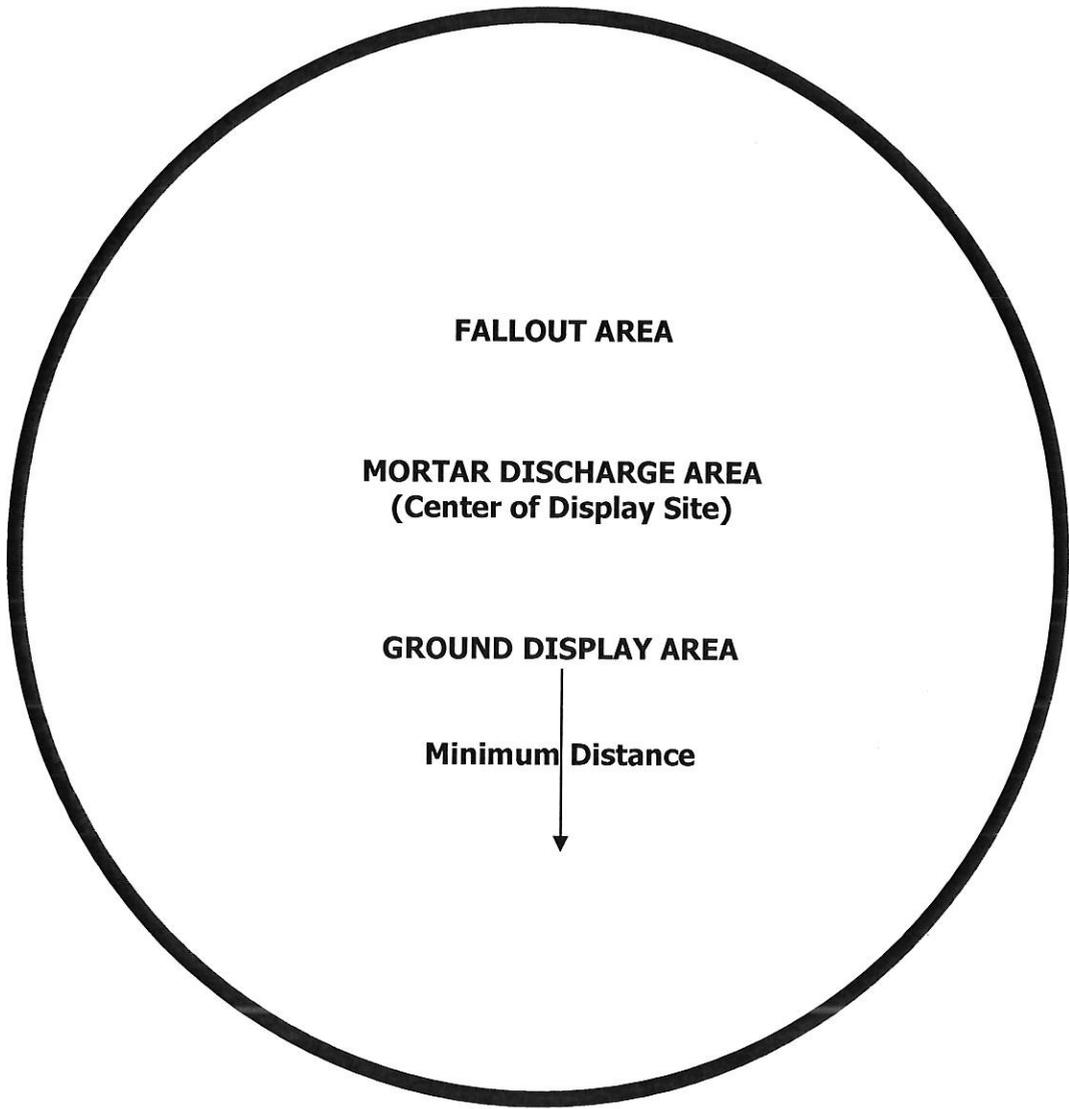
PART I – POST DISPLAY INSPECTION

Following the display, the firing crew shall conduct an inspection of the fallout area for the purpose of locating any unexploded aerial shells or live components. This inspection shall be conducted before any public access to the site shall be permitted.

Where fireworks are displayed at night, a search of the fallout area shall be made immediately after the display and at first light the following morning by the operator or designated personnel acceptable to the authority having jurisdiction.

DISPLAY SITE PLAN

← **MINIMUM SECURED DISTANCE** →



SPECTATOR VIEWING AREA

VEHICLE PARKING AREA

EXHIBIT "D"

Once the Fire Chief, or his or her designee, has signed this permit form, you must return to the local governmental authority issuing the permit to have it signed by the designated Officer in order for the permit to be valid.

OUTDOOR PYROTECHNIC DISPLAY PERMIT

Date _____ Permit No. _____

PERMITTEES:

Display Sponsor _____

Pyrotechnic Distributor _____

The above-identified permittees are hereby granted permission to conduct an Outdoor Pyrotechnic Display, using Display Fireworks, on _____,
(Month, Day, Year)
at _____ in _____, Illinois.
(Time) (City/Village/Township/Unincorporated County)

In the event the display cannot be held on that date, the permittees are given permission to conduct said display at the above-identified location on _____, at _____.
(Month, Day, Year) (Time)

The Lead Pyrotechnic Operator, _____, is hereby
(Name)
designated as the supervisor of the display, and given overall responsibility for the safety, setup, discharge and supervision of the detonation, ignition, or deflagration of the Display Fireworks during the Outdoor Pyrotechnic Display.

Issuing Officer

I have reviewed the permit, inspected the site and approve this permit.

Fire Chief (or Designee)

This permit is non-transferable and must be in possession of the Lead Pyrotechnic Operator during the Outdoor Pyrotechnic Display.