

AGENDA

RULES MEETING OF THE BOARD OF TRUSTEES VILLAGE OF PARK FOREST, COOK AND WILL COUNTIES, ILLINOIS

Village Hall

8:00 p.m.

September 5, 2006

Roll Call

1. An Amendment to Chapter 34: Emergency Services Ordinance
2. An Amendment to Chapter 42 (Wood Truss Roof)

Manager's Comments

Trustee's Comments

Attorney's Comments

Audience to Visitors

Adjournment

AGENDA ITEMS ARE AVAILABLE IN VILLAGE HALL LOBBY

AGENDA BREIFING

DATE: August 30, 2006

TO: Mayor John Ostenburg
Board of Trustees

FROM: Robert H. Wilcox, Fire Chief

RE: Amendment to Chapter 34: Emergency Services Ordinance

BACKGROUND/DISCUSSION:

Attached you will find an amendment to an existing ordinance. This item is a housekeeping matter that involves adding Article 1 to Chapter 34 titled "Emergency Services". This article was unintentionally left out during the re-codification process and needs to be adopted as it is our enabling ordinance for actions during disasters.

SCHEDULE FOR CONSIDERATION: This item will appear on the agenda of the rules meeting of September 5, 2006, for discussion.

ORDINANCE No. _____

**ORDINANCE AMENDING CHAPTER 34 OF THE
CODE OF ORDINANCES OF THE VILLAGE OF
PARK FOREST, COOK AND WILL COUNTIES, ILLINOIS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Park Forest, Cook and Will Counties, Illinois, that the Code of Ordinances of the Village be hereby amended by adding the following new Article I to Chapter 34, "Emergency Services":

ARTICLE I

EMERGENCY SERVICE AND DISASTER AGENCY

Sec. 34-1. Purpose.

(a) Because of the possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from the explosion in this or in a neighboring municipality of atomic or other means from without, or by means of sabotage or other disloyal actions within, or from fire, flood, earthquake, or other natural or man-made causes, and in order to insure that this municipality will be prepared to and will adequately deal with any such disasters, preserve the lives and property of the people of this Village and protect the public peace, health and safety in the event of such a disaster, it is found and declared to be necessary:

- (1) To create an emergency service and disaster agency;
- (2) To confer upon the Village President the extraordinary power and authority set forth under 11 1-6 of the Illinois Municipal Code (65 ILCS 5/11-1-6).
- (3) To provide for the rendering of mutual aid to other cities and political subdivisions with respect to the carrying out of emergency services and disaster operations with the assistance of the Fire Chief and/or Disaster Coordinator.

(b) Whenever the Village President determines after an investigation that a dangerous situation or a potentially dangerous situation exists which could cause death to individuals or serious injury to property or the health and welfare of public, the Village President may declare that a state of emergency exists. Such investigation shall include a report from Village Staff of the conditions causing such a dangerous situation including location, number of persons and structures which have been or may be affected, types of hazards, and types of emergency services which may be required. A finding that control, containment or correction of the emergency situation is not within the readily available means of the Village's internal resources. The Village President shall also obtain a report from the Village Manager of all available personnel to assist in the emergency situation and all available

emergency agencies within the region capable of rendering assistance. Upon a finding by the Village President that a state of emergency exists, the Village President shall sign under oath a statement finding that such investigation has occurred and setting forth facts to substantiate such findings have resulted in the need to declare a state of emergency. This statement shall be filed with the Village Clerk as soon as practical. A state of emergency shall expire not later than the adjournment of the first regular meeting of the Village Board after the state of emergency is declared. A subsequent state of emergency may be declared if necessary.

(c) It is further declared to be the purpose of this Article and the policy of the Village that all emergency management programs be coordinated to the maximum extent with the comparable functions of the federal and state governments, including their various departments and agencies, of other municipalities and localities and private agencies of every type, to the end that the most effective preparation and use may be made of the nation's staffing, resources and facilities for dealing with any disaster that may occur.

Sec. 34-2. Limitations.

Nothing in this Article shall be construed to:

(a) Interfere with the course or conduct of a private labor dispute, except that actions otherwise authorized by this Code may be taken when necessary to forestall or mitigate imminent or existing danger to public health or safety;

(b) Interfere with dissemination of news or comment of public affairs; but any communications facility or organization (including but not limited to radio and television stations, wire services and newspapers) may be requested to transmit or print public service messages furnishing information or instructions in connection with a disaster;

(c) Affect the jurisdiction or responsibilities of police forces, firefighting forces, units of the armed forces of the United States, or of any personnel thereof, when on active duty; but state and local emergency operations plans shall place reliance upon the forces available for performance of functions related to disaster emergencies;

(d) Limit, modify or abridge the authority of the Village President and the Village Board to exercise any other powers vested in them under the constitution, statutes, or common law of this State, independent of or in conjunction with any provisions of this Article.

Sec. 34-3. Definitions.

As used in this Article, unless the context clearly indicates otherwise, the following words and terms shall have the definitions hereinafter ascribed:

(a) Coordinator means the staff assistant to the Village President with the duty of carrying out the requirements of this Article.

(b) Disaster means an occurrence of threat of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including but not

limited to fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, explosion, critical shortages of essential fuels and energy, riot, or hostile military or paramilitary action.

(c) Emergency Management means the efforts of this Village to develop, plan, analyze, conduct, implement and maintain programs for disaster mitigation.

(d) Emergency Operations Plan means the written plan of the Village describing the organization, mission and functions of this Village and supporting services for responding to and recovery from disaster.

(e) Emergency Services means the preparation for and the carrying out of such functions, other than functions for which military forces are primarily responsible, as may be necessary or proper to prevent, minimize, repair and alleviate injury and damage resulting from disasters caused by fire, flood, earthquake, or other man-made or natural causes. These functions include, without limitations, firefighting services, police services, emergency aviation services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency assigned functions of plant protection, temporary restoration of public utility services and other functions related to civilian protection, together with all other activities necessary or incidental to protection life or property.

Sec. 34-4. Village of Park Forest Emergency Services and Disaster Agency.

(a) There is hereby created an Emergency Services and Disaster Agency. The Village President shall appoint the coordinator of the emergency services and disaster agency, herein called the "Coordinator", who shall be the head thereof.

(b) The Coordinator, subject to the direction and control of the Village President, shall be the executive head of the Village of Park Forest Emergency Services and Disaster Agency, and shall be responsible under the direction of the Village President for carrying out the program for emergency services and disaster operations of this municipality. He/she shall coordinate the activities of all organizations for emergency services and disaster operations within this municipality and shall maintain liaison, and cooperate with the civil defense and emergency management agencies and organizations of Cook and Will Counties, other counties and municipalities and of the federal and state governments.

In the event of the absence, resignation, death or inability to serve by the Coordinator, the Fire Chief shall be and act as coordinator until a new coordinator is appointed.

(c) The Village of Park Forest Emergency Services and Disaster Agency shall take an integral part in the development and revision of the local Emergency Operations Plan.

(d) In the development of the Emergency Operations Plan, the Village Emergency Services and Disaster Agency shall interrelate with business, labor, industry, agriculture, civic and volunteer organizations and community leaders.

(e) The Village of Park Forest Emergency Services and Disaster Agency shall:

- (1) Determine the requirements of the Village of Park Forest for food, clothing and other necessities in the event of an emergency;
- (2) Develop an Emergency Operations Plan that meets the standards promulgated by the Illinois Emergency Management Agency;
- (3) Annually review and revise the local Emergency Operations Plan;
- (4) Establish a register of persons with types of training and skills in emergency prevention, preparedness, response and recovery;
- (5) Establish a register of government and private response resources available for use in a disaster;
- (6) Prepare, for issuance by the Village President, ordinances, proclamations and regulations as necessary or appropriate in coping with disaster.
- (7) Cooperate with the federal, state and county government and any public or private agency or entity in achieving any purpose of this ordinance and in implementing programs for disaster prevention, preparation, response and recovery;
- (8) Initiate and coordinate planning for the establishment of an emergency operation center;
- (9) Do all other things necessary, incidental or appropriate for the implementation of this Article.

Sec. 34-5. Emergency Services and Disaster Powers of the Village President.

(a) The Village President shall have the general direction and control of the Emergency Services and Disaster Agency, and shall be responsible for the carrying out of the provisions of this Article.

(b) In performing his/her duties under this ordinance, the Village President is authorized to cooperate with state and federal governments and with other municipalities and political subdivisions in all matters pertaining to emergency services and disaster operations.

(c) In performing his/her duties hereunder, the Village President is further authorized:

- (1) To make, amend and rescind all lawful necessary orders, rules and regulations of the local disaster plan to carry out the provisions hereof within the limits of the authority conferred upon him/her.
- (2) With the assistance of the coordinator to cause to be prepared a comprehensive plan and program for the emergency management of this municipality which plan and program shall be integrated into and coordinated with disaster plans of the state and federal governments and of other political subdivisions, and which plan and program may include:
 - a. Prevention and minimization of injury and damage caused by disaster;
 - b. Prompt and effective response to disaster;
 - c. Emergency relief;
 - d. Identification of areas particularly vulnerable to disaster;
 - e. Recommendations for zoning, building and other land-use controls, safety measures for securing permanent structures and other preventive and preparedness measures designed to eliminate or reduce disasters or their impact;
 - f. Assistance to local officials in designing local emergency action plans;
 - g. Authorization and procedures for the erection of other construction of temporary works designed to protect against or mitigate danger, damage or loss from flood, conflagration or other disaster;
 - h. Coordination of local emergency management activities;
 - i. Other necessary matters.
- (3) In accordance with such plan and program for the emergency management of this Village, and out of funds appropriated for such purposes, to procure and preposition supplies, medicines, materials and equipment to institute training programs and public information programs, and to take all other preparatory steps, including the partial or full mobilization of emergency services and disaster organizations in advance of actual disaster to insure the furnishing of adequately trained and equipped forces for disaster operations.
- (4) Out of funds appropriated for such purposes, to make such studies and surveys of the industries, resources and facilities in this municipality as may be necessary to ascertain the capabilities of the municipalities for the

emergency management phases of preparedness, response and recovery, and to plan for the most efficient emergency use thereof.

- (a) The Village President is authorized to designate space in Village Hall, or elsewhere, for the emergency services and disaster agency as its office.

Sec. 34-6. Local Disaster Emergencies

(a) Only the Village President or Village Board may declare a local disaster emergency. If declared by the Village President, it shall not be continued for a period in excess of seven (7) days except by or with the consent of the Village Board. Any order or proclamation declaring, continuing or terminating a local disaster emergency shall be given prompt and general publicity, and shall be filed promptly with the Village Clerk.

(b) The effect of a declaration of a location disaster emergency is to activate any and all applicable local emergency operations plan and to authorize the furnishing of aid and assistance thereunder.

(c) During a local disaster emergency, the Village President may suspend the provisions of any municipal ordinance prescribing procedures for the conduct of business, or the orders, rules and regulations of any municipal agency, if strict compliance with the provisions of any ordinance, rule or regulation would in any way prevent, hinder or delay necessary action in coping with the emergency, as authorized by "The Illinois Emergency Management Agency Act", provided that, if the Village Board meets at such time, he/she shall act subject to the direction and restrictions imposed by that body.

Sec. 34-7. Testing of Disaster Warning Devices

The testing of disaster warning devices, including outdoor warning sirens, shall be held only on the first Tuesday of each month at 10 o'clock in the morning.

Sec. 34-8. Mutual Aid Arrangements between Political Subdivisions

The Coordinator for emergency services and disaster operations may, in collaboration with other public agencies within his/her immediate vicinity, develop or cause to be developed mutual aid arrangements with other political subdivisions, municipal corporations or bodies politic within this state for reciprocal disaster response and recovery in case a disaster is too great to be dealt with unassisted. The mutual aid shall not, however, be effective unless and until approved by each of such political subdivisions, municipal corporations or bodies politic as are parties thereto, in the manner provided by law, and unless and until filed with and approved in writing by the state director. Such arrangements shall be consistent with the state and local emergency management operations plan and program, and in the event of such a disaster as described in Sec. 34-3 of this ordinance, it shall be the duty of each local and department for emergency services and disaster operations to render assistance in accordance with the provisions of such mutual aid arrangements.

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Sec. 34-9. Communications

The Village of Park Forest Emergency Services and Disaster Agency shall ascertain what means exist for rapid and efficient communications in times of disaster emergencies. The agency shall consider the desirability of supplementing these communications resources or of integrating them into a comprehensive system or network. In studying the character and feasibility of any system or its several parts, the agency shall evaluate the possibility of multipurpose use thereof for general municipal and local governmental purposes. The agency shall make recommendations to the Village President as appropriate.

Sec. 34-10. Immunity

Neither the municipality, the agency or any member thereof or any person acting at their direction, engaged in any emergency services and disaster operations or disaster activities, while complying with or attempting to comply with this article or any rule or regulations promulgated pursuant to this Ordinance is liable for the death of or any injury to persons, or damage to property, as a result of such activity. This section does not, however, affect the right of any person to receive benefits to which he would otherwise be entitled under this act, under the Workers' Compensation Act or the Workers' Occupational Diseases Act, or under any pension law, and this section does not affect the right of any such person to receive any benefits or compensation under any Act of Congress.

Sec. 34-11. Professions, Trades and Occupations.

If such disaster as is described in Sec. 34-3 occurs in this Village and the services of persons who are competent to practice any profession, trade or occupation are required in this Village to cope with the disaster situation and it appears that the number of persons licensed or registered in the Village to practice such profession, trade or occupation may be insufficient for such purpose, then any persons who are licensed elsewhere to practice any such profession, trade or occupation may, if a member or another political subdivision rendering aid in the Village pursuant to the order of the head of that political subdivision and upon the request of the Village, or if otherwise requested so to do by the Village President or the coordinator of this Village, during the time the disaster condition continues, practice such profession, trade or occupation in this Village without being licensed or registered in this Village.

Sec. 34-12. Authority to Accept Services, Gifts, Grants or Loans.

Whenever the federal or state governments, or any agency or officer thereof, or whenever any person, firm or corporation shall offer to the village services, equipment, supplies, materials or funds by way of gift or grant for purposes of emergency management, the Village, acting through the Village President or through its Board, may accept such offer and upon such acceptance the Village President or the Board may authorize any officer of the

Village to receive such services, equipment, supplies, materials or funds on behalf of the Village.

Sec. 34-13. Orders, Rules and Regulations.

(a) The Village President shall file a copy of every rule, regulations or order and any amendment thereof made by him/her pursuant to the provisions of this ordinance in the office of the Village Clerk. No such rule, regulation or order, or any amendment thereof, shall be effective until ten (10) days after such filing; provided, however, that upon the declaration of such a disaster emergency by the Village President as is described in Sec. 34-6, the provision relating to the effective date of any rule, regulation order or amendment issued pursuant to this ordinance and during the state of such disaster emergency, is abrogated, and said rule, regulation, order or amendment shall become effective immediately upon being filed with the Village Clerk, accompanied by a certificate stating the reason for the emergency.

(b) The Village of Park Forest Emergency Services and Disaster agency established pursuant to this ordinance, and the coordinator thereof shall execute and enforce such orders, rules and regulations as may be made by the Governor under authority of the Illinois Emergency Management Agency Act. The Village of Park Forest Emergency Services and Disaster Agency shall have available for inspection at its office all orders, rules and regulations made by the Governor, or under this authority. The State Emergency Management Agency shall furnish such orders, rules and regulations to the agency.

Sec. 34-14. Utilization of Existing Agency, Facilities and Personnel.

In carrying out the provisions of this ordinance, the Village President and the coordinator of the emergency services and disaster agency are directed to utilize the services, equipment, supplies and facilities of existing departments, offices and agencies of the municipality to the maximum extent practicable, and the officers and personnel of all such departments, offices and agencies are directed, upon request, to cooperate with and extend such services and facilities to the coordinator and the emergency services and disaster agency.

Sec. 34-15. Severability.

If any provision of this Article or the application thereof to any person or circumstances be held invalid, such invalidity shall not affect such other provisions or applications, and to this end the provisions of this ordinance are hereby declared to be severable.

Sec. 34-16. No Private Liability.

(a) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual or impending disaster, or a mock or practice disaster response activity together with his/her successors in interest, if any, shall not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or

premises under such license, privilege or other permission, or for negligently causing loss of, or damage to, the property or such person.

(b) Any private person, firm or corporation and employees and agents of such person, firm or corporation in the performance of a contract with, and under the direction of, the municipality under the provision of this Article, shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of willful misconduct.

(c) Any private person, firm or corporation, and any employee or agency of such person, firm or corporation, who renders assistance or advice at the request of the municipality, shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of willful misconduct. The immunities provided in subsection (c) shall not apply to any private person, firm or corporation, or to any employee or agent of such person, firm or corporation whose act or omission caused in whole or in part such actual or impending disaster and who would otherwise be liable therefore.

Sec. 34-17. Succession.

In the event of the death, absence from the Village of Park Forest or other disability of the Village President preventing him/her from acting under this Ordinance or for any other municipal purpose, and until the office is filled in the manner prescribed by law, the senior available Trustee shall succeed to the duties and responsibilities of the Village President. A succession list has been compiled by executive order pursuant to the authority in 5ILCS 275 and on file with the Village Clerk.

Sec. 34-18. Compensation.

The Village Board, by its annual appropriations ordinance, may provide for the payment of the salary of the coordinator and such other office staff and personnel as may be expressly provided for in the ordinance. Nothing herein contained shall prohibit any member of the agency from receiving compensation from the State of Illinois Emergency Management Agency under any provisions of that agency.

Sec. 34-19. Emergency Services and Disaster Agency Personnel Oath.

Each person, whether compensated or non-compensated, who is appointed to serve in any capacity in a department of the Village of Park Forest Emergency Services and Disaster Agency, shall, before entering upon his/her duties, take an oath, in writing, before the coordinator of the Village of Park Forest Emergency Services and Disaster Agency before a person authorized to administer oaths in this Village, which oath shall be filed with the coordinator of the Village of Park Forest Emergency Services and Disaster Agency, and which oath shall be substantially as follows:

"I, _____, do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions and facilities thereof,

both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I, nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence; and that during such time I am affiliated with the Village of Park Forest I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence."

Sec. 34-20. Emergency Termination or Reduction of Electrical Service.

Declaration of emergency condition. When in the judgement of the Village President or Village Board, as provided herein, a local disaster emergency requires the termination or reduction of electrical service, the Village President or Village Board shall forthwith declare in writing the existence of the emergency condition and order the termination or reduction of electrical service.

This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form as provided by law.

Passed this _____ day of _____, 20____.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED:

Village President

ATTEST:

Village Clerk

AGENDA BREIFING

DATE: August 30, 2006

TO: Mayor John Ostenburg
Board of Trustees

FROM: Robert H. Wilcox, Fire Chief

RE: Truss Roof Ordinance

BACKGROUND/DISCUSSION:

Attached you will find an ordinance dealing with the identification of structures employing Truss Roof construction. Of all the various types of roofs on which firefighters may have to operate, the various types of trusses are by far the most dangerous. Bowstring truss roofs are the most prominent in Park Forest and are the deadliest style of roof construction for firefighters.

Dangers associated with these truss roof designs is twofold; first, the truss allows large areas to be spanned with pieces of material that are much smaller dimensionally, and second; the roof system is held together by gusset plates thereby creating a weak link in their design. Therefore, they hold their shape as long as the entire system is intact, but if an element in the system fails the entire system fails. Interesting enough the danger to the truss exists only under fire conditions.

This Ordinance, when approved, would require all buildings in Park Forest employing a truss roof design to be marked as such, allowing firefighters to rapidly identify these structures during firefighting operations. This Ordinance is specifically designed to enhance firefighter safety in these inherently dangerous structures.

SCHEDULE FOR CONSIDERATION: This item will appear on the agenda of the rules meeting of September 5, 2006, for discussion.

ORDINANCE No. _____

AN ORDINANCE AMENDING CHAPTER 42 OF THE CODE OF ORDINANCES, VILLAGE OF PARK FOREST, COOK AND WILL COUNTIES, ILLINOIS.

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Park Forest, Cook and Will Counties, Illinois that Chapter 42, Section 42-44 is amended by adding the new language set forth below in proper numerical sequence:

Section 507.4, Wood Truss is amended to add the following language:

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PROPERTY OWNER. Any person, firm or corporation having a legal ownership interest in the property.

SIGN. A nine-inch (minimum) by three-inch (minimum) piece of aluminum or stainless steel stock plate, 1/8 inch thick (minimum), covered with red 3M diamond grade reflective film or equivalent. Located at the center of the sign is a white 3M diamond grade or equivalent reflective letter "T" which is three inches (minimum) in height.

WOODEN TRUSSES. A wooden roof or floor structure support system consisting of a group of triangles arranged in a single plane in such a manner that loads applied at the points of the intersections of the structural members will cause only direct stresses, tension or compression, within the structural members. Wooden truss assemblies may include, but are not limited to, the following general types of construction: bowstring, warren, saw-tooth, k truss, scissors, cambered fink, hammerbeam, pratt, fink, and inverted queen post.

(B) *Required signage.* The owner of any commercial or industrial structure which has wooden truss assembly shall be required to mount warning signs meeting the following minimum requirements:

(1) *Size and construction.* Each sign required to be installed in accordance with this chapter shall be of the size and construction defined.

(2) *Mounting locations and height from finished grade.* A sign shall be mounted directly to the right of each series of entrance doors (front, rear and sides of the building or structure) at a height of five feet up from finished grade. Additional signs may be required by the Fire Code Official, when the distance between entrance doors or the length of a series of entrance doors would require additional warning signs for visibility by Fire Department personnel.

(C) *Property owner responsibility.* It shall be the responsibility of each property owner to mount, maintain and prevent obstruction of any warning signs required to be mounted on the building or structure.

Section II: This Ordinance will be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

Passed this day of September, 2006.

AYES:
NAY:
ABSENT:

APPROVED:

ATTEST:

Mayor

Clerk