

ORDINANCE NO. 13- 42

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE MUNICIPAL CODE REGARDING THE PREVENTION OF FIRES IN THE WESTMONT BUILDING CODE AND WESTMONT FIRE CODE

WHEREAS, the Village of Westmont is a municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, on or about June 1, 2009, the Village of Westmont Board of Trustees adopted an ordinance which modified certain provisions of the Westmont Building Code and the Westmont Fire Code with regard to sprinkler requirements and fire alarm and wireless connection requirements; and

WHEREAS, the above-referenced 2009 ordinance required compliance with the sprinkler and fire alarm and wireless connection requirements on or before June 1, 2013; and

WHEREAS, the Village of Westmont Board of Trustees now desires to provide alternatives to strict compliance with these requirements by June 1, 2013; and

WHEREAS, the first alternative is to extend the moratorium for compliance with the mandatory sprinkler requirements for those businesses located in the Central Business District for twenty-four (24) additional months, commencing on June 1, 2013, and terminating on May 30, 2015; and

WHEREAS, the second alternative is to allow commercial properties who have not installed an automatic fire alarm system with wireless monitoring and with direct connection to the Westmont Dispatch Center a further extension until June 30, 2013 for such installation; and

WHEREAS, the third alternative is for such commercial properties described in the above paragraph the option to phase-in compliance, thus extending the compliance date for installation of an automatic fire alarm system with wireless monitoring and with direct connection to the Westmont Dispatch Center to June 30, 2014, provided that such phase-in complies with the terms and requirements of this Ordinance and provided that such properties execute a Memorandum of Understanding as set forth herein regarding their obligations; and

WHEREAS, the Village of Westmont Board of Trustees finds that mandatory compliance with the sprinkler requirements and automatic fire alarm system requirements is an urgent life and safety matter for property owners, for occupants, guests and invitees upon these properties, and for adjacent properties and their owners; and

WHEREAS, the Village of Westmont Board of Trustees further finds that the alternatives to strict and immediate compliance as set forth herein are reasonable in light of past extensions by the Village for compliance and in light of the costs associated with compliance, and that these alternatives are more likely to lead to ultimate compliance by properties in lieu of enforcement action, while continuing to protect the public health, safety and welfare; and

WHEREAS, the Village of Westmont Board of Trustees finds that the provisions and requirements of this ordinance are a proper exercise of its police powers to address pressing life and safety concerns, and that requiring fire sprinkler systems and automatic fire alarm systems for existing buildings is justified and required due to the urgent life and safety concerns posed by potential fires to these properties without such systems.

NOW, THEREFORE, BE IT ORDAINED by the Mayor Pro Tem and Board of Trustees of the Village of Westmont, DuPage County, Illinois, as follows:

Section 1: Chapter 18, Section 63 of the Village of Westmont Code of Ordinances is amended as follows (deletions are indicated by ~~strikeouts~~; additions/changes are indicated by underlining and shadowing):

Sec. 18-63. Additions, insertions and changes.

The following sections and subsections of the International Building Code, Second (2nd) Edition, 2003, are hereby revised as follows:

...

- (12) *Sec. 112.0 (page 8)*. "Board of Appeals", delete all subsections and add the following:

Sec. 112.1 General. See Chapter 18, Article 1, Section 18.4 of the Village Code.

- (13) Add *Sec. 113.5. Penalties. Whenever, upon inspection, it is determined that conditions or practices exist which are in violation of the provisions of this chapter or are in violation of an agreement with the village entered into pursuant to authority of this chapter, a penalty shall be imposed by the village. Each day or portion thereof that such a violation exists without full compliance is considered a separate violation. Any person or entity found guilty of violating any of the provisions of this chapter shall be punished by a fine of not less than \$750.00 per day.*

- (134) *Sec. 114.1 (page 9)*. "Stop Work Order", add the following:

Work shall also be stopped when such work is done in violation of any other Code or of the Zoning Ordinance.

- (145) *Sec. 114.3 (page 9)*. "Unlawful Continuance", add the following:

Insert seventy-five dollars (\$75) and seven hundred fifty dollars (\$750.00), respectively.

- (156) *Sec. 202. (page 20)*. "Definitions", add the following definition:

Tenant space: A portion of a building that is occupied by a tenant doing business under a corporate business name, or an individual governmental

- (167) *Sec. 403 "Applicability" (page 41)*. Delete and substitute the following:

Sec. 403.1: The provisions of this Section shall apply to all buildings, any part of which is located more than sixty feet (60') above the lowest level of Fire Department vehicle access.

(178) *Sec. 403.5 "Automatic Fire Detection" (page 42).* Add the following:

Installation of an automatic fire detection system does not eliminate any requirement for a sprinkler system.

(189) *Sec. 403.13 "Smoke Proof Exit Enclosures" (page 42).* Add the following:

All doors must automatically unlock in the event of a power failure.

(1920) *Sec. 403.13 (page 42). "Smoke Proof Exit Enclosures",* add a new Subsection 403.13.1, as follows:

Sec. 403.13.1 Buildings over three (3) stories: In buildings over three (3) stories in height, interior access corridors, stairs, and exit ways shall be provided with positive pressure. The pressurization system may operate continuously or be activated by the alarm signal of the fire alarm or fire suppression system. Manual controls shall also be provided.

(201) *Sec. 403.0 (page 42). "High-Rise Buildings",* add the following:

Sec. 403.15 Division of Floor Areas: Every story exceeding fifteen thousand (15,000) square feet shall be divided into two (2) or more areas of approximately the same size with no single area exceeding fifteen thousand (15,000) square feet. The wall and doors between the areas of refuge shall be constructed as required for a horizontal exit in Section 814.0.

(212) *Sec. 406.1.4 (page 45). "Separation",* add the following:

Door sills: the sills of all door openings between private garages and adjacent interior space shall be raised not less than six inches (6") above the garage floor, and the door opening shall be provided with an automatic closing device and shall be a "B" labeled door with a one and one half (1-½) hour fire rating with a:

(A) One and three fourth inch (1-¾") solid core wood door.

(B) One and three fourth inch (1-¾") solid or honeycomb core steel door.

(223) Reserved.

(234) *Sec. 705.1 (page 90). "General",* add the following:

The provisions of this Section shall apply to all multiple-family structures containing three (3) or more living units; and all buildings with business, commercial and industrial uses, including mixed use buildings. The fire resistance rating of structural elements (including outside walls and floors) and tenant separation or party walls, shall be a minimum of two (2) hours, except that the required minimum fire resistance rating and tenant separation or party wall shall be a minimum of one (1) hour for business

or commercial occupancies which are equipped with a fire suppression and fire alarm system throughout the structure.

(245) *Sec. 903 (page 166). "Automatic Sprinkler Systems", add a new Subsection 903.2.12.3, as follows:*

Glass openings (in a rated wall): Any opening that has a glass panel, e.g. sidelights, windows, glass doors, and/or similar openings, shall be protected by a specifically designed automatic sprinkler system. The sprinkler system shall include automatic sprinkler heads installed no further than eighteen inches (18") from the surface of the glass, and installed at six feet (6') on center horizontally on both sides of the glass. The sprinkler system shall completely wet the entire surface of the glass when activated.

(256) *Section 903 (page 166). "Automatic Sprinkler Systems", add new Subsection 903.1.2 and 903.1.3, as follows:*

Sec. 903.1.2 Fire suppression systems and fire alarm system: Each fire suppression and fire alarm system shall be supervised the Westmont Police/Fire Dispatch Center.

Sec. 903.1.3 Alarm and trouble signals: The following signals shall be supervised:

(A)

All flow and active alarm signals from any fire suppression or fire alarm system in service; and

(B)

All system components which are normally supervised, including valves, pressures and levels which are critical to the system operation, and all signal components required under National Fire Protection Standards, and any other component deemed necessary of the proper operation of the system.

(267) *Sec. 903 (page 166). "Automatic Sprinkler Systems", add the following, Sec. 903.2.14:*

(A) Any new building over two thousand five hundred (2,500) square feet, or over three (3) stories in height.

(B) Any restaurant with an occupancy of over fifty (50) persons, or any place of assembly with occupancies over fifty (50) persons.

(C) Any building which is added on to that will increase the building to more than two thousand five hundred (2,500) square feet.

(D) Any building over two thousand five hundred (2,500) square feet that has a change in use to a more hazardous use as determined by the Westmont

Fire Department. Examples of more hazardous uses include but are not limited to: Change of use from an Office or Retail use to a hardware store or other use where paint, paint thinners, lacquers, or other flammable materials are stored on the property. Change in use from Office to Retail or Retail to Office will not, in and of itself, trigger the requirement to install sprinklers.

(E) Any new duplex which includes any dwelling attached, or semidetached unit, or any new two (2) family detached dwelling units.

(F) Any new multiple family dwelling, which is a dwelling containing three (3) or more dwelling units.

(G) Any, and all, building general contractors must also provide a signed memorandum that a sprinkler system, and one hundred percent (100%) brick veneer exterior wall construction, is available as an option for all new single family homes.

(H) Any commercial building over 2,500 square feet which is the subject of remodeling including, but not limited to: removal of interior walls, relocation of interior walls, addition of interior walls, addition or removal of door or window openings, relocation of door or window openings, substantial changes, additions, or upgrades to building plumbing or electrical systems, addition of building square footage through building addition or number of stories, removal of building square footage, or any other such substantial renovation deemed by the Director if Economic Development to trigger the need for sprinklers. This section shall not include redecorating or maintenance efforts such as carpeting, wall coverings, countertops, or replacement with like kind and quality roofing, plumbing, heating, air conditioning, or lighting fixtures. Upgrades to electrical and plumbing service by itself shall not trigger the requirements for sprinklers. Further, any interior remodeling of an area representing less than 20% of the total building square footage, not to exceed 1,000 square feet, shall be permitted without triggering the requirement for sprinklers. Such limited remodeling shall be permitted no more than once every three years, without triggering the sprinkler requirement.

(I) Any remodeling which does not breach a "Building Separation/Fire Wall" shall not, in and of itself, trigger a requirement to install fire suppression sprinklers in an existing commercial building in the B-1 District.

(J) A mixed use occupancy (i.e. commercial and residential) in any new building or redevelopment of an existing building shall trigger the sprinkler requirement.

(278) *Sec. 903.2.10.1 (page 167). "Stories and basements without openings", add the following:*

When openings are not provided: An automatic fire suppression system shall be provided in the following locations where adequate openings are not provided:

(A) In every story or basement of all buildings where there is not provided at least twenty (20) square feet (1.86m²) of opening entirely above the adjoining ground level in each fifty (50) lineal feet (15,240mm) or fraction thereof of exterior wall in the story of basement, on at least one (1) side of the building. Openings shall have minimum dimensions of not less than thirty inches (30") (559mm). Such openings shall be accessible to the Fire Department from the exterior and shall be unobstructed to allow firefighting and rescue operations from the exterior.

(B) In every story where openings are provided on only one (1) side and the opposite wall of such story is more than seventy five feet (75') (22,860mm) from such openings, or openings as specified herein shall be required on at least two (2) sides of the exterior walls of the story.

(C) In any basement if any portion thereof is located more than seventy-five feet (75') (22,860mm) from openings required in this section, or if the basement area exceeds two thousand (2,000) square feet.

(289) *Sec. 907.1 (page 173). "Fire Alarm and Detection System", add the following:*

The automatic fire alarm system shall be approved for the particular application and shall be used for detection and signaling in the event of fire. Automatic detecting devices shall be approved for the use in which they are intended.

(2930) *Sec. 907.2 (page 174). Add the following:*

Section 907.2 Where Required. The following buildings shall have an approved fire detection and alarm system installed (Page 174):

(A) Any new building.

(B) All to be completed by June 30th, 2013. However, such non-compliant properties subject to this requirement shall be entitled to an alternative arrangement as follows:

(i) Such properties shall be permitted to phase-in compliance in three (3) phases, with the first phase to be completed by June 30, 2013, the second phase to be completed by December 31, 2013 and full compliance to be attained by June 30, 2014;

(ii) Such properties shall be permitted phase-in compliance only if the property owner has an agreement with Norcomm Public Safety

Communications, Inc., 395 W. Lake Street
Elmhurst, IL 60126. (630) 530-2991,
info@norcom911.com, the village's wireless alarm
company, to install a compliant system in three
phases and provides a copy of that agreement to the
village; and

(iii) Such properties, through their property owner,
have executed a memorandum of understanding
with the village, on a form provided by the village,
acknowledging the phase-in compliance obligations,
and

(iv) Each day any part or portion of the phase-in
compliance does not meet the obligations of this
ordinance and/or the memorandum of understanding
shall be considered a violation of this ordinance and
that penalties may be assessed pursuant to Section
113.5.

(C) Any change in use of an existing building.

Exception: Sprinkled buildings conforming to NFPA #13 are not required to have detection devices (i.e. smoke/heat detectors) unless otherwise required by adopted codes.

(301) *Add a new Subsection 907.2.24 (page 178), as follows:*

Sec. 917.2.24 Smoke detectors as part of system. Smoke detectors, as part of the fire alarm system, shall be used in all institutional and education uses, and in use groups of R-1 and R-2.

(312) *Sec. 907.2 (page 179). Add a new Subsection 907.2.25, as follows:*

Sec. 907.2.25 Tenant space indication: When activated, a smoke detector shall be identified visually by the tenant space in which it is located.

(323) *Sec. 907.2 (page 179). Add a new Subsection 907.2.26, as follows:*

Sec. 907.2.26 Single and multiple-family dwellings: Smoke detectors shall be installed in every new single family and multiple-family residential unit and in single family residential buildings where structural or repairs in are made in the living area of a value in excess of two thousand dollars (\$2,000.00), and in all multiple family mixed occupancy dwelling units, as follows:

(A) Location: As per 2008 National Electric Code.

(B) Specifications: Smoke detectors shall be electric type with battery backup, and shall be wired directly to the structure A.C. system. The

detectors must be interconnected so the activation of one (1) detector will activate all other detectors in the building. No switching or extension cords or receptacle connection shall be permitted. All types of smoke detectors shall be listed with an approved testing laboratory which is identified in the Appendix of this Code.

(334) Section 907.14 (page 180). Add the following:

Section 907.14.1: Fire Protection System Monitoring.

All fire alarm systems and suppressions systems supervision shall terminate at Police/Fire 911 Dispatch panel. Existing systems that are monitored elsewhere or which do not have monitoring shall be connected to the Westmont Dispatch Center by June 30th, 2013. However, such non-compliant properties shall be entitled to an alternative arrangement as follows:

(i) Such properties shall be permitted to phase-in compliance in three (3) phases with the first phase to be completed by June 30, 2013, the second phase to be completed by December 31, 2013 and full compliance to be attained by June 30, 2014;

(ii) Such properties shall be permitted phase-in compliance only if the property owner has an agreement with Norcomm Public Safety Communications, Inc., 395 W. Lake Street Elmhurst, IL 60126, (630) 530-2991, info@norcom911.com, the village's wireless alarm company, to install a compliant system in three phases and provides a copy of that agreement to the village; and

(iii) Such properties, through their property owner, have executed a memorandum of understanding with the village, on a form provided by the village, acknowledging the phase-in compliance obligations; and

(iv) Each day any part or portion of the phase-in compliance does not meet the obligations of this ordinance and/or the Memorandum of Understanding shall be considered a violation of this ordinance and that penalties may be assessed pursuant to Section 113.5.

All connections to the Westmont Dispatch Center shall be transmitted via "wireless" transmitters. Existing phone line connections to the Westmont Dispatch Center shall be converted to "wireless" by June 30th, 2013. However, such properties subject to this requirement shall be entitled to an alternative arrangement as follows:

(i) Such properties shall be permitted to phase-in compliance in three (3) phases with the first phase to be completed by June 30, 2013, the second phase to be completed by December 31, 2013 and full compliance to be attained by June 30, 2014;

(ii) Such properties shall be permitted phase-in compliance only if the property owner has an agreement with Norcomm Public Safety Communications, Inc., 395 W. Lake Street Elmhurst, IL 60126, (630) 530-2991, info@norcom911.com, the village's wireless alarm company, to install a compliant system in three phases and provides a copy of that agreement to the village; and

(iii) Such properties, through their property owner, have executed a memorandum of understanding with the village, on a form provided by the village, acknowledging the phase-in compliance obligations; and

(iv) Each day any part or portion of the phase-in compliance does not meet the obligations of this ordinance and/or the memorandum of understanding shall be considered a violation of this ordinance and that penalties may be assessed pursuant to Section 113.5.

(345) *Sec. 909 (page 181). "Smoke Control Systems", add new Subsections 909.1.1 and 909.1.2, as follows:*

Sec. 909.1.1 Purpose: The purpose of this Section is to prescribe means for the removal and control of smoke, hot air, and gases within a building.

Sec. 909.1.2 Where required: A smoke control system shall be provided in the following buildings:

(A) In all sprinklered buildings with a gross floor area (combined floor area of all floors) exceeding sixty thousand (60,000) square feet.

- (B) In all non-sprinklered buildings with a gross floor area (combined floor area of all floors) exceeding thirty thousand (30,000) square feet.
- (C) In all buildings with multi-story atriums.
- (D) In covered mall buildings, including individual tenant spaces.
- (E) For buildings less than twenty five thousand (25,000) square feet in area, windows which can be opened may be used for venting smoke.
- (F) All systems shall be designed in accordance with the National Fire Protection Association Standards, or other acceptable criteria.

(356) *Sec. 909.2 (page 181). "General Design Requirements", add the following:*

All systems shall be designed in accordance with the National Fire Protection Association standards, or other acceptable criteria.

(367) *Sec. 909 (page 189). "Smoke Control Systems, add a new subsection 909.21.4, as follows:*

Sec. 909.21.4 Other use of mechanical systems: Mechanical smoke removal may be used in lieu of gravity venting (hatches or panels) in accordance with the following criteria:

- (A) All systems shall be designed in accordance with the National Fire Protection Association Standards, or other acceptable criteria.
- (B) Three hundred (300) cubic feet per minutes (300CFM) mechanical capacity will be considered the equivalent to one (1) square foot of required vent opening, or the mechanical system may be designed to provide six (6) air changes per hour.
- (C) The mechanical smoke management system shall have an adequate supply and return air source to allow the system to operate properly.
- (D) The location and design of controls for the mechanical smoke management system, including the pressurization of areas of a building, shall be at a location approved by the Bureau of Fire Prevention and shall be at a location easily accessible.

(378) *Sec. 1003 (page 194). "General Means of Egress", add the following:*

Every room, or tenant space, with an occupant load greater than fifty (50) or which exceeds three thousand (3,000) square feet, or in which the travel distance exceeds seventy-five feet (75') shall have at least two (2) egress doorways leading from the room or tenant space to an exit or corridor. Such egress doorways shall be marked with an approved illuminated exit sign. Further, such egress doorways shall swing in the direction of egress travel when serving an occupant load of fifty (50) or more, or a high hazard use.

Exceptions:

- (A) Boiler, incinerator, and furnace rooms shall be provided two (2) egress doorways when the area exceeds fifty (50) square feet (46.6m²) and individual fuel fired equipment exceed four hundred thousand (400,000) BTU's (11.24W) input capacity. Doorways shall be one half (½) of the diagonal dimension of the room. When two (2) doorways are required by this exception, a fixed ladder access out of the room may be provided by one (1) doorway.
- (B) Institution 12 use areas with more than six (6) beds shall be provided with two (2) egress doorways.

(389) *Sec. 1006.1 (page 197)*. "Illumination Required", add the following:

In all buildings, or portions of buildings, with an occupant load of at least fifty (50) means of egress lighting shall be connected to an emergency electrical system which complies with Section 2702.

Battery operated emergency lights which illuminate the exit sign shall be deemed to comply with this requirement.

(3940) *Sec. 1008.1.9 (page 203)*. "Panic and Fire Exit Hardware", add the following:

All doors equipped with latching devices in buildings, or portions of buildings, serving rooms or spaces, with an occupant load greater than one hundred (100) shall be equipped with approved panic hardware. Acceptable panic hardware shall be a door latching assembly incorporating a device which causes the door latch to release, and the leaf to open, with a force of fifteen (15) pounds (72.23N) is applied to a bar or panel in the direction of egress, at a height greater than thirty inches (30") (762mm) and less than forty four inches (44") (1,118mm) above the floor. The activating portion of such bar, or panel, shall extend not less than one-half (½) the width of the door leaf. The force shall be applied at the lock side of the door, or thirty inches (30") from the hinged side, whichever is farther from the hinge.

(401) *Sec. 1025 (page 223)*. "Emergency Escape and Rescue", add a new Subsection 1025.1.1, as follows:

Sec. 1025.1.1 Basements: Basements in all "R" use groups shall be provided with the following exits:

- (A) Direct access to the outside by a door and stairs, or a window having an opening frame nominal area with a minimum opening of thirty inches (30") wide and thirty-eight inches (38") high, and a sill height not more than forty-four inches (44") above the finished floor. Such window shall include a metal rectangular shaped emergency escape well with a minimum width of thirty-six inches

(36") a minimum clearance from the foundation wall of twenty-four inches (24") and a height not more than six inches (6") above grade, with no exposed sharp edges. Metal wells for windows which are not escape windows shall extend twenty inches (20") away from the foundation wall.

- (B) All basements in "R" use groups shall be provided with natural light and ventilation by windows and/or doors in exterior walls, with both glazed and ventilating areas not less than two percent (2%) of the floor area.
- (C) Emergency escape windows or doors shall not have bars, grills, and/or screens placed over the emergency escape and shall be releasable or removable from the inside without the use of a key, tool, or excessive force.

(4+2) *Sec. 1403.1 (page 245)*. Insert new section with the following language:
Any new duplex dwelling unit built must have fifty percent (50%) of all exterior walls, excluding window and door openings, constructed with a nominal four inch (4") face brick (wood frame, brick veneer) or a four inch (4") nominal natural stone.

Section 2: The previous moratorium/sunset provision adopted by the Village allowing properties in the Central Business District which were non-compliant in maintaining a required fire sprinkler system to remain non-compliant is hereby extended for the period of June 1, 2013 until June 30, 2015 (subject to the triggering events for sprinkler installation contained herein). As of June 30, 2015, all non-compliant properties in the Central Business District and properties in the Central Business District which were previously granted waivers from the fire sprinkler system requirement shall have installed fully compliant and operational fire sprinkler systems.

Section 3: The Memorandum of Understanding referenced herein for the phasing-in of fire detection and alarm systems, with direct connection to the Westmont Dispatch Center and wireless monitoring, is attached hereto as Exhibit "A" and is hereby approved in form by the Village of Westmont corporate authorities. The Fire Chief or his designee is authorized to execute such Memorandums of Understanding on behalf of the Village with the various property owners referenced in this ordinance without further approval of the Village corporate authorities. The Fire Chief is authorized to make ministerial modifications to this Memorandum of Understanding as needed, provided such ministerial modifications do not materially modify or alter the fire detection and alarm system requirements or the phasing requirements.

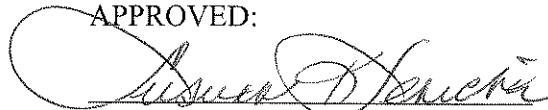
Section 4: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 5: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED by the Mayor Pro Tem and Board of Trustees of the Village of Westmont, DuPage County, Illinois, this 4th day of March, 2013.

Ayes: 6 Nays: 0 Absent: 0

APPROVED:


Susann K. Senicka, Mayor Pro Tem

ATTEST:


Virginia Szymski, Village Clerk

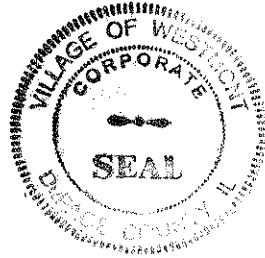


EXHIBIT "A"

MEMORANDUM OF UNDERSTANDING

MEMORANDUM OF UNDERSTANDING
FIRE DETECTION AND ALARM SYSTEM PHASE-IN COMPLIANCE

This Memorandum of Understanding (“MOU”) made and entered into this _____ day
of _____ 2013, by and between the Village of Westmont (“Westmont”), and

owner of the property with the following street address: _____

_____ (“Property”).

WITNESSETH:

WHEREAS, in 2009, the Westmont Village Board of Trustees adopted certain provisions and requirements of the Westmont Building Code and Westmont Fire Code with regard to fire detection and alarm system requirements which were to be installed and compliant by June 1, 2013; and

WHEREAS, the Westmont Village Board has extended the above-referenced compliance deadline to June 30, 2013; and

WHEREAS, as an alternative to strict compliance by June 30, 2013, the Westmont Village Board of Trustees has approved procedure whereby the Property (and similarly situated properties) may elect to phase-in the installation and operation of the fire detection and alarm system requirements, provided certain conditions are met and agreed to by the Property as set forth herein.

NOW, THEREFORE, for consideration provided by the Village in waiving strict compliance with the fire detection and alarm system requirements by June 30, 2013 as set forth herein, and for consideration provided by the Property in agreeing to install at its cost a compliant fire detection and alarm system on a phased-in basis by June 30, 2014 as set forth herein, Westmont and the Property agree on the terms and conditions herein set forth as follows:

1. The Property is required to have installed and operational, at the Property’s expense, a fire detection and alarm system, with a direct connection to the Westmont Dispatch Center and with required wireless monitoring, all in compliance with Westmont ordinances and requirements, by June 30, 2014.

2. The Property is allowed to phase-in compliance of the afore-mentioned system in three (3) phases as follows:
 - a. First phase to be completed by June 30, 2013; and
 - b. Second phase completed by December 31, 2013; and
 - c. Final phase to be completed by June 30, 2014.

The Westmont Fire Department shall establish the requirements for each phase, which shall be applicable to the Property and all other similarly-situated properties.

3. The Property requested phase-in compliance shall first have in place an agreement with the Village's wireless alarm company, Norcomm Public Safety Communications, Incorporated (395 W. Lake Street, Elmhurst, IL 60126, (630) 530-2991, info@norcom911.com) for phase-in compliance. Said agreement shall provide compliance work to be completed in the phases set out according to this MOU. A copy of said agreement shall be provided to the Westmont prior to June 1, 2013.
4. Phase-in compliance as provided herein shall only be allowed if this MOU is signed by the Property and Westmont by June 15, 2013.
5. By signing this MOU, the Property pursuing phase-in compliance acknowledges the phasing obligations set out herein, the final deadline of strict compliance as set out herein, and acknowledges that failure to comply with each and every phase-in requirement and the requirements of Westmont ordinances and regulations in this regard shall result in daily fines of \$750.00 pursuant to ordinance, in addition to any other penalties provided by ordinance, including but not limited to loss of occupancy.
6. Each day that any part or portion of the phase-in compliance deadline is not met is considered a separate ordinance violation which shall incur a \$750 daily fine.
7. Any notice required or desired to be sent under this MOU shall be in writing and made to the parties at the following address:

If to Westmont:	Village of Westmont 31 W. Quincy Westmont, IL 60555 Attention: Village Manager
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If to the Property:	_____ Address: _____ _____ _____
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8. This MOU shall constitute the entire agreement between the parties and no other warranties, inducements, considerations, promises, or interpretations shall be implied or impressed upon this MOU that are not expressly addressed herein and therein.
9. This MOU has been properly authorized by the Village of Westmont.
10. This MOU has been properly authorized by the owner of the Property.

IN WITNESS WHEREOF, the parties hereto have executed this MOU on the date herein above written.

VILLAGE OF WESTMONT:

By: _____

Title: _____

PROPERTY:

Address of Property

Signature of Property Owner

Printed Name of Property Owner