

**CHAPTER 6**  
**FIRE PROTECTION**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
273	Fire Protection	05.26.71
323	Fire Clerk	03.29.72
74-082	Treasurer of the Fire Department	08.13.74
76-306	Enforcement of Fire Prevention Regulations	04.13.76
79-057	Appointment of Deputy Chief	10.02.79
81-031	Amending Article 3 Dealing with the Regulations of Licensing Private Ambulance	09.08.81
82-010	Amending Chapter 6 "Fire Protection" in its Entirety	02.09.82
82-075	Addition of Article 4 - Firefighter Training	12.14.82
83-011	Addition of Article 5 - Fire Investigations.	03.22.83
84-055	Amending by Adding under Article 1 -- Fire Department, a New Section 6-114 and Section 6-115 (Office of Battalion Chief)	11.13.84
91-159	Regulation and Licensing of Private Ambulances	11.12.91
93-125	Amending Deputy Chief/Fire Marshal and Deputy Chief	10.12.93
94-087	With Respect to Fees and Fines	07.26.94
96-136	Designating the Number of Officers and Members of the Fire Department and Amending Battalion Chiefs	11.12.96
00-116	Amending Deputy Chief and Fire Marshall	06.27.00
00-117	Increasing the number of Firefighters of the Fire Department of the Village of Bolingbrook	06.27.00
00-120	Residency Requirements for Appointive Firefighter Positions	07.11.00
01-107	Amending Certain Provisions of the Village Code Re Fire Department Personnel	07.24.01
02-095	Amending Fire Dept. Personnel	08.13.02
06-024	Amending Fire Department Personnel (Increase)	02.28.06
06-072	Amending Fire Department Organization	07.11.06
07-061	Fire Department Organization	05.22.07
09-049	Amending Fire Department Organization	07.14.09

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**CHAPTER 6 -- FIRE PROTECTION**

**ARTICLE 1 -- FIRE DEPARTMENT**

**Section 6-101. DEPARTMENT CREATED.** (Amended in its entirety by Ordinance 09-049, 07.14.09) A department of the government of the Village to be known as the Fire Department is hereby established, which shall consist of such members of the department as may be provided for from time to time by the Mayor and Board of Trustees by ordinance duly adopted.

<u>POSITION</u>	<u>NUMBER</u>
Fire Chief	1
Assistant Fire Chief	2
Battalion Chief	4*
Fire Marshal	1
Civilian Fire Inspector	1**
Lieutenants	16***
Firefighters	69

\* The 4 persons with the rank of Captain as of the date of Ordinance No. 01-107 shall retain that rank, and the rank of Captain is otherwise abolished.

\*\* A non-sworn, civilian position.

\*\*\* 16 Lieutenants, 1 of which will be permanent rank of Emergency Medical Director.

**Section 6-102. FUNCTION.** It shall be the function and duty of the Fire Department and every member thereof to extinguish accidental or destructive fires and to prevent the occurrence or spread of such fires. Any fireman in attendance at a fire shall obey the orders of the officer in command at such fire.

(A) **ENFORCEMENT OF FIRE PROTECTION REGULATIONS.** It shall be the duty of all members of the Fire Department to enforce all the fire prevention regulations of this code and all other code provisions assigned to the Fire Department for the purpose of enforcement. For this purpose, the members of the Fire Department shall have the usual powers and authority of police officers.

(B) **HIGHEST RANKING OFFICER IN CHARGE.** In case of fire, the officer at the fire with the highest rank shall take command of the members of the Fire Department present at the scene and direct their activities in order to suppress the fire in the best manner possible.

(C) **DESTRUCTION OF BUILDINGS.** When it may be necessary for the protection of other property and to prevent the spread of the conflagration, the officer in command may cause buildings to be removed, torn down or destroyed in the best manner possible.

(D) **OTHER DUTIES.** All members of the Fire Department shall perform such other duties as are required of them by this Code or by such other rules and regulations of the Board of Fire and Police Commissioners, now or hereafter in force, pertaining in any manner to the Fire Department.

**Section 6-103. DEPARTMENT DIRECTOR -- OFFICE OF FIRE CHIEF -- APPOINTMENT AND REMOVAL.** There is hereby created the Office of Fire Chief. The Fire Chief shall be appointed by the

Village President, with the advice and consent of the Board of Trustees. The Director may be removed from office by the Village President with the consent of the Board of Trustees at any time, upon the following procedure being effectuated. The Village President shall notify the Director that he intends to recommend to the Board of Trustees that said Director be removed from office. The Director then may, within 72 hours, demand written charges or a written statement of the reasons for removal, which the Village President shall furnish to the Director within fifteen (15) days after filing of such request. During this period, the Director may be suspended from office with or without pay. The Board of Trustees may act upon the President's recommendation: a) At the expiration of said 72 hour period specified herein, if the Director has not demanded written charges or a written statement, or; b) After the submission by the Village President of said written charges or a written statement if a demand has been made by said Director as specified herein. The action of the President and Board of Trustees in removing the Director shall be final. The Chief need not be a member of the department at the time of his appointment.

**Section 6-104. DUTIES OF THE CHIEF.** The Fire Chief, under the supervision of the Village Manager, shall have control of the Fire Department and all building and fire apparatus used by the Fire Department.

The Fire Chief shall be responsible for the training and conduct of members of the Fire Department, and may make or prescribe such rules and regulations for the guidance of the members of the department as he shall deem necessary.

**Section 6-105. APPOINTMENT AND COMPENSATION OF MEMBERS.** All regular members of the Fire Department, except the Fire Chief, Deputy Fire Chief and the Fire Marshal, shall be appointed by the Board of Fire and Police Commissioners. They shall be employees of the Village and shall receive such compensation as is fixed by the President and Board of Trustees from time to time by ordinance.

The appointments by the Board of Fire and Police Commissioners shall be in conformance with the provisions of Article 4, Chapter 4, of this Code and the Rules and Regulations of the Board of Fire and Police Commissioners as approved and amended by the Village Board of Trustees. All appointments of firemen below the rank of officer shall be for a probationary period of one year. If at the expiration of that time the applicant, in the opinion of the Board of Fire and Police Commissioners, proves to be fit for the position, he shall be permanently certified to the position by the Board. If, in the judgment of the Board, he shall prove unsatisfactory during the probationary period of one year, he shall be dropped from services.

**Section 6-106. CONDUCT OF MEMBERS OF DEPARTMENT.** It shall be the duty of every member of the Fire Department to conduct himself in a proper and law abiding manner. He shall not behave in any manner which is a discredit to the Fire Department or in any way be guilty of conduct unbecoming a member of the Fire Department. He shall promptly obey all lawful orders of his superiors and shall maintain his uniform, equipment and person in a neat and orderly condition. He shall pay his debts promptly and not be seen in the company of, or associate with, persons of doubtful or questionable character. He shall obey and abide by the rules and regulations promulgated by the Fire Chief and the Board of Fire and Police Commissioners.

**Section 6-107. CHIEF MAY SUSPEND FIREMEN; LIMITATIONS.** The Fire Chief shall have the power to suspend any firemen from duty for a period not to exceed 30 days, but he shall report such suspension, with the reasons for his actions, to the Board of Fire and Police Commissioners at its next regular meeting. On such report being made, such Board shall take whatever action as shall seem to them to be just and right in the premises. The suspension may be made with or without pay by the Fire Chief, and any person suspended without pay shall not be entitled to pay while so suspended, nor until he shall be returned to duty.

**Section 6-108. INSPECTION OF BUILDINGS.** Members of the Fire Department, upon complaint or when deemed necessary by the Fire Chief or his representative, shall inspect all buildings and premises within the Village. Whenever said members shall find any building or other structure which, for want of repairs, lack of or insufficient fire escapes or fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, is especially liable to fire, and which is situated as to endanger other property or the occupants thereof, and whenever such officer shall find in any building combustible or explosive matter or conditions dangerous to the safety of such building or the occupants thereof, he shall order such dangerous conditions or materials to be removed or remedied and such order shall forthwith be complied with by the owner or occupant of such premises or building.

**Section 6-109. VOLUNTEER FIREMEN.** The Fire Chief with the approval of the Village Manager may appoint any reputable person as a volunteer fireman to serve for such term and on such conditions as may be designated by the terms of such appointment. Volunteer firemen shall have the same powers and duties while on duty as regular members of the Fire Department and shall receive such compensation as may be provided by ordinance duly adopted by the President and Board of Trustees. Appointments may be revoked at any time by the Fire Chief with the approval of the Village Manager.

**Section 6-110. AUTHORITY IN EMERGENCY.** The member of the Fire Department in command at the scene of a fire or other emergency shall have the authority to prohibit persons or vehicles from approaching the scene, to order persons to vacate the scene and to remove persons, vehicles and objects impending or interfering with Fire Department operations or emergency vehicles. (Ordinance No. 76-036, 4.13.76)

**Section 6-111. AUTHORITY TO REQUIRE STANDBY FIRE FIGHTERS.** When, in the opinion of the Fire Chief, it is essential for public safety taking into consideration the number of persons expected to congregate in a building or structure and the type and nature of the activities or operations to take place in a building, or structure, the Fire Chief may require an owner, operator or lessee of such building or structure to employ, at his or her own expense, a member or members of the Fire Department to be on duty during the time the threat to public safety exists. Said member or members of the Fire Department shall inspect the fire appliances on the premises to assure they are in place and working properly before persons congregate or the activities or operations commence in such building or structure. Said Fire Fighters shall keep a constant watch for fires in such building or structure and take prompt measures to extinguish them if they occur. (Ordinance No. 76-036, 4.13.76)

**Section 6-112. OFFICE AND DUTIES OF FIRE MARSHAL.** There is hereby created the Office of Fire Marshal. The Fire Marshal shall be appointed by the Fire Chief with the approval of the Mayor and Board of Trustees and shall be removed from office by the Fire Chief at any time with the approval of the Mayor and Board of Trustees. The candidate shall be a member of the Bolingbrook Fire Department. He shall receive such compensation as shall be fixed by the Mayor and Board of Trustees. The Fire Marshal shall supervise the Fire Prevention Bureau as provided in Chapter 26 of the Municipal Code and shall perform such other duties as may be assigned by the Fire Chief. (Ordinance 06-072, 07.11.06)

**Section 6-113. OFFICE AND DUTIES OF CIVILIAN FIRE INSPECTOR.** There is hereby created the Office of Civilian Fire Inspector. The Office of Civilian Fire Inspector shall be a non-sworn, civilian position. The Civilian Fire Inspector shall be appointed by the Fire Chief with the approval of the Mayor and Board of Trustees and shall be removed from office by the Fire Chief at any time with the approval of the Mayor and Board of Trustees. The Civilian Fire Inspector shall receive such compensation as shall be fixed

by the Mayor and Board of Trustees. The Civilian Fire Inspector shall perform Fire Prevention Bureau related duties and such duties as may be assigned by the Fire Chief. (Ordinance 07-061, 05.22.07)

**Section 6-114. OFFICE OF BATTALION CHIEF CREATED.** There is hereby created the office of Battalion Chief. Notwithstanding to contrary herein, a Battalion Chief shall be appointed by the Fire Chief with the approval of the Chief of Staff. There shall be no more than four Battalion Chiefs. The candidate shall be a member of the Bolingbrook Fire Department. Additional compensation for this position shall be as determined by the Board of Trustees. (Ordinance 01-107, 07.24.01)

**Section 6-115. DUTIES OF BATTALION CHIEF.** A Battalion Chief shall, under the direction of the Fire Chief, have command of an assigned shift and other duties as may be assigned by the Fire Chief. (Ordinance 84-055, 11.13.84)

**Section 6-116. OFFICE OF ASSISTANT FIRE CHIEF CREATED** There is hereby created the Office of Assistant Fire Chief. There shall be no more than two Assistant Fire Chiefs. The Assistant Fire Chiefs shall be appointed by the Fire Chief with the approval of the Mayor and Board of Trustees and shall be removed from office by the Fire Chief at any time with the approval of the Mayor and Board of Trustees. The candidates shall be members of the Bolingbrook Fire Department. Assistant Fire Chiefs shall receive such compensation as shall be fixed by the Mayor and Board of Trustees. (Ordinance 06-072, 07.11.06)

**Section 6-117. DUTIES OF THE ASSISTANT FIRE CHIEF.** The Assistant Fire Chief shall, in the absence of the Fire Chief, assume all of the duties and responsibilities of the office of Fire Chief and shall perform such duties as may be assigned by the Fire Chief. (Ordinance 06-072, 07.11.06)

**Section 6-118. APPOINTIVE POSITION RESIDENCY REQUIREMENT.** All persons serving in the appointive Fire Department positions of Fire Chief, Assistant Fire Chief, Battalion Chief, Fire Marshal, and Civilian Fire Inspector shall reside and have their domiciles within the corporate limits of the Village of Bolingbrook at all times from and after their appointment to any of the aforesaid positions. Notwithstanding the foregoing, any person serving in an appointive Fire Department position as of July 1, 2000 who does not reside and have domicile in the Village may continue to reside outside of the Village; provided, however, if such person thereafter changes his residence or domicile, his new residence and domicile shall only be within the corporate limits of the Village of Bolingbrook. (Ordinance 07-061, 05.22.07)

(THE ENTIRE ARTICLE 2 WAS ADOPTED BY ORDINANCE NO. 76-036, 4.13.76)

**ARTICLE 2 -- OFFENSES AGAINST FIRE DEPARTMENT**

**Section 6-201. OBEDIENCE TO ORDER OF FIRE CHIEF.** No person shall willfully fail or refuse to comply with any lawful order or direction of the Fire Chief while in the lawful performance of his duties.

**Section 6-202. INTERFERENCE WITH FIRE DEPARTMENT PROHIBITED.** It shall be unlawful for any person to willfully interfere or impede, attempt to interfere or impede or conspire to interfere or impede Fire Department vehicles or the operations of the Fire Department or any of its members at a fire or other emergency.

**Section 6-203. TRESPASSING ON FIRE DEPARTMENT VEHICLES PROHIBITED.** Any person who knowingly and without authority enters, boards, tampers with or manipulates a Fire Department vehicle or equipment attached thereto or located thereon shall be guilty of trespassing.

**Section 6-204. DAMAGING FIRE EQUIPMENT.** No person shall damage, injure or deface Fire Department vehicles, equipment or fire hydrants.

**Section 6-205. INJURING FIRE DEPARTMENT MEMBERS.** No person shall injure or attempt or conspire to injure members of the Fire Department during the performance of their duties.

**Section 6-206. OBSTRUCTING FIRE HYDRANTS.** It shall be unlawful for any person to obstruct or restrict access or to cause an obstruction or a restriction on access to any fire hydrant or any Fire Department connection for the pressurization of fire suppression systems located on public or private property.

**Section 6-207. NOTICE OF VIOLATION.**

(A) Whenever in the opinion of the Fire Chief, violation of Section 6-206 is found to exist, he shall within five days after discovery thereof serve written notice of such alleged violation upon the owner, operator or occupant of the property where such fire hydrant or fire equipment is located.

(B) Notice shall be given either by personal service or by mailing a copy thereof to the alleged violator by certified mail, return receipt requested, at his last known address or, in the event neither of these is effective to actually notify the alleged violator, by posting a copy thereof in a conspicuous place on or about the fire hydrant or fire equipment allegedly obstructed.

(C) Such notice may include more than one alleged violation; shall demand compliance with this chapter; and shall specify a period of time of compliance, which shall be such time as, in the opinion of the Fire Chief, is reasonably required to remove the obstruction or restriction.

**Section 6-208. EFFECT OF NON-COMPLIANCE.** If any alleged violation, of which notice has been given in conformity with Section 6-207, is not corrected or eliminated within the time specified in such notice; then:

(A) The responsible owner, operator or occupant shall be subject to a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) and to imprisonment for not more than six months for each such uncorrected violation and for each day such violation exists after expiration of the time specified for correction in the notice given pursuant to Section 6-207.

(B) The Fire Department shall have the authority to enter upon the premises where the alleged violation exists and remove the obstruction or restriction.

**Section 6-209. PLACEMENT OF FIRE HYDRANTS.** No fire hydrants shall be placed into or removed from service without approval of the Fire Chief.

**Section 6-210. TAMPERING OR REMOVAL OF FIRE SUPPRESSION EQUIPMENT PROHIBITED.** It shall be unlawful for any person to tamper with, obstruct or remove any fire suppression equipment required to be installed or maintained under the provisions of the Prevention Code of the Village of Bolingbrook except for the purpose of extinguishing fire, training or testing purposes, recharging or making repairs unless authorized by the Fire Chief. Whenever fire suppression equipment is removed as herein permitted, it shall be replaced or reinstalled immediately upon completing the purpose for its removal.

**Section 6-211. PENALTY.** Any person, firm or corporation convicted of a violation of this Article Two shall be fined not less than Fifty Dollars (\$50.00) and not more than Five Hundred Dollars (\$500.00).

### **ARTICLE 3 -- REGULATION AND LICENSING OF PRIVATE AMBULANCES**

**Section 6-301. DEFINITIONS.** The following definitions shall apply in the interpretation and enforcement of this ordinance:

(A) Advanced Life Support Ambulance (Mobile Intensive Care Unit) means an ambulance which is utilized to offer advanced life support services and which meets the following requirements: twenty four (24) hour coverage; staffed and equipped with all communications, telemetry and medical call equipment and supplies as required by the State of Illinois Department of Public Health; fulfillment of Federal requirements and specifications promulgated from time to time for mobile intensive care units; and approval as a Mobile Intensive Care Unit by the State of Illinois Department of Public Health.

(B) Advanced Life Support Services means general patient care services, and in addition, advanced procedures administered under appropriate medical supervision, normally through telemetry communication, such as, but not limited to, infusion of intravenous fluids, administration of prescribed emergency drugs, advanced techniques of airway support and control, administration of advanced oxygen therapy, defibrillation of the heart by electric current, and use of anti shock trousers.

(C) Ambulance means any privately or publicly owned motor vehicle, as defined in the motor vehicle law of the State of Illinois, that is especially designed or constructed, and is equipped, and is intended to be used for, and is maintained or operated for transportation and the offering of basic life support or advanced life support services to patients, except any such motor vehicle owned by, or operated under the direct control of the United States, or the State of Illinois.

(D) Ambulance Attendant means any individual responsible for the operation of an ambulance and the care of the patient, whether or not the attendant also serves as driver.

(E) Ambulance Company means the individual, firm, partnership, association, corporation, company, or group of individuals who engages in, or offers to engage in the performance of ambulance services.

(F) Ambulance Driver means any person employed to drive or otherwise designated to or functioning in the capacity of driving the vehicle.

(G) Ambulance Operating License means a license issued by the Village of Bolingbrook to a private person or corporation for the operation of mobile intensive care units or basic life support ambulances. The license shall state which level or levels of service are permitted.

(H) Associate Hospital means a hospital which, in conjunction with State of Illinois guidelines, operates within a mobile intensive care program as a comprehensive or basic emergency department, possessing the same communication capabilities as a resource hospital.

(I) Basic Life Support Ambulance means an ambulance which is utilized to offer basic life support services; it may not be identified as, nor offered to the public as a mobile intensive care unit.

(J) Basic Life Support Services means general patient care services, such as, but not limited to, general principles of splinting and bandaging, control of bleeding, routine monitoring of vital signs, basic cardiopulmonary resuscitation, airway management, basic oxygen therapy, treatment of shock, treatment and stabilization of injuries to the musculoskeletal systems (fractures, dislocations, and sprains), and the administering of care in special situations such as poison ingestion or emergency childbirth.

(K) Emergency Medical Technician Ambulance, also known as EMT-A, means an individual who has completed the prescribed requirements for, and maintains certification as an emergency medical

technician ambulance with the State of Illinois Department of Public Health, thereby possessing the capability and qualifications for offering basic life support services.

(L) Emergency Medical Technician Intermediate, also known as EMT-I, means an individual who has completed the prescribed requirements for, and maintains certification as, an emergency medical technician intermediate with the State of Illinois Department of Public Health, thereby possessing the capability and qualifications for offering intermediate life support services.

(M) Emergency Medical Technician Paramedic, also known as EMT-P, also known as "paramedic", means an individual who has completed the prescribed requirements for, and maintains certification as an emergency medical technician paramedic with the State of Illinois Department of Public Health, thereby possessing the capability and qualifications for offering advanced life support services.

(N) Fire Chief means the Chief of the Fire Department of the Village of Bolingbrook or such persons who may be authorized by the Fire Chief to act on his behalf.

(O) Intermediate Life Support Services means general patient care services, and in addition, a limited selection of advanced procedures as set forth by the State of Illinois Department of Public Health as appropriate to this level of service.

(P) Patient means an individual who is receiving basic life support or advanced life support due to being either sick, injured, or otherwise incapacitated.

(Q) Private Ambulance means an ambulance operated by a private person or corporation, normally employed in one of four instances:

- (1) in response to a call from an individual in either an emergency or non emergency situation,
- (2) in instances where a public ambulance has responded to a call, but no true emergency is found to exist,
- (3) when a patient refuses to go to the hospital which a public ambulance must use for delivery (as hereinafter provided), and
- (4) for inter-hospital transport.

Private ambulances may be utilized in other instances as deemed necessary by the Village of Bolingbrook.

(R) Public Ambulance means an ambulance operated by the Village of Bolingbrook or other unit of government, having primary responsibility in emergency situations.

(S) Participating Hospital means a hospital located in or adjacent to the primary response area of a resource hospital, capable of receiving critically ill or injured patients transported by mobile intensive care units.

(T) Resource Hospital means a hospital which, in conjunction with the State of Illinois guidelines, operates within a mobile intensive care program as the recognized focal point of medical direction for coordination of the total program within a specified geographical area.

(U) Telemetry means an ultra high frequency radio system designed to transmit and receive voice and electrocardiographic information between the field ambulance operation and the resource or associate hospital.

(V) Village means the Village of Bolingbrook.

**Section 6-302. LICENSE.**

(A) No ambulance company shall engage in the business of offering basic life support services or intermediate life support services or advanced life support services within the Village of Bolingbrook without obtaining a license for such business from the Village of Bolingbrook. All license applications must be approved and authorized by the Village Board for each ambulance. The Village Board shall deny such license (licenses) if it should determine that public convenience and necessity do not require the issuance thereof.

(B) No license shall be required for any public ambulance.

(C) No license shall be required for any ambulance company which is rendering assistance in the case of a declared disaster.

(D) No license shall be required of an ambulance company duly licensed by another municipality occasionally rendering transportation service where either the point of origin or point of destination lies outside the corporate limits of Bolingbrook.

**Section 6-303. APPLICATION FOR LICENSE.** Any ambulance company desiring to obtain a license to engage in the business of offering ambulance services shall file with the Village Clerk an application accompanied by a sworn statement setting out the following:

(A) Name, business and residence address, business telephone numbers of the applicant owner of each ambulance.

(B) The trade or other name under which the applicant does business and/or proposed to do business.

(C) The applicant's experience in the transportation and care of sick or injured persons.

(D) The level or levels of service that the applicant proposes to offer (basic, intermediate, advanced), and the number of vehicles available for each level.

(E) The provisions made for dispatch of the vehicles, including phone numbers and radio frequencies utilized.

(F) A description of each ambulance including make, model, year of manufacture, serial number, and current license plate number.

(G) That the ambulance to be operated by the licensee shall have met the following conditions:

- (1) It is equipped with two way radio, adjusted to a frequency or frequencies designated by the Fire Chief;
- (2) That operating of such radio is licensed by the Federal Communications Commission;
- (3) The vehicle complies with the requirements of applicable statutes of the State of Illinois and Illinois Department of Public Health;
- (4) The vehicle is in compliance and shall be maintained in compliance with such regulations as shall be promulgated from time to time by the Village Board;

- (5) That all employees (ambulance attendants and drivers) of the licensee are and will be in compliance with the provisions of Section 7 and 8 hereof.

(H) (1) Any vendor providing private ambulance service to the Village shall maintain liability coverage (auto, general liability, malpractice and excess) in the combined amount of \$15,000,000. (Ordinance 91-159, 11.12.91)

(2) The insurance carrier must meet the criteria set forth by the Village's risk manager. (Ordinance 91-159, 11.12.91)

(3) A copy or copies of such policy or policies shall be deposited with the Village Clerk, together with the endorsement requiring the insurer to notify the Village thirty (30) days in advance of an intended cancellation or of any material change in such coverage.

**Section 6-304. LICENSE FEE.** The annual fee to engage in the business of operating an ambulance shall be \$30 for each ambulance. The fee will be waived if an ambulance service is licensed by a municipality cooperating in a joint service agreement with the Village.

All fees shall be paid in full at the time when application is submitted. Nothing herein shall effect the right of the Village to impose or collect a vehicle tax or occupational tax, as authorized by the laws of the State of Illinois, in addition to the license fee provided in this Section.

**Section 6-305. ISSUANCE OF LICENSE.**

(A) Upon receipt of an application to operate an ambulance service, the Village Clerk shall forward the application and all supporting documents to the Fire Chief. The Fire Chief shall make whatever inquiries are necessary to verify the information provided by the applicant. The Fire Chief is authorized to request supplemental information in addition to that included in the original application, if supplemental information is required in order to verify the application. Upon completion of the application review the Fire Chief shall complete a report stating to what extent the applicant meets the requirements of this Chapter plus any additional comments which are relevant to assessing the impact the applicants service will have on public safety, convenience or necessity.

Upon receipt of the report from the Fire Chief, the Village Clerk shall forward a copy to the applicant who shall have fifteen (15) days to submit a response thereto including any changes or amendments the applicant wishes to make in response to the Fire Chief's report.

(B) The application shall be forwarded to the Village Board for final consideration. The Board may consider the application, the Fire Department report thereon, supplemental data or any other information the Board deems appropriate to verify an applicants fitness to provide quality services to Village residents. The Board retains the right to deny any license application where such denial is in keeping with the public safety, convenience or necessity. The decision of the Board shall be final.

(C) Any change of ownership of a licensed company shall terminate the ambulance operating licenses for each and every ambulance involved in ownership change, and shall require a new application and a new license for each ambulance, and conformance with all the requirements of this ordinance as upon original licensing.

(D) It shall be the duty of every company licensed under this Ordinance to notify the Village Clerk in writing whenever change in his address is made, either business or residence. Any notice required to be given to a licensee shall be sufficient if addressed to the last address recorded in the office of the Village Clerk.

(E) Each license issued under this Ordinance shall be valid for one (1) year or part thereof, and shall be renewed on or before the first day of January of each year. Each license shall be posted in the interior of the ambulance in a conspicuous place so that it may be inspected by a Police Officer or other competent authority.

**Section 6-306. SUSPENSION OR REVOCATION OF LICENSE.**

(A) The Village Board shall retain the right to revoke an ambulance operator's license. The Fire Chief or his designated representative shall have the right to temporarily suspend the license for cause. The following shall be considered sufficient cause:

- (1) That the license was procured by a false or fraudulent statement of a material fact.
- (2) If the licensee has paid anything in the form of a gratuity or consideration to any public officer or other person not involved in an accident for any information as to the location of the accident or for being called to the scene of the incident, or for performing any of the services contemplated to be performed under the provisions of this code, except when such services are performed by a qualified employee of the licensee.
- (3) If the licensee fails to keep in full force and effect the policy of insurance required.
- (4) If the licensee charges rates in excess of those filed with the Village.
- (5) That the ambulances are not properly furnished and maintained in a safe and sanitary condition.
- (6) That the housing conditions for each ambulance are not maintained in a clean and sanitary condition.
- (7) Utilization of unqualified attendants as hereinafter provided.

(B) Temporary suspension of services shall be followed within seventy-two (72) hours by a written report from the Fire Chief or his designated representative outlining the reasons for the suspension and the corrective action necessary to reinstate the license. The Board shall provide the ambulance operator with a public hearing, if so requested, within thirty (30) days of the date of suspension at which time the operator, Fire Chief and any other interested parties shall be heard. If the operator fails to correct deficiencies which have resulted in the temporary suspension and has taken advantage of, or waived the public hearing, the Board may revoke the operators license.

**Section 6-307. QUALIFICATIONS OF AMBULANCE ATTENDANTS AND DRIVERS.**

(A) Ambulance personnel shall conform to the following standards. Failure to comply is unlawful; both the company and the attendant shall be held responsible.

Each attendant and driver shall:

- (1) Be of sound body, have good eyesight, good character and comply with the provisions of Section 8 of this Ordinance. He/she shall not be subject to epilepsy, vertigo, heart trouble, color blindness, or other infirmity of body or mind which might render him/her unfit for the safe operation of an ambulance.
- (2) Be able to speak and understand the English language.

- (3) Not be addicted to the use of alcoholic beverages, narcotics, or other controlled substances.
- (4) Be free, for a period of five (5) years, from conviction of the following offenses:
  - (a) Being under the influence of mind altering substances, including, but not limited to, narcotics and alcohol.
  - (b) Reckless driving.
  - (c) More than a single revocation or suspension of his/her driver's license.
  - (d) Any felony.
- (5) Be subject to, where deemed appropriate, investigative approval/verification of conformity to these provisions, including, if necessary, fingerprinting or photographing by the Police Department.
- (6) Render services only in keeping with his/her training and certification.
- (7) Possess a valid State of Illinois Class "D" License. (Ordinance No. 91-159, 11.12.91)
- (8) Possess a valid attendant/drivers permit issued by the Village of Bolingbrook.
- (9) Operate his/her vehicle in a safe manner at all times.

**Section 6-308. ATTENDANT/DRIVER PERMIT REQUIRED.**

(A) No person shall drive an ambulance or act as an attendant of an ambulance without first obtaining an attendant/driver's permit from the Village of Bolingbrook.

(B) Application for an attendant/driver's permit shall be made upon a form to be furnished by the Village Clerk, who shall issue such a permit to an applicant only upon proof by the applicant that he met the following requirements:

- (1) An applicant shall currently hold a valid Illinois Class "D" License. (Ordinance 91-159, 11.12.91)
- (2) An applicant shall be registered by the State of Illinois as an EMT-A or EMT-I or EMT-P.
- (3) An applicant shall be examined by a licensed physician. The results of the examination must show that the applicant has a sound body, eyesight in both eyes corrected to 20/20 with glasses, and no physical defects which might impair his ability to drive or attend an ambulance. He shall be reexamined by a physician at least annually thereafter.
- (4) An applicant shall have no record of final conviction of a felony or a crime involving use or possession of narcotics or operating a vehicle under the influence of drugs or intoxicating liquor or driving while license has been suspended within a five (5) year period immediately preceding application for the attendant/driver's permit.

- (5) An applicant shall have been convicted for no more than three (3) moving traffic violations within the preceding twelve (12) month period.
- (6) The applicant shall pay an annual permit fee of \$10.00 to the Village of Bolingbrook at the time such permit is issued. If the permit is issued during the six months following the first day of January, the fee payable shall be the same as for a full year; but if issued after June 30th of any year, such fee shall be one half of the amount of the annual fee. No refund of a permit fee shall be made. (Ordinance 94-087, 07.26.94)

**Section 6-309. MINIMUM STAFFING OF AMBULANCES.**

(A) Each ambulance operated under this Ordinance shall be staffed with a minimum of two EMT-A's. If the level of service offered is above basic life support service, a minimum of one person certified competent to the level of service being offered will be required. Under no circumstances shall a patient be primarily attended by a person not certified to the level of service being offered.

- (1) A basic life support ambulance must be attended by a minimum of two EMT-A's. It may be attended by any combination of the advanced levels of care, including EMT-I, EMT-P, registered nurse, or physician.
- (2) An intermediate life support ambulance must be attended by a minimum of one EMT-I, EMT-P, registered nurse, or physician.
- (3) A mobile intensive care unit must be staffed by a minimum of one EMT-P, registered nurse, or physician.
- (4) Any ambulance personnel not certified to the level of EMT-A may not be permanently employed or regularly utilized for performance of any of the services under this Ordinance.

**Section 6-310. RATES OF CHARGES.**

(A) A copy of the rates to be charged for the services of an ambulance shall be filed with the Village and shall be subject to review by the Village Board. Copies of such schedules of rates shall be carried on each ambulance, either prominently posted or available or either the patient or his/her family upon request.

**Section 6-311. INSPECTION OF AMBULANCE.**

(A) Each ambulance shall, at all times when in use as such, be suitable for the transportation of patients from the standpoint of health, sanitation, and safety, and be maintained in suitable premises and contain equipment conforming with the standards, requirements and regulations provided for herein. Said equipment shall be in proper and good condition for such use and comply with all applicable laws and local ordinances relating to health, sanitation and safety, and be equipped with such lights, sirens and special markings to designate it as an ambulance, as may be prescribed in regulations promulgated by the Federal and State of Illinois Laws and other applicable provisions of this Ordinance.

(B) Each licensed ambulance, its equipment and premises designated in the application and all records relating to its maintenance and operation as such, shall be open to inspection by the Fire Chief prior to issuance of a license to operate. Further, each licensed ambulance, its equipment, and the premises designated in the application shall be open upon reasonable notice to inspection by the Fire Chief to determine whether there continues to be compliance with the requirements of this ordinance.

(C) Each company licensed pursuant to this Ordinance shall maintain at his place of business a permanent record which shall be available for inspection by the Fire Chief, listing the dates of all trips, the time of the trip, the unit number, the attendant's names, the name of the patient, the person requesting the service, the location of the pick up and discharge, together with the fee charged.

(D) Upon failure of any ambulance to pass inspection, the Fire Chief shall suspend the license to use such ambulance. The Village Clerk and Village Police Department will be notified of this suspension. It will be the duty of the company who's ambulance has failed inspection and has its license suspended to request a reinspection. Upon reinspection by the Fire Chief should all previous violations be found corrected and no further violations discovered the ambulance license will be reinstated.

(E) All personnel records of the licensee shall be open to inspection by the Fire Chief to determine compliance to the requirements set down in this Ordinance.

**Section 6-312. TRAFFIC LAWS.** In response to an emergency call, or while transporting a patient in situations where reasonable grounds exist to believe that an emergency situation is present, ambulance attendants may park irrespective of the otherwise applicable provisions of law, ordinance or regulations, proceed past a red or stop signal or stop sign, but only after slowing down or stopping as may be necessary for safe operation. No ambulance attendant may disregard laws or ordinances or regulations governing direction or movement or turning in specified directions, when such activity is specifically provided for in State of Illinois guidelines.

The exemptions herein granted shall apply only when the ambulance attendant, while in motion, sounds audible signal by siren as may be reasonably necessary and when the vehicle is equipped with lights and markings, as required by Federal and State specifications for ambulance vehicles.

The foregoing provisions shall not relieve ambulance attendants from duty to drive with due regard for the safety of all persons, nor shall such provisions protect the ambulance attendants from the consequences of reckless disregard for the safety of others.

**Section 6-313. PATIENT'S RIGHTS.** Whenever any private ambulance is offering basic life support services, no sick or injured person shall be conveyed against his will by the private ambulance from the place where he was overcome by sickness or from the scene of the accident in which he was injured, nor, having been placed in an ambulance shall be conveyed to a place to which he/she is unwilling to go, provided, that if such sick or injured person is unable to give any direction in his own behalf and there is no immediate relative present to direct where he shall be taken, such sick or injured person shall be conveyed to the nearest emergency medical facility of emergency medical care services.

**Section 6-314. REGULATIONS.**

(A) Copies of such rules and regulations as shall be promulgated by the Village shall be delivered to each ambulance operator at the time of granting his license, or at least ten (10) days before enforcement of any such rules and regulations.

**Section 6-315. PENALTIES.**

(A) Any person violating, failing to comply with, the provisions of this Ordinance and the applicable provisions hereof relating to the licensing of ambulances, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined an amount not exceeding \$100.00 or imprisoned for a period not exceeding fourteen (14) days, or be both so fined and imprisoned, for each offense.

(B) Any person violating, or failing to comply with, any other provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be fined an amount not exceeding \$50.00 for each offense.

(C) Each day that any violation of, or failure to comply with, this Ordinance is committed or permitted to continue shall constitute a separate and distinct offense under this Section and shall be punishable as such hereunder; provided, however, that the Court may, in appropriate cases, stay the accumulation of penalties.

**Section 6-316. DISCRIMINATION.** There shall be no discrimination against any person employed or seeking employment with a company licensed under this chapter on account of race, sex, color, religion, national origin or ancestry; likewise, it shall be unlawful for any individual licensed or authorized to provide services under this Chapter to refuse aid or transportation to any patient on account of race, sex, color, religion, national origin or ancestry.

**Section 6-317. SEVERABILITY.** If any Section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**ARTICLE 4 -- FIREFIGHTER TRAINING**

**Section 6-401.** Before an individual may commence regular full time employment as a Firefighter in the Village of Bolingbrook, he/she must complete an approved training course and be certified by the Illinois State Fire Marshal as a Firefighter II, as provided in the Fire Protection Training Act, Ill. Rev. Stat., ch. 85, par. 531 et seq.

**Section 6-402.** Firefighter II training must be completed by the trainee within his probationary period of twelve (12) months, subject to one twelve (12) month extension at the request of the training officer, with the approval of the Chief. Volunteers, part time and paid on call personnel are exempt from the requirements of this Section.

**Section 6-403.** Firefighter III training must be completed and certification attained as follows:

(A) Firefighters employed after the date of adoption of this Article 4 shall complete Firefighter III training and be certified not later than five (5) years from the date of initial employment.

(B) Firefighters currently employed but who have been employed less than five (5) years previous to the date of adoption of this Article 4 shall complete Firefighter III training and become certified not later than five (5) years from the date of initial employment unless said firefighter has been employed more than three (3) years previous to the date of adoption of this Article 4, and in that event, said firefighter shall have two (2) years from the date of the adoption of this Article 4 in which to complete Firefighter III training and become certified.

(C) Firefighters currently employed but who have been employed more than five (5) years previous to the date of adoption of this Article 4 shall complete Firefighter III training and become certified as follows: not later than one (1) year from the date of adoption of this Article 4, provided that said firefighters have received at least one (1) year's notice prior to the adoption of this Article 4 from the Fire Chief or his designee that Firefighter III training must be completed and certification obtained no later than one (1) year from the adoption of this Article 4. In the event no such notice was received, said firefighter(s) shall complete Firefighter III training and become certified not later than two (2) years from the date of adoption of this Article 4.

**ARTICLE 5 - FIRE INVESTIGATIONS**

**Section 6-501. FIRE INVESTIGATION.** The Fire Marshal or his designated agent shall investigate promptly the cause, origin and circumstances of each and every fire occurring in the Village in which property has been destroyed or damaged or people have been killed or injured, and if it appears to the officer making the investigation that such fire is of suspicious origin, he shall then take immediate charge of the physical evidence and pursue a criminal investigation for the person or persons responsible for the incident. For this purpose the Fire Marshal or his designated agent are hereby designated Conservators of the Peace pursuant to Section 3-9-4 of the Illinois Municipal Code (Ill. Rev. Stat. Ch. 24, 3-9-4) to the extent authorized in this Chapter. When acting in the scope of their investigative duties as provided in this Chapter and while in the actual investigation and matters incident thereto, they shall be possessed with all powers of peace officers referred to in said Section 3-9-4 including powers of arrest, search and seizure and possession and use of firearms necessary to carry out the duties of this office. It is understood that no departmental personnel will act in the capacity of Conservator of the Peace until all requirements provided for in the Ill. Rev. Stat. Ch. 24, 3-9-4 are complied with and said investigator is fully certified to act in this capacity pursuant to Public Act 82-706.