

1 AN ACT concerning property.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Mobile Home Park Act is amended by adding
5 Section 9.15 as follows:

6 (210 ILCS 115/9.15 new)

7 Sec. 9.15. Fire safety. Adequate private water supply
8 systems and hydrants for fire safety purposes shall be
9 maintained in operable condition and good repair as defined by
10 the Department of Public Health or mobile home park licensing
11 agency. A mobile home park that does not have a private water
12 supply system and hydrants shall have an agreement, approved by
13 the Department of Public Health or licensing agency in
14 consultation with the municipal fire department or the local
15 fire protection district, to provide an adequate and reliable
16 water supply for fire mitigation needs.

17 Each mobile home park shall be inspected annually pursuant
18 to the applicable mobile home park fire protection standards by
19 the municipal fire department or fire protection district that
20 has jurisdictional responsibility for responding to a fire call
21 in that park. As used in this Section, "applicable mobile home
22 park fire protection standards" means (i) the fire protection
23 standards ordinance of the municipality or fire protection
24 district that has jurisdictional responsibility for responding
25 to a fire call in that park or (ii) if there is no ordinance,
26 the rules adopted by the Department of Public Health for fire
27 safety in mobile home parks. If, upon inspection, the municipal
28 fire department or fire protection district finds that a park
29 does not meet the applicable fire protection standards, the
30 municipal fire department or fire protection district shall
31 give a written notice of violation to the licensee and to the
32 Department of Public Health of any violation or required

1 modification or repair. The licensee has 14 days after receipt
2 of the written notice to correct the violation or make the
3 required modification or repair. More than 14 days after the
4 licensee's receipt of the notice, but no later than 21 days
5 after the receipt of the notice, the municipal fire department
6 or fire protection district shall reinspect the park and issue
7 a written reinspection report to the licensee and to the
8 Department of Public Health concerning the status of the
9 licensee's compliance with the notice and whether any violation
10 still exists. If the municipal fire department or fire
11 protection district determines on reinspection that a licensee
12 has made a good faith and substantial effort to comply with the
13 notice but that compliance is not complete, the municipal fire
14 department or fire protection district may grant the licensee
15 an extension of time for compliance, as they deem fit, by a
16 written notice of extension of time for compliance that
17 identifies what remains to be corrected, modified, or repaired
18 and a date by which compliance must be achieved. If an
19 extension is granted, the municipal fire department or fire
20 protection district shall make another inspection within 10
21 days after the date set for compliance and issue a final
22 written report to the licensee and the Department of Public
23 Health concerning the status of the licensee's compliance with
24 the notice, written report, and written notice of extension of
25 time for compliance and whether a violation still exists. If a
26 licensee fails to cure the violation or comply with the
27 requirements stated in the notice of violation, or if a written
28 notice of extension of time for compliance is issued and the
29 final written report states that a violation still exists, the
30 municipal fire department or fire protection district shall
31 notify the appropriate municipal attorney or State's Attorney
32 of the licensee's failure to comply with the notice of
33 violation and the written report and shall deliver to that
34 attorney for purposes of enforcement under this Section copies
35 of all written notices and reports concerning the violation.

36 A licensee may not rent or offer for rent any mobile home

1 or mobile home lot if the park in which the mobile home or
2 mobile home lot is located does not meet the applicable fire
3 protection standards for a mobile home park. A licensee who
4 knowingly rents or offers for rent a mobile home or mobile home
5 lot more than 14 days after the receipt of a written notice of
6 violation from a municipal fire department or fire protection
7 district that states that the mobile home park in which the
8 mobile home or mobile home lot is located is in violation of
9 the applicable fire protection standards ordinance or
10 Department of Public Health rules without correcting the
11 violation is guilty of a petty offense. The penalty is a fine
12 of not more than \$500 per day of violation. The first day of
13 violation for purposes of assessing a fine shall be the date of
14 the licensee's receipt of the written report following the
15 reinspection, if the written report states that a violation
16 still exists. If a written notice of extension of time for
17 compliance is issued and the final written report states that a
18 violation still exists, the first day of violation for purposes
19 of assessing a fine shall be the date of the licensee's receipt
20 of the final written report.

21 A home rule unit may not regulate the legal rights,
22 remedies, and obligations of a licensee under this Section in a
23 manner less restrictive than the regulation by the state of
24 fire safety in a mobile home park under this Section. This
25 Section is a limitation under subsection (i) of Section 6 of
26 Article VII of the Illinois Constitution on the concurrent
27 exercise by home rule units of powers and function exercised by
28 the State.