



Sen. Debbie DeFrancesco Halvorson

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09400HB4342sam002

LRB094 12779 AJ0 57614 a

1 AMENDMENT TO HOUSE BILL 4342

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4342, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

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

7 (210 ILCS 115/9.15 new)

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

18 Each mobile home park shall be inspected annually pursuant  
19 to the applicable mobile home park fire protection standards by  
20 the municipal fire department or fire protection district that  
21 has jurisdictional responsibility for responding to a fire call  
22 in that park. As used in this Section, "applicable mobile home  
23 park fire protection standards" means (i) the fire protection  
24 standards ordinance of the municipality or fire protection

1 district that has jurisdictional responsibility for responding  
2 to a fire call in that park or (ii) if there is no ordinance,  
3 the rules adopted by the Department of Public Health for fire  
4 safety in mobile home parks. If, upon inspection, the municipal  
5 fire department or fire protection district finds that a park  
6 does not meet the applicable fire protection standards, the  
7 municipal fire department or fire protection district shall  
8 give a written notice of violation to the licensee and to the  
9 Department of Public Health of any violation or required  
10 modification or repair. The licensee has 14 days after receipt  
11 of the written notice to correct the violation or make the  
12 required modification or repair. More than 14 days after the  
13 licensee's receipt of the notice, but no later than 21 days  
14 after the receipt of the notice, the municipal fire department  
15 or fire protection district shall reinspect the park and issue  
16 a written reinspection report to the licensee and to the  
17 Department of Public Health concerning the status of the  
18 licensee's compliance with the notice and whether any violation  
19 still exists. If the municipal fire department or fire  
20 protection district determines on reinspection that a licensee  
21 has made a good faith and substantial effort to comply with the  
22 notice but that compliance is not complete, the municipal fire  
23 department or fire protection district may grant the licensee  
24 an extension of time for compliance, as they deem fit, by a  
25 written notice of extension of time for compliance that  
26 identifies what remains to be corrected, modified, or repaired  
27 and a date by which compliance must be achieved. If an  
28 extension is granted, the municipal fire department or fire  
29 protection district shall make another inspection within 10  
30 days after the date set for compliance and issue a final  
31 written report to the licensee and the Department of Public  
32 Health concerning the status of the licensee's compliance with  
33 the notice, written report, and written notice of extension of  
34 time for compliance and whether a violation still exists. If a

1 licensee fails to cure the violation or comply with the  
2 requirements stated in the notice of violation, or if a written  
3 notice of extension of time for compliance is issued and the  
4 final written report states that a violation still exists, the  
5 municipal fire department or fire protection district shall  
6 notify the appropriate municipal attorney or State's Attorney  
7 of the licensee's failure to comply with the notice of  
8 violation and the written report and shall deliver to that  
9 attorney for purposes of enforcement under this Section copies  
10 of all written notices and reports concerning the violation.

11 A licensee may not rent or offer for rent any mobile home  
12 or mobile home lot if the park in which the mobile home or  
13 mobile home lot is located does not meet the applicable fire  
14 protection standards for a mobile home park. A licensee who  
15 knowingly rents or offers for rent a mobile home or mobile home  
16 lot more than 14 days after the receipt of a written notice of  
17 violation from a municipal fire department or fire protection  
18 district that states that the mobile home park in which the  
19 mobile home or mobile home lot is located is in violation of  
20 the applicable fire protection standards ordinance or  
21 Department of Public Health rules without correcting the  
22 violation is guilty of a petty offense. The penalty is a fine  
23 of not more than \$500 per day of violation. The first day of  
24 violation for purposes of assessing a fine shall be the date of  
25 the licensee's receipt of the written report following the  
26 reinspection, if the written report states that a violation  
27 still exists. If a written notice of extension of time for  
28 compliance is issued and the final written report states that a  
29 violation still exists, the first day of violation for purposes  
30 of assessing a fine shall be the date of the licensee's receipt  
31 of the final written report.

32 A home rule unit may not regulate the legal rights,  
33 remedies, and obligations of a licensee under this Section in a  
34 manner less restrictive than the regulation by the State of

1 fire safety in a mobile home park under this Section. This  
2 Section is a limitation under subsection (i) of Section 6 of  
3 Article VII of the Illinois Constitution on the concurrent  
4 exercise by home rule units of powers and function exercised by  
5 the State.".