

1 AN ACT concerning safety.

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

4 Section 5. The Fire Hydrant Act is amended by changing
5 Section 2 as follows:

6 (425 ILCS 20/2)

7 Sec. 2. Recovery of costs; fire hydrant; dry hydrant.

8 (a) As used in this Section: 7

9 "Dry hydrant" means a fire hydrant which is installed to
10 provide access to water from a lake, pond, or other body of
11 water rather than water from a public or private water supply
12 system.

13 "Fire ~~fire~~ hydrant" means a water hydrant connected to a
14 water supply system installed for the express purpose of
15 providing water for fire suppression and that a fire department
16 can connect to and from which it can pump or draw water. "Fire
17 hydrant" does not include flush hydrants.

18 (b) Whoever fails to comply with any of the provisions of
19 this Act within 30 days after written notice of noncompliance
20 or violation should reasonably have been received from a fire
21 protection district, township fire department, or municipality
22 in whose jurisdiction a fire hydrant is located, shall be
23 responsible for all reasonable costs that the fire protection

1 district, township fire department, or municipality incurs to
2 correct the noncompliance, including attorney's fees and legal
3 expenses incurred by the fire protection district, township
4 fire department, or municipality in recovering the costs from
5 the responsible party.

6 (c) For dry hydrants that are installed pursuant to an
7 agreement between a property owner and fire protection
8 district, township fire department, or municipality in whose
9 jurisdiction a dry hydrant is located, the maintenance and
10 access to such dry hydrants shall be governed by the terms of
11 the agreement between the property owner and the fire
12 protection district, township fire department, or
13 municipality.

14 All other dry hydrants, including those installed and
15 located on: public property; property owned or administered by
16 a homeowner's association, condominium association, or held in
17 some similar form of common ownership or subject to control and
18 administration by such association or organization; or private
19 property subject to an easement, covenant, plan of
20 developments, or restriction dedicating or establishing the
21 dry hydrant for the purpose of providing water supply for fire
22 suppression shall be subject to the provisions of Section 1 and
23 subsection (b) of Section 2 of this Act. In addition to the
24 requirements of Section 1 and except as to dry hydrants
25 installed and maintained by agreement with a fire protection
26 district, township fire department, or municipality,

1 continuous access to dry hydrants subject to this subsection
2 (c), and the maintenance necessary to keep dry hydrants in
3 working condition sufficient for fire suppression, shall be the
4 responsibility of the party on whose property the dry hydrant
5 is located or who is responsible for the administration or
6 control of the property on which the dry hydrant is located.

7 (Source: P.A. 99-205, eff. 7-30-15.)