

ILLINOIS POLLUTION CONTROL BOARD
October 10, 1991

CLYDE R. DACE,)
)
Complainant,)
)
v.) PCB 91-153
) (Enforcement)
)
D. KOHLHASE AND FOX RIVER GROVE)
FIRE PROTECTION DISTRICT,)
)
Respondents.)

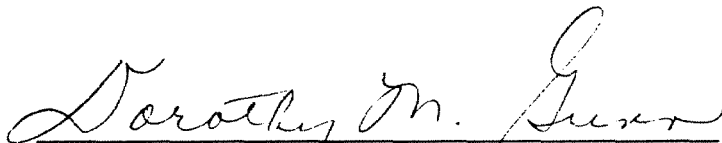
ORDER OF THE BOARD (by J. C. Marlin):

On August 30, Clyde Dace filed a formal complaint against D. Kohlhase, Fire Chief, and the Fox River Grove Fire Protection District (District). The complaint alleges violations of the noise nuisance provisions of Section 23 of the Act and Section 900.102 of the Board's noise rules arising from the District's use of a siren to summon paid-on-call volunteer firemen and paramedics. On September 16, 1991, respondents filed a motion to dismiss asserting that Section 901.107 of the Board's rules provides an exemption for emergency warning devices. In a September 30, 1991 response, Mr. Dace noted that the cited exemption did not apply to the noise nuisance provisions which he cited in his complaint.

The motion to dismiss is denied. The case is accepted for hearing. A Hearing Officer will be assigned to the case, who will contact the parties to schedule a hearing. The Board additionally notes the filing of two letters on September 24, 1991 concerning the complaint. As is the usual practice, the Hearing Officer will notify these interested persons of the time and place of any scheduled hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 10th day of October, 1991 by vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board