

**CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2020-003**

FIRE PREVENTION CODE ORDINANCE AMENDMENT

An Ordinance to update the Township Fire Code from the 2009 to the 2015 International Fire Code with amendments and additions by amending Article II, Fire Prevention Code, in Chapter 7, Fire Prevention and Protection, of the Waterford Charter Township Code of Ordinances.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Sections 7-027, 7-028, 7-029, and 7-030 in Article II, Fire Prevention Code, of Chapter 7, Fire Prevention and Protection, of the Waterford Charter Township Code are amended to read as follows:

Sec. 7-027. Purpose.

The purpose of this article is declared:

- (a) To establish regulations consistent with nationally recognized standards for the safeguarding of life and property, to a reasonable degree, from the hazards of fire and explosion arising from the storage, handling, and use of hazardous substances, materials, and devices.
- (b) To establish regulations preventing conditions hazardous to life or property in the use or occupancy of buildings or premises.
- (c) To adopt by reference, with amendments and additions, the periodically updated editions of the International Fire Code (IFC) and specified IFC appendices as the Township Fire Prevention Code.

Sec. 7-028. Adopted.

The 2015 International Fire Code (IFC), as published by the International Code Council, including IFC Appendices B, C, D, and I on Fire-Flow Requirements For Buildings, Fire Hydrant Locations and Distribution, Fire Apparatus Access Roads, and Fire Protection Systems - Noncompliant Conditions, is hereby adopted by reference as the Township Fire Code and an ordinance of the Township, with the amendments and additions in Sections 7-029 and 7-030, and the Charter Township of Waterford inserted as the Name of Jurisdiction in Section 101.1 of the Fire Code. Copies of the Fire Code shall be kept at the offices of the Fire Chief and Township Clerk and be made available for inspection by the general public at all times those offices are open. Complete or partial copies of the Fire Code are available for distribution to the public upon request and payment to the Township of its labor and material copying costs and/or costs to obtain the copy of or copying rights for requested material from the International Code Council if required by law.

Sec. 7-029. Amendments to the Fire Code.

The following sections of the adopted International Fire Code are amended, or by the addition of text as indicated, to read as follows:

108 Board of Appeals. Amended to read:

The Township construction board of appeals provided for in Chapter 4 of the Township Code of Ordinances shall serve as the Board of Appeals for purposes of this Fire Code.

109.4 Violation penalties. Amended to read:

- A. Except as otherwise provided in subsection B, persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Chief or Building Official, or of a permit or certificate used under provisions of this code, shall be responsible for a civil infraction punishable as provided in Section 1-010(b) of the Township Code of Ordinances.
- B. Violations of Sections 5601.1 through 5608.10 of this Fire Code, are punishable as a misdemeanor as provided in Section. 1-010(a) of the Township Code of Ordinances.

110.1. General. Amended to add the following:

The following dangerous or hazardous conditions or materials are within the scope of this section:

1. Hazardous conditions likely to cause or contribute to the spread of fire in or on said premises or structure or endanger the occupants thereof;
2. Conditions that substantially interfere with the efficiency or operation of any fire protection equipment and system;
3. Obstructions to or on fire escapes, stairs, passageways, doors, or windows, that are likely to interfere with the egress of occupants, or the operation of the fire department in case of a fire;
4. Accumulations of dust or waste material in air-conditioning or ventilating systems, or grease in kitchen or other exhaust ducts;
5. Accumulations of grease in kitchen cooling equipment, or oil, grease, or dirt upon, under, or around any mechanical equipment;
6. Accumulations of rubbish, waste, paper, boxes, shavings, or other combustible materials, or excessive storage of any combustible material;
7. Hazardous conditions arising from defective or improperly utilized or installed electrical wiring, equipment, or appliances;
8. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible, explosive, or otherwise hazardous materials;
9. Dangerous or unlawful amounts of flammable, combustible, explosive, or otherwise hazardous materials; and
10. All equipment, materials, processes, or operations that are in violation of the provisions and intent of this code.

111.4 Failure to Comply. Amended to read:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be responsible for a civil infraction punishable as provided in Section 1-010(b) of the Township Code of Ordinances.

202 GENERAL DEFINITIONS. Amended to add the following:

Building Code. The Single State Construction Code Act and State Construction Code described in the Township State Construction Code Ordinance codified in Article III of Chapter 4 of the Township Code of Ordinances. References in the Fire Code to the International Building Code shall be to the applicable provision of the Building Code.

304.3.3 Capacity exceeding 1.5 cubic yards. Amend paragraph before Exceptions to read as follows:

Dumpsters and containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet] or more shall not be stored in buildings or placed within 15 feet of combustible walls, openings, or combustible roof eave lines. When available space does not permit at least 15 feet from combustible structures or openings, the Fire Chief may allow a lesser distance provided the dumpster or container is equipped with locking metal lids. The placement of a dumpster or container shall at no time interfere with egress from a building, or access by fire-fighting equipment.

901.7.4 Preplanned impairment programs. Amended to add a new paragraph 9:

9. In the event that a preplanned impairment requires an extended period of time to complete any such repairs, provisions for a 'fire watch' shall be implemented by the impairment coordinator during the full-extended time period of the impairment.

902.1 Definitions. Amended to add the following:

Certified. A firm or individual approved or licensed by the State Fire Marshal to install and maintain fire alarm and/or fire suppression systems or equipment, pursuant to Act 144 of the Public Acts of 1982. Upon request by the Fire Chief, firms or individuals shall present evidence of certification.

906.1 Where required. Amended to add a new paragraph 7:

7. In hotels, dormitories, lodging houses, and apartment buildings, at least one (1) fire extinguisher shall be provided on each floor at, or near, the stairway landing, and in the corridor at each elevator or bank of elevators, or near the exit doors from the corridor.

907.2.11.2 Groups R-2, R-3, R-4 and I-1. Amended to add a new paragraph 4:

4. Smoke detectors shall be installed in corridors, hallways, and all commons areas (including basement storage and laundry areas) of occupancies in Use Groups R-2 and R-3. Said smoke detectors are to be hard-wired and interconnected.

2306.1 General. Amended to read:

Storage of flammable and combustible liquids shall be in accordance with Chapter 57, Section 2306.2 through 2306.6.3, and the rules promulgated by the Michigan State Fire Safety Board.

5601.1 Scope. Amended to add the following sentence before the Exceptions:

The display, sale, storage, possession, transportation, distribution, ignition, discharge, and use of fireworks in the Township shall be prohibited, except as allowed by and in compliance with the Michigan Fireworks Safety Act, Public Act No. 256 of 2011, as amended, MCL 28.451 – MCL 28.471, referred to in this section as the “Act”, and the provisions of this code.

5704.2.9.6.1, 5706.2.4.4, 5806.2, and 6104.2 are each amended to delete the following language:

(see Section 3 of the Sample Legislation for Adoption of the International Fire Code on page xxi).

Sec. 7-030. Additions to Fire Code.

The following sections are added to the adopted International Fire Code to read as follows:

113.6 Fees for Services; Board Resolution. The Fire Chief shall develop, as needed, a schedule of fees to be assessed for services in various functions of review and inspections such as, but not limited to, assignment of addresses, fireworks displays, environmental review, fire detection, alarm and other system review, testing and inspections, sprinkler systems and the like. Upon submission of the recommended schedule of fees for services to the Township Board, the Board shall, by resolution, adopt, and amend from time to time, the schedule of fees for Fire Department services.

104.2.1 Fire Chief approval. Prior to issuance of any permit, the Building Official shall consult with the Fire Chief on all plans and specifications except those for single family dwellings. If the Fire Chief finds that the plans conform to all requirements for fire safety, the plans shall then be returned to the Building Official as approved.

104.2.2 Fire Chief approval. No Certificate of Use and Occupancy shall be issued for any alteration, renovation, or remodel of any existing building, or construction of any new building, except for all single-family dwellings, prior to the inspection and approval of the Fire Chief.

104.10.2. Investigation specifics. Whenever a fire, explosion, or other hazardous condition is of a suspicious nature or which involves the loss of life, or serious injury, or causes destruction or damage to property, such an occurrence shall require an investigation, to be initiated immediately, and where suspicious in nature, the Fire Chief shall take charge of the physical evidence; and, in order to preserve any physical evidence relating to the cause or origin of such fire or explosion.

104.10.3 Fire records. The Fire Chief shall keep a record of all fires and all facts concerning the same, including investigation findings, statistics and information as to the cause, origin, and the extent of such fires, and the damage caused thereby.

107.6.1 Overcrowding. A person shall not permit overcrowding or admittance of any person beyond the approved occupant load. The Fire Chief, upon finding overcrowded conditions or obstruction in aisles, passageways, or other means of egress, or upon finding any condition which constitutes a hazard to life and safety, shall cause the occupancy, performance, presentation, spectacle, or entertainment to be stopped until such a condition or obstruction is corrected. The addition of any further occupants shall be prohibited until the approved occupant load is reestablished. In the interest of safety to the occupants involved in overcrowding, the Fire Chief may also order the immediate evacuation of the building until safe conditions may be established.

109.4.2 Re-Inspection Fees. It shall be the right of the Fire Chief to assess fees for all fire code violations that have not been corrected by the time of the second re-inspection by the Fire Chief. The Fire Chief shall collect the fees by all means available under the law and the Code of Ordinances.

110.1.1.1. Special equipment. Special Fire protection equipment shall be installed when adequate fire protection is not being provided, or hazardous or dangerous conditions exist. The special fire protection equipment shall be installed in accordance with the requirements of this code and the building code.

110.2.1 Unlawful continuance. Any person who refuses to leave, interferes with the evacuation of other occupants, or continues any operation after having been given an evacuation order, except such work as that person is directed to perform in order to remove a violation or unsafe condition, shall be deemed to be in violation of the code and responsible for a civil infraction.

307.1.2. Permitted open burning. Section 307.1.1 does not prohibit bonfires and recreational fires by permit or the use of portable outdoor fireplaces, that shall be subject to and in compliance with this section 307, and any Fire Chief established rules or orders that prohibit fires as hazardous due to atmospheric conditions or local circumstances under Section 307.1.1.

308.1.4.1 Balcony Prohibition. The use or storage of barbecue grills, char broilers, smokers, deep fryers, and similar cooking or heat generating devices or appliances is prohibited on balconies and decks of commercial buildings and multiple-family dwellings. For the purposes of this section, a balcony or deck is a deck, patio, or porch as defined in Section 1-007 of the Township Zoning Ordinance.

315.3.5 Approval required. A person shall not store in any building or upon any premises in excess of 2,500 cubic feet (70M) gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber tires, baled cotton, rubber, cork, or other similarly combustible material without having obtained approval from the Fire Chief.

503.4.2. Authority to remove obstructions. If any vehicle, trailer or other object is so located within a fire lane at the time the fire department is responding to an alarm (which necessitates use of such fire lane), any member of the Township police department, or fire department, may move or cause same to be removed, by any means necessary and reasonable under the circumstances.

507.5.1.2. Location. When a building is equipped with an automatic fire suppression system, there shall be a fire hydrant located at least 50 feet, but no more than 100 feet from the fire department connection on the building.

901.2.2 Review fees. When, at the discretion of the Fire Chief, plans and specifications are reviewed by an outside consultant, the person or firm submitting the plans and specifications shall be responsible for the total consulting fees or charges. In addition to the fees, a 10% administrative charge for processing will be added. The Building Official shall select the consultant. Consulting fees or charges shall be submitted with the plans and specifications, in full, and prior to review.

901.2.3 Certification required. Any installation, testing, repair, or maintenance of fire alarm or suppression systems required by this code or the building code, shall be performed by a certified fire alarm or suppression system firm.

901.2.4 System approval. Acceptance approval by the Fire Chief shall be withheld until a certificate of installation is received and accepted by the Fire Chief.

901.4.1.1. Licenses and certifications. All fire protection systems shall be installed by a contractor/installer/technician licensed or certified for the particular type of system. Such licenses and/or certifications shall include:

- A. Consumer & Industry Services, Fire Safety Division, State of Michigan - Mechanical Contractor's License, through the Department of Labor.
- B. Certification from the company/manufacture whose equipment the installer/technician is authorized to install and/or service.

901.4.1.2. License requirement. Only those companies that meet the requirements for certification and licensing will be recognized and permitted to install or service fire protection systems, either fixed, portable, and/or handheld within the Township of Waterford.

903.3.6.1. Hose threads. All hose thread connections for 1 1/2" or 1 3/4" hose is National Standard. All hose thread connections for 2 1/2" hose is Detroit Standard. All Fire Department connections (Siamese connections) are 2 1/2" Detroit Standard threading.

903.3.7.1. Location. For any building or structure required to be equipped with a fire department connection, the connection shall be located within 100 feet of a fire hydrant, and within 50 feet of a minimum 18 feet wide paved driveway or street.

903.3.7.2. Audible/visual alarms. Combination audible/visual alarms shall be installed at all Fire Department connections at the location determined by the Fire Chief, and inside the building at or near the system riser.

903.3.8.6 Backflow prevention. A testable backflow prevention device shall be installed between the sprinkler system supply main and the domestic water system piping, to prevent any backflow from the sprinkler piping to the domestic water supply.

904.12.7 Audible/visual alarms. All commercial kitchen installations shall be equipped with an audible/visual alarm, which initiates upon release of the chemical suppression system. The alarm shall be located near the exhaust hood for the system. Multiple hood systems may require additional alarms as required by the Fire Chief.

906.3.5. Required size. Fire extinguishers in all Light and Ordinary Hazard occupancies shall be a minimum size of 3A-40BC (5 pound), and Extra Hazard occupancies shall be a minimum size of 4A-60BC (10 pound), at the direction of the Fire Chief. Said extinguishers shall be tested by an approved, certified company on an annual basis.

907.1.4. U.L. listed fire alarm panels. An Underwriter's Listed fire alarm panel shall be required for any location with smoke detectors, rate-of-rise heat detectors, sprinkler systems, hood suppression systems, flow alarms, and tamper alarms. Such panel shall be located at the direction of the Fire Chief. The fire alarm panel shall indicate by zone, in clear language, the location of any and all devices, and shall be accessible without special knowledge or code, with the capability of being silenced by the Fire Department.

912.2.3 Utilities. Gas meters, propane tanks, overhead electrical services, and transformers shall not be located on the same side of a building or structure as a fire department connection, unless a clear distance of 150 feet can be maintained between the utilities and the fire department connection, at the direction of the Fire Chief.

2304.2.6 Service station public address system. An Underwriter's Laboratory listed and approved public address system shall be installed at each self-service station, providing the capability of two-way communication between the fuel dispensing area and the station attendant. The public address system shall be maintained in an operational and functioning condition at all times.

2304.2.7. Combustibles. No combustibles shall be displayed within 20 feet of a fuel dispensing area at self-service stations. This shall include tires, motor oil, and any other combustible items, or items packaged in combustible containers.

2306.2.7 Listing. Any and all Aboveground storage tanks (ASTs) and/or Underground storage tanks (USTs), are required to be used in accordance with their respective listing only. The use of an underground storage tank as an aboveground storage receptacle, or an aboveground storage tank for underground use is prohibited unless specifically allowed per the UL listing for that tank. All such tanks currently in use, in violation of this section, shall be rendered out of service, emptied of any contents, purged when necessary, and removed from the premises.

3408.3. Tire fire protection. Outside storage of tires shall not be located more than 300 feet from an operating fire hydrant. Portable fire-fighting appliances shall be within 15 feet of any mechanism which operates to produce shavings or rubber dust in all outside tire storage areas. Smoking is prohibited within 50 feet of a mechanism which is operating to produce shavings or rubber dust in outside tire storage areas.

3405.1.1. Residual cleanup following a fire. If any dangerous or hazardous waste is generated or stored on the site of an outside tire storage area as a result of a fire in such area or due to any other occurrences, such wastes shall be disposed of and cleaned up in accordance with all applicable federal, state and local waste disposal regulations. No further tire storage may occur until the appropriate agency has certified that proper removal and disposal has taken place.

3409.1 Inside tire storage. Inside tire storage shall be arranged so as not to obstruct egress from the building, and with aisles between areas of storage a minimum of 10 feet wide, so as to subdivide the storage into units, with no horizontal dimension of more than 25 feet wide, and a maximum height of 20 feet, and shall comply with Sections 3404, 3406, and 3408.

5601.2.2.1. Permit required. Except to the extent it is not required by the Act, a permit shall be obtained from the Fire Chief for the display, retail sale, or discharge of fireworks in the Township.

5601.2.2.2. Permit issuance. Applications/requests for fireworks (display) permits shall be made in writing at least 60 days in advance of the date of the intended display of fireworks. The display of fireworks shall be lawful under the terms and conditions approved with the permit, and for that purpose only. A permit granted hereunder is not assignable or transferable, nor shall any such permit be extended beyond the dates set out therein. Any violation of the conditions of the permit or this code shall result in the immediate revocation of said permit.

Section 2 of Ordinance

Should any section, subdivision, sentence, clause or phrase of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 3 of Ordinance

This Ordinance shall take effect immediately upon publication.

CERTIFICATION

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of Waterford at a regular meeting held on _____, 2020.

CHARTER TOWNSHIP OF WATERFORD

Date

By: _____

Kimberly F. Markee, Township Clerk

Introduced: January 27, 2020

Adopted: