

CHARTER TOWNSHIP OF WASHINGTON

MACOMB COUNTY, MICHIGAN

ORDINANCE NO. 108-C

AMENDMENT OF WASHINGTON TOWNSHIP FIRE PREVENTION CODE

TITLE

AN ORDINANCE amending the Washington Township Fire Prevention Code, being Washington Township Ordinance No. 108, as amended, codified at Part 143, Sections 143.001 – 143.037 in the Washington Township Compilation of Ordinances, adopting by reference the International Fire Code, 2015 Edition including appendices modified pursuant to the provisions of this Ordinance, and repealing any and all ordinances and/or resolutions in conflict therewith.

**THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF
WASHINGTON, MACOMB COUNTY, MICHIGAN, ORDAINS:**

SECTION 1 - AMENDMENTS

1.1 FIRE PREVENTION CODE

Section 143.002 (Adoption of International Fire Code, 2012 Edition) of the Charter Township of Washington Compilation of Ordinances is hereby repealed in its entirety and replaced with the following provisions:

143.002 - Adoption of International Fire Code, 2015 Edition.

Sec. 2.

(1) International Fire Code 2015 Adopted. The International Fire Code, 2015 Edition, including its appendices, as published by the International Code Council, is adopted and incorporated in its entirety herein, except for those deletions and additions set forth in subsection (4) below. References in the Code to the "State" shall refer to the State of Michigan. References to the "name of the municipality" shall refer to the Charter Township of Washington, Macomb County, Michigan. References to the "local

ordinances" shall refer to the Washington Township Ordinances and Compilation of Ordinances as are from time to time in effect.

(2) Availability of copies of International Fire Code, 2015 Edition. Printed copies of the International Fire Code, 2015 Edition and its appendices are kept in the Charter Township of Washington offices and are available for public use and inspection during regular business hours. A copy of the International Fire Code in its entirety can also be found at: <http://publicecodes.cyberregs.com/icod/ifc/2012/index.htm> or any subsequent amended link.

(3) Additions, Insertions, Deletions, and Changes to the International Fire Code, 2015 Edition. The Charter Township of Washington adopts the additions, insertions, deletions, and changes from the International Fire Code, 2015 Edition set forth in subsection (4) below. Subsequent sections numbers used in this section shall refer to the like numbered sections of the International Fire Code, 2015 Edition.

(4) Amendments to the International Fire Code, 2015 Edition. The following sections of the International Fire Code, 2015 Edition shall be amended or revised as follows:

a. Section 101.1 shall be amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Prevention Code of the Charter Township of Washington hereinafter referred to as "this Code".

b. Section 102.7 shall be amended to read as follows:

102.7 Referenced Codes and Standards. The codes and standards referenced in this Code shall include those listed in Chapter 80 of the International Fire Code and such codes and standards shall be considered part of the requirements of this Code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

c. Section 102.7.1 shall be amended to read as follows:

102.7.1 Where conflicts occur between provisions of this Code and the referenced codes and standards, the provisions which establish higher standard for the promotion of the safety and welfare of the public, and the protection of the public, or as otherwise determined by State of Michigan Law, shall apply.

d. Section 104.11.4 shall be added and read as follows:

104.11.4 Unlawful boarding or tampering with fire department equipment. A person shall not, without proper authorization from the fire official of the fire department emergency equipment, cling to, climb upon or into, board, or swing upon any fire department emergency vehicle, whether the same is in motion or at rest, operate any emergency warning equipment, or manipulate or tamper with any levers, valves, switches, starting

devices, brakes, pumps, or any equipment or protective clothing on, or a part of, any fire department emergency vehicle.

e. Section 104.11.5 shall be added and read as follows:

104.11.5 Damage/injury to fire department equipment/personnel. It shall be unlawful for any person to damage or deface, or to attempt or conspire to damage or deface, any fire department emergency vehicle or equipment at any time; or to injure, or conspire to injure, fire department personnel while performing department duties.

f. Section 105.1 shall be amended to read as follows:

105.1 General. Permits shall be in accordance with section 105.1 through 105.7.16. Where reference is made to this section for permits elsewhere in this Code and there are no provisions for issuing the permits by the department of fire prevention, the code official is authorized to waive the particular permit requirement.

g. Section 105.6 shall be amended to read as follows:

105.6 Required operational permits. The Fire Code Official is authorized to issue operational permits for the operations set forth in sections 105.6.1 through 105.6.48. Where there are no provisions for issuing the permits, the code official is authorized to waive the particular permit requirement.

h. Section 105.4.2.1 shall be added to read as follows:

105.4.2.1 Signed and Sealed construction documents. Construction documents submitted to the Fire Code Official for review shall be signed and sealed by the design professional prior to submittal.

i. Section 105.6.13 shall be amended to read as follows:

105.6.13 Exhibits, crafts and trade shows. An operational permit is required to operate exhibits, crafts, and trade shows.

j. Section 105.6.30 shall be amended to read as follows:

105.6.30 Open burning. All open burning shall be in compliance with Part II, Sections 143.021-143.023 of Ordinance No. 108.

k. Section 105.7.1.1 shall be added and read as follows:

105.7.1.1 Installations. Before any fire suppression system or component is installed, enlarged, extended or modified, a permit shall be obtained from the code official. This shall include any device or relay connected to or controlled by the fire suppression system. All work must be performed by a qualified installer who is properly licensed

and/or certified to perform such work as determined by the code official. Construction documents shall be reviewed by the code official and/or a third party, prior to the issuance of the permit. Upon issuance of the permit, the permit must be posted at the job site in plain view.

l. Section 105.7.6.1 shall be added and read as follows:

105.7.6.1 Installations. Before any fire alarm or detection system or component is installed, enlarged, extended or modified, a permit shall be obtained from the code official. This shall include auxiliary devices such as magnetic locks, electronic locks, or any device or relay connected to or controlled by the fire alarm or detection system. All work must be performed by a qualified installer who is properly licensed and/or certified to perform such work as determined by the code official. Construction documents shall be reviewed by the code official and/or a third party prior to the issuance of the permit. Upon issuance of the permit, the permit must be posted at the job site in plain view.

m. Section 107.1.1 shall be added and read as follows:

107.1.1 Dryer vent maintenance. It shall be the responsibility of the owner of each multiple family building occupied by tenants to provide or make available to the code official, inspection records, documenting that the dryer vents were inspected monthly, cleaned, and free from obstructions.

n. Section 109.4 shall be amended to read as follows:

109.4 Violation penalties. 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 code official, or of a permit or certificate used under provisions of this Code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

o. Section 114.1 shall be added and read as follows:

114.1 Hazardous materials fire department responsibilities. The Washington Township Fire Department shall be responsible for gathering and organizing information, identifying risks, and enforcing codes, standards, and laws relating to the production, storage and use of hazardous materials within the Charter Township of Washington and the notification of firefighting personnel of related hazards. The method and frequency shall be determined by the fire official or his duly authorized representative.

p. Section 114.2 shall be added and read as follows:

114.2 Cost recovery-hazardous materials. Cost recovery for hazardous material spills, accidents or incidents shall be in compliance with Washington Township Hazardous

Material Cost Recovery Ordinance, Ordinance No. 130, as amended, or any successor Ordinance thereto.

q. Section 114.3 shall be added and read as follows:

114.3 Cost recovery-fires. The fire department may recover all costs for use of equipment, personnel, and supplies associated with fire extinguishment when it is determined that such fire extinguishment was necessitated by a person's intentional disregard for the safety of persons or property, violation of law, or recklessness.

r. Section 114.4 shall be added and read as follows:

114.4 Hazardous conditions. If upon the expiration of the time stated in a notice of violation, hazardous conditions, including but not limited to, obstructions, or encroachments inhibiting access to or egress from a space or building, are not removed, the code official shall proceed to remove or have removed the same. The expense incurred shall be a debt to the Charter Township of Washington from the responsible person and shall be collected as any other debt to the Township.

s. Section 304.3.3 shall be amended to read as follows:

304.3.3 Capacity exceeding 1.5 cubic yards. Dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within 15 feet of any building or structure. Exceptions: Dumpsters connected to a non-combustible compactor within a building. Dumpsters or containers in areas protected by an approved automatic sprinkler system installed throughout in accordance with section 903.3.1.1, 903.3.1.2, or 903.3.1.3.

t. Section 307.1.2 shall be added and read as follows:

307.1.2 Allowable open burning. Open burning shall be permitted in accordance with Part II, Sections 143.021-143.023 of Ordinance No. 108.

u. Section 315.3.3 shall be amended to read as follows:

315.3.3 Miscellaneous combustible material storage. Combustible materials shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms, in fire command centers as specified in 508.1.5, or fire protection equipment rooms.

v. Section 503.2.1 shall be amended to read as follows:

503.2.1 Dimensions. (Fire apparatus access roads) Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4284 mm).

w. Section 503.2.5 shall be amended to read as follows:

503.2.5 Dead ends. Dead end fire apparatus access roads in excess of 150 feet (42720 mm) in length shall be provided with; width and turn around provisions in accordance with Macomb County Department of Roads specifications.

x. Section 503.3 shall be amended to read as follows:

503.3 Marking. All fire apparatus access roads 26 feet or less shall be conspicuously posted with uniform "NO PARKING FIRE LANE" signs in keeping with the standard established in the Michigan Manual of Traffic Control Devices, as revised, and as prescribed by the code official and erected on the same side of the road as the hydrant(s), including cul-de-sacs.

y. Section 504.4.2 shall be added and read as follows:

504.4.2 Obstruction of fire apparatus access roads. If any vehicle, trailer, or other object is so located within a fire apparatus access road or at any other location prohibited by this Ordinance at a time the fire department is responding to an alarm which necessitates use of such fire apparatus road and/or other location, then any member of the fire department or the Macomb County Sheriff Department may move or cause to be moved by any means necessary without liability for any damage being incurred by the Charter Township of Washington, County of Macomb, or any employee or agent of either employer.

z. Section 506.1 shall be amended to read as follows:

506.1 Key boxes. Key boxes shall be installed in accordance with Part III, Sections 143.024-143.025 of Ordinance No. 108.

aa. Section 507.5.4.1 shall be added and read as follows:

507.5.4.1 Removal of obstructions. If upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments to a fire hydrant, or to other fire protection equipment, are not removed, the code official shall proceed to remove or have removed the same. The expense incurred shall be a debt to the Township from the responsible person and shall be collected as any other debt to the Township.

bb. Section 507.5.7 shall be added to read as follows:

507.5.7 Fire Hydrant spacing requirements. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the code official.

cc. Section 507.5.8 shall be added and read as follows:

507.5.8 Hydrant steamer caps. The steamer caps on all fire hydrants shall be painted with the following capacity indicating color scheme to provide simplicity and consistency with colors used in signal work for safety, danger, and intermediate condition:

- (1) Class AA—light blue—Rated capacity of 1500 gpm (5680 L/min) or greater.
- (2) Class A—green—Rated capacity of 1000 to 1499 gpm (3785 to 5675 L/min).
- (3) Class B—orange—Rated capacity of 500 to 999 gpm (1900 to 3780 L/min).
- (4) Class C—red—Rated capacity of less than 500 gpm (1900 L/min).

dd. Section 901.6.2 shall be amended to read as follows:

901.6.2 Records. Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be copied to the Fire Code Official upon request. A copy shall also be sent to the code official by the Service Company or individual performing such work.

ee. Section 901.6.3 shall be added and read as follows:

901.6.3 Anti-freeze fire sprinkler systems. Anti-freeze sprinkler systems designed and installed to protect areas prone to freezing shall be drained and tested, then refilled and maintained to insure the solution is operable to -40 degrees Fahrenheit or as otherwise approved by the code official.

ff. Section 912.2.3 shall be added and read as follows:

912.2.3 Fire department connections. In any building or single tenant building or structure required to be equipped with a fire department connection, the connection shall be located within 100 feet of a fire hydrant. All hydrants shall be located a minimum of 50 feet from a building or structure.

gg. Section 903.4.1 shall be amended to read as follows:

903.4.1 Monitoring. Automatic fire extinguishing systems shall be monitored by a supervising station in accordance with NFPA 72 as approved by the code official. Where a building fire alarm system is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm system in accordance with NFPA 72 and shall automatically annunciate their location at the building's fire alarm control panel, and activate the buildings appropriate fire protective signaling sequence.

hh. Section 903.4.2.1 shall be added and read as follows:

903.4.2.1 Individual alarms. When a multi-tenant building or single tenant building is provided with an automatic fire protection system, each individual tenant space shall be required to have an independent alarm, audible and visual, located immediately adjacent to the front door of the tenant space or as approved by the code official. Such individual tenant space alarms shall be in addition to any other alarm required. The tenant space alarm shall provide notification that a smoke alarm and/or the fire protection system has activated or that products of combustion are present.

ii. Section 903.4.2.2 shall be added and read as follows:

Section 903.4.2.2 Annunciation. Where fire suppression systems exist in multi-tenant occupancies, i.e. strip-malls, separate annunciation shall be required to reach separately addressed tenant space unless otherwise approved by the code official.

jj. Section 2101.1 shall be amended to read as follows:

2101.1 Scope. Dry cleaning plants and their operations shall comply with the requirements of this chapter, NFPA 32, and the Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent.

kk. Section 2301.1 shall be amended to read as follows:

2301.1 Scope. Automotive motor fuel-dispensing facilities, marine motor fuel-dispensing facilities, fleet vehicle motor fuel-dispensing facilities and repair garages shall be in accordance with this chapter and the Michigan Building Code, International Fuel Gas Code, Michigan Mechanical Code, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent. Such operations shall include both public accessible and private operations.

ll. Section 2306.1 shall be amended to read as follows:

2306.1 General. Storage of flammable and combustible liquids shall be in accordance with chapter 57, section 2306.2 through 2306.6.3, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent.

mm. Section 5601.1.1 shall be amended to read as follows:

5601.1.1 Explosive material standard. In addition to the requirements of this chapter, NFPA 495 shall govern the manufacture, transportation, storage, sale, handling and use of explosive materials, and the Michigan Explosives Law 1970 PA 202, as amended, or its equivalent.

nn. Section 5701.3 shall be amended to read as follows:

5701.3 Referenced documents. The applicable requirements of chapter 50, other chapters of this Code, the Michigan Building Code, and the Michigan Mechanical Code pertaining to flammable liquids, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent, shall apply.

oo. Section 5701.4 shall be amended to read as follows:

5701.4 Permits. Permits shall be required as set forth in sections 105.6 and 105.7 and the Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent, shall apply.

pp. Section 5704.2.9 shall be amended to read as follows:

5704.2.9 Aboveground tanks. Aboveground storage of flammable and combustible liquids in tanks shall comply with section 5704.2 and sections 5704.2.9.1 through 5704.2.9.7.10, and the Michigan Fire Prevention Code 1941 PA 207, as amended, or their equivalent.

qq. Section 5704.2.12 shall be amended to read as follows:

5704.2.12 Underground tanks. Underground storage of flammable and combustible liquids in tanks shall comply with section 5704.2 and sections 5704.2.11.1 through 5704.2.11.5.2, and the Michigan Underground Storage Tank Rules or their equivalent.

rr. Chapter 80, listing the standards that are referenced in various sections of the Ordinances, is hereby amended to include the following, together with any of their amendments:

State of Michigan Laws, Rules or Requirements Including but not necessarily limited to the following with amendments:

Michigan Fire Prevention Code 1941 PA 207 Michigan Explosives Law
1970 PA 202

Michigan Fireworks Law 1931 PA 328

Michigan Model Rocket Law 1965 PA 333

Michigan Storage and Handling of Flammable and Combustible Liquid
Rules

Michigan Underground Storage Tank Rules 1999

SECTION 2. VIOLATION, PENALTY.

Any person, firm or corporation which violates any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not to exceed Five Hundred (\$500.00) Dollars or imprisoned in the Macomb County jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

SECTION 3. REPEAL OF CONFLICTING PROVISIONS

All resolutions, ordinances or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 4. SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5. PUBLICATION.

This Ordinance amendment shall be published twice in accordance with MCL 42.20. Publication shall be made by posting the Ordinance amendment in the office of the Washington Township Clerk and on the Washington Township website. In addition, a notice of posting prescribing the purpose or nature of the Ordinance amendment and location of the places where posted shall be published in a newspaper of general circulation within the Charter Township of Washington within seven (7) days after posting pursuant to MCL 42.8(4).

SECTION 6. EFFECTIVE DATE.

This Ordinance amendment shall take effect thirty (30) days from and after the date of publication of a notice of posting as set forth in Section 5.