

ORDINANCE 12-19

CHAPTER 164

FIRE PREVENTION CODE

164.01 Purpose
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Section 1. Chapter 164 of the Code of Ordinances is repealed and the following adopted in lieu thereof:

164.01 PURPOSE. The purpose of this chapter is to prescribe regulations governing conditions hazardous to life and property from fire, hazardous materials, or explosion.

164.02 ADOPTION OF FIRE PREVENTION CODE. Pursuant to public notice and public hearing, there is hereby adopted by the City that certain Code known as the International Fire Code, 2012 Edition, including Appendix B, D, E, F, G, and I, as prepared and edited by the International Code Council, Inc. thereof, and the whole thereof, save and except such portions as are hereafter deleted, modified or amended; and the same is hereby adopted and incorporated as fully as if set out in full herein; and the provisions thereof shall be controlling within the limits of the City effective *August 1, 2012*. Appendix C in the International Fire Code, 2012 Edition, will be used as a reference guide.

164.03 AMENDMENTS TO FIRE PREVENTION CODE. The *International Fire Code, 2012, first printing*, adopted by this Chapter, is amended as follows:

1. **Add section 104.12 fee Schedule** as follows:

Section 104.12 Fee Schedule. Whenever an inspection fee, re-inspection fee or permit fee is required, the fees shall be paid as set forth in Table 104.12 (A) as adopted by resolution.

2. **Delete** all of the permits within section **105.6 Required operational permits** except for the following:

- 105.6.3 Aviation Facilities
- 105.6.4 Carnivals and Fairs
- 105.6.6 Combustible dust-producing operations
- 105.6.14 Explosives
- 105.6.30 Open Burning
- 105.6.36 Pyrotechnic special effects material

3. **Delete the exception in Section 105.6.27** and replace with the following:

Exception: A permit is not required for individual containers with a water capacity of less than 100-gallon or multiple container systems having an aggregate quantity not exceeding 100 gallons, serving occupancies in group R-3.

4. **Delete Section 105.6.43 - Temporary membrane structures and tents** and replace it with the following:

Section 105.6.43 - Temporary membrane structures and tents. An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet.

Exception:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on three sides or less, which comply with all of the following:
 - 2.1 Individual tents having a maximum size of 1000 square feet
 - 2.2 The aggregate area of multiple tests placed side by side without a fire break clearance of not less than 12 feet shall not exceed 1000 square feet.
 - 2.3 A minimum clearance of 12 feet to structures and other tents shall be provided.

5. **Delete** all of the permits within section **105.7 - Required construction** permits, except for the following:

105.7.1 Automatic Fire-extinguishing systems

105.7.5 Fire alarm and Detection system and related equipment.

105.7.7 Flammable and Combustible Liquids

105.7.10 LP-Gas

6. **Delete Section 109.4 - Violation penalties** and replace it with the following:

Section 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 direction of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Municipal Infraction.

7. **Delete Section 111.4 - Failure to Comply** and replace it with the

following:

Section 111.4 - Failure to comply. 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 guilty of a Municipal Infraction.

8. **Delete Section 307.1 - General** and replace it with the following:

Section 307.1 - General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this section. All recreational fires shall also be conducted as required by other governing agencies regulating emissions.

9. **Delete Section 308.1.4 - Open-flame cooking devices** and replace it with the following:

Section 308.3.1 - Open-flame cooking devices. A building with one or more dwelling units located above the first floor shall not store or operate charcoal burners and other open-flame cooking devices on combustible balconies or decks or within 10 feet of the building.

Exceptions:

1. One and two family dwellings.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.
3. Townhouses as defined by the International Building Code.

10. **Delete Section 315.1 - General** and replace it with the following:

Section 315.1 - General. Storage, use and handling of miscellaneous combustible materials shall be in accordance with this section.

11. **Add an exception to Section 315.3.1 - Ceiling Clearance.**

Exception:

There are no height limitations for storage on shelves against a fixed wall in non-sprinklered areas of a building.

12. **Amend Table 405.2** by deleting the word “monthly” for Group E Occupancies and replace it with the following:

Two Fire drills per semester shall be conducted for a total of four fire drills through the school year.

Exception:

Child Day Care Centers shall conduct monthly fire drills.

13. **Delete Section 501.4 - Timing of installation** and replace it with the following:

Section 501.4 - Timing of Installation. When fire apparatus access roads or water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to occupancy except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each intersection when construction of new roadways allows passage by vehicles in accordance with section 505.2.

14. **Add the following exceptions to Section 503.2.1 - Dimensions**, as follows:

Exception:

1. Private fire lanes used exclusively as fire apparatus access roads may be reduced to an unobstructed width of no less than 12 feet provided that parking/operating pad(s) with a width of not less than 20 feet and a length of not less than 30 feet are installed at the locations approved by the Code Official.
2. For divided two-lane (one each way) public roadways the required unobstructed width may be reduced to 17 foot curb back to curb back so long as all of the following are met:
 - ◆ No median and/or island or other obstruction may extend over 150 linear feet without an approved crossover.
 - ◆ Outside curbs adjacent to the medians/islands or other obstructions must be of a drive over/roll over design.
 - ◆ Medians/islands or other obstructions may not exceed a saturation limit of 25% of the entire project distance.

15. **Add Section 503.2.1.1 - Residential Drives and Lanes**, as follows:

Section 503.2.1.1 - Residential Drives and Lanes. For any dwelling that is set back greater than 100 feet from the public way, the drive or lane shall have an unobstructed width of not less than 10 feet and an unobstructed vertical clearance of not less than 13 feet, 6 inches and shall comply with Section 503.2.3. Any drive or lane greater than 150 feet in length shall be provided with a fire apparatus turnaround as approved by the code official.

16. **Delete Section 503.2.3 - Surface**, and replace it with the following:

Section 503.2.3 - Surface. Fire apparatus access roads shall be hard-surfaced and shall be designed and maintained to support the imposed loads of fire apparatus which shall be 100 pounds per square inch. The

load-bearing capacity shall be certified in a manner approved by the Fire Chief.

17. **Add a new Section 504.4**, as follows:

504.4 - Identification of Interior Doors. The Code Official may require that certain interior doors be identified. The Code Official shall approve the type, size and location of the sign.

18. **Delete Section 507.5.1 - Where required** and replace it with the following:

Section 507.5.1 - Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 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 Fire Chief.

Exception:

1. For Group R-3, the distance requirement shall be 500 feet.
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet.

19. **Delete Section 603.4.2.1.2 - Clearance to Building** and replace it with the following:

Section 603.4.2.1.2 Clearance to building. Portable outdoor gas-fired heating appliances shall be located at least 10 feet from building or per manufacturer recommendations which must be provided.

20. **Delete Section 603.4.2.1.3 - Clearance to combustible materials** and replace it with the following:

Section 603.4.2.1.3 - Clearance to combustible materials. Portable outdoor gas-fired heating appliances shall not be located beneath, or closer than 10 feet to combustible decorations and combustible overhangs, awnings, sunshades or similar combustible attachments to building.

21. **Delete Section 603.4.2.1.4 - Proximity to exits** and replace it with the following:

Section 603.4.2.1.4 - Proximity to exits. Portable outdoor gas-fired heating appliances shall not be located within 10 feet of *exits or exit discharges*.

22. **Delete Section 604.5.1 – Activation test** and replace it with the following:

Section 604.5.1 – Activation test. An activation test of the emergency lighting equipment shall be completed quarterly. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for a minimum of 30 seconds.

23. **Add the following exception to Section 609.2 - Where Required:**

Exception: Upon approval by the Code Official, a Type II Cooking Hood may be installed if all of the following conditions are met:

1. Building owner must submit a letter of intent to be approved by the Code Official stating there will be no cooking of foods that produce grease-laden vapors.
2. A sign is posted near the cooking appliances stating the same.

24. **Delete Table 609.3.3.1 - Commercial Cooking System Inspection Frequency** and replace it with the following:

Table 609.3.3.1 - Commercial Cooking System Inspection Frequency

1. Low-volume cooking operations such as places of religious worship, seasonal businesses and non-residential senior centers shall be inspected by qualified persons every 12 months.
2. All other cooking operations must be inspected by qualified persons every 6 months.

25. **Add Section 703.1.4 – Marking and identification.** *Fire walls, fire barriers, fire partitions, smoke barriers* and smoke partitions or any other wall required to have protected openings or penetrations shall be effectively and permanently identified with signs or stenciling. Such identification shall:

1. Be located in accessible concealed floor, floor-ceiling or *attic* spaces;
2. Be located within 15 feet of the end of each wall and at intervals not exceeding 30 feet measured horizontally along the wall or partition; and
3. Include lettering not less than 3 inches in height with a minimum 3/8 inch stroke in a contrasting color incorporating the suggested wording. “FIRE AND/OR SMOKE BARRIER-PROTECT ALL OPENINGS” or other wording.

26. **Delete Section 807.4.3.1 - Storage in corridors and lobbies** and replace it with the following:

Section 807.4.3.1 - Storage in corridors and lobbies. Clothing and personal effects shall not be stored in corridors or lobbies.

Exception:

1. Storage in metal lockers provided the minimum required egress width is maintained.
2. Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.

27. **Delete Section 807.4.4.1 - Storage in corridors and lobbies** and replace it with the following:

Section 807.4.4.1 Storage in corridors and lobbies. Clothing and personal effects shall not be stored in corridors or lobbies.

Exception:

1. Storage in metal lockers provided the minimum required egress width is maintained.
2. Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.

28. **Add Section 901.2.2 - Qualifications**, as follows:

Section 901.2.2 - Qualifications. For the installation, inspection and maintenance of water-based fire protection systems and fire alarm systems a contractor must be certified by the State Fire Marshal's Office. When required by the Code Official, the contractor must provide a copy of their certificate.

29. **Delete Section 903.2.11.1.3 – Basements** and replace with the following:

Section 903.2.11.1.3 – Basements. Where any portion of a basement is located more than 75 feet from openings required by Section 903.2.11.1, the basement shall be equipped throughout with an approved automatic sprinkler system.

30. **Delete Section 907.2.3 – Group E** and replace with the following:

Section 907.2.3 – Group E. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group E occupancies having an occupant load of 50 or more. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Exceptions:

1. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:

- 1.1 Interior corridors are protected by smoke detectors.
- 1.2 Auditoriums, cafeterias, gymnasiums and similar areas are protected by heat detectors or other approved devices.
- 1.3 Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved devices.

2. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, the notification appliances will activate on sprinkler water flow and manual activation is provided from a normally occupied location.

31. **Delete Section 907.2.9 - Group R-2** and replace it with the following:

Section 907.2.9 - Group R-2. An automatic fire alarm system shall be installed in Group R-2 occupancies where:

- 1. Any dwelling unit is located three or more stories above the lowest level of exit discharge;
- 2. Any dwelling unit is located more than one story below the highest level of exit discharge of exits serving the dwelling unit;
- 3. The building contains 12 or more dwelling units; or
- 4. Any dwelling unit is more than one story above any other dwelling unit in the same building.

Exceptions:

- 1. A fire alarm system is not required in buildings not over two stories in height where all dwelling units and contiguous attic and crawl spaces are separated from each other and public or common areas by at least 1-hour fire partitions and each dwelling unit has an exit directly to a public way, exit court or yard.
- 2. A separate fire alarm system is not required in buildings that are equipped throughout with an approved, supervised automatic sprinkler system installed in accordance with Section 903.3.1.1 or Section 903.3.1.2 and which will automatically activate throughout the notification zones upon a sprinkler water flow.

For purposes of this Section, area separation walls shall not define separate buildings.

32. **Add 908.8 Carbon dioxide alarms.** Existing buildings containing or using liquid carbon dioxide shall provide a single station audible carbon dioxide alarm for each habitable enclosed area that has components of the operating system located within the room and/or within the ceiling space of the room. Reference Section 5001.3.3.8.

33. **Section 1008.1.9.3 - Locks and latches. Delete subparagraph 2**
34. **Delete Section 2311.2.3.1 - Disposal of Liquids** and replace it with the following:
- Section 2311.2.3.1 - Disposal of Liquids.** Lubricating oil which has been drained from motor vehicles shall not be dumped into sewers, streams or on the ground, but shall be stored and handled as required for Class III-A liquids in accordance with Chapter 57 until removed from the premises.
35. **Delete 3103.2 - Approval required** and replace it with the following:
- Section 3103.2 - Approval required.** Tents and membrane structures having an area in excess of 400 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval of the *fire code official*.
- Exceptions:**
1. Tents used exclusively for recreational camping purposes.
 2. Tents open on three sides or more, which comply with all of the following:
 - i. Individual tents having a maximum size of 1000 square feet or less.
 - ii. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet, not exceeding 1000 square feet.
 - iii. A minimum clearance of 12 feet to structures and other tents.
36. **Add the following exception to Section 3103.12.6.1 Exit sign illumination**, as follows:
1. Exit sign illumination is not required in a temporary membrane structure tent or canopy if it is not going to be occupied after dark.
37. **Add following criteria to Section 3104.3 - Label** as follows:
- In lieu of a permanently affixed label on a temporary membrane structure, tent or canopy, flame-resistance or fire retardant shall be documented and certified by the manufacturer in an approved manner.
38. **Add to Section 5702 Definitions for Combustible Liquids** the following:
- Note: Used crankcase oils shall be classified as III-A combustible liquid.
39. **Delete Section 5704.1 General** and replace it with the following:

Section 5704.1 Storage of flammable and combustible liquids in containers, cylinders and tanks shall be in accordance with this section, applicable sections of Chapter 50 and rules and regulations promulgated by the State Fire Marshal.

40. **Add Footnote D to the Table 5704.3.4.1**, as follows:

Footnote D. Maximum quantity of used crankcase oils shall be limited to 250 gallons. If the building is equipped with an automatic sprinkler system the quantity can be increased a maximum of 100%.

41. **Amend Appendix D103 Fire Apparatus Access Roads** by deleting 70 foot Diameter CUL-DE-SAC and 60 foot Hammerhead in Figure D103.1 and leaving said blank.

42. **Amend Appendix D103- Fire Apparatus Access Roads** by changing the 96 foot diameter CUL-DE-SAC in figure D103.1 to 88 feet in diameter.

43. **Amend Appendix D103 Fire Apparatus Access Roads** by changing the 120 foot Hammerhead to 90 foot Hammerhead in Figure D103.1.

44. **Add to Appendix D107 One- or Two-Family Residential Developments Exception 2** the following:

The *fire code official* shall not exceed an allowance of over 100 dwelling units in accordance with NFPA 1141 Chapter 5 Table 5.1.4.1.

45. **Add to Appendix E102.1.3 for Combustible Liquids** the following:

Note: Used crankcase oils shall be classified as III-A combustible liquid.

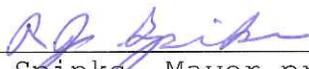
164.04 MODIFICATIONS. The Fire Chief or any officer shall have power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or a duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of this Code, provided, however, that the spirit of this Code shall be observed, public safety secured and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief or officer of the Fire Department thereon shall be entered upon the records of the department. One signed copy of the decision of the Chief or officer of the Fire Department shall be furnished the applicant, and one signed copy shall be filed in the office of the Fire Department.

164.05 BOARD OF APPEALS. General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals, consisting of The members of the Construction Codes Review Board as established in City of Marion Code of Ordinances Section 30.05. The Building Official or designated representative shall be an ex-officio member without a vote and shall act as secretary of the Board.

The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant, and may recommend to the City Council such new legislation as is consistent therewith. The Board shall hold a regular meeting on the fourth Tuesday of each month, unless there are no appeals or business on file for a hearing.

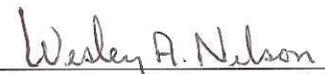
Nominal appeal fee to the Board of Appeals shall be paid as set forth in Table 1-A SCHEDULE OF FEES in Chapter 160- Building Code, as adopted by resolution of the City Council. The appeal shall be valid for one (1) year from the date of the Board approval to the commencement of work and to the completion of work undertaken pursuant to the approval.

Passed and approved this 26th day of July, 2012.



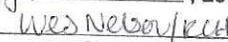
R J Spinks, Mayor pro tem

ATTEST:



Wesley A. Nelson, City Clerk

CERTIFICATE OF SERVICE

The undersigned City Clerk of Marion, Iowa certifies that the Ordinance + Summary shown immediately above was published in the Marion Times on the 2nd day of August, 2012.


City Clerk

