

East Bay Charter Township

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EAST BAY CHARTER TOWNSHIP
FIRE PREVENTION ORDINANCE 2008-18
INTERNATIONAL FIRE CODE
AMENDMENT TO
ORDINANCE NUMBER 2005-5

An ordinance of East Bay Charter Township adopting the *International Fire Code 2006 Edition*, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in East Bay Charter Township; providing for the issuance of permits for hazardous uses or operations; repealing all other ordinances and parts of ordinances in conflict therewith.

The Board of Trustees of East Bay Charter Township ordain as follows:

SECTION 1 Adoption of the International Fire Code 2006 Edition. That a certain document, two (2) copies of which are on file at the office of the East Bay Charter Township, being marked and designated as the International Fire Code 2006 Edition, Including Appendix Chapters A through G, as published by the International Fire Code Council, is adopted as the Fire Prevention Ordinance of East Bay Charter Township for regulating the safeguarding of life and property from the fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings or premises in East Bay Charter Township and providing for the issuance of permits for hazardous uses and operations; and each and all of the regulations, provisions, conditions and terms of the International Fire Code 2006 Edition and any future amendments to that code, published by the International Code Council, on file in the office of the East Bay Charter Township Clerk are adopted and made part of this ordinance as if fully set forth in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2. International Fire Code 2006 Edition Changes, The following sections of the International Fire Code 2006 Edition, adopted in Section 1, are added, deleted, or changed as follows:

101.1 Title. These regulations shall be known as the *Fire Prevention Ordinance of East Bay Charter Township*, are referred to below as "*this code*."

103.1 General. The department of fire prevention is established within the jurisdiction under the direction of the Grand Traverse Metro Fire Department Board. The Grand Traverse Metro Fire Chief (and/or his/her designate[s]) shall be named the Fire Code Official. The function of the Fire Code Official shall be the implementation, administration and enforcement of the provisions of this code. The Fire Code Official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

105.7.14 New Construction. Any owner or authorized agent who intends to construct, enlarge, alter, repair, remove, convert or replace any fire alarm and detection system and related equipment, fire suppression system and related equipment including fire pump, standpipe systems and water supply piping and hydrants, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Fire Code Official and obtain the required permit.

This amendment to the Ordinance 2005-5 was brought before the East Bay Charter Township Board with notice of Public Hearing on Monday October 13, 2008. With sufficient representation of a quorum of the board the following board member _____ made the motion to adopt the 2008-18 amendment to Ordinance 2005-5. Board member _____ seconded the motion.

The Supervisor requested that a Roll Call Vote be taken;

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

The motion _____.

Effective date: The amended Ordinance shall take effect no less than ten (10) days after publication

Glen Lile, Supervisor

Susanne M. Courtade, Clerk
CHARTER TOWNSHIP OF EAST BAY

Introduced on Monday, August 11, 2008
Passed on Monday, October 13, 2008

CERTIFICATION

The undersigned, being the duly qualified Clerk of the Charter Township of East Bay hereby certifies that (1) the foregoing is a true and complete copy of an Amendment to Ordinance duly adopted by the Board of Trustees at a regular meeting held on Monday October 13, 2008 at which meeting a quorum was present and remained throughout, (2) that an original of said Amendment to Ordinance is on file in the records of the township (3) the meeting was conducted and public notice there was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), (4) minutes of such meetings were kept and will be made available as required by law, and, (5) the Amendment to Ordinance was initially presented to the Township Board at a regular/special meeting held on October 13, 2008 following publication as required by law.

EAST BAY CHARTER TOWNSHIP FIRE PREVENTION ORDINANCE
INTERNATIONAL FIRE CODE
Ordinance No. 2005-5

An ordinance of East Bay Charter Township adopting the *International Fire code 2003 Edition*, regulating the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in East Bay Charter Township; providing for the issuance of permits and the collection of fees; repealing ordinance 24 and all other ordinances and parts of ordinances in conflict with this ordinance.

The Board of Trustees of East Bay Charter Township ordain as follows:

SECTION 1. Adoption of International Fire Code 2003 edition. The International Fire Code 2003 edition, including appendix chapters A through G, as published by the International Code Council, two (2) copies of which are on file at the office of the East Bay Charter Township, is adopted as the Fire Prevention Ordinance of East Bay Charter Township for regulating the safeguarding of life and property from the fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings or premises in East Bay Charter Township and providing for the issuance of permits and the collection of fees. All of the regulations, provisions, penalties, conditions and terms of the International Fire Code 2003 Edition and any future amendments to that code, published by the International Code Council, on file in the office of the East Bay Charter Township Clerk are adopted and made a part of this ordinance as if fully set forth in this ordinance, with the additions, insertions, deletions, and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2. International Fire Code 2003 edition changes. The following sections of the International Fire Code 2003 edition , adopted in section 1, are added, deleted, or changed as follows:

101.1 Title. These regulations shall be known as the Fire Prevention Ordinance of East Bay Charter Township, referred to below as "this code."

103.1 General. The department of fire prevention is established within the jurisdiction under the direct of the Grand Traverse Metro Fire Department Board. The Grand Traverse Metro Fire Chief (and/or their designate(s)) shall be named the Fire Code Official for their respective departments. The function of the Fire Code Official shall be the implementation, administration and enforcement of the provisions of this code. The fire code official(s) shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

105.7.13 New Construction. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any fire alarm and detection system and related equipment, fire suppression system and related equipment including fire pump, standpipe systems and water supply piping and hydrants, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Fire Code Official and obtain the required permit.

Exceptions:

1. One and two family residential (Residential Group R-3).
2. Utility and Miscellaneous Group U structures.

109.3 Penalties.

- A. A person who violates any provision of this code is responsible for civil infraction, punishable by a maximum fine of \$500.00 plus court cost. Each day that a violation continues after due notice has been served in accordance with is ordinance shall be deemed a separate offense.
- B. A person who knowingly or willfully violates any provision of this code, or a person who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this code, or who refuses to correct a violation of the code after receiving due notice, interferes with the code official's enforcement of the code, or retaliates against another who had made complaint of a violation of this code, is guilty of a misdemeanor, punishable by imprisonment not exceeding 90 days and/or a fine of not more than \$500.00 plus court costs. Each day that a violation continues after due notice has been served in accordance with this code shall be deemed a separate offense.

114.4 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 of unsafe condition, shall be liable to a fine of not less than \$500.00. Each day that a violation of the stop work order continues after due notice has been served shall be deemed a separate offense.

307 Open Burning. Is deleted in its entirety.

503.6 Security Gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. ***Automatic security gates shall comply with the applicable provisions set forth in Appendix II of this code. Manual security gates shall comply with the applicable provisions set forth in Appendix I of this code.***

506.1 Where Required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. Such lock boxes shall be installed on all structures of Use Group A-1, A-2, A-3, A-4, B, E, F-1, F-2, H-1, H-2, H-3,H-4, I-1, I-2, I-3, I-4,M, R-1, R-s, R-4, S-1, S-2, or any Mixed Use Group, where the structure is equipped with a fire protection system. Approved lock box containers shall be installed in the location that is designated by the Fire Department. The key box shall be of an approved type and shall contain keys to gain access as required.

903.4.2 Alarms. Approved visual devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building, in an approved location. **The visual device shall be a white strobe light.** Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

SECTION 3. International Fire Code Changes. The limits or restrictions referred to in certain sections of the *International Fire Code* are hereby established as follows:

Section 3204.3.1.1 Locations (Outdoor Storage) Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by the Zoning Ordinance of the local government unit wherein the storage occurs or is proposed.

3308.2.2.1 Proximate Audience Displays – Where Allowed. Proximate audience displays are allowed only in Group A-1 occupancies containing a legitimate stage. Such occupancy shall be equipped throughout with an automatic fire sprinkler system designated and installed in accordance with Section 903.3.1.1 of this code.

3404.2.9.5.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by Zoning Ordinance of the local government unit wherein the storage occurs or is proposed.

3406.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited within the limits established by the Zoning Ordinance of the local government unit wherein the storage occurs or is proposed.

3804.2 Maximum capacity within established limits. Within the limits established by Zoning Ordinance of the local government unit wherein the storage occurs or is proposed restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

SECTION 4. Deletion and Substitution, Appeal Board. Appendix A regarding the Appeal Board is deleted and the following shall be substituted: The Board of Appeals for this *International Fire Code* shall be the state authorized Construction Code Board of Appeals of Grand Traverse County created under the State Construction Code or its successor and one additional person appointed by the Board of Commissioners in the same manner as other members of the Construction Board of Appeals and who has experience in design, installation and operation of fire suppression systems.

SECTION 5. Deletion and Substitution, Electrical Code. That any reference to the *International Electrical Code* appearing in the *International Fire Code* is deleted and such referenced therein shall be substituted with the *State of Michigan Electrical Code*.

SECTION 6. Fee Schedule. The Fire Department shall, at each new code cycle, review and establish a fee schedule for the implementation and enforcement of this Ordinance. The fee structure shall then be submitted for approval by the Board of Trustees of East Bay Charter Township. The fee schedule to implement this Ordinance shall be published at the time of publication of this Ordinance.

SECTION 7. Code Update. This ordinance shall remain in effect and be in full force until repealed by the Board of Trustees of East Bay Charter Township. The adopted edition of the *International Fire Code* shall automatically be updated to the same edition as the State of Michigan Building Code. This update shall occur at the time the State of Michigan updates and places the State Building Code in force.

SECTION 8. Prior Ordinances. All other ordinances or parts of ordinances in conflict with or superseded by this Ordinance are repealed except to the extent that any project, condition, violation or prosecution that was subject to the prior Ordinance shall continue.

SECTION 9. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, unlawful or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 10. Publication. The Clerk of East Bay Charter Township shall publish this Ordinance twice (2) in a newspaper of general circulation in the East Bay Charter Township which publication shall be once (1) before the proposed adoption and once (1) after the adoption by the Board of Trustees and be posted at the East Bay Charter Township offices for a period of not less than seven (7) days prior to the public hearing on the adoption of this Ordinance by the Board of Trustees.

SECTION 11. Effective Date. This Ordinance and any rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 10 (ten) days after the date of publication giving notice of adoption as provided in Section 10 and signing by the Chairperson of the Board of Trustees and the East Bay Charter Township Clerk.

EAST BAY CHARTER TOWNSHIP

Date: _____

By: _____
Glen Lile, Supervisor

Date: _____

By: _____
Susanne M. Courtade, Clerk

Published Date: _____, 2006

Published Date: _____, 2006

GRAND TRAVERSE COUNTY FIRE PREVENTION ORDINANCE PERMIT/PLAN REVIEW FEE SCHEDULE

- 1. Construction Plan Review Fees:
 - 0-2000 ft.....\$ 95.00
 - 2001 ft-5000 ft\$115.00
 - 5001 ft-10000 ft.....\$135.00
 - Over 10000 ft.....\$155.00

- 2. Fire Suppression System Plan Review/Permit Fees
 - A. Sprinkler system fees:
 - 1-100 heads.....\$225.00
 - 101-200 heads.....\$250.00
 - 201-300 heads.....\$275.00
 - 301-400 heads.....\$300.00
 - 401-500 heads.....\$350.00
 - 501-750 heads.....\$375.00
 - Over 750 heads.....\$375.00 +
Plus \$.20 per sprinkler over 750.
 - For hydraulically designed systems, multiply the fee
By two (2).

- B. Alternative Agents (Dry chemical, wet chemical, clean-agent, etc. Fees).
 - Pre-engineered systems\$125.00
 - Engineered and Total Flooding systems.....\$250.00

C. Fire Alarm/Smoke Detection Fees. Same as construction plan review/permit fees stated above.

Fees include plan review, permit and two (2) inspections. Additional inspections will be charted at \$95.00 per hour – Minimum one (1) hour charge.

March 19, 2006 --IT