

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: November 22, 2010
	Agenda Item No. 40B Roll Call No. <u>10-1961</u> Communication No. <u>10-689</u> Submitted by: John F. TeKippe, Chief of the Fire Department

AGENDA HEADING:

Amending Chapter 46 of the Municipal Code regarding Fire Prevention and Protection.

SYNOPSIS:

Approval of this Ordinance amends Sections 46-1, 46-61, 46-62, 46-63, 46-64, 46-69, 46-71, 46-246, 46-278, and 46-316, and enacts new Sections 46-72 and 46-73, all of Chapter 46, Fire Protection and Prevention of the Municipal Code of the City of Des Moines. The change to Section 46-61 is to replace the 2006 edition of the International Fire Code by adopting the more recent 2009 edition of the International Fire Code. The other changes to Chapter 46 are intended to provide the Fire Department with supplemental options for enforcement of the Fire Prevention Code.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

The Municipal Code of the City of Des Moines adopts and incorporates the International Fire Code as published by the International Code Council, which is historically updated every three years. The International Fire Code “is a model code that regulates minimum fire safety requirements for new and existing buildings, facilities, storage, and processes” and is historically updated every three years to incorporate technological advances and best practices in fire protection, prevention, and inspection. In conjunction with the adoption of the 2009 edition of the International Fire Code, the amendments, additions, and deletions to the Municipal Code of Des Moines must also be updated to correlate with the new edition.

The following sections are routinely deleted from the International Fire Code and are replaced by sections in the Municipal Code:

Chapter 5, Section 105 “Permits” is deleted from the International Fire Code and replaced by Des Moines Municipal Code Section 46-1.

Chapter 5, Section 113 “Fees” is deleted from the International Fire Code and replaced by Des Moines Municipal Code Section 46-1.

Chapter 3, Section 307 “Open burning, recreational fires, and portable outdoor fireplaces” is deleted from the International Fire Code and the Iowa Administrative Code Section 567-23.2 (455B) is adopted.

The following sections of the 2009 Edition of the International Fire Code were not recommended for adoption by the Building and Fire Board of Appeals and are deleted:

Section 510 – emergency responder radio coverage for new and existing buildings

Appendix J – additional information and technical requirements for emergency responder radio coverage

Section 2404.15.5 - cooking tents and Section 2404.15.65 - outdoor cooking.

The following sections of the 2009 edition of the International Fire Code were amended in various sections of the Municipal Code:

Des Moines Municipal Code Section 46-63. Amendments and additions.

Open Flames in Residential Occupancies. Section 308.1.4 is deleted and replaced with Section 46-66 and 46-67. Section 46-66 limits the use of charcoal burners and other ash/ember producing cooking devices to one and two-family dwellings and Section 46-67 allows the use of LPG fueled cooking devices in multi-family dwellings with certain restrictions and safeguards.

Installation and Related Requirements for Smoke Alarms. Section 907.2.10 and 4603.7 provide installation and related requirements for single and multi-station smoke alarms. This section is replaced with Section 46-71 of the Municipal Code of the City of Des Moines.

Locking Fire Department Connection Caps. Section 912.3.1 authorizes the use of locking fire department connection caps for automatic sprinklers and standpipe systems located on building exteriors. This section has been replaced with 46-72 to require locking fire department connection caps on all new construction and connections that do not have caps. The use of locking caps will lessen the likelihood that debris is placed in the system rendering it inoperable when needed.

Construction Requirements for Existing Buildings. This is a new chapter in the 2009 Edition of the International Fire Code. This chapter aggregates many of the retroactive existing building fire protection and life safety requirements into one location for ease of reference. Some of the requirements in this chapter have significant financial implications for all existing buildings. Consequently, the retroactive provisions of Section 4601.4, as replaced by Section 46-73 will be required upon the issuance of a building permit. The owner of the building must comply with the requirements in Chapter 46 of the 2009 Edition of the International Fire Code within three (3 years), unless an additional two (2 year) extension is granted by the fire code official.

Appendix I. This is a list of noncompliant conditions for fire protection systems that has been used to assist building owners and inspectors to improve their awareness of fire protection system deficiencies. This is a new section to the IFC, and provides specific examples of non-compliant conditions that Des Moines Fire Department inspectors can reference in violation letters.

Des Moines Municipal Code Section 46-64. Appeals.

Section 46-64 provides a method for any person affected by a decision of the Fire Chief to appeal the decision to the Building and Fire Board of Appeals. The language of this section is congruent with City of Des Moines Building Department appeal process and provides time requirements for appealing a decision, specific details of the appeal process, and other pertinent information.

Des Moines Municipal Code Section 46-69. Lock Box.

The Des Moines Fire Department utilizes the Knox® Box system. It is a secure storage device that is installed on the outside of a home or business that only the Des Moines Fire Department has a key to open. When an emergency occurs, the Des Moines Fire Department uses the key to open the box and access keys to the home or business. This process reduces valuable time to enter the premise and evaluate/mitigate the emergency. Currently, all new construction and existing structures that go through the plan review process are required to install a lock box. This proposed ordinance change will allow the fire code official to require the installation of a lock box when circumstances dictate the need for one.

Des Moines Municipal Code Section 46-246. Permits Required.

Storage of Fuel Oil. Section 46-246 has been amended to match the storage of fuel oil from 550 gallons to 660 gallons to be consistent with the 2009 Edition of the International Fire Code.

Des Moines Municipal Code Section 46-278. Permit and Reports of Installations.

Permit for Storage of Liquefied Petroleum Gas. Section 46-278 has been amended to add that a permit is required an installation of liquefied petroleum gas in an aggregate amount of 150 gallons or more.

Des Moines Municipal Code Section 46-316. Distance.

The word “canopy” has been removed from the 2009 Edition of the International Fire Code.

PREVIOUS COUNCIL ACTION(S):

Date: July 23, 2007

Roll Call Number: [07-1431](#)

Action: Fire Protection and Prevention Code. Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.

Date: July 23, 2007

Roll Call Number: [07-1432](#)

Action: Adoption of the International Fire Code and amendments and additions to the International Fire Code. ([Council Communication No. 07-424](#)) Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Building and Fire Board of Appeals

Date: October 14, 2010

Action: These recommended changes to the Municipal Code of the City of Des Moines and adoption of the 2009 Edition of the International Fire Code were unanimously approved by the Building and Fire Code Board of Appeals.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.