

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: February 28, 2011
	Agenda Item No. 43 Roll Call No. <u>11-0327</u> Communication No. <u>11-116</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 – tents and membrane structures.

SYNOPSIS:

Approval of this Ordinance amends Sections 46-1, 46-63, 46-316, 46-318, 46-319, all of Chapter 46, Fire Protection and Prevention of the Municipal Code of the City of Des Moines. With the recent adoption of the 2009 edition of the International Fire Code, a tent permit is required for:

1. Tents and membrane structures (with sides) having an area in excess of 400 square feet. This provision would apply to more than four 10 ft. X 10 ft. tents with sides grouped together.
2. Individual tents (without sides) having an area in excess of 700 square feet.
3. Tents without sides, placed side by side, having an area in excess of 700 square feet. This provision would apply to more than seven 10 ft. X 10 ft. tents grouped together.

The impact of these code changes would result in a moderate increase in the number of tents permits being required for those outdoor events held in the City of Des Moines that utilize 10 ft. X 10 ft. tents. Tent permit fees are currently \$40 each. It is the opinion of the City of Des Moines Fire Marshal that the current code, as written, is unnecessarily restrictive. An acceptable risk can be still be maintained by providing an exception for requiring a tent permit as follows: “10 ft. X 10 ft. tents, with or without sides, not exceeding 1,000 square feet”. This exception, however, will limit a grouping of 10 ft. X 10 ft. tents to 1,000 square feet. Other groupings of 10 ft. X 10 ft. tents may be erected at outdoor events provided that a 12 foot fire break clearance is maintained between groupings of tents.

It is also necessary to amend 46-316 to lower the separation distance between tents and buildings when approved by the Fire Chief. This change will allow tents to be placed at the curb of a residential street in relative proximity to a building without violating the fire code.

These changes have been presented to many of the major outdoor event planners with favorable support.

FISCAL IMPACT:

Amount: Loss of approximately \$2,000 from tent permit fees to FIR 070100, Commercial Fire Inspection; Account No. 455224

Funding Source: N/A

ADDITIONAL INFORMATION: NONE

PREVIOUS COUNCIL ACTION(S):

Date: December 20, 2010

Roll Call Number: 10-2100

Action: [Amending](#) Chapter 26 of the Municipal Code to adopt the 2009 editions of the International Building Code; International Residential Code; International Existing Building Code; International Mechanical Code; International Fuel Gas Code; International Energy Conservation Code and Uniform Plumbing Code – as amended by changing Section 26-328 and 26-329 to address concerns raised by local homebuilders. ([Council Communication No. 10-764](#)) **Moved by Hensley that this ordinance do now pass, #14,981. Motion Carried 7-0.**

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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