

ORDINANCE NO. 14,689

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,093 passed June 3, 2002 and Ordinance No. 14,473 passed August 8, 2005 by amending Sections thereof, relating to adoption of the international fire code and amendments and additions to the international fire code.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,093 passed June 3, 2002, and Ordinance No. 14,473 passed August 8, 2005, is hereby amended by amending Sections 46-61, 46-63, 46-64 and adding and enacting new Sections 46-66, 46-67, 46-68, 46-69, 46-70 and 46-71 relating to adoption of the international fire code and amendments and additions to the international fire code, as follows:

Sec. 46-61. Adoption of international fire code.

- (a) This chapter shall consist of the International Fire Code, 2006 edition, published by the International Code Council, Inc. and known commonly as the international fire code, which volume is incorporated in this section by this reference as fully as though set forth in this chapter in its entirety, excepting only such portions as are stated to be deleted therefrom and such additional provisions as are set forth in this article.
- (b) This chapter and all provisions incorporated in this chapter, by reference or otherwise, shall be known as the fire prevention code, may be cited as such, and will be referred to in this chapter as such and as "this code" or as "this article" or as "this chapter." Further references

made in this chapter to chapters will be to chapters of the international fire code. References to section numbers not preceded by "46-" will be to sections in the international fire code.

Sec. 46-63. Amendments and additions.

- (a) Article I of this chapter and the remaining sections in this chapter and in division 2 of article III of chapter 38 of the city Code are and represent amendments and additions to the requirements contained in the international fire code. Where their requirements conflict with those of the international fire code, the requirements of sections 38-81 and 38-82 of the city Code and articles IV through X of this chapter shall prevail.
- (b) The deleted sections and the corresponding amendments and additions to those sections are as follows:
 - (1) Section 108 (see section 46-64 of this chapter).
 - (2) Section 105 (see section 46-1 of this chapter).
 - (3) Section 2601.2 (see section 46-121 of this chapter).
 - (4) Section 3308.2 (see article VII of this chapter).
 - (5) Section 3401.4 (see section 46-246 of this chapter).
 - (6) Sections 2701.5, 2703.9.1, 2703.9.1.1, 2701.6.3, 2701.6, 2701.5.1 and 2701.5.2 (see article IV of this chapter).
 - (7) Section 3804 (see section 46-281 of this chapter).
 - (8) Section 308.3.1 (see section 46-66 of this chapter).
 - (9) Section 308.3.1.1 (see section 46-67 of this chapter).
 - (10) Section 503.2.3 (see section 46-68 of this chapter).
 - (11) Section 506.1 (see section 46-69 of this chapter).
 - (12) Section 506.1.1 (see section 46-70 of this chapter).
 - (13) Section 907.2.10 (see section 46-71 of this chapter).

Sec. 46-64. Appeals.

(a) Any order or notice issued or served as provided in the fire prevention code shall immediately be complied with by the owner or occupant of such premises or building. Such owner or occupant may, within four (4) business days, appeal to the fire chief who shall, within five days, review such order and file his or her decision thereon, and, unless it is found a fire hazard does not exist and by his or her authority the order is revoked or modified, it shall remain in full force and be complied with within the time fixed in such order or decision of the fire chief. Decisions of the fire chief may be appealed to

the licensing and appeal board in section 26-120 of the city code.

(b) Any person affected by a decision of the fire chief may request and shall be granted a hearing on the decision before the licensing and appeals board, provided that the person shall file in the permit and development center a written petition requesting a hearing and setting forth a brief statement of the grounds within fifteen (15) days after receiving notice of the decision. The appeal shall be subject to the procedural rules set forth in section 26-122 and 26-123.

Sec. 46-66. Open flame cooking devices.

Charcoal burners and other ash or ember producing devices shall not be operated on combustible balconies and/or decks or within ten (10) feet of combustible construction. Exception: one and two family dwellings.

Sec. 46-67. Liquefied petroleum gas fueled cooking devices.

Liquefied petroleum (LP) gas burners having larger or more than one nominal 20 pound capacity cylinder shall not be operated on balconies and/or decks or within ten (10) feet of structures. No LP cylinders shall be stored inside of any multi-family structure. Exception: one and two family dwellings.

Sec. 46-68. Fire apparatus access road surface.

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be of a continuous hard surface such as concrete, asphalt, rock, or other continuous hard surface material so as to provide all-weather maintenance and driving capabilities. Grass pavers or similar type products that are not readily distinguishable as a road surface shall not be used.

Sec. 46-69. Lock box.

An approved lock box that operates with the existing lock box key used by the Des Moines Fire Department shall be installed on all new construction and existing structures that go through the plan review process. Exceptions: 1) Group R-3 and unsecured group R-2 occupancies; 2) facilities with on-site security 24 hours a day and having access to all areas of the building.

Sec. 46-70. Limited access gates and locks.

All developments, communities, structures, facilities, or property similar in nature that have controlled access points requiring a key, key card, coded key pad, or similar device to limit access shall have a lock box with keys, key cards, codes, or similar device to gain access or shall have a lock box key activated opening device. All lock boxes or lock box key activated devices shall be operable with the existing lock box key used by the Des Moines Fire Department. Exception: Controlled access points that have security present 24 hours a day.

Sec. 46-71. Single and multiple station smoke alarms.

Listed single and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with provisions of this code and the household fire warning equipment provision of NFPA 72. Smoke alarms in dwelling units shall be addressable with sounder bases and monitored by the building fire alarm system as a supervisory signal only. Mini horns in dwelling units are not required if notification from a building fire alarm system is through the smoke alarms with sounder bases.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines,

Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 07-1633), passed by the City Council of said City at a meeting held August 20, 2007 signed by the Mayor on August 20, 2007 and published as provided by law in the Business Record on September 3, 2007, Authorized by Publication Order No.5748.

Diane Rauh, City Clerk