

ORDINANCE NO. 16,521

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, as heretofore amended, by amending, Chapter 46, Sections 46-1, 46-2, 46-4, 46-5, 46-6, 46-32, 46-61, 46-62, 46-63, 46-64, 46-65, 46-66, 46-68.1, 46-69, 46-70, 46-72, 46-73, 46-91, 46-92, 46-94, 46-95, 46-211, 46-212, 46-213, 46-215, 46-216, 46-217, 46-218, 46-246, 46-277, 46-279, 46-318, 46-430, 46-431, 46-441, 46-442, 46-443, 46-444, 46-445, 46-456, 46-457, 46-469, 46-470, 46-471, 46-472, 46-473, 46-474, 46-475, 46-476, 46-488, 46-498, 46-510, 46-520, 46-521, 46-522, 46-523, 46-530, 46-531, 46-532, 46-534, 46-535, 46-536, 46-537, 46-538, 46-539, 46-541, 46-542, 46-543, 46-544, 46-545, 46-546, 46-548, 46-551, 46-552, 46-553, 46-555, 46-556, 46-557, 46-560, 46-561, 46-562, 46-563, 46-565, 46-567, 46-568, 46-569, 46-570, 46-571, 46-572, 46-573, 46-574, 46-580, 46-583, 46-584, 46-585, 46-586, repealing Sections 46-71, 46-121, 46-316, 46-317, 46-485, and Article V, and adding Sections 46-74, 46-75, 46-587, 46-588, relating to fire prevention and protection.

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, as heretofore amended, is hereby amended, by amending Chapter 46, Sections 46-1, 46-2, 46-4, 46-5, 46-6, 46-32, 46-61, 46-62, 46-63, 46-64, 46-65, 46-66, 46-68.1, 46-69, 46-70, 46-72, 46-73, 46-91, 46-92, 46-94, 46-95, 46-211, 46-212, 46-213, 46-215, 46-216, 46-217, 46-218, 46-246, 46-277, 46-279, 46-318, 46-430, 46-431, 46-441, 46-442, 46-443, 46-444, 46-445, 46-456, 46-457, 46-469, 46-470, 46-471, 46-472, 46-473, 46-474, 46-475, 46-476, 46-488, 46-498, 46-510, 46-520, 46-521, 46-522, 46-523, 46-530, 46-531, 46-532, 46-534, 46-535, 46-536, 46-537, 46-538, 46-539, 46-541, 46-542, 46-543, 46-544, 46-545, 46-546, 46-548, 46-551, 46-552, 46-553, 46-555, 46-556, 46-557, 46-560, 46-561, 46-562, 46-563, 46-565, 46-567, 46-568, 46-569, 46-570, 46-571, 46-572, 46-573, 46-574, 46-580, 46-583, 46-584, 46-585, 46-586, repealing Sections 46-71, 46-121, 46-316, 46-317, 46-485, and Article V, and adding Sections 46-74, 46-75, 46-587, 46-588, relating to fire prevention and protection, as follows:

Chapter 46 FIRE PREVENTION AND PROTECTION*

***Cross reference(s)**-- buildings and building regulations, ch. 26.

State law reference(s)--Authority to provide for fire protection, I.C. § 364.16.

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ARTICLE I. IN GENERAL

Sec. 46-1. Permits required.

- (a) It shall be unlawful for any person to use a building or premises or engage in any activities for which a permit is required by this chapter without first having obtained such permit. Permits are required from the fire prevention bureau for the uses listed in subsections (b) through (f) of this section.

- (b) The fire code official, as defined in the International Fire Code, is authorized to issue operational permits for the operations set forth in fire code sections 105.5.1 through 105.5.58 of the International Fire Code and as stated below in this subsection in addition to the following facilities or uses, and the fee for each such installation or use shall be the amount established in the schedule of fees adopted by the city council by resolution:
 - (1) Acetylene generator. To operate an acetylene generator having a carbide capacity of five pounds or greater.
 - (2) Inspection, maintenance and certification of fire appliances.
 - (3) Operation for conducting a fireworks or fire, open flames or flammable material display or compound, use or store of pyrotechnic special effects material (see section 46-215 of this chapter).
- (c) The fire code official is authorized to issue construction permits for work as set forth in sections 105.6.1 through 105.6.25. of the fire code and the following. The fee for issuance of such permit shall be the amount established in the schedule of fees adopted by the city council by resolution:
 - (1) Demolition of a fire protection system (without replacement or modification).
- (d) Exemption for certain classes of applicants. Persons performing work or operations for the federal government or the state may obtain permits for such work or operations without paying the permit fees described in this section.
- (e) A permit shall be required for open-flame decorative devices/fire pits pursuant to section 46-73. Outdoor fireplaces or grills burning untreated wood or charcoal used solely for the non-commercial preparation of food shall not be required to obtain a permit.
- (f) The permit fees required by this section shall be doubled whenever a permit is not obtained prior to conducting the activities described in this section. No additional permits shall be issued to any person who owes the city the double fee established in this subsection.

Sec. 46-2. Fire zones and boundaries.

For the purpose of this chapter, the entire city is declared to be and is established a fire district, and such fire district shall be known and designated as fire zones no. 1, no. 2, no. 3, and no. 4, and shall include such territory or portions of the city as follows:

- (1) *Fire zone no. 1.* Fire zone no. 1 shall be all that district east and west of the Des Moines River, within the following boundaries.
 - a. *East of Des Moines River.* Beginning on the east bank of the Des Moines River at the projected centerline of East Vine Street, thence east along the centerline of East Vine Street to the centerline of East Seventh Street, thence north along the centerline of East Seventh Street to the centerline of East Locust Street, thence west along the centerline of East Locust Street to the centerline of East Sixth Street, thence north along the centerline of East Sixth Street to the centerline of Des Moines Street, thence west along the centerline of Des Moines Street and the westerly projection thereof to the east bank of the Des Moines River, thence continuing on said westerly projection to the west bank of the Des Moines River; thence south along the west bank of the Des Moines River to the westerly projection of the centerline of East Vine Street; thence east along the westerly projection of East Vine Street to the point of beginning.

- b. *West of Des Moines River.* Beginning on the west bank of the Des Moines River at the centerline of Center Street, thence west along the centerline of Center Street to the centerline of Third Street, thence south along the centerline of Third Street to the centerline of Park Street, thence west along the centerline of Park Street and along the centerline of Keosauqua Way to the centerline of Ninth Street, thence south along the centerline of Ninth Street to the centerline of Pleasant Street, thence west along the centerline of Pleasant Street to the centerline of Tenth Street, thence south along the centerline of Tenth Street to the centerline of High Street, thence west along the centerline of High Street to the centerline of Twelfth Street, thence south along centerline of Twelfth Street to the centerline of Mulberry Street, thence east along the centerline of Mulberry Street to the centerline of Tenth Street, thence south along the centerline of Tenth Street to the centerline of Vine Street, thence east along the centerline of Vine Street and the easterly projection thereof to the west bank of the Des Moines River, thence north along the west bank of the Des Moines River to the point of beginning.
 - (2) *Fire zone no. 2.* Fire zone no. 2 shall be all that district lying outside of fire zone no. 1 but within the boundaries defined as follows:
 - a. *West Des Moines River.* Beginning on the west bank of the Des Moines River at the south right of way line of the MacVicar Freeway, thence west along the south right of way line of the MacVicar Freeway to the projection north of the centerline of Fifteenth Street, thence south along the projection north and along the centerline of Fifteenth Street to the intersection of centerline of Fifteenth Street and the centerline of Sixteenth Street, thence south along the centerline of Sixteenth Street to the main line track of the Chicago, Rock Island & Pacific Railroad Company, thence southeasterly along the tracks to the centerline of Vine Street, thence east along the centerline of Vine Street extended to the west bank of the Des Moines River, thence north along the west bank of the Des Moines river to the point of beginning.
 - b. *East of Des Moines River.* Beginning on the east bank of the Des Moines River at the centerline of Des Moines Street, thence east along the centerline of Des Moines Street to the centerline of East Sixth Street, thence north along the centerline of East Sixth Street to the south right of way line of the MacVicar Freeway, thence west along the south right of way line of the MacVicar Freeway to the east bank of the Des Moines River, thence continuing along the south right of way line of MacVicar Freeway to the west bank of the Des Moines River, thence south along the west bank of the Des Moines River to the westerly projection of the centerline of Des Moines Street, thence east along said westerly projection to the point of beginning.
 - (3) *Fire zone no. 3.* Fire zone no. 3 shall be all that district lying outside of fire zone no. 1 and no. 2 but within the boundaries defined as follows:
 - a. Beginning at the centerline of Ingersoll Avenue intersecting with the centerline of Fifteenth Street, thence west along the centerline of Ingersoll Avenue to the centerline of Martin Luther King Jr. Parkway, thence south along the centerline of Martin Luther King Jr. Parkway to the north bank of the Raccoon River, thence east along the Raccoon River to confluence of

the Des Moines and Raccoon Rivers, thence north along the west bank of the Des Moines River to the centerline of West Martin Luther King Jr Parkway, thence east along the centerline of West Martin Luther King Jr. Parkway and along the centerline of East Martin Luther King Jr. Parkway to the centerline of Southeast 6th Street, thence north along the centerline of Southeast 6th Street to the centerline of East Vine Street, thence west along the centerline of East Vine Street and along the centerline of Vine Street to the main track of the Chicago, Rock Island & Pacific Railroad Company; thence northwest along the tracks to the centerline of Sixteenth Street, thence north along the centerline of Sixteenth Street to the intersection of the centerline of Fifteenth Street and the centerline of Sixteenth Street; thence northeast and north along the centerline of Fifteenth Street to the point of beginning.

- (4) *Fire zone no. 4.* Fire zone no. 4 shall include all that part of the city not included in fire zones no. 1, 2, and 3.

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Sec. 46-4. Municipal infractions.

- (a) The first violation of chapter 46 within the calendar year shall be deemed the first offense punishable by a civil penalty not to exceed \$750.00, plus inspection fees where applicable. The second and each subsequent violation of chapter 46 within a calendar year shall be a repeat offense, punishable by a civil penalty not to exceed \$1,000.00, plus inspection fees where applicable.
- (b) When enforcement is sought through a municipal infraction proceeding, the fire chief or the chief's authorized representative may enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the violation. Such orders will include specific action to be taken by the person responsible for the violation to correct said violation within a time period specified by the order.

Sec. 46-5. Notice of violation--administrative penalties--corrective action order.

- (a) The fire department is authorized to issue a notice of violation imposing administrative penalties upon any person who fails to perform an act required by chapter 46 of this code or who commits an act prohibited by said chapter.
- (b) Such notice of violation may include a corrective action order requiring compliance with the violated code section within thirty (30) days.
- (c) The administrative penalty for such violations shall be as provided in the schedule of administrative penalties adopted by the city council by resolution.
- (d) Notice of violation, with the applicable penalty for such violation noted thereon, shall be issued to and served upon the violator. Service of the notice upon the violator may be by regular mail or certified mail or by delivery in person. Such notice shall include:
 - (1) a statement that the violator has a right to appeal regarding the violation; and
 - (2) a statement that the violator may file a written appeal with the fire marshal or the marshal's authorized representative. The appeal must be made within thirty (30) days of issuance of the notice and must identify the notice of violation appealed

from and state the basis for the appeal, the violator's name, mailing address, email address, and daytime telephone number. The fire marshal or the marshal's authorized representative will consider the appeal on the basis of the appeal and record and will notify the violator by mail or email of the decision as promptly as is reasonably possible. The appeal shall stay payment of the administrative penalty and performance of the corrective action until the appeal is decided. If issuance of the notice of violation is upheld, the violator shall have thirty (30) days from issuance of the appeal decision to pay the administrative penalty and to perform the corrective action.

- (e) Penalties assessed pursuant to notice of violation shall be paid by the violator in full as directed in the notice within thirty (30) days of its issuance. Corrective action as required pursuant to notice of violation shall be completed by the violator as directed in the notice within thirty (30) days of its issuance.
- (f) The administrative penalties set out in the schedule of administrative penalties shall be charged in lieu of the fines and penalties provided for in sections 46-3 and 46-4 unless:
 - (1) the violator refuses to correct the violation and pay the scheduled administrative penalty, or
 - (2) the fire chief or the chief's authorized representative determines that immediate enforcement action by misdemeanor or municipal infraction prosecution pursuant to sections 46-3 and 46-4, by public nuisance procedure, or any other remedy available at law is necessary to achieve compliance with the requirements of this chapter in view of the particular circumstances of the case.

The fire department shall maintain a record of all violations, administrative penalties charged, or other enforcement actions taken.

Sec. 46-6. Liability for damages.

- (a) The city or any employee is not liable for damages to a person or property as a result of any act or failure to act in the enforcement of this chapter, unless the act of enforcement constitutes false arrest.
- (b) This chapter shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any equipment or structure regulated in this chapter for damages to a person or property caused by its defects, nor shall the city or any city employee be held as assuming any such liability because of the inspections authorized by this chapter or any approvals issued under this chapter.

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ARTICLE II. FIRE DEPARTMENT*

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Sec. 46-32. Chief.

- (a) *Appointment; responsibility.* The chief of the fire department, also known as the fire chief, shall be appointed by the city manager and responsible to the manager for the functions of the fire department.
- (b) *Supervision of department.* The chief of the fire department shall supervise and direct the fire department.
- (c) *Absence or disability.* In the absence or disability of the chief of the fire department, the city manager shall designate an assistant fire chief to act as chief of the fire department during such absence or disability.
- (d) *Powers and duties generally.* The chief of the fire department shall be responsible for the protection of life and property against fire, prevention and extinguishment of fires, and the removal of fire hazards. The chief of the fire department shall see that all provisions of law or ordinance passed for the protection of the city against fire are enforced.
- (e) *Authority to prescribe rules and regulations.* The fire chief shall have the power to promulgate and establish, with the approval of the city manager, rules and regulations for the government of the fire department.
- (f) *Property and equipment.* The fire chief shall be responsible for the care, maintenance, and custody of all property and equipment of the fire department.

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ARTICLE III. CODE

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

- (a) This chapter shall consist of the International Fire Code, 2024 edition, published by the International Code Council, Inc., and known commonly and referenced in this chapter as the "International Fire Code" and as the "fire code," which volume is incorporated in this chapter 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 amendments or 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," "this article," or "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. 46-62. Deletions.

The following sections are hereby deleted from the International Fire Code adopted in section 46-61 of this article and are of no force or effect in this chapter:

- (1) Sections 101.1, 608.13.4 Item #5, 806.1.1 Exception #2, Exemption for 105.5.36.
- (2) Appendix A.
- (3) Section 907.6.3 Exceptions #1,2, and 4 (see section 46-475 of this chapter).

Sec. 46-63. Amendments and additions.

- (a) Article I of this chapter and the remaining sections in this chapter are and represent amendments and additions to the requirements contained in the International Fire Code.

Where the requirements conflict with those of the International Fire Code, the requirements of this chapter shall prevail.

(b) The following sections of the International Fire Code are deleted and are amended as follows:

- (1) Section 113.4, except section 113.4.1 thereof which is not amended or deleted and remain incorporated in this chapter (see sections 46-3, 46-4, and 46-5 of this chapter.)
- (2) Section 5608.2 (see article VI of this chapter).
- (3) Section 6104, except 6104.1 and 6104.3, which are not amended or deleted and remains incorporated in this chapter (see article VIII of this chapter).
- (4) Section 4104.2 (see section 46-66 of this chapter).
- (5) Section 1101.4 (see section 46-68 of this chapter).
- (6) Section 307.4.2 (see section 46-72 of this chapter).
- (7) Section 503.2.1 (see section 46-442 of this chapter).
- (8) Section 505.1 (see section 46-443 of this chapter).
- (9) Section 507.5.1.1. (see section 46-445 of this chapter).
- (10) Section 507.5.5 (see section 46-445 of this chapter).
- (11) Section 508.1 (see section 46-456 of this chapter).
- (12) Section 508.1.3 (see section 46-456 of this chapter).
- (13) Section 903.2.1.1 (see section 46-469 of this chapter).
- (14) Section 903.2.1.2 (see section 46-469 of this chapter).
- (15) Section 903.2.1.3 (see section 46-469 of this chapter).
- (16) Section 903.2.1.4 (see section 46-469 of this chapter).
- (17) Section 903.2.2 (see section 46-469 of this chapter).
- (18) Section 903.2.3 (see section 46-469 of this chapter).
- (19) Section 903.2.4 (see section 46-469 of this chapter).
- (20) Section 903.2.7 (see section 46-469 of this chapter).
- (21) Section 903.2.9 (see section 46-469 of this chapter).
- (22) Section 903.2.9.1 (see section 46-469 of this chapter).
- (23) Section 903.3.1.2 (see section 46-469 of this chapter).
- (24) Section 903.4.3 (see section 46-469 of this chapter).
- (25) Section 910.2.1 (see section 46-472 of this chapter).
- (26) Section 914.3.1.2 (see section 46-473 of this chapter).
- (27) Section 907.6.6 (see section 46-476 of this chapter).
- (28) Section 3301.2 (see section 46-520 of this chapter).
- (29) Section 3307.1.2(see section 46-522 of this chapter).
- (30) Section 3307.5 (see section 46-523 of this chapter).
- (31) Section D105.3 (see section 46-580 of this chapter).
- (32) Section D107.1 Exception #2 (see section 46-583 of this chapter)
- (33) Section 311.1, 311.1.1, 311.2, and 311.7 (see section 46-70 of this chapter).

(c) The addition of the following sections/appendices:

- (1) Appendices B, C, D, I, K M, and O with an added exception to section M102.1 (see section 46-474 of this chapter).
- (2) Section 1103.5.3 (see section 46-68.1 of this chapter).
- (3) Section 115.8 (see section 46-69 of this chapter).
- (4) Section 105.5.58 (see section 46-72 of this chapter).

- (5) Sections 105.5.59, 308.5., and 308.5.1 (see section 46-73 of this chapter).
- (6) Section 5601.4 Exception (see section 46-218 of this chapter).
- (7) Section 105.5.51 Exception #3 (see section 46-318 of this chapter).
- (8) Section 503.1.4 (see section 46-441 of this chapter).
- (9) Section 511 (see section 46-444 of this chapter).
- (10) Section 507.5.7 (see section 46-445 of this chapter).
- (11) Section 507.5.8 (see section 46-445 of this chapter).
- (12) Table 508.1 (see section 46-456 of this chapter).
- (13) Section 1201.4 (see section 46-457 of this chapter).
- (14) Section 1201.5 (see section 46-457 of this chapter).
- (15) Section 905.3.8 (see section 46-470 of this chapter).
- (16) Section 907.1.4 (see section 46-471 of this chapter).
- (17) Section 1014.5 item #6 (see section 46-488 of this chapter).
- (18) Section 1108.1 (see section 46-498 of this chapter).
- (19) Section 1108.2 (see section 46-498 of this chapter).
- (20) Section 1108.3 (see section 46-498 of this chapter).
- (21) Section 3202.2 (see section 46-510 of this chapter).
- (22) Section 3206.2.2 (see section 46-510 of this chapter).
- (23) Section 3206.4.2 (see section 46-510 of this chapter).
- (24) Section 3307.1.4 (see section 46-521 of this chapter).
- (25) Section D104.4 (see section 46-584 of this chapter).
- (26) Section D106.4 (see section 46-585 of this chapter).
- (27) Section D107.3 (see section 46-586 of this chapter).
- (28) Section 106.2.2.1 (see section 46-587 of this chapter).
- (29) Section 903.3.1.1.4 (see section 46-588 of this chapter).

Sec. 46-64. Appeals.

- (a) Other than notices of immediate enforcement action by misdemeanor or municipal infraction prosecution or other remedies at law, or public nuisance violations addressed through procedures set forth elsewhere in this code, any person affected by a decision of the building official, fire chief or the designee of either may request and shall be granted a hearing before the building and fire code board of appeals on the decision if the person files 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. Upon receipt of the petition, the permit and development center shall set a time and place for the hearing and shall give the petitioner written notice thereof at least three days before the hearing, unless such notice requirement is waived in writing by the petitioner. The hearing shall be commenced not later than thirty days after the day on which the petition was filed, unless for good cause shown the building official grants a postponement in writing.
- (b) At the hearing the petitioner shall be given an opportunity to be heard to show why the decision of the building official, fire chief, or either's designee should be modified or withdrawn. The building official or fire chief or designee shall have the opportunity to be heard to show why their decision should be affirmed.

- (c) After the hearing as provided in this section, the building and fire code board of appeals shall affirm, modify, or withdraw the decision of the building official, fire chief, or either's designee. The decision of the building and fire code board of appeals is the final administrative decision.
- (d) The proceedings at any hearing before the board, including the findings and decision of the building official, fire chief, or either's designee, if applicable, shall be summarized, reduced to writing, and entered as a matter of public record in the permit and development center. This record shall include a copy of every notice or order issued in connection with the matter.

Sec. 46-65. Inspections for multi-family dwellings.

Group R-3 and R-4 (formerly referred to as R division 3) occupancies shall be inspected upon request of the occupant. Fire department personnel will not be responsible for the inspection of group R-1 and R-2 (formerly referred to as R division 1) occupancies, except hotels and dormitories. The Neighborhood Inspection Division shall be responsible for enforcement of the housing code and fire safety requirements as provided in article IV of chapter 26 of the city code.

Sec. 46-66. Open flame cooking devices.

Delete section 4104.2 and insert in lieu thereof the following new section:

4104.2 Open-flame cooking devices. Charcoal burners, other open-flame cooking devices, and other devices that produce ashes or embers shall not be operated on balconies or within 20 feet (6096 mm) of combustible construction. Location of LP containers shall comply with section 6104.

Exceptions:

1. One- and two-family *dwellings*, constructed in accordance with the *International Residential Code*.
2. LP-gas cooking devices having LP-gas container with a water capacity not greater than 20 pounds.

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Sec. 46-68.1. Group I-2, Condition 2.

The following text shall be added to the end of section 1103.5.3:

The automatic sprinkler system shall be installed as established by section 46-68 of the city code.

Sec. 46-69. Securing fire-damaged premises after fire event.

Section 115 of the international fire code is amended by adding a new section 115.8 to read as follows:

Section 115.8 Securing fire-damaged premises after fire event.

- (1) The following definitions apply to this section:
 - “Fire event”* means a response by the Des Moines Fire Department to extinguish a fire within a building, dwelling or other structure that commences with the dispatching of fire department resources and concludes with the fire officer in charge terminating the incident.
 - “Fire-damaged structure”* means a building, dwelling or other structure within the corporate limits of the city that has been partially burned during a fire event.
 - “Nuisance”* means injurious or dangerous to public safety and constituting an emergency requiring immediate abatement pursuant to article VI, chapter 42 of the city code and/or other applicable city code section(s).
 - “Property owner”* means the record titleholder(s) and/or contract purchaser(s) of the real property upon which a fire-damaged structure is located.
- (2) A fire-damaged structure in an unsecured condition may be determined by a designated fire department official, in his or her sole discretion, to constitute a nuisance.
- (3) The designated fire department official may but is not required to give notice to the property owner(s) of such a determination of nuisance requiring immediate abatement, and a hearing regarding the existence of the nuisance pursuant to section 42-358.02(c) of this code may be held if practical under the circumstances, but shall not be required to be held if impractical under the circumstances, prior to abatement of the nuisance by the property owner or the city.
- (4) A fire-damaged structure determined to constitute a nuisance shall be secured by the property owner(s), at the property owner’s sole expense, in accordance with this section and within the time allowed by the designated fire department official, in his or her sole discretion, unless the designated fire official determines that securing of the fire-damaged structure during the fire event is required.
- (5) Prior to securing a fire-damaged structure determined to constitute a nuisance, the property owner(s) shall remove or cause to be removed all living beings from such structure.
- (6) The property owner(s) shall secure all windows, doors, and other structural openings of the fire-damaged structure determined to constitute a nuisance to prevent access by unauthorized persons.
- (7) A fire-damaged structure determined to constitute a nuisance which cannot be properly secured from access to the interior by the use of window locks, door locks, padlocks, or other appropriate locking mechanisms, shall be secured by the property owner(s) as follows:
 - a. Completely enclosing over all structural openings (windows, doors, roof openings) on the exterior of such fire-damaged structure with plywood; or
 - b. Completely enclosing such fire-damaged structure with a temporary snow fence of not less than forty-eight (48”) inches in height; or
 - c. By any different and/or additional measures set forth in any written notice given by the designated fire department official to the property owner(s).
- (8) If the property owner(s) fails to secure a fire-damaged structure determined to constitute a nuisance in accordance with the requirements of this section, or if the designated fire official determines that securing of the fire-damaged structure

during the fire event is required, the fire chief or his or her designee, who may include the development services department director or his or her designee, may cause such fire-damaged structure to be secured and assess the costs thereof against the real property upon which such fire-damaged structure is located for collection in the same manner as a property tax, following hearing in accordance with article VI, chapter 42 of the city code and/or other applicable city code sections.

- (9) Property owner(s) shall be joint and severally liable for performing the actions required by this section and for any property assessments arising from failure to perform such actions.

Sec. 46-70. Vacant Premises.

- (a) Section 311.1 of the International Fire Code is amended to read as follows:

311.1 General.

Permanently or temporarily unoccupied buildings, structures, premises or portions thereof, including tenant spaces, shall be safeguarded and maintained in accordance with sections 311.1.1 through 311.6.

- (b) Section 311.1.1 of the International Fire Code is amended to read as follows:

311.1.1 Abandoned premises. Buildings, structures, and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties may be considered abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with chapters 26, 42 and/or 60 of the city code, as applicable.

- (c) Section 311.2 of the International Fire Code is amended to read as follows:

311.2 Safeguarding vacant premises. Permanently or temporarily unoccupied buildings, structures, premises, or portions thereof (collectively “premises”) shall be secured and protected by persons owning or in charge or control of such premises in accordance with sections 311.2.1 through 311.2.3.

- (d) Section 311 of the International Fire Code is amended by adding a new section 311.7 as follows:

Section 311.7 Compliance. The fire code official may notify the person(s) owning, or in charge or control of, a vacant building, structure, premises or portion thereof (collectively “premises”) of failure to comply with any of the requirements of sections 311.2 to 311.4 and may require compliance by such person(s) within the time set forth in the notice. If compliance does not occur within the time set forth in the notice, the fire chief or the chief’s designee may seek available remedies, including but not limited to abatement and assessment of costs pursuant to chapters 26, 42 and/or 60 of the city code, as applicable.

Sec. 46-71. Repealed by Ord. No. 16,521.

Sec. 46-72. Recreational Fires.

Insert new section 105.5.36.1 with the following language:

Section 105.5.36.1 Permit Required. A permit shall be obtained prior to conducting any type of recreational fire.

Exception: Outdoor fireplaces or grills burning untreated wood or charcoal used solely for the non-commercial preparation of food. Such fires shall be extinguished upon completion of the food preparation. Such fires shall be conducted in an appliance that: provides for air entrainment underneath the fuel source, provides a cooking grate, and provides a non-combustible cover.

Sec. 46-73. Open-flame Decorative Devices/Fire Pits.

Insert new section 105.5.58 of the International Fire Code with the following language:

Section 105.5.58 Permit Required. A permit shall be obtained prior to installing or using an open flame decorative device/fire pit.

Exception: one- and two-family dwellings.

Insert new section 308.5 with the following language:

Section 308.5 Open-flame Decorative Devices/Fire Pits. Open-flame decorative devices/fire pits shall comply with the restrictions identified in section 308.3.1 of the fire code.

Insert new section 308.5.1 with the following language:

Section 308.5.1. Gas Fired Open-flame Decorative Devices/Fire Pits. An approved emergency shut-off valve designed to close in the event of a fire or other emergency shall be provided. The valve shall be capable of being activated by a switch within 75-feet of the fueled device. The switch shall be labeled “EMERGENCY FUEL SHUT-OFF” and shall be provided with ready access.

Sec. 46-74. Administrative Permits.

Insert new section 106.2.2.1 with the following language:

106.2.2.1 Administrative permits. The fire code official shall have the authority to adopt policies and procedures regarding the required documentation and permit processes for additions or remodeling of existing systems where they are deemed to not require a full set

of submittal documentation. Such permits shall still meet the intents of the applicable codes and a full set of construction documents shall be submitted for approval upon request of the fire code official.

Sec. 46-75. Parking Garage Sprinkler Design.

Insert new section 903.3.1.1.4 Parking garages.

Sprinkler systems shall be designed in accordance with Extra Hazard (Group 1) of NFPA 13 for parking garages where located one or more stories below an A, B, E, I, M, or R occupancy.

Sec. 46-76—46-90. Reserved

ARTICLE IV. HAZARDOUS SUBSTANCES

Sec. 46-91. Scope.

This article shall apply to the release of hazardous substances and the notification, cleanup, and recovery of costs associated with the mitigation of hazardous conditions.

Sec. 46-92. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Assisted political entity means any city, county, township, or the state entering into an I.C. ch. 28E agreement with the city, the purpose of which is to render assistance to such political entity in cases of hazardous conditions within its jurisdiction or affecting the environment of its jurisdiction as defined in this chapter creating a hazardous substance emergency.

Cleanup means the removal of the hazardous substances to a place where the waste will not cause any danger to persons or the environment, in accordance with the state statutes, rules, and regulations therefor, or the treatment of the material as defined in this article to eliminate the hazardous condition, including the restoration of the area to a general good appearance without noticeable odor as far as practicable. The term "cleanup" includes all actions necessary to contain, collect, identify, analyze, treat, disperse, remove, or dispose of a hazardous substance and to restore the situs from which such hazardous substance was cleaned up.

Hazardous condition means any situation involving the actual, imminent, or probable spillage, leakage, or release of a hazardous substance:

- (1) Within the city or onto city property located outside the city which, because of the quantity, strength, and toxicity of the hazardous substance, its mobility in the environment and its persistence, creates an immediate or potential danger to the public health or safety; or
- (2) Onto land, into the waters within the state or into the atmosphere, but outside the city, which, because of the quantity, strength, and toxicity of the hazardous substance, its mobility in the environment and its persistence, creates an immediate

or potential danger to the public health or safety of persons or property within the city.

The term "hazardous condition" includes any accident involving hazardous materials required to be reported under I.C. § 321.266(4).

Hazardous substance means any substance or mixture of substances that presents a danger to the public health, safety, or environment and includes but is not limited to a substance that is toxic, corrosive, flammable, or an irritant or that, in confinement, generates pressure through decomposition, heat, or other means. The following are examples of substances which, in sufficient quantity, may be hazardous: acids; alkalis; explosives; fertilizers; heavy metals such as chromium, arsenic, mercury, lead and cadmium; industrial chemicals; paint thinners; paints; pesticides; petroleum products; poisons; radioactive materials; sludges; and organic solvents. The term "hazardous substance" includes any hazardous waste identified or listed by the administrator of the United States Environmental Protection Agency under the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976; any toxic pollutant listed under section 307 of the federal Water Pollution Control Act of 1976 as amended to January 1, 1977; any hazardous substance designated under section 311 of the federal Water Pollution Control Act as amended to January 1, 1977; any hazardous material designated by the Secretary of Transportation under the Hazardous Materials Transportation Act; or any hazardous substance listed under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

Person means a natural person, his or her heirs, executors, administrators, or assigns, and also includes a firm, partnership, or corporation, its or their successors or assigns or any other similar legal entity or the agent of any of such.

Responsible person means the person, whether the owner, agent, lessor, or tenant, in charge of the hazardous substance being stored, processed, or handled or the owner or bailee transporting hazardous wastes or substances, whether on public ways or grounds or on private property, where the spill would cause danger to the public or to any person or to the environment.

Treatment means a method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of a hazardous substance so as to neutralize it or to render the substance nonhazardous, safer for transport, amenable for recovery, amenable for storage, or to reduce it in volume. Treatment includes any activity or processing designed to change the physical form or chemical composition of hazardous substance to render it nonhazardous.

Cross reference(s)--Definitions generally, § 1-2.

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Sec. 46-94. Cleanup required.

Whenever a hazardous condition is created by the deposit, injection, dumping, spilling, leaking, or placing of a hazardous substance so that the hazardous substance or a constituent of the hazardous substance may enter the environment or be emitted into the air or discharged into any waters, including groundwaters, the fire chief or the chief's designee may remove or provide for the removal and disposal of the hazardous substance at any time, unless the fire chief or the chief's designee determines such removal will be properly and promptly accomplished by the responsible person. If the responsible party does not initiate and complete cleanup within the time designated by the fire department, the city may proceed to remedy the hazardous condition by performing the necessary cleanup services.

Sec. 46-95. Loss, burden, or costs and charges.

- (a) A responsible person, except as otherwise provided in this article, shall be liable to the city for all cleanup costs incurred by the city, including but not limited to chemical damage, contamination of equipment, and the use of consumable materials, but shall not be liable for those losses, burdens, or costs normally associated with response to fire emergencies which do not involve hazardous conditions. Charges for such cleanup costs shall be billed and collected by the city unless otherwise provided by an I.C. ch. 28E agreement or other contract. However, the costs of any cleanup requiring less than one hour of emergency service shall not be charged against the responsible person.
- (b) An assisted political entity shall be liable to the city for all costs incurred by the city, including but not limited to use of personnel, chemical damages, contamination of equipment, and the use of consumable materials, the amount of such costs to be determined by a per-hour fee based on actual costs to the city approved by the city council. These costs shall be billed directly to the assisted political entity by the city.
- (c) The city manager shall determine the costs to the city of providing the services of the city in an amount equal to the actual costs to the city expended in responding to hazardous conditions. The costs as determined by the city manager shall be promulgated as a schedule of fees, which the city manager shall review and revise not less than once a year. Fees established by the city manager shall be charged to and collected from the responsible person as provided in this section.

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ARTICLE V. Repealed by Ord. No. 16,521.

Sec. 46-121. Repealed by Ord. No. 16,521.

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**ARTICLE VI. FIREWORKS AND PYROTECHNIC
SPECIAL EFFECTS MATERIAL**

Sec. 46-211. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Fireworks means Consumer Fireworks and Display Fireworks. *Fireworks* does not include novelties as defined in American Pyrotechnics Association Standard 87-1, chapter 3 and that comply with the labeling regulations promulgated by the United States Consumer Product Safety Commission.

Consumer Fireworks means those fireworks as defined by Iowa Code section 727.2 and includes the below described First-Class Consumer Fireworks and Second-Class Consumer Fireworks.

First-Class Consumer Fireworks means the following Consumer Fireworks, as described in American Pyrotechnics Association Standard 87-1, chapter 3.

- (1) Aerial shell kits and reloadable tubes.
- (2) Chasers.

- (3) Helicopter and aerial spinners.
- (4) Firecrackers.
- (5) Mine and shell devices.
- (6) Missile-type rockets.
- (7) Roman candles.
- (8) Sky rockets and bottle rockets.
- (9) Multiple tube devices under this definition that are manufactured in accordance with American Pyrotechnics Association Standard APA 87-1, section 3.5.

Second-Class Consumer Fireworks means the following consumer fireworks, as described in American Pyrotechnics Association Standard 87-1, chapter 3.

- (1) Cone fountains.
- (2) Cylindrical fountains.
- (3) Flitter sparklers.
- (4) Ground and hand-held sparkling devices, including multiple tube ground and hand-held sparkling devices that are manufactured in accordance with American Pyrotechnics Association Standard 87-1, section 3.5.
- (5) Ground spinners.
- (6) Illuminating torches.
- (7) Toy smoke devices that are not classified as novelties pursuant to American Pyrotechnics Association Standard 87-1, section 3.2.
- (8) Wheels.
- (9) Wire or dipped sparklers that are not classified as novelties pursuant to American Pyrotechnics Association Standard 87-1, section 3.2.

Display Fireworks includes any explosive composition, or combination of explosive substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and includes fireworks containing any explosive or flammable compound, or other device containing any explosive substance. Display Fireworks do not include Consumer Fireworks.

Cross reference(s)--Definitions generally, § 1-2.

Sec. 46-212. Prohibitions.

- (a) It shall be unlawful to manufacture Fireworks within the city limits.
- (b) It shall be unlawful to sell Display Fireworks within the city limits.
- (c) It shall be unlawful for a person to possess, use, or explode Display Fireworks except in possession of and in compliance with all requirements of a permit issued under section 46-215.
- (d) It shall be unlawful for a person to use or explode Consumer Fireworks within the city limits on any day or time other than July 3 from 9:00 am to 10:00 pm, July 4 from 9:00 am to 11:00 pm, or December 31 from 9:00 am to 11:59 pm.
- (e) No Consumer Fireworks may be used or exploded on City property or public right of way and may only be used or exploded on private property by or with the consent of the owner of the property.

Sec. 46-213. Sale of Consumer Fireworks.

- (a) It shall be unlawful for a person to offer for sale, expose for sale, or sell at retail Consumer Fireworks, unless a person is a retailer or community group as defined in Iowa Code chapter 100 and possesses and complies with all requirements of a Consumer Fireworks seller license issued by the state fire marshal. Consumer Fireworks may only be sold during the dates and times as allowed under Iowa Code chapter 100 and in zoning districts permitted by this code.
- (b) It shall be unlawful for a person to sell Consumer Fireworks to a person less than 18 years of age and it shall be unlawful for a person who is less than 18 years of age to purchase Consumer Fireworks.
- (c) The following information must be stated in an easily readable type size and prominently posted at the place of payment at each location selling Consumer Fireworks:
 - (1) The use or explosion of Consumer Fireworks within the city limits is prohibited; and
 - (2) A violation of section 46-212(d) prohibiting the use or explosion of Consumer Fireworks within the city limits constitutes a simple misdemeanor, punishable by a fine of \$200.00.

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Sec. 46-215. Permits required.

- (a) For the purpose of this article, a permit shall be obtained to:
 - (1) Use or explode Display Fireworks, except for Display Fireworks at the Iowa State Fairgrounds by the Iowa State Fair Board.
 - (2) Compound, store, or use pyrotechnic special effects material.
 - (3) Conduct a display involving fire, open flames, or flammable material other than Fireworks or pyrotechnic special effects material.
- (b) Application for a permit required by this article shall be made through the city's permitting process to the fire prevention bureau at least 14 days in advance of the display, use storage, or compounding.

Sec. 46-216. Insurance and indemnification for permit.

- (a) Unless otherwise specified in this section, the applicant for the permit required by this article shall, at the time application is made for a permit, attach thereto a certificate of insurance naming the applicant as insured and showing liability insurance coverage with a limit of not less than \$5,000,000.00, provided that the fire chief or finance director at his or her discretion or the city council may at its discretion require a greater amount. The type of liability insurance to be required shall be determined by the city's finance director or designee. The insurance shall inure to the use and benefit of any person who suffers damage either to person or property because of the display, use, or explosion of Display Fireworks, the compounding, storage, or use of pyrotechnic special effects material, or the display involving fire, open flames, or other flammable material other than Fireworks or pyrotechnic special effects material. The applicant shall further comply with all insurance and indemnification provisions set forth in the permit required by this article.
- (b) Notwithstanding the foregoing, if a display involving fire, open flames, or other flammable material other than Display Fireworks or pyrotechnic special effects material is to be held outside in an open area using non-detonating materials and is determined by the fire chief

to be a low-hazard display, then the applicant for the permit required by this article for such a display shall, at the time application is made for a permit, attach thereto a certificate of insurance naming the applicant as insured and showing liability insurance coverage with a limit of not less than \$2,000,000.00, provided that the fire chief or finance director at his or her discretion may require a greater amount. The type of liability insurance to be required shall be determined by the city's finance director or designee. The insurance shall inure to the use and benefit of any person who suffers damage either to person or property because of the display involving fire, open flames, or other flammable material other than Display Fireworks or pyrotechnic special effects material. The applicant shall further comply with all insurance and indemnification provisions set forth in the permit required by this article.

Sec. 46-217. Seizure of fireworks.

The fire chief may seize, take, remove, or cause to be removed at the expense of the owner all stocks of Fireworks offered or exposed for sale, used, stored, or held in violation of this chapter.

Sec. 46-218. Firework operator certification.

Add the following exception to section 5601.4:

Exception: Persons in charge of using or exploding Display Fireworks or pyrotechnic special effect operations may be less than 21 years of age if they possess a valid PGI display fireworks operator certification or equivalent certification approved by the fire code official.

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ARTICLE VII. FLAMMABLE AND COMBUSTIBLE LIQUIDS

Sec. 46-246. Special liquid tank requirements.

The storage of class I or II flammable or combustible liquids in aboveground tanks is prohibited in fire zone nos. 1 and 2 and 3, as defined in section 46-2 of this chapter; an exception may be made at a construction site if requested in writing and approved by the fire chief.

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ARTICLE VIII. LIQUEFIED PETROLEUM GASES

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Sec. 46-277. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Liquefied petroleum gas means any material which is composed predominantly of any of the following hydrocarbons or mixtures of them: propane, propylene, butane (normal butane or isobutane), and butylenes.

Liquefied petroleum gas equipment means all containers; apparatus; safety devices; piping, not including utility distribution piping systems; and equipment pertinent to the storage and

handling of liquefied petroleum gas. Gas-consuming appliances shall not be considered as being liquefied petroleum gas equipment.

Cross reference(s)--Definitions generally, § 1-2.

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Sec. 46-279. Location of containers.

- (a) No liquefied petroleum gas installation shall be permitted in fire zone nos. 1 and 2 and 3 of the fire district as defined in section 46-2 of this chapter.
Exemptions:
 - (1) Special approval by the fire chief, or the fire chief's designee, for a temporary installation no more than 180 days.
 - (2) Containers that are not larger than 20 pounds, located outside a building, and are dedicated to cooking purposes.
- (b) The aggregate capacity of any one installation shall not exceed 1,000 gallons of water capacity, except that in particular installations this limit may be altered at the discretion of the fire marshal or the fire marshal's designee after due consideration of all factors involved. Bulk plants, gas utility plants, container charging operations, and larger amounts of storage shall be governed by approved national standards and state regulations.
- (c) Containers and first-stage regulating equipment shall be located outside of buildings, other than buildings especially provided for this purpose, except that small department of transportation containers and regulating equipment may be used indoors under the following conditions:
 - (1) If temporarily used for demonstration purposes and the container has a maximum water capacity of 20 pounds.
 - (2) If used with a completely self-contained gas hand torch or similar equipment and the container has a maximum water capacity of 2 1/2 pounds.
- (d) Each individual container shall be located in accordance with Table 6104.3 of the fire code.
- (e) Containers installed for use shall not be stacked one above the other. Containers of 1,000 gallons or less shall be set on concrete pads of sufficient size to prevent tipping. Concrete blocks or bricks shall not be used.
- (f) The minimum separation between liquefied petroleum gas containers and flammable liquid tanks shall be 20 feet, and the minimum separation between a container and the centerline of the dike shall be ten feet.

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ARTICLE IX. TENTS

Sec. 46-316. Repealed by Ord. No. 16,521.

Sec. 46-317. Repealed by Ord. No. 16,521.

Sec. 46-318. Approval required.

Delete Exception #2 of section 105.5.51 of the International Fire Code and insert in lieu thereof the following new section:

105.5.51 Temporary membrane structures, special event structures and tent.

Exceptions:

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2. Individual 10' X 10' tents arranged in a linear row no wider than 10'.

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ARTICLE X. FIRE DEPARTMENT INSPECTIONS

Sec. 46-430. Fire department permit inspections; cost of initial inspection included in permit fee; fee for follow-up inspections.

Whenever the provisions of this chapter require the issuance of a permit and payment of a permit fee in connection with the operation or maintenance of any facility, the permit fee for such activity shall be deemed to include payment of all costs incurred by the fire department for the initial routine inspection that it conducts in connection with the issuance of said permit. Permit fees shall not be deemed to include payment of costs incurred by the fire department for follow-up inspections deemed necessary by the department to obtain or confirm compliance with the requirements of this chapter for the issuance of such permits. The fees for follow-up inspections shall be in the amounts and calculated as provided in the schedule of fees adopted by the city council by resolution. The fee for a follow-up inspection conducted to obtain or confirm compliance with a specification, regulation, permit condition, or fire department order, after a permittee is informed of a violation thereof, shall be expressed in such schedule as hourly rates which are to be based on the average salary, benefit, and overhead costs to the city of the inspectors providing follow-up inspection services. Follow-up inspection services shall be charged on the basis of the number of hours of inspector time spent providing follow-up inspection services, multiplied by the applicable hourly rates in the schedule.

Sec. 46-431. Fee for follow-up inspection to be charged to person(s) violating provisions of this chapter.

Any person who is notified of or charged with a violation of any provision of this chapter or of a fire department order shall pay a fee for follow-up inspections deemed necessary by the department to obtain or confirm compliance with such provision or order. The fees for follow-up inspections shall be in the amounts and calculated as provided in the schedule of fees adopted by the city council by resolution. The fee for a follow-up inspection conducted to obtain or confirm compliance with a specification, regulation, permit condition, or fire department order, after the responsible person is informed of a violation thereof, shall be expressed in such schedule as hourly rates which are to be based on the average salary, benefit, and overhead costs to the city of the inspectors providing follow-up inspection services. Follow-up inspection services shall be charged on the basis of the number of hours of inspector time spent providing follow-up inspection services, multiplied by the applicable hourly rates in the schedule.

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ARTICLE XI. ACCESS AND IDENTIFICATION

Sec. 46-441. Outdoor Venue Access.

Insert new section 503.1.4 with the following language:

503.1.4 Outdoor Venue Access. A 10 ft. wide emergency access road designed to support a 36,000 lb. weight load shall be provided within 350-feet of all portions of an outdoor venue designed and used for public gathering events (e.g. soccer complex, park, skate park, sports fields, amphitheaters) to facilitate emergency vehicle access.

Exception: The fire code official is authorized to increase the dimension of 350 feet where emergency access roads cannot be installed because of the location on property, topography, waterway, nonnegotiable grades, or other similar conditions, frequency of use and an approved alternative means of emergency access is provided.

Sec. 46-442. Fire Access Road Clear Height.

Delete section 503.2.1 and insert in lieu thereof the following new section:

503.2.1 Dimensions. Fire apparatus access roads shall have a minimum unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4268 mm).

Sec. 46-443. Premise Identification.

Delete section 505.1 and insert in lieu thereof the following new section:

505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Numbers and letters shall be a minimum height and a minimum stroke width as dictated by Table 505.1. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Table 505.1
Minimum Height and Stroke Width^{a b}

Distance from the centerline of the Public Way (ft)		Minimum Height (in)	Minimum Stroke Width (in)
Less than 100		4	1/2
100	199	6	3/4
200	299	8	1

For each additional 100	Increase 2	Increase 1/2
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- ^a Exterior suite identification, minimum height shall be 4 inches and stroke width shall be ½ inch.
- ^b Interior suite identification, minimum height shall be 2 inches and stroke width shall be ¼ inch.

Sec. 46-444. Fire and Emergency Vehicle Access.

Insert new section 511 with the following language:

Section 511 Fire and Emergency Vehicle Lanes.

Section 511.1. General. Fire and emergency vehicle lanes shall be provided and maintained in accordance with section 511.1 through 511.6, and referred to as fire lanes in this ordinance.

Section 511.2 Purpose. The requirement that Fire Lanes be established in certain parking areas and the enforcement of restrictions on parking in such Fire Lanes established in this chapter are designed to ensure adequate access to commercial, office, multi-family, and other high density use facilities by fire-fighting and other emergency vehicles.

Section 511.3. Designation. The fire code official may designate fire lanes on private and public property as deemed necessary for the protection of life and property.

Section 511.4 Obstruction. No person shall park or place a vehicle or other obstruction in a designated fire lane that would prevent such fire lane from being immediately accessible to emergency vehicles, or deter or hinder emergency vehicles from gaining immediate access to the fire lane. A written request to the jurisdictional fire code official for temporary obstruction of a fire lane shall be submitted for approval.

Section 511.5 Signs and markings. Wherever a fire lane has been designated, the code official shall cause appropriate signs and markings to be placed identifying such fire lanes. Signs or markings shall be maintained in a clean and legible condition at all times and shall be replaced or repaired when necessary to provide adequate visibility. Fire lanes may be established or relocated at the time of plan review, pre-construction site inspection, and/or post-construction site inspection, as well as any time during the life of the occupancy as needed to provide and maintain emergency vehicle access. All designated fire lanes shall be clearly marked in the following manner:

- (1) Vertical curbs shall be painted red on the top and side, extending the length of the designated fire lane. Rolled curbs or surfaces without curbs shall have a red six (6) inch wide stripe painted the length of the designated fire lane. One of the following identification lettering methods shall be utilized:

- a. The words “NO PARKING – FIRE LANE (Except for Emergency Vehicles)” shall be stenciled with three (3) inch white letters and a minimum three-quarter ($\frac{3}{4}$) inch stroke on the face of the curbing, or in the absence of vertical curbing, on the red stripe, and spaced at fifty (50) foot intervals or portions thereof, or
 - b. The pavement adjacent to the painted curbs shall be marked with minimum eighteen (18) inch in height block lettering with a minimum three (3) inch brush stroke reading: “NO PARKING - FIRE LANE.” Lettering shall be red and spaced at fifty (50) foot intervals or portions thereof.
- (2) Signage identifying fire lanes shall conform to the following: Fire lane signs shall be 18 inches tall x 12 inches wide with red letters on a white reflective background to read “Fire Lane No Parking Except For Emergency Vehicles” or similar verbiage as approved by the fire code official. Fire lane signs shall be placed 2 - 4 feet from the edge of the Fire Lane. The bottom of fire lane signs shall be between five (5) and seven (7) feet from the ground. Intermediate fire lane signs shall be set every one hundred (100) feet in a continuous fire lane. The BEGINS sign shall mark the beginning of a fire lane and shall be mounted below the first fire lane sign. The ENDS sign shall mark the ending of a fire lane and shall be mounted below the last fire lane sign. The BEGINS and ENDS signage may be omitted by the fire code official due to the location of the fire lane. Signs may be placed on a building when approved by the fire code official.

Section 511.6 Maintenance. The owner, manager, or person in charge of any property upon which designated fire lanes have been established shall provide marking as required above and shall maintain fire lanes at their expense as often as needed to clearly identify the designated area as being a fire lane.

Sec. 46-445. Fire Hydrants.

Delete section 507.5.1.1 and insert in lieu thereof the following new section:

507.5.1.1 Hydrant for fire department connections. Buildings equipped with a fire department connection installed in accordance with section 912 shall have a fire hydrant located on a fire access road within 100 feet (30 m) of the fire department connection as measured by an approved route around the exterior of the building.

Exceptions:

- 1. The distance shall be permitted to exceed 100 feet (30 m) where approved by the fire code official.
- 2. Buildings without standpipes and having a floor area less than 40,000 square feet.
- 3. Existing buildings without standpipes.

Delete section 507.5.5 and insert in lieu thereof the following new section:

507.5.5 Clear space around hydrants. A 5-foot (1524 mm) horizontal clear space shall be maintained around the circumference of fire hydrants, as measured from the center-point of the hydrant, except as otherwise required or approved.

Insert new section 507.5.7 with the following language:

507.5.7 Fire Hydrant Markers and Identification Color. When required by the fire code official, hydrant locations shall be identified by the installation of an approved reflective marker. Both public and private hydrants shall comply with and be painted to Local Water Utility specifications.

Insert new section 507.5.8 with the following language:

507.5.8 Fire Hydrant Installation. Fire hydrants shall be installed with the grade mark on the fire hydrant at the level of finished grade. The large diameter connection shall be installed such that the connection is oriented facing the fire department access road.

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ARTICLE XII. SPECIAL OCCUPANCY REQUIREMENTS

Sec. 46-456. Fire Command Centers.

Delete section 508.1 and insert in lieu thereof the following new section:

508.1 General. Where required by other sections of this code, Table 508.1, and in all buildings classified as high-rise buildings by the *International Building Code*, a *fire command center* for fire department operations shall be provided and shall comply with sections 508.1.1 through 508.1.7.

Insert new section Table 508.1 with the following language:

Table 508.1 Fire Command Center Thresholds.

Occupancy	Threshold Requiring a Fire Command Center
Group A	5,000 occupants
Group E	100,000 gross square feet
Group I	50,000 gross square feet
Group R-1	Greater than 200 <i>dwelling units or sleeping units</i>
Any Occupancy	200,000 gross square feet

Delete section 508.1.3 and insert in lieu thereof the following new section:

508.1.3 Size. The fire command center shall be not less than 0.015 percent of the total building area of the facility served or 200 square feet (19 m²) in area, whichever is greater,

with a minimum dimension of 0.7 times the square root of the room area or 10 feet (3048 mm), whichever is greater.

Exception:

1. Where a fire command center is required by Table 508.1, the fire command center shall have a minimum size of 96 square feet (9 m²) with a minimum dimension of 8 feet (2438 mm) only where approved by the fire code official.
2. Where a fire command center is required by Table 508.1 and the building is less than 500,000 gross square feet, the fire command center shall be permitted to be a shared space (such as a fire pump room or fire riser room) where approved by the fire code official.

Sec. 46-457. Emergency Power.

Insert new section 1201.4 with the following language:

Section 1201.4 Shutdown of Energy Systems. In addition to the requirements of NFPA 110 for a remote manual stop, a switch of an approved type shall be provided to disable the power source. The switch shall be provided at an approved location.

Insert new section 1201.5 with the following language:

Section 1201.5 Secondary Power Supply Signs. Main electrical disconnects and main breaker panels supplied by the generator shall be provided with approved signs. Additionally, doors accessing power systems shall be provided with approved signs. Approved signs shall contain the word CAUTION in black letters at least 2 inches (50 mm) high on a yellow background. Such warning signs shall be placed so as to be readily discernible.

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ARTICLE XIII. FIRE PROTECTION SYSTEMS

Sec. 46-469. Automatic Fire Sprinkler Requirements.

Delete section 903.2.1.1 and insert in lieu thereof the following new section:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557.5 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multiple-theater complex.

Delete section 903.2.1.2 and insert in lieu thereof the following new section:

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided throughout stories containing Group A-2 occupancies and throughout all stories from the Group A-2 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 1,500 square feet (139 m²).
2. The fire area has an occupant load of 50 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Delete section 903.2.1.3 and insert in lieu thereof the following new section:

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557.5 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Delete section 903.2.1.4 and insert in lieu thereof the following new section:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557.5 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Delete section 903.2.2 and insert in lieu thereof the following new section:

903.2.2 Group B. An *automatic sprinkler system* shall be provided throughout buildings containing a Group B occupancy where one of the following conditions exists:

1. A Group B *fire area* exceeds 12,000 square feet (557.5 m²).
2. A Group B *fire area* is located more than three stories above grade plane.
3. The combined area of all Group B *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (1115 m²).
4. As required by 903.2.2.1 & 903.2.2.2

Delete section 903.2.3 and insert in lieu thereof the following new section:

903.2.3 Group E. An automatic sprinkler system shall be provided throughout stories containing Group E occupancies and throughout all stories from the Group E occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 1,500 square feet (139 m²).
2. The fire area has an occupant load of 50 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Delete section 903.2.4 and insert in lieu thereof the following new section:

903.2.4 Group F-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 *fire area* exceeds 6,000 square feet (557.5 m²).
2. A Group F-1 *fire area* is located more than three stories above grade plane.
3. The combined area of all Group F-1 *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).
4. A Group F-1 occupancy is used to manufacture lithium-ion or lithium metal batteries.
5. A Group F-1 occupancy is used to manufacture vehicles, energy storage systems, or equipment containing lithium-ion or lithium metal batteries where the batteries are installed as part of the manufacturing process.

Delete section 903.2.7 and insert in lieu thereof the following new section:

903.2.7 Group M. An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M *fire area* exceeds 6,000 square feet (557.5 m²).
2. A Group M *fire area* is located more than three stories above grade plane.
3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).

Delete section 903.2.9 and insert in lieu thereof the following new section:

903.2.9 Group S-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 *fire area* exceeds 6,000 square feet (557.5 m²).
2. A Group S-1 *fire area* is located more than three stories above grade plane.
3. The combined area of all Group S-1 *fire areas* on all floors, including any mezzanines, exceeds 12,000 square feet (1115 m²).

4. A Group S-1 *fire area* used for the storage of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m²).
5. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet (46.4 m²).

Delete section 903.2.9.1 and insert in lieu thereof the following new section:

903.2.9.1 Repair garages. An *automatic sprinkler system* shall be provided throughout all buildings used as repair garages in accordance with section 406.8 of the *International Building Code*, as shown:

1. Buildings not more than one story above grade plane, with a *fire area* containing a repair garage exceeding 3,500 square feet (325 m²).
2. Buildings with repair garages servicing vehicles parked in *basements*.
3. A Group S-1 *fire area* used for the repair of commercial motor vehicles where the *fire area* exceeds 3,500 square feet (325 m²).
4. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet (46.4 m²)

Delete section 903.2.11.1.3 and insert in lieu thereof the following new section:

903.2.11.1.3 Basements. Where any portion of a *basement* is located more than 75 feet (22,860 mm) from openings required by section 903.2.11.1, the *basement* shall be equipped throughout with an *approved automatic sprinkler system*.

Delete section 903.3.1.2 and insert in lieu thereof the following new section:

903.3.1.2 NFPA 13R sprinkler systems. *Automatic sprinkler systems* in Group R occupancies shall be installed throughout in accordance with NFPA 13, unless allowed to be sprinklered in accordance with NFPA 13D by the *International Building Code*.

Delete section 903.4.3 and insert in lieu thereof the following new section:

903.4.3 Alarms. An *approved weather proof audible device suitable for outdoor use* with 110 candela visual signal shall be connected to every *automatic sprinkler system*. The audible device shall be a horn style device that produces a “tri-tone” signal in accordance with NFPA 72. 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. A weather-proof horn-strobe shall be installed on a separate Notification Appliance Circuit (NAC) or shall be installed as an addressable device that is able to function as if the alarm is on a separate NAC. This alarm shall be included in any battery and voltage drop calculations. This device shall only operate on active water flow from the sprinkler system, shall not be able to be silenced, and shall continue to be active until water flow has stopped and the fire alarm panel has been reset. The alarm device(s) shall be provided on the exterior of the building in an *approved* location adjacent to each fire department

connection. Where a fire alarm system is installed, actuation of the *automatic sprinkler system* shall actuate the building fire alarm system.

Sec. 46-470. Standpipe Requirements.

Insert new section 905.3.8 with the following language:

905.3.8 Building Footprint and Access. Where the most remote portion of a floor or story is more than 400 feet from a hose connection or fire department access road the fire code official is authorized to require standpipes to be provided in *approved* locations. Class I manual standpipes shall be allowed.

Sec. 46-471. Fire Alarm Requirements.

Insert new section 907.1.4 with the following language:

907.1.4 FACP (Fire Alarm Control Panels). Each building shall have no more than 1 FACP. Installation of fire alarm panel shall be not exceed six feet in height measured from the floor to the top of the unit.

Exception: Suppression system releasing panels are not required to meet the height requirement or the limitation in the number of panels.

Sec. 46-472. Smoke and Heat Vent Requirements.

Delete section 910.2.1 and insert in lieu thereof the following new section:

910.2.1 Group F-1 or S-1. Smoke and heat vents installed in accordance with section 910.3 or a mechanical smoke removal system installed in accordance with section 910.4 shall be installed in buildings and portions thereof used as a Group F-1 or S-1 occupancy having more than **30,000** square feet (2787 m²) of undivided area. In occupied portions of a building equipped throughout with an automatic sprinkler system in accordance with 903.3.1.1, where the upper surface of the story is not a roof assembly, a mechanical smoke removal system in accordance with section 910.4 shall be installed.

Exception: Group S-1 aircraft repair hangars.

Sec. 46-473. Fire Pump Requirements.

Delete section 914.3.1.2 and insert in lieu thereof the following new section:

914.3.1.2 Water supply to required fire pumps. Required fire pumps shall be supplied by connections to a minimum of two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: Two connections to the same main shall be permitted provided the main is valved such that an interruption can be isolated so that the water supply will continue without interruption through at least one of the connections.

Sec. 46-474. High-Rise Buildings Automatic Sprinkler Retrofit Requirement.

Insert new exception number 5 in section M102.1 with the following language:

M102.1 High-rise buildings.

Exceptions:

5. Buildings comprised of individually-owned dwelling units (as of November 1, 2020), as defined in the International Fire Code.

Sec. 46-475. Initiating Device Identification.

Delete exceptions #1, 2, and 4 of section 907.6.3.

Sec. 46-476. Monitoring.

Delete section 907.6.6 and insert in lieu thereof the following new section:

907.6.6 Monitoring. Fire alarm systems required by this chapter or by the International Building Code shall be monitored by a central station approved and listed under UL 827 in accordance with NFPA 72. Information required to be transmitted to the central station shall be as set forth in section 907.6.3

Exception:

Monitoring station is not required for:

1. Automatic sprinkler and fire alarm systems in one- and two- family dwellings.

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ARTICLE XIV. EGRESS

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Sec. 46-485. Repealed by Ord. No. 16,521.

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Sec. 46-488. Handrails.

Insert new section 1014.5 item #6 with the following language:

6. Handrails within a dwelling unit or serving an individual dwelling unit of groups R-2 and R-3 shall be permitted to be interrupted at one location in a straight stair when the rail terminates into a wall or ledge and is offset and immediately continues.

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ARTICLE XV. Fuel Fired Appliances

Sec. 46-498. Fuel Fired Appliances.

Insert new section 1108.1 with the following language:

1108.1 Protection of Fuel Fired Appliances. Where required or upon notification from the fire code official an existing building or tenant space containing a fuel fired appliance(s) shall be protected with 1 hour rated construction enclosure or a limited area sprinkler system complying with section 903.3.8.

Exception: Buildings protected by an approved automatic fire sprinkler system complying with section 903.3.1.1 or 903.3.1.2.

Insert new section 1108.2 with the following language:

1108.2 CSST Bonding Requirements in Rental Dwellings. All rental dwellings shall be bonded in accordance with sections NFPA 54, unless deemed technically infeasible by the fire code official.

Insert new section 1108.3 with the following language:

1108.3 CSST Bonding Requirements for Alterations, Repairs, or Additions. For other than rental dwelling units, where alterations, repairs or additions requiring a permit to occur, CSST shall be bonded in accordance with NFPA 54, unless deemed technically infeasible by the fire code official.

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ARTICLE XVI. Speculative Buildings

Sec. 46-510. High-piled Storage.

Insert new section 3202.2 with the following language:

3202.2 Definitions.

SPECULATIVE BUILDING. A Group S, F, or M occupancy having an interior clear height greater than 12 feet (3657 mm) where high-piled storage may accrue and the client leasing or the occupant owner does not know the commodity that will be stored or the method of storage.

Insert new section 3206.2.2 with the following language:

3206.2.2 Speculative building. Group S, F, and M speculative buildings that have an interior clear height greater than 12 feet where high piled storage may accrue shall comply with this chapter.

Insert new section 3206.4.2 with the following language:

(1) **3206.4.2 Sprinkler design.**

- a. **3206.4.2.1 General.** The design of *automatic sprinkler systems* for the protection of Group F, H, M, or S occupancies containing high-piled storage or high-challenge commodities over an area equal to or greater than 2,500 ft.² (232 m²) and designed for the protection of hazardous materials stored more than one pallet high in Group F, H, M, or S occupancies, shall be in accordance with this section. This section does not apply to miscellaneous storage within the scope of NFPA 13.
- b. **3206.4.2.2 Requirements for all plan submittals.** See sections 903.1.9 and 3201.3 for plan submittal requirements.
- c. **3206.4.2.3 Minimum design requirements for speculative warehouses.** The design of the *automatic sprinkler system* for speculative warehouses shall be based on storage of a cartoned Class A non-expanded plastic to the available storage height. The storage height shall be determined by subtracting 48 inches as measured from the highest point of the roof for ESFR and 30 inches for area density applications.
- d. **3206.4.2.4 Minimum requirements for client leased or occupant-owned warehouses.**
 1. The design of an automatic sprinkler system for client leased or occupant owned buildings containing high piled storage shall be based on the requirements of NFPA 13. The responsible Fire Protection Contractor shall perform a survey of the building to determine commodity classification, storage configuration, building height, and other information related to the development of an appropriate sprinkler system design. The Contractor shall also make reasonable efforts to meet with the building owner or operator to understand seasonal or customer related fluctuations to the stored commodities, storage height, and configuration.
 2. The sprinkler design shall be based on the most demanding requirements determined through the on-site survey and discussions with the building owner or operator. Technical Report shall clearly define the basis for determining the commodity and sprinkler design selection, along with how the commodities will be isolated or separated, and the referenced design document(s), including NFPA 13 or the current applicable Factory Mutual Data Sheets. If a specific fire test is used as the basis of design, a copy of the fire test report shall be provided at the time of plan review.
- e. **3206.4.2.5 Required information at plan submittal.** All plans, hydraulic calculations and technical reports shall be submitted with the plan submittal

form. The individual submitting the design package shall ensure that all of the required information requested on the plan submittal form is included.

- f. **3206.4.2.6 Minimum plan information requirements.** In addition to the requirements of NFPA 13, the following information shall be included in the plans or technical report.

1. **3206.4.2.6.1 Classes I through IV and Group A plastic commodities.**

- i. An owner's certificate in accordance with NFPA 13. The design criteria, e.g., NFPA 13, Factory Mutual Data Sheet, or a specific fire test report.
- ii. A Water Supply Flow & Pressure Test Report performed within 90 days of the plan submittal.
- iii. The type of design, e.g., Control Mode Density/Design Area Method; Specific Application Control Mode Method; Suppression Mode Method, including appropriate code references.
- iv. A description of the stored commodities and how the commodity classification was determined.
- v. A layout of the proposed storage arrangement. If the storage is in racks, a plan and elevation detail illustrating rack heights, flue dimensions, and arrangement. This detail is not required for speculation warehouses.
- vi. The aisle dimensions between each storage array.
- vii. If a high challenge commodity is separated using fire-resistive construction, the boundary of the fire-resistive construction shall be illustrated.
- viii. A data sheet for the backflow preventer. If a data sheet is not available, the design professional shall include a statement addressing the minimum required pressure loss.
- ix. A data sheet for each installed automatic sprinkler.
- x. A data sheet for each pipe hanger used to hang or support the sprinkler piping.
- xi. If a fire pump will be installed or used, the manufacturer's factory test curve shall be included in the submittal.
- xii. A cross-section view illustrating obstructions to the ceiling sprinklers, e.g., lights, structural members, cable trays, electrical bus ducts, and HVAC ductwork.

2. **3206.4.2.6.2 Hazardous materials.** In addition to the requirements of this section, the following information shall be included in a *hazardous materials* technical report:

- i. A hazardous materials inventory statement.
- ii. For flammable & combustible liquids, an analysis of the miscibility of Class I liquids, the size and type of the packaging, the packaging materials of construction, and if the containers have a pressure relieving mechanism.

- iii. For Level 2 or 3 aerosols, a statement indicating that the aerosols are cartoned or uncartoned.

g. **3206.4.2.7 Identification of sprinkler system capabilities and limitations.** A label shall be permanently installed at or adjacent to each sprinkler riser. When a building contains more than four risers, the sign shall be located at an approved location inside the building. The minimum sign dimension is 6-inches (152 mm) high by 4-inches (101 mm) wide. The sign shall specify the capabilities and limitations of the *automatic sprinkler system*. The sign shall include the following information:

1. The design base or basis, including the edition used.
2. A statement indicating if the sprinkler design is control mode density area method, control mode specific application, suppression mode, or any combination thereof.
3. When used, all of the storage conditions stipulated NFPA 13 for Special Designs.
4. The maximum storage height.
5. The minimum required aisle width.
6. If storage is in racks, the maximum rack width and minimum transverse and longitudinal flue widths.
7. Storage Capabilities: Commodities designed to be protected by the automatic sprinkler system.
8. Limits on storage heights of idle wood and plastic storage.
9. Limits on storage heights of miscellaneous Group A plastic, tire, and rolled paper storage.
10. Locations where in-rack sprinklers are required.
11. Locations where horizontal and/or vertical barriers are required.
12. Information explaining the manufacturer, sprinkler identification number, k-factor, and operating temperature of the overhead sprinklers protecting the high-piled storage.
13. Fire Protection Contractor contact information.

(2) The following example illustrates a suggested label or sign:

Automatic Sprinkler System Capabilities & Limitations

<u>Stored Commodity</u>	Class I water miscible flammable liquids in 1 & 5 gallon polyethylene containers in fiberboard cartons
Design Documents	NFPA 13, 2013 edition & NFPA 30
Design Type	Control Mode, Density/Area Method
Max. Storage Height	25 feet
Min. Aisle Width	8 feet
Max. Rack Width	9 feet
Flue Dimensions	Longitudinal: Min. 6 inches Transverse: Min. 3 inches
System Capabilities	Class I-IV commodities, stored commodity, solid pile or palletized Group A plastics to 12 feet; rack storage of Group A plastics to 25 feet.
Idle Pallets	6 feet maximum storage height
Tire Storage	5 feet maximum storage height
Rolled Paper Storage	5 feet maximum storage height

In-rack sprinklers

In-rack sprinklers are required at each of 3 rack tiers containing the stored commodity. In-rack sprinklers are Tyco/Central FS-B, 17/32" orifice, QR 155°F element, SIN TY0041

**Horizontal Barriers
Ceiling Sprinkler**

Required at each rack tier containing the stored commodity. Tyco ELO-231B, ¾" orifice, SR 286°F element, upright, SIN TY0030

FP Contractor

ABC Sprinkler Co. Designer: John Smith

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ARTICLE XVII. Construction and Remodeling

Sec. 46-520. Purpose.

Delete section 3301.2 and insert in lieu thereof the following new section:

3301.2 Purpose. This chapter prescribes minimum safeguards for construction, *alteration*, and demolition operations to provide reasonable safety to life and property from fire and other emergencies during such operations.

Sec. 46-521. Access.

Insert new section 3307.1.4 with the following language:

Section 3307.1.4 Construction Site Access. *Approved* fire apparatus access roads shall be provided for every facility, building, or portion of a building as soon as construction commences. The fire apparatus access road shall comply with the requirements of section 503.2 and this section and shall extend to within 100 feet (30,480 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Exception: The *fire code official* is authorized to increase the dimension of 100 feet (30,480 mm) where:

- (1) The building is equipped throughout with an *approved automatic sprinkler system* that is fully functional and installed in accordance with section 903.3.1.1, 903.3.1.2, or 903.3.1.3.
- (2) Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.

Sec. 46-522. Stairways.

Delete section 3307.1.2 and insert in lieu thereof the following new section:

3307.1.2 Stairways required. Where building construction exceeds 30-feet (9,144 mm) in height above the lowest level of fire department vehicle access, a temporary or permanent stairway shall be provided. As construction progresses, such stairway shall be extended to within one floor of the highest point of construction having secured decking or flooring.

Sec. 46-523. Standpipes.

Delete section 3307.5 and insert in lieu thereof the following new section:

3307.5 Where required. In buildings required to have standpipes by section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipe shall be installed prior to construction exceeding 30-feet (9,144 mm) in height above the lowest level of fire department vehicle access. Such standpipe shall be provided with fire department hose connections at approved locations complying with section 3311.1. As construction progresses, such standpipes shall be extended to within one floor of the highest of construction having secured decking or flooring.

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ARTICLE XVIII. SPECIAL EVENTS

Division 1. General

Sec. 46-530. Scope.

Special events including trade shows and exhibitions, outdoor assembly events, outdoors mazes, special amusement buildings, and special scaffolding structures shall comply with this chapter and section 1032. Temporary indoor vehicle displays and vehicle competition or demonstrations shall comply with this chapter and section 314.

Sec. 46-531. Site plans.

A detailed site plan shall be submitted to the fire code official with each permit application for approval.

- (1) **Outdoor events:** The permit application and site plan shall be submitted a minimum of 30 business days prior to the event. Site plans shall include, but not be limited to:
 - a. The means of egress.
 - b. Location and width of exits and aisles.
 - c. Location of exit signs.
 - d. Location of fencing or means used to confine attendees.
 - e. Total square footage of enclosed space.
 - f. Location and arrangement of all tents, booths, or cooking equipment.
 - g. Locations of fire apparatus access roads.
 - h. Location of fire protection equipment.
 - i. Type and location of heating and electrical equipment where applicable.
 - j. Location of temporary staffed water stations and permanent water fountains.
- (2) **Trade shows and exhibitions:** The permit application and site plan shall be submitted a minimum of 30 business days prior to the event. Site plans shall include, but not be limited to:
 - a. The means of egress.
 - b. Location and width of exits and aisles.
 - c. Location of exit signs.
 - d. Total square footage of space.

- e. Location and arrangement of all booths and cooking equipment.
 - f. Location of all fire protection equipment.
 - g. Type and location of heating and electrical equipment where applicable.
 - h. Location of covered or multi-level exhibits or booths.
- (3) **Mazes:** The permit application and site plan shall be submitted a minimum of 30 business days prior to the event. Site plans shall include, but not be limited to:
- a. Means of egress.
 - b. Location and width of exits and aisles.
 - c. Location of exit signs.
 - d. Total square footage of space.
 - e. Location and arrangement of all booths and cooking equipment.
 - f. Location of all fire protection equipment.
 - g. Location of means to confine attendees.
 - h. Locations of *fire apparatus access roads*.
 - i. Type and location of heating and electrical equipment where applicable.
 - j. Locations of structures.
- At time of permit application, the event coordinator shall submit a letter from the property owner authorizing the use of the site, the address of the site, dates and hours of operation, and names and 24-hour phone numbers of at least two principals.
- (4) **Temporary indoor vehicle displays:** The permit application and site plan shall be submitted a minimum of 10 business days prior to the display of electric, liquid- or gas-fueled vehicles, boats or other motor craft. Floor plans shall include, but not be limited to:
- a. The means of egress.
 - b. Location and width of exits and aisles.
 - c. Location of exit signs.
 - d. Total square footage of space.
 - e. Location and arrangement of all booths and cooking equipment.
 - f. Location of all fire protection equipment.
 - g. Type and location of heating and electrical equipment where applicable.
 - h. Location and size of exhibits and booths.
 - i. Location of structures.
- Exception:** Auto dealerships.
- (5) **Vehicle competition or demonstration:** The permit application and site plan shall be submitted a minimum of 10 business days prior to the competition or demonstration of electric, liquid- or gas-fueled vehicles, boats or other motor craft. A floor plan shall include, but not be limited to:
- a. The means of egress.
 - b. Location and width of exits and aisles.
 - c. Location of exit signs.
 - d. Total square footage of space.
 - e. Location and arrangement of all booths and cooking equipment.
 - f. Location of all fire protection equipment.
 - g. Type and location of heating and electrical equipment where applicable.
 - h. Location and size of exhibits and booths.

- i. Location of structures.
- j. Location of *fire apparatus access roads* where applicable.

Division 2. General Requirements

Sec. 46-532. Access for firefighting and medical services.

Approved vehicle access for fire fighting and medical services shall be provided in accordance with sections 503 of the International Fire Code and 46-444 of this code.
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Sec. 46-534. Crowd managers.

Crowd managers shall be provided where the fire code official determines that an indoor or outdoor gathering warrants crowd control. Crowd managers shall be in accordance with section 403.11.3.1.

Sec. 46-535. Decorative materials and furnishings.

Curtains, drapes, and decorations including, but not limited to drapes, signs, banners, acoustical materials, cotton, hay, fabric, paper, straw, moss, split bamboo, and wood chips, shall be flame resistant as demonstrated by testing in accordance with NFPA 701, or provide documentation of flame retardancy. Field flame test shall be in accordance with section 807. Materials that cannot be treated for flame retardancy shall not be used unless approved by the fire code official. This includes but is not limited to oilcloth, tarpaper, nylon, plastic cloth, and other plastic materials.

Sec. 46-536. Fire protection equipment clearance.

Clearance around all fire protection equipment shall be in accordance with section 901.4.7.

Sec. 46-537. Fire extinguishers.

Fire extinguishers shall be in accordance with section 906 and NFPA 10.

Sec. 46-538. Fire watch.

Fire watch shall be in accordance with section 403.11.1.

Sec. 46-539. Fireworks, pyrotechnics.

Fireworks and pyrotechnics shall comply with chapter 56.
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Sec. 46-541. LP-gas heaters.

Fuel supplies for liquefied-petroleum gas-fired heaters shall comply with chapter 61 of the International Fire Code.

Sec. 46-542. Open flame devices.

Open flame devices shall comply with section 308.

Sec. 46-543. Waste disposal.

Combustible debris shall not be accumulated at special events. Combustible debris, rubbish, and waste material shall be removed from special events at the end of each shift of work. Combustible debris, rubbish, and waste material shall not be disposed of by burning on the site unless approved.

Division 3. Trade Shows and Exhibitions.

Sec. 46-544. General.

Trade shows and exhibitions conducted within any occupancy shall comply with chapter 31.

Sec. 46-545. Vehicles.

Liquid- and gas-fueled and electric vehicles, boats, or other motor-craft and equipment used for display, competition, or demonstration within a building shall be in accordance with section 314.

Sec. 46-546. Means of egress.

Means of egress shall comply with this section and the requirements of chapter 10.

- (1) **Travel distance.** The maximum travel distance from any point in an exhibit to an exit access aisle shall not exceed 50 feet (15240 mm).
- (2) **Aisles.**
 - a. **Aisle width.** Minimum aisle width inside a trade show or exhibition shall comply with the following:
 - b.

Square Footage of Trade Show or Exhibition	Minimum	Aisle Width
Greater than 15,000 square feet (1393m ²)		10 feet (3048mm)
5,000 square feet (465 square meters) to 15,000 square feet (1393m ²)		8 feet (2438mm)
Less than 5,000 square feet (465 m ²)		6 feet (1829mm)
- (3) **Obstructions.** Aisles shall be kept clear of all obstructions, including but not limited to, fixtures and displays of goods for sale, chairs, tables, product, displays, vehicles, and trailer tongues.
- (4) **Exit signs.** Exit signs shall be visible from all locations in the occupancy.

Sec. 46-547. Exhibit construction and materials.

The materials used for an exhibit shall comply with section 3104 and chapter 8:

- (1) **Materials shall be one of the following:**

- a. Noncombustible or limited-combustible materials.
 - b. Wood that is greater than ¼-inch (6 mm) nominal thickness.
 - c. Wood ¼-inch (6 mm) nominal thickness or less that is pressure-treated fire-retardant wood meeting the requirements of NFPA 703, Standard for Fire Retardant Impregnated Wood and Fire Retardant Coatings for Building Materials. The product shall be marked or labeled by the manufacturer. The product shall not be painted or similarly modified until the material has been inspected and the marking or labeling verified, or provide documentation acceptable to the fire code official.
- (2) **Flame retardant materials.** Materials shall comply with chapter 8.
 - (3) **Wall and ceiling coverings.** Textile wall coverings, such as carpeting and similar products used as wall or ceiling finishes, shall comply with chapter 8.
 - (4) **Other Materials.** Materials not listed above shall be limited to those that comply with chapter 8. Plastics used in trade shows and exhibitions with an occupant load of 300 or more shall be Class A or Class B. Plastics used in trade shows and exhibitions with an occupant load of less than 300 shall be Class A, Class B, or Class C.

Sec. 46-548. Combustible materials storage.

- (a) **Quantity.** Combustible materials shall be limited to a one-day supply.
- (b) **Location.** Storage of combustible materials behind exhibits, booths, or tents is prohibited. Combustible materials, including but not limited to wood crates, paper, and cardboard boxes, shall be stored outside the building in an approved area or in a storeroom having a fire-resistance rating of at least one hour and protected by an approved automatic fire-extinguishing system.

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Sec. 46-551. Hazardous Materials.

Hazardous materials shall comply with this section and chapters 50 through 67.

- (1) **Specific prohibitions.** The following hazardous materials shall not be stored, handled, or used in trade shows and exhibitions:
 - a. Division 1.1, 1.2, 1.3, and 1.5 explosives as classified by the U.S. Department of Transportation.
 - b. Detonable, Class I, and Class II organic peroxides.
 - c. Class I-A flammable liquids.
 - d. Class 4 and Class 3 oxidizers.
 - e. Class 4 and Class 3 (unstable) reactive materials.
 - f. Class 3 water-reactive materials.
 - g. Pyrophoric materials.
 - h. Highly toxic materials.
 - i. Toxic gases.
 - j. Fueling or defueling of flammable or combustible that are stored or used as liquids, cryogenics, or compressed gases.

Sec. 46-552. Demonstration cooking and warming equipment or devices.

- (a) **General.** Cooking and warming devices for demonstration purposes only shall be in accordance with section 4104
- (b) **Public Isolation.** Equipment and devices shall be isolated from the public by not less than 4 feet (1219 mm) or by a noncombustible 3-sided barrier between the equipment and devices and the public.
- (c) **Protection.** Single-well cooking equipment using combustible oils or solids shall meet the following:
 - (1) A noncombustible lid shall be immediately available. The lid shall be of sufficient size to cover the cooking well completely.
 - (2) The cooking surface shall not exceed 288 square inches (1858 cm²).
 - (3) The equipment shall be placed on a noncombustible surface.
 - (4) The equipment shall be separated from each other by a horizontal distance of not less than 2 feet (609 mm).
- (d) Cooking equipment shall be separated from combustible materials by a horizontal distance of at least 2 feet (609 mm).
- (e) **Butane.** Butane for cooking equipment shall be limited to one 10 oz cylinder and one spare in storage, of the same size, per appliance. Storage location shall be approved by the fire code official.
 - (1) **Portable butane-fueled appliances.** Portable butane-fueled appliances are allowed in restaurants and in attended commercial food catering operations where fueled by not more than two 10 oz (296 ml) LP-gas capacity, nonrefillable butane containers that have a water capacity not exceeding 1.08 lb (0.489 kg) per container. The containers shall be directly connected to the appliance, and manifolding of containers is not permitted. Storage of cylinders is limited to 24 containers, with an additional 24 permitted where protected by a 2-hour fire-resistance-rated barrier.

Division 4. Outdoor Assembly Events.

Sec. 46-553. General.

Outdoor assembly events shall be in accordance with section 3107 and chapter 10 of the International Fire Code.

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Sec. 46-555. Exits.

Exits shall comply with chapter 10 of the International Fire Code and be as remote from each other as practical and shall be provided as follows:

Occupant Load	Minimum Number of Exits
1 to 500	2
501 to 1,000	3
1,001 or 1,500	4
each additional 500 persons	36 additional inches of exit width

- (1) **Width.** The aggregate clear width of exits shall be a minimum of 36 inches wide (914 mm) for each 500 persons to be accommodated.
- (2) **Signs.** Exits shall be identified with signs that read “EXIT.” The signs shall be weather-resistant with lettering on a contrasting background. The lettering shall be of sufficient height and brush stroke to be immediately visible from 75 feet (22,860 mm). Placement of the exit signs shall be approved by the fire code official.

Sec. 46-556. Concession stands, food booths, and retail booths.

- (a) **General.** Concession stands, food booths, and retail booths shall be in accordance with section 3108.
 - (1) **Distances.** A minimum of 20 feet (6096 mm) shall be provided between every 150 linear feet (45,720 mm) of booth space. A minimum of 30 feet (9144 mm) shall be provided between booths used for cooking and the vehicles, generators, or any other internal combustion engines. A minimum of 30 feet (9144 mm) shall be provided between booths used for cooking and amusement rides or devices.
- (b) **Cooking appliances or devices.**
 - (1) **Public isolation.** Cooking appliances or devices shall be isolated from the public by not less than 4 feet (1219 mm) or by a non-combustible 3-sided barrier between the equipment and devices and the public.
 - (2) **Protection.** Single-well cooking equipment using combustible oils or solids shall meet the following:
 - a. A noncombustible lid shall be immediately available. The lid shall be of sufficient size to cover the cooking well completely.
 - b. The cooking surface shall not exceed 288 square inches (18,580 cm²).
 - c. The equipment shall be placed on a noncombustible surface; and
 - d. The equipment shall be separated from each other by a horizontal distance of not less than 2 feet (609 mm).
 - (3) **Liquefied petroleum gas (LP-gas).** LP-gas shall be in accordance with chapter 61 of the International Fire Code and NFPA 58.
 - a. **Maximum number and quantity.** A maximum of a total aggregate water capacity of 50 gallons (189 L) of LP-gas is permitted at one concession stand or booth used for cooking.
 - b. **LP-gas high-pressure cylinder hoses.** Hoses shall be designed for a working pressure of 350 PSIG (2413 kPa) with a safety factor of 5 to 1 and shall be continuously marked with LP-GAS, PROPANE, 350 PSI (2413 kPa) WORKING PRESSURE, and the manufacturer’s name or trademark. Hose assemblies, after the application of couplings, shall have a design capability of 700 PSIG (4826 kPa). Hose shall not exceed 12 feet (3658 mm) unless approved by the fire code official.

- c. **LP-gas low-pressure cylinder hoses.** Hoses with a working pressure of 5 psig shall be allowed when a fix regulator is set a 5 psi and is connected directly to the LP GAS cylinder. The hose shall not exceed 12 feet (3658 mm) unless approved by the fire code official.
- (4) **Storage of containers.** Containers shall be stored in accordance with chapter 61 of the International Fire Code.
- (c) **Generators / electrical.** The generators shall be installed at least 10 feet (3048 mm) from combustible materials; shall be isolated from the public by physical guard, fence, or enclosure installed at least 3 feet (914 mm) away from the internal combustion power source; and be provided with a compliant portable fire extinguisher per section 906 of the International Fire Code and NFPA 10.
- (d) **Temporary water stations.** When outdoor temperatures are expected to exceed 90°F (32.2°C), the event sponsor shall provide and maintain a minimum of one water station for each 5,000-projected attendance. The water station shall include adequate water supply, cups, and a means for rapid replenishing of exhausted water. Each water station shall be located as far apart as practicable to allow ease of access for event attendees.

Division 5. Mobile Food Vehicles.

Sec. 46-557. General.

Mobile food vehicles that are temporarily or permanently stored on a property where food items are processed or prepared and sold to the public shall comply with section 4106 of the International Fire Code.

Exception: Food peddlers operating a retail food establishment from a vehicle designated to be readily movable in which food is sold or given away but not composed, compounded, thawed, reheated, cut, cooked, processed, or prepared.

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Sec. 46-560. Liquefied petroleum gas (LP-gas).

LP-gas shall be in accordance with chapter 41 and chapter 61 of the International Fire Code and NFPA 58.

(1)

LP-gas cylinder hoses. Hoses shall be designed for a working pressure of 350 psig (2413 kPa) with a safety factor of 5 to 1 and shall be continuously marked with LP-GAS, PROPANE, 350 PSI WORKING PRESSURE, and the manufacturer's name or trademark. Hose assemblies, after the application of couplings, shall have a design capability of 700 psig (4826 kPa). Hose assemblies shall be leak tested at the time of installation at not less the operating pressure of the system in which they are installed.

Sec. 46-561. Location.

Mobile food vehicles shall not be located inside of or within 20 feet (6096 mm) of buildings, tents, canopies, or membrane structures.

Division 6. Special Amusement Buildings.

Sec. 46-562. General.

Special amusement buildings shall be in accordance with this section and section 411 of the International Building Code.

Exception: Amusement buildings or portions thereof, which are without walls or a roof and are constructed to prevent the accumulation of smoke.

Sec. 46-563. Use of combustible decorative materials.

Use of combustible decorative materials shall be in accordance with chapter 8.

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Sec. 46-565. Automatic sprinkler system.

Special amusement buildings shall be equipped throughout with an automatic sprinkler system in accordance with chapter 9.

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Division 7. Mazes.

Sec. 46-567. General.

Mazes, including but not limited to corn stalk or hedge mazes, shall be in accordance with this section.

- (1) **Safe refuge areas.** Safe refuge areas shall be established outside of the maze or building and structure, and shall not be closer than 50 feet (15240 mm).
- (2) **Paths.** Paths throughout the maze shall be a minimum of 36 inches (914 mm) in width and shall be clear and unobstructed width.
- (3) **Separation.** A minimum of 20 feet (6096 mm) shall be provided between mazes and buildings and structures. The 20-foot (6096 mm) clearance shall be free from vegetation and obstructions.
- (4) **Means of egress.** Each exit shall be a minimum of 6 feet (1828 mm) wide.
 - a. **Travel distance.** The maximum travel distance to reach an exit access shall not exceed 75 feet (22,860 mm). The travel distance shall be determined by using the maze path.
 - b. **Number.** The travel distance required to reach an exit access shall determine the number of exits required. Locking devices shall remain unlocked on exits when the maze is occupied.
 - c. **Exit signs.** Exit signs shall be provided next to or above each exit. The lettering shall be a minimum of 12 inches (305 mm) high with 2-inch (51mm) brushstroke. The signs shall read EXIT with lettering in a color contrasting to the sign's background.

Sec. 46-568. Event plans.

The following plans shall be submitted to the fire code official.

- (a) **General fire safety plan.** The plan shall include, but not be limited to, procedures that shall be used to prevent over-drying of vegetation throughout the site, documentation of decorative materials flame-retardancy, and the maximum number of attendees.
- (b) **Security plan.** The plan shall document who shall provide security (e.g., off-duty police officers, sheriff's posse, employees). All security personnel shall be provided with a 2-way radio and flashlight.
- (c) **Evacuation plans.** The plan shall document the responsibilities of all on-site employees. The plan shall also document how attendees will be evacuated and where they will be evacuated.
- (d) **Maze rules.** Maze rules shall be posted at maze entrance.

Sec. 46-569. Employee responsibilities.

Each employee shall be familiar with the evacuation plan and with fire extinguisher locations. Documentation of training shall be provided to the fire code official.

- (1) **Guides.** An employee shall be responsible for guiding a group of not more than 14 attendees through the maze. Each employee shall be provided with a minimum of one flashlight and two-way radio. The employees shall be responsible for detecting and reporting fire or smoke to a competent person posted at the maze main entrance and begin evacuation procedures.
- (2) **Main entrance employee.** Each maze shall be manned by an employee at the entrance. The employee shall be capable of communicating with the employees and shall be provided with a cellular telephone. When the main entrance employee receives a report of smoke, fire, or injury, the employee shall immediately call 9-1-1.

Sec. 46-570. Watering.

Corn stalk and hedge mazes shall be provided with sufficient water and at a frequency that prevents the vegetation from becoming dry or brittle. Failure to comply with this provision is an imminent hazard, and the fire code official shall issue a stop order.

Sec. 46-571. Buildings and structures.

When buildings and structures are intended to be occupied by attendees, the building and structure shall comply with section 3105.

Division 8. Covered Mall Buildings

Sec. 46-572. General.

Temporary use of the common pedestrian area within a covered mall building for promotional, Group A, Group E, Group M, or similar activities shall be in accordance with section 3108.

Sec. 46-573. General requirements.

- (a) **Main aisle width.** Main aisles shall be a minimum of 10 feet (3048 mm) in width or the minimum required means of egress width, whichever is greater, and shall be maintained in accordance with chapter 10. Main aisles shall not be obstructed.
- (b) **Cross aisle width.** Cross aisles shall be a minimum of 15 feet (4572 mm) in width or the required means of egress width, whichever is greater, and shall be maintained in accordance with chapter 10.
- (c) **Fueled equipment.** Liquid- or gas-fueled or electric appliances, tools, apparatus, craft, or vehicles shall be displayed in a mall in accordance with section 314. LP-gas powered floor maintenance machines may be used when in accordance with chapter 61.

Sec. 46-574. Combustible decorative materials.

Combustible decorative materials shall be in accordance with chapter 8.

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ARTICLE XIX. FIRE DEPARTMENT ACCESS

Sec. 46-580. Aerial Access.

Delete section D105.3 and insert in lieu thereof the following new section:

D105.3 Proximity to building.

At least one of the required access routes meeting this condition shall be positioned along a minimum of one-fourth of the building perimeter and located within the minimum and a maximum dictated by the table below, Table D105.3. The arrangement of the aerial fire apparatus access road shall be approved by the fire code official and may be discontinuous with approval.

Building Height (ft)		Distance from Building (ft)	
Minimum	Maximum	Minimum	Maximum
30	40	15	50
40	50	15	40
50	N/A	15	30

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Sec. 46-583. One and Two Family Dwellings on a Single Access Road.

Delete section D107.1 exception #2 and insert in lieu thereof the following new section:

2. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless alternative fire and life safety measures have been provided, as determined by the *fire code official*. Even when alternative fire and life safety measures have been implemented, at no time shall the number of dwelling units on a single fire apparatus access road exceed 60 units.

Sec. 46-584. Commercial and Industrial Access Roads.

Insert new section D104.4 with the following language:

D104.4 Public Streets. Where two fire apparatus access roads are required, they both shall be public streets. Where public streets are not available, both access roads or private streets shall be designed, constructed, and maintained as public streets.

Sec. 46-585. Multi-family Residential Developments - Access Roads.

Insert new section D106.4 with the following language:

D106.4 Public Streets. Where two or more fire apparatus access roads are required, all streets throughout the development shall be public streets complying with city code and policy in design and installation standards.

Exemption: Where a fire apparatus access road only serves an isolated portion of the development for compliance with IFC 503, and that isolated portion would not require two fire apparatus access roads, all as determined by the fire code official, such fire apparatus access road may be but shall not be required to be a public street.

D106.4.1 Alternative to Public Streets. Where public streets are not required for the development other than as specified in IFC appendix D or the exemption in city code section 106.4 applies, the fire apparatus access roads shall be permitted, but not required, to be privately owned when the following requirements are met and are recorded as an easement in favor of the city on the development plat:

1. All fire apparatus access roads shall meet the requirements of IFC 503 and IFC appendix D including the design capacity, width, turn radius, turnarounds, and lengths.
2. The access easement granted to the city for access to and use of the privately owned fire apparatus access road shall comply with the following:
 - 2.1 Will be a permanent easement releasable only by resolution of the city council.
 - 2.2 Will indicate which of the properties are responsible for maintaining the road to provide all-weather driving capabilities.
 - 2.3 Will prohibit any structures from being built within 15 feet on either side of the fire apparatus access road, as measured from the back of the road curb. The distance can be reduced to 7 feet in limited locations where there is sufficient space across the road as approved in advance by the fire department.
3. Fire Lane requirements of section 511, as set forth in city code section 46-444, shall be met for the privately owned fire apparatus access road.

4. Portions of roads, driveways, or other pavement that are not needed for compliance with IFC 503.1.1 shall not be required to comply with this section.

Sec. 46-586. One- or Two-family Residential Developments - Access Roads.

Insert new section D107.3 with the following language:

D107.3 Public Streets. Where two or more fire apparatus access roads are required, all streets throughout the development shall be public streets complying with city code and policy in design and installation standards.

Exemption: Where a fire apparatus access road only serves an isolated portion of the development for compliance with IFC 503, and that isolated portion would not require two fire apparatus access roads, all as determined by the fire code official, such fire apparatus access road may be but shall not be required to be a public street.

D107.3.1 Alternative to Public Streets. Where public streets are not required for the development other than as specified in IFC Appendix D or the exemption in city code section 107.3 applies, the fire apparatus access roads shall be permitted, but not required, to be privately owned when the following requirements are met and are recorded as an easement in favor of the city on the development plat:

1. All fire apparatus access roads shall meet the requirements of IFC 503 and IFC Appendix D including the design capacity, width, turn radius, turn arounds and lengths.
2. The access easement granted to the city for access to and use of the privately owned fire apparatus access road shall comply with the following:
 - 2.1 Will be a permanent easement releasable only by resolution of the city council.
 - 2.2 Will indicate which of the properties are responsible for maintaining the road to provide all-weather driving capabilities.
 - 2.3 Will prohibit any structures from being built within 15 feet on either side of the fire apparatus access road, as measured from the back of the road curb. The distance can be reduced to 7 feet in limited locations where there is sufficient space across the road as approved in advance by the fire department.
3. Fire Lane requirements of section 511, as set forth in city code section 46-444, shall be met for the privately owned fire apparatus access road.
4. Portions of roads, driveways or other pavement that are not needed for compliance with IFC 503.1.1 shall not be required to comply with this section.

Sec. 46-587. Emergency Responder Communications Enhancement Systems.

Delete Exemption #4 of section 510.1 of the International Fire Code and insert in lieu thereof the following new exemption:

4. Buildings, three-stories or less, with an aggregate floor area of less than 50,000ft² and less than 5,000 ft² below grade.

Sec. 46-588. Replacement of Battery-Powered Smoke Alarm.

Upon replacement of a smoke or heat alarm with an existing primary power source of a battery, the new smoke or heat alarm must comply with the power supply requirements of NFPA 72 section 29.9.1.

Section 2. This ordinance shall be in full force and effect from and after the later of its passage and publication as provided by law or January 1, 2026.

FORM APPROVED: Glenna K. Frank, Deputy City Attorney

Connie Boesen, Mayor

Attest: I, Laura Baumgartner, 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. 25-1639), passed by the City Council of said City at the meeting held on December 8, 2025 and signed by the Mayor on December 8, 2025 and published and provided by law in the Business Record on December 26, 2025. Authorized by Publication Order No. 13204.

Laura Baumgartner, City Clerk