



Roll Call Number

Agenda Item Number

63

Date May 21, 2018

An Ordinance entitled, "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 Section 46-1, relating to permits required for fire prevention and protection",


(Council Communication No. 18-248)

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)



Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

ORDINANCE NO. _____

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 Section 46-1, relating to permits required for 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 Section 46-1, relating to permits required for fire prevention and protection, as follows:

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 (h) of this section.
- (b) Permits shall be required for the installation, major repair, abandonment, or removal of the following installations, and the fee for each such construction shall be the amount established in the schedule of fees adopted by the city council by resolution:
 - (1) Compressed and liquefied petroleum gas system (see section 46-278 of this chapter).
 - (2) Flammable or combustible liquid tanks (see section 105.7.8 of the fire code).
 - (3) Compressed gas systems designed for storage or use of a compressed gas in excess of the quantities identified in 46-1 (7).
- (c) Yearly operational permits shall be required for each of 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) Aviation Facility. To use a Group H or Group S for aircraft servicing or repair and aircraft fuel-servicing vehicles (see chapter 20 of the fire code).
 - (2) Acetylene generator. To operate an acetylene generator having a carbide capacity of five pounds or greater (see section 46-121 of this chapter).
 - (3) Calcium carbide. To store or keep calcium carbide in excess of 100 pounds (see section 46-121 of this chapter)
 - (4) Cellulose nitrate film. To store, handle, or use nitrate film in quantities in excess of five reels or 25 pounds in weight (see section 306 of the fire code)
 - (5) Cellulose nitrate (pyroxylin).
 - a. To store or handle more than 25 pounds of cellulose nitrate plastic (see section 306 of the fire code).
 - b. To manufacture or assemble pyroxylin articles or parts of (see chapter 65 of the fire code).

- (6) Combustible fiber. To store or handle combustible fibers in quantities in excess of 100 cubic feet (see chapter 37 of the fire code).
- (7) Compressed gases. To store, handle or use at normal temperatures and pressures in excess of quantities indicated:
 - a. Flammable gases in excess of 200 cubic feet (see chapter 58 of the fire code).
 - b. Non-flammable gases in excess of 6,000 cubic feet (see chapter 53 of the fire code).
 - c. Oxidizing gases in excess of 504 cubic feet (see chapter 63 of the fire code).
 - d. Corrosive or toxic gases in any amount (see chapter 50 of the fire code).
 - e. Highly toxic, radioactive or reactive (unstable) materials in any amount (see chapter 60 and 66 of the fire code).
 - f. Carbon Dioxide for beverage systems in excess of 100 pounds of carbon dioxide (see section 105.6.4 of the fire code).
- (8) Dry cleaning plants. To engage in the business of dry cleaning, as prescribed by class or type of system (see chapter 21 of the fire code).
- (9) Dust-producing operations. To operate a grain elevator; flour, starch or feed mill; or plant pulverizing aluminum, coal, cocoa, magnesium, spices, sugar or other material producing dusts as defined in chapter 22 of the fire code.
- (10) Activities or uses involving explosives or blasting agents. (see chapter 56 of the fire code):
 - a. Keep, store or sell explosives.
 - b. Transport explosives.
 - c. Blasting using explosives.
- (11) Activities or uses involving explosives, small arms ammunition, small arms primers, smokeless propellants, black rifle powder (see chapter 56 of the fire code):
 - a. Small arms ammunition, to store or sell.
 - b. Small arms primers and smokeless propellants, to store or sell.
 - c. Black rifle powder, to store or sell.
- (12) Inspection, maintenance and certification of fire appliances.
- (13) 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 ~~46-214~~ 46-215 of this chapter).
- (14) Conducting a flammable finish operation by painting, spraying, dipping or storing flammable products for these operations (see chapter 24 of the fire code).
- (15) Flammable or combustible liquids (see section 105.6.16 of fire code).
- (16) Fruit ripening. To ripen fruit by the process described in chapter 25 of the fire code using ethylene gas.
- (17) Garages. To use any structure as a place of business for repairing motor vehicles (see chapter 23 of the fire code).
- (18) Hazardous chemicals. To store or handle the following hazardous chemicals in excess of the quantities indicated (see Chapter 50 of the fire code).

Combustible liquids – see 105.6.17

Corrosive liquids – 55 gallons

Corrosive solids – 1000 pounds

Flammable liquids - see 105.6.17

Flammable solids – 100 pounds

Highly toxic liquids and solids – any amounts

Toxic liquids – 10 gallons

Toxic solids – 100 pounds

Organic Peroxides

Liquids – Class I and II – any amount

Liquids – Class III – 1 gallon

Liquids – Class IV – 2 gallons

Liquids - Class V – no permit required

Solids – Class I and II – any amount

Solids – Class III – 10 pounds

Solids – Class IV – 20 pounds

Solids – Class V – no permit required

Oxidizing materials

Oxidizing liquids class 4 – any amount

Oxidizing liquids class 3 – 1 gallon

Oxidizing liquids class 2 – 10 gallons

Oxidizing liquids class 1 – 55 gallons

Oxidizing solids class 4 – any amount

Oxidizing solids class 3 – 10 pounds

Oxidizing solids class 2 – 100 pounds

Oxidizing solids class 1 – 500 pounds

Unstable (reactive) materials

Liquids class 3 & 4 – any amount

Liquids class 2 – 5 gallons

Liquids class 1- 10 gallons

Solids class 3 & 4 – any amount

Solids class 2 – 50 pounds

Solids class 1 – 100 pounds

Water reactive materials

Liquids class 3 - any amount

Liquids class 2 - 5 gallons

Liquids class 1 – 55 gallons

Solids class 3 – any amount

Solids class 2 – 50 pounds

Solids class 1 – 500 pounds

- (19) Liquefied petroleum gas. To operate or maintain an LP gas system or store LP gas (see section 46-278 of this chapter).
 - (20) Lumberyards. To store lumber in excess of 100,000 board feet (see chapter 28 of the fire code).
 - (21) Magnesium. To melt, cast, heat treat or grind more than ten pounds of magnesium per working day (see chapter 59 of the fire code).
 - (22) Mall, covered. To use a covered mall in the following manner: placing or constructing temporary kiosks, display booths, concession equipment or the like in the mall; to use the mall as a place of assembly; to use open-flame or flame-producing devices; to display any liquid or gas fueled powered equipment; to use liquefied natural gas or compressed flammable gas 30 days only.
 - (23) Organic coatings. To manufacture more than one gallon of organic coatings in a working day (see chapter 29 of the fire code).
 - (24) Ovens, industrial baking or drying. To operate an industrial baking or drying oven regulated by this chapter (see chapter 30 of the fire code).
 - (25) Refrigerant equipment. To operate a refrigeration unit or system having a refrigerant circuit containing more than 220 pounds (100 kg) of group A1 or 30 pounds (14 kg) of any other group refrigerant.
 - (26) Tents. To erect or maintain a tent, temporary stage canopy, or membrane structure (see section 105.6.45 and ~~chapter 31 of the fire code~~ and article IX of this chapter) having an area in excess of 400 square feet.
 - (27) Tire rebuilding. To operate a tire rebuilding or tire recapping plant (see chapter 34 of the fire code).
 - (28) High piled combustible storage. To use a building or a portion thereof as a high piled storage area in excess of 500 square feet, including storage of combustible materials on pallets, in racks or on shelves where the top of the storage is greater than 12 feet in height, and also including certain commodities, such as rubber tires, Group A plastics, flammable liquids, idle pallets and similar commodities where the top of the storage is greater than 6 feet in height (see sections 105.6.23 and 202 of the fire code).
- (d) A permit shall be required for construction, installation or modification of the following types of fire protection systems and equipment, and 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) Automatic fire-extinguishing systems and related equipment.
 - (2) Standpipe system (not part of a combined sprinkler/standpipe system).
 - (3) Fire alarm and detection systems and related equipment.
 - (4) Fire pumps and related equipment.
 - (5) Reserved.
 - (6) Reserved.
- (e) A permit shall be required for removal of an underground storage tank which contains or has contained any substance for which a permit is required under this section (see section 105.7.8(3) of the fire code), and the fee for such permit shall be the amount established in the schedule of fees adopted by the city council by resolution.

- (f) 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.
- (g) A permit shall be required for open fires or open burns pursuant to section 46-61. 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,
- (h) 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.

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

FORM APPROVED:



Ann DiDonato
Assistant City Attorney